

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-6098 - PUBLIC HEARING - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER - Request for Variances TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE 10 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED NEW GARAGE ATTACHED TO A DWELLING AND TO ALLOW A REAR YARD SETBACK OF 30 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED FOR THE PROPOSED ATTACHMENT OF AN EXISTING GARAGE TO A DWELLING on 0.42 acres at 1220 Shadow Lane (APN 162-04-103-002), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). (NOTE: The correct APN # is 162-04-103-003.) Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 3/24/2005 Planning Commission meeting Item 27

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

NOTE: MAYOR GOODMAN was assured by DEPUTY CITY ATTORNEY BRYAN SCOTT that because he is not within the notification area, there is no conflict and he would be allowed to participate and vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CLYDE CARTER, future resident of 1220 Shadow Lane, appeared to request approval.

TOM McGOWAN, Las Vegas resident, spoke in support of the request simply because it increases Ward 1 and decreases residency of Henderson.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(3:29 - 3:31)

CITY COUNCIL MEETING OF: APRIL 20, 2005

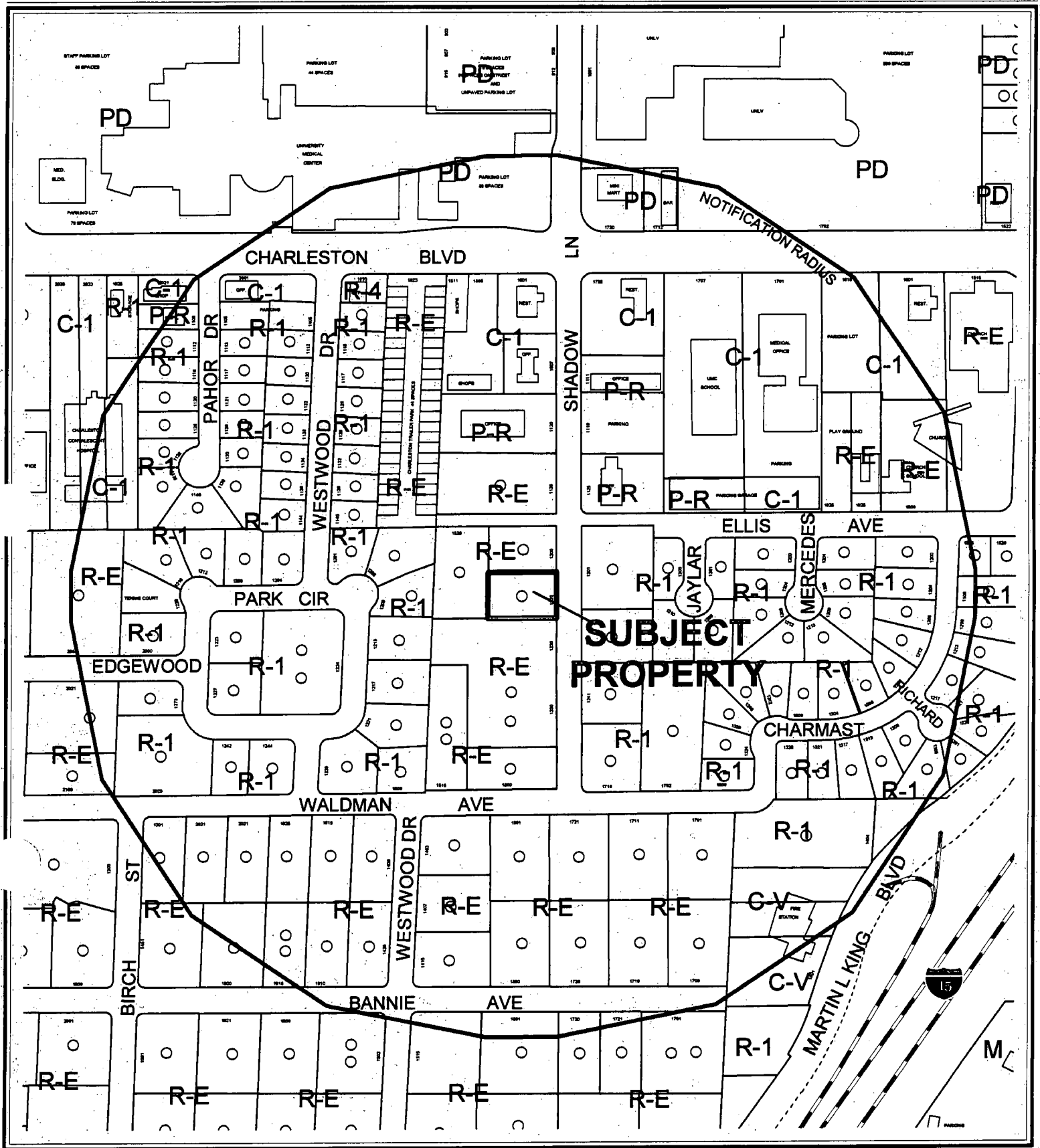
MINUTES - Continued:

4-3226

CONDITIONS:

Planning and Development

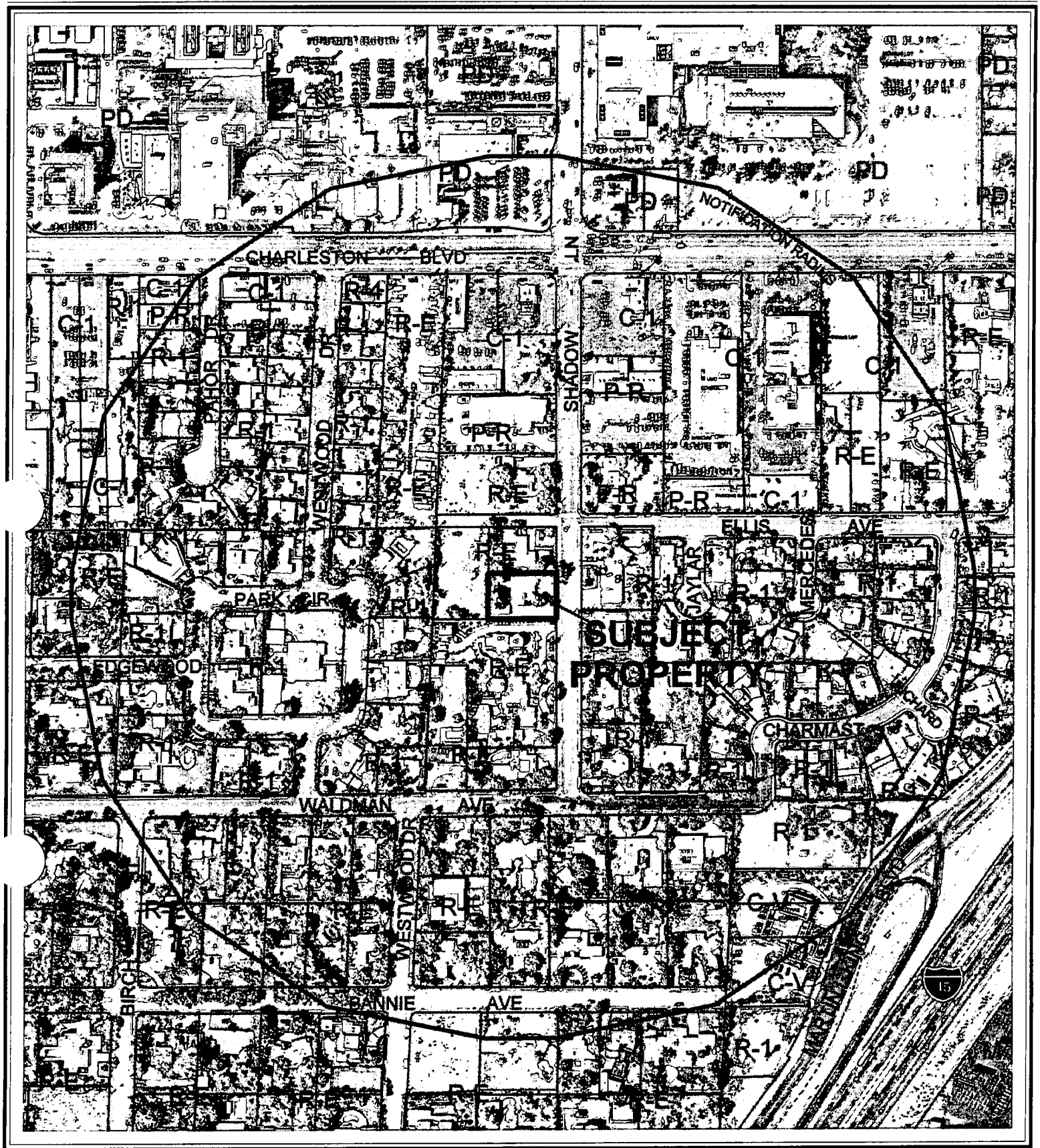
1. These Variances shall expire two years from the date of final approval, unless they are exercised or an Extension of Time is granted by the City Council.
2. These Variances shall be applicable only to the new addition and existing garage as set forth on plans date stamped 02/08/05.
3. No kitchen shall be developed in conjunction with the proposed new construction or remodeling.



CASE: VAR-6098

RADIUS: 1000 FT

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



CASE: VAR-6098

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-6098 - APPLICANT: CLYDE CARTER - OWNER: MEI
CHU K. CARTER**

**** CONDITIONS ****

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

Planning and Development

1. These Variances shall expire two years from the date of final approval, unless they are exercised or an Extension of Time is granted by the City Council.
2. These Variances shall be applicable only to the new addition and existing garage as set forth on plans date stamped 02/08/05.
3. No kitchen shall be developed in conjunction with the proposed new construction or remodeling.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

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

BACKGROUND INFORMATION

A) Related Actions

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

B) Pre-Application Meeting

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 0.41

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

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

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

B) *General Analysis and Discussion*

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED 151 by City Clerk

APPROVALS 4

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: MEICHU CARTER

Name of Applicant: CLYDE CARTER

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

 Yes

2 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: _____

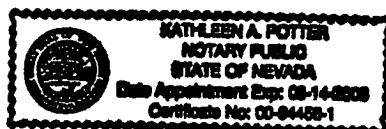
Signature of Property Owner/Authorized Agent: Melinda CARTER

Print Name: MELODY CARTER

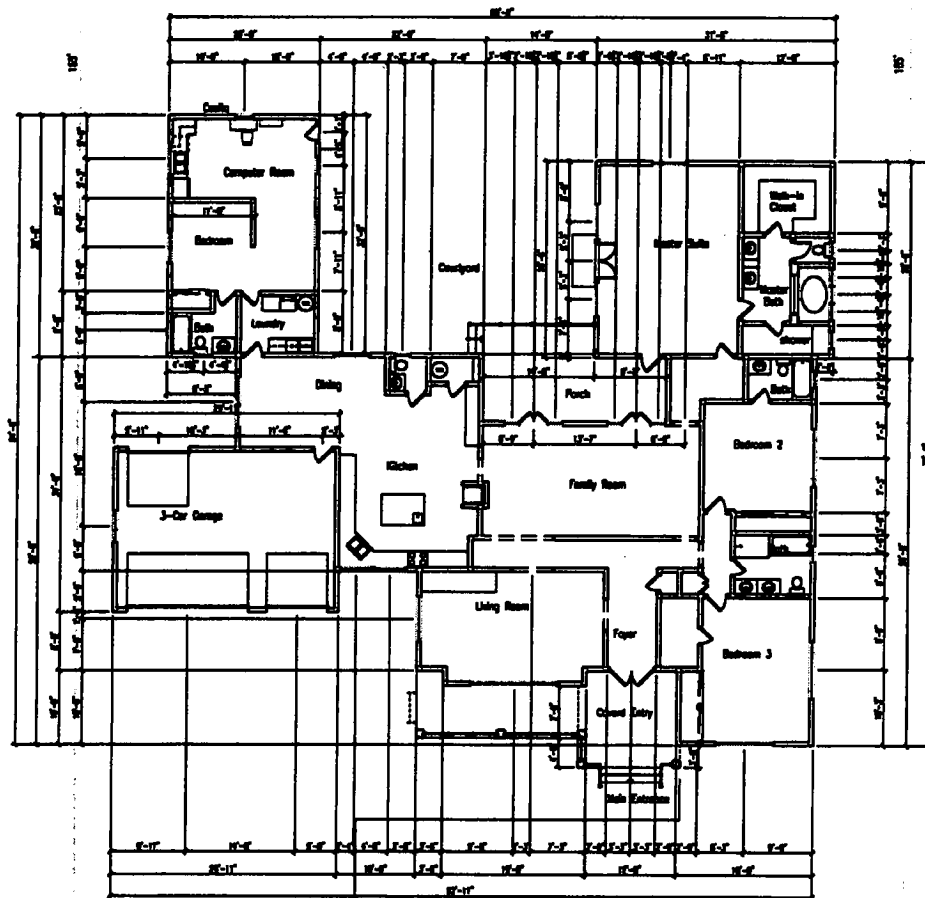
Subscribed and sworn before me

This 13TH day of JANUARY, 2005

William A. Poff
Notary Public in and for said County and State

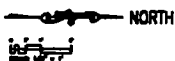


[illegible]



APR 152-04-103-002

Shadow Ln.

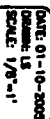


APR 182-04-104-001

VAR-6098
03/24/05 PC

DATE: 01-10-2005
DOWNS: 15
SCALE: 1/8"=1'

[illegible]

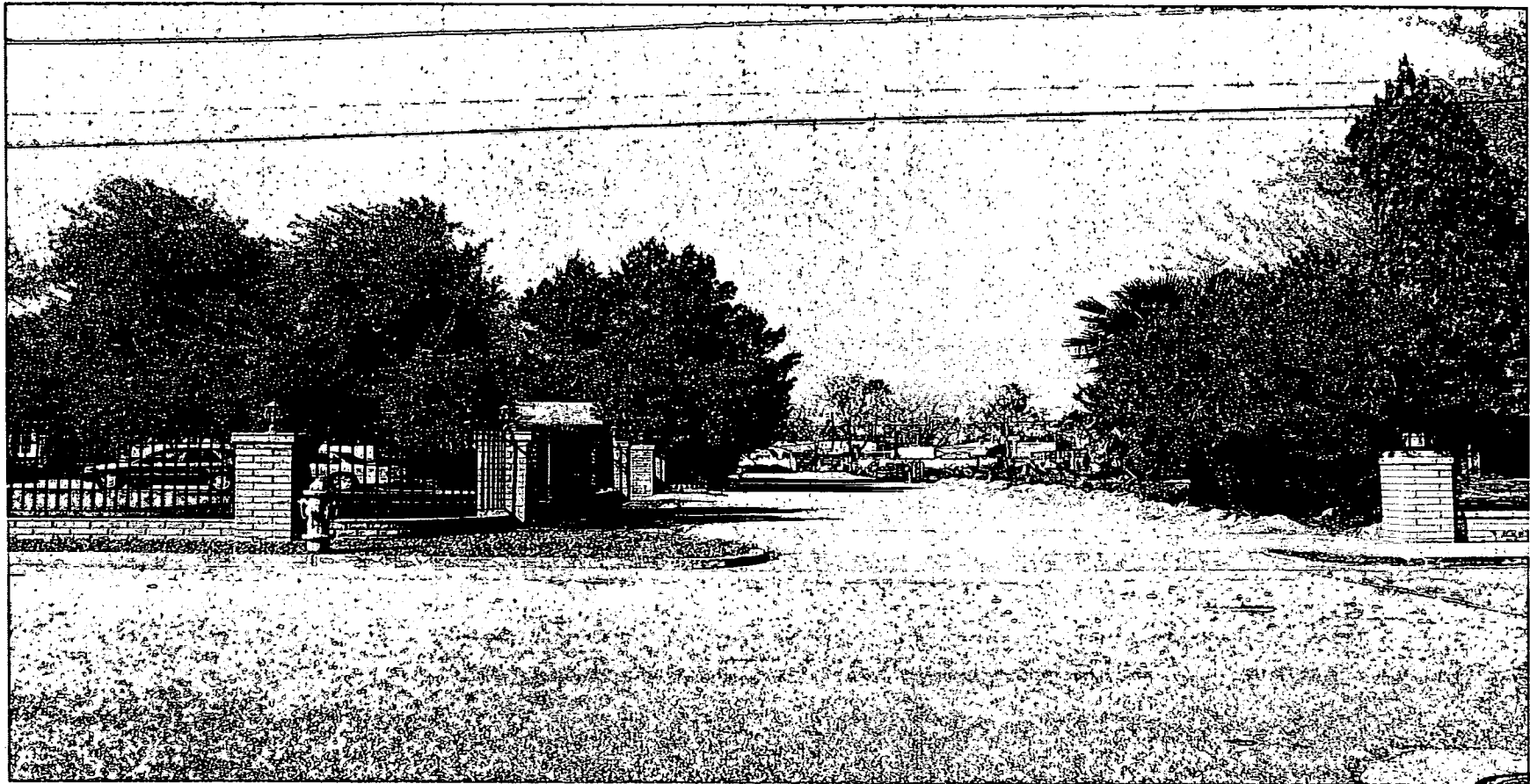


MEI CHU KUO CARTER
1220 SHADOW LANE
LAS VEGAS, NEVADA

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

VAR-6098
03/24/05 PC

[illegible]



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

3/7/05



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

3/7/05

LETTER OF JUSTIFICATION

February 1st 2005

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

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

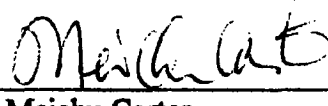
Dear Sir or Madam:

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

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

Thanks in advance for your consideration, and your support.

Respectfully,

 and 
Clyde Carter Meichu Carter

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

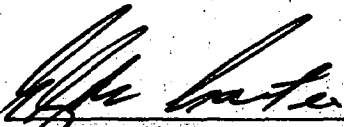
January 25th 2005

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

Dear Neighbors:

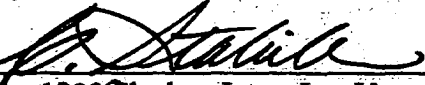
The purpose of this letter is to introduce ourselves as your new neighbors, and to inform you that we are the home-owners of the property at the above address. In addition, we are kindly asking for your support as we seek to obtain a variance from the Planning and Development Department of the City of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

Sincerely,

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

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

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

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

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

Submitted at Planning Commission

Date 3/24/05 Item # 27

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REQUIRED THREE MONTH REVIEW - SPECIAL USE PERMIT**

RQR-6122 - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI - Appeal filed by the applicant from the Denial by the Planning Commission of a Required Three Month Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF AN ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-1 vote) and staff recommend DENIAL

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

The Planning Commission (5-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by the applicant
5. City Council approval letter for SUP-2203
6. Backup referenced from the 3/24/2005 Planning Commission meeting Item 30

MOTION:

REESE - APPROVED subject to the following added conditions as read for the record:

- No razor wire shall be allowed at any time. Horizontal security wires permissible subject to administrative site plan approval.
- No disabled cars shall be parked on the outside of the screened yard.
- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DENISE CONTIGOS, 2101 Fremont Street, appeared on behalf of A-1 Break and Carburetor to appeal the decision made at the Planning Commission. The razor wire at the top of their fence has been removed, and a screen has been installed shielding all disabled vehicles.

NANCY AUSTIN, North Nineteen Street, appeared in opposition of what might contribute to the looks of a junk yard. She agreed with the request to keep disabled vehicles screened from the view of passing cars. MAYOR GOODMAN stated that the City is making tremendous effort to assure that east Fremont Street will be restored. He is certain property value will increase and will soon be developing commercially and residentially, with entertainment facilities.

CITY COUNCIL MEETING OF: APRIL 20, 2005

MINUTES - Continued:

TOM McGOWAN, Las Vegas resident, stated the developmental vision for East Fremont is commendable upon completion. Public subsidized lending is available to the properties that seek to improve and enhance their facade for the overall appearance of the City. The property can be improved while operating successfully and should be included in future deliberations of East Fremont development.

MARGO WHEELER, Director of Planning and Development, included an additional condition to read: No razor wire shall be allowed at any time. Horizontal security wires permissible subject to administrative site plan approval. COUNCILMAN REESE also requested a condition stating that no disabled cars shall be parked on the outside of the screened yard. MS. CONTIGUOS agreed to all conditions and amendments.

COUNCILMAN REESE emphasized the importance of improving the East Fremont corridor and acknowledged MS. CONTIGUOS' desire to do so. The City is not able to mandate existing commercial development to partake in East Fremont improvements, but encourages all to come forward and help follow through with the vision. He stated there are four major developments in the area that should attract more development and encourage existing properties to contribute as well.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:32 - 3:39)

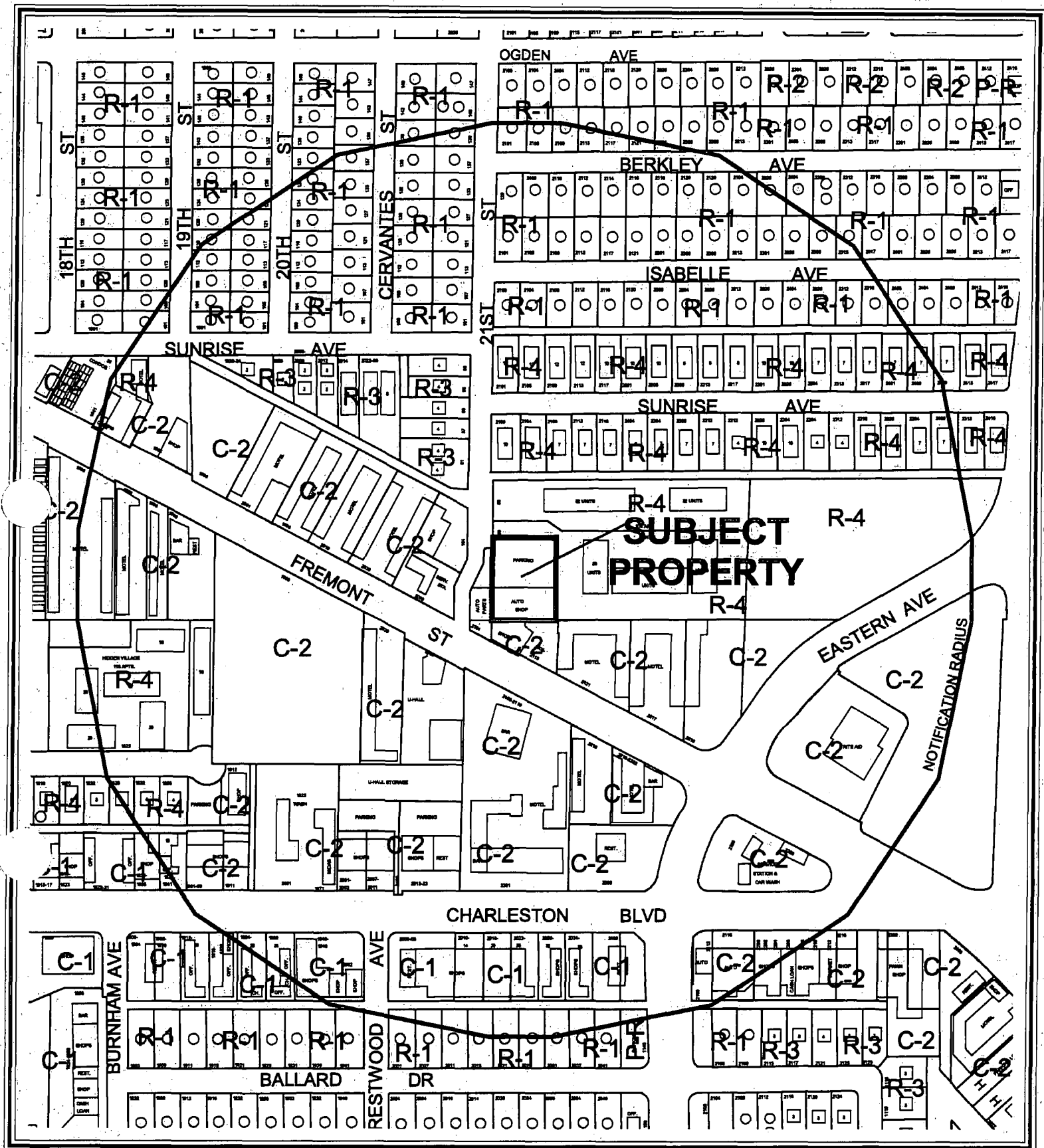
4-3376

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203 and Required Review RQR-4669.

2. The Special Use Permit shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.



CASE: **RQR-6122**

RADIUS: 1000 FT

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

0 300 600 Feet



107



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER:
ZYGMENT AMARETT**

**** CONDITIONS ****

The Planning Commission (5-1 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203 and Required Review RQR-4669.
2. The Special Use Permit shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is an appeal filed by the applicant from the Denial by the Planning Commission of a Required Three Month Review of an approved Special Use Permit (SUP-2203) which allowed an Auto Repair Garage, Major And Waivers To Allow Major Repair And Service Work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets at 2101 Fremont Street.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

08/20/03 The City Council approved a Special Use Permit (SUP-2203) to allow an Auto Repair Garage, Major and waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets on this site subject to a One-Year Review. The Planning Commission recommended approval on 07/24/03. Staff recommendation was for denial.

10/20/04 The City Council approved a Required One-Year Review (RQR-4669) for Special Use Permit (SUP-2203) which allowed an Auto Repair Garage, Major and waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets on this site subject to a Three-Month Review. The Planning Commission recommended approval on 08/26/04. Staff recommendation was for denial.

03/24/05 The Planning Commission voted 5-1 to recommend DENIAL (PC Agenda Item #30/mp).

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.70

B) *Existing Land Use*

Subject Property: Auto Repair Garage, Major

North: Apartments

South: Commercial

East: Apartments

West: Commercial

C) *Planned Land Use*

Subject Property: MXU (Mixed Use)

North: MXU (Mixed Use)

South: MXU (Mixed Use)

East: MXU (Mixed Use)

West: MXU (Mixed Use)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: R-4 (High Density Residential)

South: C-2 (General Commercial)

East: R-4 (High Density Residential)

West: C-2 (General Commercial)

E) *General Plan Compliance*

The site is designated as MXU (Mixed Use) on the Redevelopment Plan Map of the Southeast Sector of the General Plan. This land use allows a mix of uses including residential, offices, and commercial.

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

The property is located within the Las Vegas Redevelopment Plan area. If development and operated in a respectable manner, the proposed Auto Repair Garage, Major should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. The properties located to the south and west of this site are also located in the Downtown Centennial Plan.

ANALYSIS

A) General Analysis and Discussion

- Zoning

The Auto Repair Garage, Major is allowed in the C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

- Use

The proposed auto repair garage, major, should have minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled. An Auto Repair Garage, Minor occupied the commercial building prior to the current request. There are no approvals on record allowing for any type of outdoor activities for the previous repair garage.

The use is permitted by compliance with the conditions of Title 19.04.050 for auto repair garage, major and the conditions of approval for SUP-2203.

- Waivers

The waivers to allow major repair and service work outside of a enclosed building, to allow outdoor hoists, and to not screen disabled or wrecked vehicles from surrounding properties and adjoining streets are not appropriate and were not supported with either the previous applications on this site.

- Conditions

The previous Required Review (RQR-4669) was approved with the following condition:

1. The fence shall be repaired, barbed wire removed and a green type tarp installed for screening within three months and no cars shall be left outside.

On March 3, 2005 a site inspection was conducted and photos were taken. The inspection revealed the barbed wire on the fence has not been removed as required. Additionally, it is difficult to tell what cars on site are associated with the repair garage. Due to the failure to completely comply with the above condition, the recommendation for this request is denial.

FINDINGS

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

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

The auto repair use could be conducted in a manner that is harmonious and compatible with surrounding land uses by conformance with established conditions of approval. The applicant has not fully implemented these conditions, namely condition of approval Number 1 for RQR-4669. Therefore, the operation is not harmonious and compatible with the surrounding area and the recommendation for this request is denial.

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

There are no physical constraints to the location that would hinder conformance with the conditions of approval.

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

The site is located adjacent to Fremont Street, a fully developed street.

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

The continuation of the Auto Repair Garage as currently operated does not implement the overall objectives of the Redevelopment Plan, which is to create new opportunities for growth in this area of the City.

PLANNING COMMISSION ACTION

There was one speaker with questions at Planning Commission. At the Planning Commission a motion was made to abey which failed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

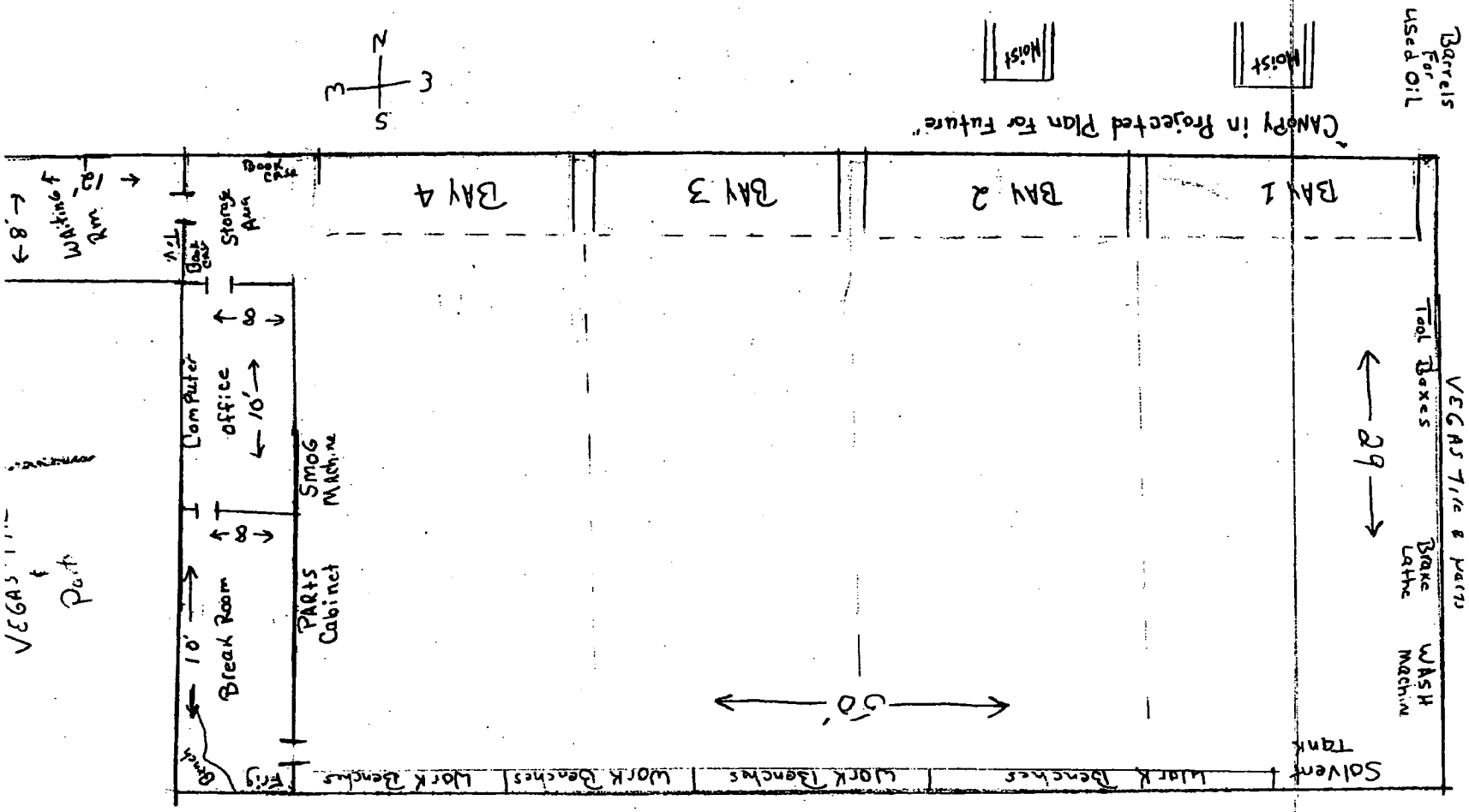
16

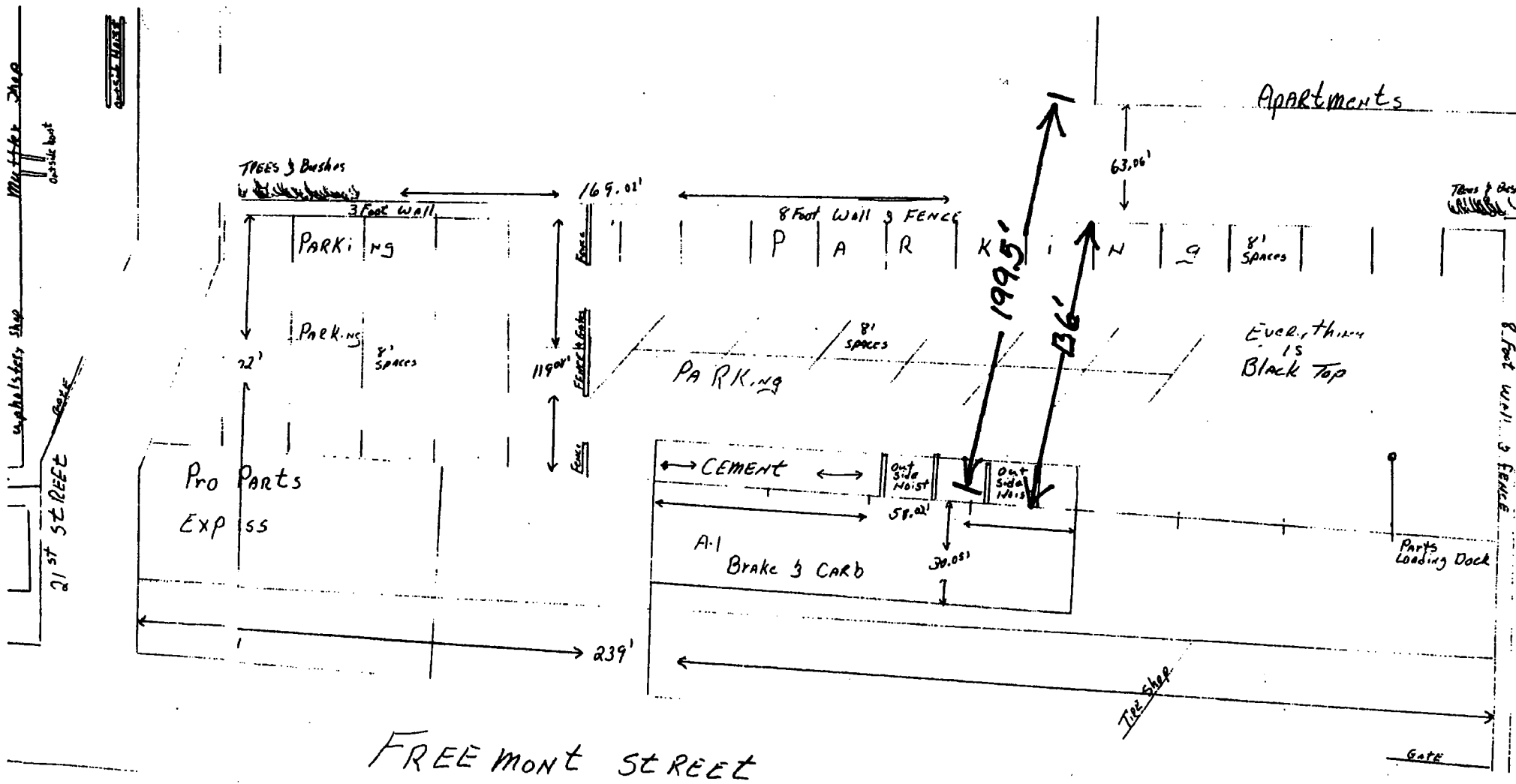
NOTICES MAILED 206 by City Clerk

APPROVALS 0

PROTESTS 1

RQR-6122
03/24/05 PC





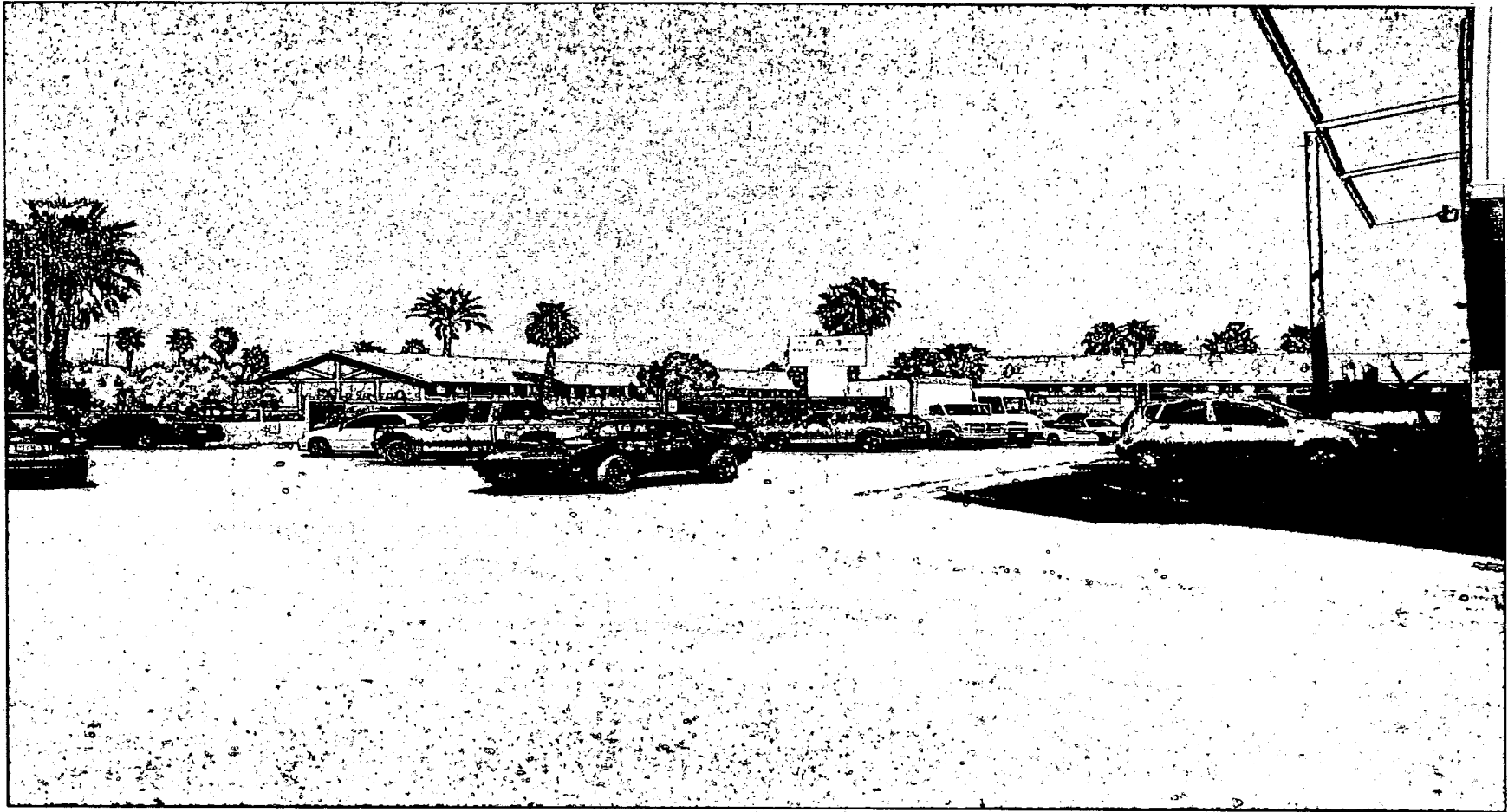
20
April

RQR-6122
03/24/05 PC



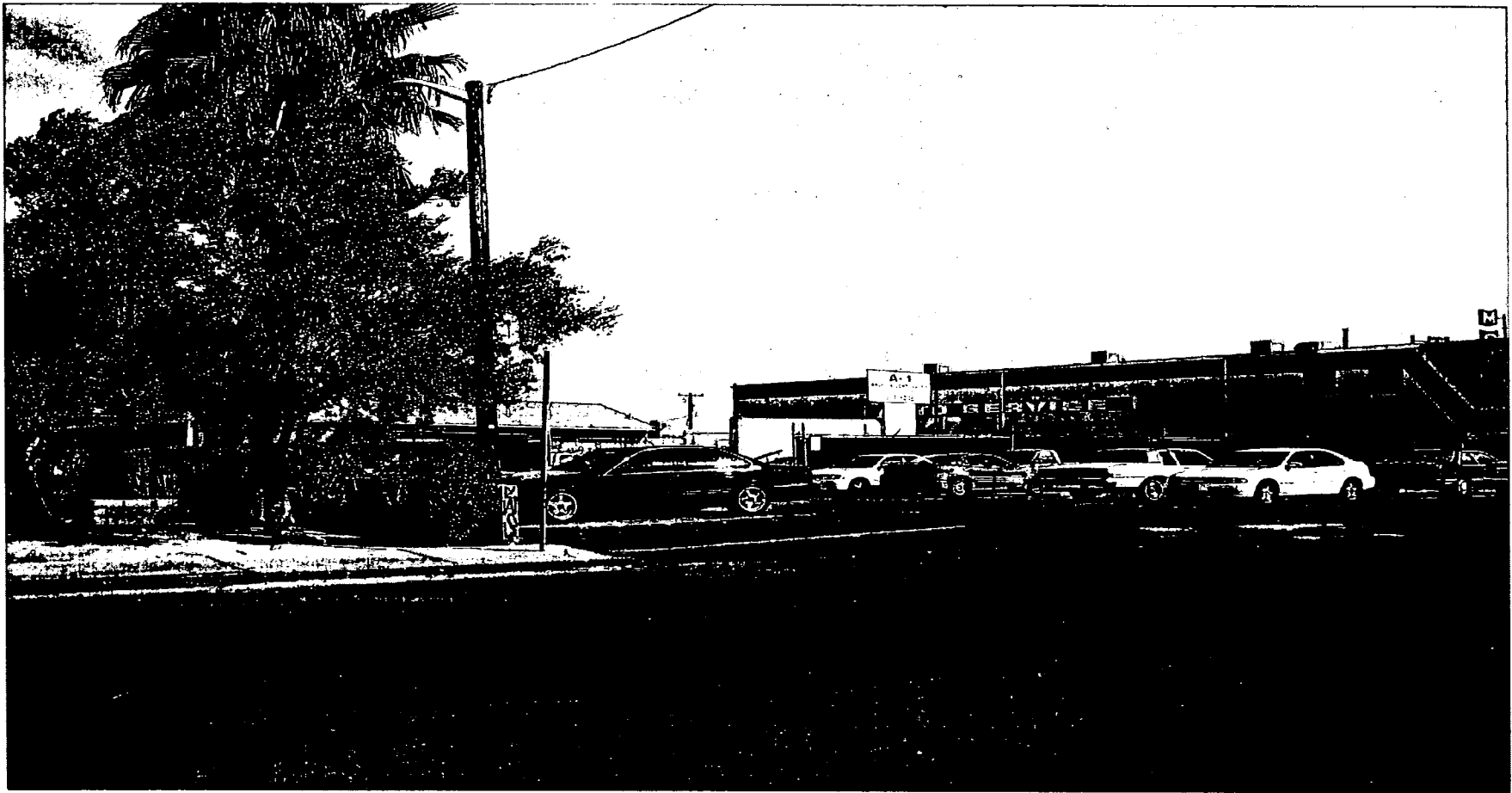
RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



RQR-6122 - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI
2101 FREMONT STREET
MARCH 24, 2005 PLANNING COMMISSION

3/3/05

RECEIVED
CITY CLERK
A-1 BRAKE AND CARBURETOR SHOP INC.
2005 MAR 25 1:41
2101 FREMONT STREET SUITE A
LAS VEGAS NV. 89101
PHONE: (702) 737-1018
FAX: (702) 433-7184

RECEIVED
CITY CLERK
2005 MAR 25 P 1:41

DATE: MARCH 25, 2005

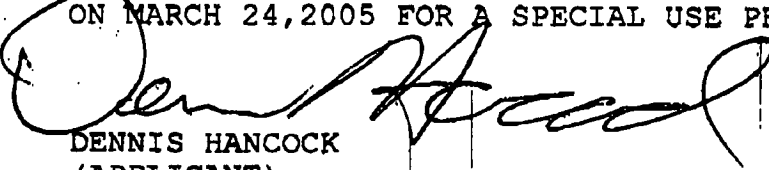
COMPANY NAME: LAS VEGAS PLANNING COMMISSION

FAX NUMBER: 382-4803

NUMBER OF PAGES INCLUDING COVER SHEET: 1

REFERENCE: RQR-6122

APPLICANT: DENNIS HANCOCK, A-1 BRAKE & CARBURETOR SHOP INC.
APPEALS THE DECISION FROM THE PLANNING COMMISSION MEETING
ON MARCH 24, 2005 FOR A SPECIAL USE PERMIT -2203


DENNIS HANCOCK
(APPLICANT)



038906



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

August 21, 2003

Mr. Zygmunt Amaretti
17 Quiet Lane
El Sabrante, California 94803-2526

RE: SUP-2203 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 20, 2003
RELATED TO VAR-2538

Dear Mr. Amaretti:

The City Council at a regular meeting held August 20, 2003 APPROVED the request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MAJOR (A-1 BRAKE & CARBURETOR SHOP) AND WAIVERS OF THE STANDARD CONDITIONS TO ALLOW REPAIR AND SERVICE WORK OUTSIDE OF A COMPLETELY ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN: 139-35-804-004), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 21, 2003. This approval is subject to:

Planning and Development

1. 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.
2. This Special Use Permit shall be reviewed in one (1) year by the Planning Commission and City Council. The applicant shall be responsible for notification costs of the review.
3. Add slats to the existing chain link fence along the west side of the property or provide some other acceptable screening material so that the disabled or wrecked vehicles are screened from the adjacent street. Screening must be in place within thirty days of City Council action.
4. Two outdoor hoists are permitted as depicted on the site plan. Outdoor repair and services are limited to work completed on the outdoor hoists.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.ci.las-vegas.nv.us

Mr. Zygmunt Amaretti
SUP-2203 – Page 2
August 21, 2003

5. All City Code requirements including 19.04.050 with a Waiver of Conditions #1 and 5 and design standards of all City departments must be satisfied, except as amended by this approval.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Dennis Hancock, Jr.
7981 Cadenza Lane
Las Vegas, Nevada 89123

Ms. Charlotte Sousa
8665 West Flamingo Road, Suite #200
Las Vegas, Nevada 89147

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

Telephone Protest/ Approval Log

Meeting Date: 03/24/05

Case Number: RQR 6122

Date:	<u>03/14/05</u>
Name:	<u>Nimrod Barashy</u>
Address:	<u>2212 2200 E. Charleston.</u> <u>L.V. Nevada 89104</u>
Phone:	<u>(702) 296-8886</u>
☒ PROTEST	☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED SIX-MONTH REVIEW - SPECIAL USE PERMIT

RQR-6262 - PUBLIC HEARING - APPLICANT: MARIA ZUBIA PENA - OWNER: KOUTNOUYAN LIVING TRUST - Request for a Required Six-Month Review of an approved Special Use Permit (SUP-3128) WHICH ALLOWED AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND AUTO REPAIR GARAGE, MINOR on 3.9 acres located at 4401 Stewart Avenue (APN 140-32-201-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for SUP-3128

MOTION:

REESE - ABEYANCE to 5/4/2005 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JUAN PENA, 5990 Lindell Road, requested approval of a permanent license. COUNCILMAN REESE stated there were previous conditions imposed upon approval and a particular condition stating only permanent signage is permitted, yet banners are present. On the east side of the building towards the rear should be a receptacle for maintenance of the tires prior to their disposal which has not been erected either. He also stated the landscaping is not up to par.

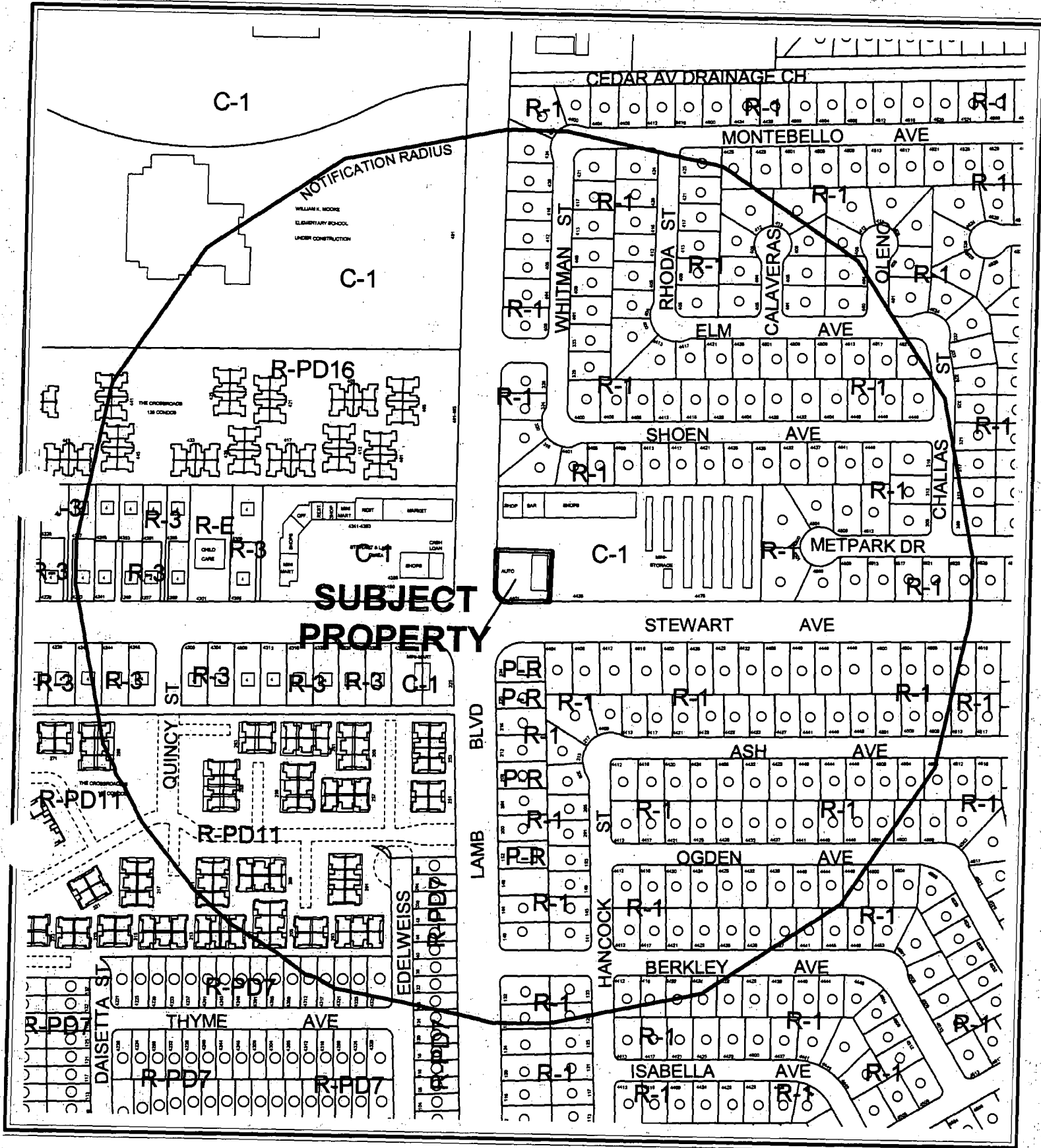
NORA ARMENIAN, 1000 Stephanie Place; Henderson, Nevada, stated the landscaping plan was approved by Planning. She has never received any comments on the design that converted grass landscaping to desert landscaping with the shrubbery. All guidelines of the water conservation program were followed which determined the amount of shrubs and bushes per square footage. All landscaping changes were approved before the changes were made. COUNCILMAN REESE requested to hold the item in abeyance to allow more time to meet with the applicant and work on compromising requests.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:39 - 3:43)

4-3232

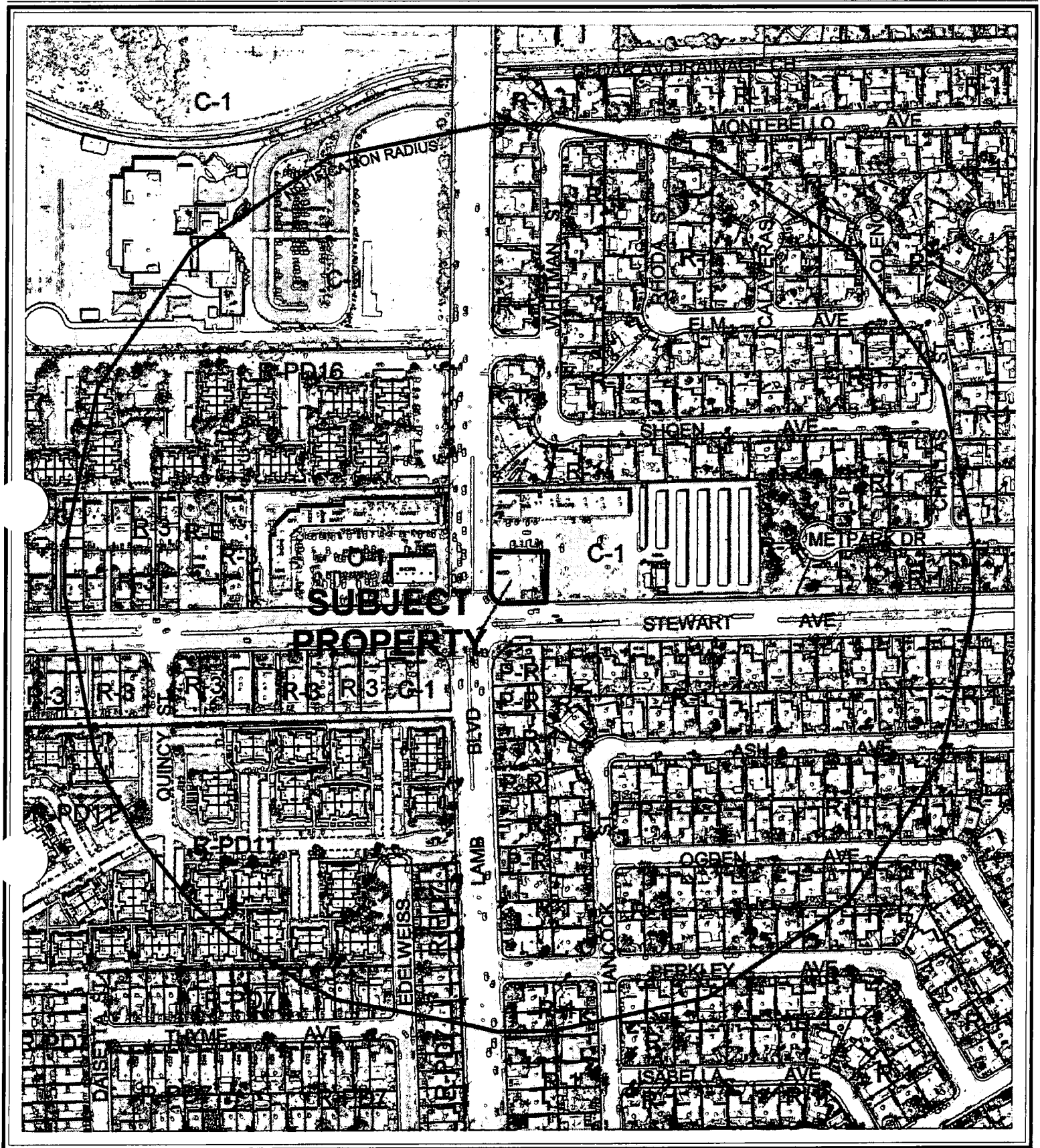


CASE: RQR-6262

RADIUS: 1000 FT

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





CASE: RQR-6262

RADIUS: 1000 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-6262 - APPLICANT: MARIA ZUBIA PENA – OWNER:
KOUTNOUYAN LIVING TRUST**

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-3128 with no further reviews required.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required Six-Month Review of an approved Special Use Permit (SUP-3128) which allowed auto parts (new and rebuilt) (accessory sales & service) and auto repair garage, minor at 4401 Stewart Avenue.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

01/21/04 The City Council approved a Special Use Permit (SUP-3128) to allow the auto parts (new and rebuilt) (accessory sales & service) and auto repair garage, minor on this site, subject to a 6-month review. The Planning Commission and staff recommended approval on 11/20/03.

10/28/04 A business license was issued for the tire and auto accessory sales at this location.

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.36

B) Existing Land Use

Subject Property: Tire Store and Auto Accessory Sales

North: Commercial Retail Center

South: Single Family Residences and Office

East: Commercial Retail Center

West: Commercial Retail Center

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Southeast Sector Map of the General Plan and is Designated as SC (Service Commercial). The existing C-1 (Limited Commercial) zoning is in compliance with this General Plan designation.

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

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

ANALYSIS

A) General Analysis and Discussion

- Zoning

The auto repair garage, minor (tire store and auto accessory sales) is allowed in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit

- Use

The proposed auto repair garage, minor, has had minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 are fulfilled.

On March 31, 2005 a site inspection was conducted and photos were taken. The inspection revealed the auto repair garage, minor (tire store and auto accessory sales) site is operating in a manner that provides a clean and neat appearance. Since this use has minimal affects on the surrounding land uses, the recommendation for this request is approval with no further reviews required.

The applicant has submitted written indication they wish to change the hours of operation that were limited to 8:00 a.m. to 6:00 p.m. by Condition Number 1 of the approved Special Use Permit. That applicant has been notified any changes to the Conditions of Approval would require a separate Review of Condition application. Therefore, a change to the hours of operation cannot be considered as part of this request.

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 auto repair garage, minor, should has minimal impact upon the surrounding neighborhood, provided all conditions established by Title 19 continue to be fulfilled.

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

The northern half of the building was converted to allow for an auto repair garage with service bays and the on-site parking is adequate due with the condition that an Off-Site Parking Agreement must be recorded with the property to the adjacent property to the northeast prior to the issuance of a certificate of occupancy

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

The subject site is located along Stewart Avenue and Lamb Boulevard which are both designated as a Primary Arterial (100-Foot) streets per the Master Plan of Streets and Highways and can adequately serve the approved use on this 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."**

This development has obtained the necessary development permits, including Building and Safety Department requirements for a Certificate of Occupancy and a business license, which will insure the protection of the public health, safety and general welfare.

NOTICES MAILED 419 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RDR-6262 APN: 140-32-201-002

Name of Property Owner: Nora Armenian

Name of Applicant: _____

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

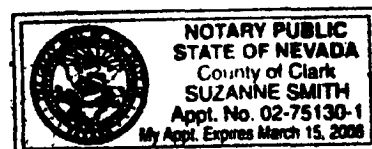
Signature of Property Owner: N. Armenian

Print Name: Nora Armenian

Subscribed and sworn before me

This 10th day of March, 2005

Suzanne Smith
Notary Public in and for said County and State

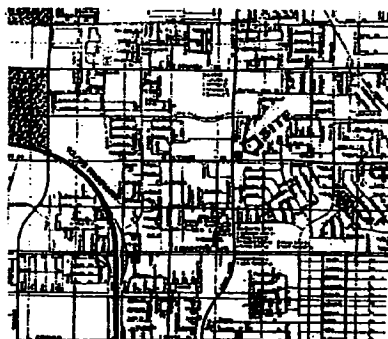


KEYNOTES

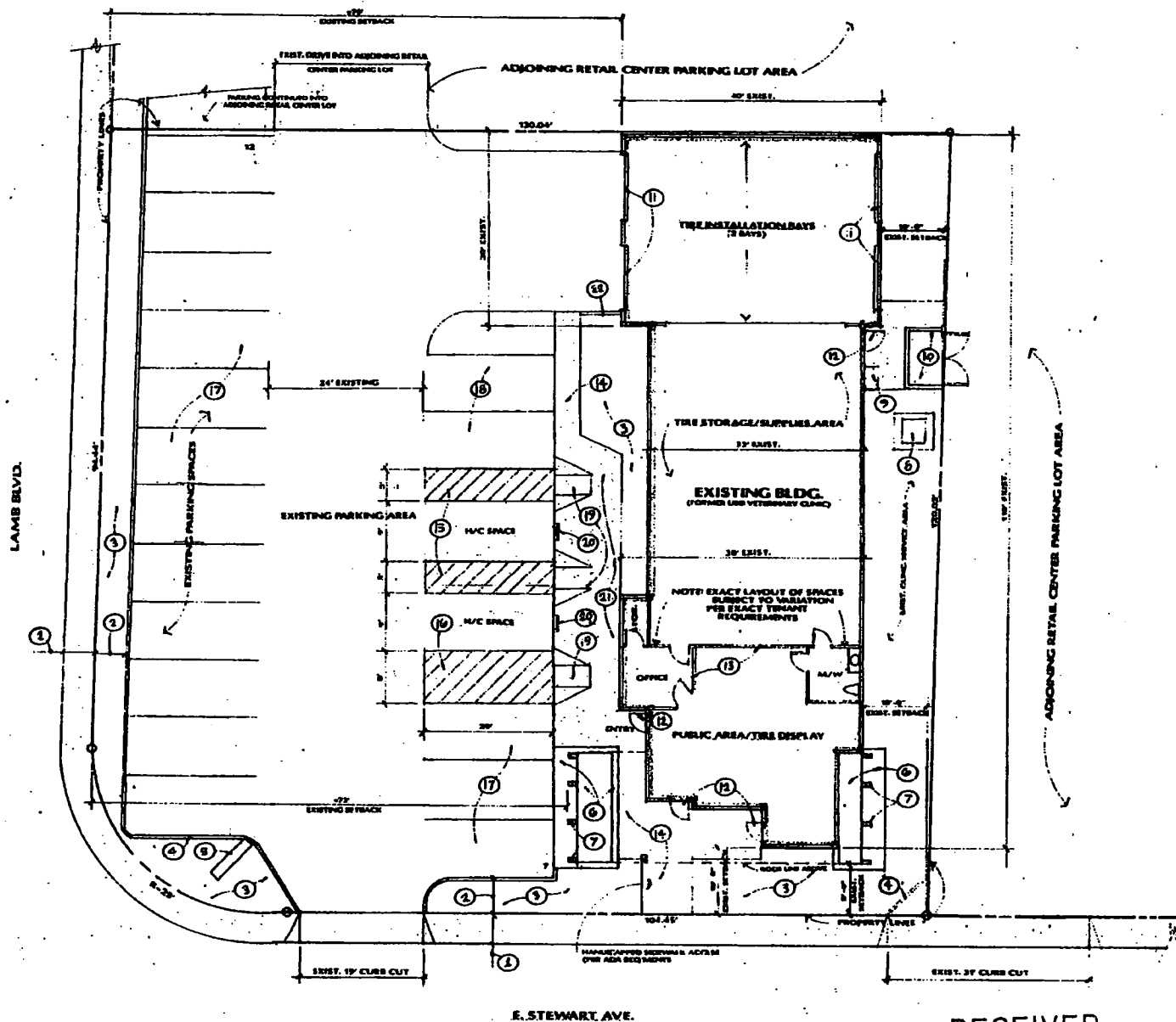
1. EXIST. 1" CONC. WALK
2. 2" PLASTER AREA
3. CONC. CURB
4. SIGN/PAV. MARKING
5. BRICK PAVING
6. A-FRAME BLDG. 20'0" BY 20'0"
7. 10'0" BLDG. 10'0" BY 10'0"
8. 1/2" CONC. PAD
9. EXIST. PAV.
10. CONC. TRASH ENCLOSURE
11. NEW 10'0" WIDE BY 10'0" HIGH GATE-UP STEEL OVERHEAD DOOR 10'0" BY 10'0" (FL. 10'0")
12. EXIST. DOOR
13. NEW WOOD KNOCK (INTERIOR WALLS SPANFLEX)
14. EXIST. CONC. WALL
15. NEW 1" WIDE STRIPED HANDICAPPED ACCESS AREA
16. NEW 6' WIDE VAS ACCESSIBLY STRIPED HANDICAPPED ACCESSIBLE
17. EXIST. 6'0" WIDE PARKING SPACE
18. NEW STRIPPED PARKING SPACE IN AREA OF EXIST. SPACES (LIMITED BY NEW H/C SPACES)
19. NEW CONC. HANDICAPPED RAMP: 2' WIDE (10'0" x 6'0" CONC. PAD, 10'0" BY 10'0" H/C)
20. NEW H/C SPACE 10'0" BY 10'0" AND 10'0" BY 10'0"
21. NEW CONC. WALK
22. NEW CONC. CURB

TABULATION

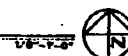
CONC. CONC. EXISTING
 10'0" WIDE BY 10'0" HIGH GATE-UP STEEL OVERHEAD DOOR 10'0" BY 10'0" (FL. 10'0")
 TOTAL BLDG. AREA: 1776 SQ. FT.
 PARKING REQUIRED PER CITY CODE 1991: 14 (1/150-EMPLOYEE STATION)
 PARKING PROVIDED: 14 INCLUDING 2 HANDICAPPED SPACES



VICINITY MAP



SITE/FLOOR PLAN



RQR-6262

4-20-05 CC

RECEIVED

MAR 11 2005

TIRE STORE
 (INTERIOR REMODEL
 WITHIN EXISTING BLDG.)



SITE/FLOOR PLAN

Drawn	
Check	
Scale	
Date	
Sheet	1
Total	2

1. EJECT. CEDAS SHINE SINGLE POOP (COOLIN-BROODIN MACHIN)
2. " SCOR
3. " (W4) MOO BEAKS (COOLIN-BROODIN GRAY)
4. " (W4) RIDING (E4) BOONIN (COOLIN-BROODIN MACHIN)
5. " (W4) MOO (E4) COOLIN-BROODIN MACHIN
6. " WATON UNIT
7. " (W4) MOO PASCIA (COOLIN-BROODIN GRAY)
8. " BRICH FLAMES (COOLIN-BROODIN MACHIN)
9. " G. T. GRAS STOP
10. NEW M4-10 NTRAV-SERVICE SCODS
11. " (W4) M4-10 NTRAV-SERVICE SCODS
12. " (W4) MOO TEND TO MATCH E4-10
13. EJECT. (W4) MOO PASCIA (COOLIN-BROODIN GRAY)
14. " (W4) MOO (E4) COOLIN-BROODIN GRAY)
15. " (W4) MOO (E4) COOLIN-BROODIN GRAY)
16. " (W4) MOO (E4) COOLIN-BROODIN GRAY)



KEYNOTES SAME AS WEST & NORTH ELEV.



✓✓-T-0



VI-2-0

KEYNOTES SAME AS ELEVATION BELOW

***_NOTE: ALL ELEVATIONS ARE EXISTING
(ONLY CHANGE IS ADDITION OF NEW ROLL-UP DOORS @ NORTH ELEV.)**



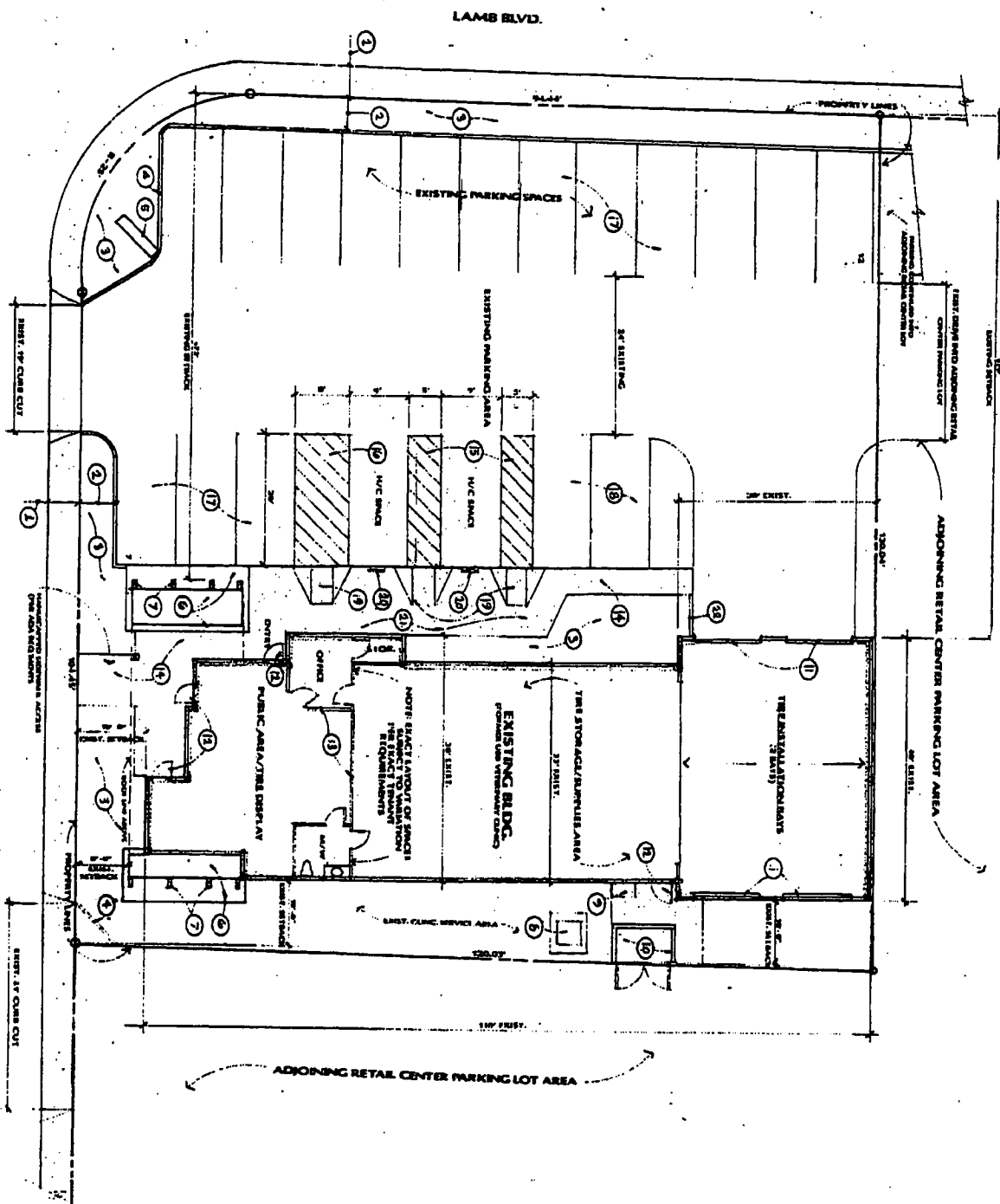
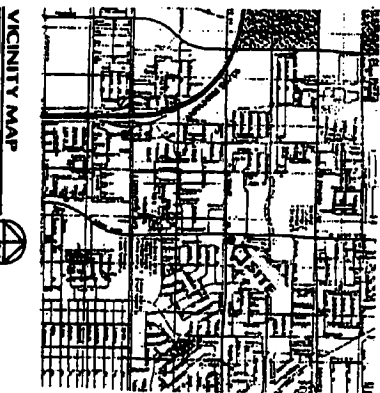
WBC

4-20-05 CC

MAR 11 2005

1. 62151, 5. CONC. WALT
2. 5. PLUMBER WAT
3. 62152, 5. CONC. WALT
4. 5. CONC. WALT
5. 5. CONC. WALT
6. 5. CONC. WALT
7. 5. CONC. WALT
8. 5. CONC. WALT
9. 5. CONC. WALT
10. 5. CONC. WALT
11. 5. CONC. WALT
12. 5. CONC. WALT
13. 5. CONC. WALT
14. 5. CONC. WALT
15. 5. CONC. WALT
16. 5. CONC. WALT
17. 5. CONC. WALT
18. 5. CONC. WALT
19. 5. CONC. WALT
20. 5. CONC. WALT
21. 5. CONC. WALT
22. 5. CONC. WALT
23. 5. CONC. WALT
24. 5. CONC. WALT
25. 5. CONC. WALT
26. 5. CONC. WALT
27. 5. CONC. WALT
28. 5. CONC. WALT
29. 5. CONC. WALT
30. 5. CONC. WALT
31. 5. CONC. WALT
32. 5. CONC. WALT
33. 5. CONC. WALT
34. 5. CONC. WALT
35. 5. CONC. WALT
36. 5. CONC. WALT
37. 5. CONC. WALT
38. 5. CONC. WALT
39. 5. CONC. WALT
40. 5. CONC. WALT
41. 5. CONC. WALT
42. 5. CONC. WALT
43. 5. CONC. WALT
44. 5. CONC. WALT
45. 5. CONC. WALT
46. 5. CONC. WALT
47. 5. CONC. WALT
48. 5. CONC. WALT
49. 5. CONC. WALT
50. 5. CONC. WALT
51. 5. CONC. WALT
52. 5. CONC. WALT
53. 5. CONC. WALT
54. 5. CONC. WALT
55. 5. CONC. WALT
56. 5. CONC. WALT
57. 5. CONC. WALT
58. 5. CONC. WALT
59. 5. CONC. WALT
60. 5. CONC. WALT
61. 5. CONC. WALT
62. 5. CONC. WALT
63. 5. CONC. WALT
64. 5. CONC. WALT
65. 5. CONC. WALT
66. 5. CONC. WALT
67. 5. CONC. WALT
68. 5. CONC. WALT
69. 5. CONC. WALT
70. 5. CONC. WALT
71. 5. CONC. WALT
72. 5. CONC. WALT
73. 5. CONC. WALT
74. 5. CONC. WALT
75. 5. CONC. WALT
76. 5. CONC. WALT
77. 5. CONC. WALT
78. 5. CONC. WALT
79. 5. CONC. WALT
80. 5. CONC. WALT
81. 5. CONC. WALT
82. 5. CONC. WALT
83. 5. CONC. WALT
84. 5. CONC. WALT
85. 5. CONC. WALT
86. 5. CONC. WALT
87. 5. CONC. WALT
88. 5. CONC. WALT
89. 5. CONC. WALT
90. 5. CONC. WALT
91. 5. CONC. WALT
92. 5. CONC. WALT
93. 5. CONC. WALT
94. 5. CONC. WALT
95. 5. CONC. WALT
96. 5. CONC. WALT
97. 5. CONC. WALT
98. 5. CONC. WALT
99. 5. CONC. WALT
100. 5. CONC. WALT

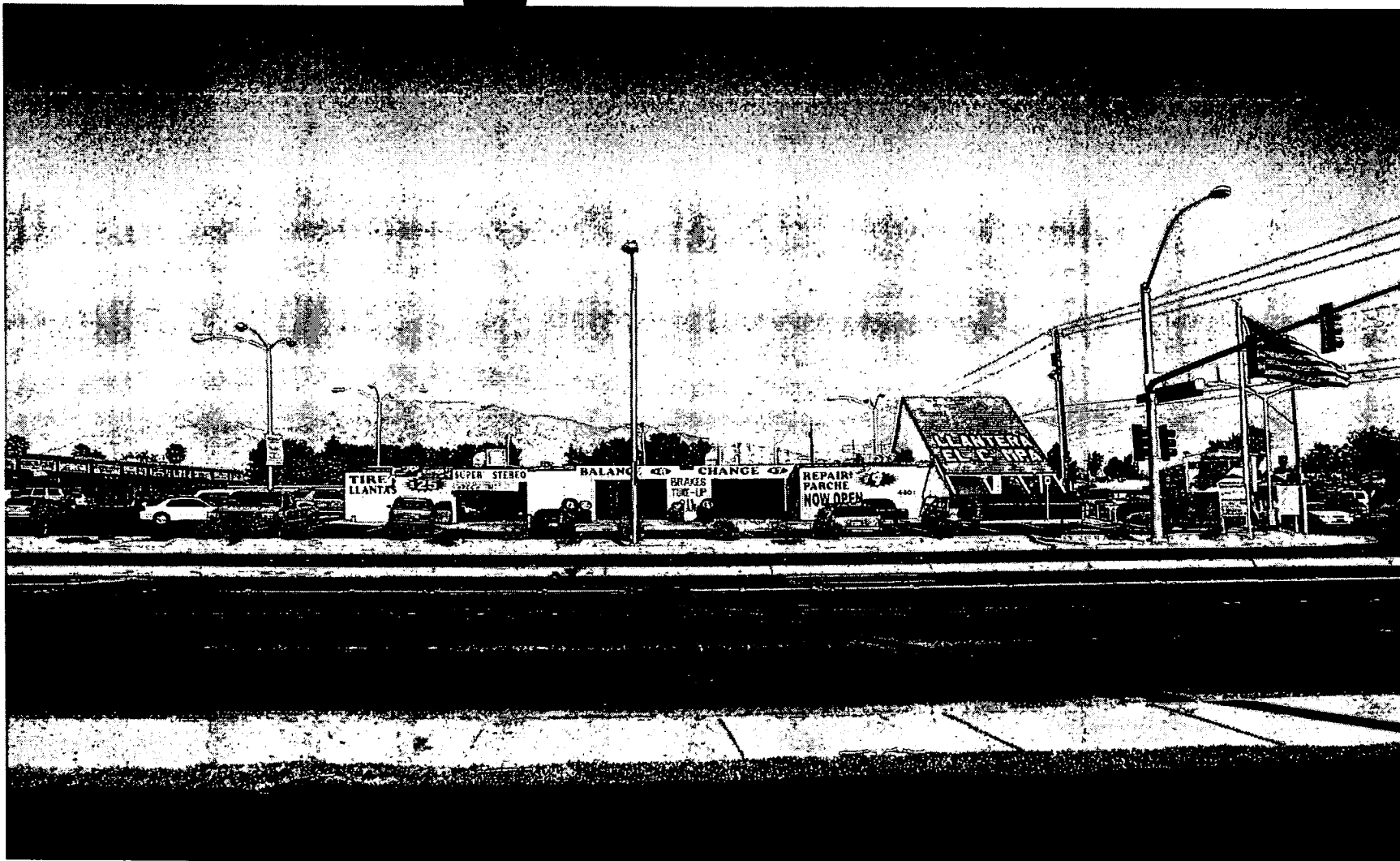
FEDERAL COMMERCIAL BANKING
 CORP. 1001 N. 17TH ST. MINNAPOLIS, MINN.
 55402. TEL: 336-1376. 80. 100.
 NATIONAL BLDG. APRA: 3776 80. 100.
 PARKING SECURED 1988 CITY BLDG 1941. 24 11:30-5:00 PM
 PARKING PROVIDED: 18 11:30-5:00 PM 11:30-5:00 PM



RECEIVED

7-10
7-11
7-12
7-13
7-14
7-15
7-16
7-17

RQR-6262
4-20-05 CC



RQR-6262 - APPLICANT: MARIA ZUBIA PENA – OWNER: KOUTNOUYAN LIVING TRUST

4401 Stewart Avenue

APRIL 20, 2005 CITY COUNCIL MEETING

Picture taken 03/31/05

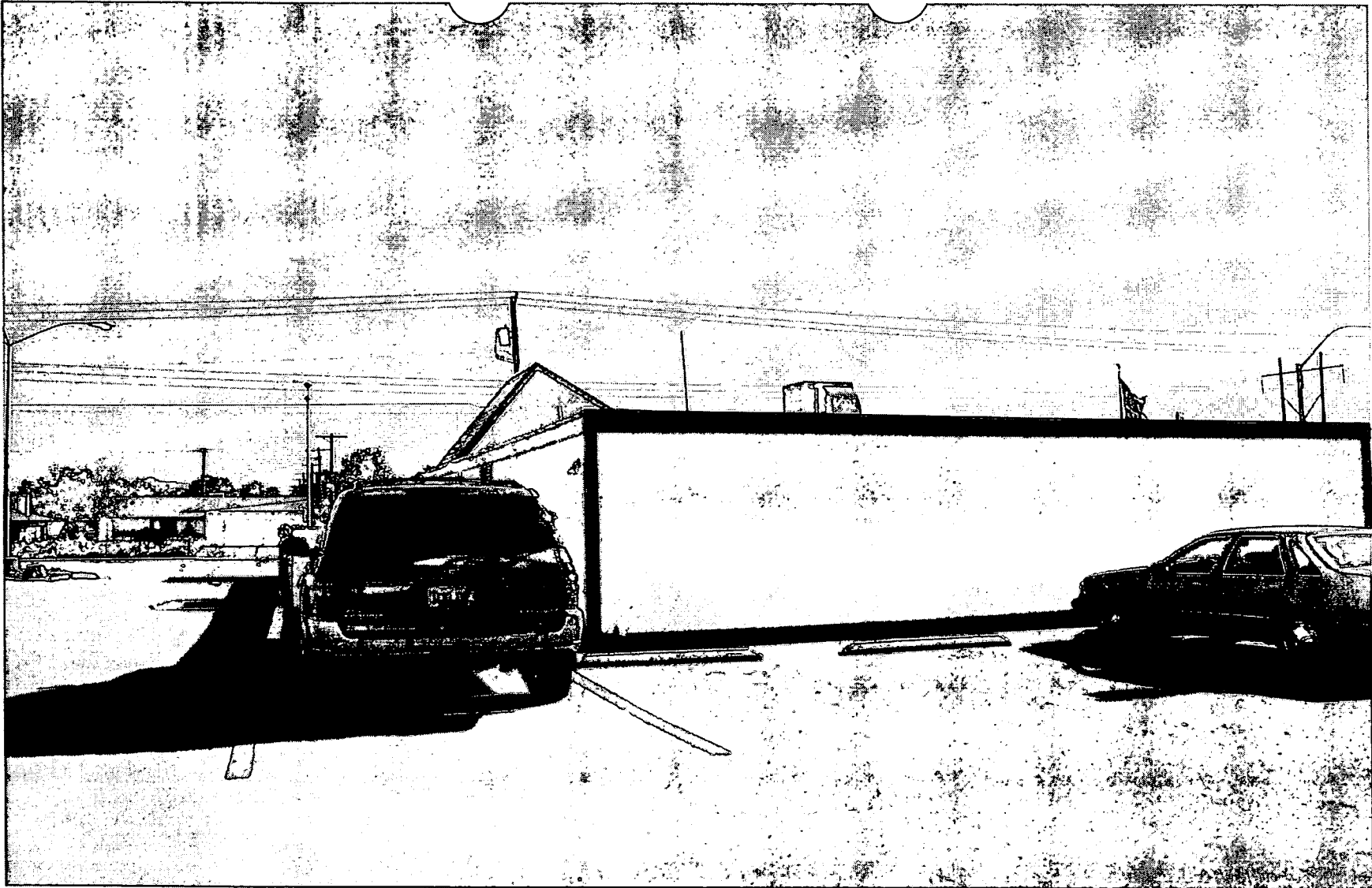


RQR-6262 - APPLICANT: MARIA ZUBIA PENA – OWNER: KOUTNOUYAN LIVING TRUST

4401 Stewart Avenue

APRIL 20, 2005 CITY COUNCIL MEETING

Picture taken 03/31/05

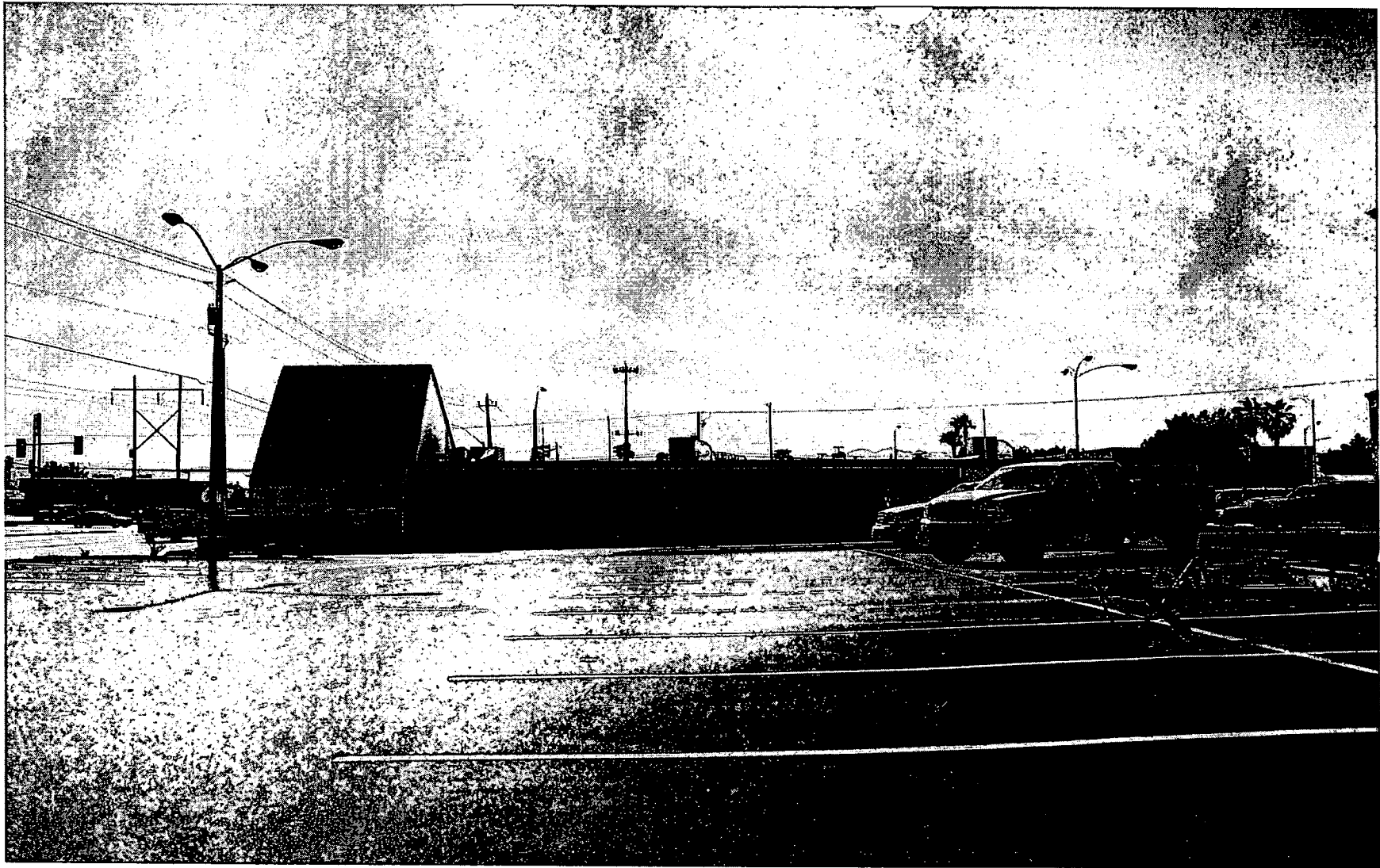


RQR-6262 - APPLICANT: MARIA ZUBIA PENA – OWNER: KOUTNOUYAN LIVING TRUST

4401 Stewart Avenue

APRIL 20, 2005 CITY COUNCIL MEETING

Picture taken 03/31/05



RQR-6262 - APPLICANT: MARIA ZUBIA PENA – OWNER: KOUTNOUYAN LIVING TRUST

4401 Stewart Avenue

APRIL 20, 2005 CITY COUNCIL MEETING

Picture taken 03/31/05



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
YNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY



041605

February 6, 2004

Ms. Nora Armenian
Armenian & Koutnouyan
1000 Stephanie Place, Suite #3
Henderson, Nevada 89014

RE: SUP-3128 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JANUARY 21, 2004

Dear Ms. Armenian:

The City Council at a regular meeting held January 21, 2004 APPROVED the request for a Special Use Permit FOR AUTO PARTS (NEW AND REBUILT) (ACCESSORY SALES & SERVICE) AND A PROPOSED AUTO REPAIR GARAGE, MINOR, located at 4401 Stewart Avenue (APN: 140-32-201-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the City Clerk's Office on January 22, 2004. This approval is subject to:

Planning and Development

1. The hours of operation shall be from 8:00 a.m. to 6:00 p.m.
2. A trash dumpster shall be located and fully enclosed to meet Title 19 Standards.
3. No signage shall be placed on the lawn or landscaped areas.
4. There shall be no outside displays.
5. The Special Use Permit shall be reviewed in six months by City Council.
6. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
7. Prior to the issuance of a Certificate of Occupancy the owners of parcels APN 140-32-201-001 and APN 140-32-201-002 must execute an Off-Site Parking Agreement or similar document, satisfactory to the City Attorney, allowing for the use of five additional parking spaces for the subject site.
8. A landscaping plan showing shrubs in conformance to Code standards must be submitted and approved by the Planning and Development Department Staff prior to or at the same time application is made for a building permit.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Ms. Nora Armenian
SUP-3128 - Page 2
February 6, 2004

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. All repair, service, and installation work shall be performed within a completely enclosed building.
11. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
12. No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.
13. All disabled vehicles shall be stored in an area, which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than 45 days.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northeast corner of Stewart Avenue and Lamb Boulevard prior to the issuance of any permits as required by the Department of Public Works. Alternatively, the applicant may grant a traffic signal chord easement on the northeast corner of Stewart Avenue and Lamb Boulevard; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents prior to the issuance of any permits for this site.
16. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REQUIRED ONE YEAR REVIEW

RQR-5683 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED EIGHT EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN 139-33-610-005, 139-33-511-003, 004, and 139-27-410-005, 008), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for RQR-1974

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS with MACK abstaining because his company, Mack Consulting, has contracts with Clear Channel Outdoor

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RON CARTER, 2880 Mead Avenue, appeared on behalf of Clear Channel Outdoor. He concurred with all conditions and requested approval.

TOM McGOWAN, Las Vegas resident, questioned why World Market Center requires nine billboards in the area. MR. CARTER stated the billboards have been in existence long before the World Market Center and was previously owned by Union Pacific Railroad.

No one appeared in opposition.

MAYRO GOODMAN declared the Public Hearing closed.

(3:43 - 3:46)

5-257

CONDITIONS:

Planning and Development

1. This Use shall be reviewed in one year at which time the City Council may require the Off Premise Advertising (Billboard) Signs to be removed. The applicant shall be responsible for notification costs of

CITY COUNCIL MEETING OF: APRIL 20, 2005

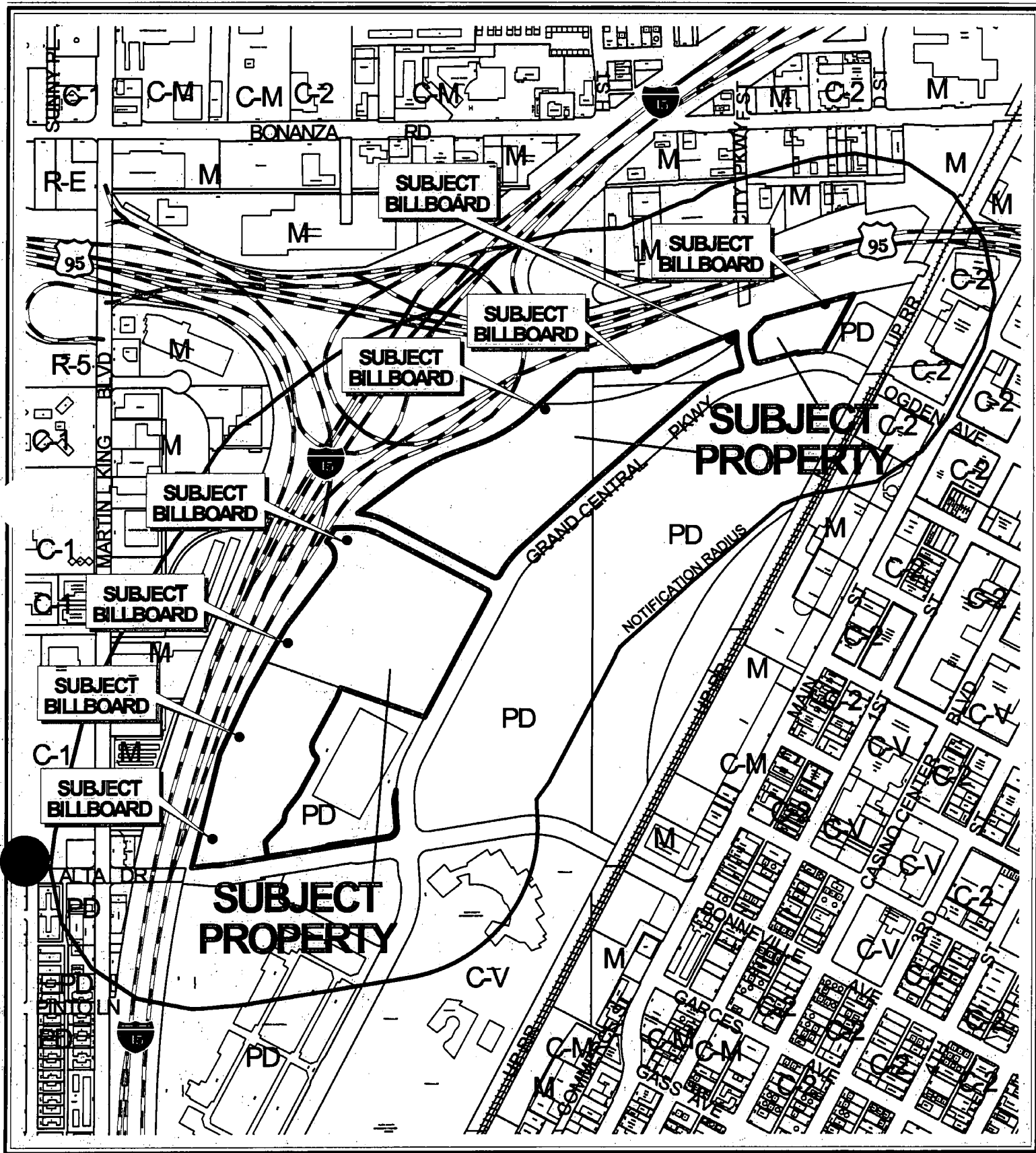
CONDITIONS - Continued:

the review. Failure to pay the City for these costs may result in a requirement that the Off Premise Advertising (Billboard) Signs are removed.

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

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

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



CASE: **RQR-5683**

RADIUS: 750 FT

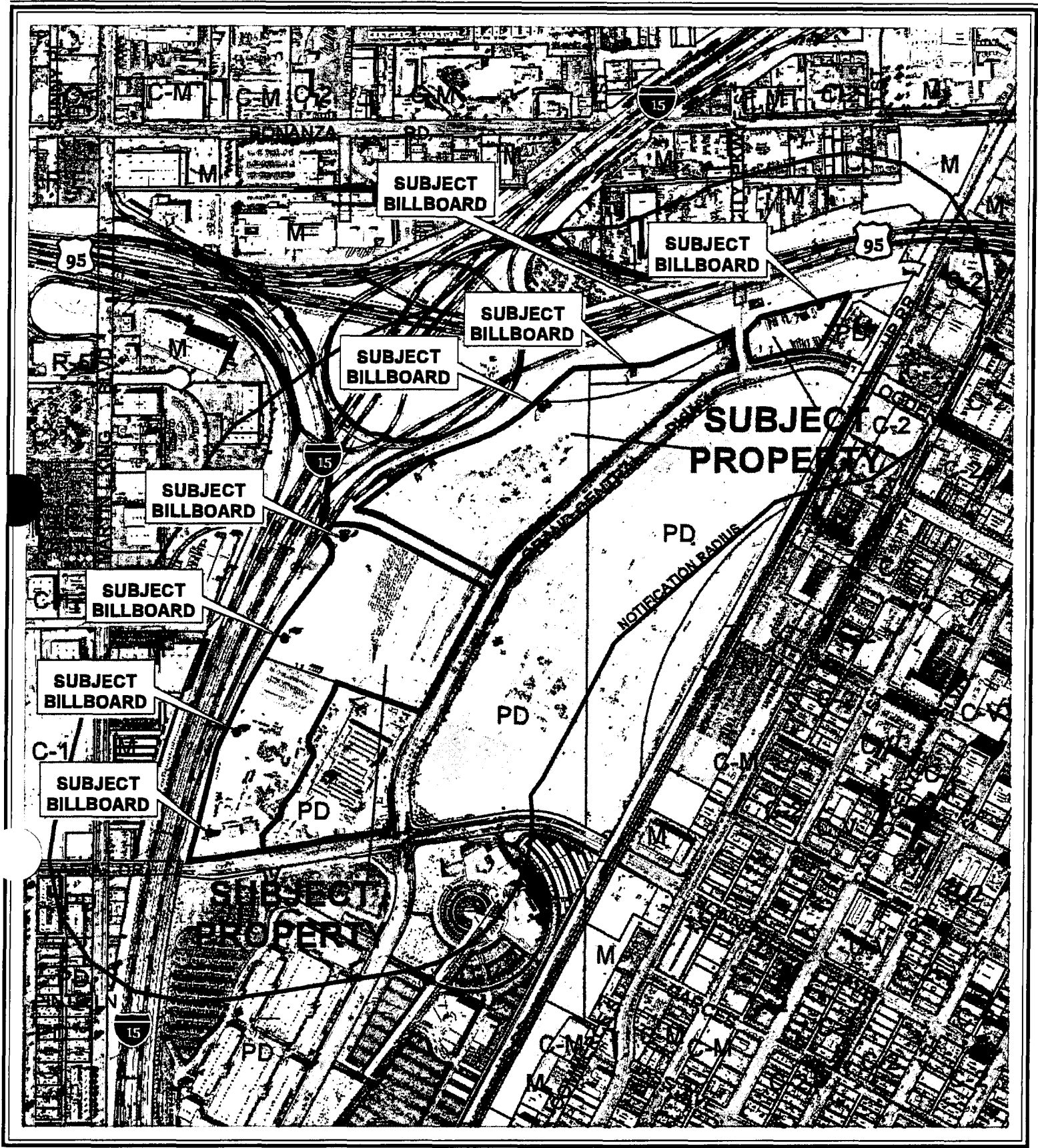
ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 500 1000 Feet



109





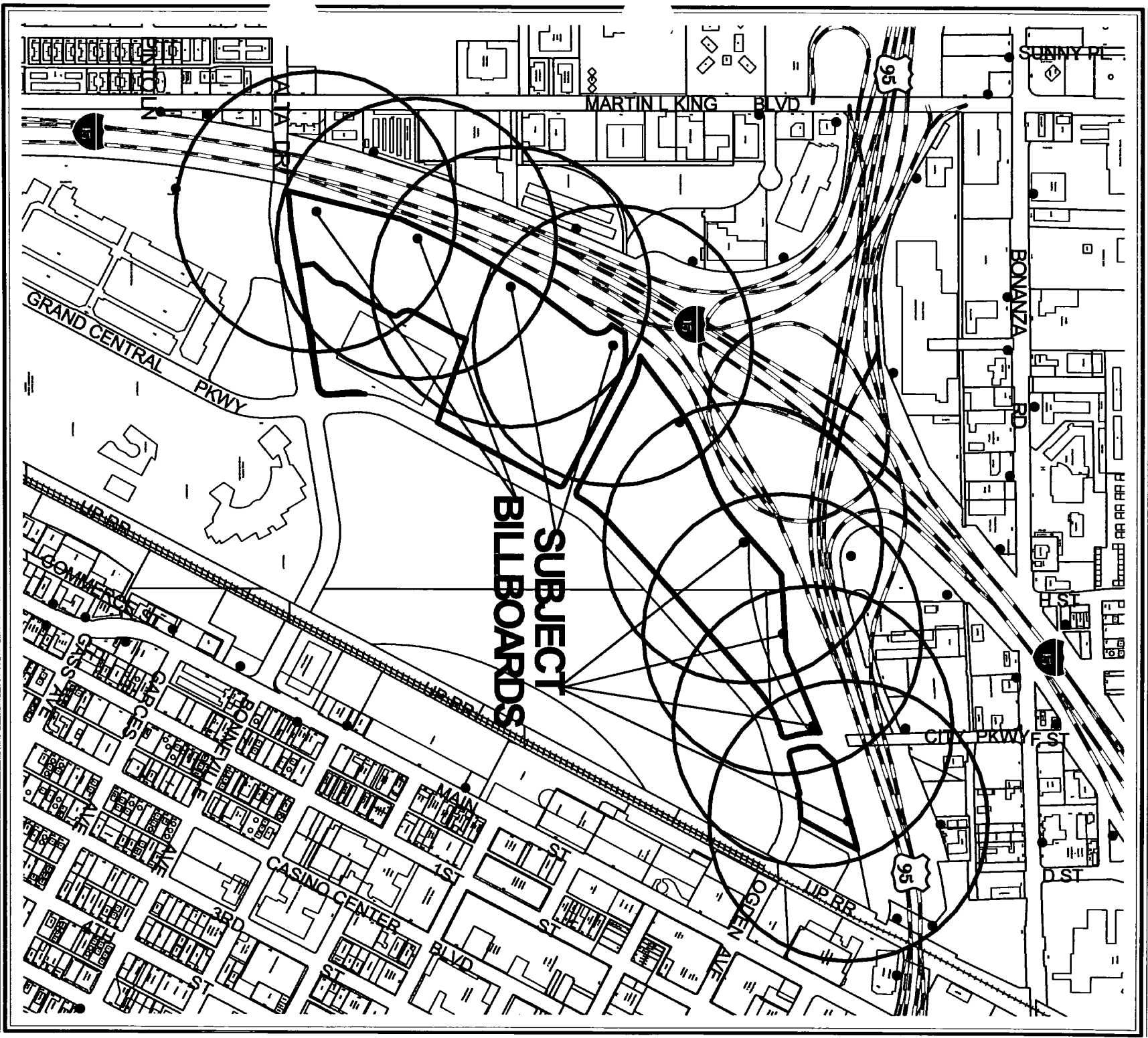
CASE: RQR-5683

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 500 1000 Feet



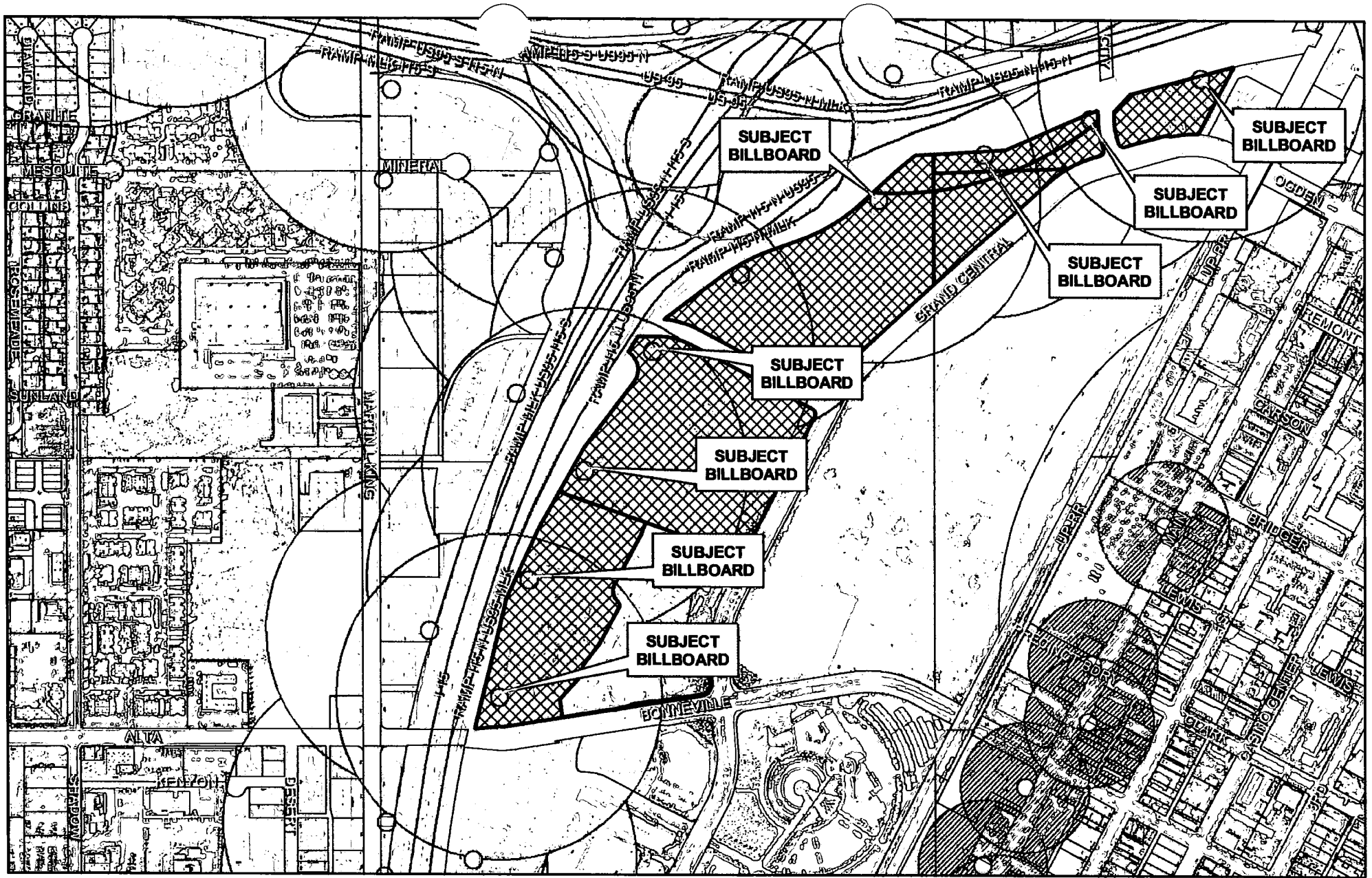


CASE: RQR-5683

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)





RQR-5683

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: W M C III ASSOCIATES, LLC**

**** CONDITIONS ****

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

Planning and Development

1. This Use shall be reviewed in one year at which time the City Council may require the Off-Premise Advertising (Billboard) Signs to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Signs are removed.
2. If the existing Off-Premise Advertising (Billboard) Signs structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Signs structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Signs and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Signs.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required One-Year Review for eight existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15 and Grand Central Parkway. It should be noted this review does not include the one Off-Premise Advertising (Billboard) Sign owned by Viacom along this highway frontage.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. Included in that approval was the ability to maintain the existing Off-Premise Advertising (Billboard) Signs, subject to a two-year review.
- 02/07/01 The City Council approved a Required Review (Z-0100-97[2]) on an approved Rezoning which included the 13 existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.
- 05/16/01 The City Council approved a Site Development Plan Review (Z-0100-97[3]) for a proposed 1,000,000 square-foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval. The Site Review is to expire on 05/16/03 unless permits are issued or an extension of time is granted.
- 11/07/01 The City Council approved a Site Development Plan Review (Z-0100-97[6]) for a proposed 478,028 square foot outlet mall (Chelsea) on 39.20 acres on the southwest corner of Bonneville Avenue and Grand Central Parkway and a Major Modification (Z-0100-97[5]) to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center. The Planning Commission recommended approval.
- 04/03/02 The City Council approved a Required Review (Z-0100-97[7]) on an approved Rezoning which included the 12 existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.

- 09/26/02 The Planning Commission approved a Master Sign Plan (MSP-0007-02) for the Chelsea outlet mall site. The billboards on that site were included as part of the application review. The billboards were approved to be relocated on the site and must be rebuilt per the approved billboard elevations.
- 04/24/03 The Planning Commission approved a Site Development Plan Review (SDR-2037) and waivers to the Parkway Center Design Standards for a proposed 73,218 square-foot office building on the northern most portion of the overall site. Staff recommendation was for approval.
- 05/21/03 The City Council approved a Required One-Year Review (RQR-1974) for 12 existing Off-Premise Advertising (Billboard) Signs the overall Parkway Center site subject to a one-year review. The Planning Commission and staff recommended approval on April 24, 2003.
- 10/06/04 The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square-foot temporary exhibit space on the World Market portion of the site. The Planning Commission and staff recommended approval on August 26, 2004.
- 01/27/05 The Planning Commission voted to hold this item in abeyance to the 02/24/05 Planning Commission meeting to give the applicant an opportunity to assess what level of improvements to these Off-Premise Advertising (Billboard) Signs.
- 02/24/05 The Planning Commission voted to hold this item in abeyance to the 03/24/05 at the applicant's request.
- 03/24/05 The Planning Commission voted 5-1 to recommend APPROVAL (PC Agenda Item #11/mp).

B) Pre-Application Meeting

A pre-application meeting is not required as part of this application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Various Parcels

B) Existing Land Use

Subject Property: Undeveloped
 IRS Building
 World Market (Under Construction)
 North: U.S. Highway 95
 South: Chelsea Outlet Mall
 East: Undeveloped
 West: Interstate 15

C) Planned Land Use

Subject Property: MXU (Mixed Use)
 North: ROW (Right-of-Way)
 South: MXU (Mixed Use)
 East: MXU (Mixed Use)
 West: ROW (Right-of-Way)

D) Existing Zoning

Subject Property: PD (Planned Development)
 North: U.S. Highway 95
 South: PD (Planned Development)
 East: PD (Planned Development)
 West: Interstate 15

E) General Plan Compliance

The site is designated as MXU (Mixed Use) on the Redevelopment Plan Map of the Southeast Sector of the General Plan. This land use allows a mix of uses including residential, offices, and commercial.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Parkway Center	X	
Gaming District	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is within the Downtown Centennial Plan Area, Redevelopment Plan Area, Gaming District, and within the Parkway Center Development Area. The Parkway Center Development Standards clearly indicates that interim billboards are permitted but new billboards are prohibited. Typically, billboards are not conducive to redevelopment efforts and therefore these billboards need to be reviewed on an on-going basis to ensure compatibility.

ANALYSIS

A) Zoning Code Compliance

The subject property is zoned PD (Planned Development). The Conditions of Approval of the Rezoning (Z-0100-97) state that no new Off-Premise Advertising (Billboard) Signs are allowed; however, the pre-existing Off-Premise Advertising (Billboard) Signs are allowed to remain subject to review.

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	At least 750 feet from another Off Premise Sign along freeway frontage	NO Less than 750 feet between signs
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	YES No "R" zoned properties within 750 foot notification radius.

Due to the age of the subject Off-Premise Advertising (Billboard) Signs, the minimum 750 foot distance separation requirement for signs along major freeways is not met. This makes the signs legal non-conforming uses on these properties. The signs do meet the minimum 300 foot distance separation requirement for "R" zoned properties.

B) General Analysis and Discussion

- Zoning

The subject site is zoned PD (Planned Development) and is part of the Parkway Center Development. The Standards indicate existing interim billboards are permitted but no new billboards are permitted.

- Use

The Parkway Center Development Standards were adopted on January 2, 2002 and indicate existing interim billboards are permitted but no new billboards are permitted. Section 7.7 indicates 'Existing interim billboards located upon any parcel within Parkway Center shall be addressed with each submission of a Site Development Plan Review. Title 19.14.060 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed. While development of portions of the property has commenced, the subject signs can remain, as they are oriented towards the Interstate 15 and U.S. 95 freeways. With the ongoing

development of the World Market site, a Staging Plan and a Master Sign Plan are forthcoming. The review and approval of these plans may require removal of the subject billboards on this site within the next year. The recommendation for this request is approval, subject to a one-year review.

It should be noted that the signs on the World Market and IRS Office Building sites were not reviewed with the any of the site development plan reviews as required by the Parkway Center Development Standards.

On January 12, 2005 a site inspection was conducted and photos were taken. The inspection revealed the subject signs to be in good condition overall and free of graffiti. A condition has been included that requires the signs to be maintained and kept free of graffiti at all times.

FINDINGS

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

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

The Parkway Center Development Standards indicates that existing interim billboards are permitted but no new billboards are permitted. Billboards shall be reviewed during any site plan review within the Parkway Center Area. The area immediately surrounding the subject site has changed in the last year with construction of the World Market Furniture store and IRS office building. Billboards are not conducive to new development within the Parkway Center Area and the Redevelopment Area and may not be an appropriate use in perpetuity. A condition has been added to require a review in one year to determine if the billboards are still an appropriate use.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

The proposed continuation of the Off-Premise Advertising (Billboard) Signs use will not affect U.S. 95 or I-15, both fully developed highways.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 48 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5683** APN: 139 27 410 008

Name of Property Owner: CHN PARKWAY IV A INC

Name of Applicant: CLEAR CHANNEL OUTDOOR

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

 Yes

X No

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

City Official: _____

Partner(s): _____

APN: 139 27 410 008

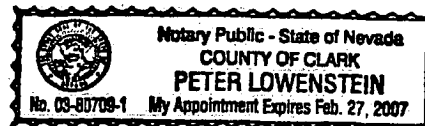
* Signature of Property Owner/Authorized Agent: Charles Bell

* Print Name: Douglas Selby

*** Subscribed and sworn before me**

*This 5th day of December 2004

* [Signature]
Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-5683** APN: 139-33-511-033, 004 & 139-27-410-002 & 005

Name of Property Owner: World market Center Venture LLC

Name of Applicant: Viacom Outdoor & Clear channel outdoor

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

Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

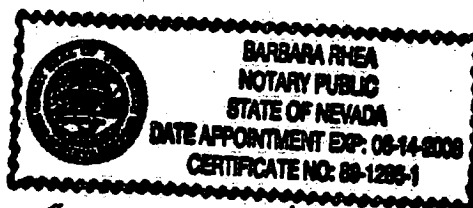
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 04 day of November, 2004

Notary Public in and for said County and State



Expires: 06/14/08

LINE	LENGTH	BEARING
L1	143.87	S84°35'34"W
L2	28.81	S84°35'34"W
L3	28.81	S84°35'34"W
L4	74.87	S84°35'34"W
L5	74.72	S84°35'34"W
L6	43.95	S84°35'34"W
L7	117.58	S84°35'34"W
L8	35.37	N43°28'11"E
L9	173.00	N43°28'11"E
L10	109.82	N43°28'11"E
L11	283.50	N43°28'11"E

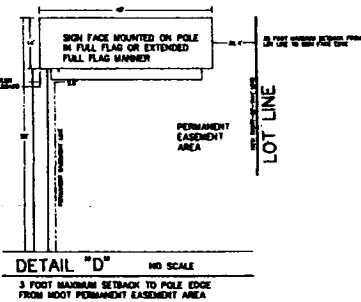
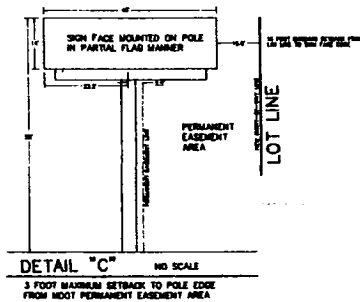
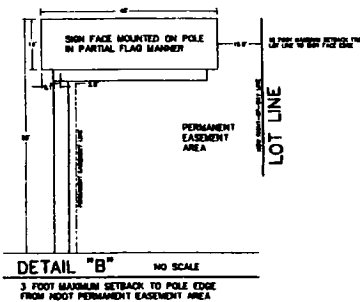
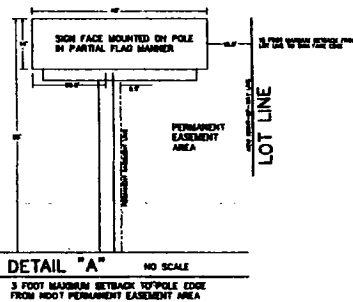
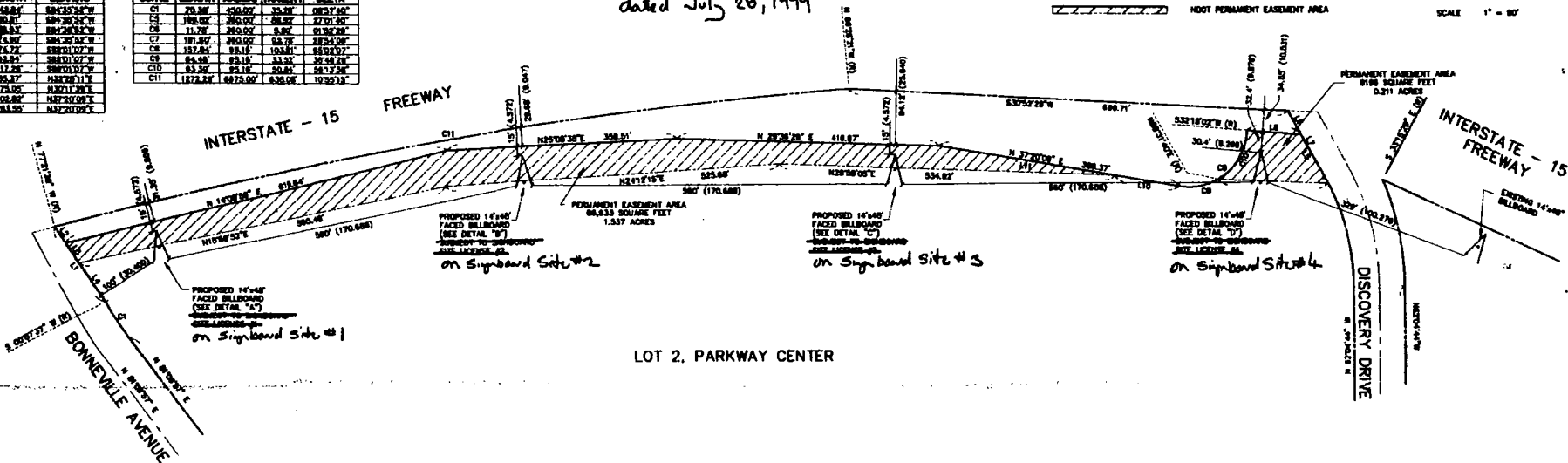
CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	70.36	250.00	35.36	08°37'40"
C2	178.82	250.00	88.82	27°01'40"
C3	11.79	250.00	5.89	01°32'28"
C4	181.82	250.00	93.78	28°24'08"
C5	137.84	250.00	68.84	25°02'07"
C6	84.46	250.00	42.46	16°48'28"
C7	83.29	250.00	41.64	16°37'38"
C8	127.24	250.00	63.62	19°35'13"

MAP DATED 8/7/99 TO BE ATTACHED TO RETIREMENT AGREEMENT AS EXHIBIT # 2
USED TO PREPARE EASEMENTS FOR SIGNBOARD SITE LICENSE # 1,2,3,4

LICENSE EXHIBIT A
dated July 20, 1999

LEGEND

	STREET CENTERLINE
	ORIGINAL PROPERTY LINE
	NEW PROPERTY LINE (LOT LINE)
	MOOT PERMANENT EASEMENT LINE
	MOOT PERMANENT EASEMENT AREA



NOTE
ACTUAL SETBACK DISTANCES PERMITTED TO BE LESS THAN MAXIMUM SETBACK DISTANCES
ACTUAL SETBACK DISTANCES SHALL NOT EXCEED MAXIMUM SETBACK DISTANCES

RQR-5683

B **T**

BAUGHMAN & TURNER, INC.
CIVIL ENGINEERS
1720 SOUTH STREET
SUITE 200
DENVER, CO 80202

DONREY MEDIA CORPORATION

BILLBOARD LOCATION MAP
PORTIONS OF SECTIONS 27, 28, 29, 30, 31 & 32
TOWNSHIP 30 SOUTH, RANGE 61 EAST, N.E. & E.
CITY OF LOS ANGELES

DATE: 8/7/99
PROJECT: 1999
SHEET: 11
SCALE: 1" = 80'

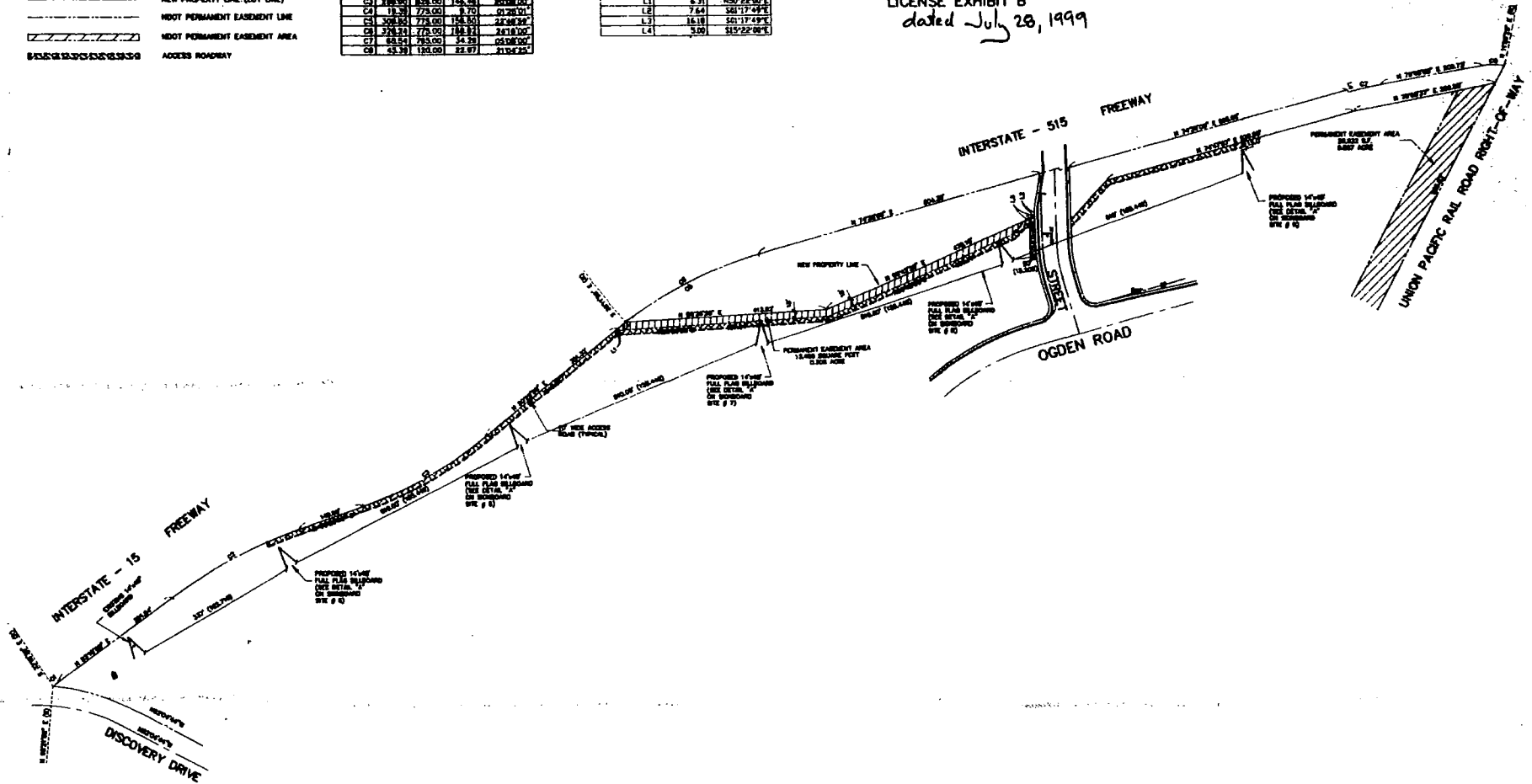
LEGEND

- STREET CENTERLINE
- ORIGINAL PROPERTY LINE
- NEW PROPERTY LINE (LOT LINE)
- ROOT PERMANENT EASEMENT LINE
- ROOT PERMANENT EASEMENT AREA
- ACCESS ROADWAY

CURVE	LENGTH	RADIUS	PERCENT	DELTA
C1	15.13	212.30	7.37	0°22'21"
C2	162.88	775.00	146.82	17°20'00"
C3	18.50	135.00	14.84	30°00'00"
C4	18.30	775.00	8.70	0°28'01"
C5	308.30	775.00	146.82	24°48'34"
C6	378.24	775.00	146.82	28°18'00"
C7	68.24	775.00	14.84	0°38'00"
C8	43.39	135.00	22.97	21°04'22"

LINE	LENGTH	BEARING
L1	6.91	N00°22'30"E
L2	7.64	S40°17'49"W
L3	16.18	S01°17'49"W
L4	5.00	S19°22'30"W

LICENSE EXHIBIT B
dated July 28, 1999



BILLBOARD ACCESS MAP

APPROVED BY: **DAUGHERMAN & TURNER, INC.**

DATE: **7/28/99**

PROJECT: **UNION PACIFIC RAILROAD RIGHT-OF-WAY**

LOCATION: **INTERSECTION OF INTERSTATE 15 AND DISCOVERY DRIVE, SOUTHWEST CORNER, SOUTHWEST CORNER, SOUTHWEST CORNER**

CITY OF LAS VEGAS

DAUGHERMAN & TURNER, INC.

CIVIL ENGINEERS LAND SURVEYORS

1000 WEST WASHINGTON STREET, SUITE 200, LAS VEGAS, NV 89101

TEL: 702-735-1111 FAX: 702-735-1112

DONREY MEDIA CORPORATION

1000 WEST WASHINGTON STREET, SUITE 200, LAS VEGAS, NV 89101

TEL: 702-735-1111 FAX: 702-735-1112

RQR-5683



RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



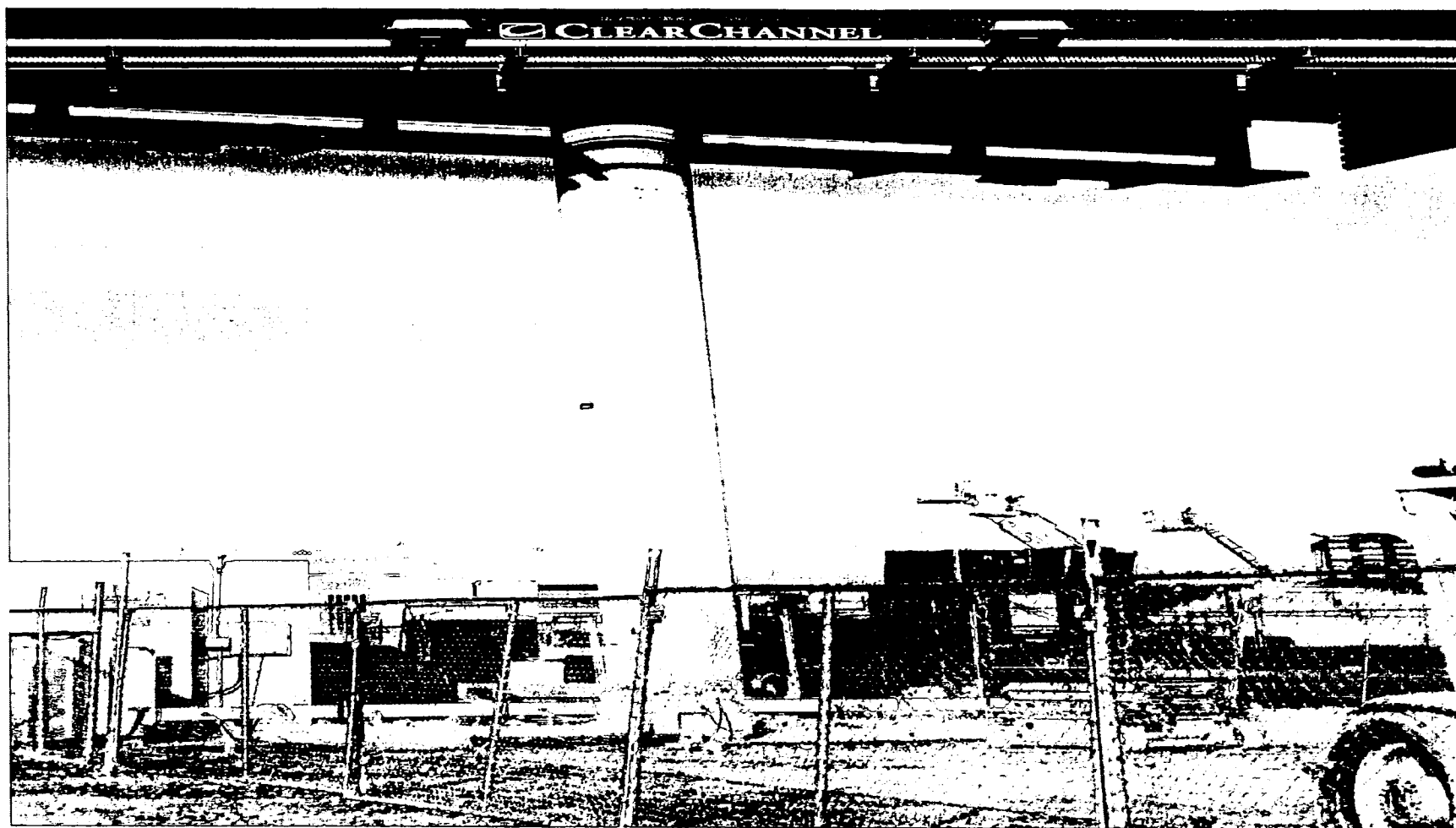
RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



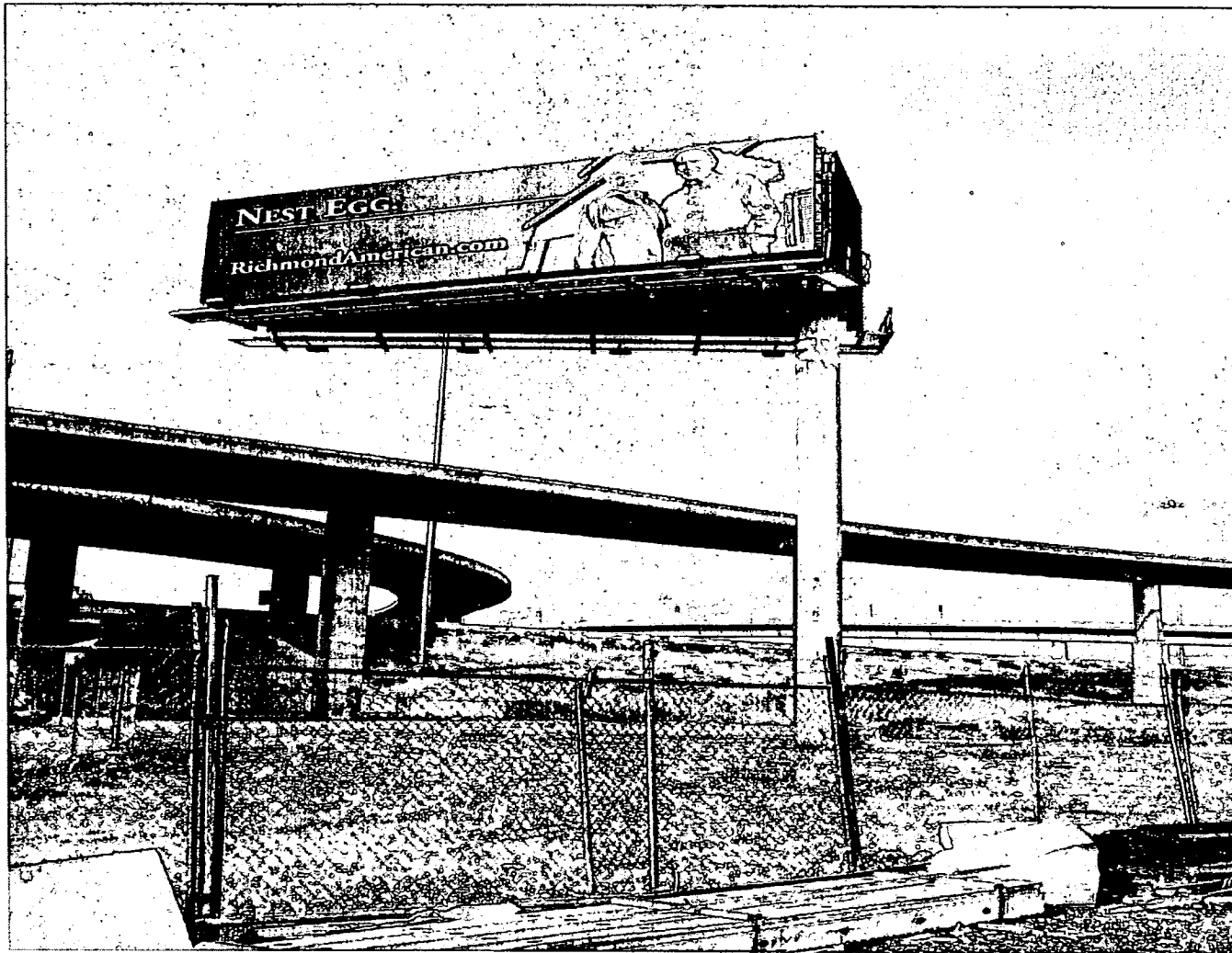
RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



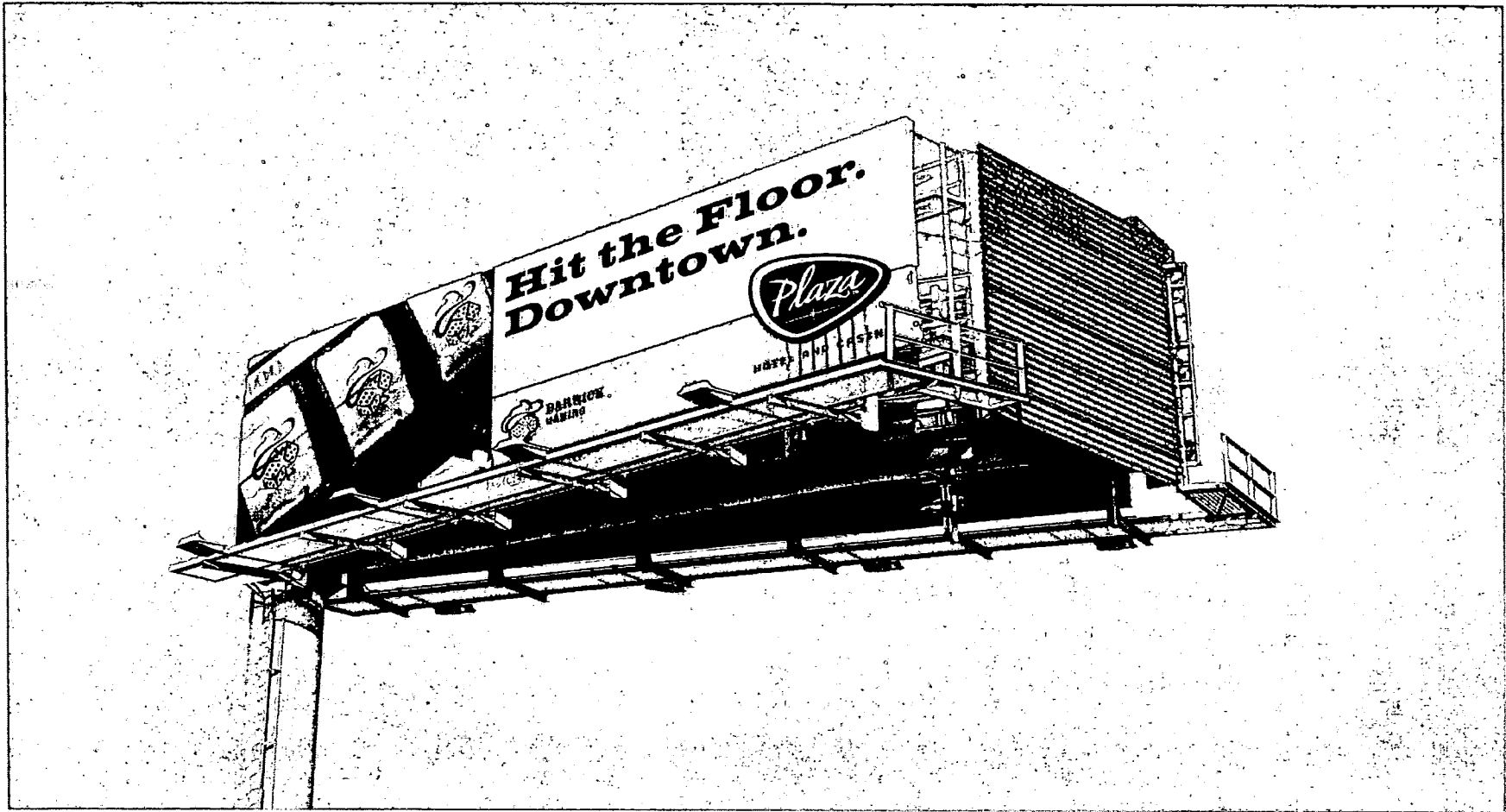
RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



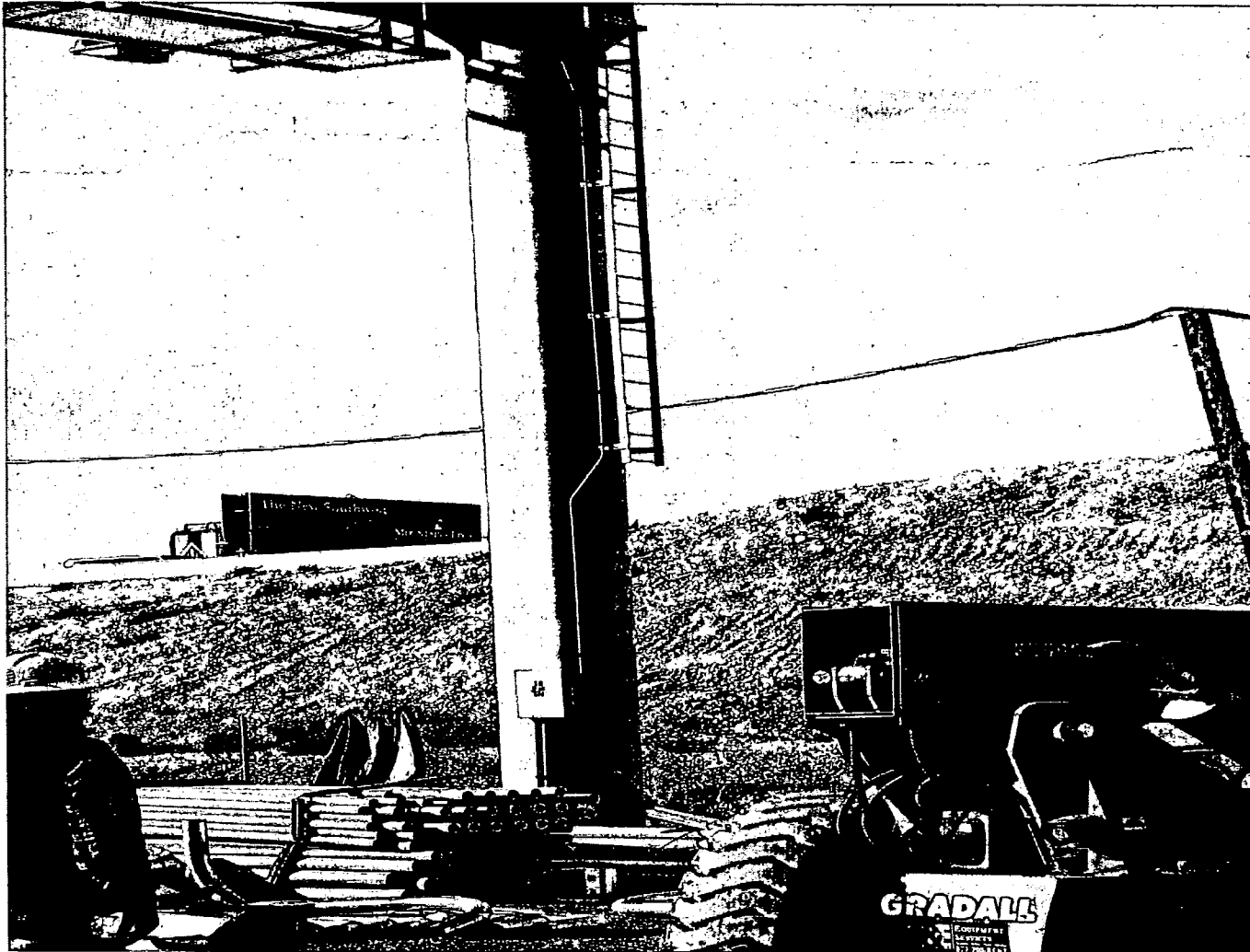
RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



RQR-5683 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC
BOUNDED BY U.S.-95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

1/12/05



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
ETTE B. McDONALD
WRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

July 18, 2003

Union Pacific Railroad Company
1700 Farnum Street, 10th Floor South
Omaha, Nebraska 68102-2002

RE: RQR-1974 - REQUIRED ONE YEAR REVIEW
CITY COUNCIL MEETING OF MAY 21, 2003

Dear Applicant:

The City Council at a regular meeting held May 21, 2003 APPROVED the Required One Year Review FOR 12 EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN: 139-33-610-004, 139-33-710-001, 139-33-511-003, 004, and 139-27-410-002 and 005), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 22, 2003. This approval is subject to:

Planning and Development

1. This Use shall be reviewed in five years only as to the three new signs adjacent to Chelsea and one year as to all the other signs, at which time the City Council may require the off-premise advertising (billboard) signs to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

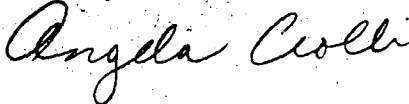
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Union Pacific Railroad Company
RQR-1974 – Page Two
July 18, 2003

5. All of the supporting structure, were there is graffiti, shall be repainted as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. Allow the two existing signs to continue with two advertising signs per face for a period of one-year and then modify to only one advertising sign per sign face.
7. If an existing off-premise advertising sign structure is removed, the Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

Sincerely,



M. Margo Wheeler, AICP
Planning Manager, Current Division Manager
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Ms. Misty Baier
Clear Channel Outdoor
1211 West Bonanza Drive
Las Vegas, Nevada 89106

Ms. Denise Dunahay
Viacom Outdoor
5425 South Valley View Blvd, Suite #103
Las Vegas, Nevada 89118

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REQUIRED ONE YEAR REVIEW**

RQR-6003 - PUBLIC HEARING - APPLICANT: VIACOM OUTDOOR - OWNER: WMC III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED ONE EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council approval letter for RQR-1974

MOTION:

WEEKLY - APPROVED subject to conditions - **UNANIMOUS** with MACK abstaining because his company, Mack Consulting, has contracts with Viacom Outdoor

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RYAN ARNOLD, 3225-B South Rainbow, appeared on behalf of Viacom Outdoor and requested approval. He thanked staff for the positive recommendation.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:46 - 3:48)

5-356

CONDITIONS:

Planning and Development

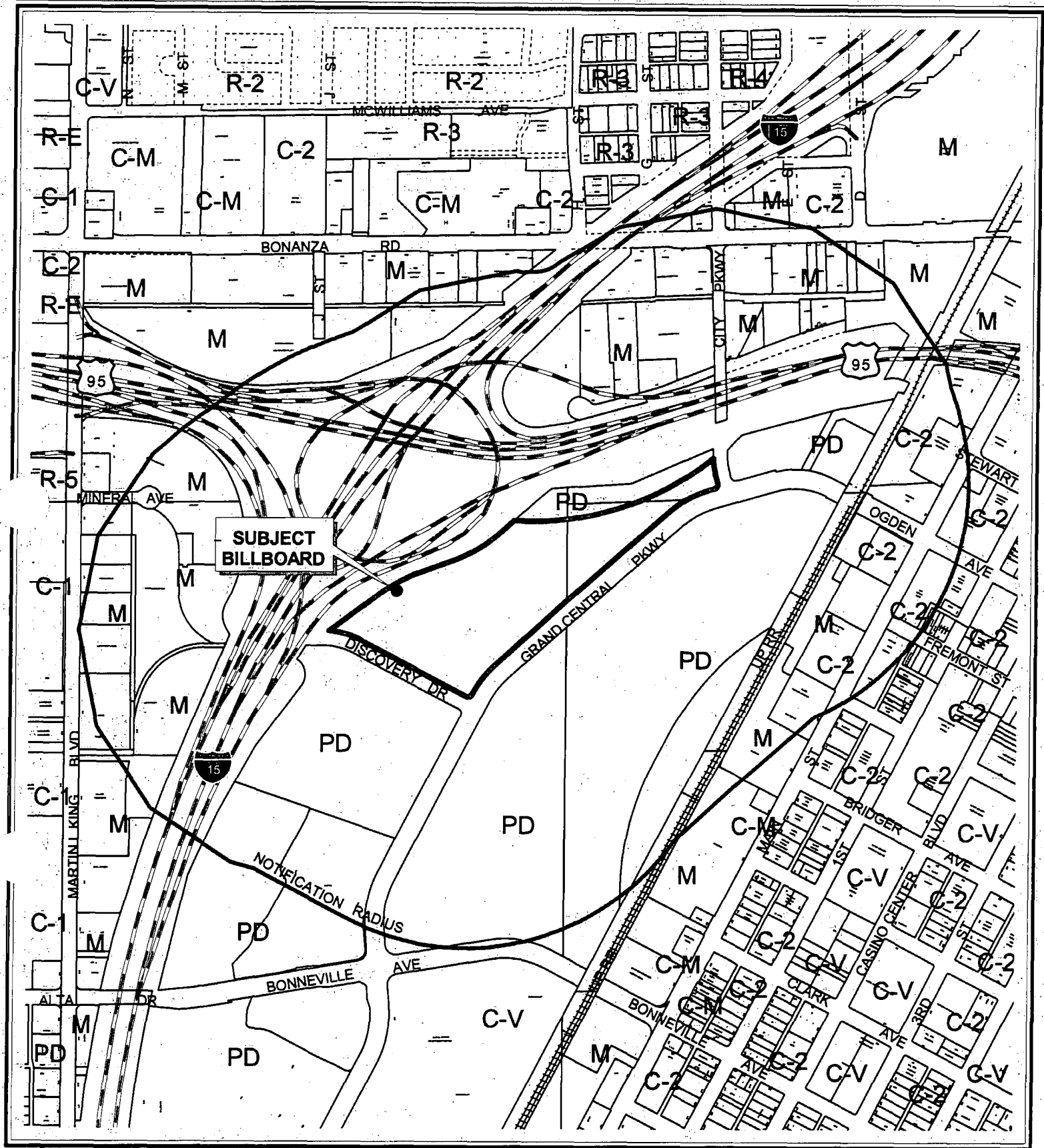
1. This Use shall be reviewed in one year at which time the City Council may require the Off Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off Premise Advertising (Billboard) Sign is removed.
2. If the existing Off Premise Advertising (Billboard) Sign structure is removed, this Special Use

CITY COUNCIL MEETING OF: APRIL 20, 2005**CONDITIONS - Continued:**

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

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

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



CASE: RQR-6003

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)





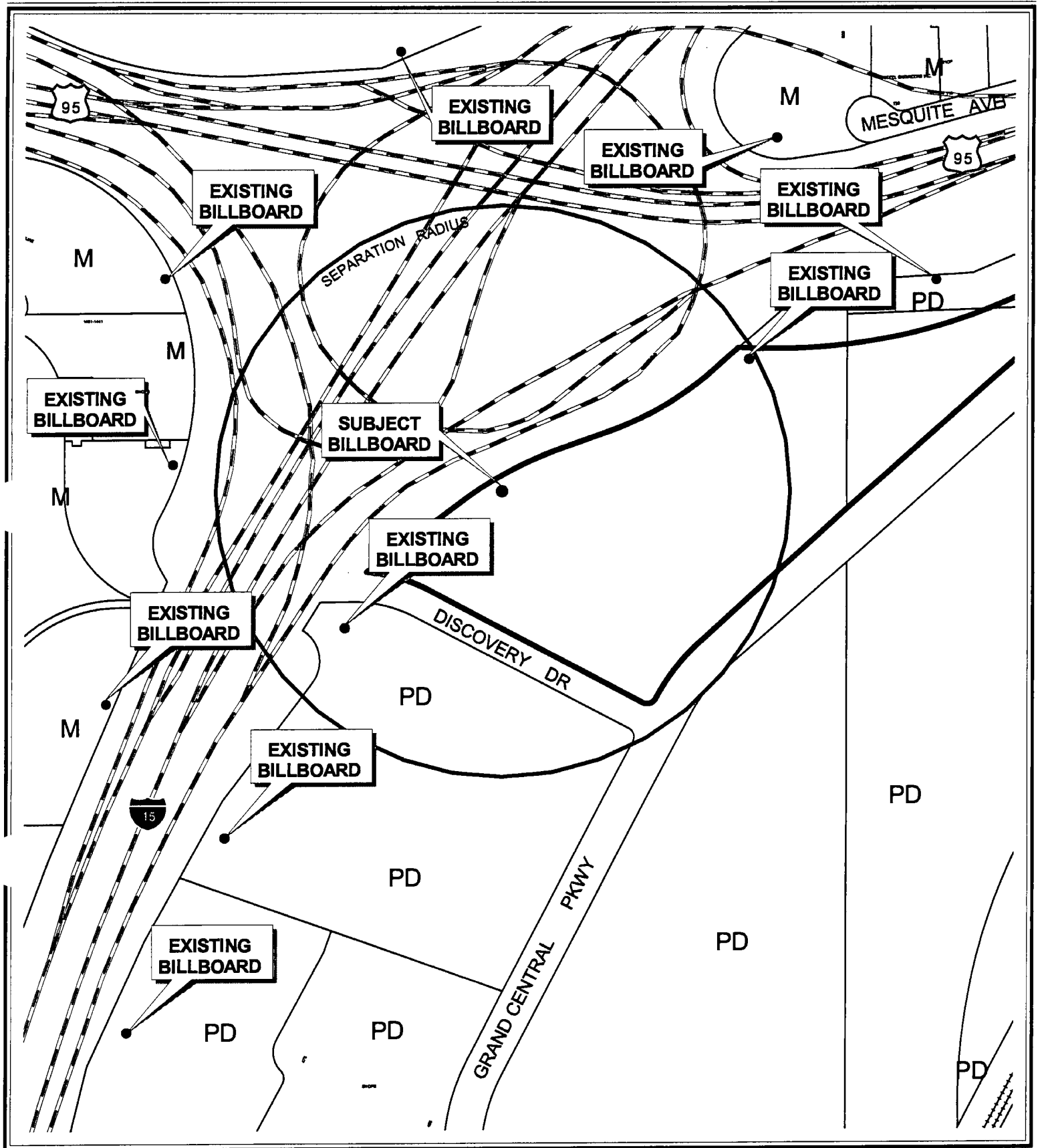
CASE: RQR-6003

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 700 1400 Feet





CASE: RQR-6003

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-6003 - APPLICANT: VIACOM OUTDOOR - OWNER:
WMC III ASSOCIATES, LLC**

**** CONDITIONS ****

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

Planning and Development

1. This Use shall be reviewed in one year at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Required One Year Review of an approved One Year Required Review (RQR-1974), which approved one existing Off-Premise Advertising (Billboard) Sign on property bounded by U.S. 95, I-15 and Grand Central Parkway.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. Included in that approval was the ability to maintain the existing Off-Premise Advertising (Billboard) Signs, subject to a two-year review.
- 02/07/01 The City Council approved a Required Review [Z-0100-97(2)] on an approved Rezoning which included the 13 existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.
- 05/16/01 The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square-foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission recommended approval. The Site Review is to expire on 05/16/03 unless permits are issued or an extension of time is granted.
- 11/07/01 The City Council approved a Site Development Plan Review [Z-0100-97(6)] for a proposed 478,028 square foot outlet mall (Chelsea) on 39.20 acres on the southwest corner of Bonneville Avenue and Grand Central Parkway and a Major Modification [Z-0100-97(5)] to amend or delete certain provisions of the Master Development Plan for Lot 1 of Parkway Center. The Planning Commission recommended approval.
- 04/03/02 The City Council approved a Required Review [Z-0100-97(7)] on an approved Rezoning which included the 12 existing Off-Premise Advertising (Billboard) Signs on property bounded by U.S.-95, I-15, and Grand Central Parkway, subject to a one year review. The Planning Commission recommended approval.

- 09/26/02 The Planning Commission approved a Master Sign Plan (MSP-0007-02) for the Chelsea outlet mall site. The billboards on that site were included as part of the application review. The billboards were approved to be relocated on the site and must be rebuilt per the approved billboard elevations.
- 05/21/03 The City Council approved a Required One-Year Review (RQR-1974) for 12 existing Off-Premise Advertising (Billboard) Signs the overall Parkway Center site subject to a one-year review. The Planning Commission and staff recommended approval on April 24, 2003.
- 10/06/04 The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square-foot temporary exhibit space on the World Market portion of the site. The Planning Commission and staff recommended approval on August 26, 2004.
- 03/24/05 The Planning Commission recommended approval of a related Required One-Year Review (RQR-5683) request for the eight other Off-Premises Advertising (Billboard) Signs on the overall site.

B) Pre-Application Meeting

A pre-application meeting is not required for this type of application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 18.11

B) Existing Land Use

Subject Property: Undeveloped
World Market (Under Construction)
North: U.S. Highway 95
South: Chelsea Outlet Mall
East: Undeveloped
West: Interstate 15

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: ROW (Right-of-Way)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: ROW (Right-of-Way)

D) Existing Zoning

Subject Property: PD (Planned Development)
North: U.S. Highway 95
South: PD (Planned Development)
East: PD (Planned Development)
West: Interstate 15

E) General Plan Compliance

The site is designated as MXU (Mixed Use) on the Redevelopment Plan Map of the Southeast Sector of the General Plan. This land use allows a mix of uses including residential, offices, and commercial.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Parkway Center	X	
Gaming District	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is within the Downtown Centennial Plan Area, Redevelopment Plan Area, Gaming District, and within the Parkway Center Development Area. The Parkway Center Development Standards clearly indicates that interim billboards are permitted but new billboards are prohibited. Typically billboards are not conducive to redevelopment efforts and therefore these billboards need to be reviewed on an on-going basis to ensure compatibility.

ANALYSIS

A) Zoning Code Compliance

The subject property is zoned PD (Planned Development). The Conditions of Approval of the Rezoning (Z-0100-97) state that no new Off-Premise Advertising (Billboard) Signs are allowed; however, the pre-existing Off-Premise Advertising (Billboard) Signs are allowed to remain subject to review.

A1) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	At least 750 feet from another Off Premise Sign along freeway frontage	NO Less than 750 feet between signs
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	YES No "R" zoned properties within 750 foot notification radius.

Due to the age of the subject Off-Premise Advertising (Billboard) Sign, the minimum 750 foot distance separation requirement for signs along major freeways is not met. This makes the sign legal non-conforming uses on this property. The sign does meet the minimum 300 foot distance separation requirement for "R" zoned properties.

B) General Analysis and Discussion

- Zoning

The subject site is zoned PD (Planned Development) and is part of the Parkway Center Development. The Standards indicate existing interim billboards are permitted but no new billboards are permitted.

- Use

The Parkway Center Development Standards were adopted on January 2, 2002 and indicate existing interim billboards are permitted but no new billboards are permitted. Section 7.7 indicates 'Existing interim billboards located upon any parcel within Parkway Center shall be addressed with each submission of a Site Development Plan Review. Title 19.14.060 allows the removal of an Off-Premise (Billboard) Advertising Sign if conditions in the surrounding area have changed. While development of portions of the property has commenced, the subject signs can remain, as they are oriented towards the Interstate 15 and U.S. 95 freeways. With the ongoing development of the World Market site, a Staging Plan and Master Sign Plan are forthcoming. The review and approval of these plans may require removal of the subject billboard on this site within the next year. The recommendation for this request is approval, subject to a one-year review.

It should be noted that the signs on the World Market site were not reviewed with the any of the site development plan reviews as required by the Parkway Center Development Standards.

On March 3, 2005 a site inspection was conducted and photos were taken. The inspection revealed the subject sign to be in good condition overall and free of graffiti. A condition has been included that requires the signs to be maintained and kept free of graffiti at all times.

FINDINGS

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

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

The Parkway Center Development Standards indicates that existing interim billboards are permitted but no new billboards are permitted. Billboards shall be reviewed during any site plan review within the Parkway Center Area. The area immediately surrounding the subject site has changed in the last year with construction of the World Market Furniture store and IRS office building. Billboards are not conducive to new development within the Parkway Center Area and the Redevelopment Area and may not be an appropriate use in perpetuity. A condition has been added to require a review in one year to determine if the billboard is still an appropriate use.

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

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

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

The proposed continuation of the Off-Premise Advertising (Billboard) Sign use will not affect U.S. 95 or I-15, both fully developed highways.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 54 by City Clerk

APPROVALS 0

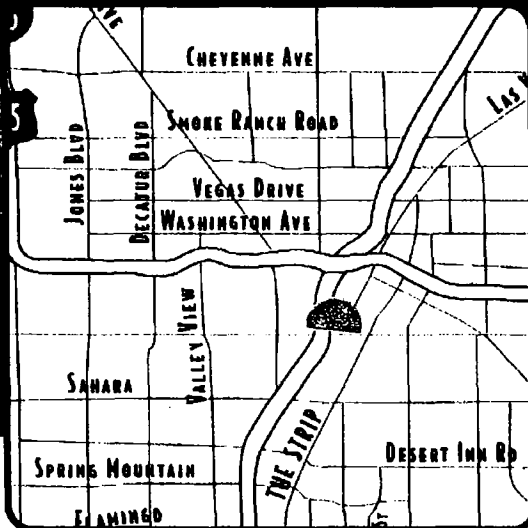
PROTESTS 0



LAS VEGAS

#1129

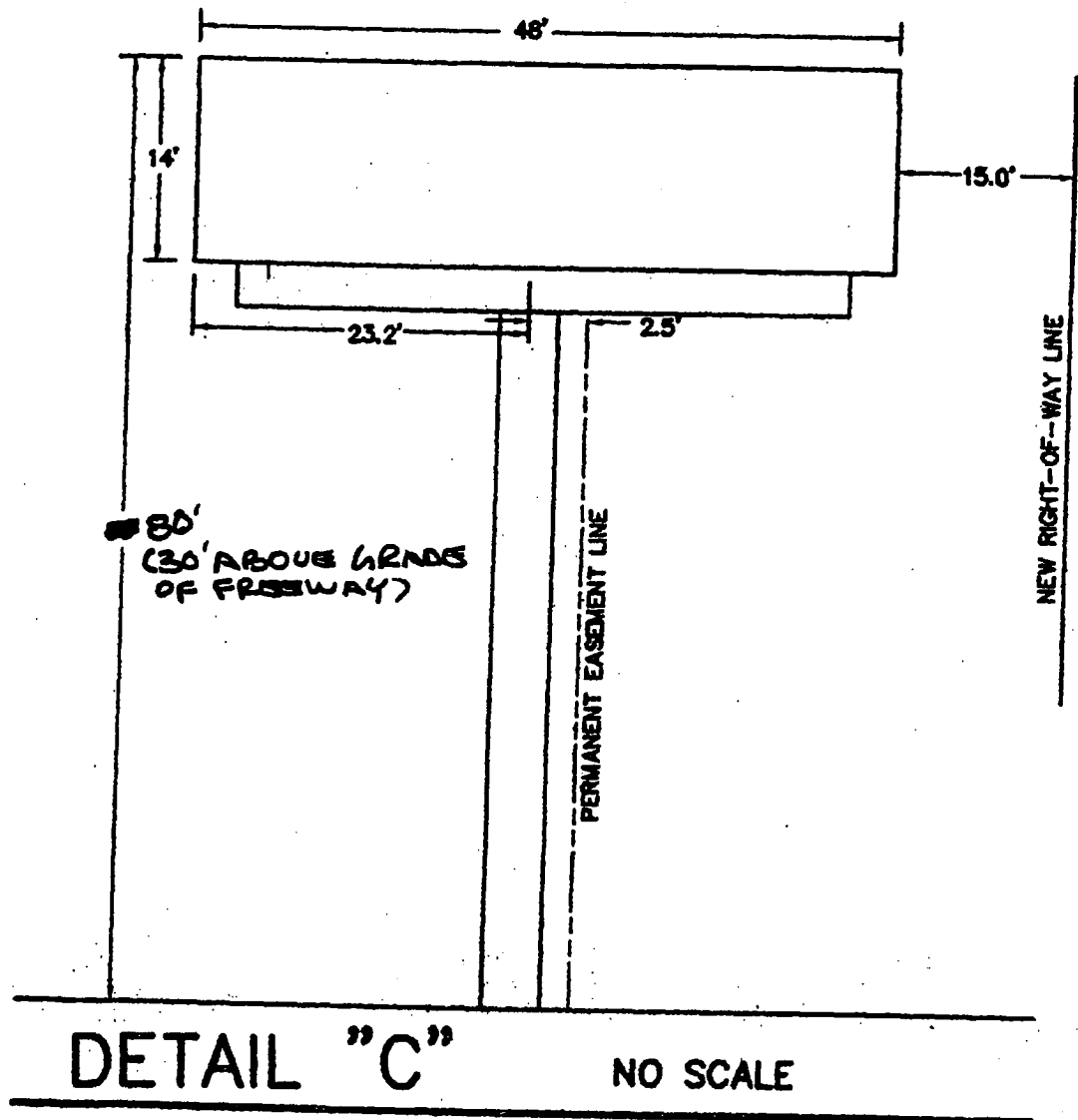
I-15 E/L .4 MI N/O CHARLESTON • SOUTH FACE

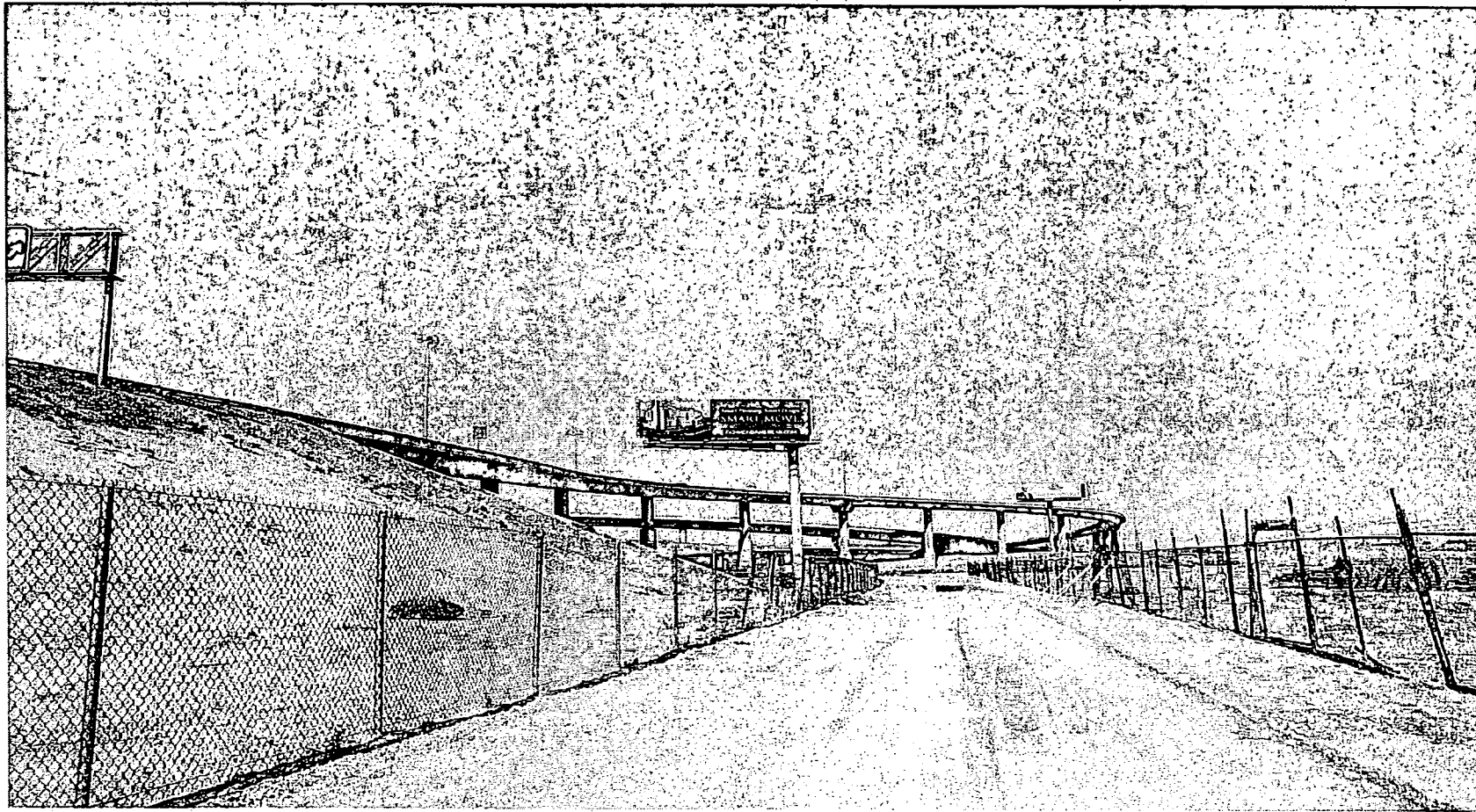


14' x 48'

DEC 145,800

VIACOM
OUTDOOR





RQR-6003 - APPLICANT: VIACOM OUTDOOR - OWNER: WMC III ASSOCIATES, LLC
BOUNDED BY U.S. 95, I-15 AND GRAND CENTRAL PARKWAY
MARCH 24, 2005 PLANNING COMMISSION

3/3/05



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
JETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

July 18, 2003

Union Pacific Railroad Company
1700 Farnum Street, 10th Floor South
Omaha, Nebraska 68102-2002

RE: RQR-1974 - REQUIRED ONE YEAR REVIEW
CITY COUNCIL MEETING OF MAY 21, 2003

Dear Applicant:

The City Council at a regular meeting held May 21, 2003 APPROVED the Required One Year Review FOR 12 EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN: 139-33-610-004, 139-33-710-001, 139-33-511-003, 004, and 139-27-410-002 and 005), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 22, 2003. This approval is subject to:

Planning and Development

1. This Use shall be reviewed in five years only as to the three new signs adjacent to Chelsea and one year as to all the other signs, at which time the City Council may require the off-premise advertising (billboard) signs to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If a Site Development Plan Review for new development includes property in which an off-premise advertising (billboard) sign is located, the billboard(s) shall be reviewed for compatibility with the proposed development. Conditions of approval may be imposed that require the removal or redesign of some or all of the off-premise advertising (billboard) signs.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise advertising sign.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

Union Pacific Railroad Company
RQR-1974 – Page Two
July 18, 2003

5. All of the supporting structure, where there is graffiti, shall be repainted as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
6. Allow the two existing signs to continue with two advertising signs per face for a period of one-year and then modify to only one advertising sign per sign face.
7. If an existing off-premise advertising sign structure is removed, the Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
8. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

Sincerely,



M. Margo Wheeler, AICP
Planning Manager, Current Division Manager
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Ms. Misty Baier
Clear Channel Outdoor
1211 West Bonanza Drive
Las Vegas, Nevada 89106

Ms. Denise Dunahay
Viacom Outdoor
5425 South Valley View Blvd, Suite #103
Las Vegas, Nevada 89118

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-6067 - PUBLIC HEARING - APPLICANT: PETSMART - OWNER: DTR6, L.L.C. - Request for a Special Use Permit FOR A PROPOSED PET BOARDING USE WITHIN AN EXISTING PET SHOP at 2140 North Rainbow Boulevard (APN 138-23-215-024), C-1 (Limited Commercial) Zone, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Washington Davis

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHELLE ALTIERI, 8001 Irvine Center Drive, Suite 400; Irvine, California 92618, appeared on behalf of Pets Mart and requested approval.

TOM MCGOWAN, Las Vegas resident, appeared in support of the request.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:48 - 3:49)

5-412

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pet Boarding use.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

3. Compliance with all City code requirements and design standards of all City departments.
4. No outside activity associated with the proposed Pet Boarding use or the existing pet shop.
5. The existing trees located directly within the parking area, shall be maintained or replaced, if necessary, subject to review and approval by the Planning and Development Department.
6. A trash enclosure shall be constructed to code standards and maintained at the rear of the subject tenant space, subject to review and approval by the Planning and Development Department.



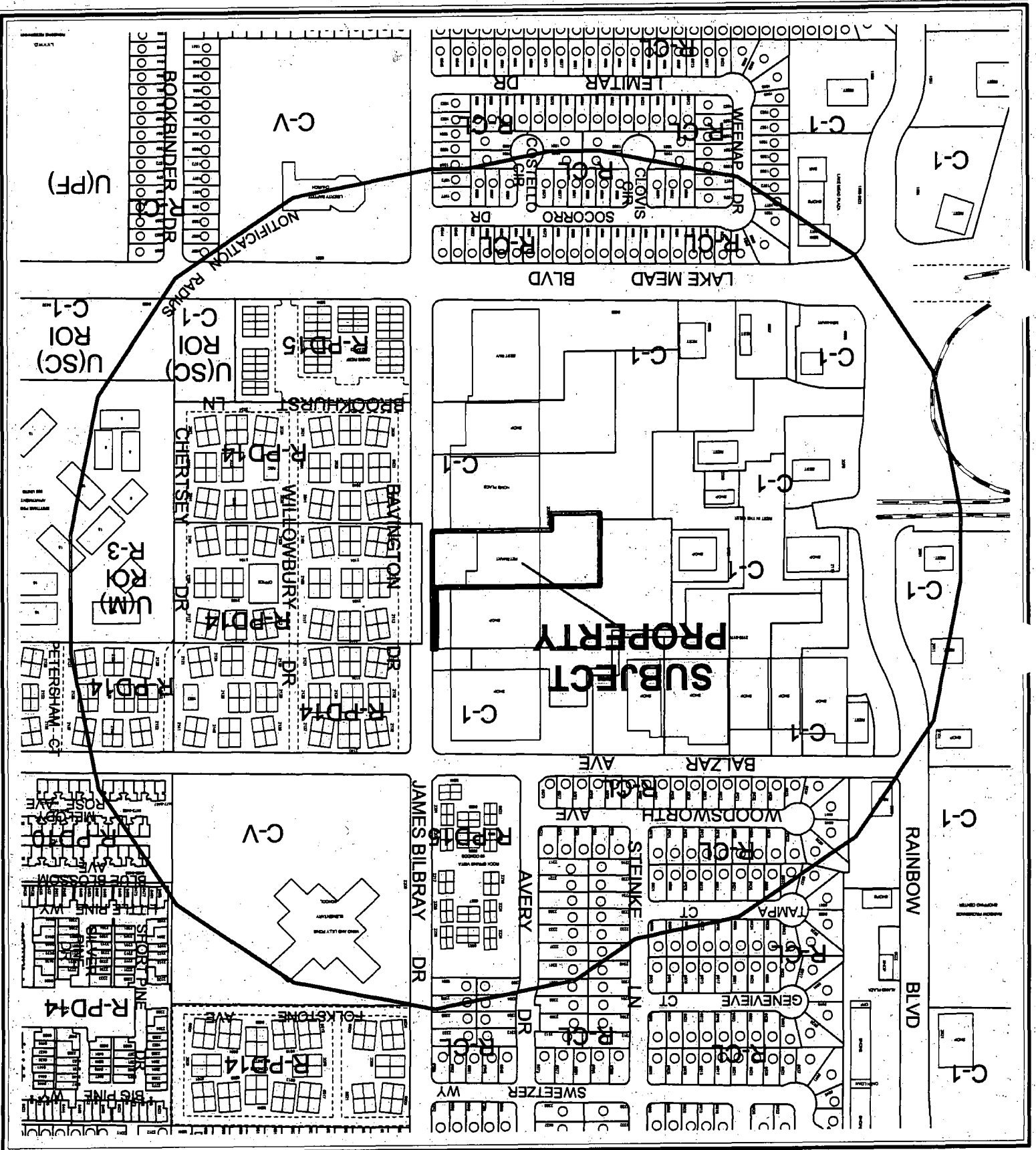
111

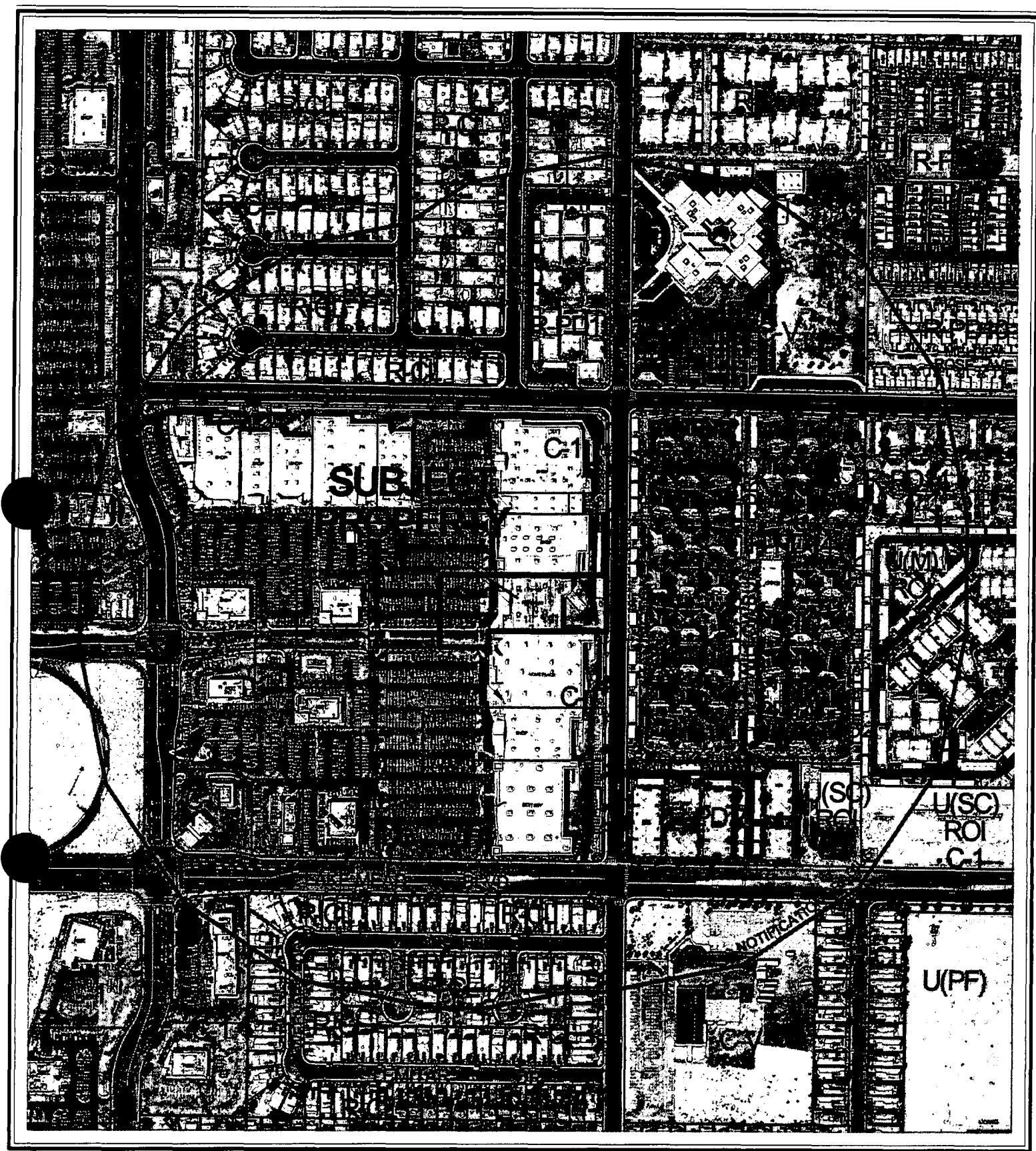
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 1000 FT

CASE: SUP-6067

0 400 800 Feet





CASE: SUP-6067

RADIUS: 1000 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pet Boarding use.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Compliance with all City code requirements and design standards of all City departments.
4. No outside activity associated with the proposed Pet Boarding use or the existing pet shop.
5. The existing trees located directly within the parking area, shall be maintained or replaced, if necessary, subject to review and approval by the Planning and Development Department.
6. A trash enclosure shall be constructed to code standards and maintained at the rear of the subject tenant space, subject to review and approval by the Planning and Development Department.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Pet Boarding use within an existing pet shop at 2140 North Rainbow Boulevard.

B) Applicant's Justification

A letter of justification for the proposed use was submitted with the application. The letter indicates that the Pet Boarding use will offer incidental and accessory lodging services to customers. The use would be completely enclosed within the existing pet store, sound attenuated with no direct access to the outside, and no outside activity or dog runs. The pet "hotel" rooms are designed with solid partitions and sanitary wall surfaces.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 06/20/90 | The City Council approved a request for Rezoning (Z-0061-90) the subject tract from a N-U (Non-Urban) Zone to a C-1 (Limited Commercial) Zone as part of a larger tract at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The Planning Commission and staff recommended approval. |
| 08/19/92 | The City Council approved a request for an Extension of Time [Z-0061-90(2)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval. |
| 08/03/94 | The City Council approved a request for an Extension of Time [Z-0061-90(3)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval. |
| 06/08/95 | The City Council approved a request for an Extension of Time [Z-0061-90(4)] on an approved Rezoning reclassification (Z-0051-90). The Planning Commission and staff recommended approval. |
| 12/20/95 | The City Council approved a Plot Plan for a shopping center (Best of the West) on the subject property that included a larger tract at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The Planning Commission and staff recommended approval. |
| 03/24/05 | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #28/dds). |

B) Pre-Application Meeting

01/12/05 The staff reviewed a proposal for a Pet Boarding use in an existing Petsmart pet store. It was explained that the proposed use would require the approval of a Special Use Permit.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.85

B) Existing Land Use

Subject Property: Retail commercial
North: Retail commercial
South: Retail commercial
East: Residential condominium development
West: Retail commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
East: R-PD14 (Residential Planned Development – 14 units per acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This land use category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. It also includes offices either singly or grouped as office centers with professional and business services. The subject site is zoned C-1 (Limited Commercial), which is a zoning district permitted within the SC (Service Commercial) General Plan designation. A Pet Boarding use is permitted as a Special Use in the C-1 (Limited Commercial) Zone.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	Unit Measurement	Spaces Required		Spaces Provided
		Space/Unit	Spaces	
Pet Boarding	10 employees	1/2 employees	5	29

The proposed Pet Boarding use is to occupy 7,299 square feet of the existing 26,207 square feet of space within the Pet Smart pet store. Pursuant to Title 19.10, the equivalent space for a retail use would require one space for each 250 square feet or 29 parking spaces. For the Pet Boarding use, only 5 spaces are required. Consequently, there is a surplus of 24 spaces available for the proposed use.

B) General Analysis and Discussion

- Zoning**

The subject site is zoned C-1 (Limited Commercial). A Pet Boarding use is permitted within the C-1 (Limited Commercial) zoning district with a Special Use Permit.

- Use**

Pet Boarding is defined as follows:

“A lot, building, premises or structure on which four or more household pets are kept regularly and for extended periods of time for the benefit of persons who do not reside on the premises. The term includes facilities that provide shelter, care, feeding, exercising, grooming or incidental medical care for household pets for remuneration or otherwise on a commercial basis. The term includes a kennel operation.”

The Pet Smart pet store is located within an existing shopping center (Best of the West) at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard. The owner's interest is to include a Pet Boarding use within the existing pet store. No outside operations are proposed in conjunction with the use. The pets "hotel rooms" are designed with solid partitions and sanitary wall surfaces.

- Conditions

Applicable conditions of Title 19.04.050 require the following:

1. All animals shall be confined within an enclosed area or on a leash at all times.
2. Structures shall be designed to provide reasonable sound barriers and odor protection for adjoining properties.
3. Pens shall be screened from view from adjacent streets and adjoining properties.
4. Any exterior pens that are adjacent to a residential parcel shall be located a minimum of 50 feet from the parcel.
5. All operation and activities shall be in accordance with LVMC Title 7.

The application as proposed would meet these conditions.

FINDINGS

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

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

The proposed Pet Boarding use would be located within an existing shopping center located at the northeast corner of Lake Mead Boulevard and Rainbow Boulevard (Best of the West). The shopping center is designed for retail and other commercial uses of equal or greater intensity than the proposed use. Particularly since the proposed use would be completely enclosed with an existing building, there would be no impact upon adjoining uses.

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

The shopping center within which the proposed Pet Boarding use would be located is designed to accommodate this and other types of commercial uses. The service facilities for the center, including parking and loading spaces, are suitable for the proposed use.

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

Access to the existing retail center is from Lake Mead Boulevard and Rainbow Boulevard. According to the Master Plan of Streets and Highways, Lake Mead Boulevard is identified as a Primary Arterial street that is designed to have a 100 foot wide right-of-way. Rainbow Boulevard is classified as a Secondary Collector Street and is designed to have an 80-foot wide right-of-way. Both streets are designed to carry high traffic volumes, and the access drives are designed to handle traffic maneuvering in and out of the shopping center. Since the proposed use will occupy part of one of the retail units of the center for which the traffic accommodations are made, there is no additional burden on the traffic load.

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

Establishment of the proposed Pet Boarding use would be subject to periodic inspection, and its establishment would not, therefore, compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

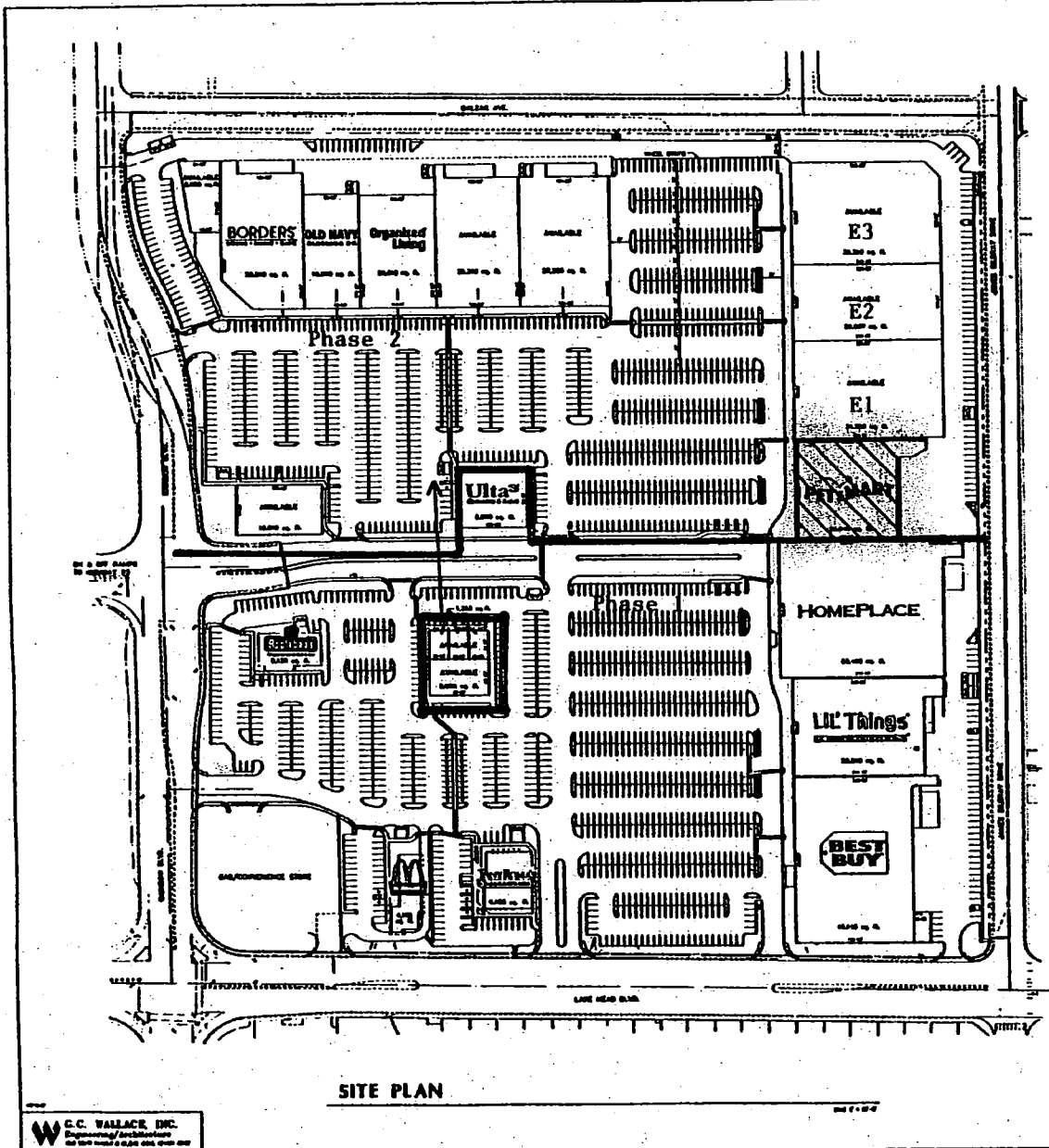
NOTICES MAILED 419 by City Clerk

APPROVALS 0

PROTESTS 0

EXHIBIT A

SHOPPING CENTER PLAN



SUMMARY

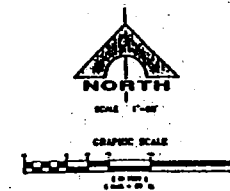
LAND	34.85 AC.	1,518,066 S.F.
BUILDINGS A-K		372,035 S.F.
PADS 1,2,4-7		43,438 S.F.
TOTAL		415,473 S.F.

PARKING PROVIDED	1,972 STALLS
PARKING RATIO	4.75/1000

Loading and unloading areas

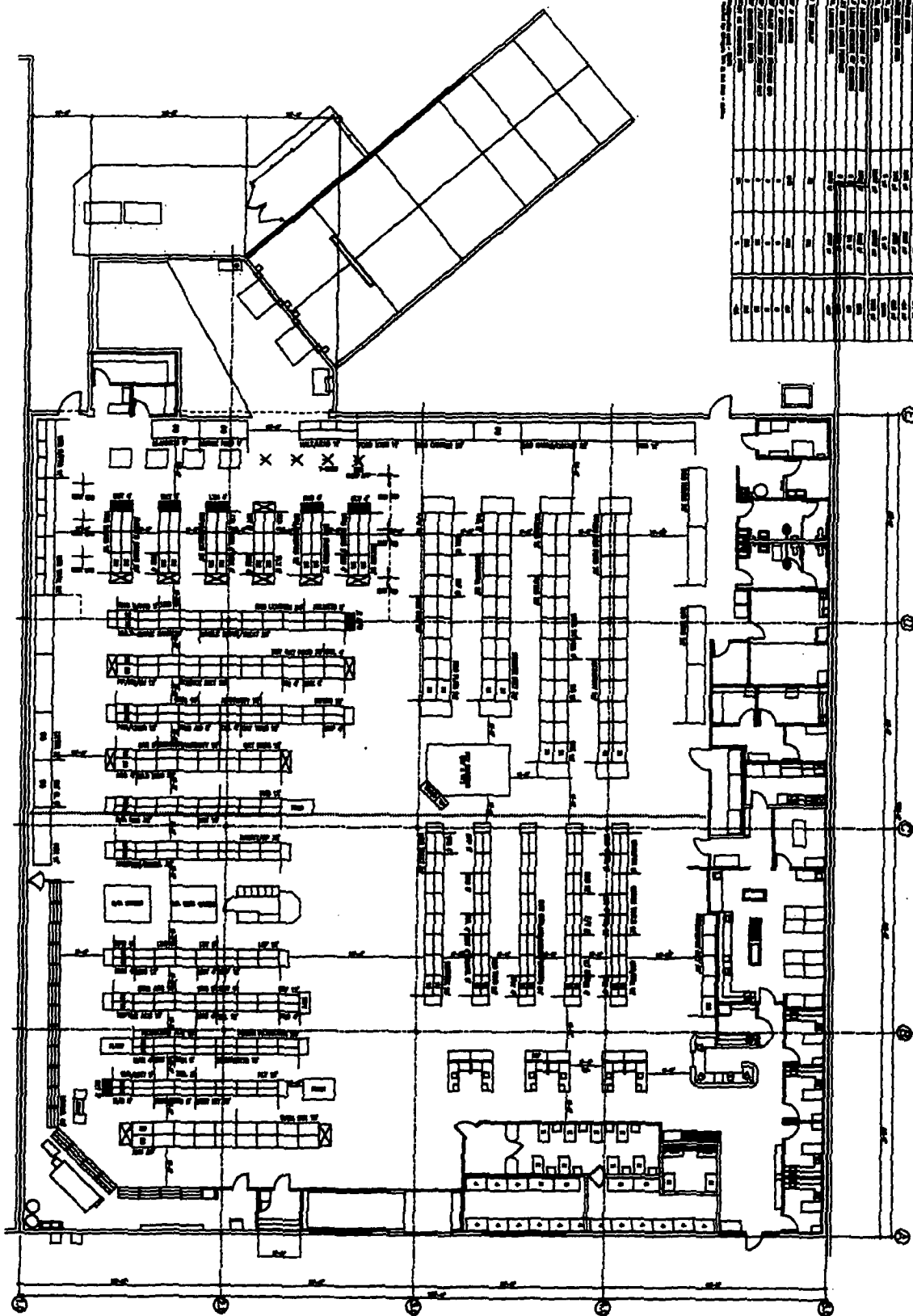
Pylon Signs

All buildings marked "available," "Borders," "Organized Living," or "Old Navy" are Future Building Areas.



BEST IN THE WEST
LAKE MEAD BLVD. AT RAINBOW BLVD.

#146 **SUP-6067**
03/24/05 PC



FIXTURE SCHEDULE

NO.	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
1	...	...	...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...
11	...	...	...	...
12	...	...	...	...
13	...	...	...	...
14	...	...	...	...
15	...	...	...	...
16	...	...	...	...
17	...	...	...	...
18	...	...	...	...
19	...	...	...	...
20	...	...	...	...
21	...	...	...	...
22	...	...	...	...
23	...	...	...	...
24	...	...	...	...
25	...	...	...	...
26	...	...	...	...
27	...	...	...	...
28	...	...	...	...
29	...	...	...	...
30	...	...	...	...
31	...	...	...	...
32	...	...	...	...
33	...	...	...	...
34	...	...	...	...
35	...	...	...	...
36	...	...	...	...
37	...	...	...	...
38	...	...	...	...
39	...	...	...	...
40	...	...	...	...
41	...	...	...	...
42	...	...	...	...
43	...	...	...	...
44	...	...	...	...
45	...	...	...	...
46	...	...	...	...
47	...	...	...	...
48	...	...	...	...
49	...	...	...	...
50	...	...	...	...

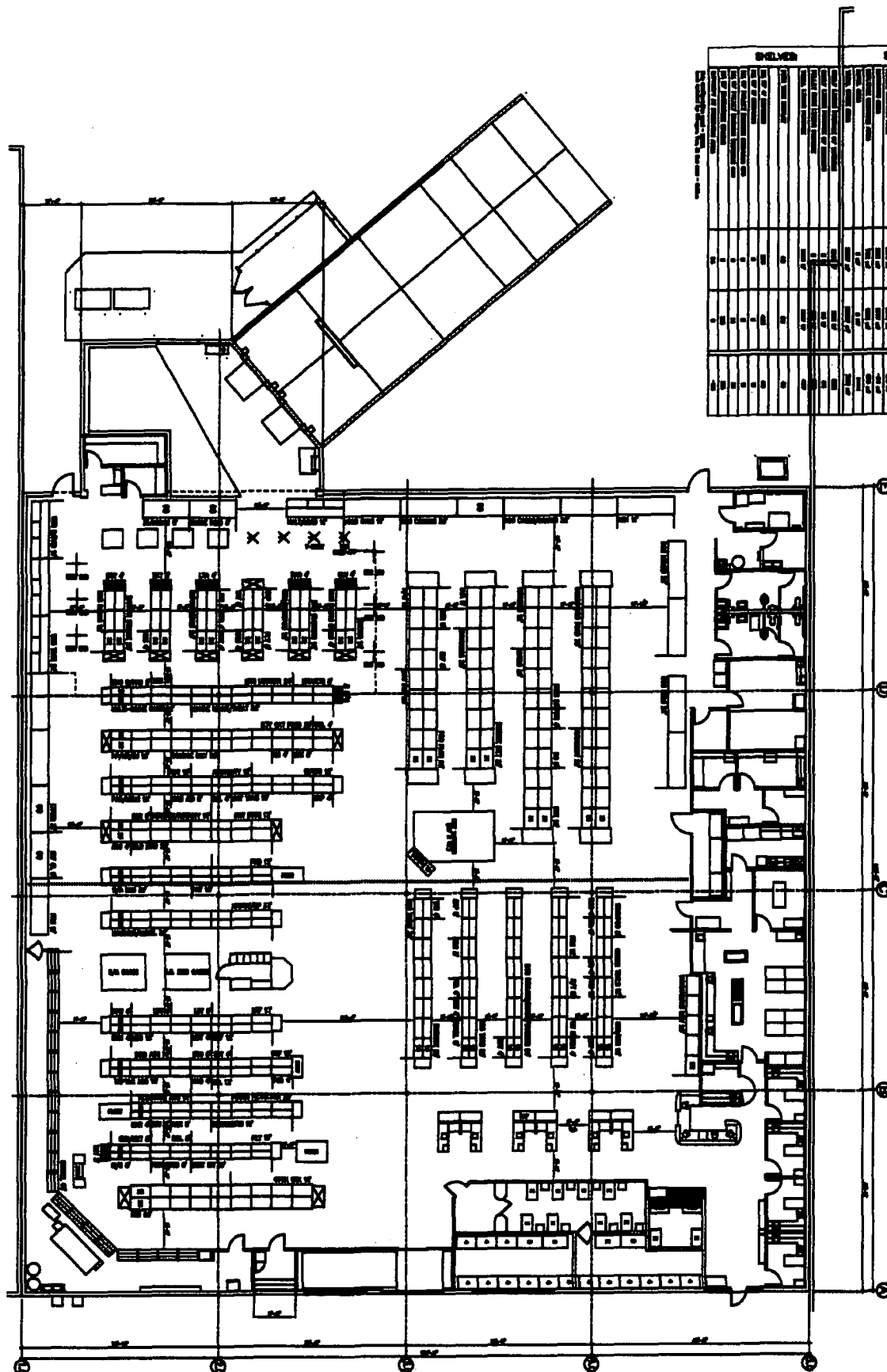
SUP-6067
03/24/05 PC

EXHIBIT FLOOR PLAN

FIXTURE FLOOR PLAN 	Current	STORE #146 NW. LAS VEGAS, NV	<table border="1" style="width: 100%;"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	REV	DATE	REVISIONS																PETSMART. 19801 North 27th Avenue Phoenix, Arizona 85027 - (602) 584-8100
REV	DATE	REVISIONS																				

SHELVES										STOCK									
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

FIXTURE SCHEDULE



SUP-6067

FIXTURE FLOOR PLAN

DATE	REVISION

FIXTURE FLOOR PLAN



STORE #146
NW. LAS VEGAS, NV

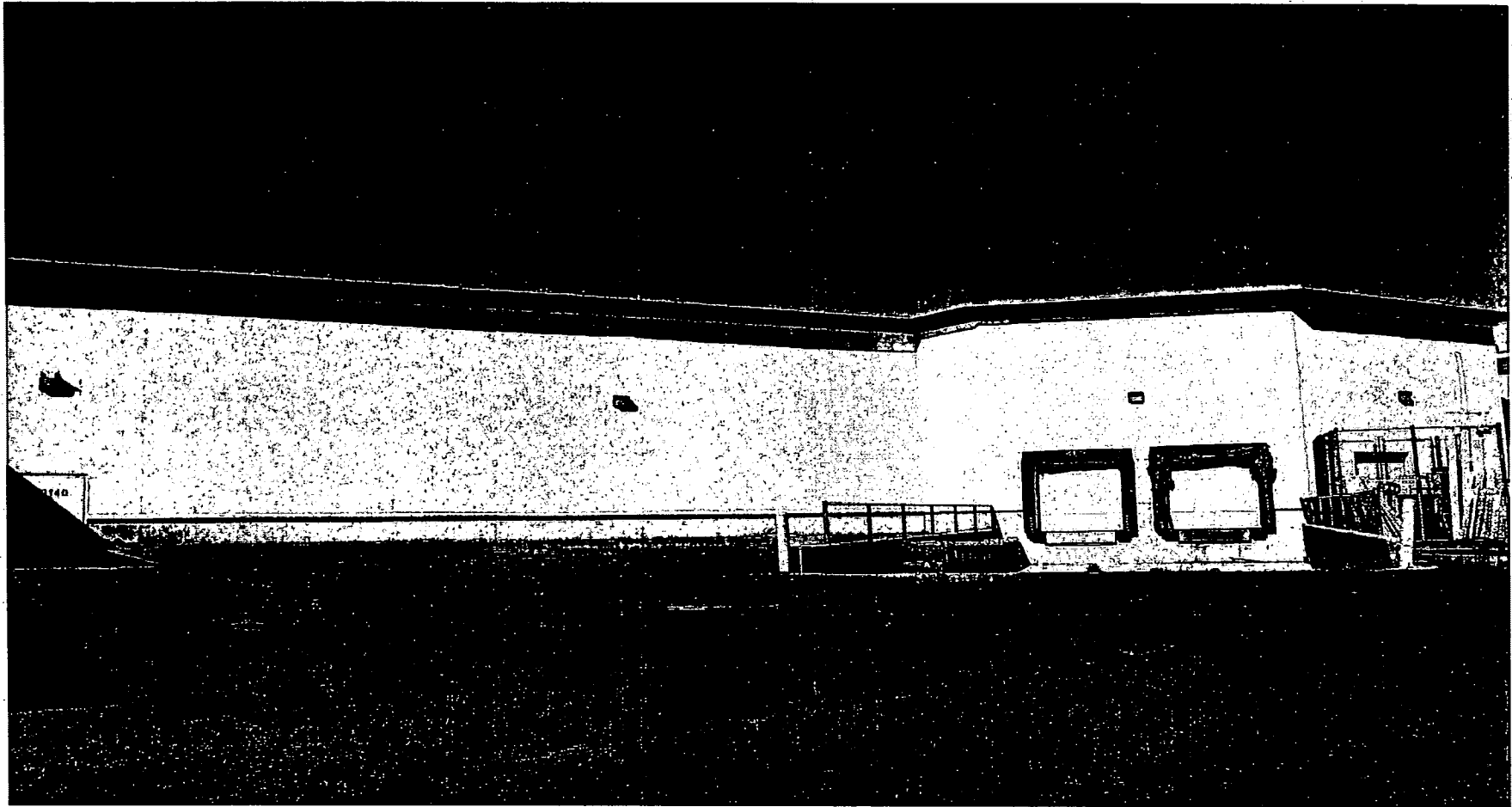
PETSMART.

19801 North 27th Avenue
Phoenix, Arizona 85027 - (602) 998-8100



SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.
2140 NORTH RAINBOW BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SUP-6067 - APPLICANT: PETSMART - OWNER: DTR6, L.L.C.
2140 NORTH RAINBOW BOULEVARD
MARCH 24, 2005 PLANNING COMMISSION

3/7/05

JUSTIFICATION LETTER

Re: PETsMART
2140 N Rainbow Boulevard,
Las Vegas, Nevada

PETsMART is requesting a Special Use Permit to allow a pet lodging facility inside the PETsMART located at 2140 N Rainbow Boulevard.

The *PETsHOTEL* facility will offer incidental and accessory lodging services to the PETsMART customers. The area will be completely enclosed within the PETsMART store, sound attenuating, with no direct access to the outside, and no outside activity or dog runs. The pet hotel rooms are designed with solid partitions and sanitary wall surfaces. The PETsMART *PETsHOTEL* is a distinct departure from the definition of a typical kennel facility.

The proposed pet lodging facility will occupy about 7,299 square feet of the existing 26,207 square feet or 27% of the gross floor area.

See ORD: 5737

RECEIVED
CITY CLERK

April 16, 2005
358 Clayton St.
Henderson, Nv. 89074

2005 APR 20 A 10: 16

To: City Council, 400 Stewart Ave., Las Vegas, Nv.

Ref: SUP 6067-Request to board pets at 2140 North Rainbow Blvd., Ward 6.

I, as an owner of several properties in the area, do protest and object to any such project. Barking dogs and the odors and the accumulation of dog feces would impose upon the peace of others residing in the area and could have some effects on the environment.

Protest

Yours truly,

Washington Davis

Washington Davis
(702) 898-1803

Submitted after final agenda

Date 4/20/05 Item # 111

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-6143 - PUBLIC HEARING - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY - Request for a Special Use Permit FOR A PROPOSED 3,040 SQUARE FOOT TAVERN LIMITED ESTABLISHMENT at 111 Las Vegas Boulevard South (APN 139-34-611-013), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, has a contract with Lady Luck Casino in relation to its non-restricted gaming license and Third Street Promenade of which he is the managing partner. He has not spoken with MR. DONNER about this request and does not feel there is an impact of interest; therefore, he will vote.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL CORNTHWAITE, 706 Bonita Avenue, requested approval. He described the facility to be a bar and lounge with DJ entertainment between five to seven nights a week.

TOM MCGOWAN, Las Vegas resident, questioned if there would be any live entertainment. He stated there was a nightclub or ballroom in the upper floor of that facility and questioned if their planning to implement the same idea. MR. MCGOWAN emphasized that live professional entertainment would contribute to restoring downtown Las Vegas.

MR. CORNTHWAITE stated there would not be any live entertainment and currently there are no plans for development upstairs. At the request of COUNCILMAN WEEKLY, he clarified that it may be possible to have special appearances and performances of artists; however, the plans are not confirmed. COUNCILMAN WEEKLY agreed to the desire for entertainment in the downtown area especially geared for younger adults.

CITY COUNCIL MEETING OF: APRIL 20, 2005

MINUTES - Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:50 - 3:54)

5-461

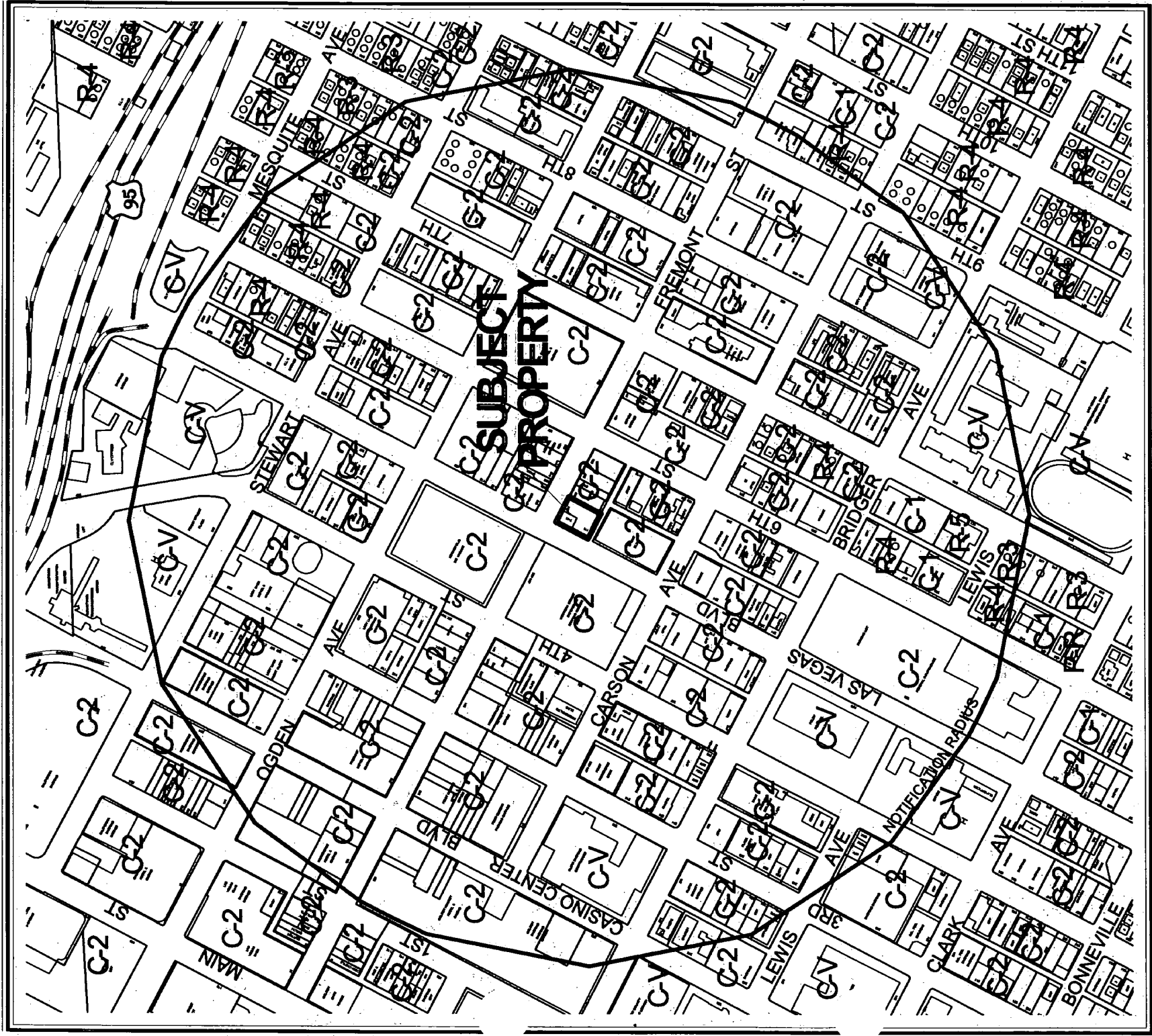
CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Dedicate an additional five feet of right-of-way for a total half street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the southeast corner of Fremont Street and Las Vegas Boulevard prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.



CASE: SUP-6143

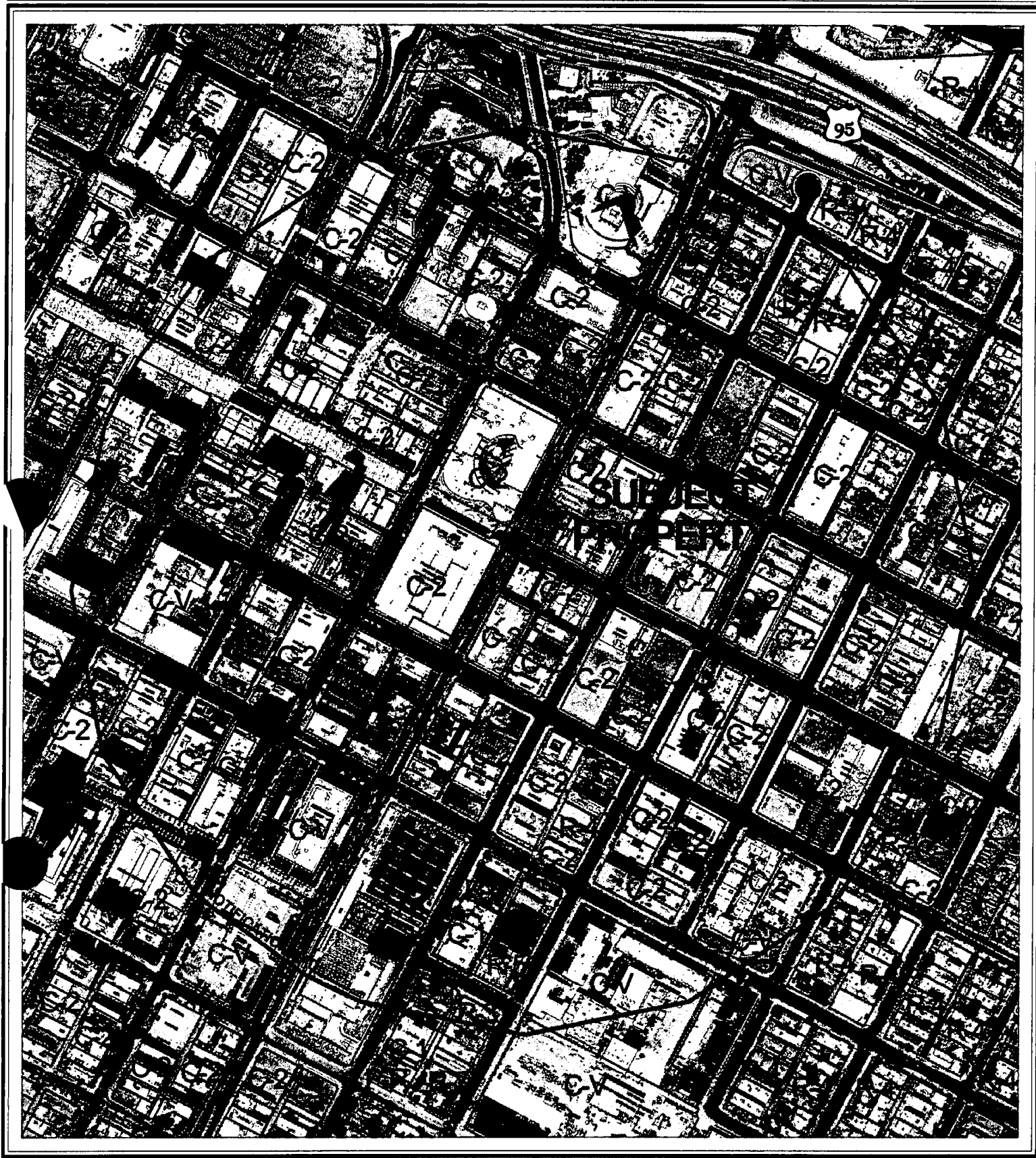
RADIUS: 1500 FT

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

0 500 1000 Feet

0112





CASE: SUP-6143

RADIUS: 1500 FT

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

0 500 1000 Feet





SUP-6143 Taverns

----- Downtown Entertainment
Overlay District

Business Licenses

- Child Care/
Children Facility
- Tavern

0 237.5 475 950 Feet

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 1500 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE
CONCEPTS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Dedicate an additional five feet of right-of-way for a total half street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the southeast corner of Fremont Street and Las Vegas Boulevard prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 3,040 square foot Tavern-Limited Establishment at 111 Las Vegas Boulevard South.

B) Applicant's Justification

The applicant states that the project is consistent with the plan to development the Entertainment District, and that this lounge will assist in activating the district. In addition, it is noted that the facility will offer entertainment a minimum of four times per week, and that exterior improvements are eventually planned for the facade of the building.

BACKGROUND INFORMATION

A) Related Actions

12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).

03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #29/ff).

B) Pre-Application Meeting

02/16/05 At the pre-application conference, issues were discussed relative to the entitlement process and the requirements applicable to the Tavern Limited license.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.29

B) *Existing Land Use*

Subject Property: General Retail Use
 North: Parking Lot
 South: Office Use
 East: General Retail Use
 West: Parking Structure
 General Retail Use

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The Commercial designation allows uses comparable to the following land use categories: O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is in compliance with the land use designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Las Vegas Boulevard Scenic Byway Overlay District	X	
Entertainment District	X	
Trails		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan.

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The goals of the district include preserving and enhancing the appearance of "Glitter Gulch," as well as encouraging supporting entertainment uses, and maintaining the presence of public facilities.

Downtown Entertainment Overlay District

The subject property is located within the Downtown Entertainment Overlay District, which sets forth sign requirements and allows waivers from the liquor establishment and restaurant service bar separation requirements.

Las Vegas Boulevard Scenic Byway

The property is also located within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay, which is intended to preserve the character of Las Vegas Boulevard as a nighttime urban scenic byway. The Overlay requires the use of neon or animation for all signage, and prohibits new off-premise signage.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan. The following table details the parking figures for the proposed use:

Uses	GFA	Required		
		Ratio	Parking	
			Regular	Handicap
Tavern Area	2,240	1/50 GFA	45	
Remaining area	800	1/200 GFA	4	
Total	3,040		49	2

Title 19.10 would typically require a total of 49 parking spaces for this use outside the boundaries of the Downtown Centennial Plan area; parking for the use can be accommodated in the adjacent parking structure, which has 1,472 parking spaces. No on-site parking spaces are available on the property.

A2) Minimum Distance Separation Requirements

Pursuant to Title 19.06.120, any liquor-serving establishment approved by means of a Special Use Permit for a parcel located within the Downtown Entertainment Overlay District shall not be subject to the distance separation requirements set forth in Title 19.04. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation. The nearest protected uses are the Las Vegas Academy of International Studies, Performing and Visual Arts, located at the southeast corner of Bridger Avenue and 7th Street, and Frank Wright Plaza, located at the northeast corner of Stewart Avenue and Fourth Street. The proposed use will have no measurable impact on either property.

B) General Analysis and Discussion

- Zoning

The property is zoned C-2 (General Commercial); Liquor Establishments are permitted upon approval of a Special Use Permit. Nightclub/entertainment facilities are a permitted use in the district. The use will be housed within an existing commercial space, and no additional square footage will be added as part of this request. The signage for the property will be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District, in addition to other standards that apply. Signage and any façade improvements are subject to review and approval by the Downtown Entertainment Overlay District Design Review Committee.

- Use

A Tavern-Limited Establishment, as defined by Title 19.20, is an establishment that is licensed with a tavern-limited business license in accordance with Title 6.50. This type of license:

- (1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold.
- (2) May only be issued for premises located in the Downtown Entertainment Overlay District.
- (3) Is not transferable, except to a location within the same entertainment district and to an operator who has been approved by the City Council.

In addition, no Restricted Gaming (consisting of not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device at the establishment) shall be conducted, maintained, or operated within the Downtown Entertainment Overlay District, per Title 6.40.155.

The proposal is for a Tavern with entertainment to be located within an existing 3,040 square-foot commercial space. No changes are proposed to the exterior of the building at this point in time; the applicant has indicated that they will be seeking a façade improvement grant at a later date. No information has been provided relative to

signage; all signage and façade improvements will need to be reviewed and approved by the Downtown Entertainment Overlay District Design Review Committee in accordance with the provisions of Title 19.06.120. In addition, the signage will be subject to the requirements of the Las Vegas Boulevard Scenic Byway Overlay District.

No parking is available on the site; patrons will have to use available spaces along Fremont and Sixth Streets or at the nearby parking garages for a fee. No valet parking is proposed. Live entertainment will be offered at least four nights per week in conformance to the Downtown Entertainment Overlay District standards.

The property would typically be subject to the streetscape standards of the Downtown Centennial Plan, which would require an 11 foot wide sidewalk and palm trees at 30 foot intervals. The Office of Business Development is in the process of working with the Entertainment District property owners to contribute to the costs of implementing streetscape improvements throughout the District. As this project is scheduled for implementation in the near future, the property owner shall be required to participate in a proportionate share of the streetscape treatment, rather than install the streetscape treatment as a condition of approval, as would typically be required.

- Conditions

There are no base conditions for approval of a Tavern Limited Establishment. The establishment need only comply with the regulations for a tavern-limited license and those provisions governing the Downtown Entertainment Overlay District.

FINDINGS

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

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

The proposed Tavern-Limited Establishment is a permitted use in the C-2 (General Commercial) zoning district and is the type of use encouraged in the Downtown Entertainment Overlay District. It is surrounded by other parcels zoned for similar uses. No gaming machines will be incorporated into the use, as dictated by Title 6.50.

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

The existing building is suitable for the proposed Tavern-Limited Establishment. The proposed tavern will depend on off-site parking to support the use; on street parking and nearby parking garages will be more than adequate to support the expected demand.

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

Access to the site is provided by Las Vegas Boulevard, a Primary (100 foot) Arterial, and an alley connecting Las Vegas Boulevard and Sixth Street. Much of the expected traffic for this use will be by pedestrians; however, these rights-of-way are of an adequate size to support the proposed use.

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

The proposed Tavern-Limited Establishment will be subject to inspections for compliance with business licensing requirements and will not compromise the public health, safety and welfare. The proposed use is consistent with the redevelopment objectives of the Downtown Centennial Plan, Las Vegas Redevelopment Area, and the Downtown Entertainment Overlay District.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

26

NOTICES MAILED 196 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-6143

Case Number: _____ APN: _____

Name of Property Owner: Mele Pono Holding CompanyName of Applicant: Creative Nightlife Concepts, LLC

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

_____ Yes

_____ X No

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

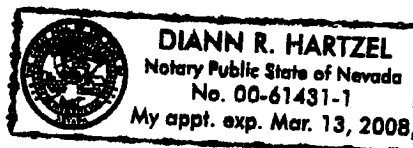
City Official: _____

Partner(s): _____

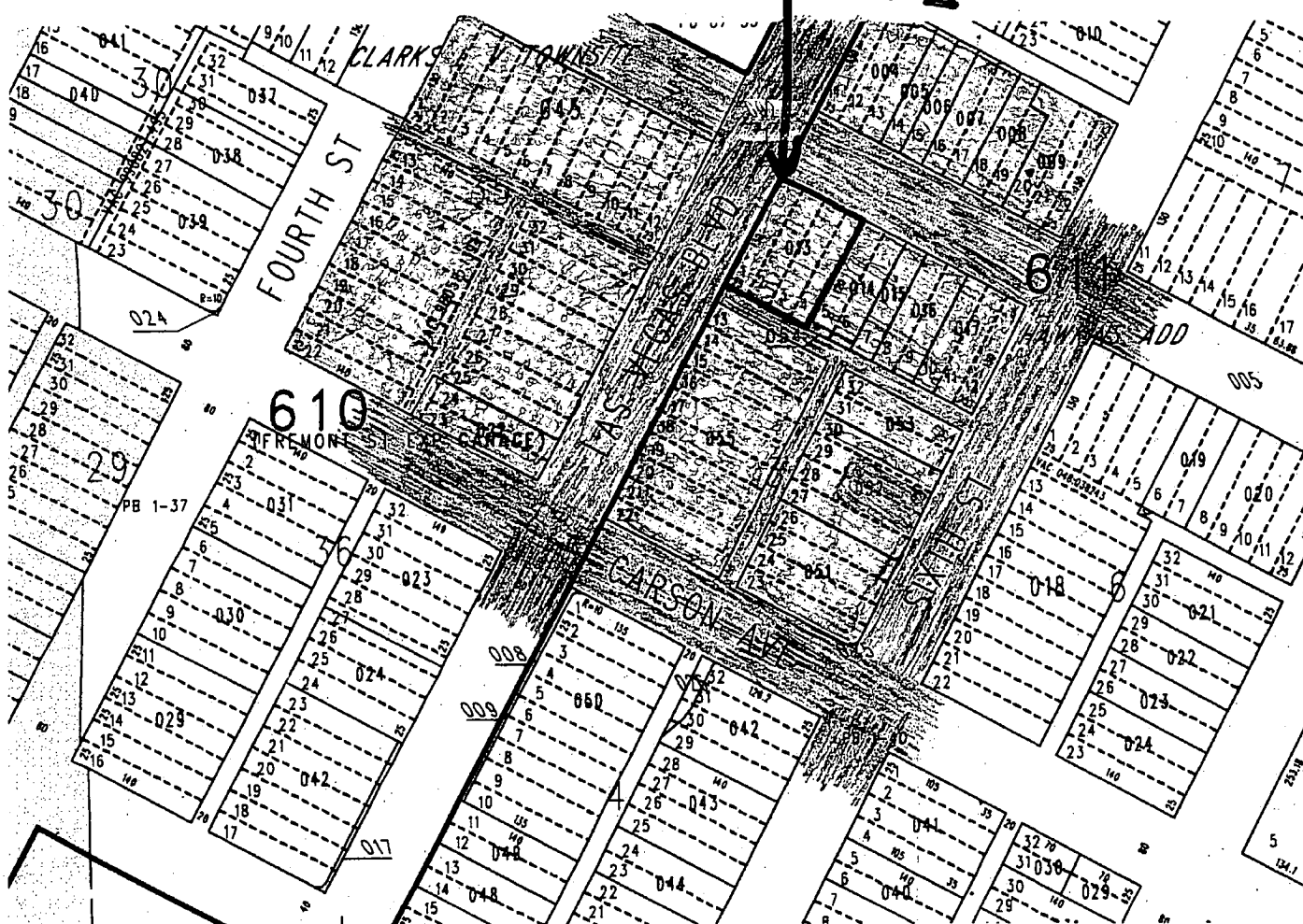
APN: _____

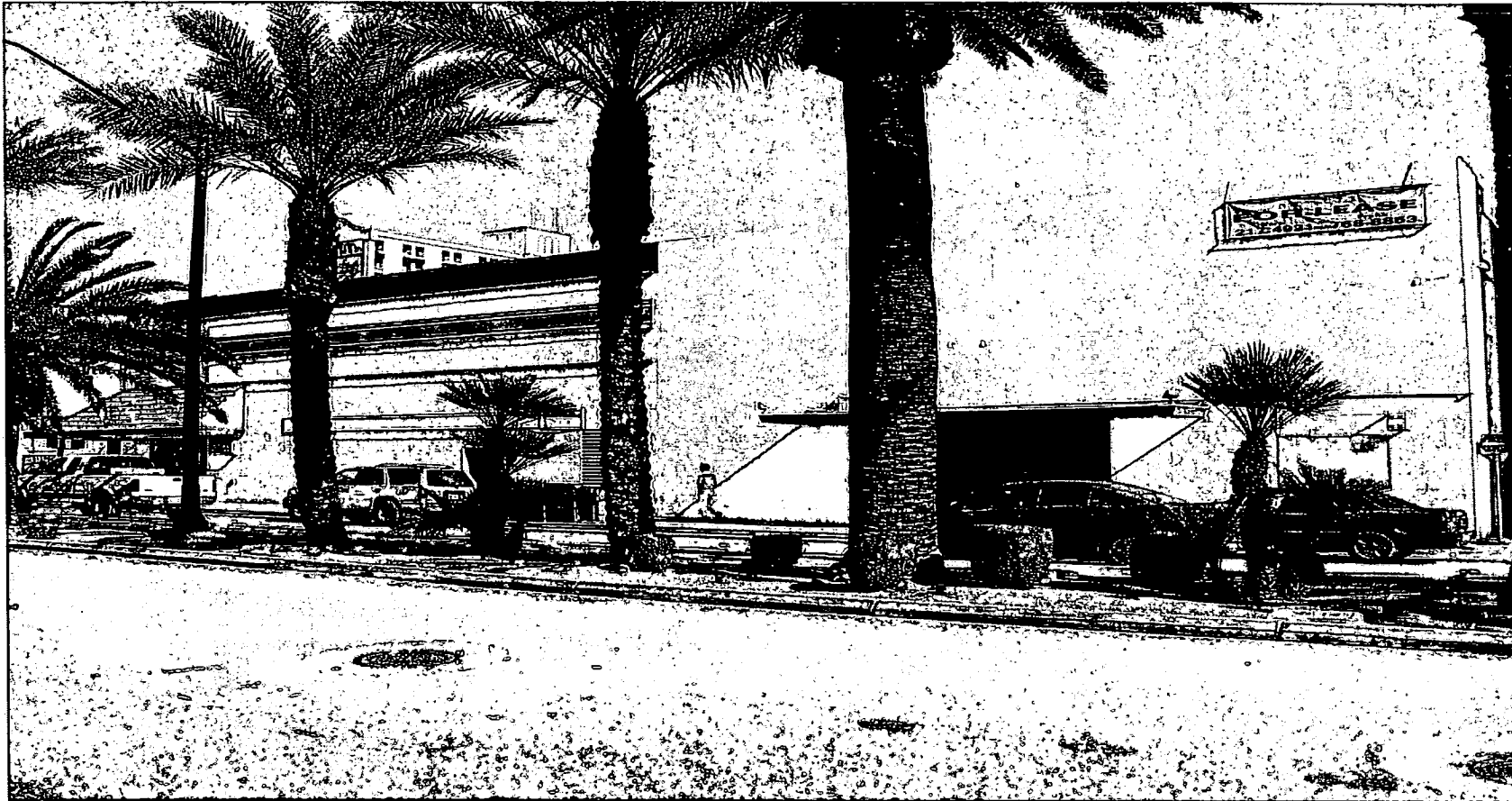
Signature of Property Owner: Rosemary ShooingPrint Name: Rosemary Shooing, President
Mele Pono Holding Company

Subscribed and sworn before me

This 16th day of February, 2005Diann R. Hartzel
Notary Public in and for said County and State

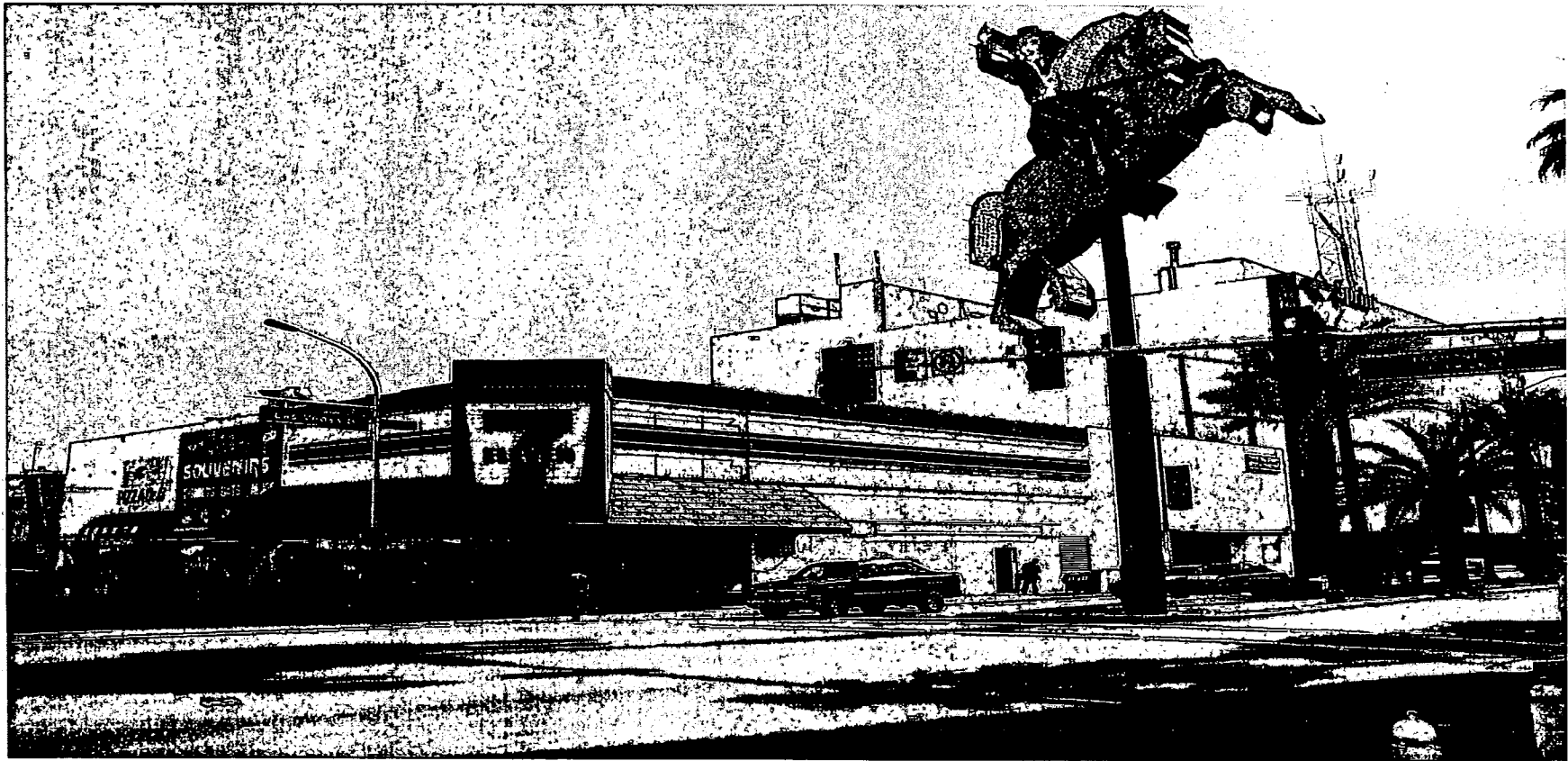
(Corner of
Las Vegas Blvd
and Fremont St)





SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING,
COMPANY
111 LAS VEGAS BOULEVARD SOUTH
MARCH 24, 2005 PLANNING COMMISSION

3/7/05



SUP-6143 - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY

111 LAS VEGAS BOULEVARD SOUTH

MARCH 24, 2005 PLANNING COMMISSION

3/7/05

SPECIAL USE PERMIT REQUEST

FOR

**CREATIVE NIGHTLIFE CONCEPTS, LLC
d/b/a "DOWNTOWN"**

February 15, 2005

JUSTIFICATION LETTER

Creative Nightlife Concepts, LLC, a Nevada corporation, d/b/a "DOWNTOWN" is hereby formally requesting a Special Use Permit for the purpose of operating a **Tavern Limited License** at 111 Las Vegas Boulevard South, Las Vegas, NV 89101. This property is located inside the drawn boundaries of the newly formed Entertainment District.

The premises, for which this permit is being requested, is currently unoccupied. Creative Nightlife Concepts, LLC (CNC) has negotiated a lease with Mele Pono Holding Company, the current owner of the property, for the purpose of operating a Lounge, which would be licensed pursuant to the requirements of the newly provisioned Tavern Limited License as promulgated under Ordinance Number 5607 of the City of Las Vegas. The negotiated lease agreement is subject to the approval of the Special Use Permit, hereby requested, as well as the approval of the Tavern Limited License.

The building in which this proposed Lounge will be located is just south of the corner of Las Vegas Blvd. and East Fremont Street and fronts on Las Vegas Blvd.. It is more specifically located on the east side of Las Vegas Blvd.. The gross building square footage is 16,462. The building runs 86 feet along Las Vegas Blvd. and 115 feet along East Fremont Street. The building is two stories in height.

The current plan is to renovate approximately 3,040 square feet of the building from the entrance on Las Vegas Blvd.. This renovation would include about 800 square feet, which would be converted for back of house purposes, including storage, office and refrigeration. The remaining 2,240 square feet would be used for the operation of the Lounge.

The current director of Economic Development, Scott Adams, apprised the owner of the building, that a program was in the approval process that would provide grant dollars to improve and enhance the façade of the building. This improvement would be done at a later time, as the owner intends to do an architectural plan to improve the façade of the entire building, which would include the property located at 501-513 East Fremont Street. The building for which this Special Use Permit is being requested does not include 509-513 East Fremont, however, the plan is to improve the entire façade owned by Mele Pono Holding Company would include the 509-513 locations.

This project is consistent with the plan to develop the Entertainment District. Furthermore, this Lounge would lend support to accomplishing the goal of activating seven (7) Tavern Limited Licenses within the boundaries of the Entertainment District before the current Ordinance sunsets in the fall of 2005. CNC has budgeted Three Hundred Fifty Thousand (\$350,000) Dollars for the building improvements, which will

include upgrading the plumbing and electrical, installation of an air conditioning system and ADA access for all entrances and exits, and ADA bathrooms.

The Lounge will offer an entertainment experience at least four (4) nights per week as required by the Tavern Limited License. CNC plans a very comprehensive marketing plan to develop awareness of the developing Entertainment District as a destination experience for local residents, as well as, visitors to Las Vegas.

This building and space for which this Special Use Permit is being requested is totally surrounded by Commercial Zoning and is currently zoned C-2.

Please consider this application on behalf of Creative Nightlife Concepts, LLC for a Special Use Permit to operate a Lounge located at the above referenced physical address which lies within the Entertainment District boundaries.

Thank you for your consideration of this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Cornthwaite', written in a cursive style.

Michael Cornthwaite
Manager
Creative Nightlife Concepts, LLC
d/b/a/ "DOWNTOWN"

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

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

ZON-5849 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BRADLEY VILLAS, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), Ward 6 (Mack). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions, deleting Condition 2, and amending Condition 3 as read for the record as follows:

3. The site plan shall be limited to a maximum of 16 lots. All product on this site shall be single story. An eight-foot decorative block wall shall be provided on the south side of the property, and the eastern two lots, as proposed, shall be wedge shaped in the configuration.

And the following added conditions as read for the record:

- A multi-use equestrian trail shall be constructed along the east side of Bradley Road in accordance with recreation trails element of the Master Plan.
- The wall along the south property line shall be a minimum of eight feet and above the grade of the existing properties to the south.
- The lots adjacent to the eastern edge shall be pie shaped with homes angled on the lots. The average rear setback of these lots shall be a minimum of 15 feet.
- **UNANIMOUS** with **WEEKLY** not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 113 [ZON-5849] and Item 114 [WVR-5850].

The applicant was not present. COUNCILMAN MACK stated there have been ongoing negotiations. MARGO WHEELER, Director of Planning and Development, addressed amendments to Item 113 [ZON-5849] which included the deletion of Condition 2, an addition to Condition 3 that an eight-foot decorative block wall shall be provided on the south side of the property, and the eastern two lots, as proposed, shall be wedge shaped in the configuration. There is to be an added condition that a multi-use

CITY COUNCIL MEETING OF: APRIL 20, 2005

MINUTES - Continued:

equestrian trail shall be constructed along the east side of Bradley Road in accordance with recreation trails element of the Master Plan.

COUNCILMAN MACK also added that the wall along the south property line shall be a minimum of eight feet and above the grade of the existing properties to the south. He read an additional condition stating the lots adjacent to the eastern edge shall be pie shaped with homes angled on the lots. The average rear setback of these lots shall be a minimum of 15 feet.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 113 [ZON-5849] and Item 114 [WVR-5850].

(3:54 - 3:57)

5-617

CONDITIONS:

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.
3. The site plan shall be limited to a maximum of 16 lots. All product on this site shall be single story.
4. Approval of and conformance to the Conditions of Approval of WVR 5850.

Public Works

4. Construct half-street improvements on Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

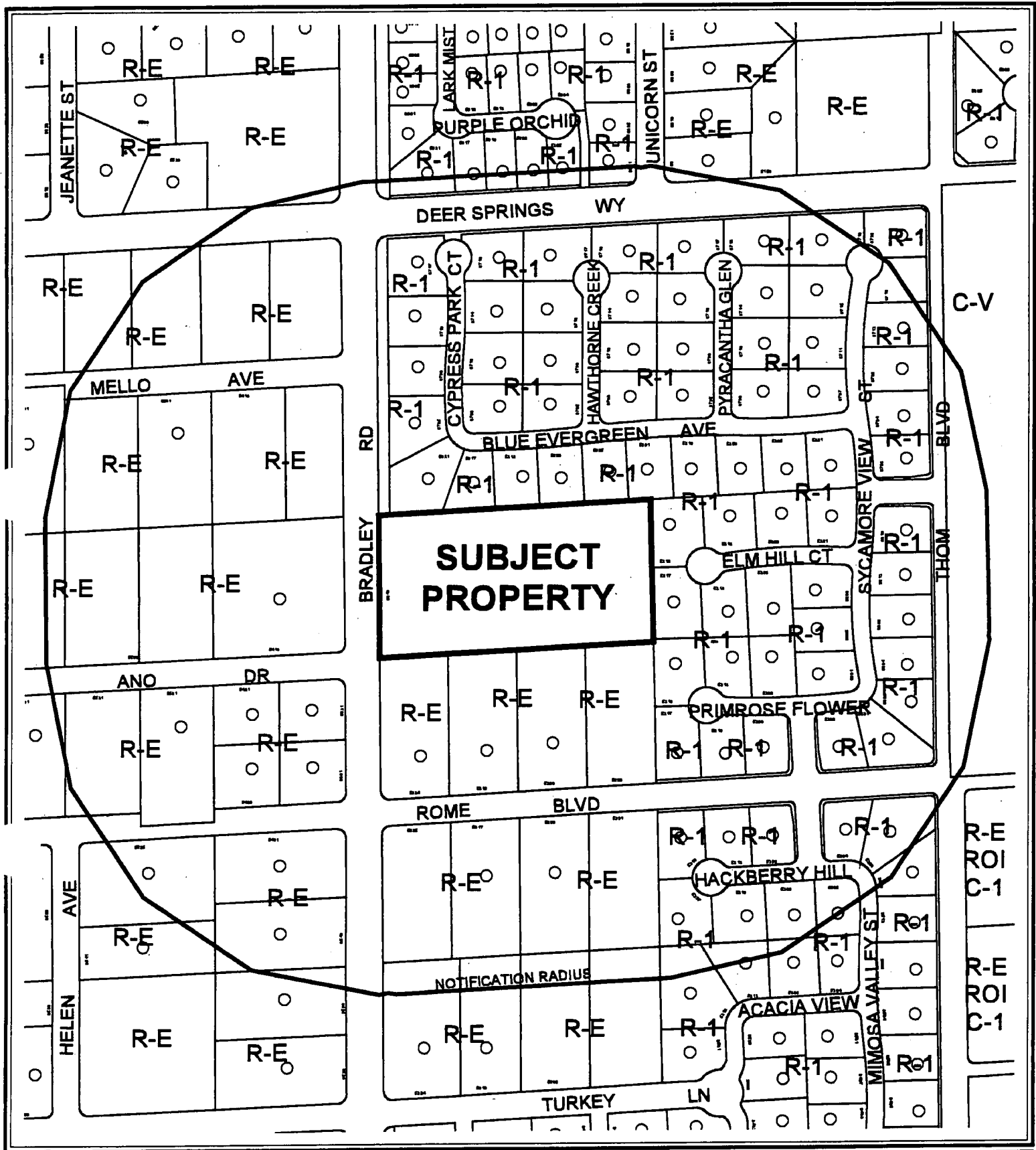
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and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

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

6. The approval of all Public Works related improvements shown on the submitted plan is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a non-standard cul-de-sac length is proposed on the site plan.

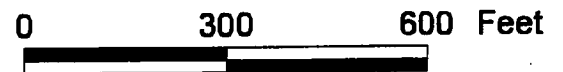


CASE: **ZON-5849**

RADIUS: 750 FT

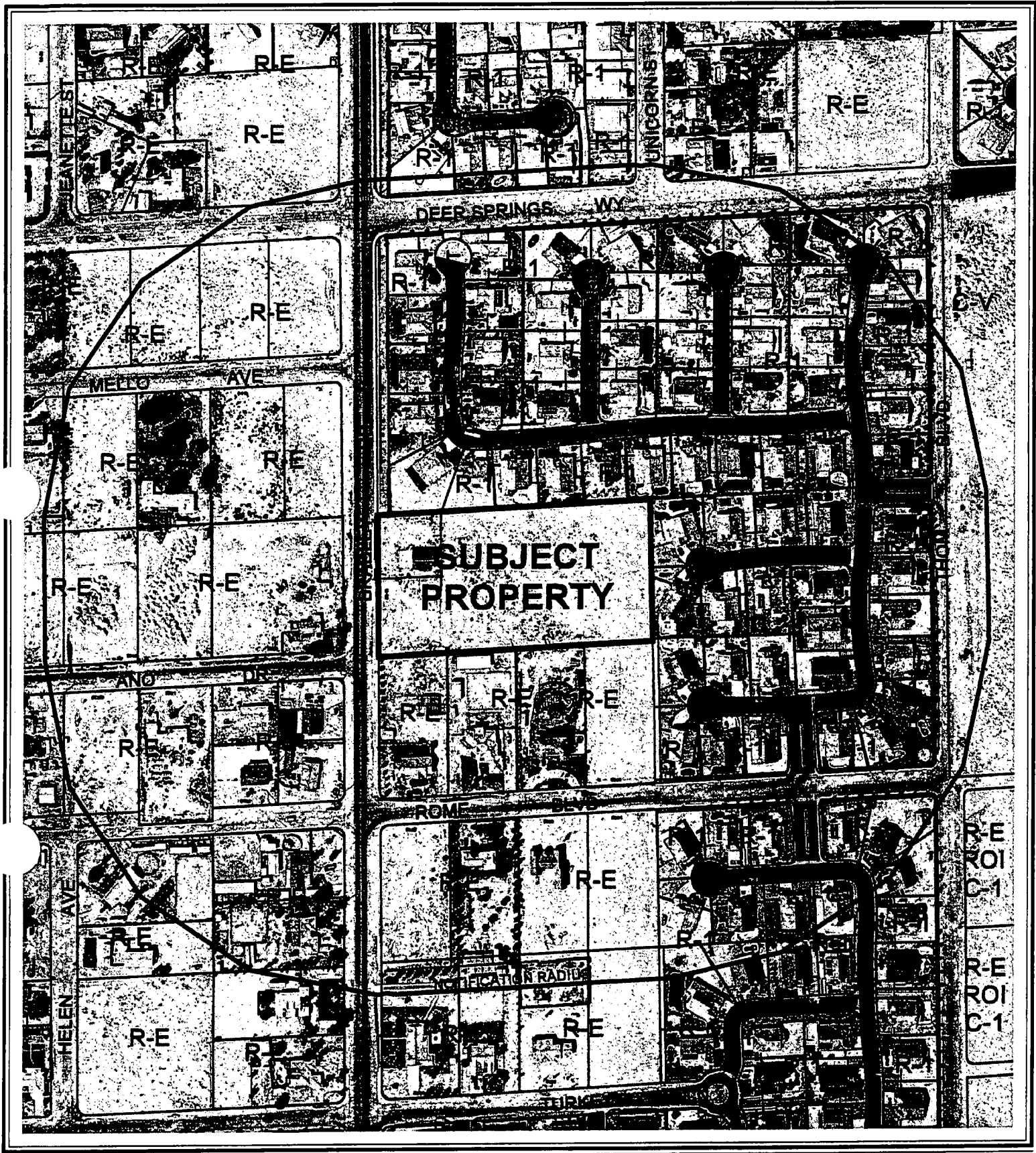
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



0113





0 300 600 Feet

CASE: ZON-5849

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - ZON-5849 – APPLICANT/ OWNER:
BRADLEY VILLAS, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 16, 2005 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL, 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.
3. The site plan shall be limited to a maximum of 16 lots. All product on this site shall be single story.
4. Approval of and conformance to the Conditions of Approval of WVR-5850.

Public Works

4. Construct half-street improvements on Bradley Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. 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.

6. The approval of all Public Works related improvements shown on the submitted plan is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that a non-standard cul-de-sac length is proposed on the site plan.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on 4.77 acres adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed project is compatible with the existing development.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission recommended approval of a companion Waiver (WVR-5850) of Title 18.12.160 to allow approximately 175 feet between intersections where 220 feet is the minimum distance separation required.

02/10/05 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #40/bts).

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

No neighborhood meeting was required nor conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77 acres

B) Existing Land Use

Subject Property: Single Family Dwelling
 North: Single Family Development
 South: Single Family Dwelling/Undeveloped
 East: Single Family Development
 West: Single Family Dwelling

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated ML (Medium-Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

TRAIL

A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 S.F.	7,755 S.F.	Y
Min. Lot Width	65 Feet	65.06 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	5 Feet	15 Feet	Y
Max. Lot Coverage	50 %	*	*
Max. Building Height	2 Stories / 35 Feet	1 Story / 28 Feet	Y

* The applicant meets the development standards for R-1 (Single Family Residential) development standards. Although the applicant has not provided a footprint for the proposed homes, 50% lot coverage is the maximum allowed in an R-1 (Single Family Residential) zone.

B) General Analysis and Discussion

The proposed development includes 18-lots on 4.77 acres. The resulting density is 3.77 units per acre. The site is accessed from Bradley Road, a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets and Highways. The internal lots are accessed from a 37-foot public street.

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 subject property is designated ML (Medium Low Residential) on the Centennial Hills Land Use Plan of the General Plan. This category permits single-family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre and therefore 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."

The proposed single-family development on this site is similar in density to other residential development in this area. The proposed R-1 (Single Family Residential) zoning will be compatible with 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 R-1 (Single Family Residential) zoning on the subject site is an appropriate transition from the R-E (Residence Estates) zoning to the south and west of the site. The site is also bordered by R-1 (Single Family Residential) zoning to the north and east of the proposed site.

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 the property is adequate and provided by Bradley Road, a Primary Collector (80-foot) street.

PLANNING COMMISSION ACTION

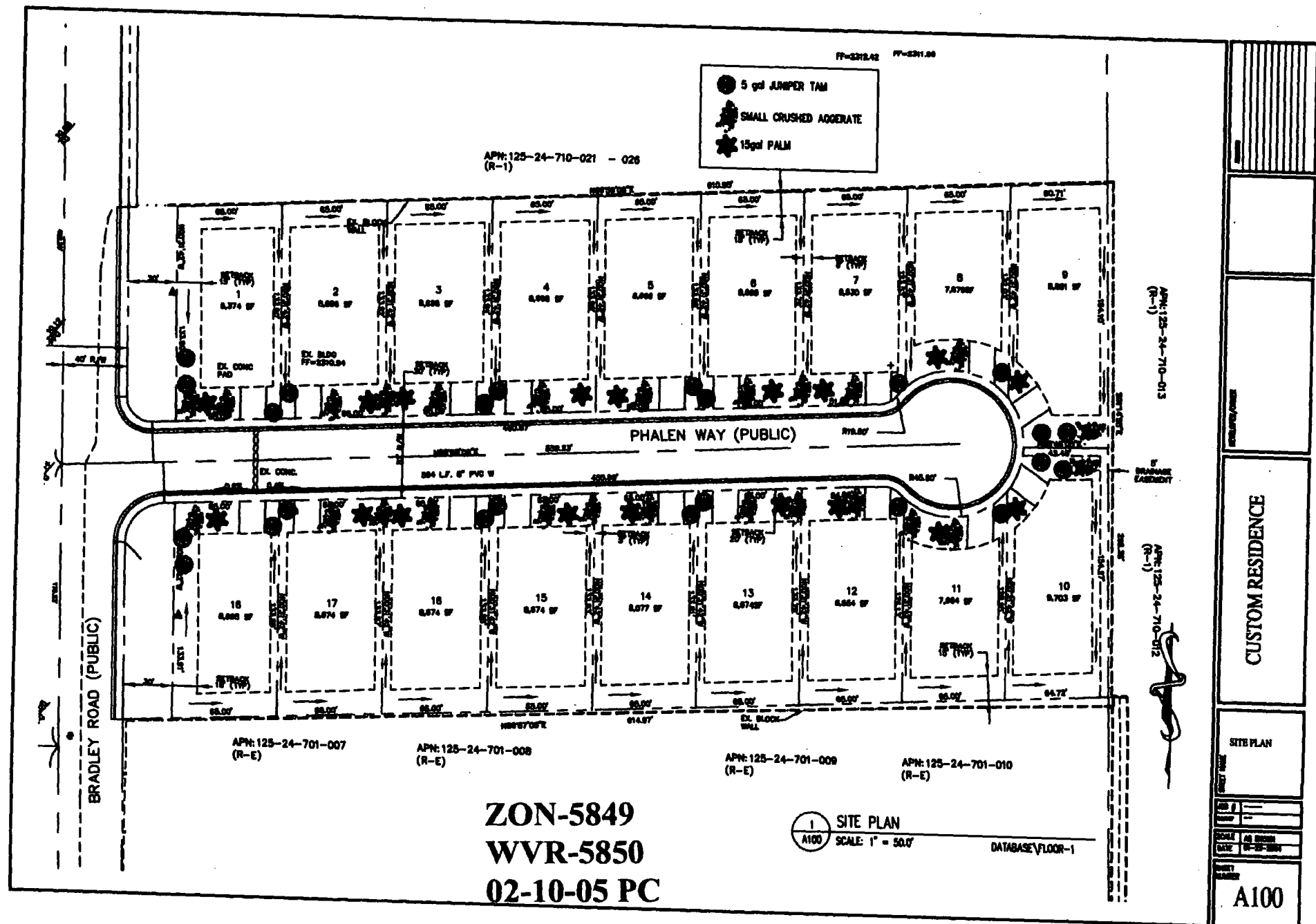
The Planning Commission added Condition #3 as shown. There were 5 speakers protesting the application at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 by Planning Department

APPROVALS 0

PROTESTS 81



ZON-5849
WVR-5850
02-10-05 PC

1 SITE PLAN
A100 SCALE: 1" = 50.0'

DATABASE \FLOOR-1

CUSTOM RESIDENCE

SITE PLAN

SHEET NAME

NO. 1

SCALE: AS SHOWN

DATE: 07-25-2004

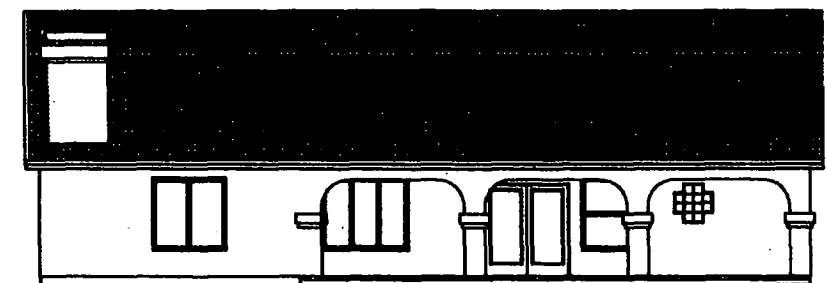
BY: [Signature]

DATE: 07-25-2004

A100

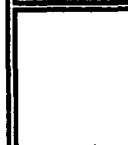


FRONT ELEVATION
WVR-5850



REAR ELEVATION
WVR-5850

ZON-5849
WVR-5850
02-10-05 PC

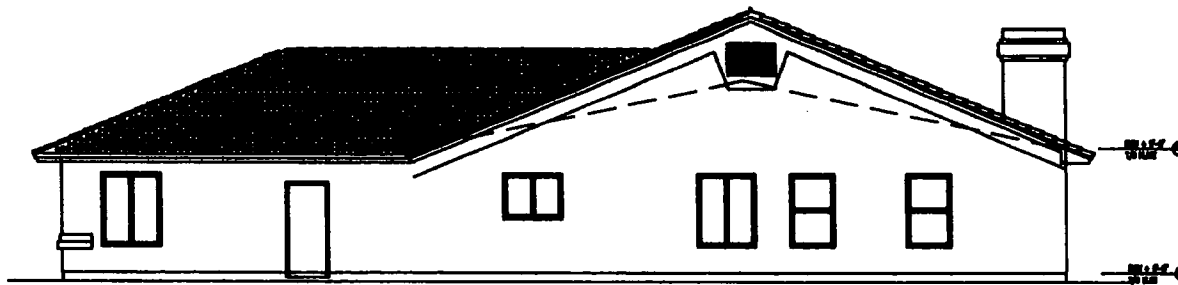


CUSTOM RESIDENCE

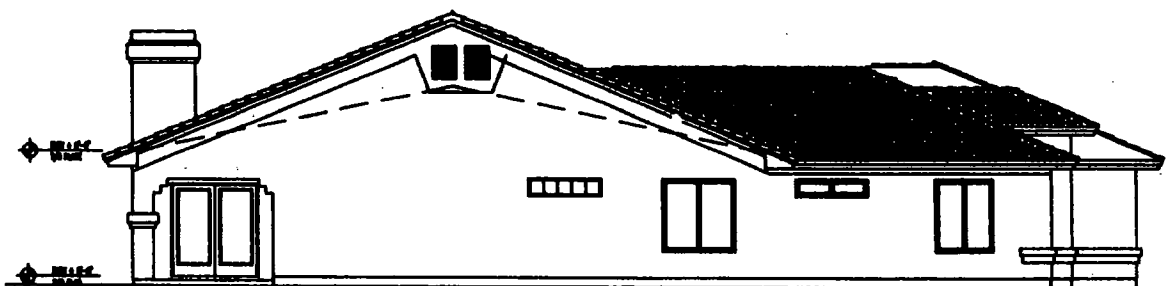
ELEVATIONS
SHEET NAME

SCALE
DATE 02-10-05

SHEET
NUMBER
A300

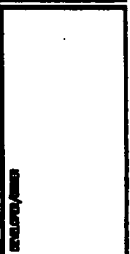


LEFT SIDE ELEVATION
WVR-5850



RIGHT SIDE ELEVATION
WVR-5850

ZON-5849
WVR-5850
02-10-05 PC

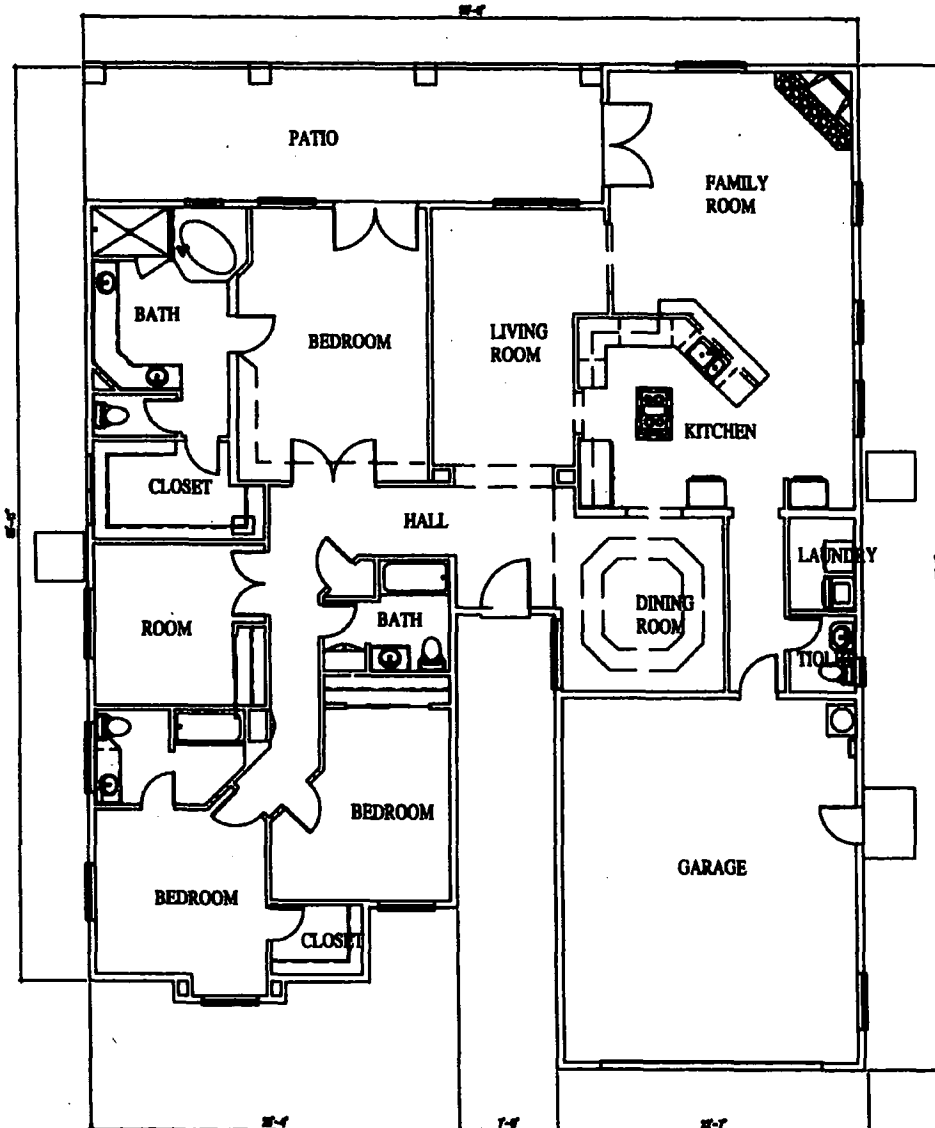


CUSTOM RESIDENCE

ELEVATIONS

SCALE AS SHOWN
DATE 02-10-05

A310



ZON-5849
WVR-5850
02-10-05 PC



FLOOR PLAN 2,651 SQ.FT.

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

DATABASE\FLOOR-1

CUSTOM RESIDENCE	
FLOOR PLAN	
SHEET NAME	SHEET NO.
SCALE AS SHOWN	DATE 02-25-2005
SHEET NUMBER	
A200	



ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



**ZON-5849 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION**

01/21/05

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Rezoning

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 19, the following justification letter is provided for Rezoning of A.P.N. 125-24-701-005 4.77+/- Acres from the existing Residential Estates District (RE) to R-1 Residential Single-Family District. The proposed planned project includes 18-single family residences.

The project is located on the east side of Bradley Road north of Rome Boulevard. R-1 Residential Single-Family District Residential Estates District is a 6,500-sf minimum lot residential zoning. The existing zoning to the north and east of the site is R-1 and south of the site is RE. The proposed project is compatible with the existing development. The project matches the surrounding development and the infrastructure is more than adequate for the proposed project.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,



William S. Crockett, P. E.

20N-5849

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

WAIVER RELATED TO ZON-5849

WVR-5850 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BRADLEY VILLAS, LLC - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 175 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard (APN 125-24-701-005), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

79

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:**MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting****MINUTES:**

NOTE: See Item 113 [ZON-5849] for all related discussion.

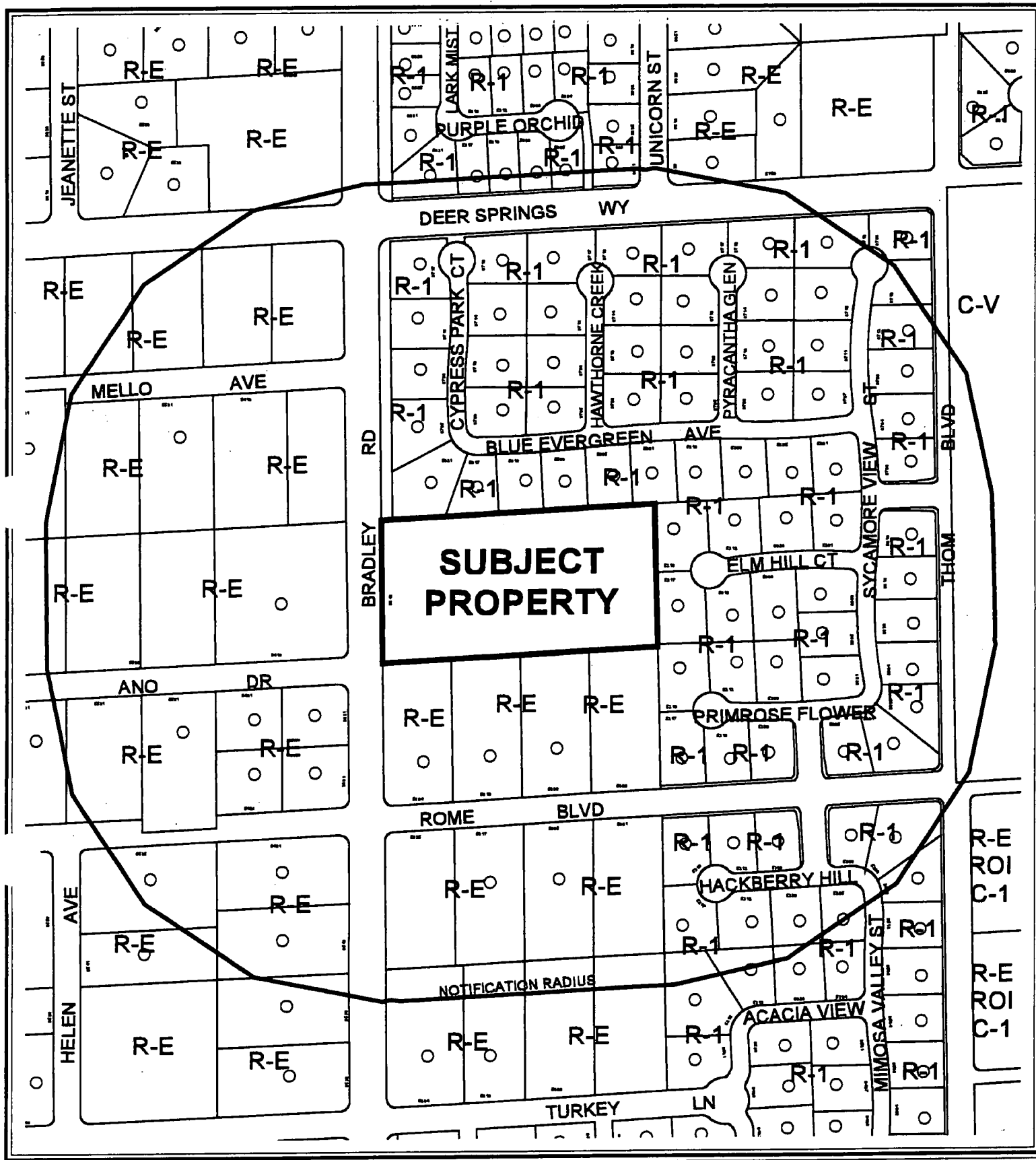
(3:54 - 3:57)

5-617

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5849).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.



CASE: WVR-5850

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - WVR-5850 – APPLICANT/ OWNER:
BRADLEY VILLAS, LLC**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 16, 2005 CITY COUNCIL
MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-5849).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow a 175-foot separation between intersections, where a minimum of 220 feet is required for property adjacent to the east side of Bradley Road, between Deer Springs Way and Rome Boulevard.

B) Applicant's Justification

The applicant states that the proposed roadway for a cul-de-sac with 18 single-family residences will not adversely affect the traffic or traffic patterns.

BACKGROUND INFORMATION

A) Previous Actions

02/10/05 The Planning Commission recommended approval of a companion Rezone (ZON-5849) from R-E (Residence Estates) to R-1 (Single Family Residential).

02/10/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/bts).

B) Pre-Application Meeting

01/27/05 The following items were discussed at the pre-application meeting:

- A Title 18.12.160 waiver is required.
- Average lot size is less than existing homes to the north and east.
- R-1 zoning may have compatibility issues with neighboring R-E zoning.
- Public Works comments include traffic signal impact fee, drainage study, trails, and cross sections.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.77

B) Existing Land Use

Subject Property: Single Family Dwelling
North: Single Family Dwelling
South: Single Family Dwelling/Undeveloped
East: Single Family Development
West: Single Family Dwelling

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated ML (Medium Low Residential) on the Centennial Hills Interlocal Land Use Plan of the Centennial Hills Sector Map of the General Plan. This category permits single family dwellings and related uses up to a maximum density of 8.0 units per gross acre. The proposed rezoning to R-1 (Single Family Residential) would permit a maximum density of 5.5 units per gross acre, in conformance with the General Plan.

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

Trails

A 30-foot Multi-Use Equestrian Trail is required on the east side of Bradley Road, which is indicated on Exhibit 3 of the Recreation Trails Element in the Las Vegas 2020 Master Plan.

PROJECT DESCRIPTION

The subject 4.77-acre site is located adjacent to Bradley, designated by the Master Plan of Streets and Highways as a Secondary Collector (80-foot) street as indicated in the Master Plan of Streets. The submitted site plan indicates the subdivision will consist of 18-lots, ranging in size from 7,755 square feet to 19,386 square feet. The proposed residential roadway and Ano Drive are the subject of this request.

B) General Analysis and Discussion

This request seeks to waive the requirements of the Subdivision Code with regard to the minimum distance required between the intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

The proposed design will allow adequate stacking and turning movements between the proposed intersection of the entry street, the internal street within the development, and the nearby intersection to the south. Approximately 44 feet separate the two intersections of Bradley Road and Ano Drive. The Department of Public Works has no objection to the request. Approval will be conditioned upon approval of the Rezoning (ZON-5849), which accompanies this application.

FINDINGS

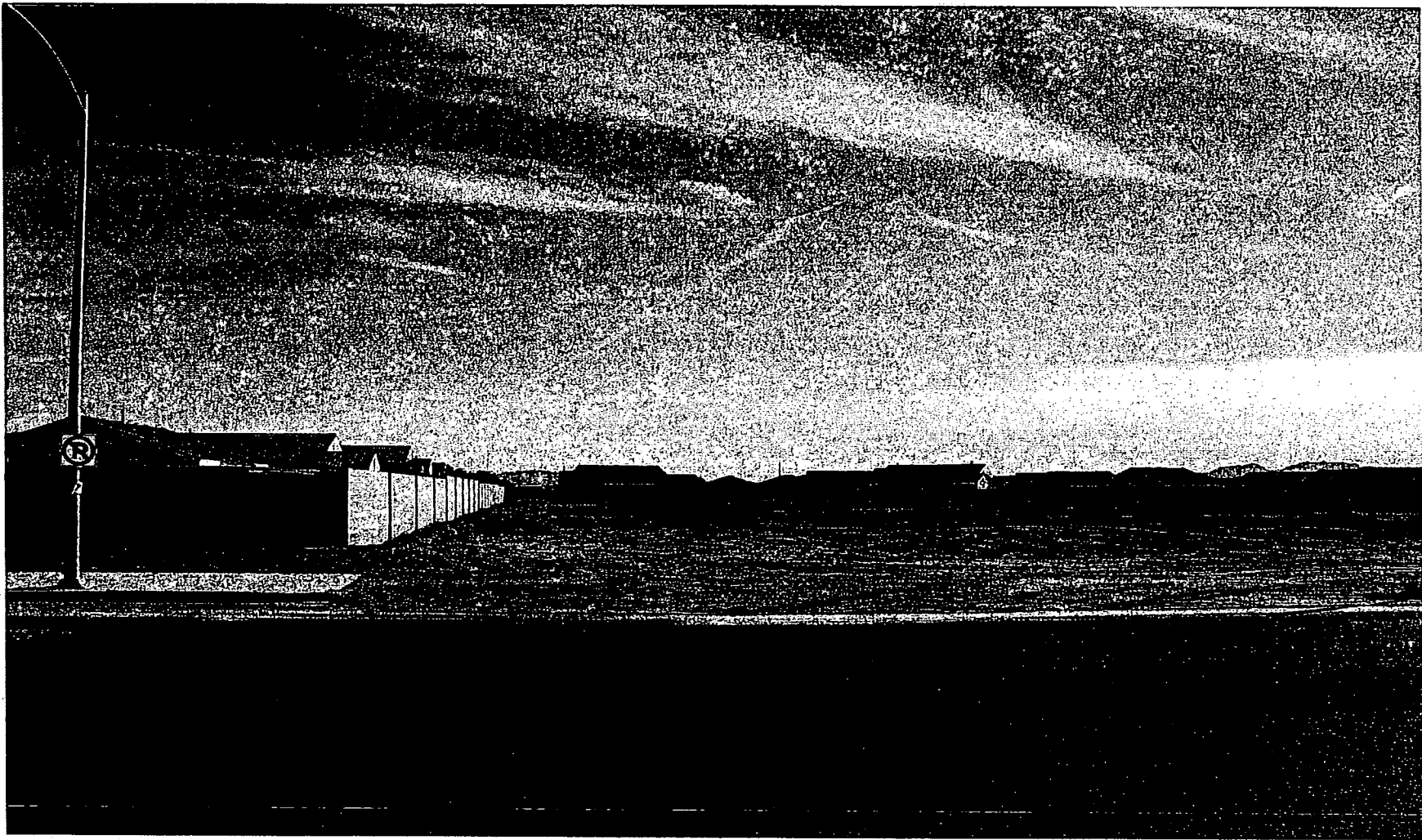
The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 123 by Planning Department

APPROVALS 0

PROTESTS 79



WVR-5850 - APPLICANT/ OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION

01/21/05



**WVR-5850 - APPLICANT/OWNER: BRADLEY VILLAS, LLC
EAST SIDE OF BRADLEY ROAD, BETWEEN DEER SPRINGS WAY AND ROME BOULEVARD
FEBRUARY 10, 2005 PLANNING COMMISSION**

01/21/05

December 10, 2004

City of Las Vegas Planning Department
Las Vegas, Nevada

Subject: APN 125-24-701-005 Justification for Waiver

Gentlemen:

Per the requirements of the City of Las Vegas Department of Planning & Development, Title 18, the following justification letter is provided for a proposed Waiver of the requirements of Subsection 18.12.160. This requires that the minimum distance between roadway intersections be 220-feet.

The project is proposing a public roadway on Bradley Road, a 80-foot right-of-way, the distance between the Bradley Road Ano Drive intersection and the Bradley Road proposed road intersection is 175.23-feet, which is 44.77-feet less than the minimum per 18.12.160. The site has been designed to maximize this distance. 30-foot trail equestrian system has been provided along Bradley Road and the site roadway is centered on the remainder of the property.

The proposed roadway, a cul-de-sac with 18 single-family residences, location will not adversely affect the traffic or traffic patterns. The site is an infill project with existing residential projects on the north, east, southwest, and Bradley Road on the west, which limits the site design on all four sides. Centering the roadway allows the lots to be somewhat uniform, which aids in project construction and long-term maintenance of the proposed infrastructure.

If there are questions or you wish to discuss this further, please contact us.

Sincerely,



William S. Crockett, P. E.

WVR-5850

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**
REZONING

ZON-6100 - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION] on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 3/24/2005 Planning Commission meeting Item 14

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 115 [ZON-6100], Item 116 [VAC-6101], Item 117 [SUP-6099], Item 118 [VAR-6230], and Item 119 [SDR-6097].

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He explained the reasons for each request, indicating that the zone change conforms to the Town Center guidelines, the vacation is a government patent easement, and the special use permit is for a mini-storage facility. He declared that changes were made to the site development plan review, which affect the perimeter landscaping and buffering with respect to the project on the north and east side of the property. He requested approval.

COUNCILMAN MACK conveyed appreciation for the addition of trees and landscaping. In reference to Item 119 [SDR-6097], MARGO WHEELER, Director of Planning and Development, stated a necessary change of Condition 4 should reflect the site plan date stamped 4/18/05 and the building elevation date stamped 3/16/05. ATTORNEY GRONAUER agreed.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 115 [ZON-6100], Item 116

CITY COUNCIL MEETING OF: APRIL 20, 2005

MINUTES - Continued:

[VAC-6101], Item 117 [SUP-6099], Item 118 [VAR-6230], and Item 119 [SDR-6097].

(3:57 - 4:07)

5-707

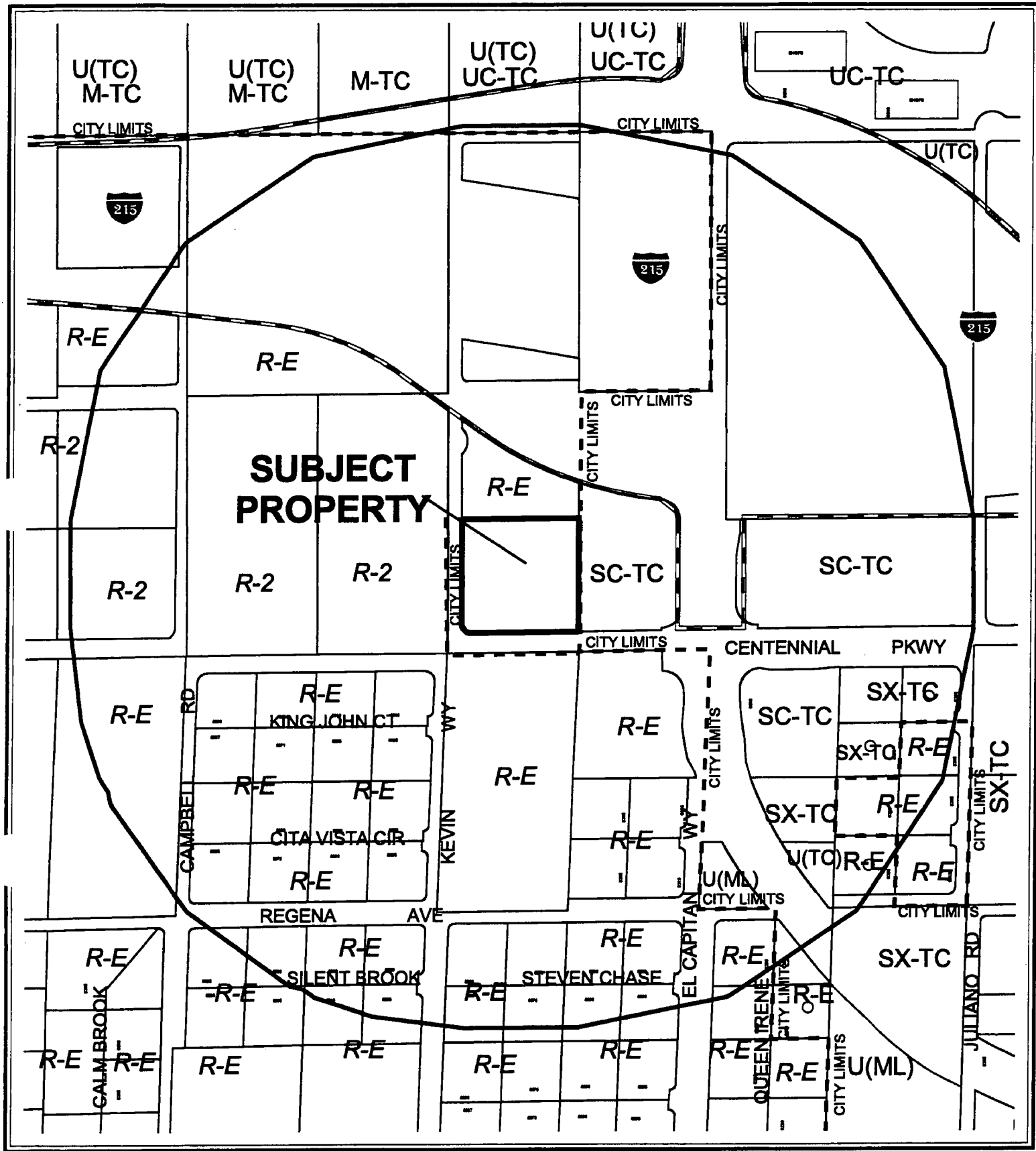
CONDITIONS:

Planning and Development

1. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.

Public Works

2. Dedicate right-of-way required for a bus turnout at the intersection of Centennial Parkway and Kevin Way prior to the issuance of any permits.
3. Construct half-street improvements including appropriate overpaving on Kevin Way and Centennial Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Extend public sewer in Kevin Way to the northern edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. 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-6100

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

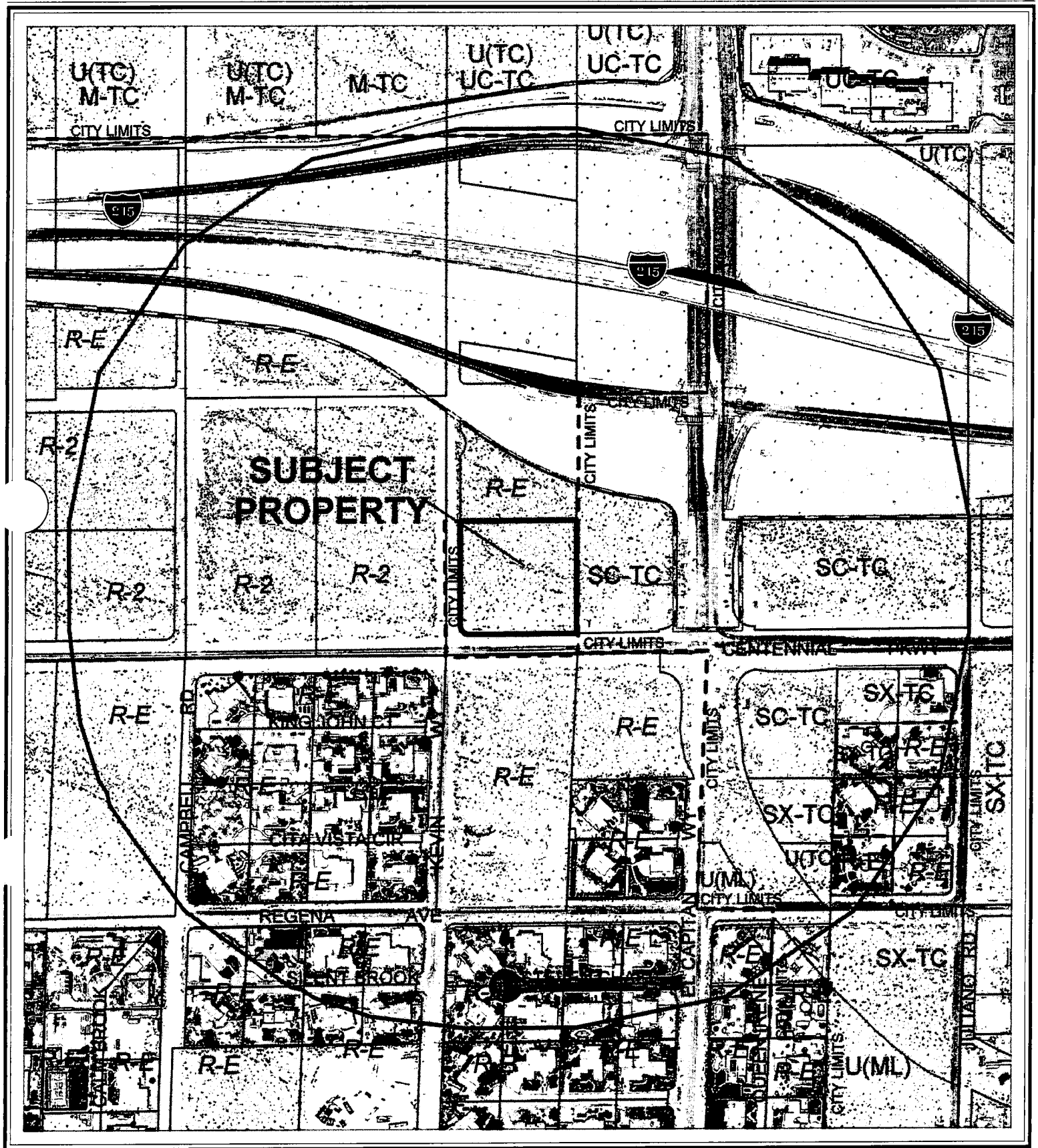
PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 300 600 Feet

115





CASE: ZON-6100

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER
SPECIAL LAND USE DESIGNATION]

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-6100 - APPLICANT: LAACO, LTD./ STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

**** CONDITIONS ****

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

Planning and Development

1. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.

Public Works

2. Dedicate right-of-way required for a bus turnout at the intersection of Centennial Parkway and Kevin Way prior to the issuance of any permits.
3. Construct half-street improvements including appropriate overpaving on Kevin Way and Centennial Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Extend public sewer in Kevin Way to the northern edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Land Use Designation] on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way.

B) Applicant's Justification

The Rezoning request conforms to the General Plan and the Town Center Land Use Plan, which provides for service commercial uses, including the proposed Mini-Storage use. The applicant believes this low-intensity commercial use acts as an appropriate buffer to residential uses to the west, southwest and southeast.

BACKGROUND INFORMATION

A) Related Actions

- 03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. Staff recommended approval.
- 03/24/05 The Planning Commission recommended approval of companion applications for a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, a Variance (VAR-6230) to allow less than 20 percent open space, a Vacation (VAC-6101) of U.S. Government Patent Easements and a Site Development Plan Review (SDR-6097) for a proposed mini-storage facility and waivers of setbacks, perimeter landscaping and lot coverage requirements on the subject site.
- 03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #14/ss).
- 04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.99

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

The subject site is included in the Town Center Master Plan Area and has a land use designation of SC-TC (Service Commercial – Town Center). This district allows low to medium intensity retail, office or other commercial uses intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The proposal was deemed to be a “Project of Regional Significance” under City Ordinance No. 5477. Affected property owners in unincorporated Clark County within the notification area were notified of the project.

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

INTERAGENCY ISSUES

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

ANALYSIS

A) General Analysis and Discussion

The subject site is designated SC-TC (Service Commercial – Town Center) on Map 4 (Land Use) of the Town Center Development Standards Manual. This category allows low to medium intensity retail, office or other commercial uses intended to serve primarily the Centennial Hills area and do not include more intense general commercial characteristics. The requested Rezoning to T-C (Town Center) is consistent with this land use designation and furthers the establishment of the planned boundaries of the Town Center district.

FINDINGS

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

- 1. “The proposal conforms to the General Plan.”**

The General Plan currently designates this site as TC (Town Center) and its associated land uses; therefore, the proposed Rezoning to T-C (Town Center) is appropriate and conforms to the General Plan.

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

Approval of the Rezoning will allow light commercial uses on the subject property, which will be compatible with commercial uses proposed to the north and east. In addition, these uses should not adversely affect residential areas west and southwest of the adjacent rights-of-way. Some uses will require Special Use Permits and their compatibility will be determined on a case-by-case basis through a public hearing process.

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

The Town Center area has a need for additional commercial development, especially near the Las Vegas Beltway. The proposed Rezoning is therefore 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.”**

Centennial Parkway, a wide Town Center Primary (100 foot) Arterial and Kevin Way, an unclassified 60-foot right-of-way, will serve the property. These roadways, once constructed to code standards, will be adequate to meet the needs of the SC-TC (Service Commercial – Town Center) district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 57 by Planning Department

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-6100** APN: 125-20-402-007

Name of Property Owner: Project K, LLC

Name of Applicant: LAACO Ltd

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

Yes ☒ XXXX No ☐

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

City Official: _____

Partner(s): _____

APN: _____

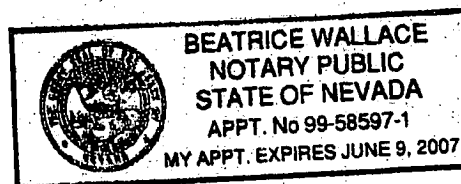
Signature of Property Owner/Authorized Agent:

Print Name: Mehdi Owliaie

Subscribed and sworn before me

This 7th day of Feb, 2005

Beatrice Wallace
Notary Public in and for said County and State



It's Next in the West!

125-20-902-0
1
92.

99-874 E
1-22-2 AGO

10.043 8
19.9
11.887 8
21.7

TOTAL 18
1.521

20.000 1.000
20.000 1.000
20.000 1.000

* THE ACCIDENT
1/30/78
100 W 75/70 *

.....

...

1

■■■■

SWISHER & HALL AIA, LIMITED

ARCHITECTURE AND PLANNING
7175 PEARL DRIVE SUITE 240
LAS VEGAS NEVADA 89128
TEL 702.252.2251 FAX 702.700.2255
www.walshcorbajal.com

ZON-6100
03/24/05 PC

ZONING

Justification Letter

This application is a request to re-zone a 1.94 Acre parcel from RE (Clark County) to SC (Town Center, City of Las Vegas). The applicant, in conjunction with this application submitted an application to annex this property to the City of Las Vegas (ANX-5674 was approved by the Planning Commission on January 13, 2005, and is to be heard by the City Council on February 16, 2005).

This application conforms to the master plan which provides for Service Commercial uses. Mini-storage is an allowed use if the application for a Special Use Permit is also approved.

The applicant believes this low intensity commercial use acts as an appropriate buffer to residential uses to the west, southwest, and southeast.

The applicant, therefore requests approval of this application.

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

March 18, 2005

Michael & Marie Elliott
8950 Cita Vista Cr.
Las Vegas, Nv. 89149

Planning & Development Dept.
Current Planning Division
Development Services Center
Attn: Gary Leobold
731 S. 4th St.
Las Vegas, Nevada 89101

RE: ZON-6100, SDR-6097, SUP-6099 & VAR-6230

Dear Sir:

We strenuously object to placing a storage unit facility in the proposed site.

This is a residential area.....these facilities should be located on Industrial Road or in locales designated for commercial use. Good grief, this is where we live! This business would be located within a stone's throw of houses. I'm also concerned about our property values and the desirability for resale of my property should such a facility be allowed only feet from our homes.

Sincerely,

Michael & Marie Elliott

Michael and Marie Elliott

**READ INTO
THE RECORD**

Telephone Protest/ Approval Log

Meeting Date: 3/24/05

Case Number: VAN-6230
SUP-60991
SDR-60978 ZONT-6100

Date: 3-24-05
Name: Shauna Somerville
Address: 8960 Silent Brook
Phone: 656-0057
☒ PROTEST ☐ APPROVE

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

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

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

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

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

**READ INTO
THE RECORD**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VACATION RELATED TO ZON-6100

VAC-6101 - PUBLIC HEARING - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Petition to Vacate U.S. Government Patent Easements generally located north of Centennial Parkway, east of Kevin Way, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

NOTE: See Item 115 [ZON-6100] for all related discussion.

(3:57 - 4:07)

5-707

CONDITIONS:

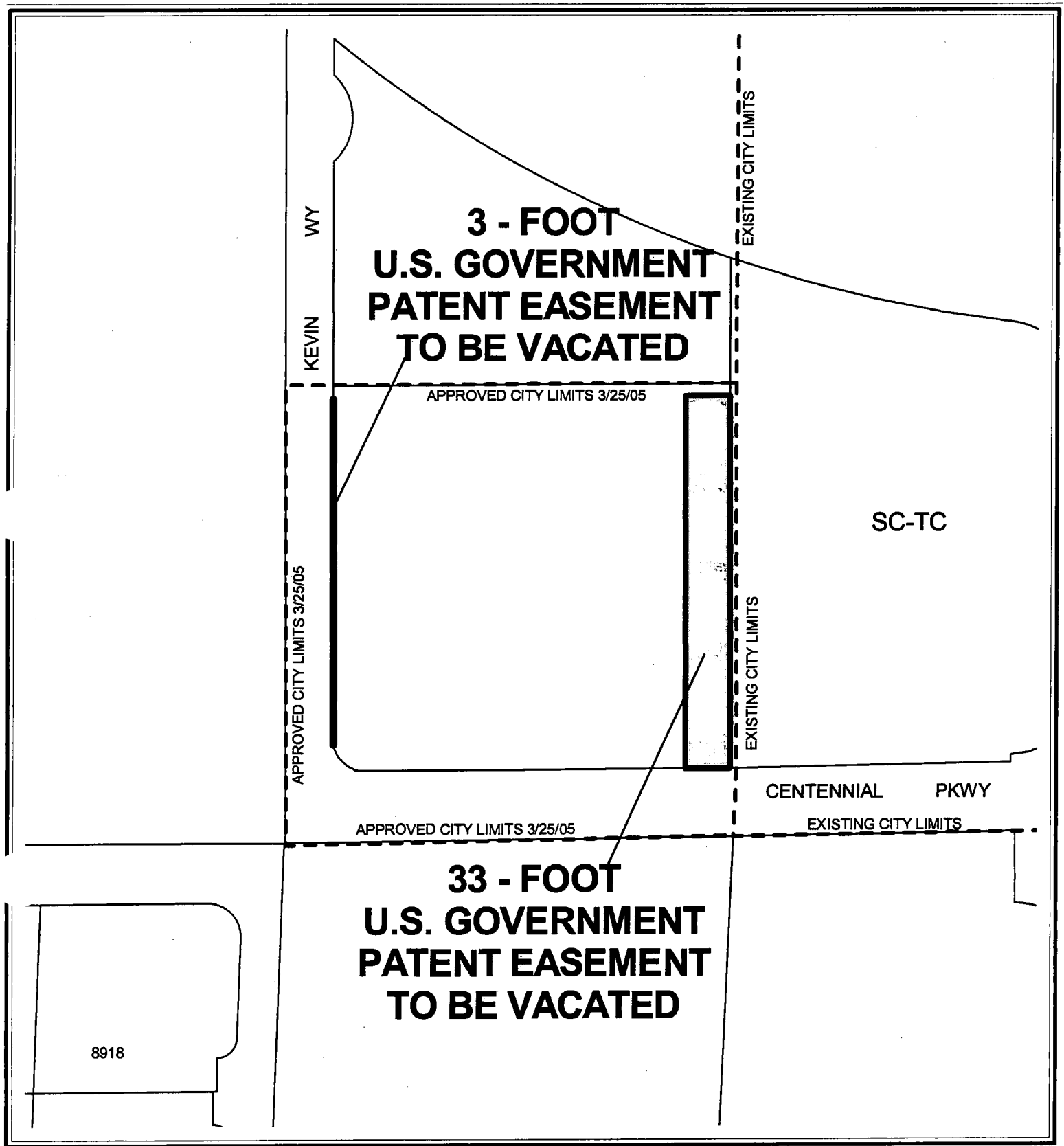
1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Rezoning application ZON 6100 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

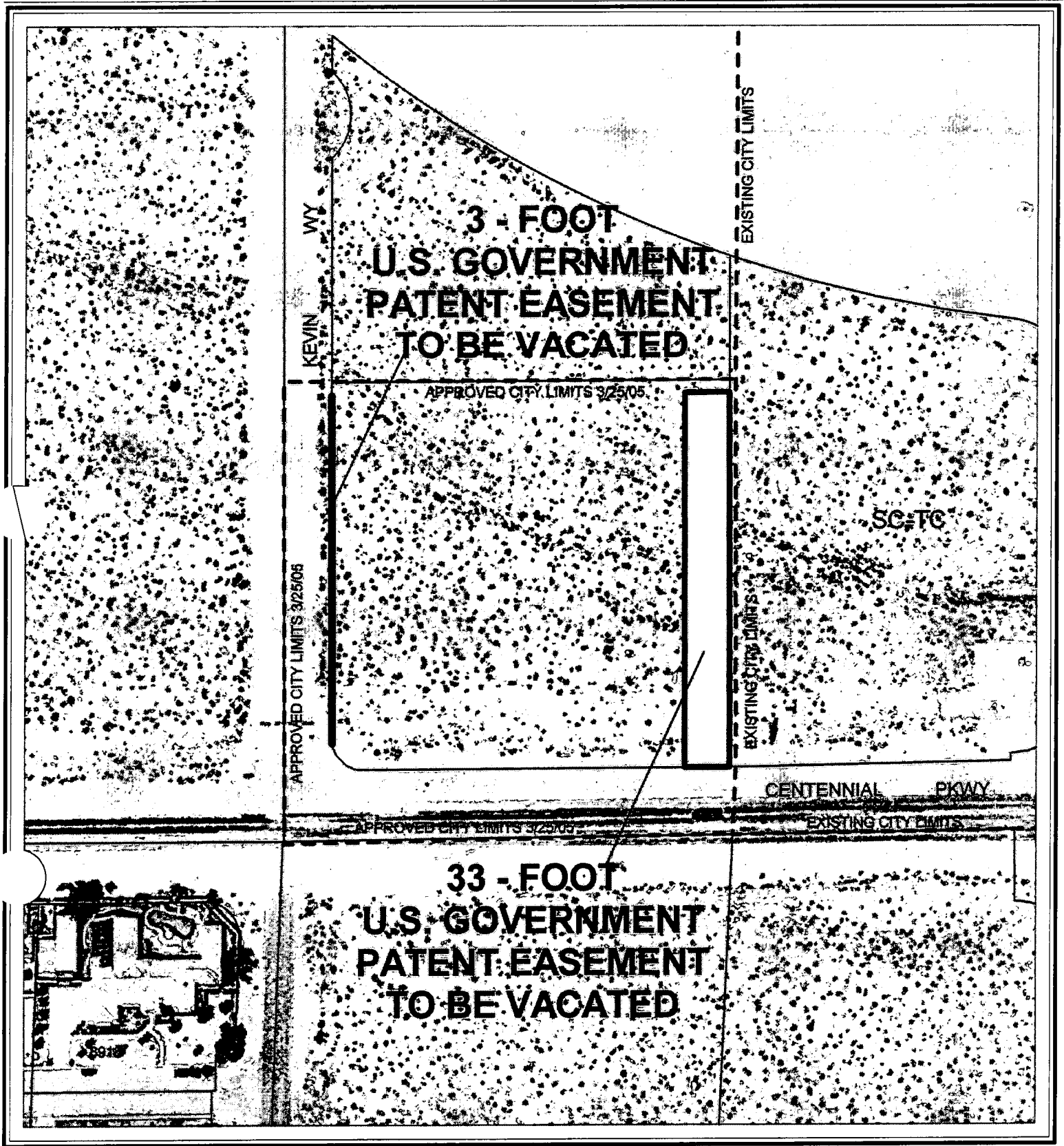
accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the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

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



CASE: VAC-6101





0 100 200 Feet

CASE: VAC-6101



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-6101 - APPLICANT: LAACO, LTD STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

**** CONDITIONS ****

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Rezoning application ZON-6100 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a Petition to Vacate U.S. Government Patent Easements generally located north of Centennial Parkway, east of Kevin Way.

B) Applicant's Justification

The applicant did not provide justification for the proposed Vacation, although it was acknowledged that the application would be filed in conjunction with the companion applications for Rezoning, Special Use Permit and Site Development Plan Review.

BACKGROUND INFORMATION

A) Related Actions

- 03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.
- 03/24/05 The Planning Commission recommended approval of companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, a Variance (VAR-6230) to allow less than 20 percent open space, and a Site Development Plan Review (SDR-6097) for a proposed mini-storage facility and waivers of setbacks, perimeter landscaping and lot coverage requirements on the subject site.
- 03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #15/ss).
- 04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

DETAILS OF APPLICATION REQUEST

The subject petition proposes to vacate U. S. Government Patent Easements described as the West and East thirty-three feet (33'), excepting the West thirty feet (30') and the South fifty feet (50') of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section 20, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U. S. Government Patent Easements because they are no longer needed in their current configuration. The Vacation would allow for the development of a 91,387 square foot mini-storage facility and parking on this site. This request is appropriate, as the subject easements are not needed and would not result in reduced access or traffic handling capability for the area.

B) Public Works discussion

The Department of Public Works has no objection to the Vacation application request for U.S. Government Patent Reservations generally located at the northeast corner of Centennial Parkway and Kevin Way.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-6101** APN: 125-20-402-007
Name of Property Owner: Project K, LLC
Name of Applicant: LAACO Ltd

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

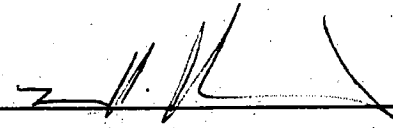
 Yes XXXXX No

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

City Official: _____

Partner(s): _____

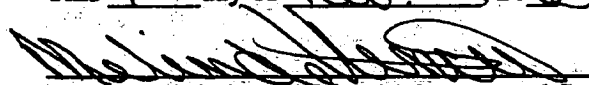
APN: _____

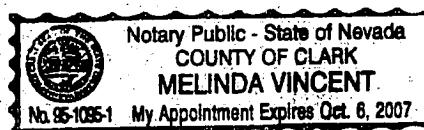
Signature of Property Owner/Authorized Agent: 

Print Name: Mehdi Owliaie

Subscribed and sworn before me

This 7th day of Feb., 2006


Notary Public in and for said County and State



PATENT EASEMENT VACATION

Justification Letter

The purpose of this application is to vacate patent easement number 237584, of Official Records, recorded on April 20, 1961. This patent easement is recorded within the boundaries of APN 125,20,402-007.

The application is to vacate the 33 foot easement on the east property line and 3 feet on the west property line. The west property line easement was originally 33 feet before a 30 foot wide R/W easement, number 163-81 was created for Kevin Street.

There is no requirement for a street dedication on the east property line, and that is why this is a request to vacate the entire 33 feet.

This application should be considered with the applications submitted by this applicant for Zoning, a Special Use Permit, and a Site Design Review for this parcel.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-6100 AND VAC-6101

SUP-6099 - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Special Use Permit FOR A PROPOSED MINI STORAGE FACILITY adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Shauna Somerville
6. Backup referenced from the 3/24/2005 Planning Commission meeting Item 16

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

NOTE: See Item 115 [ZON-6100] for all related discussion.
(3:57 - 4:07)
5-707

CONDITIONS:

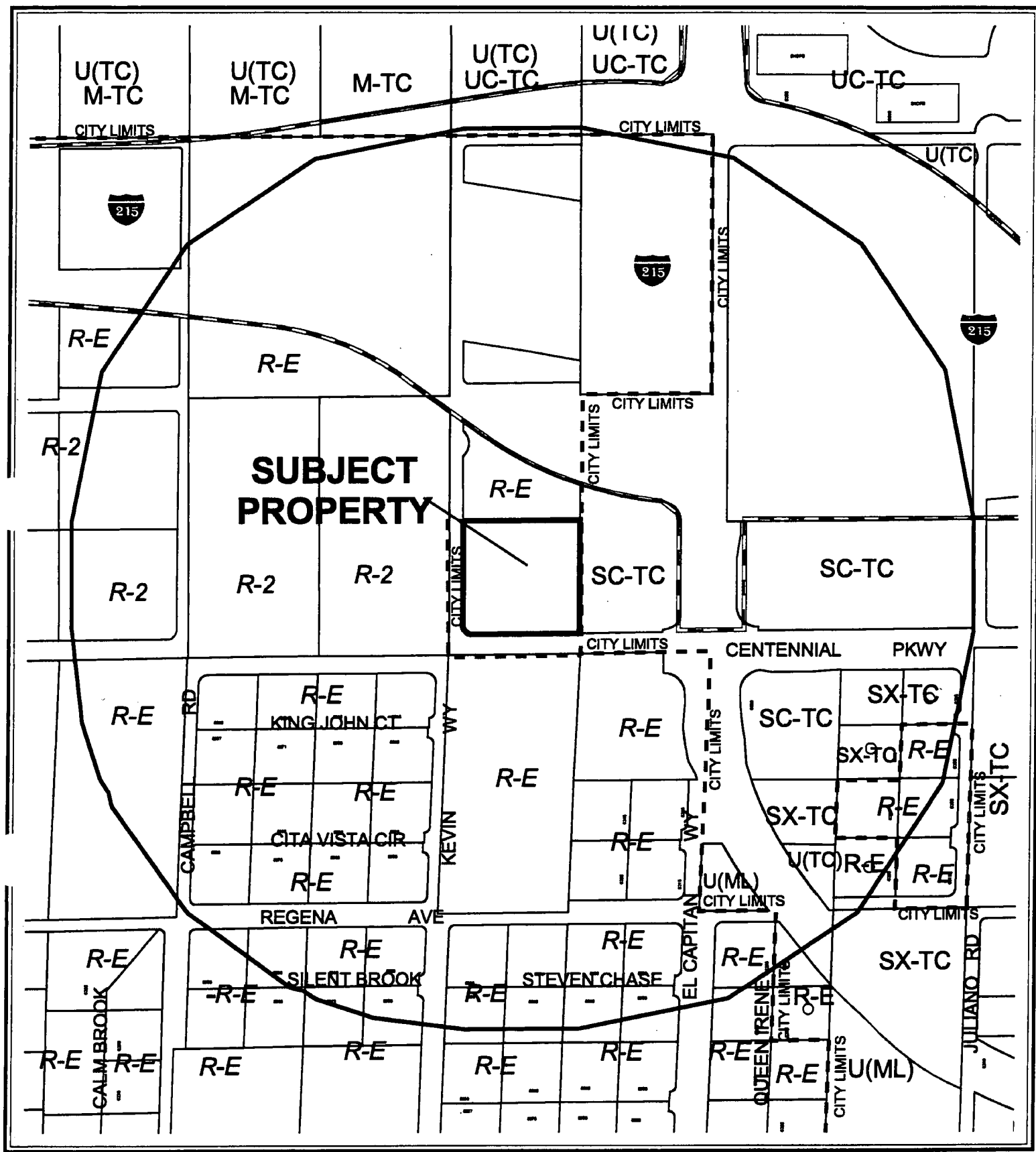
Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Mini-Storage Facility use.
2. Pursuant to Title 19.20, individual storage units may not be larger than 500 square feet in size.
3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100) and Site Development Plan Review (SDR-6097).
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

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



CASE: SUP-6099

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 300 600 Feet

117



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6099 - APPLICANT: LAACO, LTD. STORAGE
PROPERTIES, INC. - OWNER: PROJECT K, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Mini-Storage Facility use.
2. Pursuant to Title 19.20, individual storage units may not be larger than 500 square feet in size.
3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100) and Site Development Plan Review (SDR-6097).
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a proposed Mini-Storage Facility adjacent to the northeast corner of Centennial Parkway and Kevin Way.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.
- 03/24/05 The Planning Commission recommended approval of companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Variance (VAR-6230) to allow less than 20 percent open space, a Vacation (VAC-6101) of U.S. Government Patent Easements and a Site Development Plan Review (SDR-6097) for a proposed 91,387 square foot mini-storage facility and Waivers of the Commercial Development Standards and perimeter landscaping standards on the subject site.
- 04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.94

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

Office centers offering professional and business services are limited to two stories in height. Other uses have no height ceiling, but are subject to compatibility with surrounding uses. Affected property owners in unincorporated Clark County within the notification area were notified of the project.

INTERAGENCY ISSUES

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

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

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

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

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to making a decision on the proposal.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

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

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

A2) Minimum Distance Separation Requirements

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

A3) Development Standards

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

B) General Analysis and Discussion

- Zoning**

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

- Use**

This application requests approval of a Mini-Storage use, pursuant to the Town Center Development Standards Manual. Pending approval of the companion Rezoning (ZON-3758), such a use will be allowable with the approval of a Special Use Permit. The specific conditions that apply to this use are those found in Title 19.04.050, as listed below. The definition of a “Mini-Warehouse” use in Title 19, which corresponds to a

“Mini-Storage” use in Town Center, limits individual storage compartments to a maximum of 500 square feet. Some of the units in the proposed development are 600 square feet. A condition of approval requires that the size of the units comply with the Code definition. This condition cannot be altered or removed without an accompanying text amendment changing the definition of “Mini-Warehouse” in Title 19.20.

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

- Conditions

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 61 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Project K, LLC

Name of Applicant: LAACO Ltd

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

Yes XXXX No

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

City Official: _____

Partner(s): _____

APN: _____

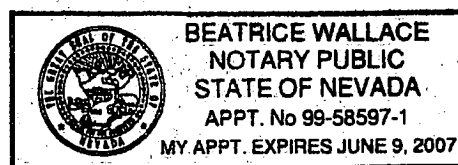
Signature of Property Owner/Authorized Agent: [Signature]

Print Name: Mehdi Owliaie

Subscribed and sworn before me

This 7th day of Feb, 2005

Deatrice Wallace
Notary Public in and for said County and State



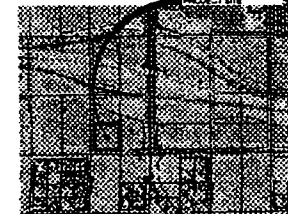
STORAGE WEST TOWNCENTER



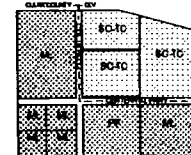
SITE DATA

SITE INFORMATION		123-26-102-001
ADDRESS & PARCEL NUMBER		50.75
OWNER - FIDELITY		
SITE CHARACTERISTICS		
DATE (AND YEAR)		10/2004 S.F.
LANDSCAPE COVERAGE		1.0000
IMPERVIOUS SURFACE AREA		10,000 S.F.
IMPERVIOUS SURFACE AREA		10,000 S.F.
BUILDING COVERAGE		57.4%
BUILDINGS		
FOOTPRINT AREA		10,000 S.F.
TOTAL SHEDDING		10,000 S.F.
PARKING CHARACTERISTICS		
ADDITIONAL PARKING REQUIRED		1
PERMITTED PARKING		4
PERMITTED PARKING		1,000 S.F.
PARKING REQUIRED STORAGE AREA		10,000 S.F.
PARKING REQUIRED STORAGE AREA		10,000 S.F.
TOTAL PARKING PROVIDED		10,000 S.F.

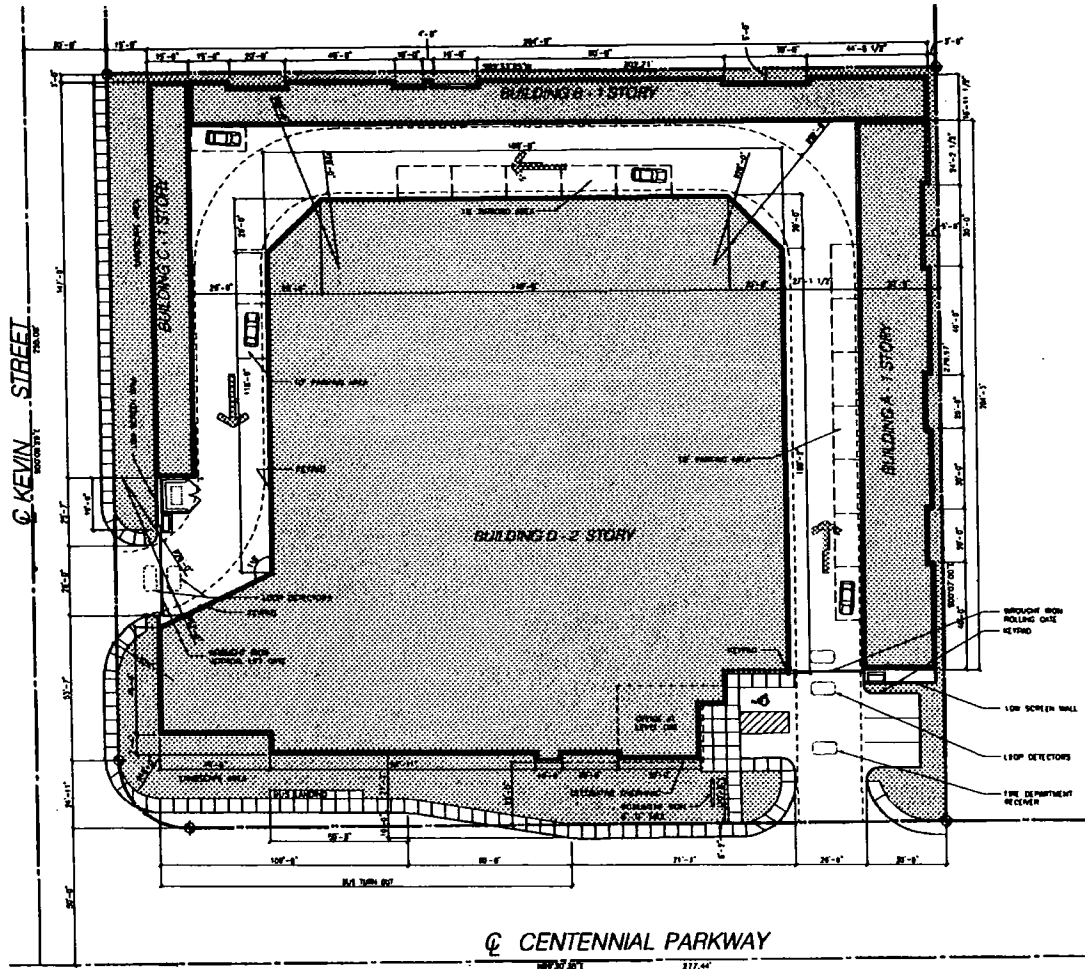
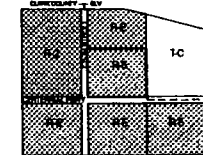
VICINITY MAP



MASTER PLAN



ZONING MAP



SITE PLAN



SWISHER & HALL AIA, LIMITED
ARCHITECTURAL AND PLANNING
7177 PINE DRIVE, SUITE 110
VANCOUVER, BRITISH COLUMBIA, CANADA V6P 1K1
TEL: 604.262.8881 FAX: 604.262.8882
WWW.SWISHERHALL.COM

FEB 8 2005

SUP-6099
03/24/05 PC

SPECIAL USE PERMIT

Justification Letter

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

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

The applicant, therefore, requests approval of this application.

NOTICE OF PUBLIC HEARINGRECEIVED
CITY CLERK**SPECIAL USE PERMIT**

2005 APR 20 A 10:02

SOMERVILLE JEFF C & SHAUNA S
8960 SILENT BROOK CT
LAS VEGAS NV 89149-3216

MEETING: CITY COUNCIL
DATE: APRIL 20, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-6099**Protest**

APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED MINI STORAGE FACILITY ADJACENT TO THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND KEVIN WAY (APN 125-20-402-007), U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] [PROPOSED: T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION], WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6307 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

We object to this
Shauna Somerville
4-20-05

BARBARA JO RONEMUS
CITY CLERK

Submitted after final agenda

Date *4/20/05* Item # *117*

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

March 18, 2005

Michael & Marie Elliott
8950 Cita Vista Cr.
Las Vegas, Nv. 89149

Planning & Development Dept.
Current Planning Division
Development Services Center
Attn: Gary Leobold
731 S. 4th St.
Las Vegas, Nevada 89101

RE: ZON-6100, SDR-6097, SUP-6099 & VAR-6230

Dear Sir:

We strenuously object to placing a storage unit facility in the proposed site.

This is a residential area.....these facilities should be located on Industrial Road or in locales designated for commercial use. Good grief, this is where we live! This business would be located within a stone's throw of houses. I'm also concerned about our property values and the desirability for resale of my property should such a facility be allowed only feet from our homes.

Sincerely,

Michael & Marie Elliott

Michael and Marie Elliott

**READ INTO
THE RECORD**

Telephone Protest/ Approval Log

Meeting Date: 3/24/05

Case Number: SUP-60991
VAN-6230
SDR-60978 ZONT6100

Date: 3-24-05
Name: Sharon Somerville
Address: 8960 Silent Brook
Phone: 656-0057
☒ PROTEST ☐ APPROVE

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

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

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

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

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

**READ INTO
THE RECORD**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

VARIANCE RELATED TO ZON-6100, VAC-6101, AND SUP-6099

VAR-6230 - PUBLIC HEARING - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Variance TO ALLOW 13 PERCENT OF THE GROSS PROPERTY AREA PROPOSED TO BE ADDED TO THE T-C (TOWN CENTER) ZONE TO BE OPEN SPACE WHERE A MINIMUM OF 20 PERCENT IS REQUIRED on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted after final agenda - Protest letter from Shauna Somerville
6. Backup referenced from the 3/24/2005 Planning Commission meeting Item 17

MOTION:**MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting****MINUTES:**

NOTE: See Item 115 [ZON-6100] for all related discussion.

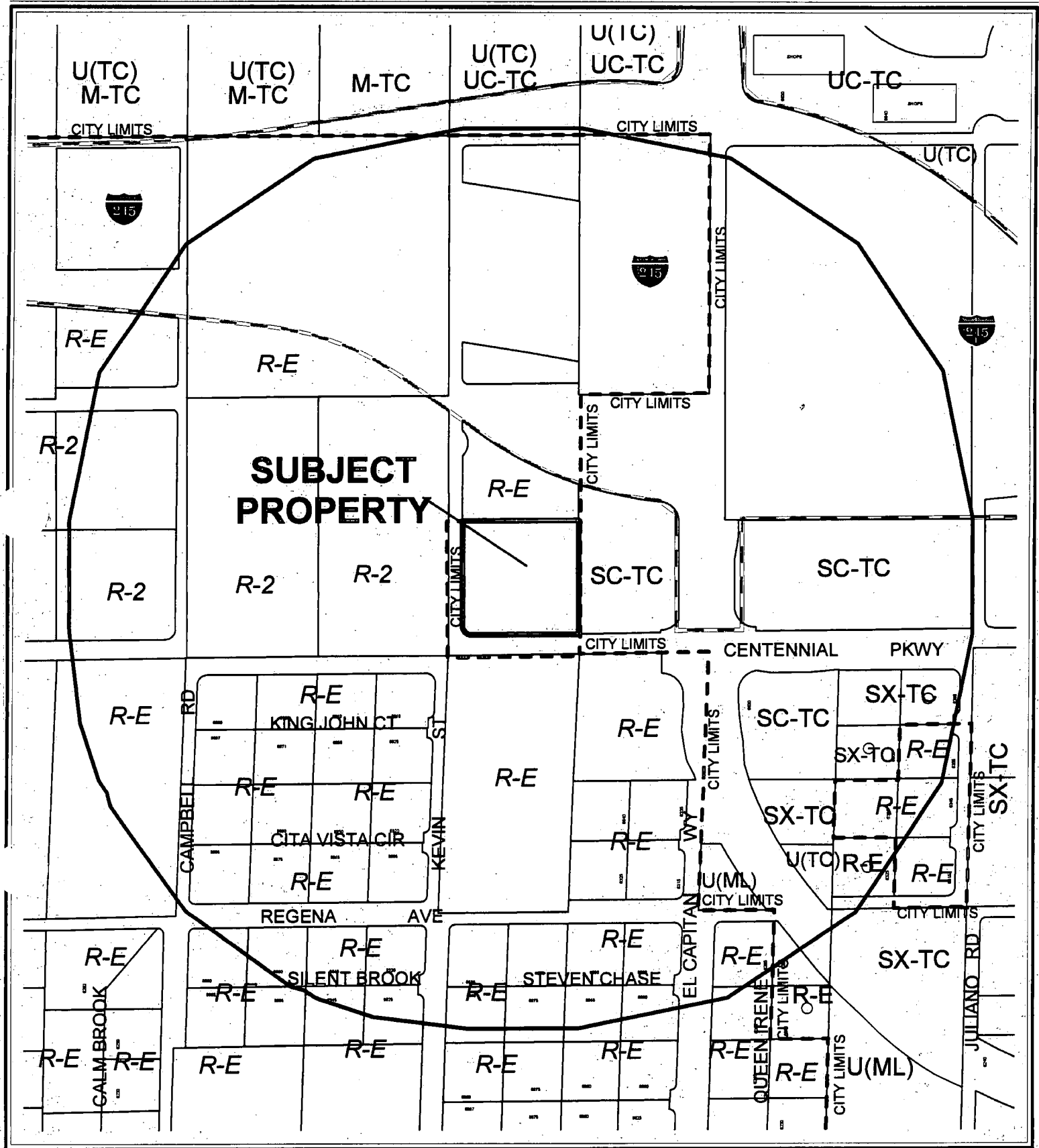
(3:57 - 4:07)

5-707

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON 6100), Special Use Permit (SUP-6099) and Site Development Plan Review (SDR-6097), if approved.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-6230**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION)]



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-6230 - APPLICANT: LAACO, LTD/STORAGE
PROPERTIES, INC. - OWNER: PROJECT K, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100), Special Use Permit (SUP-6099) and Site Development Plan Review (SDR-6097), if approved.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.
- 03/24/05 The Planning Commission recommended approval of companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Vacation (VAC-6101) of U.S. Government Patent Easements, a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, and a Site Development Plan Review (SDR-6097) for a proposed mini-storage facility and waivers of setbacks, perimeter landscaping and lot coverage requirements on the subject site.
- 03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #17/ss).
- 04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.99
Net Acres: 1.94

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

Title 19.06.110.E requires the following:

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

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

B) General Analysis and Discussion

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

FINDINGS

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

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

Additionally, Title 19.18.070.L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by overbuilding the site, creating a deficiency in the amount of land available for providing open space. Reducing the size of the two-story building and conformance to the Commercial Development Standards would allow conformance to Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

NOTICES MAILED 61 by City Clerk

APPROVALS 0

PROTESTS 2



LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

March 3, 2005

VIA HAND DELIVERY

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

Re: LAACO, Ltd. – Beltway/Durango
Variance

To Whom it May Concern:

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

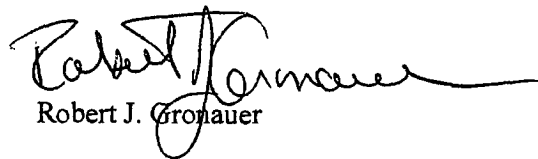
The site plan reflects the nature of a mini-storage facility; that is, it is a business located behind walls and gates, with access limited to storage customers with secret gate access codes. It is not possible to provide public access to the interior of the facility including recreation facilities,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

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

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

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW


Robert J. Gronauer

RJG/mlt

RECEIVED
CITY CLERK**NOTICE OF PUBLIC HEARING****VARIANCE**

2005 APR 20 A 10:02

SOMERVILLE JEFF C & SHAUNA S
8960 SILENT BROOK CT
LAS VEGAS NV 89149-3216MEETING: CITY COUNCIL
DATE: APRIL 20, 2005
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA**VAR-6230****Protest**

APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - REQUEST FOR A VARIANCE TO ALLOW 13 PERCENT OF THE GROSS PROPERTY AREA PROPOSED TO BE ADDED TO THE T-C (TOWN CENTER) ZONE TO BE OPEN SPACE WHERE A MINIMUM OF 20 PERCENT IS REQUIRED ON 1.99 ACRES ADJACENT TO THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND KEVIN WAY (APN 125-20-402-007), U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] [PROPOSED: T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION], WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

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



We object to this
Shauna S. Somerville
4-20-05

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

Submitted after final agenda

Date 4/20/05 Item #118

TOTAL P.02

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

March 18, 2005

Michael & Marie Elliott
8950 Cita Vista Cr.
Las Vegas, Nv. 89149

Planning & Development Dept.
Current Planning Division
Development Services Center
Attn: Gary Leobold
731 S. 4th St.
Las Vegas, Nevada 89101

RE: ZON-6100, SDR-6097, SUP-6099 & VAR-6230

Dear Sir:

We strenuously object to placing a storage unit facility in the proposed site.

This is a residential area.....these facilities should be located on Industrial Road or in locales designated for commercial use. Good grief, this is where we live! This business would be located within a stone's throw of houses. I'm also concerned about our property values and the desirability for resale of my property should such a facility be allowed only feet from our homes.

Sincerely,

Michael & Marie Elliott

Michael and Marie Elliott

**READ INTO
THE RECORD**

Telephone Protest/ Approval Log

Meeting Date: 3/24/05

Case Number: SUP-60991
SDR-60978 ZONT6100

Date: 3-24-05
Name: Sharon Samerville
Address: 8960 Silent Brook
Phone: 656-0057
☒ PROTEST ☐ APPROVE

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

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

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

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

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

**READ INTO
THE RECORD**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6100, VAC-6101, SUP-6099 AND VAR-6230

SDR-6097 - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Site Development Plan Review FOR A PROPOSED MINI STORAGE FACILITY AND WAIVERS FOR A THREE FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED, A THREE FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 61 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED on 1.94 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Backup referenced from the 3/24/2005 Planning Commission meeting Item 18

MOTION:**MACK - APPROVED** subject to conditions and amending Condition 4 as read for the record:**4. All development shall be in conformance with the site plan date stamped 4/18/05, and building elevations date stamped 3/16/05.****- UNANIMOUS with WEEKLY not voting****MINUTES:**

NOTE: See Item 115 [ZON-6100] for all related discussion.

(3:57 - 4:07)

5-707

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-6100) to a T-C (Town Center) Zoning District approved by the City Council.
2. Approval of a Variance (VAR-6230) to allow open space on less than 20 percent of the gross site area.

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped 03/16/05, except as amended by conditions herein.
5. Waivers of setbacks in order to provide eight feet to ten feet building setbacks on the north and east property lines and of perimeter landscaping in order to include 24 inch box trees 15 feet on center on the north and east property lines are hereby approved.
6. Trash enclosures shall be roofed in accordance with the Commercial Development Standards.
7. Pursuant to the Town Center Development Standards Section D.1.G, all on-site signage shall be approved by the Centennial Hills Town Center Architectural Review Committee (CHARC) by separate application.
8. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect Centennial Parkway as a 100-foot Town Center Primary Arterial with a two foot six inch amenity zone and a five-foot sidewalk. Within the Amenity Zone (except where adjacent to the proposed bus turnout), trees shall be spaced 35 feet on center in an alternating pattern consisting of one shade tree and two palm trees with decomposed granite and a minimum of one third, five-gallon plant material as groundcover. Four additional 24 inch box shade trees shall be planted in the landscape buffers along Centennial Parkway and Kevin Way. A total of five 24 inch box trees shall be shown in the parking area. The plan shall indicate a minimum of four (4) five-gallon shrubs for each 24 inch box tree within provided planters along the perimeters and a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24 inch box tree provided within parking lot planters.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
11. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

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

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit on this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

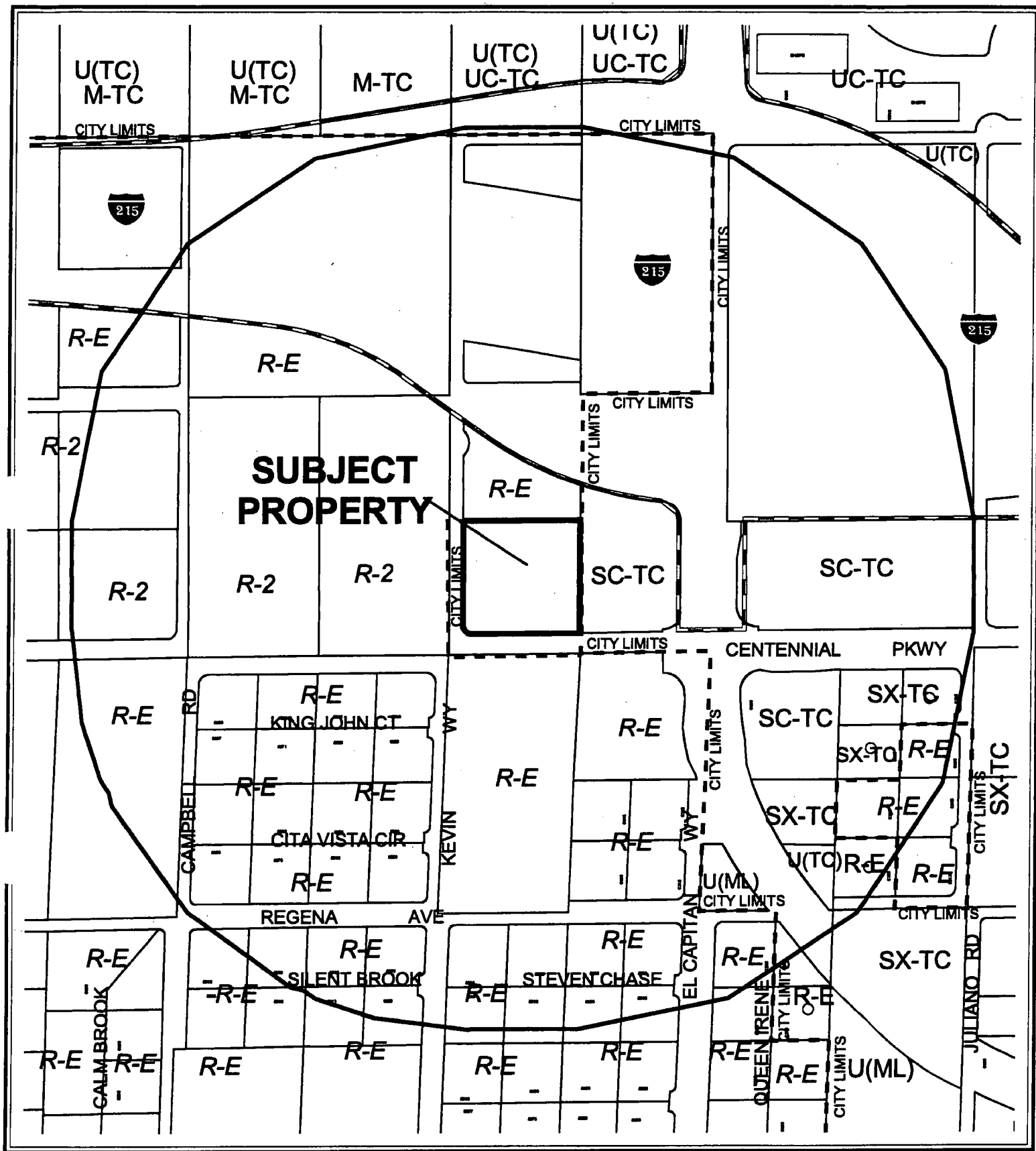
Public Works

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

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

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

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



CASE: SDR-6097

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 300 600 Feet

119



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6097 - APPLICANT: LAACO, LTD. STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Rezoning (ZON-6100) to a T-C (Town Center) Zoning District approved by the City Council.
2. Approval of a Variance (VAR-6230) to allow open space on less than 20 percent of the gross site area.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped 03/16/05, except as amended by conditions herein.
5. Waivers of setbacks in order to provide eight feet to ten feet building setbacks on the north and east property lines and of perimeter landscaping in order to include 24 inch box trees 15 feet on center on the north and east property lines are hereby approved.
6. Trash enclosures shall be roofed in accordance with the Commercial Development Standards.
7. Pursuant to the Town Center Development Standards Section D.1.G, all on-site signage shall be approved by the Centennial Hills Town Center Architectural Review Committee (CHARC) by separate application.
8. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect Centennial Parkway as a 100-foot Town Center Primary Arterial with a two foot six inch amenity zone and a five-foot sidewalk. Within the Amenity Zone (except where adjacent to the proposed bus turnout), trees shall be spaced 35 feet on center in an alternating pattern consisting of one shade tree and two palm trees with decomposed granite and a

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

10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
11. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit on this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Landscape and maintain all unimproved rights-of-way, if any, on Centennial Parkway and Kevin Way adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for ZON-6100 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Previous Actions

- 03/16/05 The City Council approved the Annexation (ANX-5674) of approximately 1.99 acres into the city of Las Vegas. The effective date is 03/25/05. The Planning Commission and staff recommended approval.
- 03/24/05 The Planning Commission recommended approval of companion applications for a Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation], a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility, a Variance (VAR-6230) to allow less than 20 percent open space, and a Vacation (VAC-6101) of U.S. Government Patent Easements on the subject site.
- 03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #18/ss).
- 04/14/05 The Planning Commission will hear a Petition to Annex (ANX-6173) property located adjacent to the east side of Kevin Way, approximately 340 feet north of Centennial Hills Parkway, containing approximately 1.31 acres. This property is directly north of the subject site and is included in the Town Center Master Development Plan.

B) Pre-Application Meeting

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.94

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

INTERAGENCY ISSUES

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

PROJECT DESCRIPTION

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

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

A2) Residential Adjacency Standards

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

- a) Proximity slope. Along the southwest corner of the site, the proposed two-story building is 21 feet in height, requiring a 63-foot setback from single-family residential properties to the southwest and planned residential property to the west. The site plan shows the building to be set back approximately 140 feet from the nearest single-family residential property line and 75 feet from the nearest planned residential property line, thereby meeting the proximity slope requirement.
- b) Building setback. The proposed corner side and front yard setbacks are at least 15 feet, matching those of the existing single-family residences southwest of the subject site.

A3) Parking and Traffic Standards

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

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

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

A4) Landscape and Open Space Standards

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

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

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

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

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

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

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

A5) Sign Standards

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

B) General Analysis and Discussion

- Zoning

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

- Site Plan

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

- Waivers

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

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

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

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

- Landscape Plan

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

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

Palm trees are inappropriate for perimeter landscape buffers in this portion of Town Center. Other landscape materials proposed are acceptable. Building materials, which include split-face CMU and plaster, are acceptable for this area of the city.

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

The building elevations proposed create a desirable appearance for a mini-storage facility, and appear to meet the standards contained in the Town Center Development Standards Manual, which emphasize facades similar to office or retail structures.

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #5 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 57 by Planning Department

APPROVALS 0

PROTESTS 2



It's Best in the West!

SITE INFORMATION

SITE INFORMATION
 NATELSON S PARCEL NUMBER
 ZONING - EXISTING
 ZONING - PROPOSED

121-20-002-000
S. 1
15-10

SITE CARULATION

5472 50E4 15.F.1
5472 40E4 14C02E4
14C05C4F2 50E4 15.F.1
1405C4F2 C0F44E2
00F1C40C F001C40F 40E4
0044F40C 40F44E2

20. 370 3. 8
7. 000 0. 000
10. 300 3. 8
1. 000 0. 000
10. 300 3. 8
1. 000 0. 000

READINGS

OVERLEAF

BOLTON C. A.
BOLTON L. M.
BOLTON R. E.
BOLTON S. J.

70182 800401 F06-4C1

10162	4024
5.219	5.6
4.423	6.6
3.704	5.9
46.981	5.9
51.251	5.9

POKING FUNNY

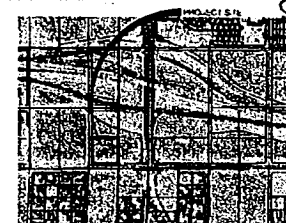
PADDING PATTERNED
DIRECTION PASSING STOPPING
ACCESSIBLE PASSING BLOW

*PADDING PATTERNED
ACCESSIBLE PASSING
PADDING PATTERNED STOPPING

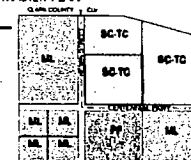
PADDING PATTERNED STOPPING
TRIAL PASSING STOPPING
TRIAL ACCESSIBLE STOPPING

* TAN 4000000000
 1/20 0000
 TAN 0000000000

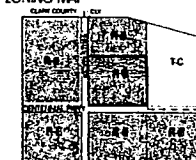
VICINITY MAP



MASTER PLAN



ZONING MAP



S I L E P L A N



REVISED
3.16.05

SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
1570 PEARL DRIVE, SUITE 556
LAS VEGAS, NEVADA 89170
TEL 702.363.2222 FAX 702.363.6000
www.swisherhall.com

SDR-6097
03/24/05 PC

RECEIVED
MAR 16 2005



SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	ROUND SIGNET	ROUND PINE	2" DIA	10	SHARPED SIGNET
	ROUND SIGNET "NO SHARP"	DO SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET AND	DO SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET
	SHARPED SIGNET	SHARPED PINE	2" DIA	10	SHARPED SIGNET

DISCREPANCIES BETWEEN THE JUDGES AND THE SCALES BE BROUGHT TO THE ATTENTION OF THE JUDGING AUTHORITY FOR CLARIFICATION BEFORE SCORING BEGINS.

CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO STARTING WORK.
LANDSCAPE SUBJECT OF HIS REPRESENTATION RESERVE THE RIGHT TO REFUSE ANY PLANT
SPECIES/ROOT SYSTEMS DEEMED UNSUITABLE.

LANSBURG CONTRACTOR TO PROVIDE AGENCY TRIPS FOR THIS DC AND COMPLY WITH THE TRIPING LAWS RECOMMENDATIONS FOR EMPLOYEES AND AGENCIES. TRIP REPORT TO LANSBURG AGENCY.

SHOULD BE FOR ALL PLACES (EXCEPT FOR FILMS) SHALL CONSIST OF THE FOLLOWING BY PERMISSION OF VENDOR:

100-443887-100

OTHER SOURCE AVAILABLE THROUGH THE FOLLOWING SOURCE:

**WESTERN GROWERS
LAB. CORP., NEWTON
(782) 638-0200**

COPIES SHOULD BE FOR EVIDENCE ONLY, CONTINUED TO VERIFY ALL CHARGES
BOOK WHEN ABLE TO BE TAKEN BEFORE AND AFTER REGISTRATION WITH THE CHARGE
OFFICER

ALL PLANNING AREAS SHALL RECEIVE ROCK WELCH. ROCK WELCH SHALL BE MOVED GILD
DISPOSING CORRAL, 1/4" SKIMMED IN A BATH OF 2". DRAIN SAMPLES TO LANDFILL MONITOR
(SOURCE: RELIABLE SOURCES OR APPROVED CORAL.)

Storage West • Town Center
 Road • Commercial Plaza & Keith St., Las Vegas, NV
 Prepared for Swisher & Hall Architects

© 1999 by the American Psychological Association or one of its allied publishers. This article is intended solely for the personal use of the individual user and is not to be disseminated broadly.

Landscape Plan

—

— 3 —

1'-23'-0"

L1

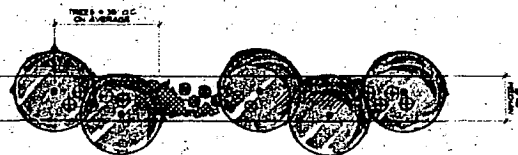
REVISED
3.16.05

SDR-6097
03/24/05 PC

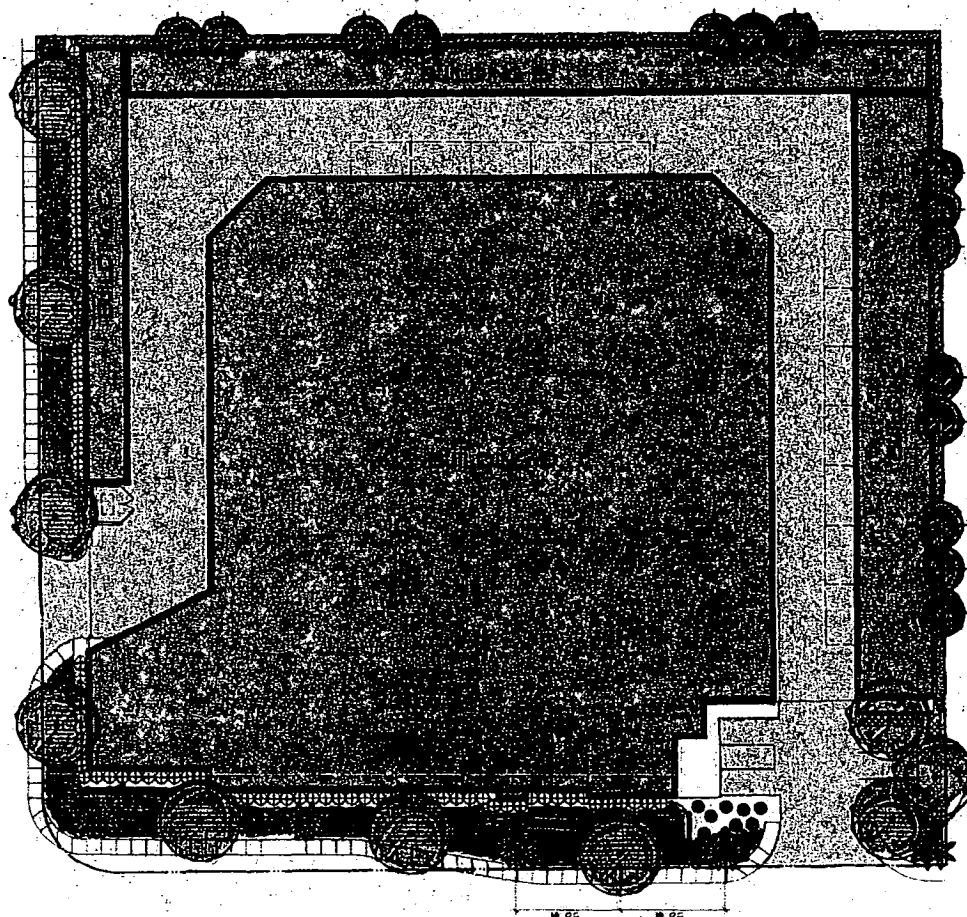


RECEIVED

MAR 16 2005



TYPICAL MEDIAN PLANTING



CENTENNIAL PKWY

PLANT LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
	PRUNUS ELDERBERGII	PINK ELDERBERRY	24" BOX	10	STANDARD TREES
	FRAXINUS VELUTINA 'NO GRANGE'	NO GRANGE ASH	36" BOX	10	STANDARD TREES
	SARGENTINA ROBUSTA 'LTS'	NO GRANGE ASH	36" BOX	10	STANDARD TREES
	CYTISUS VIGORATA	AFRICAN PINE	5 GALLON		
	MELALEUCA NELLERIANA	PEPPERTREE	5 GALLON		
	ABERCROMBIA 5' SP	CATLYN	5 GALLON		
	HYDRANGEA COMESTRIS	HYDRANGEA	5 GALLON		
	ACACIA RED 'CERISE' CANNON	CERISE CANNON ACACIA	1 GALLON		36" OC
	LANTANA 'RED GOLD'	RED GOLD LANTANA	1 GALLON		36" OC
	HYDRANGEA SANTA CRUZ	SANTA CRUZ HYDRANGEA	1 GALLON		36" OC
	MOHAVE GOLD DECOMPOSED ORNATE	1" SCREENED 8" 2" DEPTH IN ALL PLANTER AREAS			

NOTES:

- DISCREPANCIES BETWEEN THE DRAWINGS AND SITE SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT FOR CLARIFICATION BEFORE STARTING WORK.
- CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS PRIOR TO STARTING WORK.
- LANDSCAPE ARCHITECT OR HIS REPRESENTATIVE RESERVE THE RIGHT TO REMOVE ANY PLANT MATERIALS DEEMED UNACCEPTABLE.
- LANDSCAPE CONTRACTOR TO PROVIDE ADEQUATE TREATING FOR THE SITE AND COMPLY WITH THE TREATING LAB'S RECOMMENDATIONS FOR BACKFILL WITH ADJUSTIVE. SUBMIT REPORT TO LANDSCAPE ARCHITECT.
- BACKFILL FOR ALL PLANTING (EXCEPT FOR PALMS) SHALL CONSIST OF THE FOLLOWING ELEMENTS BY PERCENTAGE OF VOLUME:
 - 50% WASHED #1 1/2"
 - 40% OPEN FILL
 - 10% SOIL, 50% FILLER
 - 10% STYRENE
- OPEN FILL AVAILABLE THROUGH THE FOLLOWING SOURCE:
 - WESTERN ORGANICS
 - 1500 JESSIE BLVD
 - LOS ANGELES, CA 90001
 - (213) 639-8318
- QUANTITIES INDICATED ARE FOR CONVENIENCE ONLY. CONTRACTOR TO VERIFY ALL QUANTITIES.
- ROCK FILLING AREAS TO BE TREATED BEFORE AND AFTER INSTALLATION WITH PRE-EMERGENT HERBICIDE.
- ALL PLANTING AREAS SHALL RECEIVE ROCK FILLING. ROCK FILLING SHALL BE MOHAVE GOLD DECOMPOSED ORNATE, 1" SCREENED AT A DEPTH OF 2". SUBMIT SAMPLES TO LANDSCAPE ARCHITECT. (SOURCE: KAL AVALADO MATERIALS OR APPROVED EQUAL.)

SDR-6097
03/24/05 PC

REVISED
3.16.05
RECEIVED
MAR 16 2005



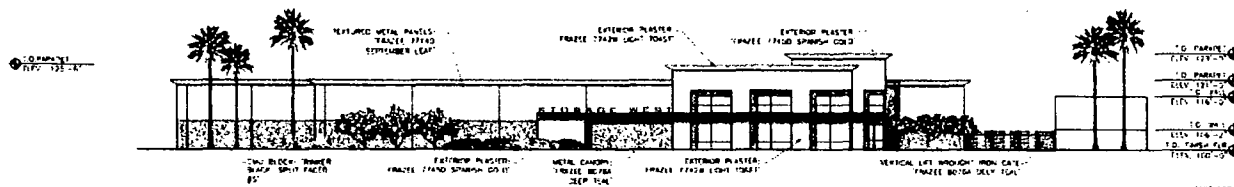
Storage West @ Town Center
located @ Centennial Pkwy & Kevin St, Las Vegas, NV
Prepared for: Swisher & Hall Architects

Landscape Plan

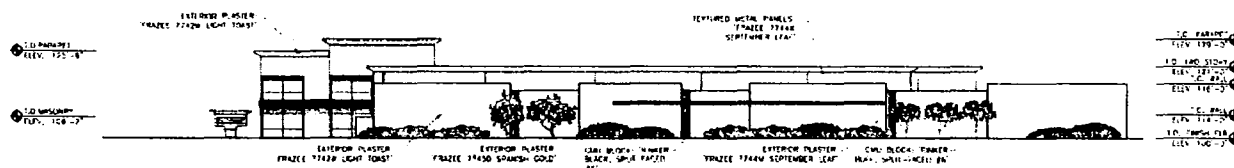
Drawn By: L.B.
Checked By: J.W.
Scale: 1" = 20' - 0"
Job #: 05-0000
Date: 0

L-1

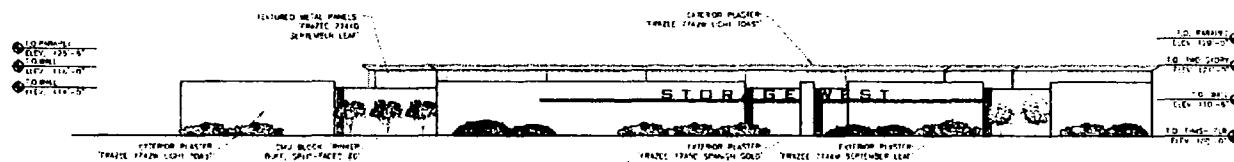
STORAGE WEST
SELF STORAGE
It's Best in the West.



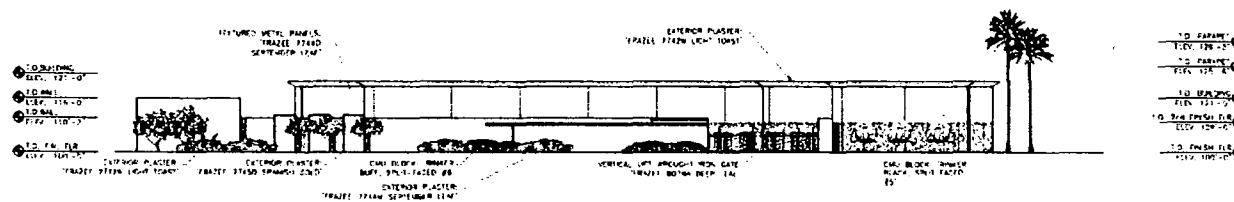
SOUTH ELEVATION - CENTENNIAL PARKWAY



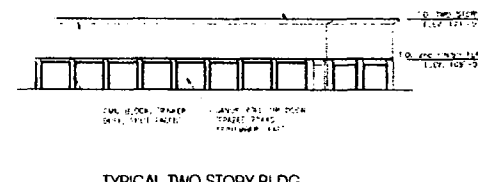
EAST ELEVATION



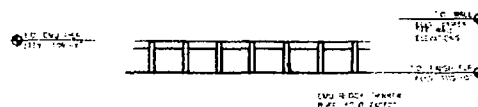
NORTH ELEVATION



WEST ELEVATION KEVIN STREET



TYPICAL TWO STORY BLDG.



TYPICAL ONE STORY BLDG.

JOINING SUBMITTER ELEVATIONS

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

SDR-6097
03/24/05 PC



SWISHER & HALL AIA, LIMITED
 ARCHITECTURE AND PLANNING
 2375 PEAK DRIVE, SUITE 250
 LAS VEGAS, NEVADA 89128
 TEL: (702) 363-1222 FAX: (702) 363-6086
 WWW.SWHALL.COM

REVISED
3.16.05

RECEIVED
MAR 16 2005



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

2/28/05



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

2/28/05

SITE DESIGN REVIEW

Justification Letter

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

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

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

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

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

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

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

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

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

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

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

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

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

March 18, 2005

Michael & Marie Elliott
8950 Cita Vista Cr.
Las Vegas, Nv. 89149

Planning & Development Dept.
Current Planning Division
Development Services Center
Attn: Gary Leobold
731 S. 4th St.
Las Vegas, Nevada 89101

RE: ZON-6100, SDR-6097, SUP-6099 & VAR-6230

Dear Sir:

We strenuously object to placing a storage unit facility in the proposed site.

This is a residential area.....these facilities should be located on Industrial Road or in locales designated for commercial use. Good grief, this is where we live! This business would be located within a stone's throw of houses. I'm also concerned about our property values and the desirability for resale of my property should such a facility be allowed only feet from our homes.

Sincerely,

Michael & Marie Elliott

Michael and Marie Elliott

**READ INTO
THE RECORD**

Telephone Protest/ Approval Log

Meeting Date: 3/24/05

Case Number: VAN-6230
SUP-6099
SDR-60978 ZONT6100

Date: 3-24-05
Name: Shirley Somerville
Address: 8960 Silent Brook
Phone: 656-0057
☒ PROTEST ☐ APPROVE

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

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

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

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

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

**READ INTO
THE RECORD**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING

ZON-6103 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [M-TC (Medium Density Residential - Town Center) Special Land Use Designation] on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with WEEKLY not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and property owner. He explained the zone change to be in conformance with the Town Center plan and requested approval. COUNCILMAN MACK described the project as a mid-rise project adjacent to the Beltway. The project is unique to the northwest and will be a nice, affordable addition to Ward 6.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:02 - 4:04)

5-868

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-6105) application approved by the Planning Commission or

CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

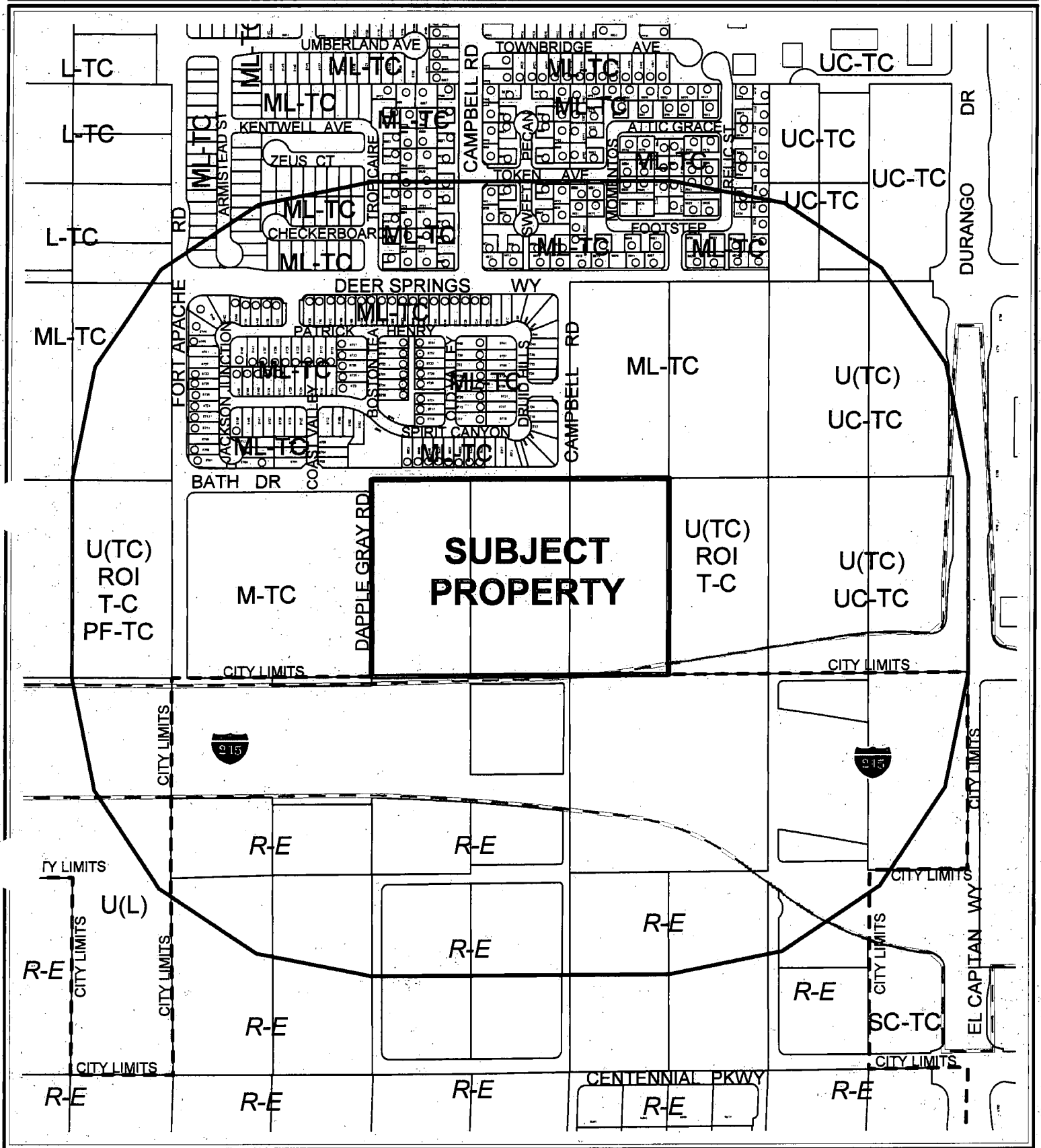
3. Dedicate 40 feet of right-of-way adjacent to this site for Bath Drive and those portions of Bath Drive and Campbell Road necessary to complete the intersection in a manner acceptable to the City Engineer. Final dedication requirements shall be determined at the time of approval of the Tentative Map.

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

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

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

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



CASE: **ZON-6103**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

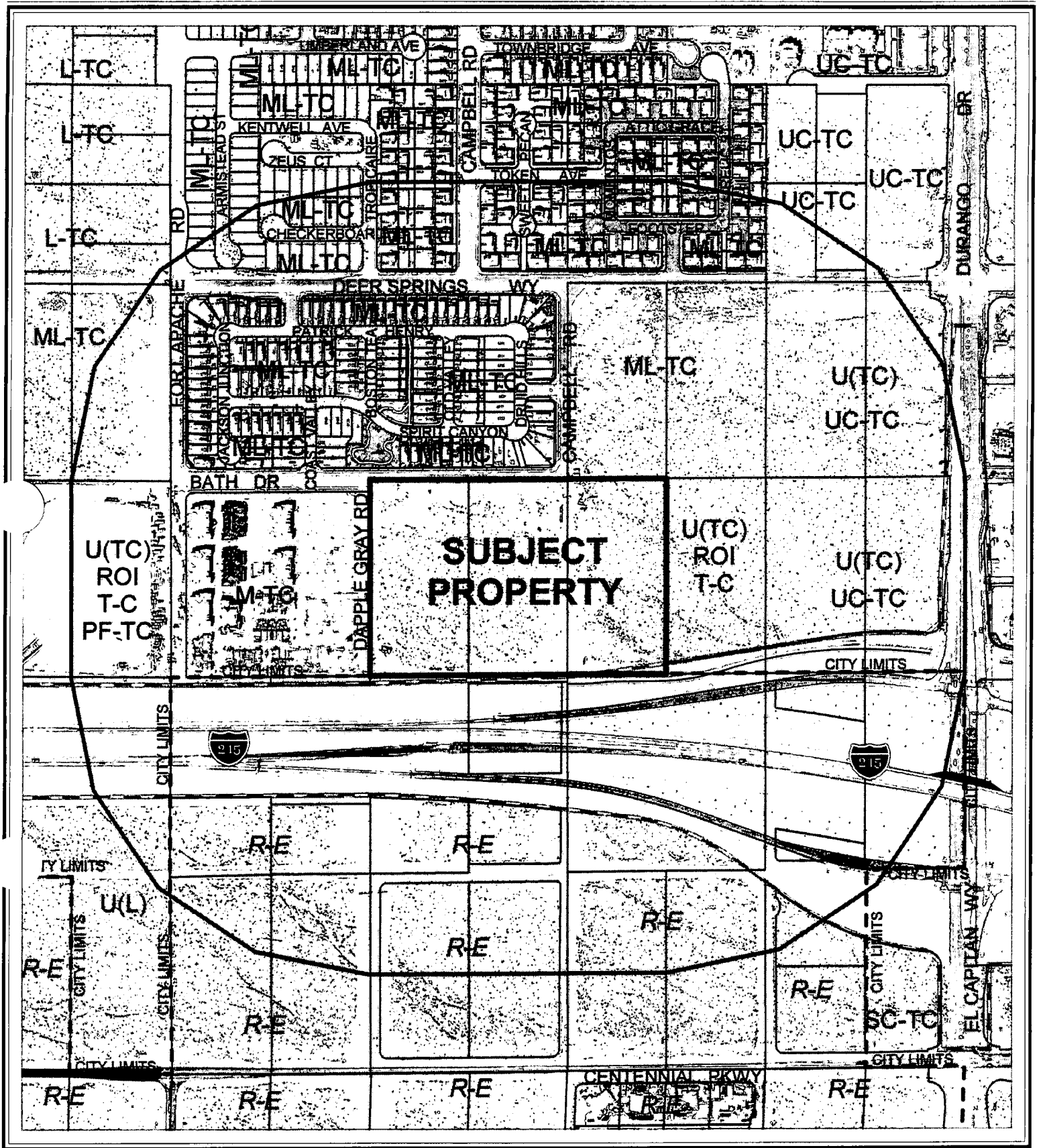
T-C (TOWN CENTER) ZONE [M-TC (MEDIUM DENSITY RESIDENTIAL - TOWN CENTER SPECIAL LAND USE DESIGNATION)]

0 400 800 Feet



120





CASE: ZON-6103

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-6103 - APPLICANT/OWNER: TOWNE VISTAS, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-6105) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Bath Drive and those portions of Bath Drive and Campbell Road necessary to complete the intersection in a manner acceptable to the City Engineer. Final dedication requirements shall be determined at the time of approval of the Tentative Map.
4. Construct half-street improvements on Bath Drive and those portions necessary for the Bath Drive and Campbell Road intersection adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine sewer service for this site prior to the submittal of any construction drawings for this site.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

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

B) Applicant's Justification

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

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

BACKGROUND INFORMATION

A) Related Actions

- 03/24/05 The Planning Commission held in abeyance to their 04/14/05 meeting a related Variance (VAR-6228) application to allow 38-foot setback where residential adjacency standards require a 180 foot setback in conjuncture with a proposed 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road. Staff is recommending denial.
- 03/24/05 The Planning Commission held in abeyance to their 04/14/05 meeting a related Site Development Plan Review (SDR-6105) application for a proposed 372 unit residential condominium development composed of six four story buildings on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road. Staff is recommending approval.
- 03/24/05 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/pl).

B) Pre-Application Meeting

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

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.00

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

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

Beltway Trail

The subject site has a designate multi-use transportation trail located along the southern boundary of the property in accordance with the Joint Parks and Trails Plan for the City of Las Vegas and Clark County. The trail will consist of approximately 12 feet of asphalt paving and will be within the Beltway right-of-way. The City will construct this trail in areas where the beltway is within our jurisdictional boundary. The trail is anticipated to require very little maintenance, if any at all. Adjacent developers will not be required to dedicate property for the trail and will not have to maintain the trail. Pedestrian outlets to the trail will be required of the adjacent developers.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

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

B) General Analysis and Discussion

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

NOTICES MAILED 202 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Towne Vistas, LLC

Name of Applicant: Towne Vistas, LLC

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

Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: 11

Signature of Property Owner: 

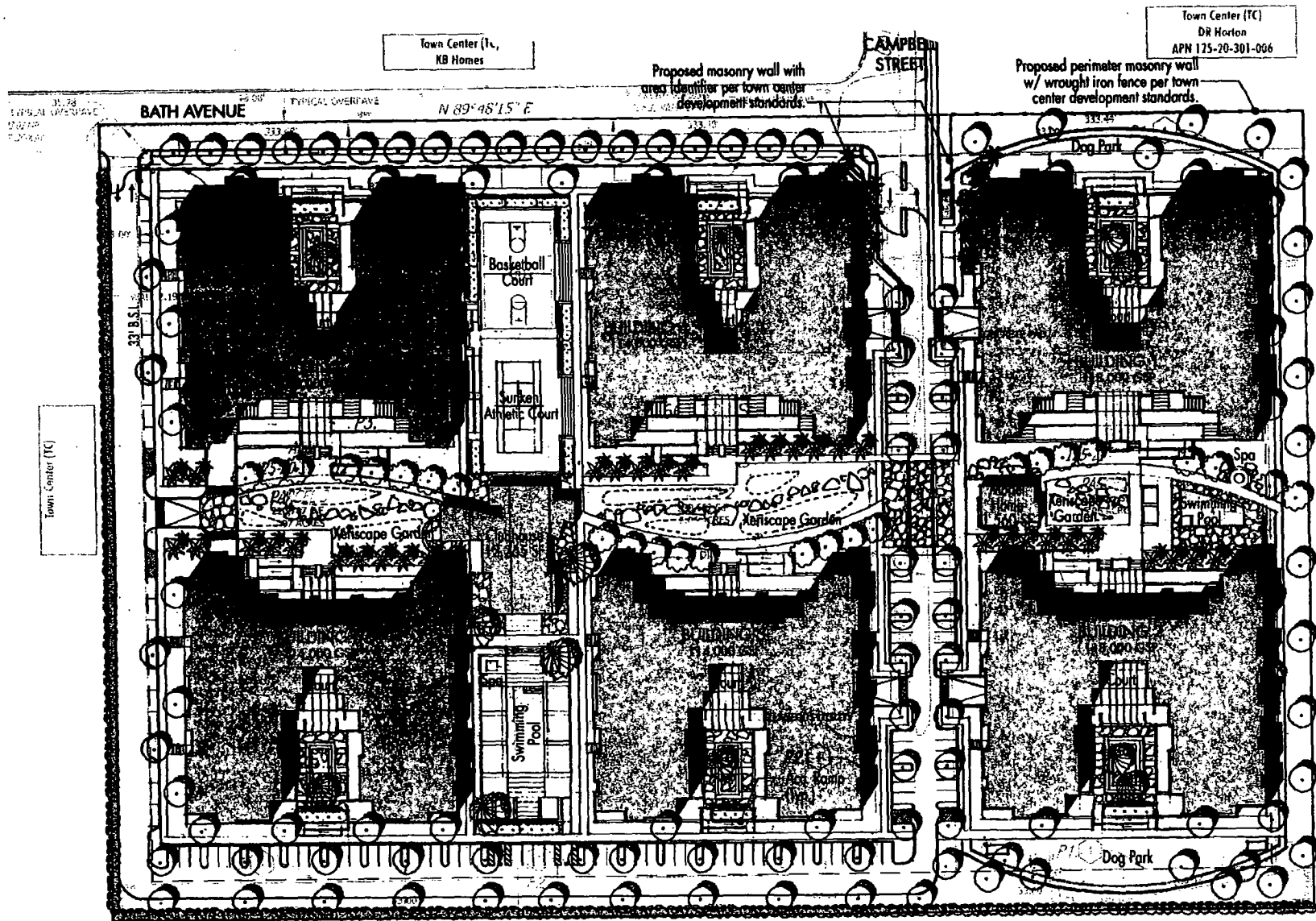
Print Name: Stephen B. Aizenberg, President
Towne Vistas, LLC a Nevada limited liability
company

Subscribed and sworn before me

By: S.B.A. Development, Inc. a Nevada corporation
dba Royal Construction Company a Nevada
corporation, Managing Member

This 2 nd day of February , 20 05

J. Rosanna Eitner
Notary Public in and for said County and State



TOWNE VISTAS

SPINNAKER HOMES
04830-11
DATE 02-08-05

SITE PLAN 2

P studio eleven
at Perrowitz + Ruth Architects

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

ZON-6103
03/24/05 PC

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

February 8, 2005

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

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

To Whom It May Concern:

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

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

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

Sincerely,

KUMMER KAEMPFER BONNER & RENSCHAW


Tabitha F. Keetch

TFK/lsm

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5762 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request to amend a portion of the Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification letter
5. Submitted at City Council - Traffic Study report from Public Works Department for Item 122 [ZON-5765] filed under Item 121 [GPA-5762]

MOTION:

MACK - APPROVED - Motion Carried with WOLFSON and TARKANIAN voting NO

NOTE: DEPUTY CITY ATTORNEY TOM GREEN advised MAYOR GOODMAN that his admiration for DAN MARKOFF will not disqualify him from voting.

MINUTES:

NOTE: A combined verbatim transcript of Item 121 [GPA-5762] and Item 122 [ZON-5765] is made a part of the Final Minutes under Item 121 [GPA-5762].

MAYOR GOODMAN declared the Public Hearing open for Item 121 [GPA-5762] and Item 122 [ZON-5765].

Appearance List:

OSCAR GOODMAN, Mayor
PAUL LARSEN, 300 South Fourth Street
BART ANDERSON, Public Works
MICHAEL MACK, Councilman
DAVID MUNICH, 4816 West Gowan Road
BARRY MOSS, 4900 Omega Circle
MIKE MALONE, 3660 Thom Boulevard
DAN MARKOFF, 4816 Martinelli Court

CITY COUNCIL MEETING OF: APRIL 20, 2005

MINUTES - Continued:

TOM GREEN, Deputy City Attorney

TOM McGOWAN, resident of Las Vegas

STEVEN "CAPTAIN TRUTH" DEMPSEY

ADRIENNE GLUNNONE, 4900 Omega Circle

THOMAS GALL

LARRY BROWN, Councilman

STEVE WOLFSON, Councilman

GARY REESE, Councilman

BRYAN SCOTT, Deputy City Attorney

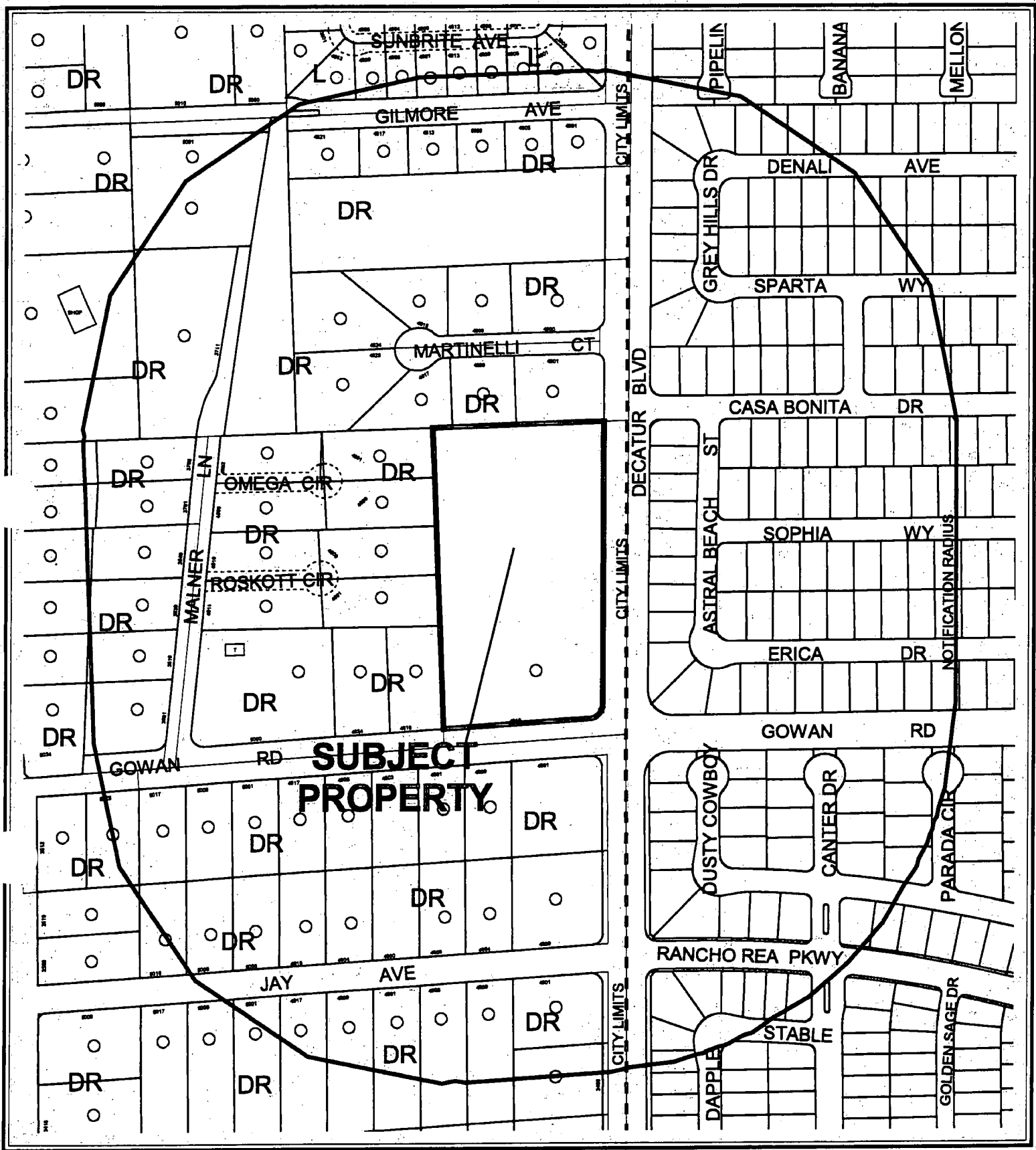
MARGO WHEELER, Director of Planning & Development Department

BARBARA JO (RONI) RONEMUS, City Clerk

MAYOR GOODMAN declared the Public Hearing closed for Item 121 [GPA-5762] and Item 122 [ZON-5765].

(4:04 - 4:48)

5-938



CASE: GPA-5762

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

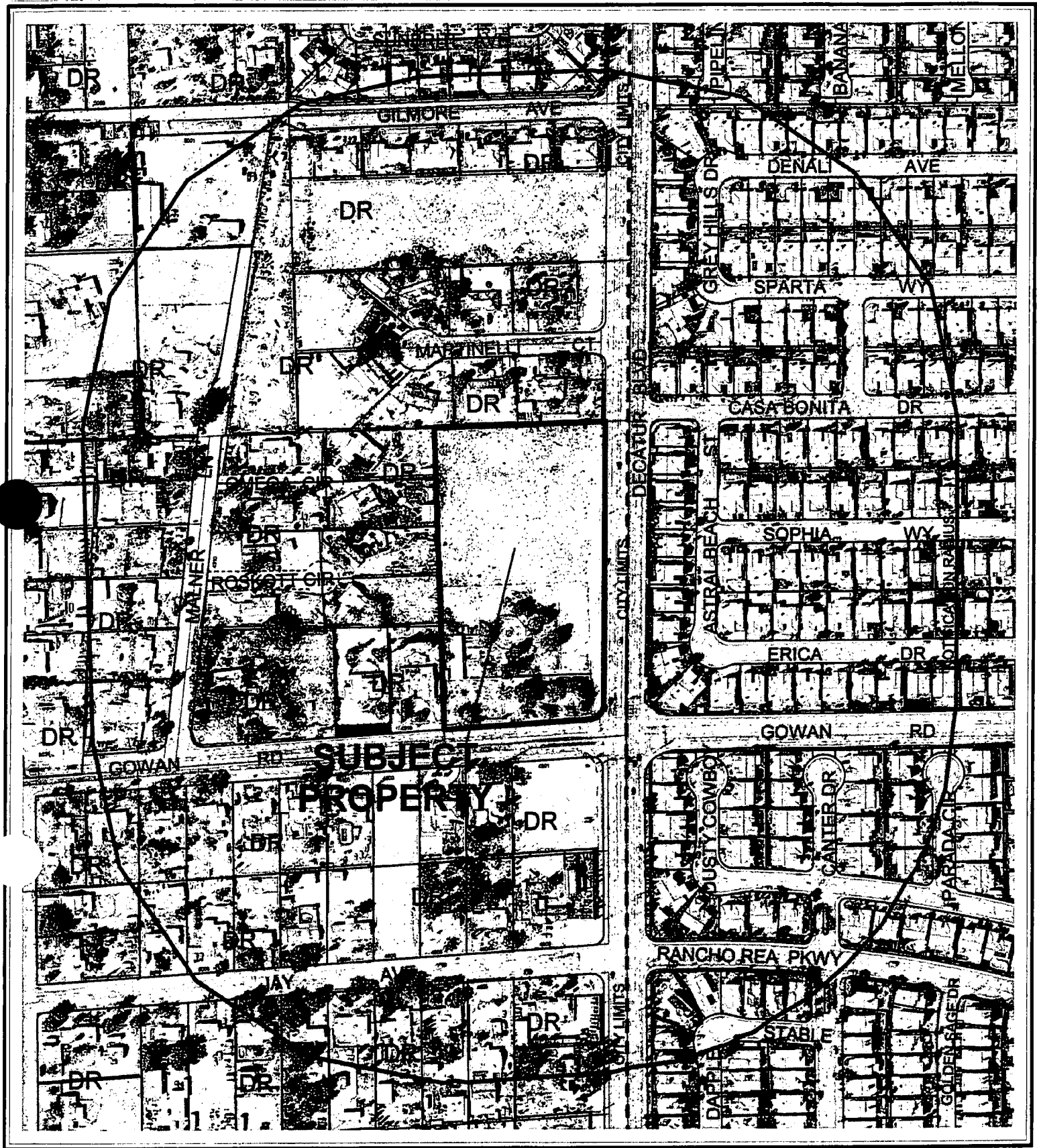
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

121





CASE: GPA-5762

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5762 - APPLICANT: AMTI
SUNBELT, LLP - OWNER: KOBIE CREEK, LLC**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 6, 2005 CITY COUNCIL
MEETING AT COUNCILMAN MACK'S REQUEST.***

**** CONDITIONS ****

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

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located on the northwest corner of Decatur Boulevard and Gowan Road from DR (Desert Rural) to L (Low Density Residential).

The applicant has stated the following justifications for the request:

- The proposed development will be upscale, semi-custom homes with CC&Rs that will promote harmony with existing developments; and
- There is adequate existing infrastructure to support the development.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The Northwest Sector Plan designated this property as R (Rural Density Residential) with a maximum density of 3.96 units per acre.
- 05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. On this plan, the property was designated as DR (Desert Rural Density Residential), with a maximum density of two units per acre.
- 08/18/99 The City Council approved GPA-0023-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 units per acre, Medium-Low Density Residential to allow up to 8 units per acre, and Medium Density Residential up to 25 units per acre.
- 09/28/99 A request for a General Plan Amendment to designate this property as SC (Service Commercial) was withdrawn by the applicant prior to the item being placed on a Planning Commission agenda (GPA-0031-99).
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.

- 02/19/03 The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural Density Residential) land uses with a maximum density of 2.49 units per acre.
- 01/27/05 The Planning Commission voted to hold this item and a related Rezoning (ZON-5765) request from R-E (Residence Estates) to R-1 (Single Family Residential) in abeyance to the 2/24/05 Planning Commission meeting to allow time for the applicant to redesign the project.
- 02/24/05 The Planning Commission recommended denial of a related item (ZON-5765).
- 02/24/05 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #12/ss).

DETAILS OF APPLICATION REQUEST

Site Area: 5.10 Acres

EXISTING LAND USE

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

PLANNED LAND USE

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

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-E (Residence Estates)
South	R-E (Residence Estates)
East	R-1 (Single-Family) [North Las Vegas designation]
West	R-E (Residence Estates)
	R-PD2 (Residential Planned Development – 2 units per acre)

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

DEFINITIONS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2.49 units per acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

L (Low Density Residential) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

This site is not within a Special Plan Area.

RURAL PRESERVATION NEIGHBORHOOD

This site is not within a Rural Preservation Neighborhood.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

This site is not within a Rural Preservation Neighborhood Buffer.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

The subject property is currently developed with a single-family home. Access to the site is available off of both Decatur Boulevard and Gowan Road. Adjacent uses are all single-family homes.

The homes to the north, west, and south are all built at two units per acre. To the east, in the jurisdiction of the City of North Las Vegas, the density is somewhat greater. However, that development is separated by Decatur Boulevard. The requested land use designation of L (Low Density Residential) allows up to 5.5 units per acre, which is out of character for the existing context. The DR (Desert Rural Density Residential) designation is defined in part as “generally a rural environment that permits greater privacy...” The L (Low Density Residential) designation is more suburban in nature and would likely result in development that would diminish the rural atmosphere and privacy that exists now.

Policy 2.1.2 of the Master Plan 2020 states that, “Development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development.” Although this policy addresses the Neighborhood Revitalization Area, it is intended to support and preserve mature neighborhoods, so it is applicable in this context. The General Plan designation requested for this site would allow development that is not sensitive to the surrounding properties and therefore cannot be supported.

FINDINGS

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

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The density of the proposed General Plan Amendment is not compatible with the adjacent land use designations.

In regard to “2”:

The zoning designations that would be permitted by the proposed development allow uses that are out of character and incompatible with the adjacent single-family homes.

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-5762** APN: 138-12-601-040

Name of Property Owner: Kobie Creek LLC.

Name of Applicant: Bearable Homes, INC.

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

Yes

~~_____~~ No

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

City Official: _____

Partner(s): _____

APN: _____

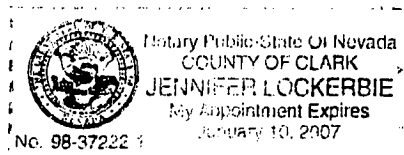
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 2nd day of November, 2004

Notary Public in and for said County and State



In regard to “3”:

This parcel is in an area of the city where all services are existing and available to the site. The property is served by the Northwest Area Command of the Las Vegas Metropolitan Police Department with a substation located approximately one mile away at Decatur Boulevard and Rancho Drive. Fire Station #9, at Lone Mountain Road and Rainbow Boulevard, is the closest city facility to the site. Children’s Memorial Park, at Gowan Road and Torrey Pines Drive, is the closest city park to the site.

In regard to “4”:

There are no other adopted plans or policies that would be applicable.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 12/21/04, the applicant sponsored a neighborhood meeting. The 10 persons in attendance had the following comments:

- The small lot sizes will decrease the value of their homes.
- The area floods so this project will increase water on adjacent properties.
- They would like a new eight-foot wall adjacent to the existing homes.
- They would like one-story homes adjacent to the existing homes.

PLANNING COMMISSION ACTION

The Planning Commission denied the project based upon concerns about density, traffic and access, privacy and drainage. There were three speakers at the Planning Commission meeting protesting the application.

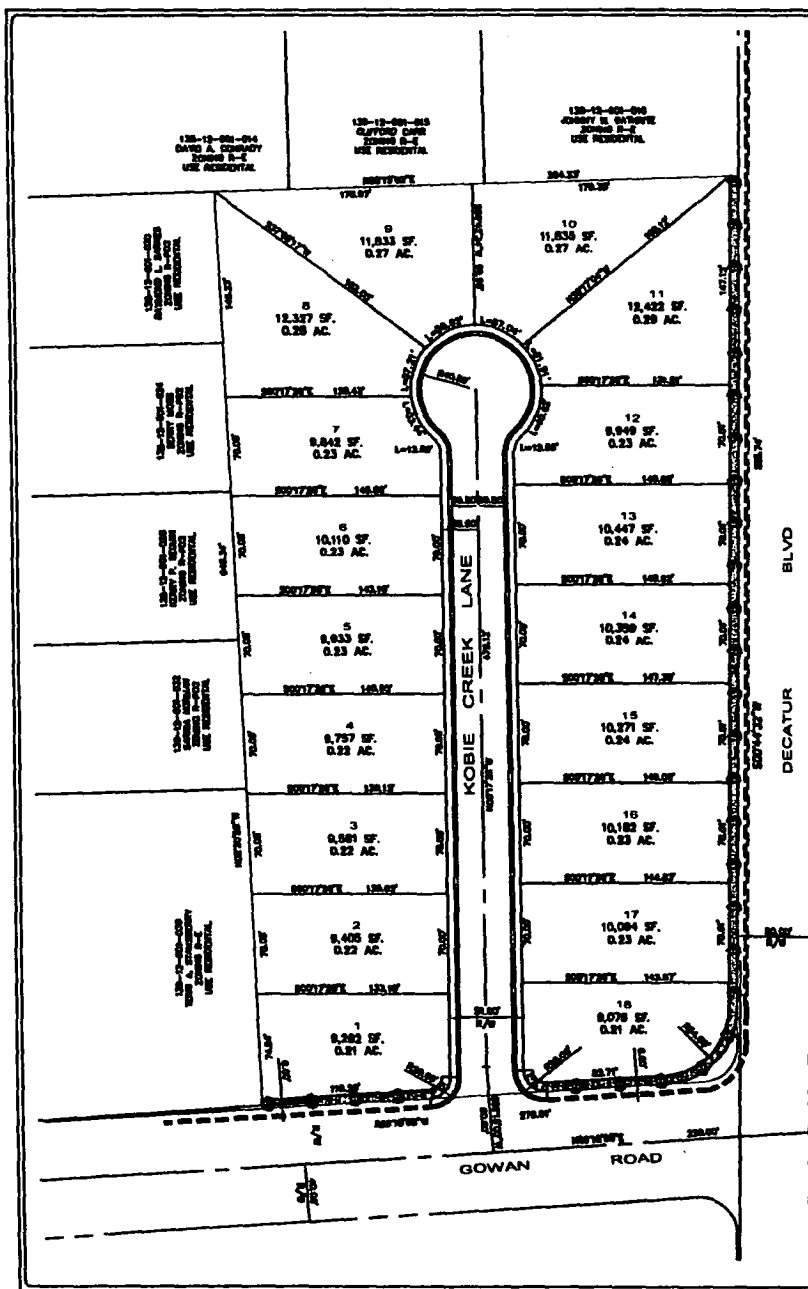
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

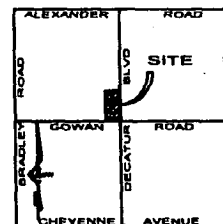
NOTICES MAILED 219 by Planning Department

APPROVALS 0

PROTESTS 3



**PRELIMINARY SITE PLAN
FOR
KOBIE CREEK
A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA**

VICINITY MAPS
N T S

APN: 138-12-601-040

ZONING

OFFICE USE ONLY
 OFFICE USE ONLY
 OFFICE USE ONLY

LAND USE

Parents' Social Policy Agenda

OWNER

OWNER	SUBSIDIENT/DEVELOPER
WILLIAM W. WATTS AND WILLIAM W. WATTS, JR. ONE E. SPRING ST. LOS ANGELES, CALIF.	WILLIAM W. WATTS ONE E. SPRING ST. LOS ANGELES, CALIF. 213-222-2222

LEGAL DESCRIPTION

THIS PERSON IS THE OWNER OF A CAR OF THE MAKE AND MODEL OF THE VEHICLE AND IS THE DRIVER OF THE VEHICLE.

UTILITY COMPANIES SERVICING SITE

.....

SITE DATA

	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74
--	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----

TOTAL NUMBER OF LOTS = 10

10

BASIS OF BEARINGS

[illegible]

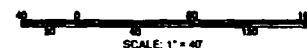
LEGEND

[illegible]

WHE - 24" DIA (30" ON CENTER)
GLASS PARTICULARS (WHE GREEN DIA)



5 GALLON BUCKET
UNDEPOSITED LABORATORY
SAMPLES (1967)



SCALE: 1" = 40'

[illegible]

LANDSCAPE PLAN

LANDSCAPE TEAM
NWC GOWAN RD. & DECATUR BLVD.
KOBIE CREEK

[illegible]

SPENDING

21

REVISED
2.15.05

GPA-5762
2-24-05 PC

RECEIVED
FEB 15 2005

**A SINGLE FAMILY SUBDIVISION
APN: 138-12-601-040
CLARK COUNTY, NEVADA**



W.T.S.



ZONING

LAND USE

[illegible]

THIS PORTION OF THE SHEET MEAS 1 1/2" OF THE LONGEST
 DIMENSION OF THE SHEET MEAS 1 1/2" OF THE LONGEST

[illegible]

REMARKS	C.A. NUMBER	
WINDY AT SEA	NO. OF -	AE 8.00
SET STEADY SEAS	NO. OF -	AE 6.00
SEA TO BE RECORDED AS FOLLOWS FROM THE	NO. OF -	AE 7.00
STATION AREA -	CASE NO -	AE 6.00

TOTAL NUMBER OF LIVES = 10

FROM : 10
 TO : 10
 BY : 10
 OTHER : 10

BASIS OF BEARINGS
 REPORTER'S GAVE THE EXACT NAME OF THE CONVENTION CENTER BEARING OF THE
 INSTANT MATTER BEARING OF SECTION 1, NUMBER 10 NORTH, BEARING ON EAST
 U.S.A. AS GIVEN IN RECORD OF SURVEY IN FILE 10, PAGE 10 OF BEARINGS

CONTAINER	PROPERTY OF
NAME OF USER	LOT SIZE
(SAL) COVERED AREAS	



SCALE: 1" = 40'

[illegible]

**PRELIMINARY SITE PLAN
WC GOWAN RD. & DECATUR BLVD.
KOBIE CREEK**

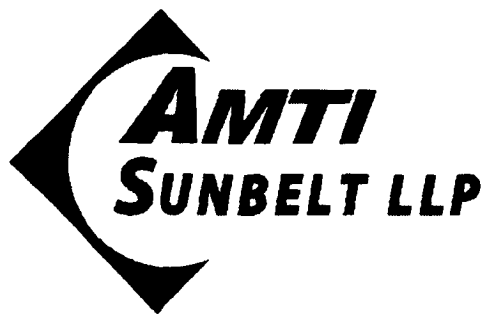
AMTI • SUNBELT LLP
ENGINEERING • PLANNING • SURVEYING
TO SERVE YOU
KANSAS CITY, MO 64108
TEL: 816.481.1000 FAX: 816.481.1001

SECRET
C1
1 OF 1 SHEETS

REVISED
2.15.05

ZON-5765
2-24-05 PC

RECEIVED
FEB 15 2005



CIVIL ENGINEERING · PLANNING · SURVEYING

December 29, 2004

RECEIVED

DEC 30 2004

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: Request for Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan (APN 138-12-601-040).

The purpose of this letter is to request a Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan. Our office has previously submitted an application for this project for a request for rezoning to a RPD-4 designation. After discussions with City of Las Vegas staff and the Client, we would like to revise the rezoning request to a R-1 designation. We are supplying a revised site plan and landscape plan to reflect the change for R-1 zoning. The rezoning application is scheduled to be heard at the Planning Commission Meeting on 1/27/05.

A rezoning is required for the proposed subdivision to meet density requirements. A rezoning of the subject parcels to R-1 is requested. The proposed subdivision exceeds the current zoning (R-E) density of 2.49 units per acre with 4.4 units per acre net. The smallest lot size is 9100 sf and meets the criteria for R-1 zoning.

The subject property is located in a designated R land use area under the General Plan. An application for a General Plan Amendment is being applied for concurrently with the rezoning application.

The proposed subdivision will be marketed as a site for upscale semi-custom homes with OCRs established to promote harmony with the existing developments in the area and to be aesthetically pleasing. The density and intensity of the project is comparable with nearby developments.

There are sufficient infrastructure improvements to accommodate the proposed development. Decatur is a fully improved road and Gowan is mostly improved but will require some additional curb, gutter, sidewalk, and paving. Existing sewer, water, and storm drain are in the streets adjacent to the development. The proposed development is providing a 6' landscape strip adjacent along Decatur and Gowan and is proposing a 10' common lot along the interior street that in will include landscaping and a meandering sidewalk.

We sincerely hope that the requests for these actions be reviewed and considered. Please contact me at # 938-0650 if you have any questions or comments.

Sincerely,
Acclaim MTI, LLP

Kirby P. Adams, P.E.
Project Engineer

Item #122

ZON-5765

AMTI Sunbelt, LLP

Decatur/Gowan

Proposed 17-unit single family subdivision.

Adjacent to Decatur Boulevard, a primary arterial, and Gowan Road, a secondary arterial.

Traffic produced by proposed development:

	Rate per dwelling unit	# units	totals
Average Daily Traffic (ADT)	9.57	17	163
PM Peak Hour (heaviest 60 minutes)	1.01	17	17

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity	Existing Volumes
Decatur Boulevard	51700	28938
Gowan Road	16200	3613

Analysis:

This project will add approximately 163 trips per day, distributed among the adjacent streets. Assuming the traffic is all directed on one street, the increased traffic would represent a net increase of 6-tenths of one percent on Decatur Blvd, which is currently at just over half capacity. It would increase Gowan Road by 4.5 percent; Gowan Road is currently at under 1/4 capacity.

Based on Peak Hour use, this development will produce roughly 17 additional cars into the area; which works out to roughly 1 every 3.5 minutes.

Submitted at City Council

Date 4/20/05 Item # 122

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

**Item 121 – GPA-5762 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMTI
SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request to amend a portion of the
Centennial Hills Sector Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL)
TO: L (LOW DENSITY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of
Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack)**

and

**Item 122 - ZON-5765 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMTI
SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request for a Rezoning FROM: R-E
(RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.10 acres
adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-
040), Ward 6 (Mack).**

Appearance List:

OSCAR GOODMAN, Mayor

PAUL LARSEN, 300 South Fourth Street

BART ANDERSON, Public Works

MICHAEL MACK, Councilman

DAVID MUNICH, 4816 West Gowan Road

BARRY MOSS, 4900 Omega Circle

MIKE MALONE, 3660 Thom Boulevard

DAN MARKOFF, 4816 Martinelli Court

TOM GREEN, Deputy City Attorney

TOM McGOWAN, resident of Las Vegas

STEVEN “CAPTAIN TRUTH” DEMPSEY

ADRIENNE GLUNNONE, 4900 Omega Circle

THOMAS GALL

LARRY BROWN, Councilman

STEVE WOLFSON, Councilman

GARY REESE, Councilman

BRYAN SCOTT, Deputy City Attorney

***CITY COUNCIL MEETING OF
APRIL 20, 2005***

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

31 MARGO WHEELER, Director of Planning & Development Department

32 BARBARA JO (RONI) RONEMUS, City Clerk

33

34 (4:02-4:47)

35 **5-921**

36 45 minutes

37

38 Typed by: Vicky Darling

39 Proofed by: Ydoleena Yturalde

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

40 **MAYOR GOODMAN**

41 Items 121 and 122, 121 is GPA-5762, the applicant is Amti Sunbelt, LLP, the owner is Kobie
42 Creek, LLC. Request to amend a portion of the Centennial Hills Sector Plan from DR (Desert
43 Rural Density Residential) to L (Low Density Residential) on 5.10 acres adjacent to the
44 northwest corner of Decatur Boulevard and Gowan Road. The Planning Commission and staff
45 recommend denial. This is a public hearing, which is now declared open. And 122 is ZON-
46 5765, the same applicant, the same owner. Request for a Rezoning from: R-E (Residence
47 Estates) to R-1 (Single Family Residential) on 5.10 acres adjacent to the northwest corner of
48 Decatur Boulevard and Gowan Road. The Planning Commission and staff both recommend
49 denial. These are both public hearings, which are now declared open.

50

51 **PAUL LARSEN**

52 Thank you, Your Honor. Paul Larsen, 300 South Fourth Street. As you recall, we were in front
53 of you on this item, on both these items, two weeks ago. At the suggestions of, I can't recall if it
54 was Councilman Brown or Councilman Mack, we were asked to see if we could do our, move
55 our driveway from our current alignment along Gowan, that goes directly north, to see if we
56 could bring it in off of Decatur. The rendering you have in front of you shows the – comparison
57 of the two different plans. The advantage of, which we discovered in our redesign, of the new
58 plan is it allows us to put larger lots on the western property line and that would be where the –
59 existing neighbors are. And it also allows us to have a stacking area so that we, when we take
60 the traffic in off of Decatur we are able to put a gate there. So, well, one of the things that we've
61 been asked to address in – terms of the concerns raised by the neighbors in the last meeting was
62 the traffic issue. I think putting the traffic on to Decatur, even if it's a right-in, right-out,
63 addresses their traffic concern. Allowing us to put in a gate and making this subject to a
64 homeowners association that will maintain landscaping, as well as the integrity of the lots and
65 the home décor, that sort thing. Also will address their other issue, and that was the – property
66 values for the neighborhood.

67 Their other concerns were drainage along Gowan. Obviously, we'd be subject to a drainage
68 study and – compliance with that. Since we're not draining into Gowan, they're concerned that
69 we would pool here, because of our entrance, has been addressed and I think we can maintain

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

70 curb and gutter, whatever the necessary improvements are, taking that to the storm drain on –
71 Decatur which I'm – advised is there.

72 With regard to the other concerns that have been raised in the various private meetings we've had
73 as well as the meetings in – front of this board, we've also suggested that it might be appropriate
74 to put a condition on any approval that would require single-story lots along the west property
75 line and as well as a minimum lot size of 10,000 square feet. And, at that, I'd be happy to
76 answer any questions you might have regarding this project.

77

78 **MAYOR GOODMAN**

79 All right. Are there any questions with Mr. Larsen? I will say this, I'm – delighted that I'm
80 getting these at least rudimentary, although that, it's not facetious, they're very helpful, traffic
81 studies. Who's preparing those?

82

83 **BART ANDERSON**

84 I am, Sir, with the assistance with the Traffic Engineer providing the data.

85

86 **MAYOR GOODMAN**

87 All right. It's very helpful, because there's a breakdown. It's certainly a matter of public record
88 here, but basically the bottom line is that the project, as proposed, will add approximately 163
89 trips per day distributed among the adjacent streets and, assuming the traffic is all directed on
90 one street, the increased traffic would represent a net increase of 6/10ths of 1 percent on Decatur
91 Boulevard, which is currently just over half capacity. It would increase Gowan Road by 4.5
92 percent. Gowan Road is currently at under a quarter capacity and based on peak hour use, this
93 development will produce roughly 17 additional cars into the area, which works out roughly at 1
94 every 3 and a half minutes.

95

96 **COUNCILMAN MACK**

97 Your, Your Honor?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

98 **MAYOR GOODMAN**

99 Yes?

100

101 **COUNCILMAN MACK**

102 I had some question on how they get these trip counts. And I guess trip counts contain whether
103 the paper boy comes in a car, the mail man comes and goes. For each resident, it's counted. So
104 whether your maid comes, your pool person, you leave twice a day, so I think –

105

106 **BART ANDERSON**

107 And – in addition when you leave and when you come back is counted as two separate trips. So,
108 it's really, overstates the situation to some extent.

109

110 **MAYOR GOODMAN**

111 Well, but it's helpful to me and I appreciate this.

112

113 **BART ANDERSON**

114 But – Yes, Sir, and –

115

116 **COUNCILMAN MACK**

117 Just wanted to point that out.

118

119 **BART ANDERSON**

120 the Traffic Engineer has committed to me that they will be providing the information on all
121 applications and it will be part of your staff report in the future.

122

123 **MAYOR GOODMAN**

124 All right. Thank you very much. I appreciate that. Miss Ronemus, I'm gonna file this with you,
125 please. All right. It's a public hearing, folks, would anyone like to be heard?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

126 **DAVID MUNICH**

127 Good afternoon, Mayor Goodman, Council.

128

129 **MAYOR GOODMAN**

130 Good afternoon.

131

132 **DAVID MUNICH**

133 I live at 4816 –

34

135 **MAYOR GOODMAN**

136 Your name, please.

137

138 **DAVID MUNICH**

139 David Munich. I live at 4816 West Gowan Road. Three of the properties will be on my
140 property. I move there for a reason seven years ago. It was because it was a minimum zoning
141 was a half acre per property. And that's nice and enjoyable and you can do a lot with it. By
142 lowering it below that to a quarter acre, they'll be other people doing other things and using them
143 as an example to lower it to a quarter acre, and that's not why I moved there. I feel he should be
144 putting that in, I appreciate what he did by having the entrance on Decatur. That helps out,
145 because the entrance on – Gowan would be, I almost probably could never get out of my house
146 being next door to him, 'cause they'd be making right turns. But, that's good, but the point being
147 is if he goes up to a half acre, I think meets the requirements of everybody else there. Because
148 I'm almost three quarters of an acre. It would be amenable to the entire community. I – think
149 there was something like 170 houses total, in the group. So if he meets the half acre and also the
150 – single level, so I can still keep my privacy, that would be great.

151

152 **MAYOR GOODMAN**

153 Thank you very much.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

154 **DAVID MUNICH**

155 Thank you.

156

157 **MAYOR GOODMAN**

158 Yes, Sir?

159

160 **BARRY MOSS**

161 My name's Barry Moss. I live at 4900 Omega Circle, which backs onto the property in question.

62 My main objection is – the fact, again following on the idea we'd prefer half acre parcels. My –
163 lot is half acre. One next to me actually is larger than that, I would certainly wouldn't want to
164 get any lesser than half acre for parcels around there. They, it would be a nasty – precedent.

165 Thank you.

166

167 **MAYOR GOODMAN**

168 Thank you, Sir.

169

170 **MIKE MALONE**

171 Thank you, Mayor, Council. My name is Mike Malone, 3660 Thom Boulevard. I know you've
72 heard all the objections, so therefore I'm not going to give you any more as far as half-acre lots
173 are concerned. You know what we want and that's the majority of the people. Everyone here
174 has been elected. I've been elected. I was elected to the Assembly and I was elected to the
175 Senate. And now I'm also elected, as President of NARA, which is 742 homes. That's a lot of
176 people. To the home, to the person, they object to this issue, to these two items here on the
177 agenda for today.

178 We made it easy for you. I wish when I was in office that I had it this easy. And that is
179 everybody's against it. I would say halleluia, I've got an easy vote today. And I would vote
180 against it. So therefore, I'm looking forward, as a representative of our constituents, they're our
181 constituents now, to you voting against Item 121 and Item 122. Thank you.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

182 **MAYOR GOODMAN**

183 Okay. Thank you very much. Anyone else like to be heard?

184

185 **DAN MARKOFF**

186 Good afternoon, Your Honor, Councilmen, Councilwoman. My name's Dan Markoff, 4816
187 Martinelli Court. My property is immediately to the north of the proposed development. Last
188 couple of weeks, when I was before you, I expressed to you my feelings about how it is when
189 somebody comes, even though they may be a good business and plants a development within the
90 midst of a community that the community finds – objectionable. Everybody out in my
191 neighborhood, everybody, wanted and wants to maintain minimum half-acre properties. That is
192 what the area was zoned for, that's why we moved there and we relied upon the law of zoning
193 when we went out there and invested our money, and our time and our lives to live in that area.
194 We had a reasonable right of expectation under the law that things would stay that way.
195 Now we have a situation where one person, one person, is coming into our neighborhood and
196 wanting to completely upset the entire area. To a man, you have before you a petition signed by
197 one hundred and nine people objecting to this development. You have the Planning Commission
198 of the City of Las Vegas disapproving of this project. You have the staff of your own
199 governmental organization here recommending against – this. What we have here as Senator
J0 Malone said, is essentially a grand slam of the citizenry of Las Vegas who are opposed to this
201 project. None of us are opposed to this project in the sense of saying the person can't develop it
202 at all. We're saying, look, you knew what it was when you came here. You know what it was
203 that we want and why we went there. And all we are asking you to do is abide by the same law
204 that we abide by and not carve out this little exception for you, to create what we feel is a wart in
205 our neighborhood.

206 Now, I'm a lawyer. I've dealt with the law for 32 years. And dealing with the law, which zoning
207 forms a part of, you're entitled to rely upon what the law is in the conduct of our daily affairs.
208 My one hundred and nine neighbors have all relied on that law and have an expectation that they
209 should be able to live under the conditions in which they went into that area. We ask nothing
210 more than that our reliance be recognized and that the law as it is remain constant so that we can
211 enjoy our lifestyle and not have it starting to get all jammed up. As I said in one of my former

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

212 comments to you, it's not how big or how fancy the house is that is put on a piece of property,
213 what is important to us, in our community, is the space. It's the openness and that's what we
214 desperately want to maintain. Thank you all for your attention.

215

216 **MAYOR GOODMAN**

217 Okay. Let me say this to you, Mr. Markoff.

218

219 **DAN MARKOFF**

20 Yes, Sir.

221

222 **MAYOR GOODMAN**

223 You're a dear friend of mine.

224

225 **DAN MARKOFF**

226 Yes, Sir.

227

228 **MAYOR GOODMAN**

229 We go back –

30

231 **DAN MARKOFF**

232 Thirty years.

233

234 **MAYOR GOODMAN**

235 Probably better than that.

236

237 **DAN MARKOFF**

238 Yeah.

239

240 **MAYOR GOODMAN**

241 Knew your dad. Used to hang around the law library all the time, do some research.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

242 **DAN MARKOFF**

243 Yes, Sir.

244

245 **MAYOR GOODMAN**

246 You're presentation two weeks ago has been worrying in the back of my mind. I – felt that, I'm –
247 not really impressed with the fact, with all due respect, that a hundred and six people don't like
248 something and you better do it because it's a hundred and six. That, but what you were – saying
249 really impressed me as far as that rural lifestyle, the fact that reliance, the fact that you had
50 something that was pristine, I think you used that phrase, if I'm not mistaken.

251

252 **DAN MARKOFF**

253 Yes, Sir.

254

255 **MAYOR GOODMAN**

256 And it's been bothering me. My vote here is gonna be a tough vote. I – just want you to know
257 that. Because I listened very carefully to what you had to say.

258

259 **DAN MARKOFF**

50 And I appreciate that. And we – want the Council to give this its deepest consideration, because
261 it's important to us. And it's not just the numbers, you're right, it's not just the numbers. But
262 when you start changing the area, you changed the hopes and expectations of everybody there.
263 And we went out there wanting to live a certain lifestyle and the law allowed us that. And that's
264 all we want. You know, it's – not that these people are not reputable. It's not that they don't
265 build a decent house. It's not gonna crash in on somebody. It's the fact that it's the space, it's the
266 elbow room. It's the ability to have our horses. It's the ability to look out and see the mountains
267 once in a while. You know, and things of that nature. And the more we crowd it up, the more
268 we have lost the most valuable commodity that has made not only Las Vegas, I submit, but
269 Nevada, one of the greatest places in the world. And that is its openness. Not only socially, but
270 the ability to look out and not be crowded by other people right on top of you. Thank you very
271 much.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

272 **MAYOR GOODMAN**

273 Okay. And – thank you. And, Mr. Green? The fact that I have a great deal of affection for Mr.
274 Markoff would no way disqualify me from voting; would it?

275

276 **TOM GREEN**

277 No, Your Honor, I share that with you. That's just something in the legal community that
278 everyone has and has no ramifications on your vote.

279

80 **MAYOR GOODMAN**

281 Very good. Okay.

282

283 **DAN MARKOFF**

284 Thank you, Sir.

285

286 **MAYOR GOODMAN**

287 Great.

288

289 **DAN MARKOFF**

90 Thank you all.

291

292 **MAYOR GOODMAN**

293 Yes?

294

295 **TOM McGOWAN**

296 Tom McGowan, Las Vegas resident, and I – confess that there is nothing between the Mayor and
297 I that would prevent me from speaking on this particular issue. Even though he is a recovering
298 attorney, as I understand. Thank you. The previous speaker was more than eloquent. He hit the
299 nail right on the head. He told you about community. He told you about the rights of people in
300 our form of government. He said, in so many words, government of, by and for the people.
301 There's plenty of other areas that can be developed in the City of Las Vegas, and there will be

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

302 even additional areas coming available in time, as certain areas become dilapidated or run down.
303 There'll be all sorts of opportunities for developers. There's only one opportunity for the people
304 who reside in that community to truly enjoy their decision to reside there in the first place. You
305 have an obligation to uphold the genuine best public interest of all the people, including the
306 developers. The developers didn't get here first. They (inaudible). And so the people in my
307 opinion, their interests should be fully respected and honored and promoted by this City
308 government, aka comprised of public officials. Public officials. Thank you very much.

309

10 **MAYOR GOODMAN**

311 Anybody else like to be heard?

312

313 **STEVEN "CAPTAIN TRUTH" DEMPSEY**

314 Yes. Steven "Captain Truth" Dempsey. I gotta admit when I, when this, I believe this was the
315 item that was tabled before, a couple weeks ago. And I listened to the arguments before and I
316 was so impressed in the last couple months when, in Councilman Wolfson's Ward, the people
317 came out against something, they conducted how many meetings was it? Thirteen I believe, if I
318 – remember correctly. Councilman Wolfson, and your – staff and, I think you are to be
319 commended for the way that was handled. And it was so obvious to me that it was done right.

20 Because at that point, everybody who had, almost everybody, at least 90% of the people who had
321 originally spoke against the item, stood here in support of it, after 13 meetings. Well, to me,
322 that's the question here. Do the people of Ward 1, or I guess you have Councilman Mack,
323 deserve less representation than the people in Councilman Wolfson's Ward? I don't think so. I
324 think, you know, that's the way it should be done. I didn't hear anybody who was against it
325 before who says, well, you've convinced me. It should be done now. I think it should be a
326 pretty easy decision for you, you all. It should be. Thank you.

327

328 **MAYOR GOODMAN**

329 Anybody else like to be heard at this time?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

330 **ADRIENNE GLUNNONE**

331 My name is Adrienne Glunnon and I live at 4900 Omega Circle. Basically I just want to add my
332 voice to the others that we are opposed to this because we don't like the fact that it's gonna be a
333 lot of properties in a small space. We bought in the area last July, because we liked the open
334 space of it. We liked the open feel of it and we wanted a place for my daughter to be able to run
335 and play in her backyard without having to worry about people looking over her. That and the
336 fact that, as a family, my father is Barry Moss, we're trying to preserve our family income, our
337 inheritance for my brother and I, who, my brother couldn't be here. We just, we would like to
38 keep it in character with the rest of the neighborhood and keep the lots to half-acre sizes. And
339 that's all I'd like to say. Thank you.

340

341 **MAYOR GOODMAN**

342 Thank you. Anybody else like to be heard?

343

344 **THOMAS GALL**

345 My mother passed away in November of last year. Somehow the State brought my mother to
346 Bunkers Mortuary. Since November, I've had major problems with Bunkers Mortuary – a

347

48 **MAYOR GOODMAN**

349 Mr. Gall, are you speaking to this particular issue, as far as –

350

351 **THOMAS GALL**

352 No, I'm on the public side –

353

354 **MAYOR GOODMAN**

355 No, that's – a little bit later.

356

357 **THOMAS GALL**

358 Oh, I'm sorry. I thought it was all over with.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

359 **MAYOR GOODMAN**

360 No, if you – stick around for about 10 minutes, you'd probably –

361

362 **THOMAS GALL**

363 Okay. I'm sorry.

364

365 **MAYOR GOODMAN**

366 No problem. Okay. Anybody else like to be heard? All right. Then we'll close the public
67 hearing. Mr. Larsen?

368

369 **PAUL LARSEN**

370 Thank you, Your Honor.

371

372 **MAYOR GOODMAN**

373 Just –

374

375 **PAUL LARSEN**

376 Your Honor, if I could direct your attention to the overhead. The suggestion has been made, not
77 overtly, but implicitly through the comments of the neighbors, that this is in the middle of a rural
378 neighborhood. When, in fact, if you look at the overhead here, you see this is the intersection of
379 two major streets as well as the border between the City of Las Vegas and the City of North Las
380 Vegas. The City of North Las Vegas has developed, in contrast to the surrounding neighbors, a
381 fairly dense, in comparison, project on the other side of Gowan. What we had, and excuse me,
382 other side of Decatur, but these folks have always been buffered by the very property we're
383 talking about tonight.

384 The property we're talking about tonight, with the design that we have proposed continues to
385 buffer that neighbor. It provides a buffer in the form of there's no access onto that
386 neighborhood. It's a buffer in the form that there's no access, no traffic that will be going
387 through their neighborhood, in any kind of transit capacity. There is virtually, almost

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

388 immeasurable impact on the traffic on Decatur and Gowan. And I would suggest that every
389 legitimate design issue that they've raised, we've addressed with our redesign.
390 We've addressed the privacy issue that the last woman to speak talked about, in terms of she
391 doesn't want someone looking over their wall. We're gonna have to rebuild several of these
392 walls, 'cause, or excuse me, at least this location 'cause that wall has been knocked down and –
393 the folks are using that for transit in and out of the back of their property. So I would suggest
394 that – simply because a parcel is a half acre, does not mean it's a good neighbor. I would suggest
395 the design we've come up with, where we have a gated community. Where we have design that
96 addresses their concerns in terms of single stories on that western property line, as well as the
397 limited density, we've dropped it down significantly. We're – now just barely over one third of
398 an acre, as opposed to the half acres that we're talking about with these folks.
399 We've agreed to a minimum condition of 10,000 square feet, with most of our small lots being
400 arrayed along Decatur, rather than the surrounding neighborhood. So with all due respect to the
401 – neighbors who spoke and they did speak very passionately, I think that with the design that
402 we've proposed this parcel, this five acre parcel, can continue to be a buffer for this
403 neighborhood from the more dense housing that is taking place in the City of North Las Vegas.
404 And with that, I'd be happy to answer any questions you might have.

405

96 **MAYOR GOODMAN**

407 All right. Thank you. Any additional questions or comments? All right. We'll close the public
408 hearing and, Councilman Mack?

409

410 **COUNCILMAN MACK**

411 Do my colleagues have any, anything?

412

413 **COUNCILMAN BROWN**

414 (inaudible)

415

416 **MAYOR GOODMAN**

417 Yes, Councilman Brown?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

418 **COUNCILMAN BROWN**

419 Your Honor, I – do want to make a couple quick comments and – one of the things that having
420 been involved with NARA for – eight years plus, plus, we're at the tail end of the preservation of
421 NARA as an organization. And, Mike, you've been involved with it far longer than I have, but
422 we're certainly closing on the finish line to really do all the infill development out there. And
423 the battles that you fought 10, 12 years ago and even 6, 7 years ago, have come to fruition with
424 some just outstanding project, product, not only residential but some of the commercial on
425 Rancho. So, what makes this unique is that it is one of the last, I will call, last critical infill and
26 very important infill. And one of the things ideally, if we could get a matching half acre, true
427 half-acre lots abutting Decatur, that would be in everybody's perfect world. But we're not gonna
428 get that. I – think that's unrealistic to even think that today.

429 So then precedent, not only in the NARA area, but certainly infill in – my Ward 4 and in other
430 areas in the northwest, we look for those key compromise issues and I – this is my opinion, and
431 I'll just put it onto the record, but some of the things I traditionally hear are how do we match up
432 with the existing homes? And under this layout, on the western portion, you have the four lots
433 and then the one long linier lot. Now, that – if there were six lots there, they'd be lining up to the
434 seven that are proposed under this application. Not perfect, but certainly not too bad, especially
435 on Omega. Those houses are further west from the boundary line. And it's my understand that
36 these are going to be single story dwellings. That's a pretty good compromise on that – border.
437 And on the northern border, I think Martinelli Court, you have the two homes probably abutting
438 two homes. In perfect half acres, no, but pretty good balance as far as a potential compromise.
439 A gated community, an HOA, taking the traffic out to Decatur. Price points, there, I'm sure
440 they're going to be extreme –

441

442 **PAUL LARSEN**

443 We'd indicated in a previous meeting, we're gonna start at approximately a half million dollars.

444

445 **COUNCILMAN BROWN**

446 And – minimum 10,000 square foot lots? It's not perfect, but at the end of the day, if we back
447 off, if we took your overhead, Mr. Larsen, and then took it all the way back and took in most of

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

448 NARA and what's on the Decatur corridor, this isn't – bad. I don't think, and certainly time will
449 tell, but it, I'm going to support the project. Because at the end of the day, when this is fully
450 built out and the purchases are in and the neighbors are – your neighbors, I think it's going to be
451 an amenity. I think it's going to actually enhance, and most importantly, take another piece of
452 that puzzle out of fear of something commercial or far more intense going in. Again, not perfect,
453 but from my experience, a pretty good compromise.

454

455 **MAYOR GOODMAN**

56 All right. Anybody else like to be heard? Councilman Wolfson.

457

458 **COUNCILMAN WOLFSON**

459 Mayor Goodman, thank you. Mr. Larsen, you said something just a couple minutes ago which
460 struck a nerve with me. And I don't necessarily mean to indicate it's going to tell you which way
461 I'm going to vote on this issue, but you said half-acre lots don't necessarily equate to being good
462 neighbors.

463

464 **PAUL LARSEN**

465 Indeed. The –

56

467 **COUNCILMAN WOLFSON**

468 Well, I'm not looking for a comment right now.

469

470 **PAUL LARSEN**

471 Okay.

472

473 **COUNCILMAN WOLFSON**

474 And I don't mean to be disrespectful. But I think I agree with you. I don't think that just because
475 you have bigger lots and potentially bigger homes makes that human that's going to occupy that
476 home and then affect the area a better neighbor. And I agree with you on that. But what strikes
477 me in this project and probably, today, this is the most difficult vote I'd had all day. And we've

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

478 had a lot of votes and today hasn't been all that much of a controversial day, but this one, for
479 some reason, I'm going back and forth on. And I think it really comes down to profit and how
480 much profit should a developer be entitled to. And I'm not against profit and I'm not against
481 development. But I think compromise is what is appropriate, at least to me in this case, and I
482 accept what your client has done so far. I think you've done some compromising and I think
483 you've done some modifications to try and make it as acceptable and pleasing to the surrounding
484 neighbors as possible. But what it comes right down to me is that you're proposing a 17 home
485 development. And I recognize what's on the other side of Decatur and I recognize what's in a
86 surrounding area somewhat on the outskirts, if you will, from the site of this project. But when I
487 look at the map and I see a 17-home development, I don't think it's appropriate when I hope and I
488 believe that your client can still profit by toning down the number of homes. That's how I feel
489 on this. Thank you.

490
491 **MAYOR GOODMAN**
492 All right. Anybody else on the Council? All right. I – assume, Mr. Larsen, that your client has
493 gone into the pencil pushing and bean counting that goes along with a project like this, in
494 considering half-acre lots rather than one-third acre lots?

495
496 **PAUL LARSEN**
497 Yes, we have, Your Honor.

498
499 **MAYOR GOODMAN**
500 And – concluded that that would not be economically feasible?

501
502 **PAUL LARSEN**
503 About the break even point for us would be about 16 lots, Your Honor.

504
505 **COUNCILMAN WOLFSON**
506 May – I, Mayor? What does that mean, break even? In another words, if you only put 15
507 homes, with your permission, Mayor?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

508 **MAYOR GOODMAN**

509 Certainly.

510

511 **COUNCILMAN WOLFSON**

512 Then your client is – going to lose money, won't make money on this? It won't pencil out for a
513 profit if you put 15 homes or 14 homes?

514

515 **PAUL LARSEN**

516 If – you talk about the return on the capital invested in this project verses some other possible use
517 of the money, it, that's about the point where it becomes less economic to develop this than do
518 some other project.

519

520 **COUNCILMAN MACK**

521 Councilman Wolfson, I think also, just to address that, if – this was to be chopped up into half
522 acres, not only, you know, we look at profits per se to the – developer, but the affordability.
523 Now these homes are now going to go from \$500,000 to \$750,000 homes and what is the market
524 today to buy a \$750,000 home fronting Gowan and Decatur?

525

526 **COUNCILMAN WOLFSON**

527 I – understand the (inaudible)

528

529 **MAYOR GOODMAN**

530 Okay. Dan, I think you – said it all.

531

532 **DAN MARKOFF**

533 (inaudible)

534

535 **MAYOR GOODMAN**

536 All right, I'll – give you your – due.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

537 **DAN MARKOFF**

538 Very brief.

539

540 **MAYOR GOODMAN**

541 All right, come up to the mic.

542

543 **DAN MARKOFF**

544 I had a conversation –

545

546 **MAYOR GOODMAN**

547 Come up to the mic, please.

548

549 **DAN MARKOFF**

550 Thank you, Sir.

551

552 **MAYOR GOODMAN**

553 Please re-identify yourself.

554

555 **DAN MARKOFF**

556 Dan Markoff, 4816 Martinelli. I had a conversation with the developer after the last meeting and
557 I asked him that very question, about what's the profit margin in here. He did not indicate that if
558 he went to half acre, it was a break even. He told me that it was just a question of not making as
559 much money. And that's it. Mr. Wolfson hit it right on the head. And the – fact of the matter is
560 the developer told me and I'm representing to you what he said, that it was just a question of him
561 making more money with more houses. It's not a question of him losing money or breaking
562 even. It just not as much profit, that's all. Thank you.

563

564 **MAYOR GOODMAN**

565 All right. All right. Anything else?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

566 **COUNCILMAN BROWN**

567 Your Honor?

568

569 **MAYOR GOODMAN**

570 Councilman?

571

572 **COUNCILMAN BROWN**

573 Your Honor?

574

575 **MAYOR GOODMAN**

576 Councilman?

577

578 **COUNCILMAN BROWN**

579 If I – could and this is not to be argumentative, this is a question to Mike and the neighbors,
580 NARA is – not a pure half acre world enclave. It started out 20 years to be, but there's been
581 some pretty good examples of some, let's call it urban development in there, internal by Parsons,
582 those two subdivisions, single story, I forget the name of it but Mr. – Doppe's Edgewater I and II
583 on Decatur or Sweetwater or some water. So there's been some good examples as far as the mix.

584 Separate from the cost of the land or the profit of the developer, one of the things that at least we
585 try to do is the impact of this development as proposed on your home that you live in and the
586 investment not only you have made but NARA's made. And that's where, again, part of the
587 compromise, it's – difficult for me to conceive that if the starter homes in this cul-de-sac start at a
588 half a million and maybe go up, how that, in the long run, cannot help NARA as a community, as
589 a whole?

590 The only – downside I'd see if this would set the precedent to domino some things in NARA.
591 And, again, Mike, you know better than I, I don't think there are many infill pieces like this left
592 that this would open the flood gates. Ten years ago this may not have been the appropriate
593 project. But the longer it lays fallow, the more risk as far as density or intensity. And, again, it's
594 not, I don't want to say that it's perfect. It's not. But as a compromise in the criteria that I see as

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

595 a compromise, this is pretty close. But that's, the quality of life, the investment, the –
596 preservation of NARA as a whole; is – this going to hurt, help? Time will tell.

597

598 **MAYOR GOODMAN**

599 Sure.

600

601 **MIKE MALONE**

602 Your Honor, Council. Mike Malone again. As far as the future is concerned and NARA, it, and
603 adding 17 more homes to us, I guess instead of me coming up here and saying that I represent
604 472 homes, I'll have to jack it up to 489. But what we're, what I'm up against here is I can't go
605 back to my constituents, which are well over 2,000, and say you're all wrong, one person is right.
606 I can't do that. I couldn't when I was in office as an Assemblyman, as a Senator and now I'm
607 elected by your constituents, they're those same people and they have spoken. What more can
608 we say? There are 2,000 people there that are against one person and his project. How can we
609 go wrong if we say no? I know when I was in office I would be over, elated to say no, because I
610 had all these people behind me.

611

612 **MAYOR GOODMAN**

613 Well, I can answer what you can, as a rhetorical question. If, as a politician, an elected official, I
614 think that the project is right for the area, then I could vote, even though 10,000 people say I'm
615 wrong. If I vote my conscience and I could look myself in the mirror the next day. That's – my
616 answer to that. I'm not sure the project is right though, there's where I'm having my difficulty.
617 Not the fact that there are tons of people out there who are against it.

618

619 **MIKE MALONE**

620 Thank you.

621

622 **COUNCILMAN REESE**

623 Your Honor?

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

624 **MAYOR GOODMAN**

625 Yes?

626

627 **COUNCILMAN REESE**

628 Being a representative of Ward 3, I don't very often get a chance to have a product like this
629 introduced into my Ward. There's been a few times when I voted against homes that start at a
630 million dollars. I have voted in, against housing developments that didn't have street lights and
631 curbs and gutters and sidewalks. And in my Ward, I do probably 90 percent of my phone calls is
32 trying to get or satisfy people that don't have sidewalks in front of their houses.

633 This is, I've – been across Decatur many, many times and I know what's out in this area here, so I
634 – do know what it's like to have an encroachment into a neighborhood like this with half-acre
635 estates. I have a few areas in my Ward where we have half-acre estates. And I can honestly say
636 that if, I've got ten acres that the people that live in my half-acre estates would love to have
637 something like this next to them, with homes that start of \$500,000.

638 Again, this isn't in my Ward and I – do have a little bit of heartburn when I listen to people that
639 feel like that we're encroaching upon their neighborhood, their – tranquility. Their ability to, the
640 open space, the so on and so forth, but my house backs on to Mojave and I guess I admire
641 anybody that would even try to build a home. We've – approved other homes on Durango where
42 they're going back up to Durango or Buffalo. But to me, to have these, this amount of homes
643 backing up to, the – developer having these homes backed up to Decatur and expect somebody to
644 buy them and live in them, I, they're – gonna have to have, be a good salesman to sell them, I
645 think, just because of the traffic and the noise. And so, you know, if the developer want to do
646 that, I don't know whether you'd want to have a development like this or even a commercial use.

647 Half acre you, to me, if you had half acre homes, you'd still have homes backing up to Decatur
648 and it would be the same thing. And so, again, I am also torn here, but I – I've tried to listen. I
649 try to base my decision upon what the quality of the product here is and what maybe the quality
650 of a product that would be here tomorrow or the next day. Or if we denied this, and because of
651 the general plan amend, or the general plan, they could take this to court, they might be able to
652 get more houses than this, if they so chose. And so with the conditions and with the – things that
653 have been put in place on this, it may be right for the neighborhood.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

654 **MAYOR GOODMAN**

655 All right. Councilman Mack?

656

657 **COUNCILMAN MACK**

658 Thank you. I'd first of all like to thank the NARA community. I think I have been a great
659 supporter to NARA, whether it's been the West Care expansion, protecting the integrity of the
660 neighborhood, I think I've stood tall for the NARA community. And what we have today is, like
661 – Councilman Weekly said, or Councilman Wolfson stated, it's, this is a tough decision. But as
662 Councilman Brown also stated, this is one of the last and final infill parcels and as I stated
663 earlier, on a previous vote I had your support on, this is a major – intersection here, Gowan and
664 Decatur. We're not talking about two country roads bumping into each other. And how do you
665 make it work? Now, I've been doing some soul searching as I looked into a lot of, who I respect
666 as friends and neighbors out in the NARA area and listened to your words very careful.

667 I put in my mind as I've thought this through is how would I respond if I was an adjacent
668 residents. And I had to do this once before, and it was in Councilwoman Moncrief's, now
669 Councilwoman Tarkanian's Ward when we voted for the Social Security building on Buffalo. I
670 truly believe that this project is a great buffering. And I know that it's not half acre, it's not what
671 maybe many residents would like to see or like to have seen, but times have changed and this is
672 one of the few final pieces that'll end – a lot of problems that, you know, we've seen with foul
673 land out – in this area. We've approved other projects down Decatur further that are similar in
674 nature that added higher density than what was proposed. Across the street from this project in
675 North Las Vegas, which is not our jurisdiction, there's apartments. Two weeks ago when we
676 looked at this plan, when we saw the bulk traffic going out on Gowan and Decatur, was it Gowan
677 and Decatur?

678

679 **PAUL LARSEN**

680 Just Gowan.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

681 **COUNCILMAN MACK**

682 Gowan, I shared some concern with some of the residents. I asked if Councilman Brown's first
683 making a little drawing up here, said maybe we could look at something like this. This bulb that
684 comes out to Ann Road to address the neighbors' concern about traffic. So with all said, I know
685 that it'd be a perfect world, like we stated earlier, if we could see half-acre homes, if they could
686 be affordable and they could be sold and they'd be compatible with the half-acre ranch estates
687 surrounding this project.

688 Also want to address that the applicant here has agreed to having all half – single story homes on
689 the western boundary?

690

691 **PAUL LARSEN**

692 Yes, we have.

693

694 **COUNCILMAN MACK**

695 Let me ask you this, is one, I know you've compromised quite a bit and I know that the final
696 compromise for the residents would be half acre and if that could be agreed, we'd all be happy
697 and we'd all go home right now.

698

699 **PAUL LARSEN**

700 They've indicated that in our meetings, yes.

701

702 **COUNCILMAN MACK**

703 Let me ask this, would you be willing to lose one more lot? I know I'm putting you on the spot,
704 because I haven't asked you. But I think if we could lose one more lot on that western boundary
705 and I think I could leave that up to you and staff to just give a little more width to those lots on
706 the western boundary, I think it'd add a lot to feel of the development.

707

708 **PAUL LARSEN**

709 If that were a commission, or condition of approval, I think we could accommodate that.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

710 **COUNCILMAN MACK**

711 Okay. It makes a difference. Your Honor, with that, I appreciate that, it means a lot to me.

712 With that, I move for approval of GPA-5762.

713

714 **MAYOR GOODMAN**

715 With that as a condition, that there would be one lot on the western side deleted?

716

717 **BRYAN SCOTT**

718 That would probably be on the next item, Your Honor.

719

720 **COUNCILMAN MACK**

721 That'd be on the next item.

722

723 **MAYOR GOODMAN**

724 Excuse me?

725

726 **BRYAN SCOTT**

727 That'd, this is just the GPA.

728

729 **MAYOR GOODMAN**

730 Oh, okay, fine. But I don't want to vote on this, unless –

731

732 **COUNCILMAN MACK**

733 Yes.

734

735 **MAYOR GOODMAN**

736 – that's gonna be a condition.

737

738 **PAUL LARSEN**

739 And – for the record, we – would be agreeing to that.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

740 **MAYOR GOODMAN**

741 All right. All right. Let's vote, please. Post. Motion carries. (Motion carried with
742 **WOLFSON and TARKANIAN voting NO**)

743

744 **COUNCILMAN MACK**

745 Your Honor, my motion is for approval, with the staff conditions amended and the following
746 condition stating development on the site is limited to a maximum of 16 lots for single
747 family homes, all lots adjacent to the west property line are restricted to single story
748 structures, also deleting Condition Number 10. Any other conditions?

749

750 **MARGO WHEELER**

751 If I may, Mayor and Councilmen, that the, I'm dead, the minimum lot size shall be 10,000 net
752 square feet and add the change to Condition Number 3 pursuant to plans date stamped April 18th,
753 05.

754

755 **COUNCILMAN MACK**

756 Thank you. Mr. Larsen, as a side note, is the trailer still on the property?

757

758 **PAUL LARSEN**

759 I'm advised that it's either being removed or has been removed, as we speak.

760

761 **COUNCILMAN MACK**

762 Can we put that as a condition too, to get that trailer removed?

763

764 **PAUL LARSEN**

765 We'd agree to that.

766

767 **COUNCILMAN MACK**

768 All right. Thank you.

**CITY COUNCIL MEETING OF
APRIL 20, 2005**

COMBINED VERBATIM TRANSCRIPT – Item 121 and Item 122

769 **MAYOR GOODMAN**

770 All right. Let's vote, please. Post. Motion carries. (**Motion carried with WOLFSON and**
771 **TARKANIAN voting NO**)

772

773 **BARBARA JO (RONI) RONEMUS**

774 Councilman Mack.

775

776 **COUNCILMAN MACK**

777 Please add me as a "yes".

778

779 **PAUL LARSEN**

780 Thank you.

781

782 **MAYOR GOODMAN**

783 All right. We go to –

784

785 **PAUL LARSEN**

786 Thank you very much.

87

(END OF DISCUSSION)

788 /vwd;yy

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING RELATED TO GPA-5762**

ZON-5765 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 5.10 acres adjacent to the northwest corner of Decatur Boulevard and Gowan Road (APN 138-12-601-040), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. Submitted at City Council - Traffic Study report from Public Works Department for Item 122 [ZON-5765] filed under Item 121 [GPA-5762]

MOTION:

MACK - APPROVED subject to conditions, deleting Condition 10 and amending the following conditions as read as follows:

3. All development shall be in conformance with the site plan date stamped 04/18/05 except as amended herein.

And the following added conditions as read for the record:

- Development on the site is limited to a maximum of 16 lots for single-family homes.
- All lots adjacent to the west property line are restricted to single story structures.
- The minimum lot size shall be 10,000 net square feet.
- The trailer on the property shall be removed.
- Motion carried with WOLFSON and TARKANIAN voting NO

MINUTES:

NOTE: A combined verbatim transcript of Item 121 [GPA-5762] and Item 122 [ZON-5765] is made a part of the Final Minutes under Item 121 [GPA-5762].

(4:04 - 4:48)

5-938

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-5762) to an L (Low Density Residential) land use designation approved by the City Council.

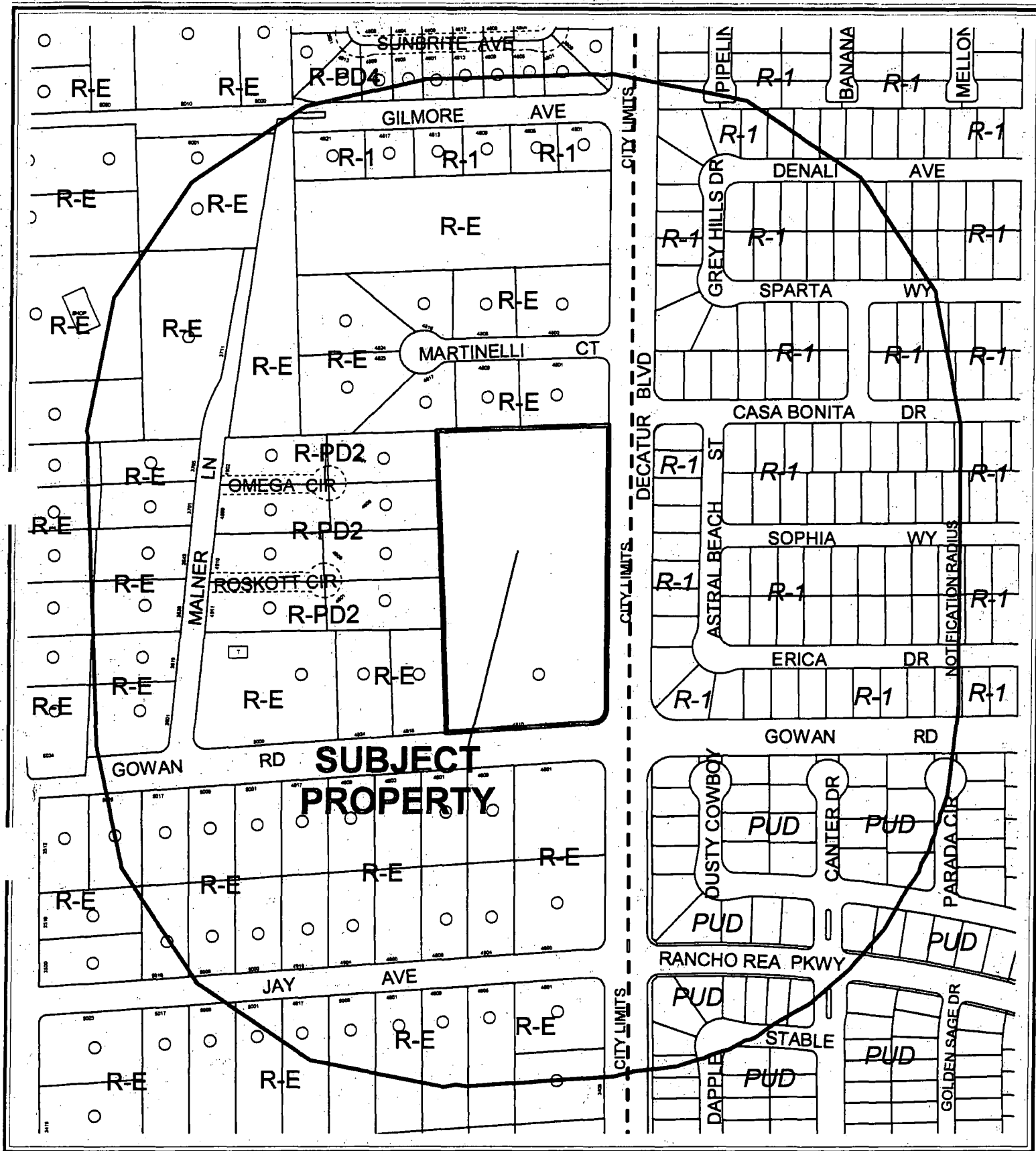
CITY COUNCIL MEETING OF: APRIL 20, 2005

CONDITIONS - Continued:

2. A Resolution of Intent with a two-year time limit.
3. All development shall be in conformance with the site plan date stamped 02/15/05 except as amended herein.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Decatur Boulevard and Gowan Road.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
8. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
11. A Master Streetlight Plan for public streetlights must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.



CASE: ZON-5765

RADIUS: 750 FT.

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

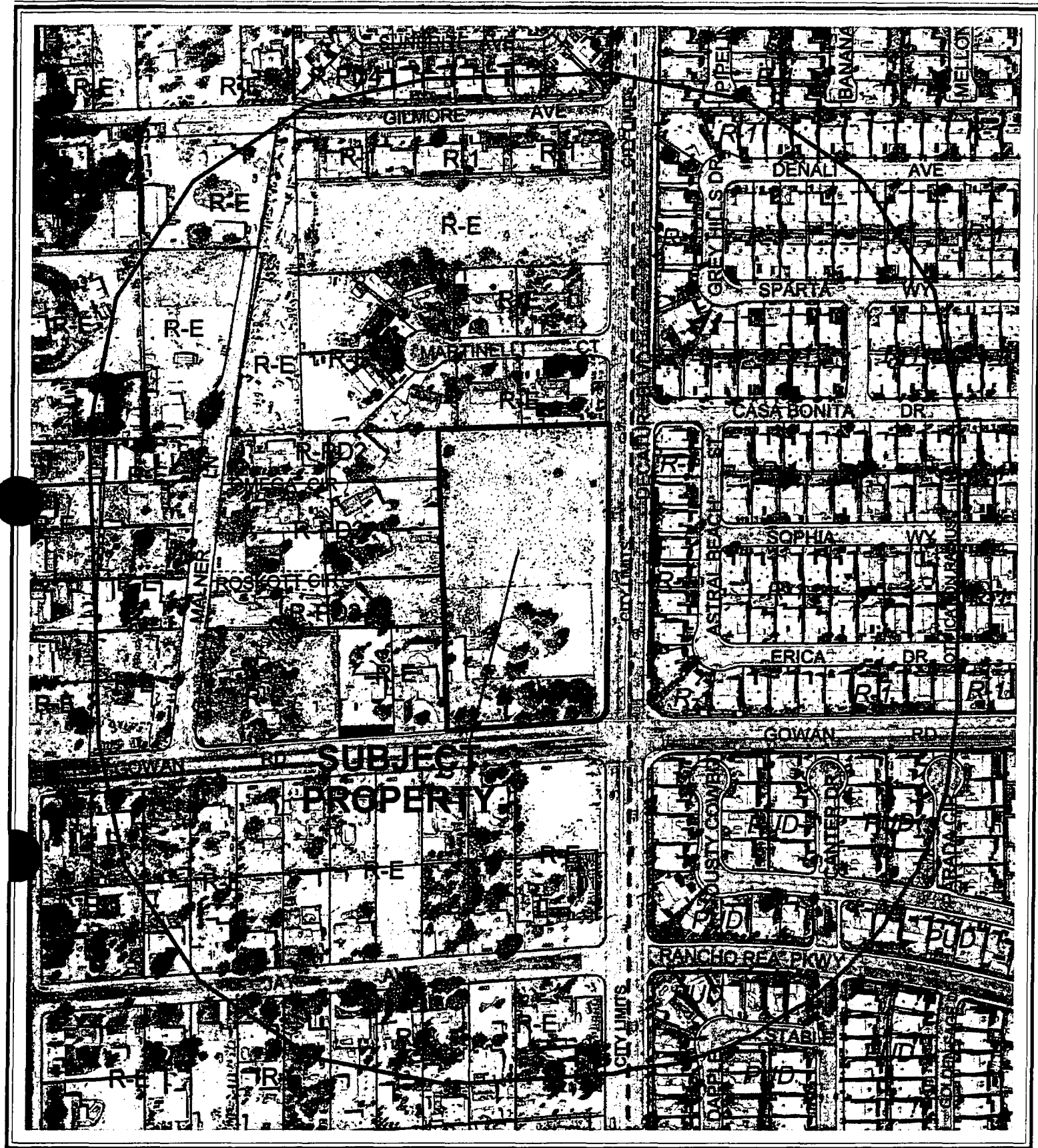
PROPOSED ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE-FAMILY RESIDENTIAL)

0 200 400 Feet

122





CASE: ZON-5765

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE-FAMILY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 20, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - ZON-5765 - APPLICANT: AMTI
SUNBELT, LLP - OWNER: KOBIE CREEK, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE APRIL 6, 2005 CITY COUNCIL MEETING AT COUNCILMAN MACK'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-5762) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. All development shall be in conformance with the site plan date stamped 02/15/05 except as amended herein.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Decatur Boulevard and Gowan Road.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

8. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.
11. A Master Streetlight Plan for public streetlights must be submitted to and approved by the Department of Public Works prior to the submittal of any construction drawings for this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on 5.10 acres located on the northwest corner of Decatur Boulevard and Gowan Road.

B) Applicant's Justification

The applicant has stated the following justifications for the request:

- The proposed development will be upscale, semi-custom homes with CC&Rs that will promote harmony with existing developments; and
- There is adequate existing infrastructure to support the development.

BACKGROUND INFORMATION

A) Related Actions

- 01/02/64 The City Council annexed this parcel as part of a larger request (A-0029-63) totaling 95 acres.
- 09/28/99 A request for a General Plan Amendment (GPA-0031-99) to designate this property as SC (Service Commercial) was withdrawn by the applicant prior to the item being placed on a Planning Commission agenda.
- 01/27/05 The Planning Commission voted to hold this item and a related General Plan Amendment (GPA-5762) from DR (Desert Rural Density Residential) to L (Low Density Residential) in abeyance to the 2/24/05 Planning Commission meeting to allow time for the applicant to redesign the project. Staff recommended denial of both items.
- 02/24/05 The Planning Commission recommended denial of a related item (GPA-5762).
- 02/24/05 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #12/ss).

B) Pre-Application Meeting

11/17/04 At this initial meeting R-PD District restrictions and open space standards were discussed. A General Plan Amendment to L (Low Density Residential) would be required. As an alternative to providing an active open space lot, streetscaping could be added in a five-foot strip between the curb and sidewalk, containing trees and shrubs.

C) Neighborhood Meetings

12/21/04 A neighborhood meeting was held as required by the related General Plan Amendment request, with 10 residents attending. At that meeting, neighbors were concerned about a possible reduction in property value due to the small lot sizes; drainage onto their properties; the need for an eight foot wall and single family homes adjacent to the existing homes to buffer the property.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.10
Net Acres: 4.29

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-1 (Single-Family) [North Las Vegas designation]
West: R-E (Residence Estates) and R-PD2 (Residential Planned Development – 2 units per acre)

E) General Plan Compliance

The Centennial Hills Sector Plan designates this site as DR (Desert Rural Density Residential), which allows for residential densities of up to 2.49 units per gross acre. A request has been submitted to amend the designation to L (Low Density Residential), which would support the proposed R-1 (Single Family Residential) zoning. If that General Plan amendment is not approved, this request also cannot be approved.

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

The City of North Las Vegas was notified of this request, as its jurisdiction is immediately east of the subject property.

INTERAGENCY ISSUES

There are no interagency issues involved with this request.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required R-1	Provided	Compliance
Min. Lot Size	6,500 SF	9,076 SF	Yes
Min. Lot Width	65 Feet	70 feet (32 feet on cul-de-sac knuckle)	Yes
Min. Setbacks			
• Front	20 Feet	20 Feet	Yes
• Side	5 Feet	5 Feet	Yes
• Corner	15 Feet	15 Feet	Yes
• Rear	15 Feet	20 Feet	Yes
Max. Lot Coverage	50 %	45%	Yes
Max. Building Height	2 Stories / 35 Feet	Not provided	undetermined

A revised site plan submitted 12/30/04 reduced side and rear setbacks and eliminated streetscaping, resulting in increased lot sizes. The number of lots remains at 18; therefore, density is not affected. The submitted site plan is in substantial compliance with the requirements of Title 19.08 in regard to R-1 (Single Family Residential) zoning. Information on building height was not provided. That issue will be addressed in the conditions of approval and all development will be subject to review during the building permit process.

B) General Analysis and Discussion

The subject parcel is currently developed with a single-family home. The applicant is proposing an 18 lot residential development with access via a cul-de-sac off of Gowan Road. Lot sizes depicted on the site plan range from 9,076 square feet to 12,422 square feet. The majority of the lots are in the 10,000 square foot range. The plan now depicts standard R-1 (Single Family Residential) setbacks and sidewalks around the public street in lieu of streetscaping.

The adjacent homes to the north, south, and west are all on lots of 20,000 square feet or greater. Smaller lots are located to the east in the City of North Las Vegas; however, those lots are separated by Decatur Boulevard and provide no justification for smaller lots on the subject parcel.

The revised plan is an improvement over the previous plan in that lot sizes have increased. However, no lots were removed, which would have had the double effect of increasing lot size and decreasing density. Because density remains at 3.53 units per acre, the proposed zoning district would still be out of character with the surrounding districts and densities. The proposed density would be better suited for an R (Rural Density Residential) General Plan designation and R-D (Single Family Residential-Restricted) zoning; however, those standards cannot be met in the current configuration.

FINDINGS

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

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

This proposal is not in conformance with the Centennial Hills Sector Plan. The property is currently designated as DR (Desert Rural Density Residential), which allows 2.49 units per acre. Adjacent properties within the city limits also have that designation. A related application has been submitted to designate this site as L (Low Density Residential). That designation is not intended to promote the rural character that currently exists in the area. If that application is not approved, neither can this request.

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

The proposed zoning district will allow development that is out of character with the area. The R-1 (Single Family Residential) zoning district is intended to create a suburban setting, which would result in too great a density to be compatible with the adjacent homes.

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

There are no growth or development factors in the area that justify an amendment to the General Plan and subsequent rezoning on this parcel.

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

The site is accessed by Decatur Boulevard and Gowan Road, both of which are adequate to serve this parcel.

PLANNING COMMISSION ACTION

At the Planning Commission hearing the applicant agreed to a minimum lot size shall be 10,000 square feet. The Planning Commission discussed larger lot sizes and single story structures.

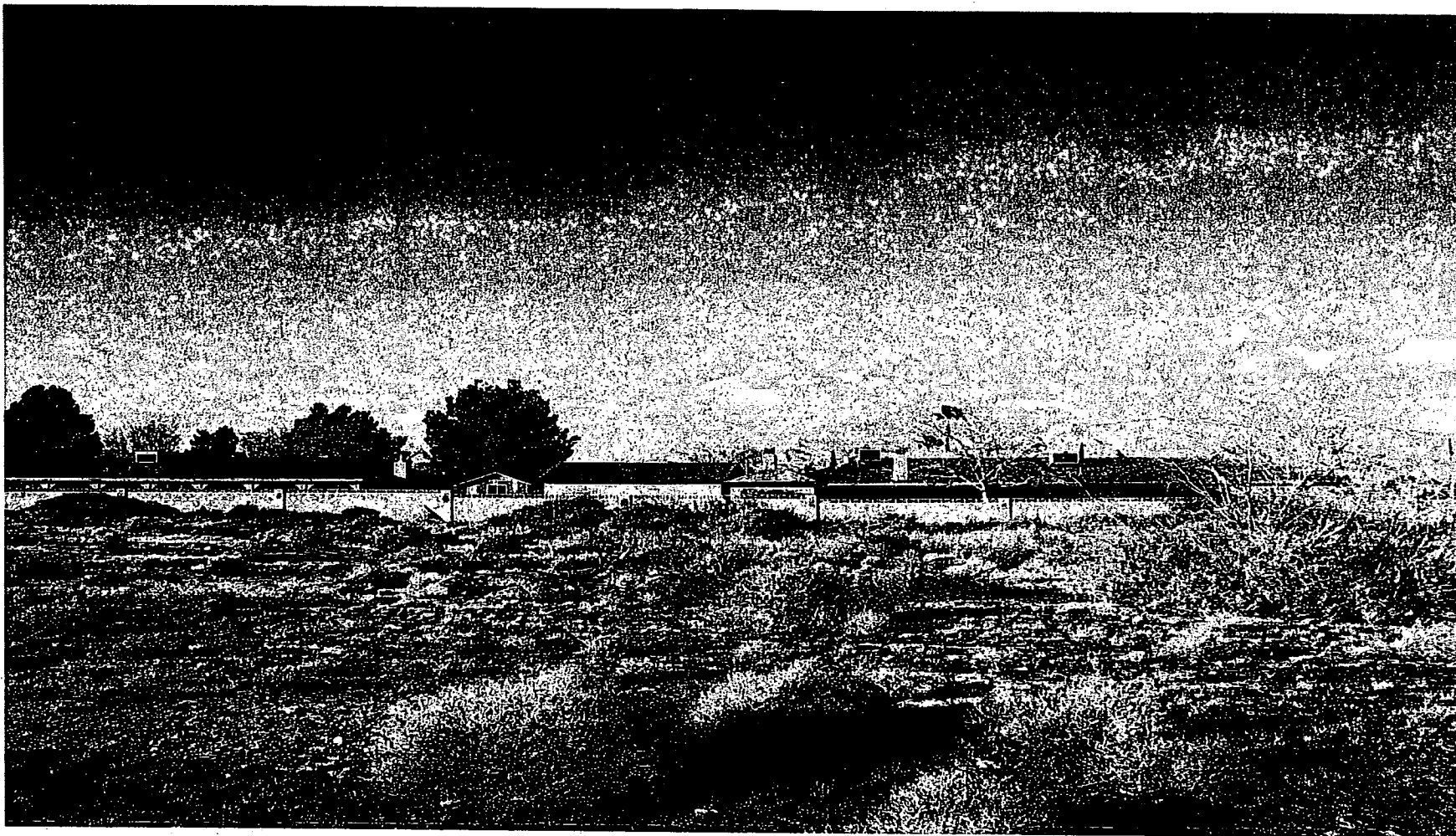
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED 219 by Planning Department

APPROVALS 0

PROTESTS 3



GPA-5762 & ZON-5765 - APPLICANT: AMTI SUNBELT, LLP - OWNER: KOBIE CREEK, LLC
ADJACENT TO THE NORTHWEST CORNER OF DECATUR BOULEVARD AND GOWAN ROAD
FEBRUARY 24, 2005 PLANNING COMMISSION

1/11/05



CIVIL ENGINEERING • PLANNING • SURVEYING

December 29, 2004

RECEIVED

DEC 30 2004

City of Las Vegas Development Services Center
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: Request for Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan (APN 138-12-601-040).

The purpose of this letter is to request a Rezoning for a proposed single-family residential subdivision located at the northwest corner of Decatur and Gowan. Our office has previously submitted an application for this project for a request for rezoning to a RPD-4 designation. After discussions with City of Las Vegas staff and the Client, we would like to revise the rezoning request to a R-1 designation. We are supplying a revised site plan and landscape plan to reflect the change for R-1 zoning. The rezoning application is scheduled to be heard at the Planning Commission Meeting on 1/27/05.

A rezoning is required for the proposed subdivision to meet density requirements. A rezoning of the subject parcels to R-1 is requested. The proposed subdivision exceeds the current zoning (R-E) density of 2.49 units per acre with 4.4 units per acre net. The smallest lot size is 9100 sf and meets the criteria for R-1 zoning.

The subject property is located in a designated R land use area under the General Plan. An application for a General Plan Amendment is being applied for concurrently with the rezoning application.

The proposed subdivision will be marketed as a site for upscale semi-custom homes with CCRs established to promote harmony with the existing developments in the area and to be aesthetically pleasing. The density and intensity of the project is comparable with nearby developments.

There are sufficient infrastructure improvements to accommodate the proposed development. Decatur is a fully improved road and Gowan is mostly improved but will require some additional curb, gutter, sidewalk, and paving. Existing sewer, water, and storm drain are in the streets adjacent to the development. The proposed development is providing a 6' landscape strip adjacent along Decatur and Gowan and is proposing a 10' common lot along the interior street that in will include landscaping and a meandering sidewalk.

We sincerely hope that the requests for these actions be reviewed and considered. Please contact me at #938-0650 if you have any questions or comments.

Sincerely,
Acclaim MTI, LLP

A handwritten signature in black ink, appearing to read 'K. Adams', is written over the typed name.

Kirby P. Adams, P.E.
Project Engineer

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 20, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

NL 6101 Denver Circle, NL 6440 W. Hammer Lane, NL 5820 W. LaMadre Way, DB 7075 W. Craig Road - 5/4/2005 AGENDA

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: APRIL 20, 2005

CITIZENS PARTICIPATION:

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

MINUTES:

MIKE MALONE, 3660 Thom Boulevard, thanked COUNCILMAN MACK for arranging a meeting between he and the developer to attempt to reach a compromise. He also thanked COUNCILMAN MACK for attending and participating in a recent community picnic. In return, COUNCILMAN MACK thanked MR. MALONE and the other constituents who were present at the new tennis court and skateboard facility in Ward 6.

(4:47 - 4:49)

5-2803

DOROTHY BARNES, Las Vegas resident, congratulated COUNCILMAN WOLFSON and COUNCILMAN BROWN on their recent inauguration, and POPE BENEDICT XVI for his recent election. She addressed her personal turmoil, unfair choices experienced, and submitted her comments as reference.

(4:49 - 4:54)

5-2914

TOM McGOWAN, Las Vegas resident, commented on the newly sworn-in Councilmen and the duties of their oath. He stressed the importance of efficient transportation throughout the City, mortgage and rent control programs to interface with new developments, public participation of democratic and local government, and prohibition of ride attractions for the interest of public safety.

(4:54 - 4:57)

5-3132

STEVEN "CAPTAIN TRUTH" DEMPSEY, Las Vegas resident, accentuated his interest in the down fall of Crazy Horse and the many months he has spent attempting to convince Council to become involved. He addressed the website, americanmafia.com, for the public to retrieve information about similar allegations. He suggested MAYOR GOODMAN resign and/or receive substance abuse counseling.

(4:57 - 5:00)

5-3315

THOMAS GALL explained his experiences with the death of his mother who died in November of 2004. He outlined the many problems he is having with Bunker Mortuary, and has contacted the Health Department. He has had a private autopsy completed but is unable to obtain a second opinion, and has discovered errors in his mother's death certificate. He has attempted to receive assistance from several

MINUTES - Continued:

agencies and appeared before the Council as a last resort for guidance on closure for this very personal matter. MAYOR GOODMAN explained that no action can be taken but encouraged MR. GALL to leave contact information with the City Manager's Office who would assist with pertinent contacts and necessary guidance.

(5:00 - 5:04)

5-3600

MEETING ADJOURNED AT 5:05 P.M.

Tom / Las Vegas Mts: [1 PM WED, 20 APRIL, 2005 (CND. CHND) (CIT: MNG 016)]
CIT. PARTIC.

.. < (2 min) > ..

• Tom McGowan, Las Vegas Resident.

• IN THE 'CEREMONIAL' SEGMENT OF THE MORNING SESSION OF TODAY'S MEETING, IMMEDIATELY FOLLOWING THE INVOCATIONAL PRAYER AND THE PLEDGE OF ALLEGIANCE, TWO (2) MEMBERS OF THE CITY COUNCIL RENEWED THEIR SWEAR OATH TO UPHOLD THE CONSTITUTION AND STATUTORY LAWS GOVERNING THE CITY OF LAS VEGAS, AS A POLITICAL SUBDIVISION OF THE STATE OF NEVADA AND THE UNITED STATES OF AMERICA.

CONSISTENT WITH THAT SOLEMN SWEAR OATH, AND IN SERVICE TO THE PUBLIC INTEREST, INCLUSIVE, I HEREBY RECOMMEND AND REQUEST THAT, TODAY AND HENCEFORTH, THE TWO (2) NEWLY-SWEAR ELECTED PUBLIC OFFICIALS EXHIBIT INDEPENDENT, RESPONSIBLE AND RESOLUTE OFFICIAL LEADERSHIP INITIATIVE IN SELFLESSLY DEDICATED DISCHARGE OF THE FOLLOWING PUBLIC-PERTINENT DUTIES AND RESPONSIBILITIES: -

1. SECURE OUR NATIONAL BORDERS AGAINST THE INFUX OF MILLIONS OF ILLEGAL ALIENS IMPACTIVE UPON OUR NATIONAL HOMELAND AND STATE AND LOCAL HOME FRONT SECURITY;
2. TERMINATE AND DENY THE ISSUANCE OF BUSINESS LICENSES TO ALL BUSINESS OWNERS AND DEVELOPERS WHO EMPLOY ILLEGAL ALIENS IN THE CITY OF LAS VEGAS;
3. ENSURE THE PROVISION OF PUBLIC MASS TRANSIT 'CAT' BUS SERVICES, 'CITY RIDE' BUS SERVICES, AND TAXICAB SERVICES FOR THE NECESSITY AND CONVENIENCE OF ALL RESIDENTS OF THE DOWN TOWN CITY OF LAS VEGAS, INCLUDING RETIRED SENIORS, ELDERLY AND INFIRM PERSONS, AND DISABLED PERSONS.

Submitted at City Council

Date 4/20/05 Item (over) → ..

(1.)

Citizen Participation