

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SUP-6284 - SPECIAL USE PERMIT RELATED TO VAR-6283 - PUBLIC HEARING -
APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA
ALTA, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED USE
COMMERCIAL AND RESIDENTIAL DEVELOPMENT AND A WAIVER FROM THE
PRIMARY ENTRYWAY BEING DIRECTLY FROM AND ORIENTED TO A STREET
adjacent to the northwest corner of Alta Drive and Martin L King Boulevard (APN 139-33-202-
005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).**

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**DAVENPORT – APPROVED subject to conditions – UNANIMOUS with STEINMAN and
EVANS excused**

To be heard by City Council 6/01/2005

MINUTES:

See Item 72 [VAR-6283] for related discussion on Item 72 [VAR-6283], Item 73 [SUP-6284]
and Item 74 [SDR-6282].

(10:38 – 10:56)

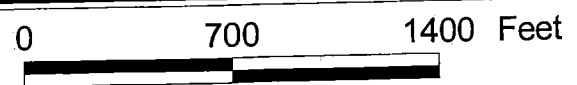
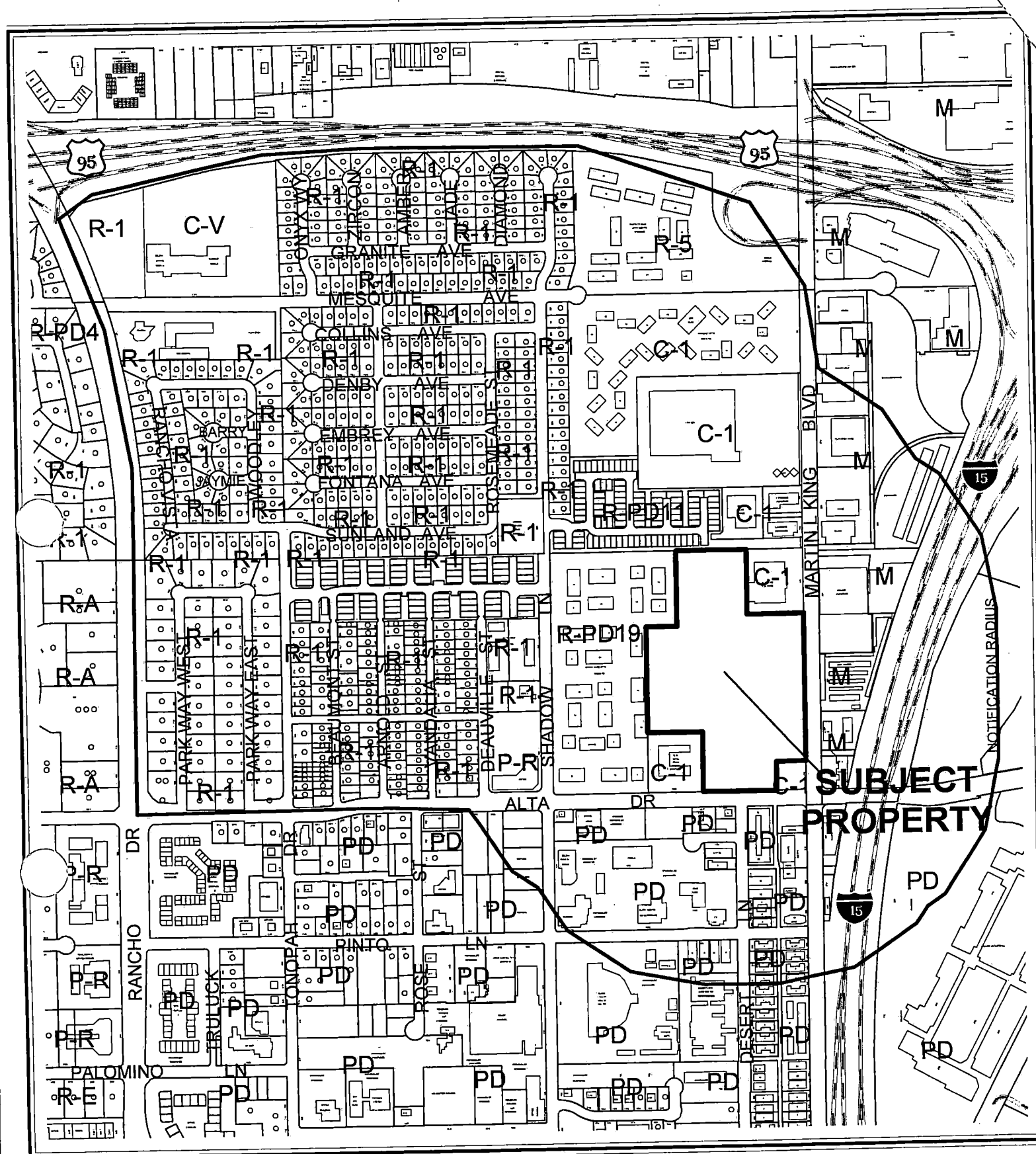
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PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 73 – SUP-6284

CONDITIONS:

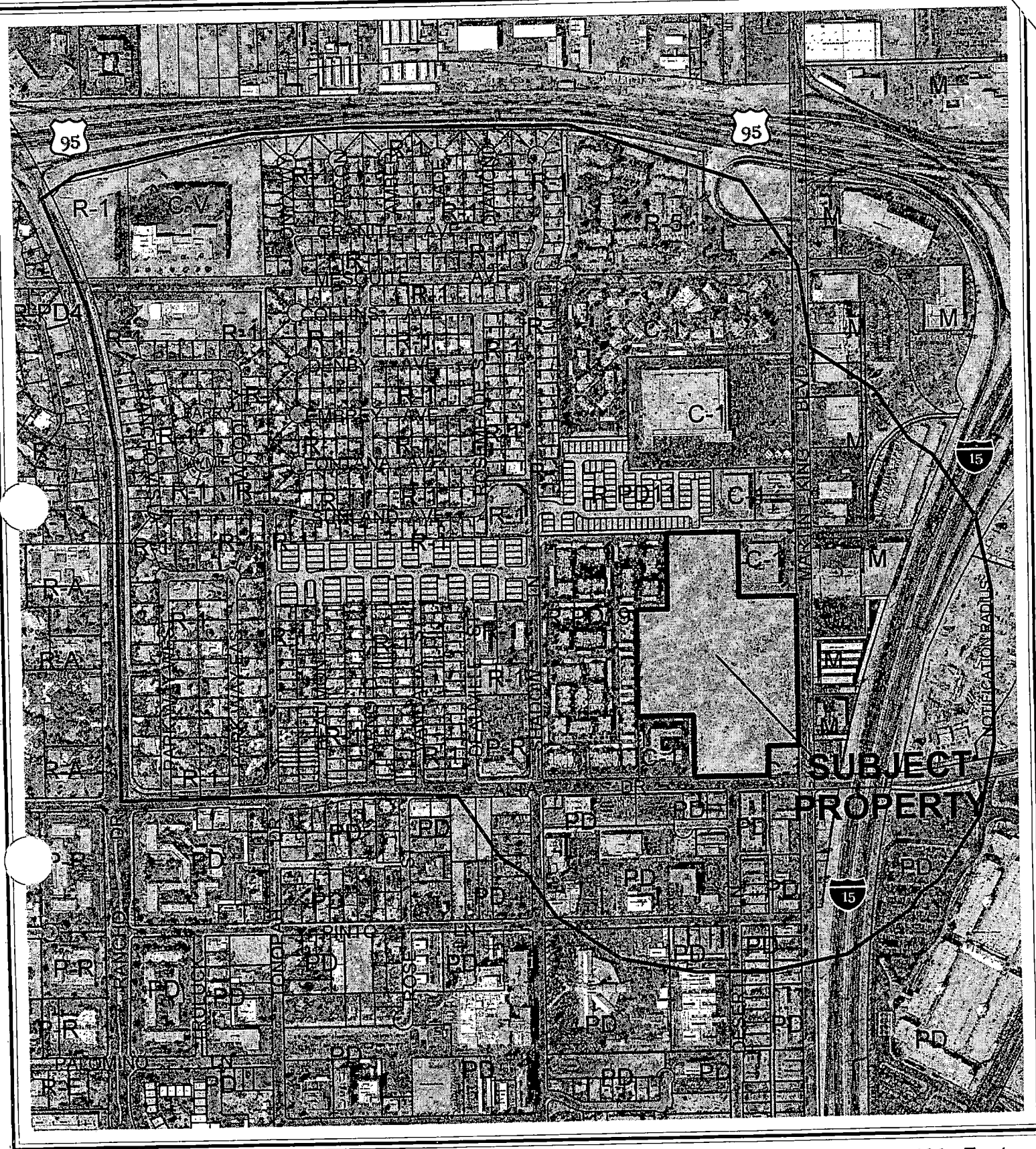
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.
2. A waiver of the nonresidential use not being located at ground level fronting the primary public right-of-way, and the primary entryway to that use not being directly from and oriented to a street, is hereby granted.
3. Approval of and conformance to the Conditions of Approval for applications submitted for a Variance (VAR-6283) and a Site Development Plan Review (SDR-6282).
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.



CASE: SUP-6284
RADIUS: 1000 FT + SPECIAL
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

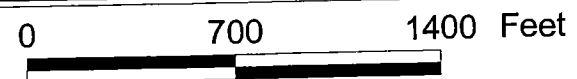




CASE: SUP-6284

RADIUS: 1000 FT + SPECIAL

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



SUP-6284



STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6284** APN: 139-33-202-005

Name of Property Owner: Nevada Alta, LLC

Name of Applicant: Ambling Development Partners, 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: _____

Print Name:

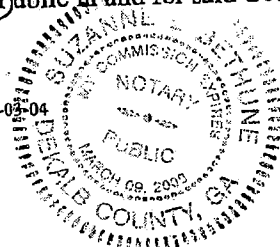
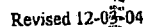
Subscribed and sworn before me

This

day of

VVORD 20/PS

Notary Public in and for said County and State



SITE DATA

SITE AREA - 16.70 ACRES (730,966 SF)

BLDG 100 - 5 STORIES
 210 UNITS (7 STORIES)
 2 LEVEL PARKING DECK
 250 SPACES TOTAL
 (INCLUDES 4 ACCESSIBLE SPACES
 AND 1 VAN ACCESSIBLE SPACE)
 1 STORY RETAIL IN PARKING DECK

AREA CALCULATIONS
 BUILDING FOOTPRINT 64,767 SF
 TOTAL BUILDING 479,816 SF (INCLUDES BALCONIES)
 TOTAL PARKING DECK 102,840 SF
 TOTAL RETAIL 12,466 SF

BLDG 200 - 5 STORIES
 140 UNITS (7 STORIES)
 2 LEVEL PARKING DECK
 214 SPACES TOTAL
 (INCLUDES 4 ACCESSIBLE SPACES
 AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
 BUILDING FOOTPRINT 52,727 SF
 TOTAL BUILDING 381,849 SF (INCLUDES BALCONIES)
 TOTAL PARKING DECK 105,454 SF

BLDG 300 - 5 STORIES
 210 UNITS (7 STORIES)
 2 LEVEL PARKING DECK
 250 SPACES TOTAL
 (INCLUDES 4 ACCESSIBLE SPACES
 AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
 BUILDING FOOTPRINT 64,152 SF
 TOTAL BUILDING 479,816 SF (INCLUDES BALCONIES)
 TOTAL PARKING DECK 102,840 SF

LOFT BUILDING - 5 STORIES
 80 UNITS (5 STORIES)
 1 LEVEL PARKING DECK
 60 SPACES TOTAL
 (INCLUDES 1 ACCESSIBLE SPACE
 AND 1 VAN ACCESSIBLE SPACE)
 1 STORY RETAIL IN PARKING DECK

AREA CALCULATIONS
 BUILDING FOOTPRINT 40,513 SF
 TOTAL BUILDING 156,655 SF (INCLUDES BALCONIES)
 TOTAL PARKING DECK 26,172 SF
 TOTAL RETAIL 12,570 SF

AREA TOTALS:
 GROSS AREA OF THE
 FOUR CONDOMINIUM
 BUILDINGS (INCLUDES
 BALCONIES) 1,514,491 SF

CLUBHOUSE - 1 STORY
 3,500 SF

RETAIL
 INCLUDED IN GROSS AREA 24,970 SF

PARKING DECK
 INCLUDED IN GROSS AREA 362,270 SF

F.A.R. BUILDING AREA / SITE AREA = 2.00
F.A.R. RESIDENTIAL AREA / SITE AREA = 1.50
 (INCLUDES PARKING DECK AREA)

TOTAL UNITS = 664
TOTAL BEDS = 1114
DENSITY = 40.37 UNITS/ACRE

PARKING DECK, RESIDENTIAL SPACES = 795
SURFACE RESIDENTIAL SPACES = 57
SURFACE GUEST SPACES = 0

TOTAL RESIDENTIAL PARKING SPACES = 930
+ 13 SPACES UNIT

RETAIL SPACES = 107 (4 ARE ACCESSIBLE)
+ 4 SPACES 1000 SF

NOTE:
 STANDARD PARKING SPACE - 9' X 18'
 HIC ACCESSIBLE SPACE - 9' X 18' PLUS 5' ACCESSIBLE
 VAN ACCESSIBLE SPACE - 9' X 18' PLUS 5' ACCESSIBLE

AMBLING
 DEVELOPMENT PARTNERS, L.L.C.
 ATLANTA, GEORGIA

SITE DEVELOPMENT PLAN

ALTA DRIVE
PROPOSED DEVELOPMENT
 LAS VEGAS, NEVADA

February 22, 2005

SUP-6284
04/28/05 PC

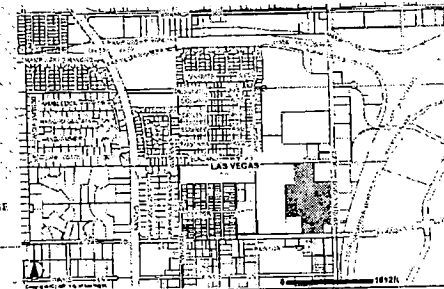
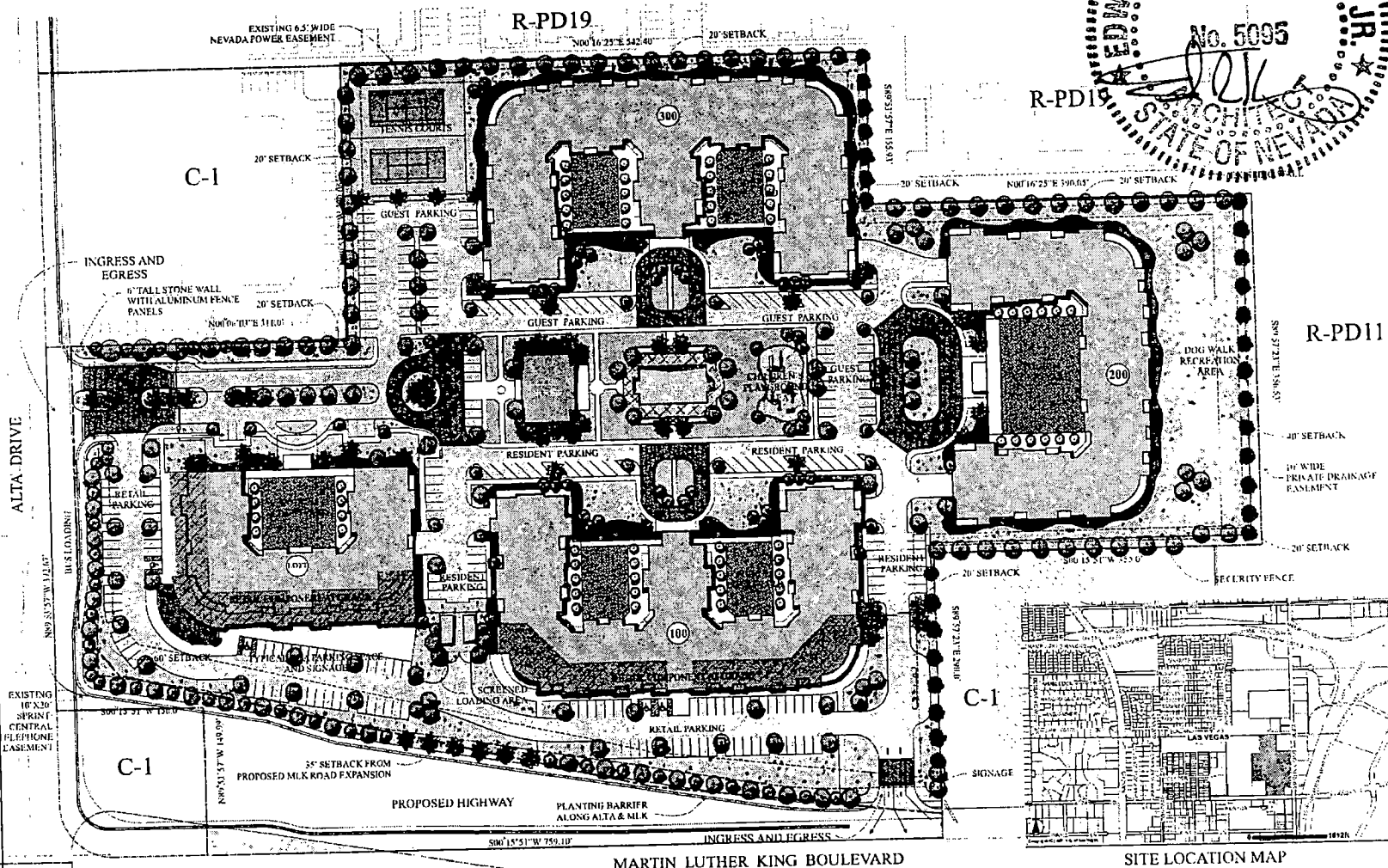
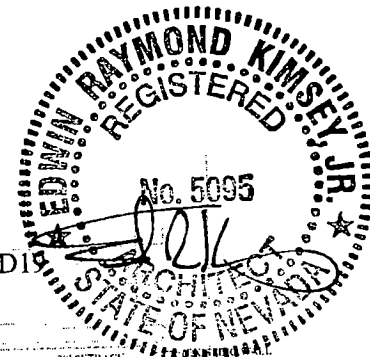
RECEIVED

15 2005

Edwin R. Kimsey Jr., AIA
 Architect - Site Design Planning

100%
 90%
 80%
 70%
 60%
 50%
 40%
 30%
 20%
 10%
 0%

DATE: 04/28/05 BY: ERM



SITE LOCATION MAP



AUGUST 30, 2004

AMBLING DEVELOPMENT PARTNERS (Alta/MLK)

During the past year, Ambling Development Partners ("Ambling") has had numerous meetings with members of the City Council, Planning Commission and the Rancho Manor Neighborhood Association. These meetings have been marked by the Mayor's vision of both the City and its Downtown Redevelopment Area over the next 5-7 years. Ambling realizes that the upcoming redevelopment plans primarily addressed major commercial occupancies and office space with minimal residential or small scale retail development. Therefore, in an effort to address these needs, Ambling has committed itself to pursuing land acquisitions for the development of reasonably priced "for sale" condominium residences for working professionals, retirees and second-home buyers near the Downtown area and within the Medical districts; as well as retail development required to support them.

Ambling currently intends to develop 16.78 acres located at the intersection of Martin Luther King Boulevard (MLK) and Alta Drive. Ambling's goal is to bring the type of condominium developments currently seen on the main Las Vegas Strip to the nearby suburb of the Downtown area at a price that will promote growth, neighborhood revitalization, reurbanization and improve the overall quality of life in the vicinity. Naturally, the residential condominium population will be the catalyst that promotes the retail and service growth. However, synergies can be created when residential and retail spaces are combined on a single site. Thus, Ambling seeks to provide amenities, retail services, building characteristics, elegant floor plan layouts and views of Las Vegas at prices significantly more affordable than current properties on the Strip and Downtown; and in a manner that will contribute to the neighboring residential communities. It is for this reason that Ambling is focusing on mixed-use development for this site.

The current Site Plan contains four (4) buildings ranging in height from five (5) stories (4 stories over a 1-story parking deck) to nine (9) stories (7 stories over a 2-story parking deck) and designed to contain approximately six hundred sixty four (664) residential units and approximately twenty five thousand (25,000) square feet of retail space. The residential parking decks will contain a total of seven hundred ninety three (793) spaces, there will also be fifty seven (57) surface residential spaces available with

an additional eighty (80) surface guest spaces available and one-hundred seven (107) surface retail spaces available. Additional recreational facilities will be built on site, including 1) Fitness Centers 2) Business/Media Centers 3) Laundry Facilities 4) Club Rooms 5) Swimming Pool 6) Children's Playground Area 7) Tennis Courts and 8) Elevated Courtyard areas. A large clubhouse will be built in the center of the property along with other amenities in order to provide a sense of community for the residents in the central core of the development. Finally, there will be a gated entrance from Alta Drive and a resident-only entrance from MLK Boulevard, both of which will be set back on the site so the general public has vehicle and pedestrian access to the retail shops.

It is expected that this development will help revitalize the historic neighborhood adjacent to the Downtown area, support the growing medical district and diversify the economic base in the vicinity. The proposed site is currently vacant and attracts many nuisances. The appearance of mixed use dwellings on the property will aid in improving local buyers and investors confidence. In addition, this project will promote the momentum for additional residential and mixed-use projects in the adjacent areas. The proximity of this Project to the Downtown area and the Medical District will provide a steady client base for the services and shops in the area, while also drawing other residents to the area because of the on-site retail shops. Additionally, transportation needs will be easily met by public transportation and alleviate some of the traffic problems that may be encountered as the revitalization of the Downtown area occurs. Local neighborhoods will also benefit as declining commercial centers and vacant land become renewed and developed, producing a pedestrian-friendly and aesthetically appealing urban neighborhood environment.

Currently, the site is zoned "C-1" which allows for mixed-use development. Similarly, the current Land Use Designation is "Service Commercial" which also allows for this type of development. However, neither of these designations will be beneficial if (i) the 3-to-1 residential adjacency restriction (LVCM 19.08.060), (ii) the building height at collectors restrictions (LVCM 19.08.030), (iii) street accessibility restrictions for retail spaces (LVCM 19.04.050), and (iv) building placement restrictions (parking on side and rear) are not eliminated. Accordingly, Ambling has filed applications for a variance/waiver of these restrictions.

Currently, Ambling proposes the construction of four (4) buildings ranging in height from seventy (70) feet to one hundred (100) feet above ground level. Based on these proposed heights, all adjacent structures must be at least twenty-three (23) feet tall. Unfortunately, only a few adjacent structures exceed this height; however, none of the current structures have desirable "views" and the construction of these buildings will therefore not negatively impact the current skyline as seen from surrounding structures. Similarly, the height at the sidewalks exceeds the current height restriction and does not step back away from the street at a forty five (45) degree angle. Nevertheless, the height of these buildings will not have a negative impact on Alta Drive or MLK Boulevard as there are already setbacks approximately seventy five (75) feet from these major thoroughfares. These setbacks will also provide sufficient pedestrian protection to street accessibility and building placement requirements. The buildings themselves are placed in a manner that will allow sufficient light and wind to flow through the development, therefore providing the light and air the surrounding community is currently accustomed to.

As the Downtown area continues to evolve during its current revitalization process, significant changes will occur. This site is currently designated for commercial purposes, but there is not a large enough local population to justify development of the site with commercial structures alone, therefore it remains vacant. Development of this site under Ambling's proposed plans will greatly enhance the perception of this area and promote further economic redevelopment. Additionally, this plan will revitalize the urban core along with the Outlet Mall, Furniture Mart, Nevada Department of Transportation (NDOT) projects and Mixed-Use Condominium Development, all of which create synergy.

Ambling therefore contends that the desired zoning, variance and special use permits will allow it to construct a project that meets and supports the City's exiting policies, promotes long term attractiveness, improves the economic vitality of the area, and endorses the City's revitalization goals by improving public safety and the general health and welfare of the population in the area surrounding the project.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SDR-6282 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-6283 AND SUP-6284 - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT CONSISTING OF THREE (3) NINE STORY TOWERS AND ONE (1) FIVE STORY TOWER CONTAINING 664 RESIDENTIAL UNITS AND 24,970 SQUARE FEET OF COMMERCIAL SPACE on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/01/05**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:**TRUESDELL – APPROVED subject to conditions and amending the following condition:**

16. **Coordinate the right-of-way requirements and construction requirements for Martin L. King Boulevard/Alta Drive with the City Engineer's Office and the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.**

– UNANIMOUS with STEINMAN and EVANS excused**To be heard by City Council 6/01/2005****MINUTES:**

CHAIRMAN NIGRO declared the Public Hearing open on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

MINUTES – Continued:

(10:38 – 10:56)
3-3253

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-6284) to allow Mixed-Use development, and a Variance (VAR-6283) from Residential Adjacency Standards and the height limits listed in Title 19.08.030(C), approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/05, except as amended by conditions herein.
4. The applicant shall be required to develop a Multi-Use Transportation Trail along the Alta Drive frontage in compliance with the Transportation Trails Element of the General Plan. The trail may be located within the perimeter buffer area, provided that five-foot landscape amenity zones are located on both sides of the trail in accordance with the Transportation Trails Element of the Las Vegas 2020 Master Plan.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turf shall not exceed a maximum of 12.5% of the total landscaped area.
6. Parking lot landscaping shall conform to the minimum requirements listed in Title 19.12.040.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. Glazing shall conform to the Commercial Development Standards listed in Title 19.08.045.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. All property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate the location and right-of-way requirements for the Martin L. King Boulevard project with the City Engineer's Office and the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.
16. Dedicate an additional 20 feet of right-of-way adjacent to this site for Alta Drive and Martin L. King Boulevard concurrent with development of this site. Also dedicate the appropriate right-of-way required for a bus turnout/deceleration lane on Alta Drive and rights-of-way per standard drawing 201.1 for the intersection of Martin L. King Boulevard and Alta Drive unless specifically noted as not required by the updated Traffic Impact Analysis.
17. 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. Construct all incomplete half-street improvements on Alta Drive and Martin L. King Boulevard adjacent to this site concurrent with development of this site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

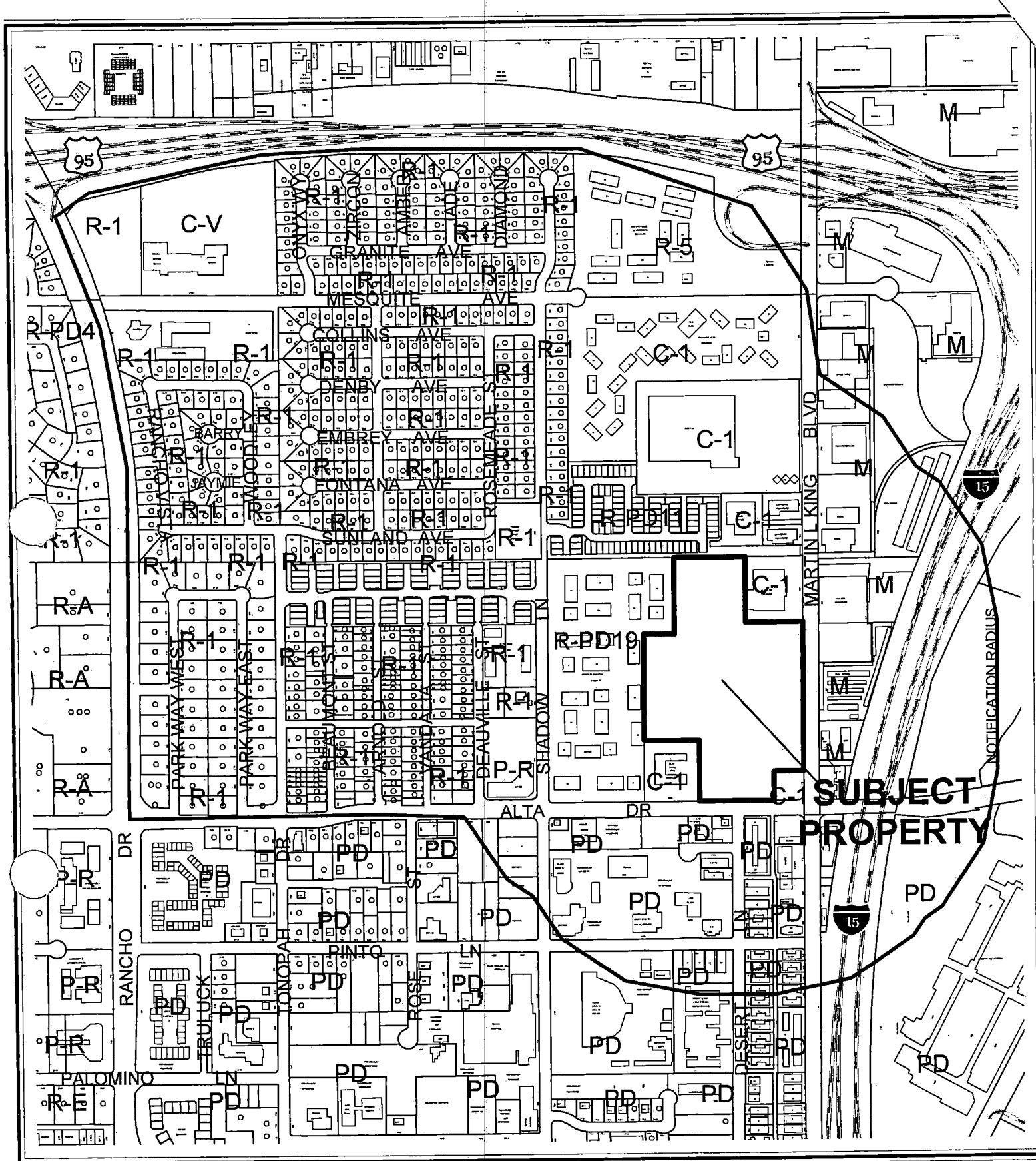
18. All new gated driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
22. Landscape and maintain all unimproved rights-of-way on Alta Drive and Martin L. King Boulevard adjacent to this site.
23. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Martin L. King Boulevard public right-of-way adjacent to this site prior to the issuance of any permits. Submit an Encroachment Agreement for all landscaping and private improvements located in the Alta Drive public right-of-way adjacent to this site prior to issuance of any permits for this site.
24. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 74 – SDR-6282

CONDITIONS – Continued:

location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

25. 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.
26. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-6282

RADIUS: 1000 FT + SPECIAL

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

SDR-6282



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Ambling Development Partners, 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: [Signature]

Print Name: Phil J. Holmes, Manager

Subscribed and sworn before me

This 14th day of March, 2005

Notary Public in and for said County and State



SITE DATA

SITE AREA = 16.78 ACRES (730,936.8 SF)

BLDG 100 - 9 STORIES
210 UNITS (7 STORIES)
2 LEVEL PARKING DECK
230 SPACES TOTAL
(INCLUDES 4 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)
1 STORY RETAIL IN PARKING DECK

AREA CALCULATIONS
BUILDING FOOTPRINT 44,767 SF
TOTAL BUILDING 479,918 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK 102,840 SF
TOTAL RETAIL 12,100 SF

BLDG 200 - 9 STORIES
164 UNITS (7 STORIES)
2 LEVEL PARKING DECK
214 SPACES TOTAL
(INCLUDES 4 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
BUILDING FOOTPRINT 52,727 SF
TOTAL BUILDING 591,849 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK 105,454 SF

BLDG 300 - 9 STORIES
176 UNITS (7 STORIES)
2 LEVEL PARKING DECK
230 SPACES TOTAL
(INCLUDES 4 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
BUILDING FOOTPRINT 61,155 SF
TOTAL BUILDING 692,107 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK 128,504 SF

LOFT BUILDING - 5 STORIES
65 UNITS (5 STORIES)
1 LEVEL PARKING DECK
65 SPACES TOTAL
(INCLUDES 4 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)
1 STORY RETAIL IN PARKING DECK

AREA CALCULATIONS
BUILDING FOOTPRINT 59,513 SF
TOTAL BUILDING 150,685 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK 26,172 SF
TOTAL RETAIL 12,470 SF

AREA TOTALS
GROSS AREA OF THE
FOUR CONDOMINIUM
BUILDINGS (INCLUDES
BALCONIES) 1,514,499 SF

CLUBHOUSE 1 STORY 3,500 SF
RETAIL INCLUDED IN GROSS AREA 24,970 SF

PARKING DECK 362,770 SF
INCLUDED IN GROSS AREA

FAR: BUILDING AREA / SITE AREA = 2.08

FAR: RESIDENTIAL AREA / SITE AREA = 1.54
(MINUS PARKING DECK AREAS)

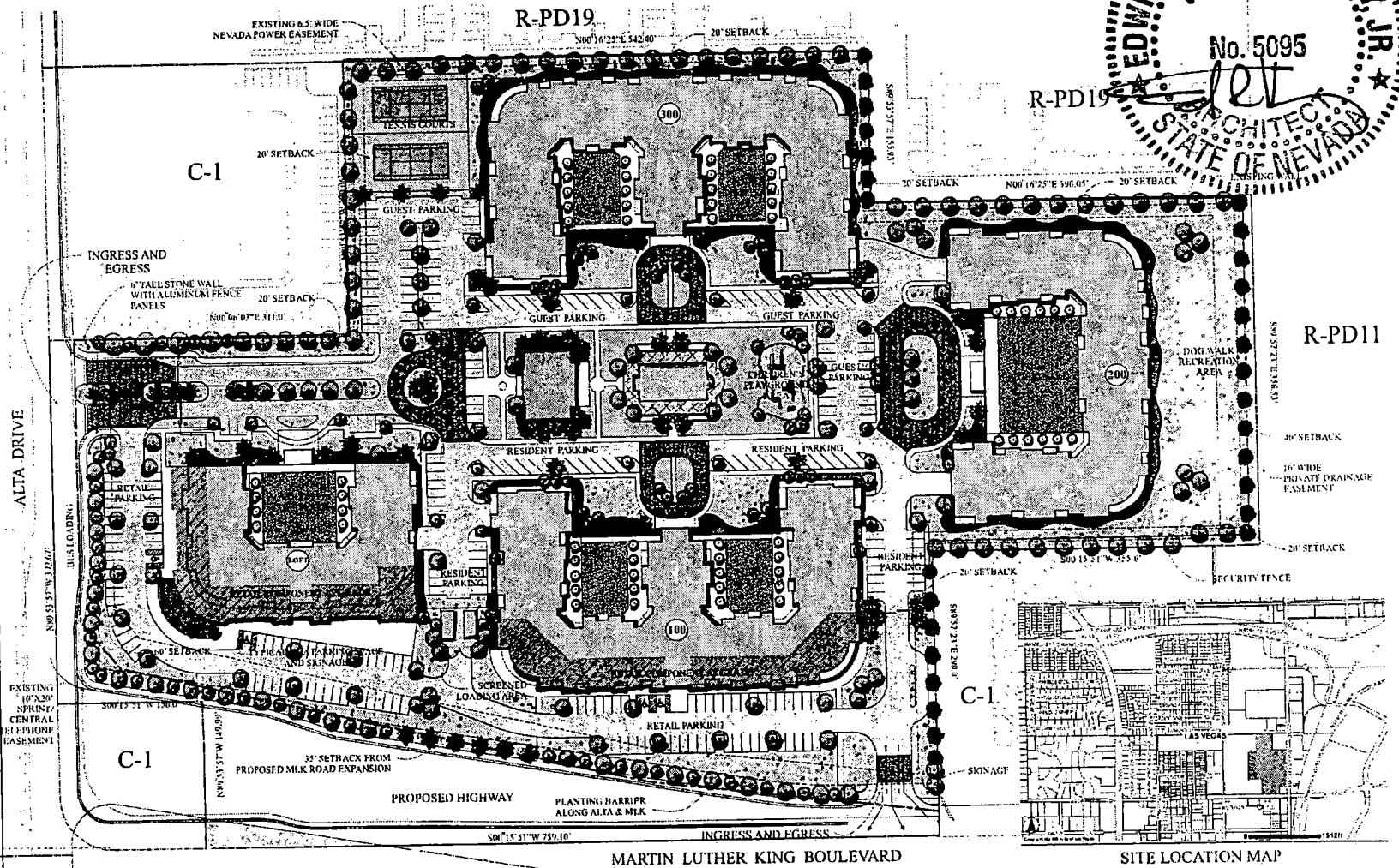
TOTAL UNITS = 664
TOTAL BEDS = 1114
DENSITY = 39.57 UNITS/ACRE

PARKING DECK RESIDENTIAL SPACES = 799
SURFACE RESIDENTIAL SPACES = 47
SURFACE GUEST SPACES = 40

TOTAL RESIDENTIAL PARKING SPACES = 930
(14 SPACES UNIT)

RETAIL SPACES = 107 (4 ARE ACCESSIBLE)
4 SPACES 1000 SF

NOTE:
STANDARD PARKING SPACE = 9' X 18'
HICUP ACCESSIBLE SPACE = 9' X 18' PLUS 5' ACCESS AISLE
VAN ACCESSIBLE SPACE = 9' X 18' PLUS 8' ACCESS AISLE



SITE DEVELOPMENT PLAN

ALTA DRIVE PROPOSED DEVELOPMENT LAS VEGAS, NEVADA February 22, 2005

SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Architect - 1. Plan Design - Planning

Scale: 1/8" = 1'-0"
Date: 04/28/05
Project: ALTA DRIVE
Client: AMBLING DEVELOPMENT PARTNERS, LLC
Location: LAS VEGAS, NEVADA

400 13.50 SITE DEVELOPMENT PLAN

AMBLING
DEVELOPMENT PARTNERS, LLC
ATLANTA, GEORGIA

SHRUB LEGEND

QTY	SYMBOL	COMMON NAME
66	(1)	ALPINE CURET
76	(2)	SNOWBERRY
72	(3)	ADAM SAGE
28	(4)	RED CLUSTER COTONEASTER
40	(5)	TEXAS SAGE
190	(6)	NEW GILD LANTANA
8	(7)	SPREA
12	(8)	FEATHERY CASSIA
204	(9)	RED YUCCA
66	(10)	HARRERT

LANDSCAPE PLANTER ZONE A
LENGTH: 242' LE. WIDTH: 15'
ZONING: COMMERCIAL
REQUIRED TREE SPACING PER
ZONING: 20' O.C.
REQUIRED # OF TREES: 12-1
TREES PLANTED: 13
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 32
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE B
LENGTH: 150' LE. WIDTH: 15'
ZONING: COMMERCIAL
REQUIRED TREE SPACING PER
ZONING: 20' O.C.
REQUIRED # OF TREES: 41-1
TREES PLANTED: 42
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 16
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE C
LENGTH: 248' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 8-1
TREES PLANTED: 9
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 36
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE D
LENGTH: 155' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 11-1
TREES PLANTED: 12
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 16
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE E
LENGTH: 91' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 12-1
TREES PLANTED: 13
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 32
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE F
LENGTH: 90' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 11-1
TREES PLANTED: 11
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 26
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE K
LENGTH: 171' LE. WIDTH: 8'
ZONING: RETAIL
REQUIRED TREE SPACING PER
ZONING: 20' O.C.
REQUIRED # OF TREES: 9-1
TREES PLANTED: 10
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 40
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE L
LENGTH: 150' LE. WIDTH: 15'
ZONING: COMMERCIAL
REQUIRED TREE SPACING PER
ZONING: 20' O.C.
REQUIRED # OF TREES: 41-1
TREES PLANTED: 42
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 16
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE M
LENGTH: 155' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 11-1
TREES PLANTED: 12
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 16
2" OF ROCK MULCH

LANDSCAPE PLANTER ZONE N
LENGTH: 91' LE. WIDTH: 8'
ZONING: MULTIFAMILY
REQUIRED TREE SPACING PER
ZONING: 40' O.C.
REQUIRED # OF TREES: 12-1
TREES PLANTED: 13
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 32
2" OF ROCK MULCH

PARKING AREA 1-RETAIL
TOTAL UNCOVERED PARKING
SPACES (X): 106
TOTAL # OF ISLANDS AT THE END
OF ROWS (Y): 0
TOTAL MIN. # OF TREES
REQUIRED (X/6) + (Y/2): 14
TREES PLANTED: 33
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 92
2" OF ROCK MULCH

PARKING AREA 2-GUEST
TOTAL UNCOVERED PARKING
SPACES (X): 47
TOTAL # OF ISLANDS AT THE END
OF ROWS (Y): 6
TOTAL MIN. # OF TREES
REQUIRED (X/6) + (Y/2): 11
TREES PLANTED: 19
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 76
2" OF ROCK MULCH

PARKING AREA 3-RESIDENTS
TOTAL UNCOVERED PARKING
SPACES (X): 57
TOTAL # OF ISLANDS AT THE END
OF ROWS (Y): 14
TOTAL MIN. # OF TREES
REQUIRED (X/6) + (Y/2): 17
TREES PLANTED: 15
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 72
2" OF ROCK MULCH

PARKING AREA 4-GUEST
TOTAL UNCOVERED PARKING
SPACES (X): 40
TOTAL # OF ISLANDS AT THE END
OF ROWS (Y): 4
TOTAL MIN. # OF TREES
REQUIRED (X/6) + (Y/2): 9
TREES PLANTED: 19
REQUIRED # OF 5 GAL SHRUBS: 4 TREE
SHRUBS PLANTED: 76
2" OF ROCK MULCH

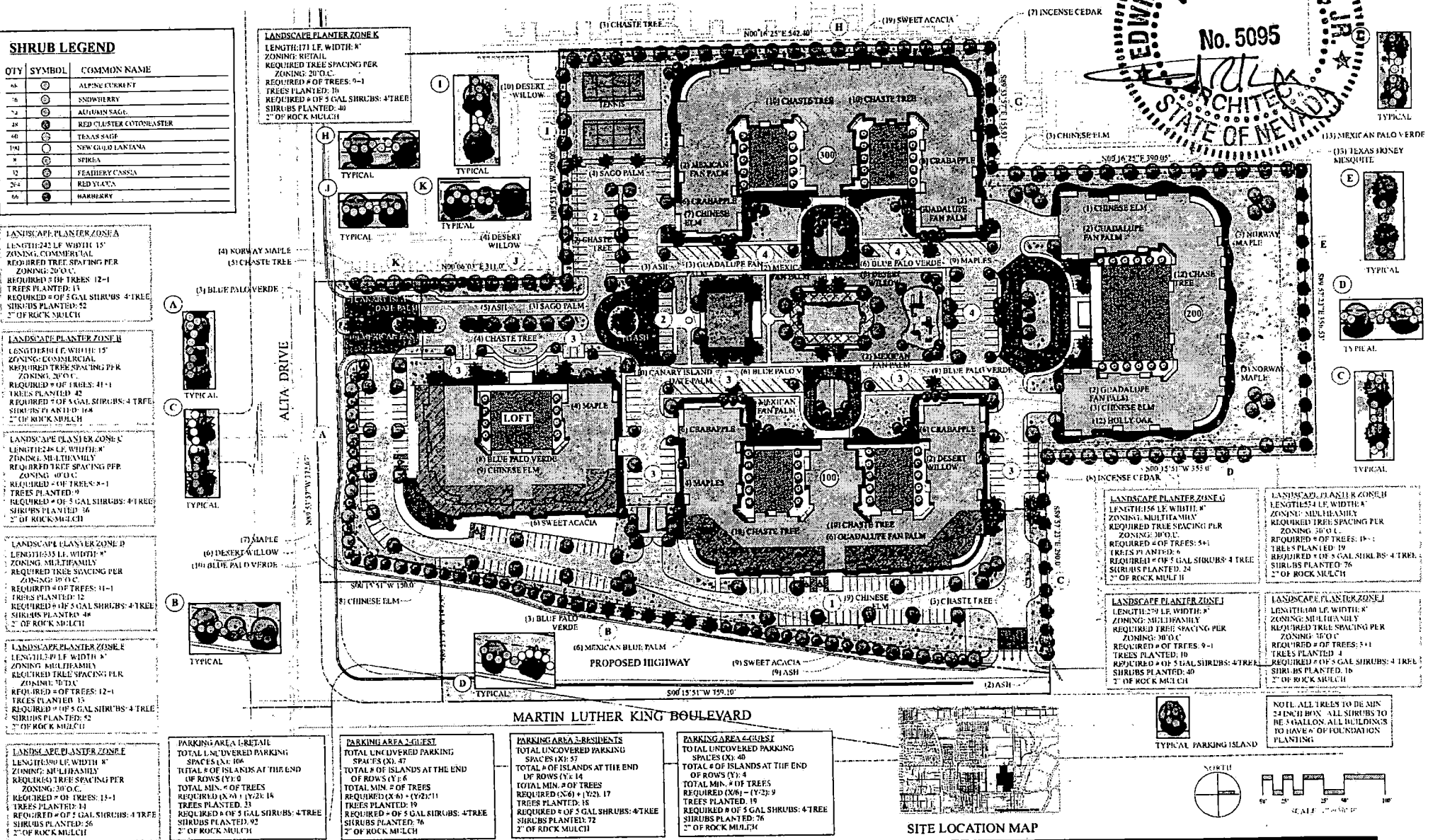
AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

LANDSCAPE PLAN ALTA DRIVE PROPOSED DEVELOPMENT

LAS VEGAS, NEVADA

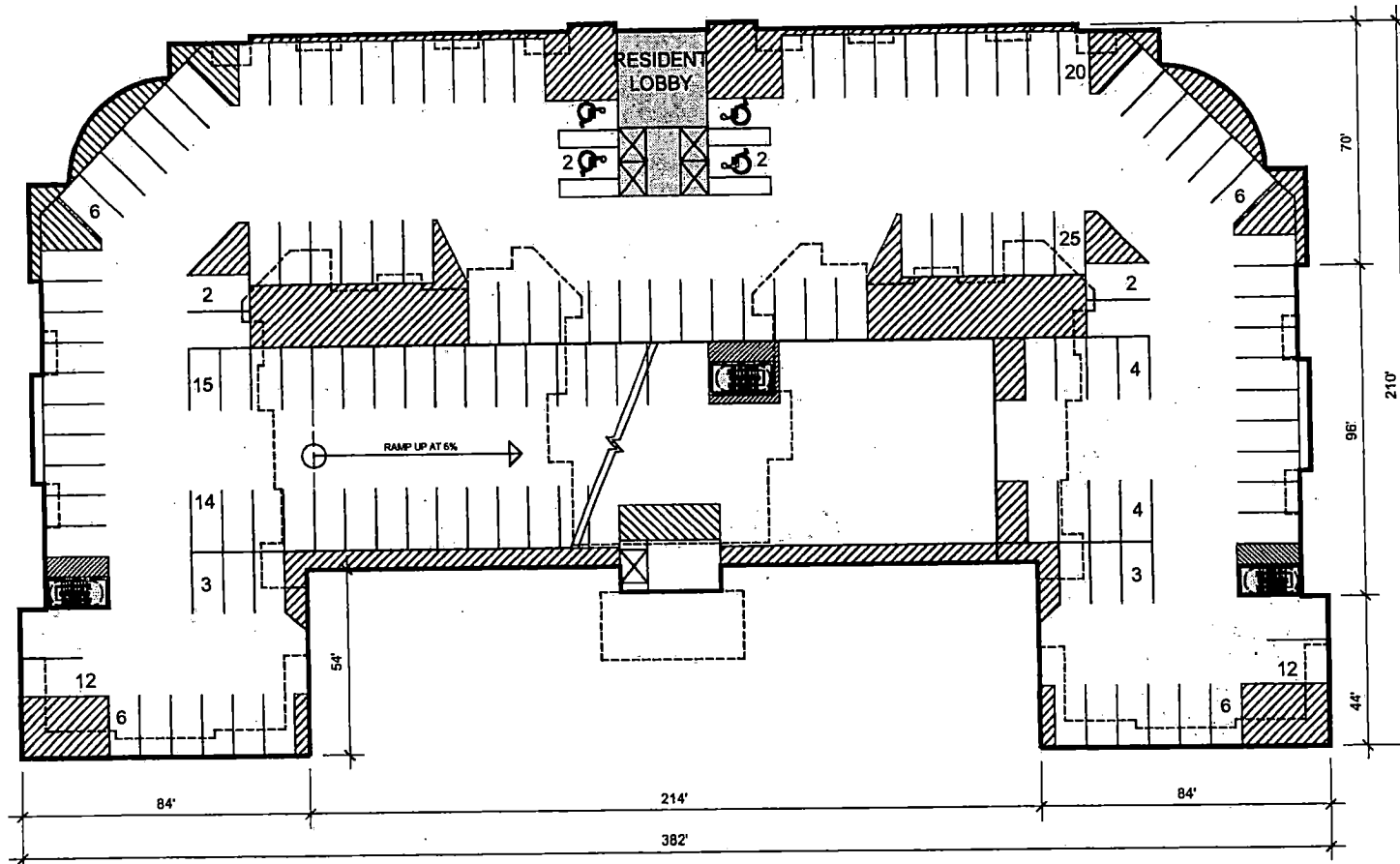
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SDR-6282
04/28/05 PC



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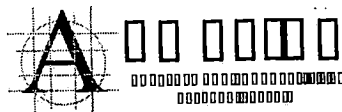
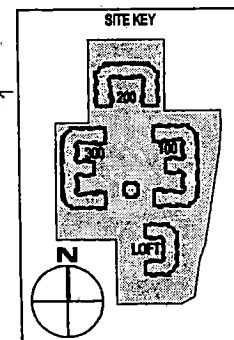
NOTES: ALL TREES TO BE MIN. 24 INCH DBH. ALL SHRUBS TO BE 3 GAL. ALL BUILDINGS TO HAVE 6" OF FOUNDATION PLANTING.



BUILDING 300 PARKING BASEMENT FLOOR PLAN

1/16"=1'-0"

AREA: PARKING DECK
51,836 SF
OCCUPANT LOAD: 259



ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

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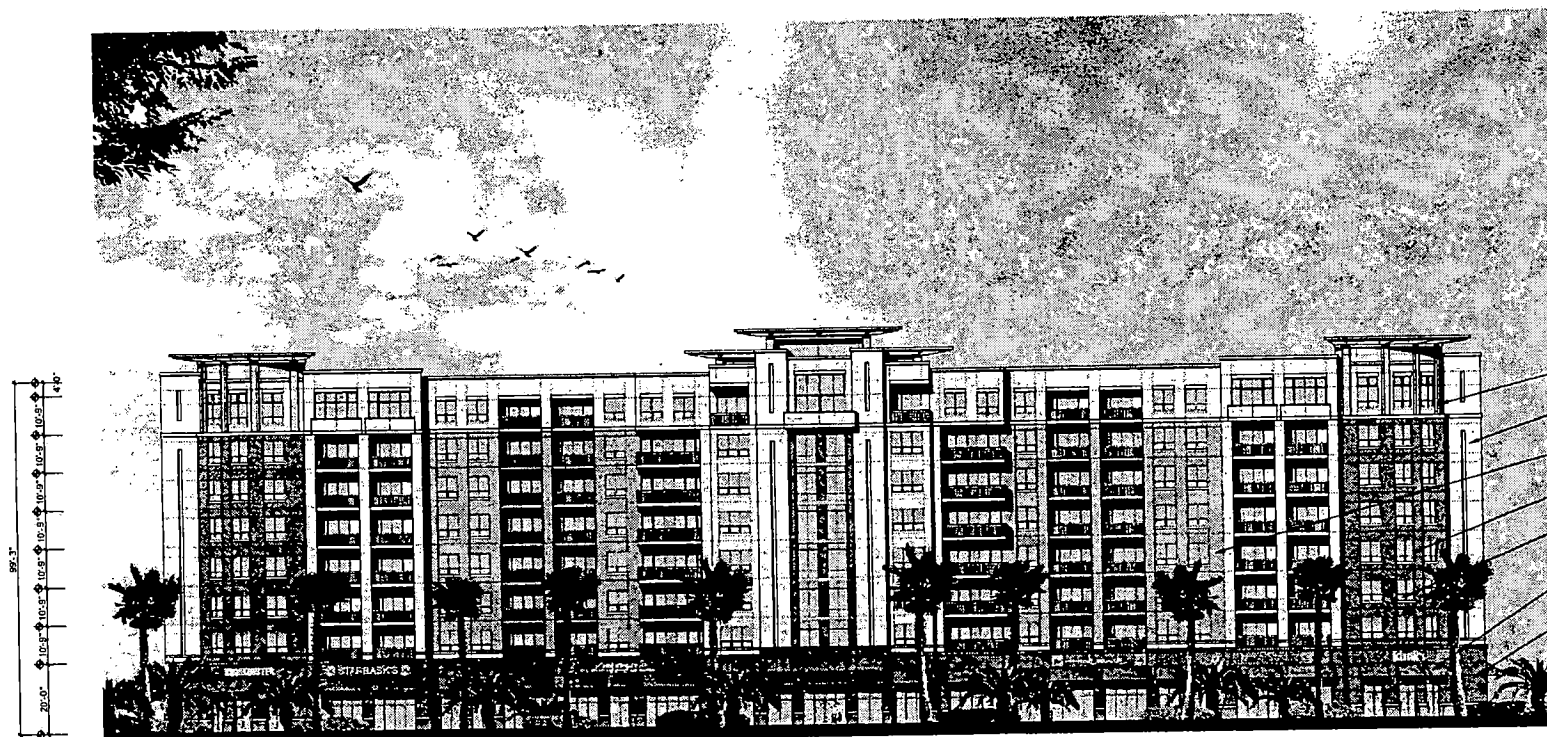
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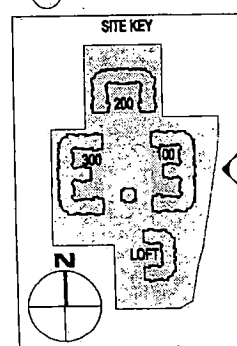
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REVISED
4.25.05



- MATERIAL KEY**
- 1 TINTED EXTERIOR GLAZING
 - 2A EIFS STUCCO SYSTEM FIELD COLOR #1
 - 2B EIFS STUCCO SYSTEM COLOR #2
 - 2C EIFS STUCCO SYSTEM COLOR #3
 - 3 METAL TRIM
 - 4 CLEAR ANODIZED WINDOW FRAMES
 - 5 FABRIC AWNING

- 3
- 2A
- 2B
- 4
- 1
- 5
- 2C



BUILDING 100 FRONT (EAST) ELEVATION
1/16"=1'-0"

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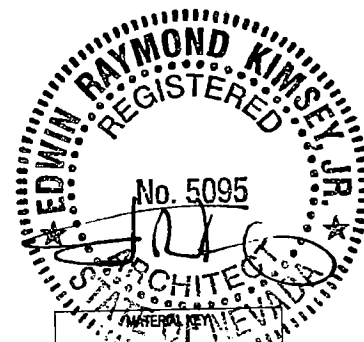
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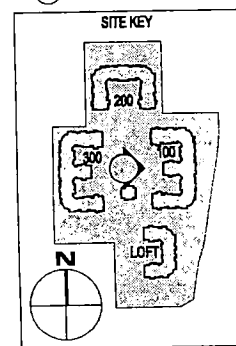
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 - 3 METAL TRIM
 - 4 CLEAR ANODIZED WINDOW FRAMES
 - 5 FABRIC AWNING



BUILDING 100 BACK (WEST) ELEVATION
1/16"=1'-0"

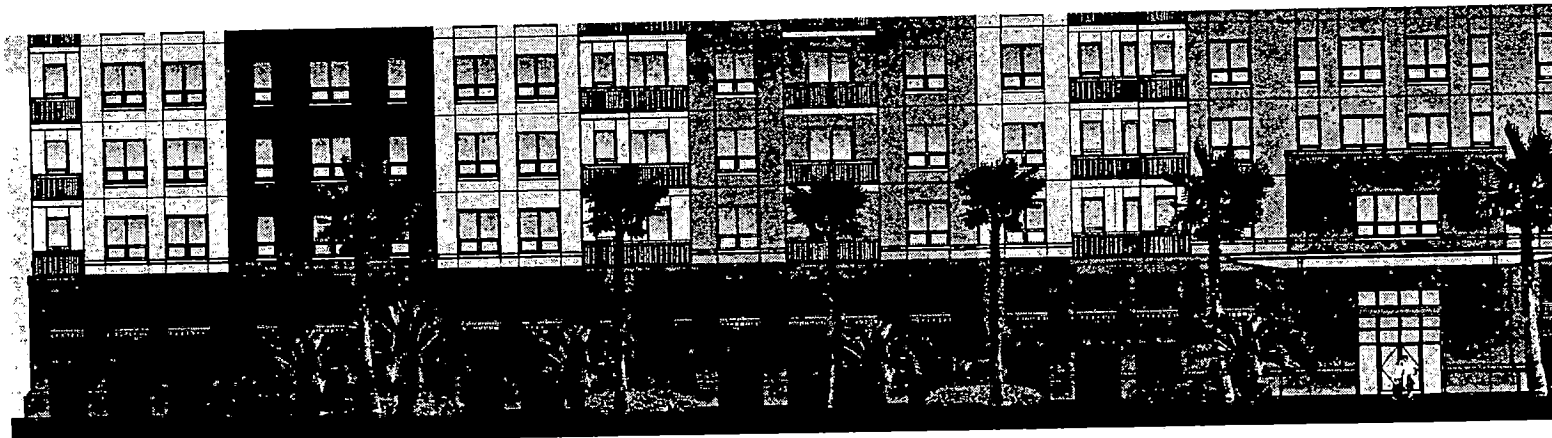
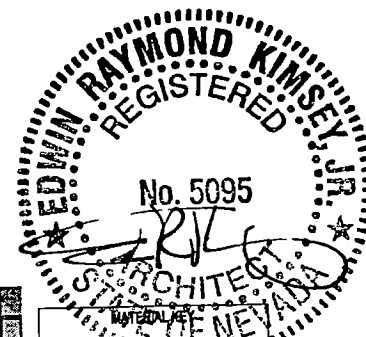


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PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

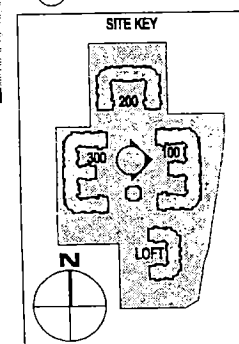
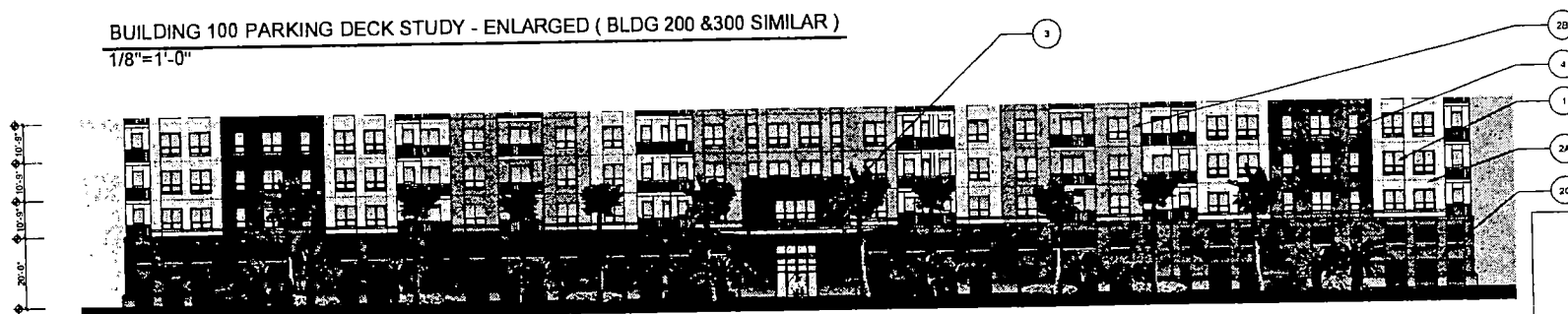
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 - 3 METAL TRIM
 - 4 CLEAR ANODIZED WINDOW FRAMES
 - 5 FABRIC AWNING

BUILDING 100 PARKING DECK STUDY - ENLARGED (BLDG 200 & 300 SIMILAR)
 1/8"=1'-0"



BUILDING 100 PARKING DECK STUDY (BLDG 200 & 300 SIMILAR)
 1/16"=1'-0"

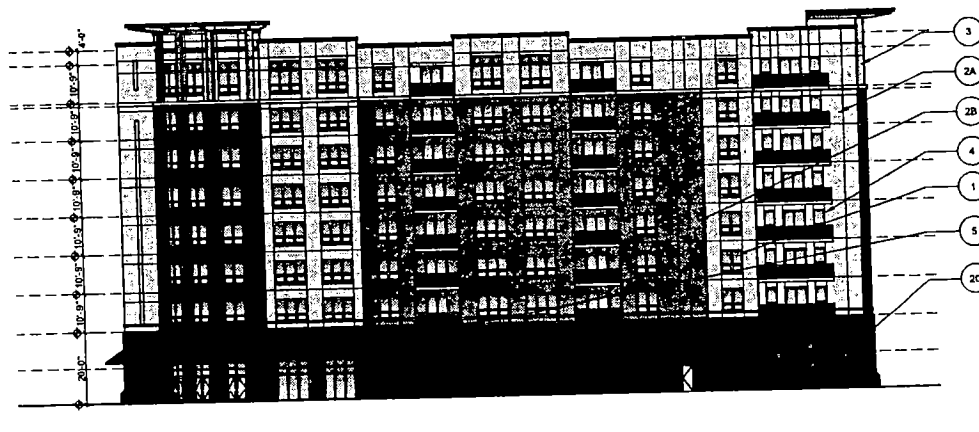
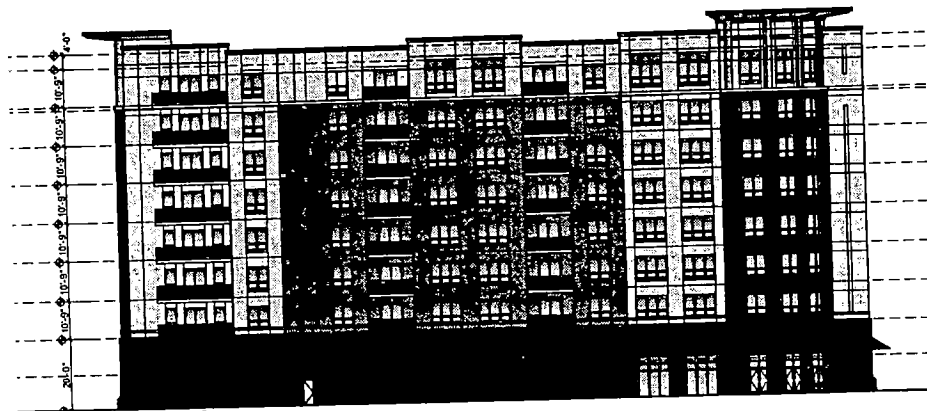
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 LAS VEGAS, NEVADA

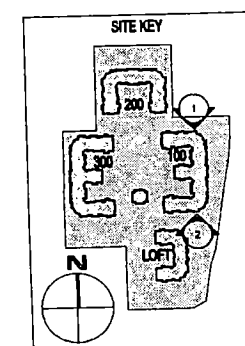
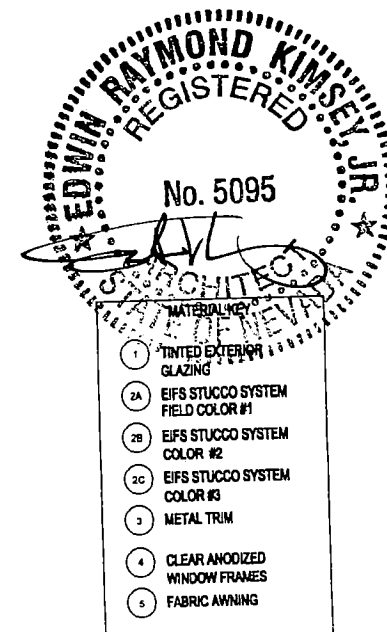
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BUILDING 100 SIDE (NORTH & SOUTH) ELEVATIONS
1/16"=1'-0"

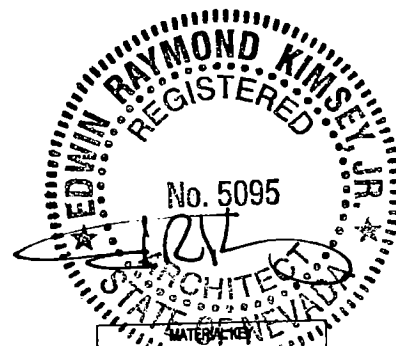


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ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2007

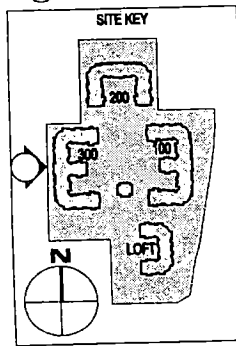
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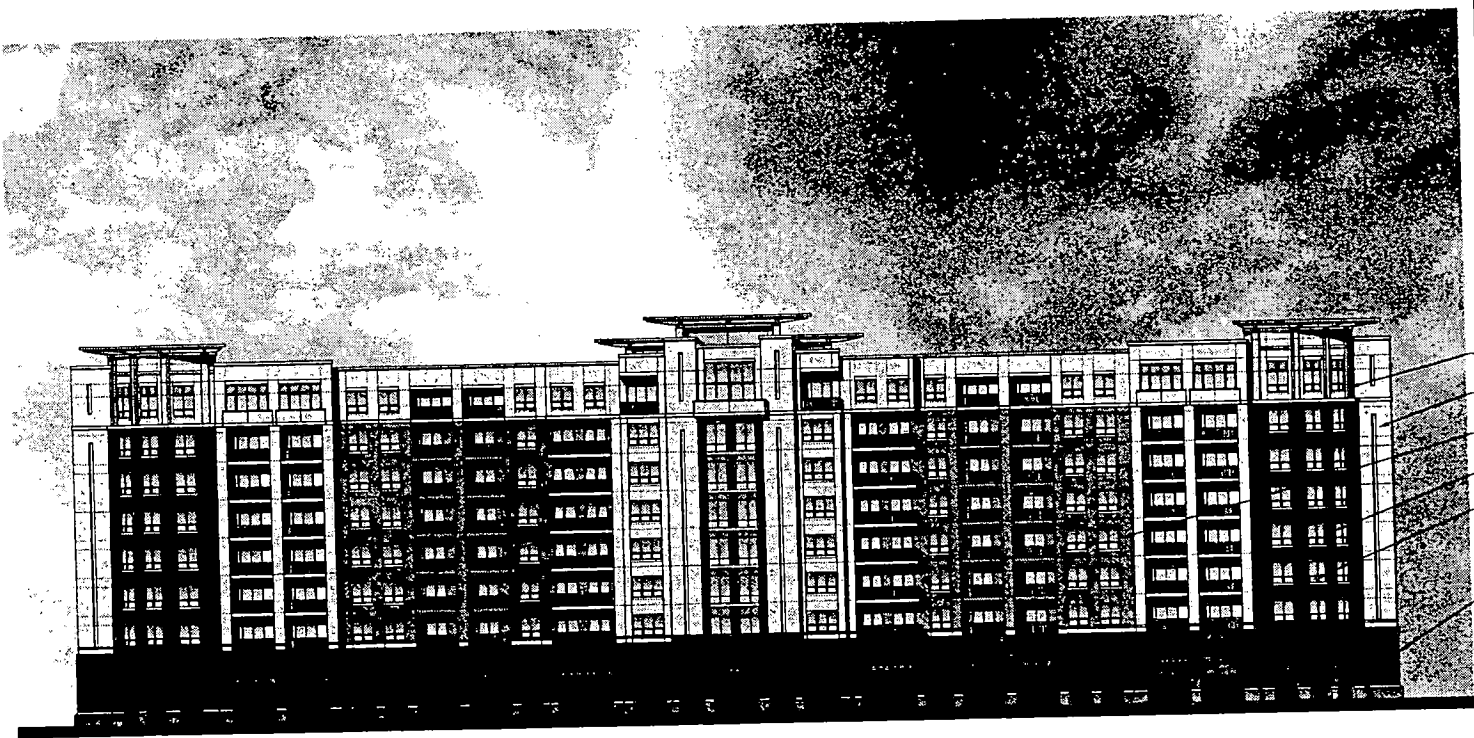


- 1 TINTED EXTERIOR GLAZING
- 2A EIFS STUCCO SYSTEM FIELD COLOR #1
- 2B EIFS STUCCO SYSTEM COLOR #2
- 2C EIFS STUCCO SYSTEM COLOR #3
- 3 METAL TRIM
- 4 CLEAR ANODIZED WINDOW FRAMES
- 5 FABRIC AWNING

- 3
- 2A
- 2B
- 4
- 1
- 2C



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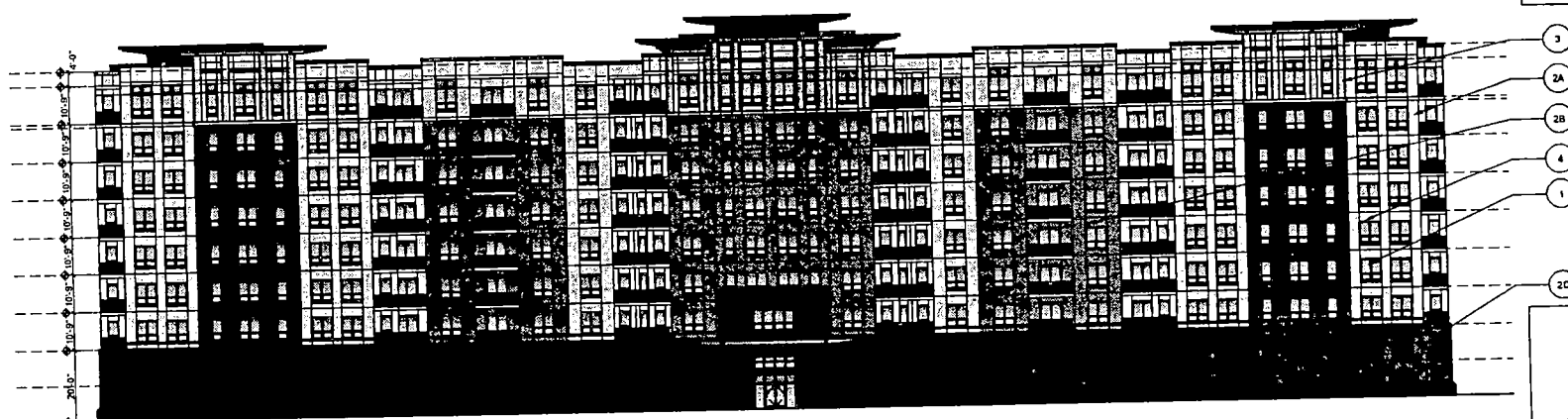
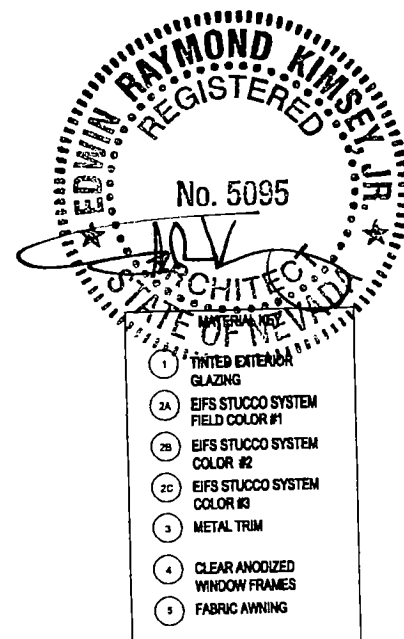


BUILDING 300 FRONT (WEST) ELEVATION - BUILDING 200 SIMILAR
 1/16"=1'-0"

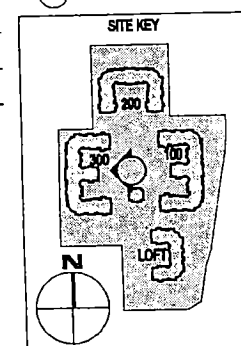
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 LAS VEGAS, NEVADA
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BUILDING 300 BACK (EAST) ELEVATION - BUILDING 200 SIMILAR
1/16"=1'-0"

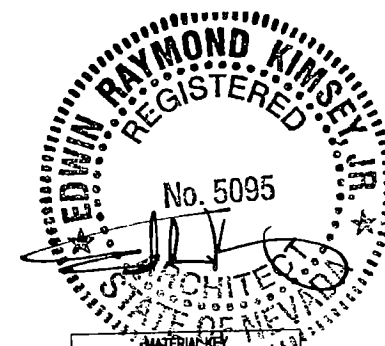


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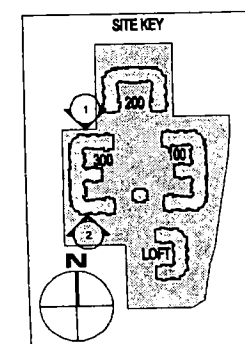
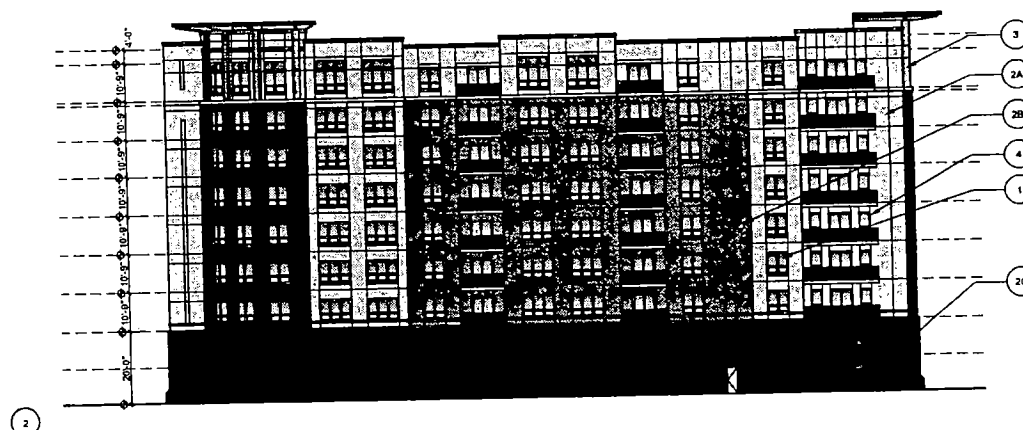
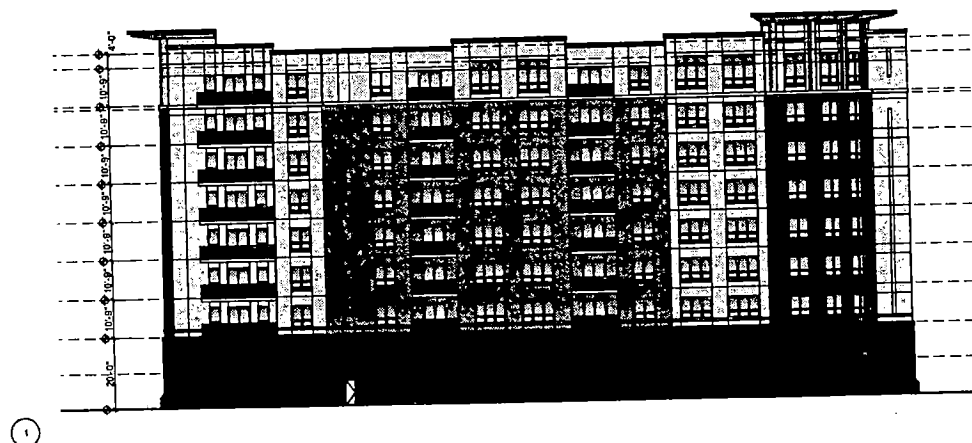
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State of Nevada Professional Architect
No. 5095
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- MATERIAL KEY**
- 1 TINTED EXTERIOR GLAZING
 - 2A EIFS STUCCO SYSTEM FIELD COLOR #1
 - 2B EIFS STUCCO SYSTEM COLOR #2
 - 2C EIFS STUCCO SYSTEM COLOR #3
 - 3 METAL TRIM
 - 4 CLEAR ANODIZED WINDOW FRAMES
 - 5 FABRIC AWNING



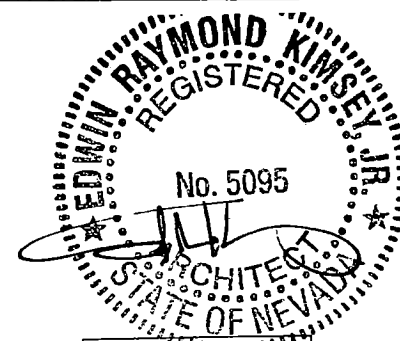
BUILDING 300 SIDE (NORTH & SOUTH) ELEVATIONS - BUILDING 200 SIMILAR
1/16"=1'-0"

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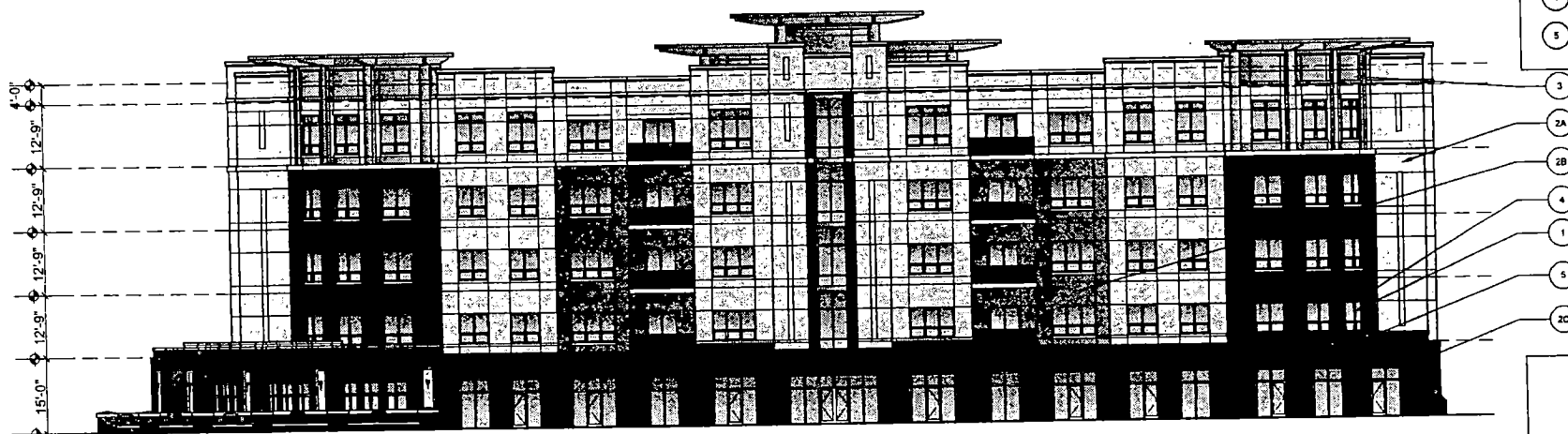
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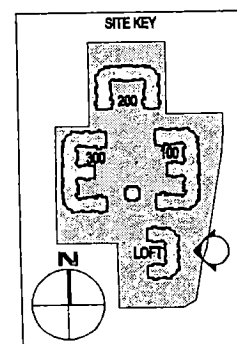
Edwin R. Kimsey Jr., AIA
Architect
Noted for construction
Not for construction
Not for construction
Not for construction
Not for construction
NOT RELEASED FOR CONSTRUCTION



- MATERIAL KEY**
- 1 TINTED EXTERIOR GLAZING
 - 2A EIFS STUCCO SYSTEM FIELD COLOR #1
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LOFT BUILDING SIDE ELEVATION
3/32"=1'-0"



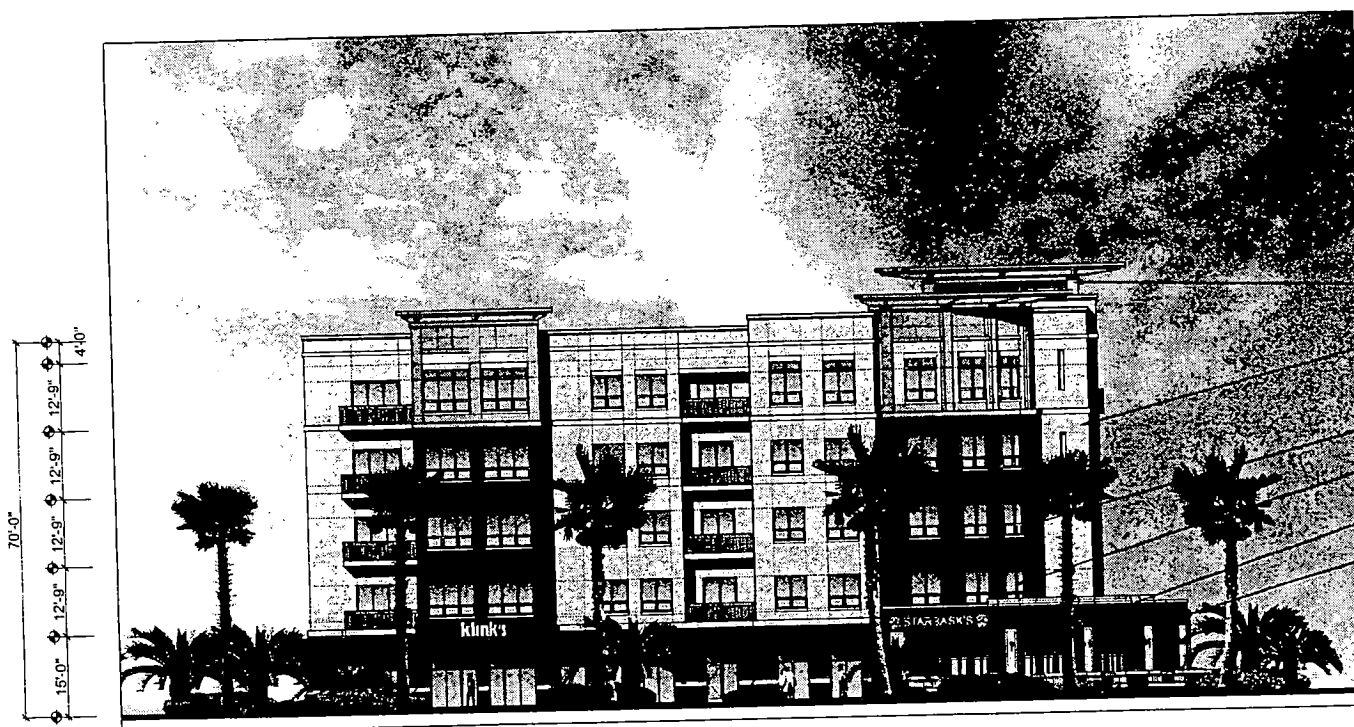
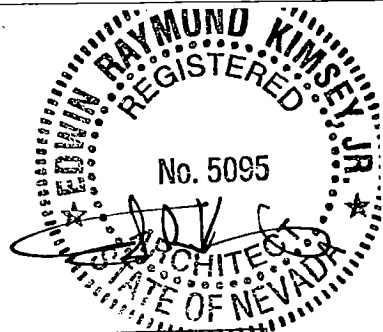
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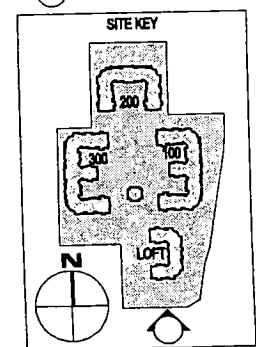
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MATERIAL KEY

1	TINTED EXTERIOR GLAZING
2A	EIFS STUCCO SYSTEM FIELD COLOR #1
2B	EIFS STUCCO SYSTEM COLOR #2
2C	EIFS STUCCO SYSTEM COLOR #3
3	METAL TRIM
4	CLEAR ANODIZED WINDOW FRAMES
5	FABRIC AWNING

- 3
- 2A
- 4
- 1
- 5
- 2C



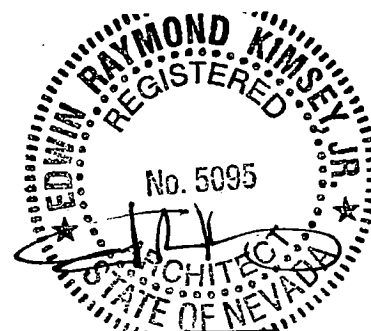
LOFT BUILDING (SOUTH) SIDE ELEVATION
3/32"=1'-0"

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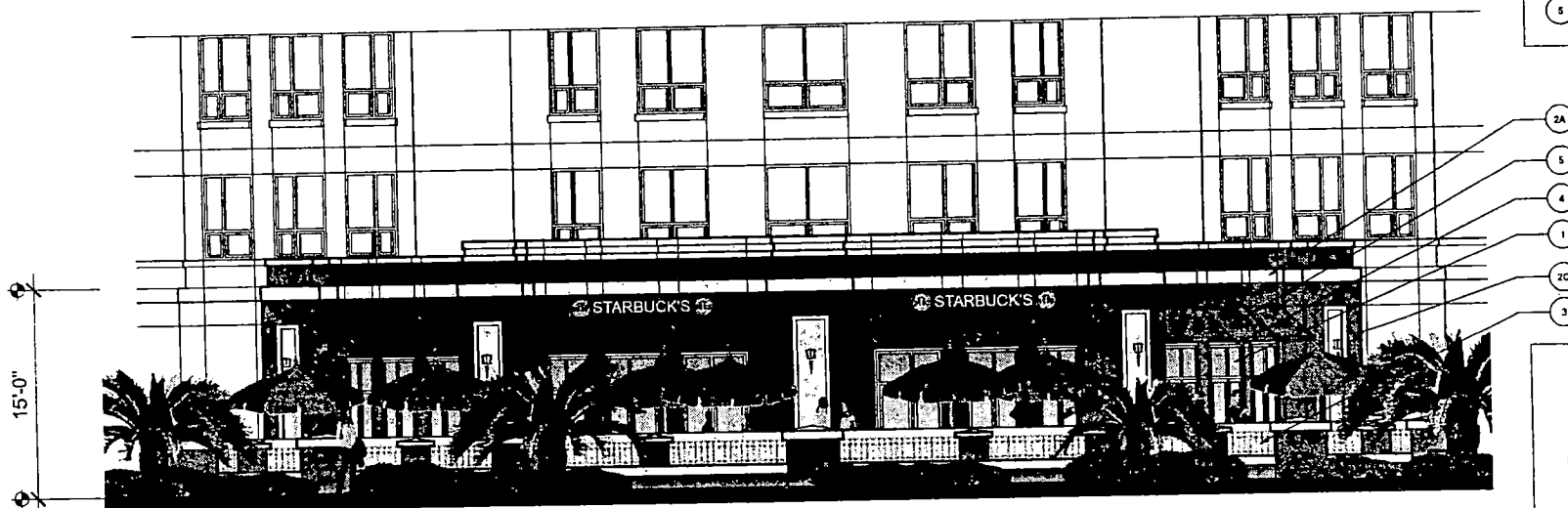
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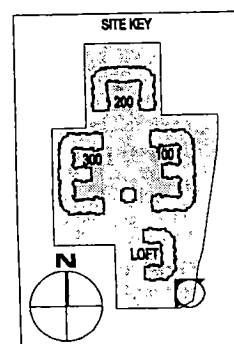


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LOFT BUILDING CAFE ELEVATION
1/4"=1'-0"

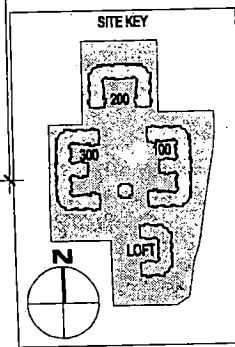
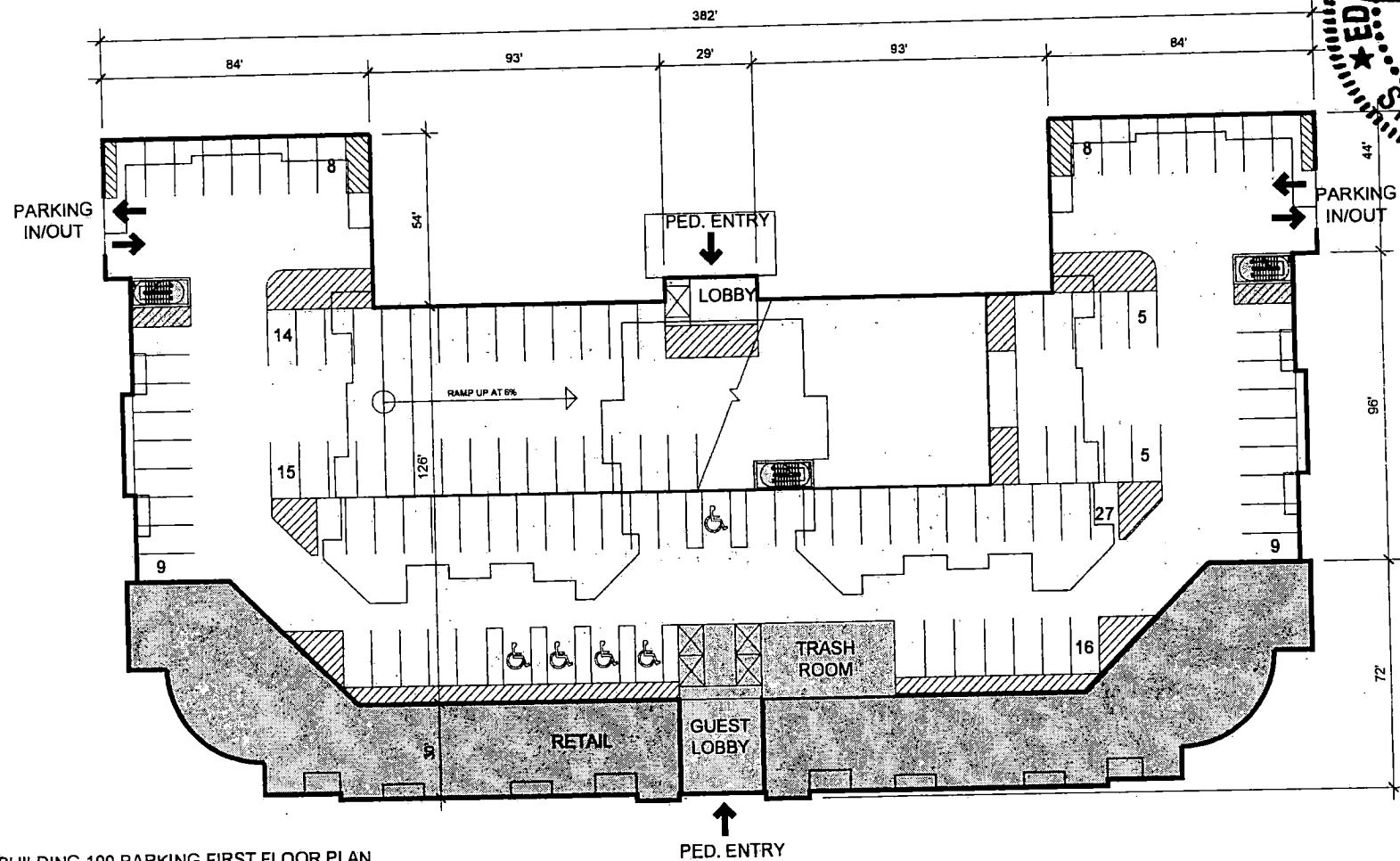
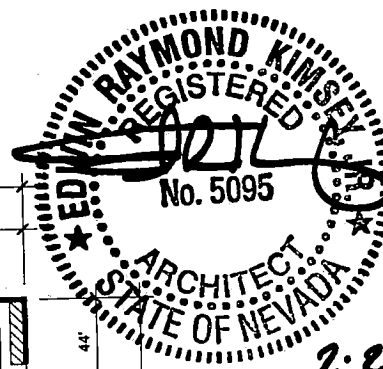


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BUILDING 100 PARKING FIRST FLOOR PLAN

1/16"=1'-0"

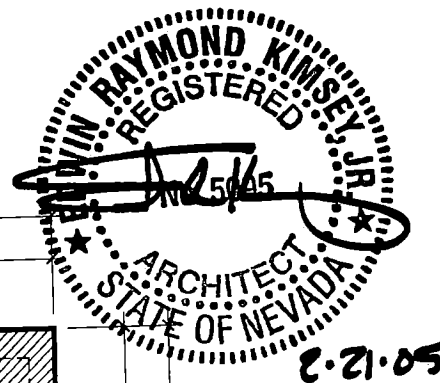
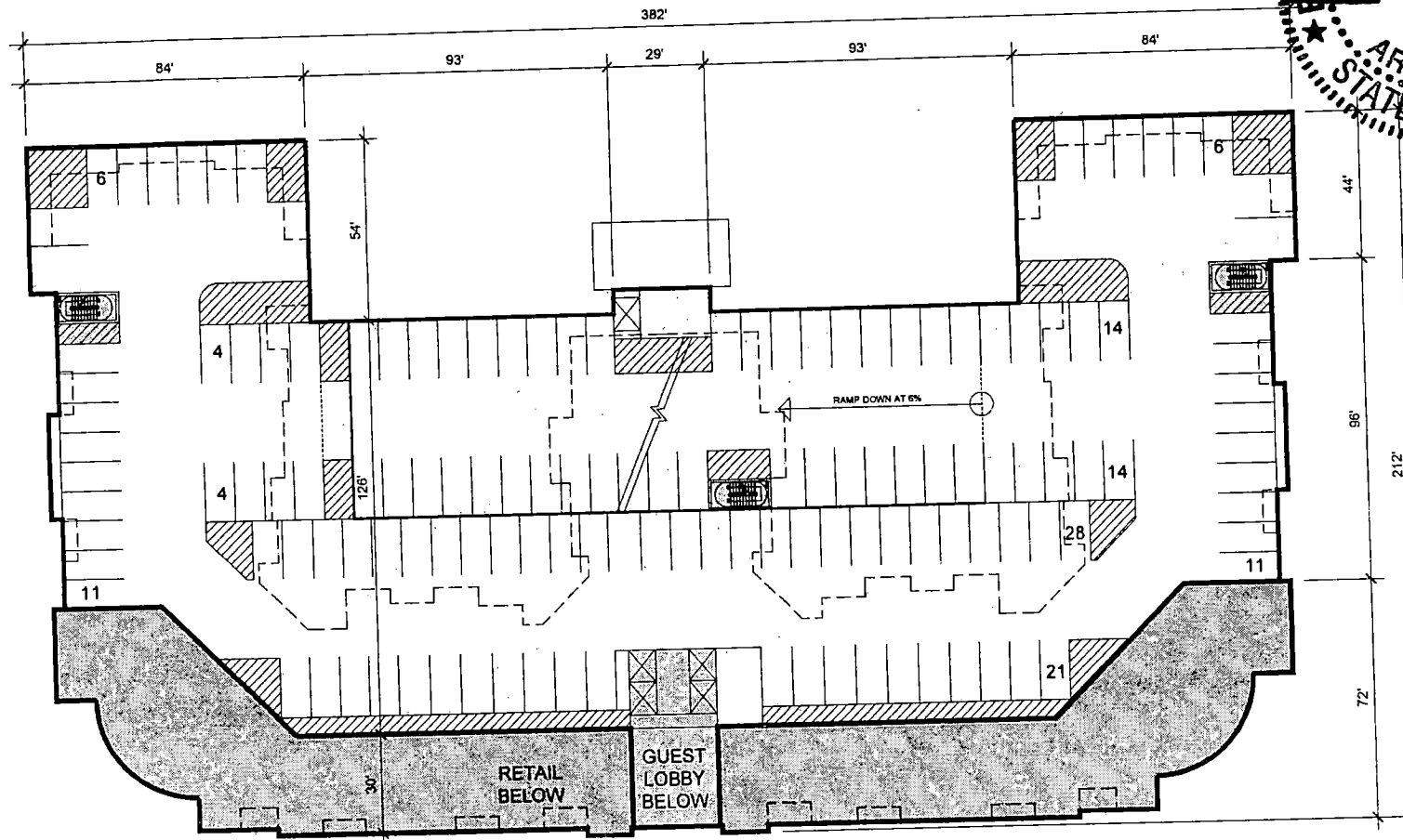
AREA:	RETAIL	PARKING DECK
	12,400 SF	51,635 SF
OCCUPANT LOAD:	413	258

AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

SDR-6282
04/28/05 PC

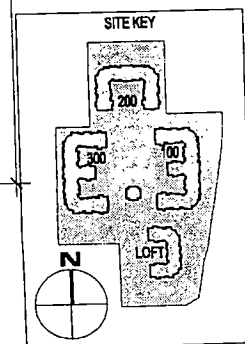
Edwin R. Kimsey Jr., AIA
Registered Professional Architect
No. 5095
State of Nevada
NOT RELEASED FOR CONSTRUCTION



BUILDING 100 PARKING SECOND FLOOR PLAN

1/16"=1'-0"

AREA: PARKING DECK
51,635 SF
OCCUPANT LOAD: 258

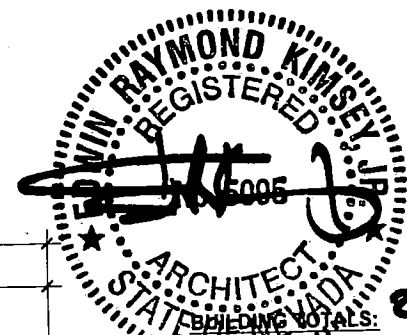


A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

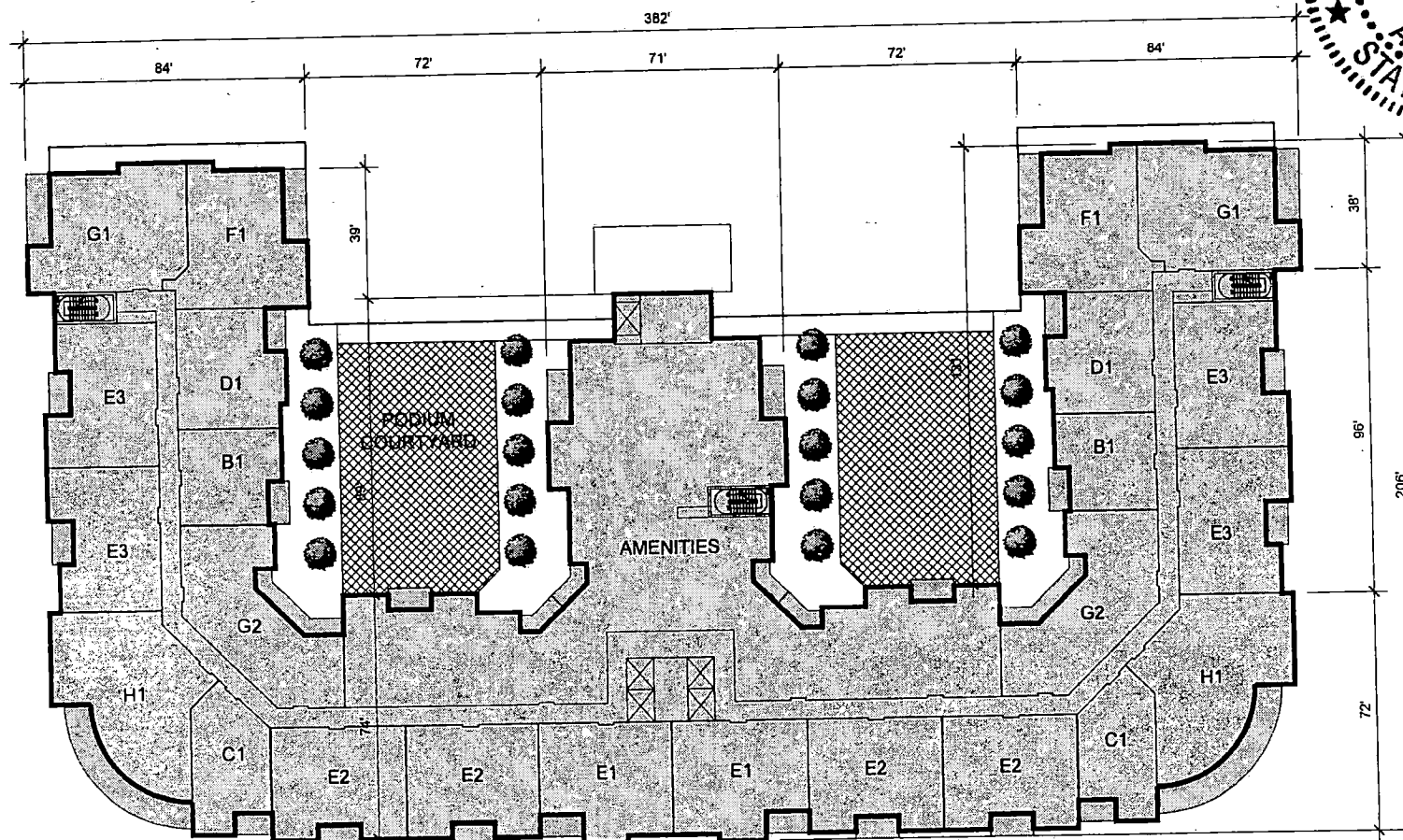
ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NV, NVADA
February 22, 2005

SDR-6282
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2005-04-28
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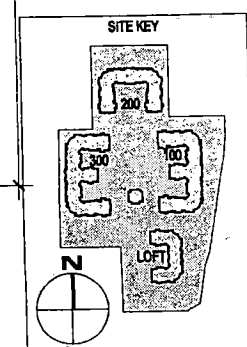


2-21-05



RESIDENTIAL CONDO UNITS:

UNIT TYPE	#	TOTAL FOR 7 FLOORS
B1	2	14
B2	3	18
C1	2	14
D1	2	14
D2	1	6
E1	2	14
E2	6	40
E3	4	28
F1	2	14
F2	2	12
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		216



BUILDING 100 PODIUM FLOOR PLAN

1/16"=1'-0"

AREA:	BUILDING (HEATED)	COURTYARD
	46,560 SF	14,318 SF
OCCUPANT LOAD		
RESIDENTIAL:	181	ACCESSORY
AMENITIES:	334	

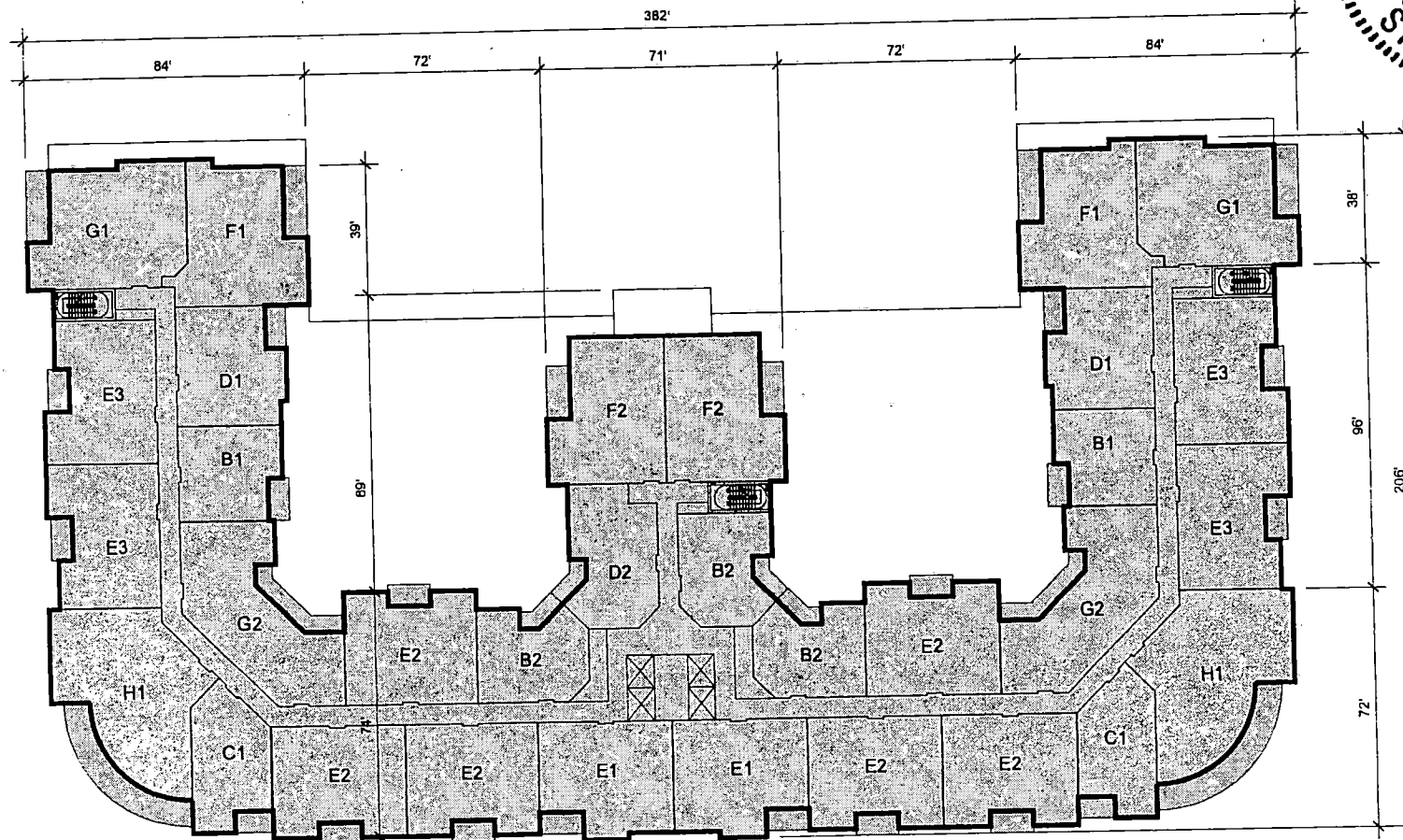
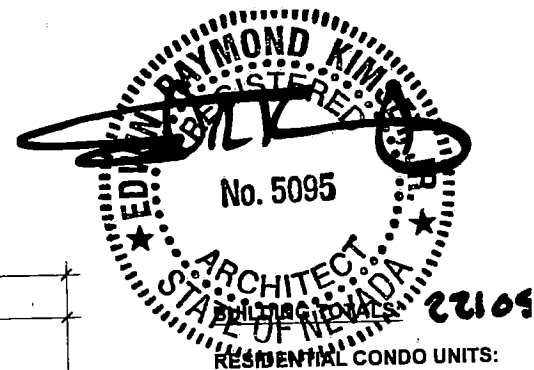


**ALTA DRIVE
PROPOSED DEVELOPMENT**
LAS VEGAS, NEVADA

February 22, 2005

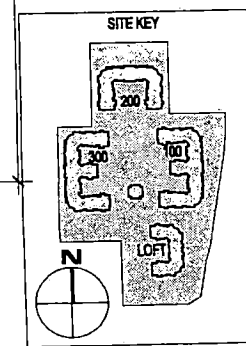
SDR-6282
04/28/05 PC

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Architect
Not Released for Construction



RESIDENTIAL CONDO UNITS:

UNIT TYPE	#	TOTAL FOR 7 FLOORS
B1	2	14
B2	3	18
C1	2	14
D1	2	14
D2	1	6
E1	2	14
E2	6	40
E3	4	28
F1	2	14
F2	2	12
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		216



BUILDING 100 TYPICAL FLOOR PLAN

1/16"=1'-0"

AREA:	BUILDING (HEATED)
OCCUPANT LOAD:	230

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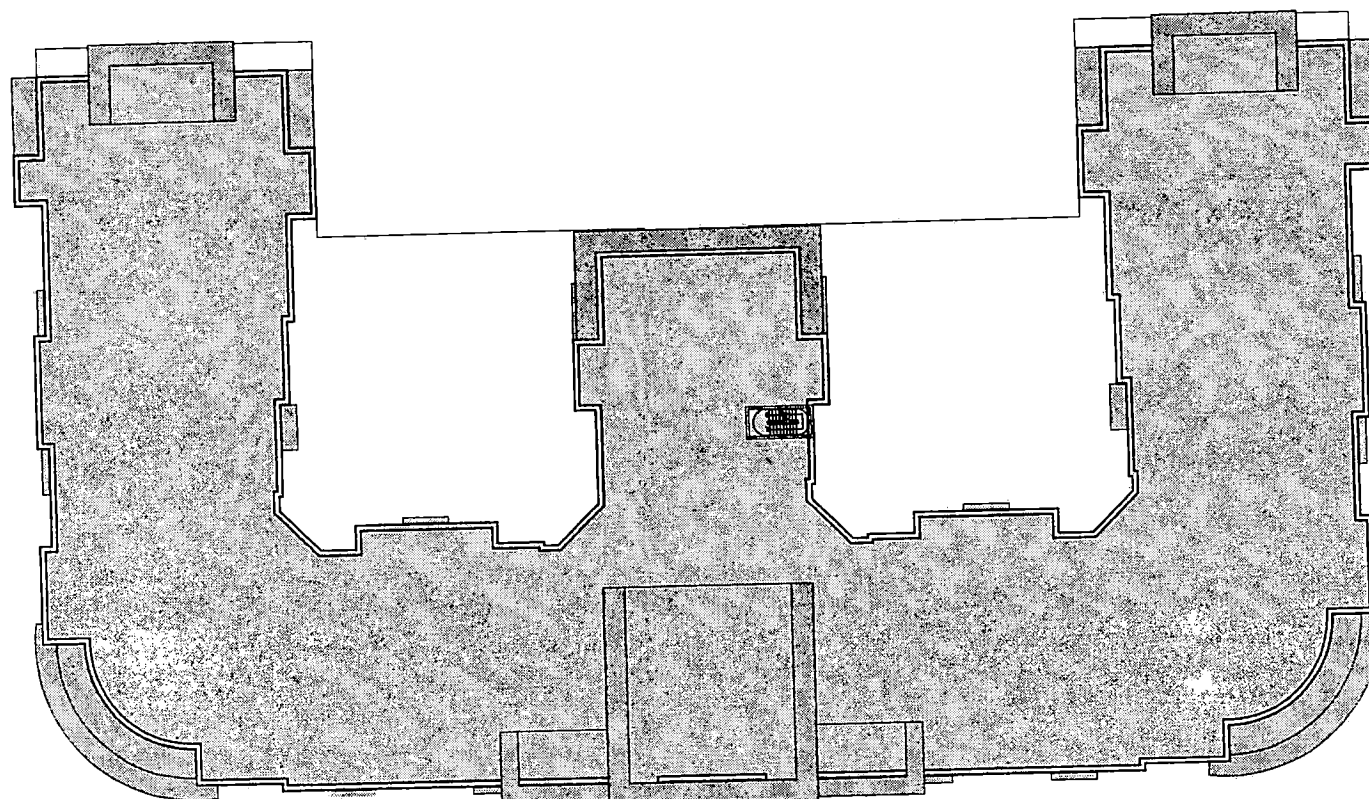
ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

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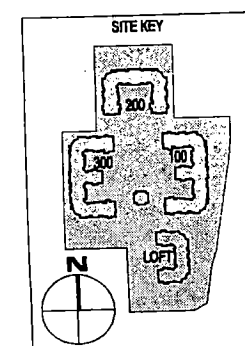


22105



BUILDING 100 ROOF PLAN

1/16"=1'-0"



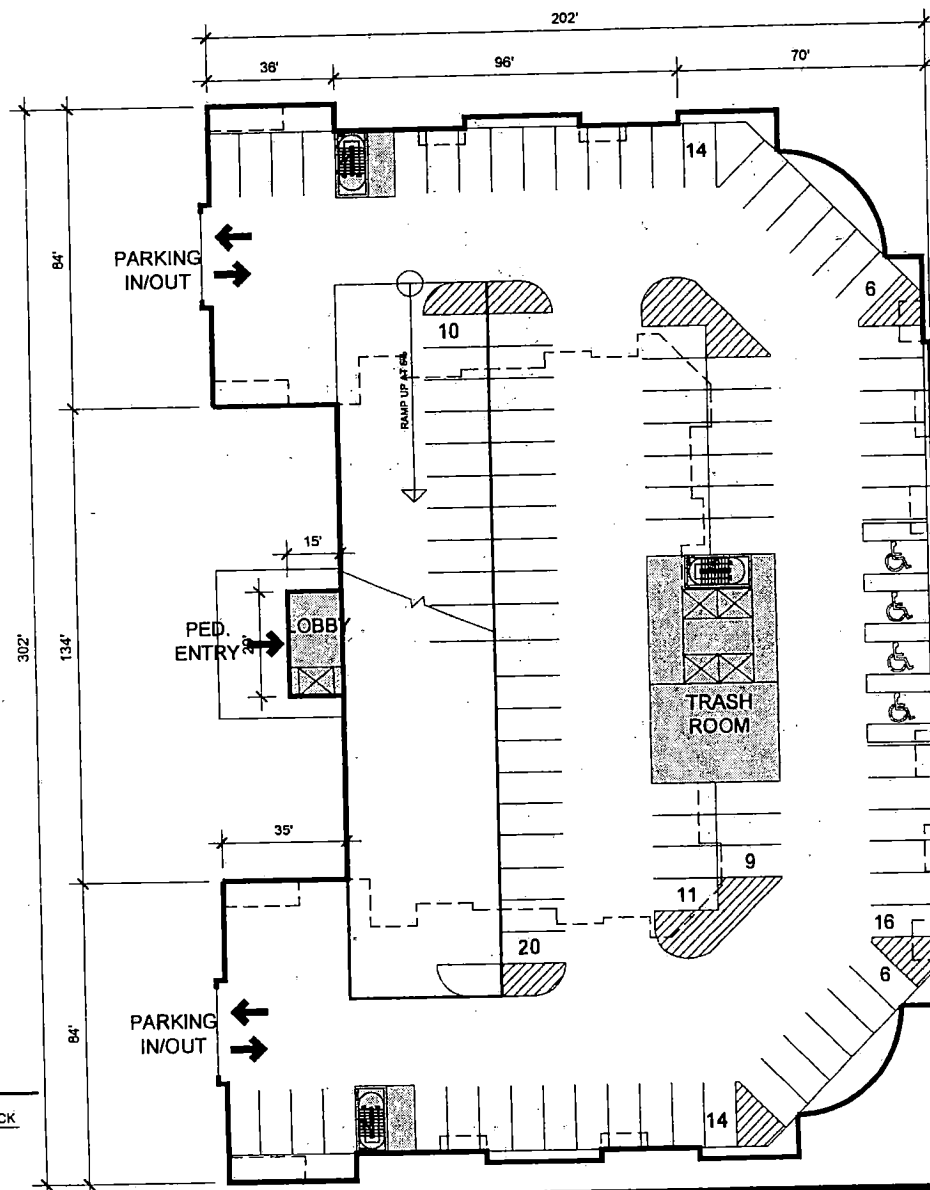
A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

February 22, 2005

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04/28/05 PC

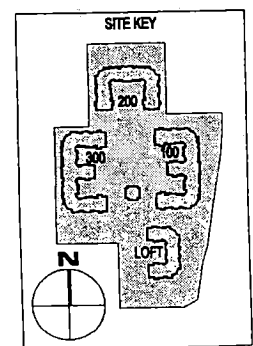
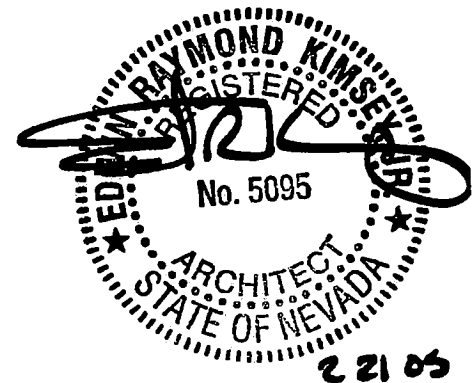
Edwin R. Kimsey Jr., AIA
Architect
1000 S. Las Vegas Blvd., Suite 100
Las Vegas, NV 89101
702.735.1000
NOT RELEASED FOR CONSTRUCTION



BUILDING 200 PARKING FIRST FLOOR PLAN

1/16"=1'-0"

AREA: PARKING DECK
52,290 SF
OCCUPANT LOAD: 261

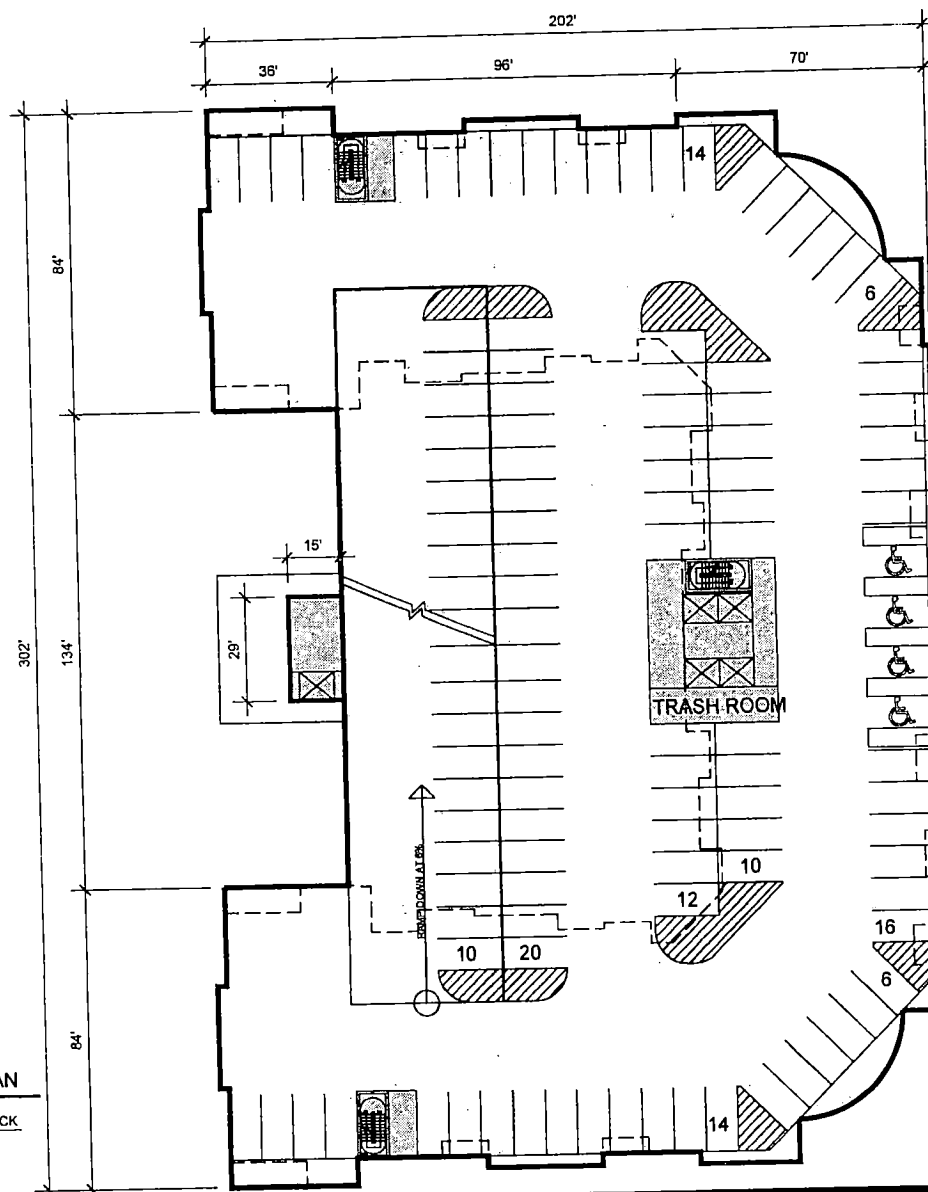
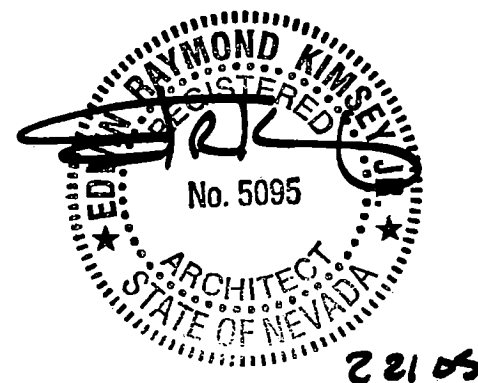


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DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2003

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04/28/05 PC

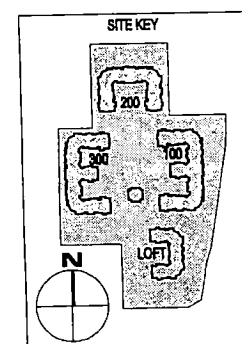
Edwin R. Kimsey Jr., AIA
State of Nevada License No. 5095
Professional Seal No. 5095
Architect
2005
NOT RELEASED FOR CONSTRUCTION



BUILDING 200 PARKING SECOND FLOOR PLAN

1/16"=1'-0"

AREA: PARKING DECK
52,290 SF
OCCUPANT LOAD: 261

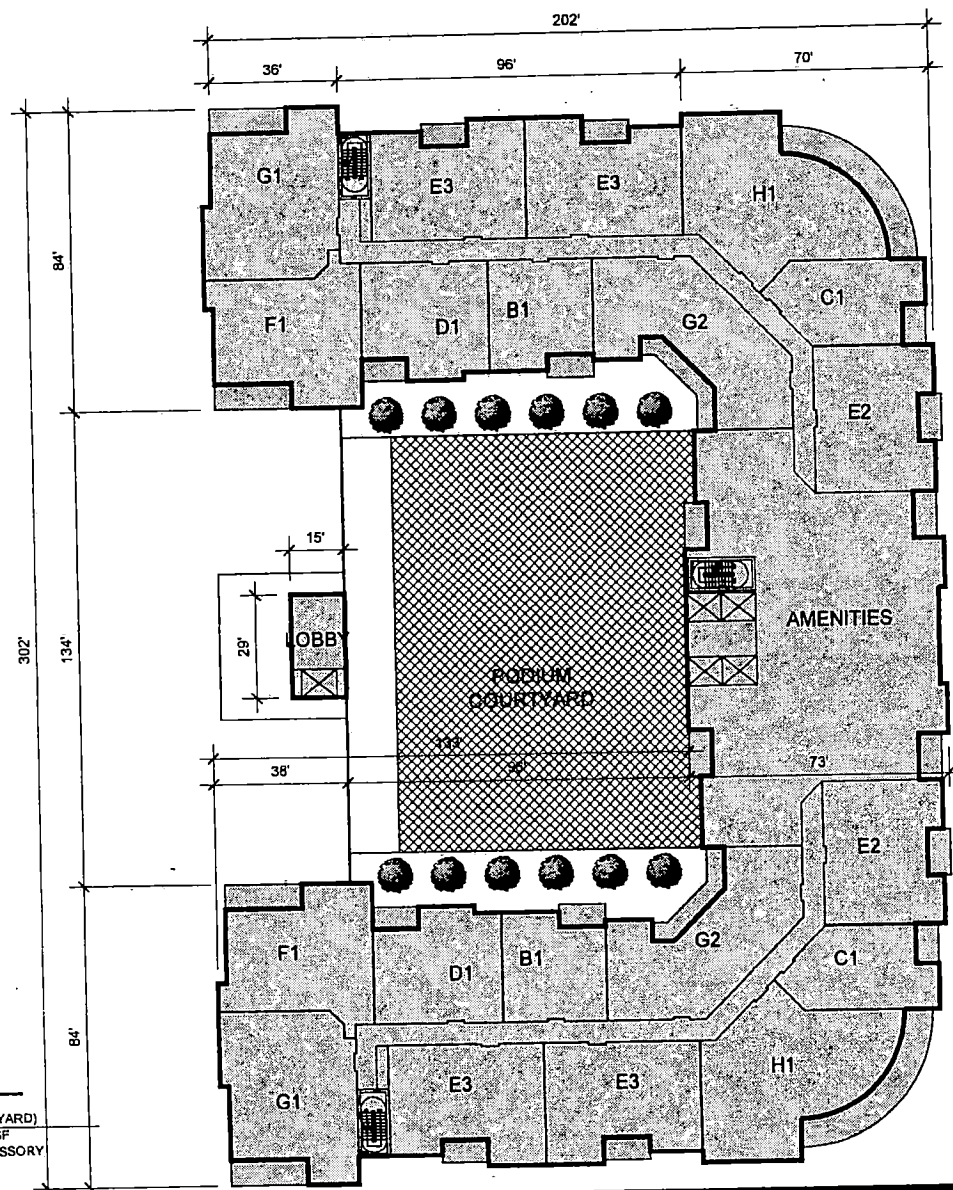


A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

Edwin R. Kimsey Jr., AIA
ARCHITECT
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BUILDING 200 PODIUM FLOOR PLAN

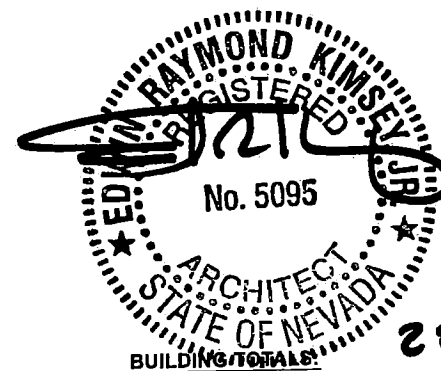
1/16"=1'-0"

AREA:	BUILDING (HTD)	COURTYARD
	35,647 SF	14,800 SF
OCCUPANT LOAD		ACCESSORY
RESIDENTIAL:	145	
AMENITIES:	216	

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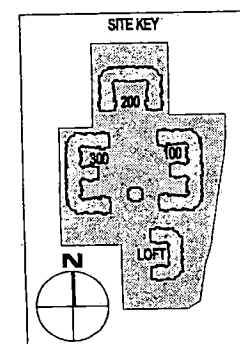
ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

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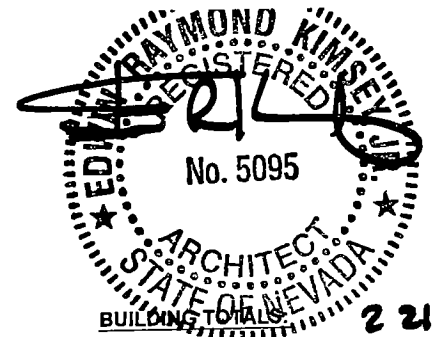


RESIDENTIAL CONDO UNITS:

UNIT TYPE	#	TOTAL FLOORS
B1	2	14
C1	2	14
C2	2	12
D1	2	14
E1	2	12
E2	2	14
E3	4	28
F1	2	14
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		164

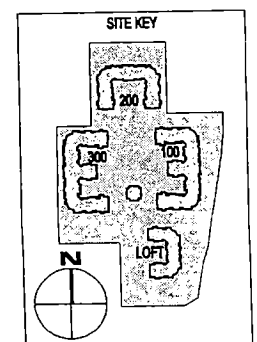


Edwin R. Kimsey Jr., AIA
Architect
10000 Las Vegas Blvd. S., Suite 1000
Las Vegas, NV 89149
702.734.1234
edwin@kimseyjr.com
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RESIDENTIAL CONDO UNITS:

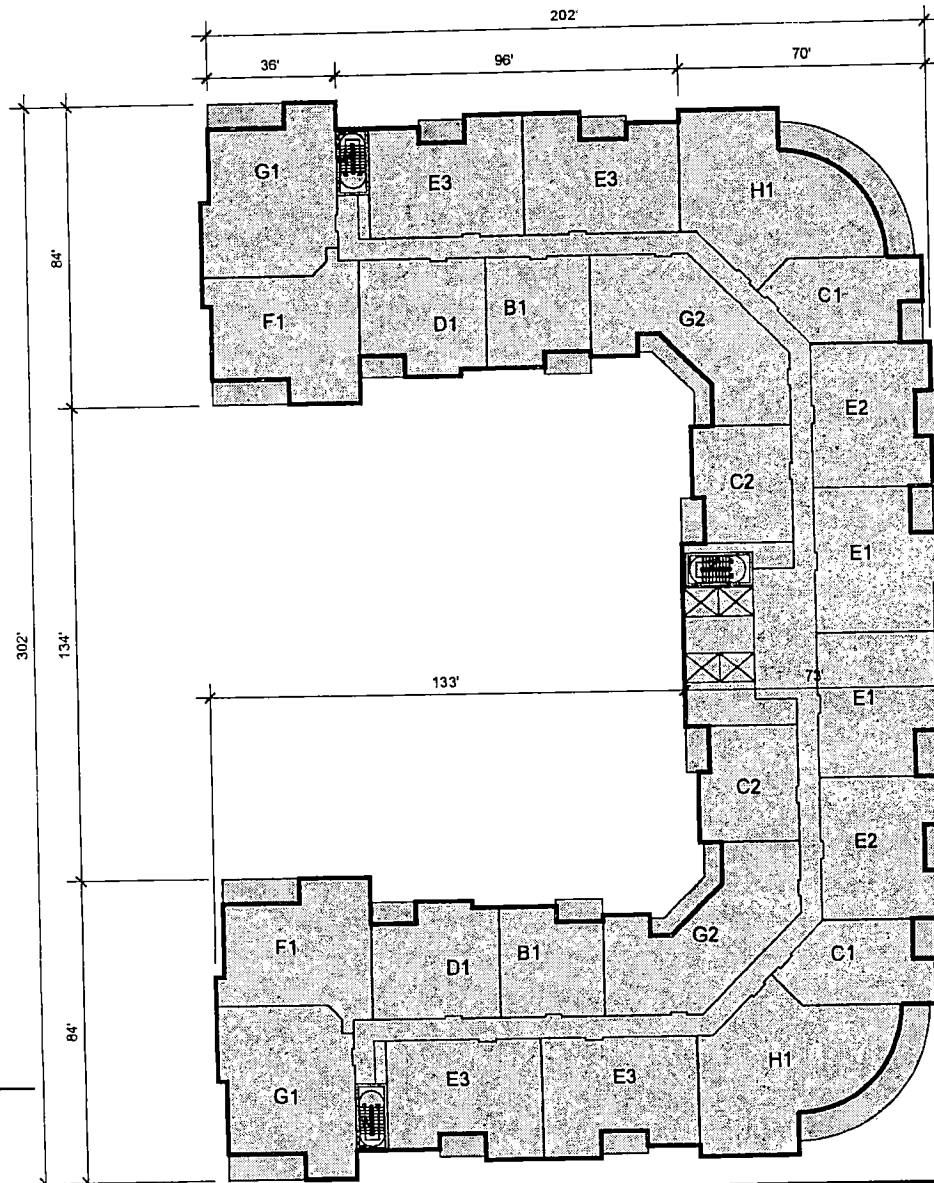
UNIT TYPE	#	TOTAL FOR FLOORS
B1	2	14
C1	2	14
C2	2	12
D1	2	14
E1	2	12
E2	2	14
E3	4	28
F1	2	14
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		164



BUILDING 200 TYPICAL FLOOR PLAN

1/16"=1'-0"

AREA:	BUILDING (HEATED)
OCCUPANT LOAD:	35,647 SF 178

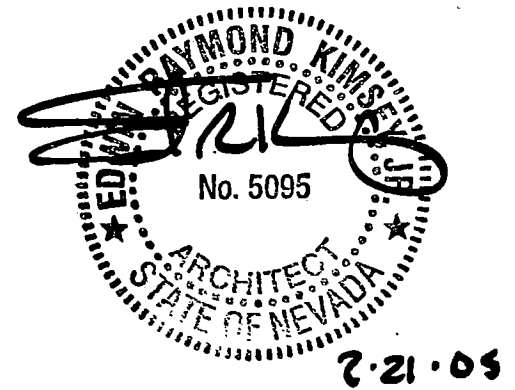
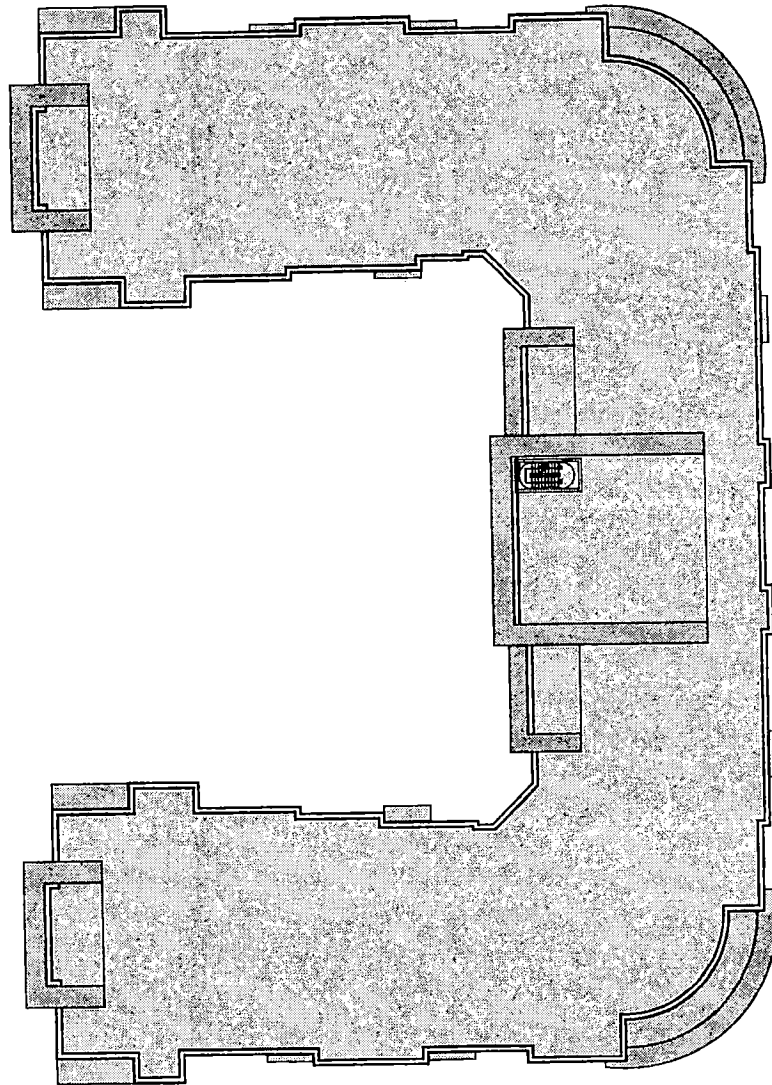


AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

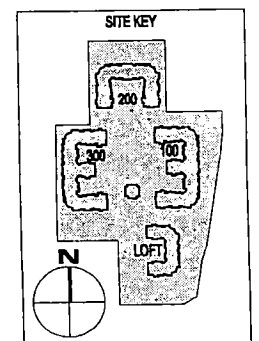
ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22 2005

SDR-6282
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STATE OF NEVADA - 5095
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BUILDING 200 ROOF PLAN
1/16"=1'-0"

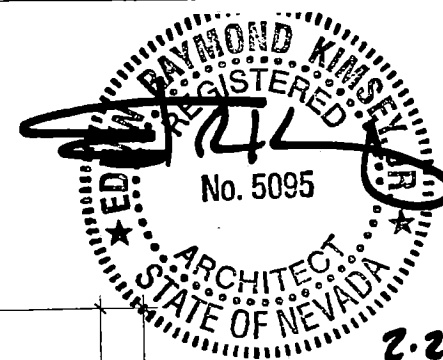


A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

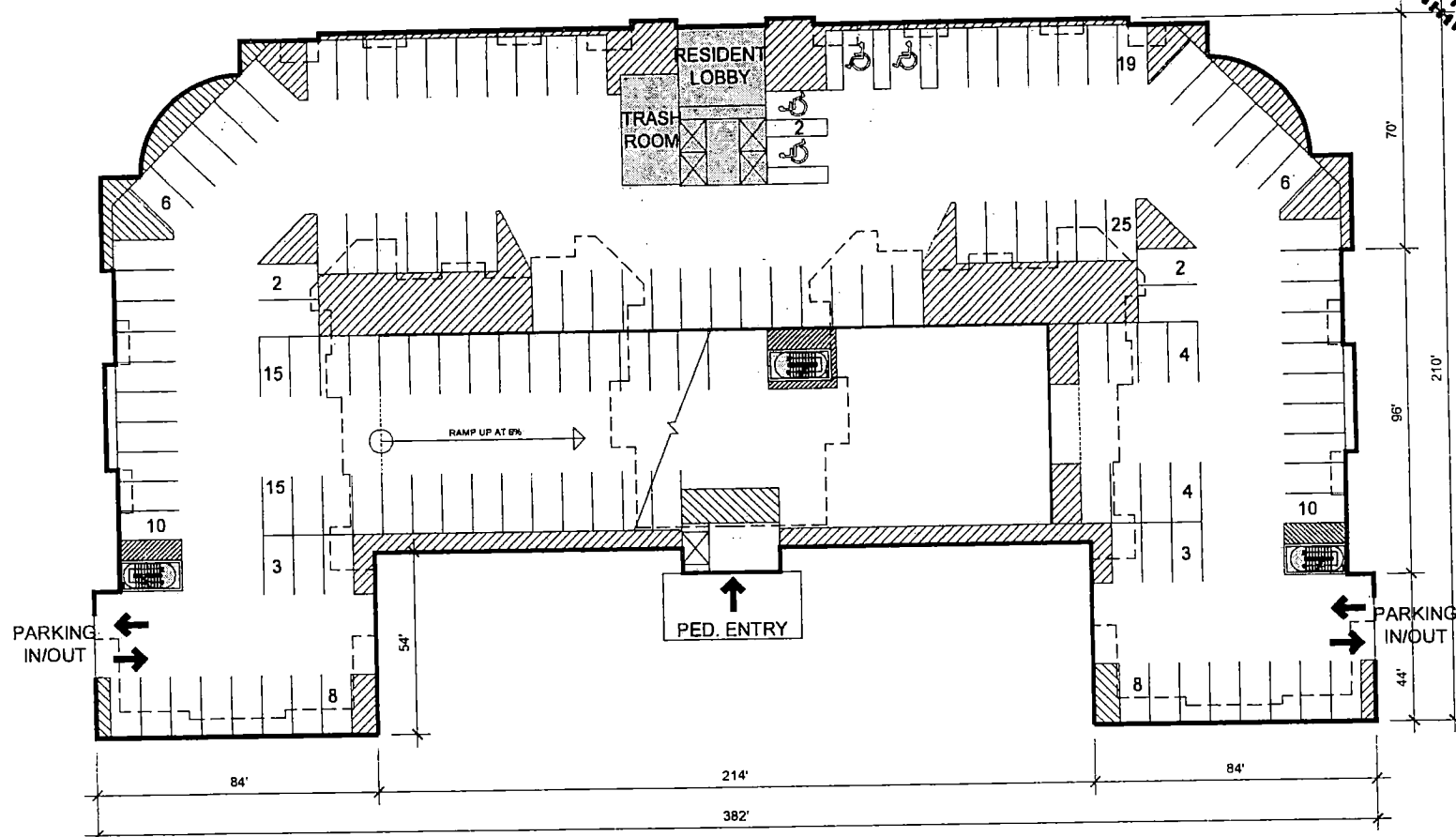
ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

SDR-6282
04/28/05 PC

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No. 5095
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2-21-04



BUILDING 300 PARKING FIRST FLOOR PLAN

1/16"=1'-0"

AREA: PARKING DECK
51,836 SF
OCCUPANT LOAD: 259

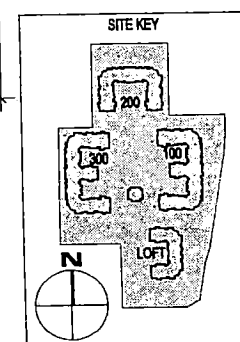
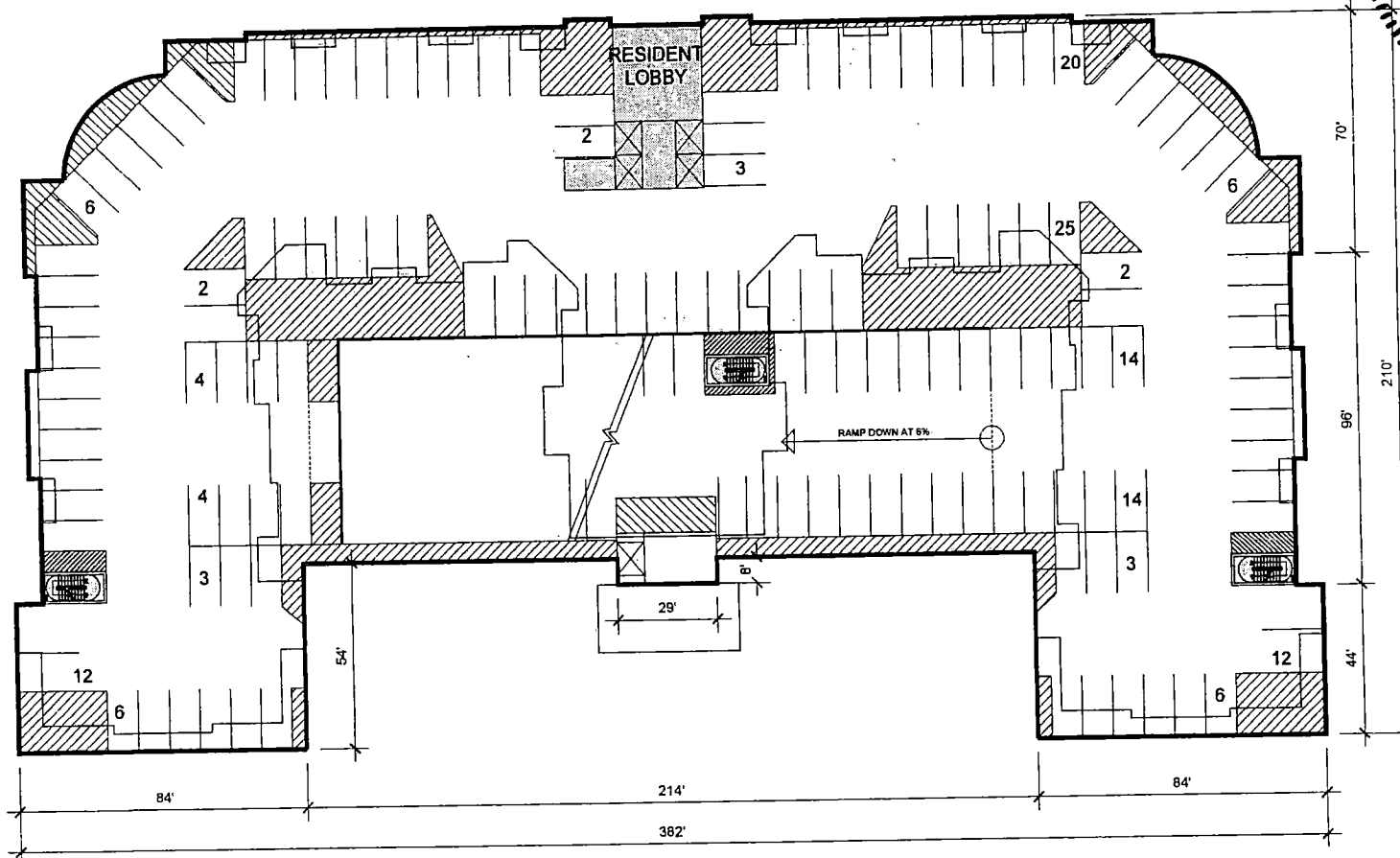
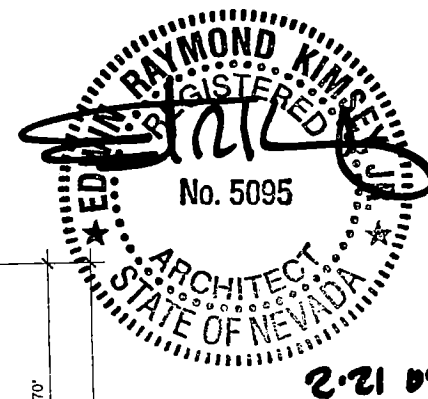
A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

February 22, 2005

SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Registered Architect - State of Nevada
No. 5095
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BUILDING 300 PARKING SECOND FLOOR PLAN
 1/16"=1'-0"

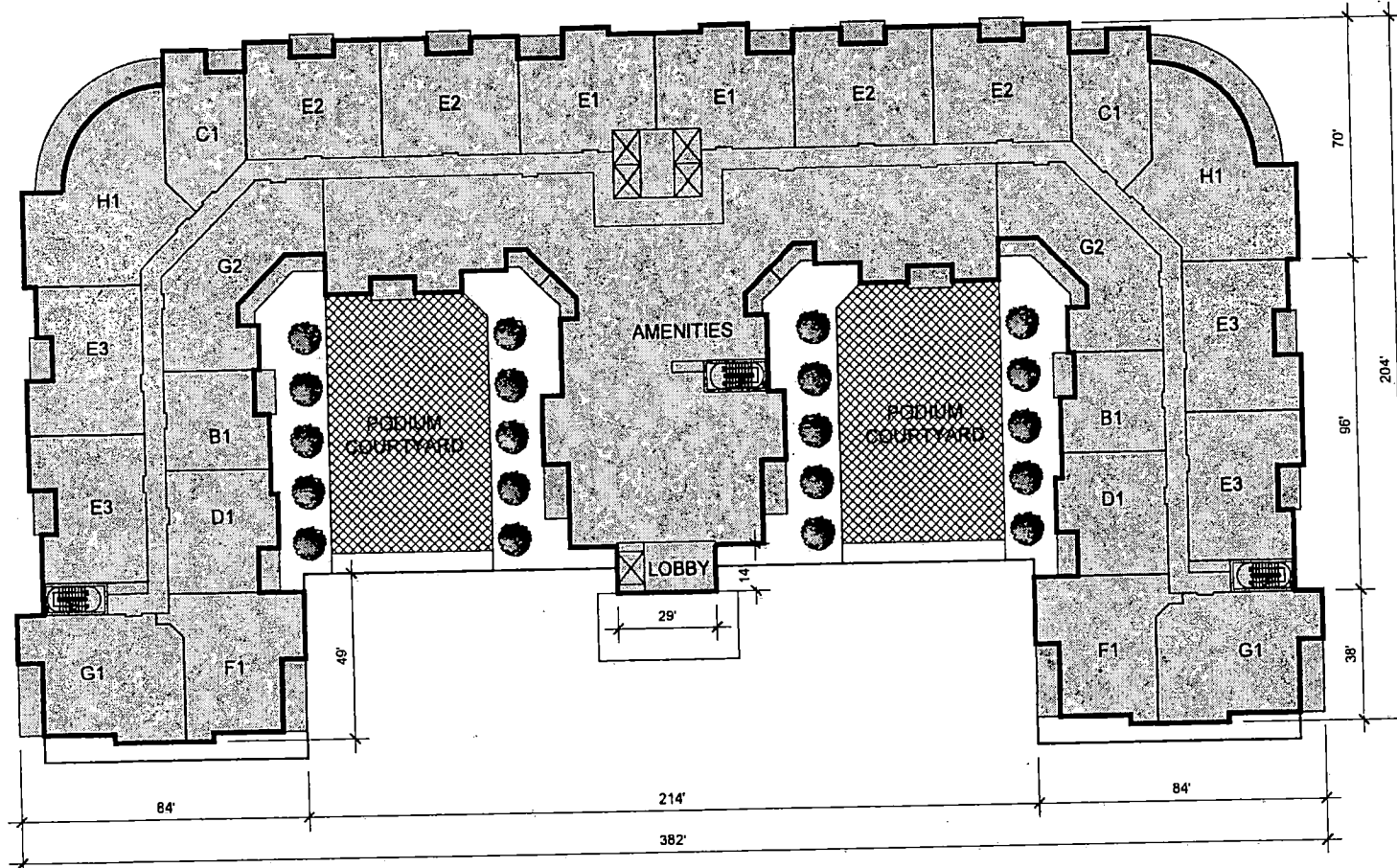
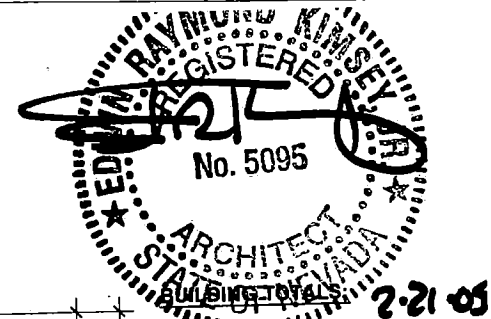
AREA:	PARKING DECK
	51,836 SF
OCCUPANT LDAD:	259

AMBLING
 DEVELOPMENT PARTNERS, L.L.C.
 ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
 LAS VEGA, NEVADA
 February 22, 2005

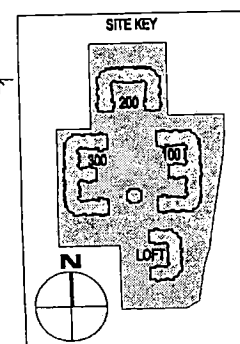
SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
 Registered Architect
 No. 5095
 State of Nevada
 NOT RELEASED FOR CONSTRUCTION



RESIDENTIAL CONDO UNITS:

UNIT TYPE	#	TOTAL FOR 7 FLOORS
B1	2	14
B2	3	18
C1	2	14
D1	2	14
D2	1	6
E1	2	14
E2	6	40
E3	4	28
F1	2	14
F2	2	12
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		216



BUILDING 300 PODIUM FLOOR PLAN

1/16"=1'-0"

AREA:	BUILDING (HEATED)	COURTYARD
OCCUPANT LOAD	46,563 SF	14,286 SF
RESIDENTIAL:	179	ACCESSORY
AMENITIES:	352	

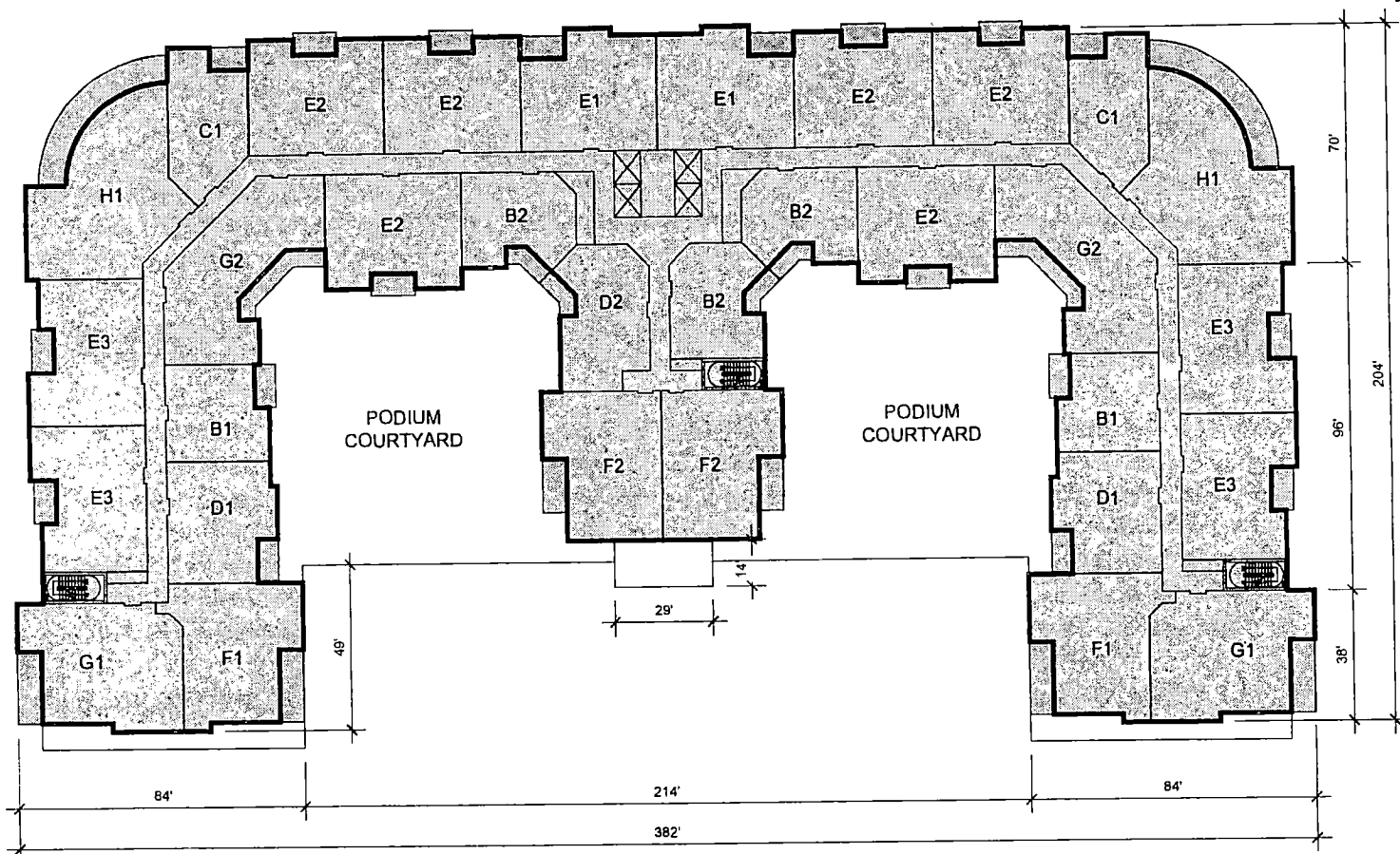
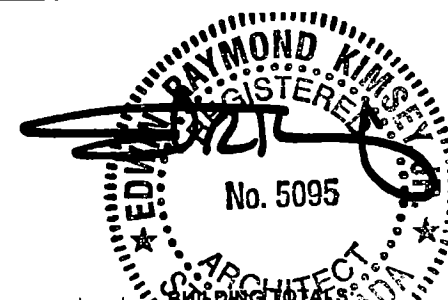


ALTA DRIVE PROPOSED DEVELOPMENT LAS VEGAS, NEVADA

February 22, 2005

SDR-6282
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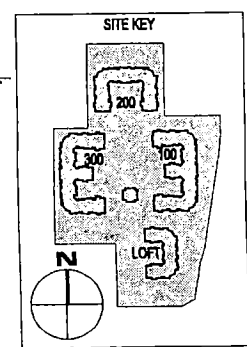
Edwin R. Kimsey Jr., AIA
2005-04-28
NOT RELEASED FOR CONSTRUCTION



BUILDING TOTALS:

RESIDENTIAL CONDO UNITS:

UNIT TYPE	#	TOTAL FLOORS
B1	2	14
B2	3	18
C1	2	14
D1	2	14
D2	1	6
E1	2	14
E2	6	40
E3	4	28
F1	2	14
F2	2	12
G1	2	14
G2	2	14
H1	2	14
TOTAL UNITS		216



BUILDING 300 TYPICAL FLOOR PLAN
1/16"=1'-0"

AREA: BUILDING (HEATED)
46,563 SF
OCCUPANT LOAD: 232

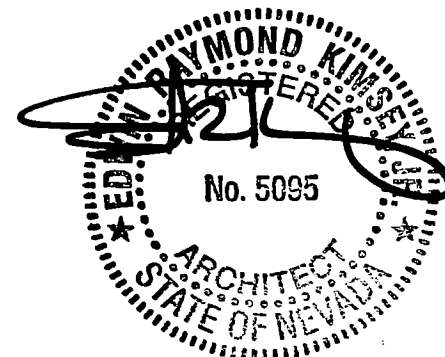
AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

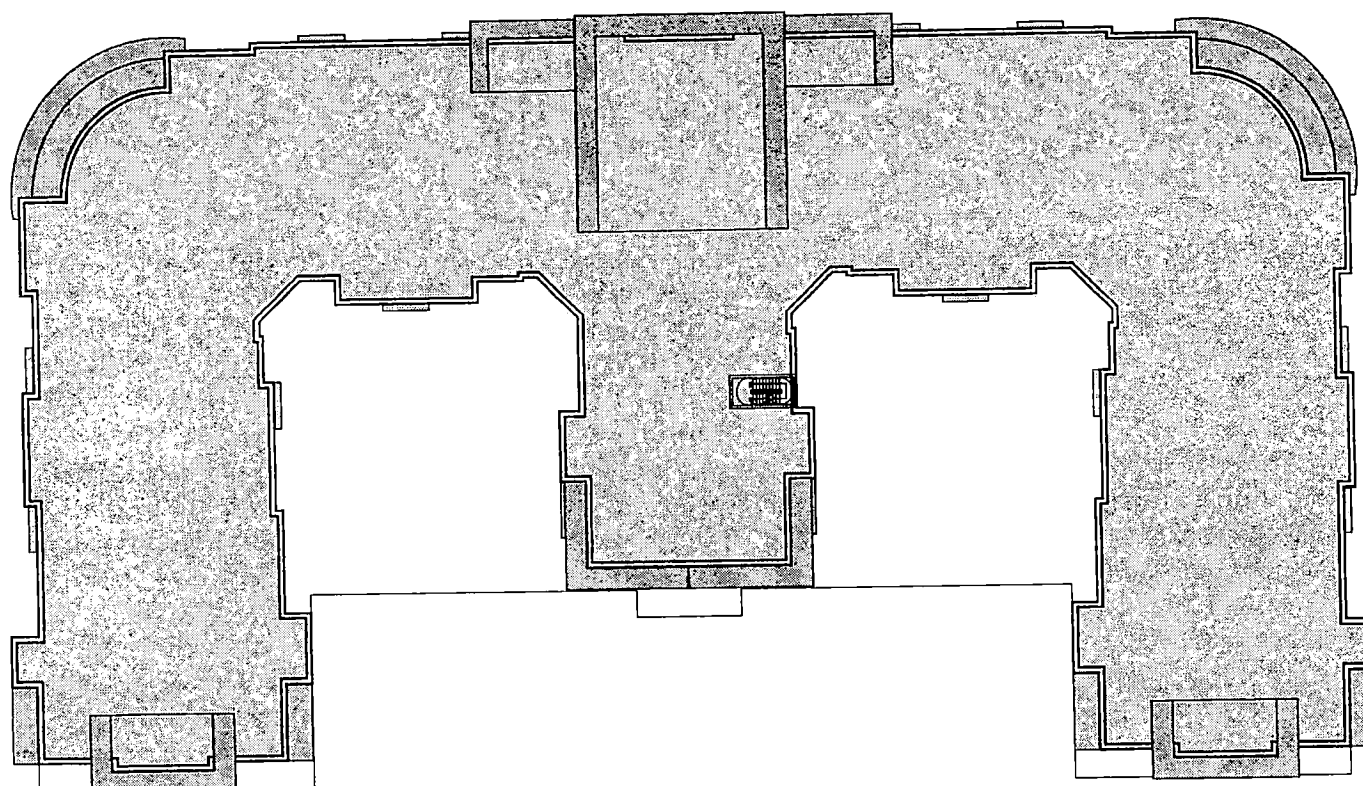
February 22, 2006

SDR-6282
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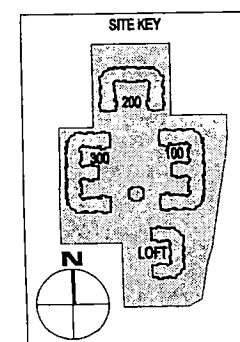
Edwin R. Kimsey Jr., AIA
Scale: 1/16"=1'-0"
Not for construction
NOT RELEASED FOR CONSTRUCTION



2.21.05



BUILDING 300 ROOF PLAN
1/16"=1'-0"



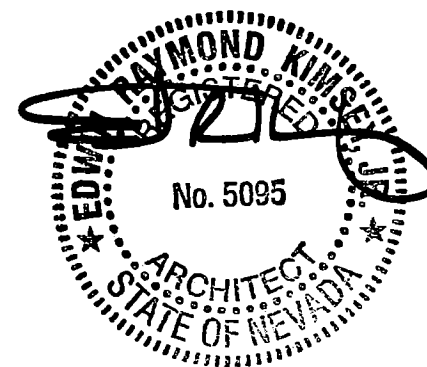
A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

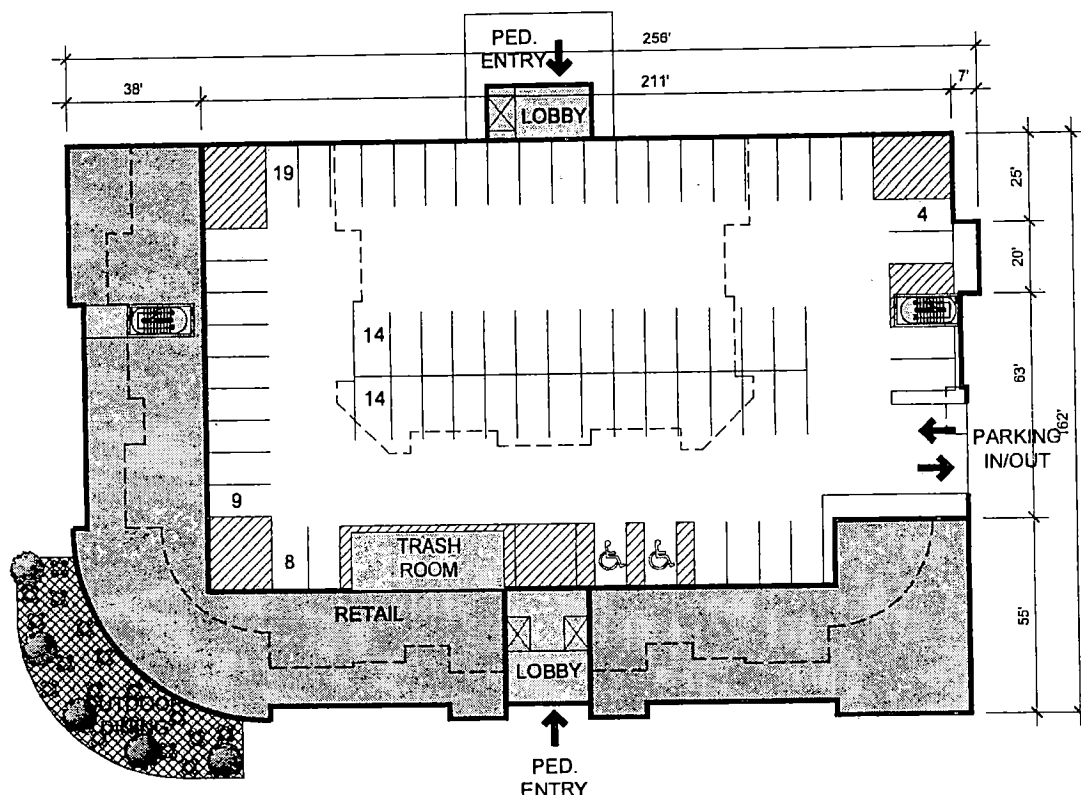
February 22, 2005

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04/28/05 PC

Edwin R. Kimsey Jr., AIA
Architect
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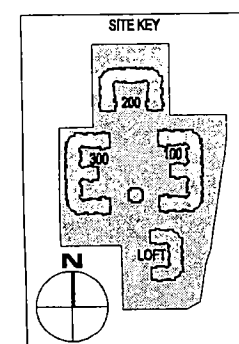
2.21.05



BUILDING LOFT PARKING FIRST FLOOR PLAN

1/16"=1'-0"

AREA:	RETAIL	PARKING DECK
	12,637 SF	26,173 SF
OCCUPANT LOAD:	421	130



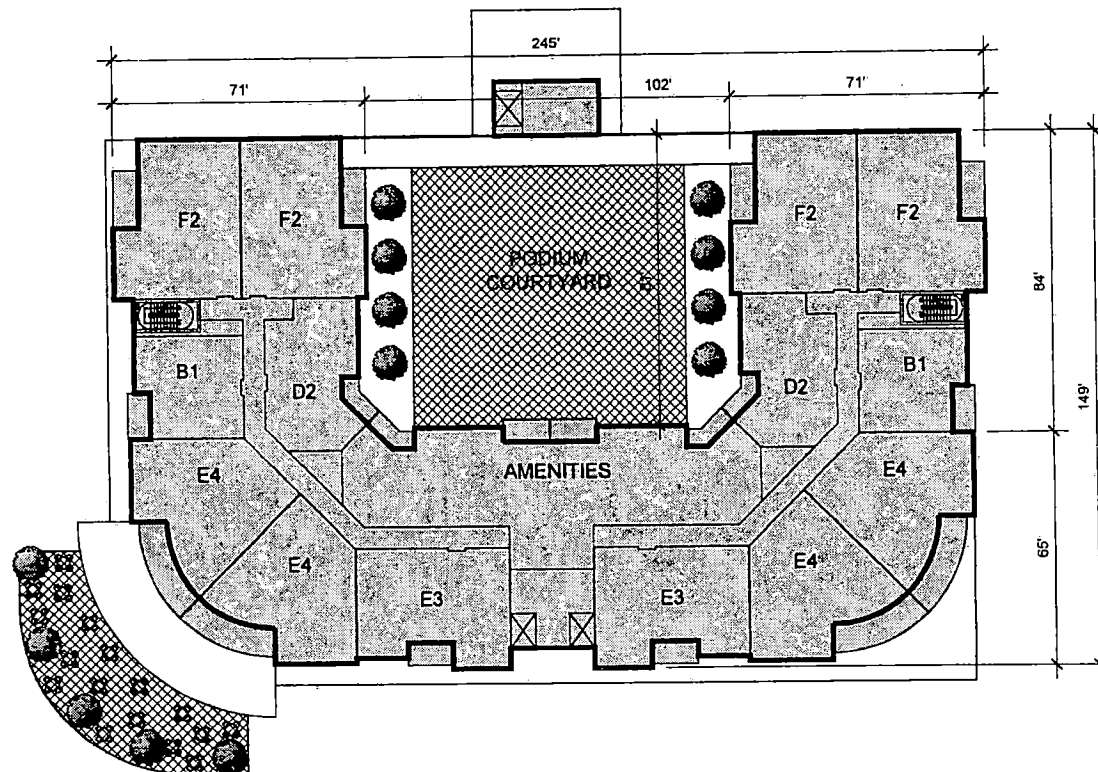
A AMBLING
DEVELOPMENT PARTNERS, LLC.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

February 22, 2005

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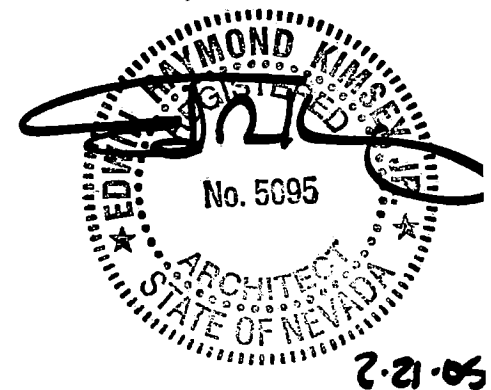
Edwin R. Kimsey Jr., AIA
Architect of Record
Professional Seal No. 5095
State of Nevada
NOT RELEASED FOR CONSTRUCTION



BUILDING TOTALS:

RESIDENTIAL CONDO UNITS:

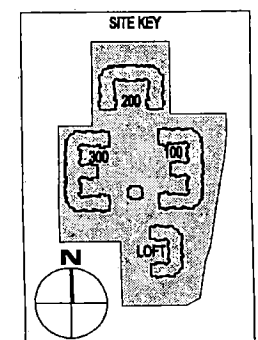
UNIT TYPE	#	TOTAL FOR FLOORS
A1	2	6
B1	2	8
B2	2	6
D2	2	8
E3	2	8
E4	4	16
F2	4	16
TOTAL UNITS		68



BUILDING LOFT PODIUM FLOOR PLAN

1/16"=1'-0"

AREA:	BUILDING (HEATED)	COURTYARD
	23,583 SF	8,480 SF
OCCUPANT LOAD		ACCESSORY
RESIDENTIAL:	98	
AMENITIES:	126	



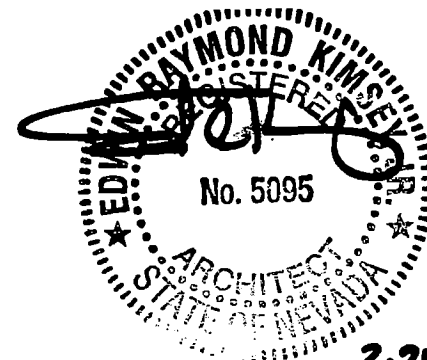
AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

February 22, 2005

SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Registered Professional Architect
No. 5095
February 22, 2005
NOT RELEASED FOR CONSTRUCTION

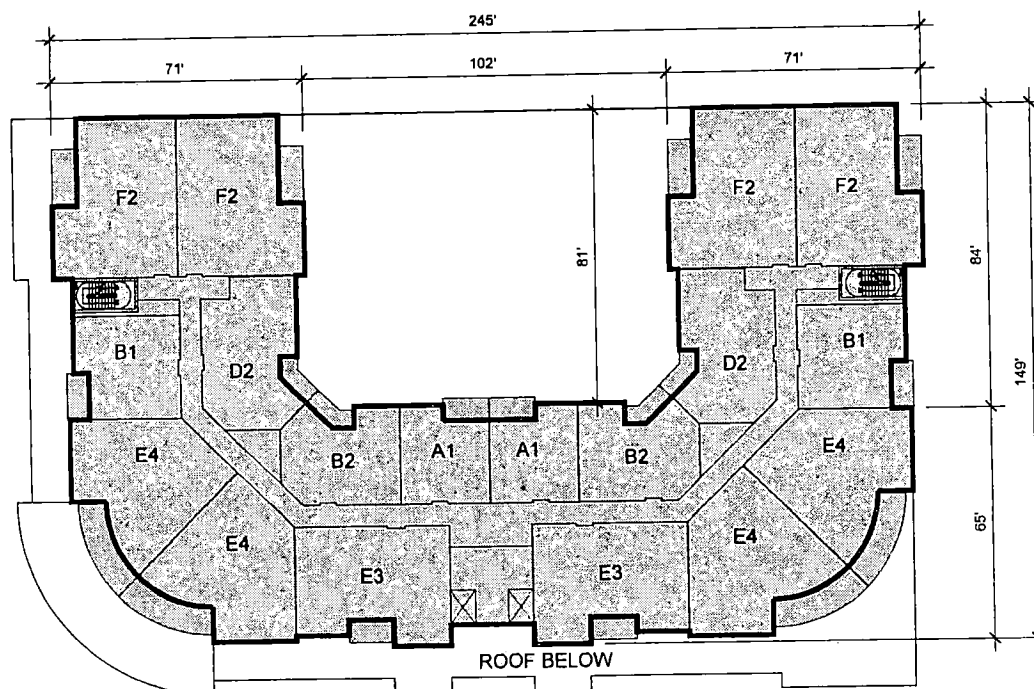


BUILDING TOTALS:

2-21-05

RESIDENTIAL CONDO UNITS:

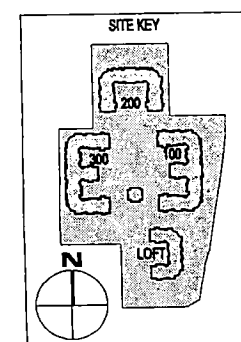
UNIT TYPE	#	TOTAL FOR 7 FLOORS
A1	2	6
B1	2	8
B2	2	6
D2	2	8
E3	2	8
E4	4	16
F2	4	16
TOTAL UNITS		68



BUILDING LOFT TYPICAL FLOOR PLAN

1/16"=1'-0"

AREA: BUILDING (HEATED)
23,583 SF
OCCUPANT LOAD: 117

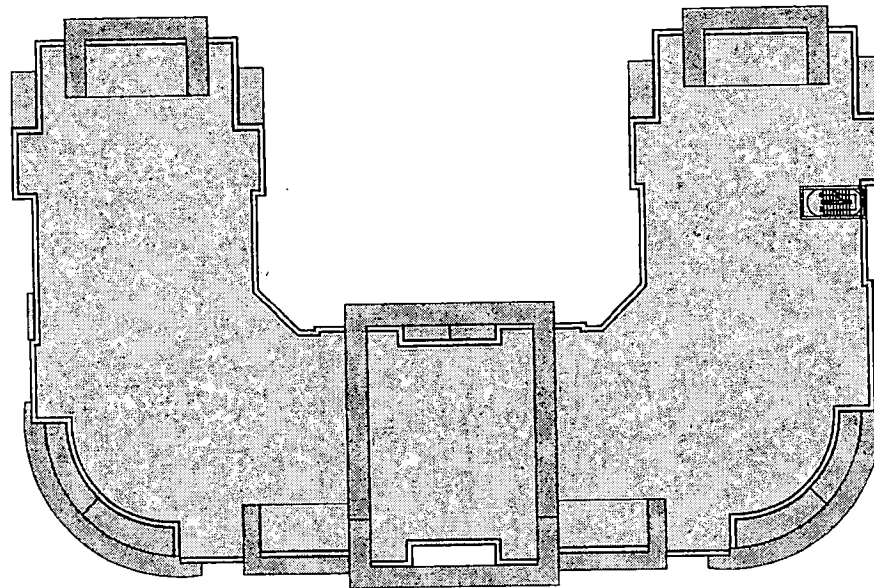
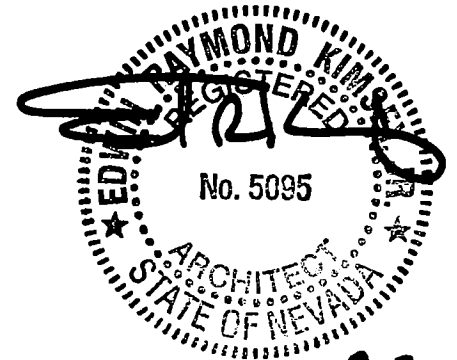


AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

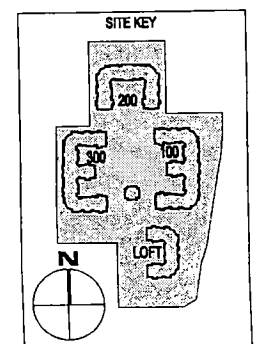
SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Architect
1000 S. Las Vegas Blvd., Suite 1000
Las Vegas, NV 89101
Tel: 702.735.1000
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NOT RELEASED FOR CONSTRUCTION



BUILDING LOFT ROOF PLAN
1/16"=1'-0"

SDR-6282
04/28/05 PC



A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

Edwin R. Kimsey Jr., AIA
Architect
No. 5095
State of Nevada
NOT RELEASED FOR CONSTRUCTION



927 sf GROSS
858 sf HEATED



959 sf GROSS
894 sf HEATED



1150 sf GROSS
1082 sf HEATED



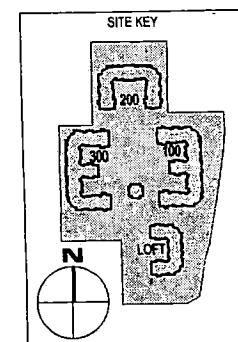
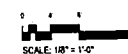
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1300 sf HEATED



1536 sf GROSS
1411 sf HEATED



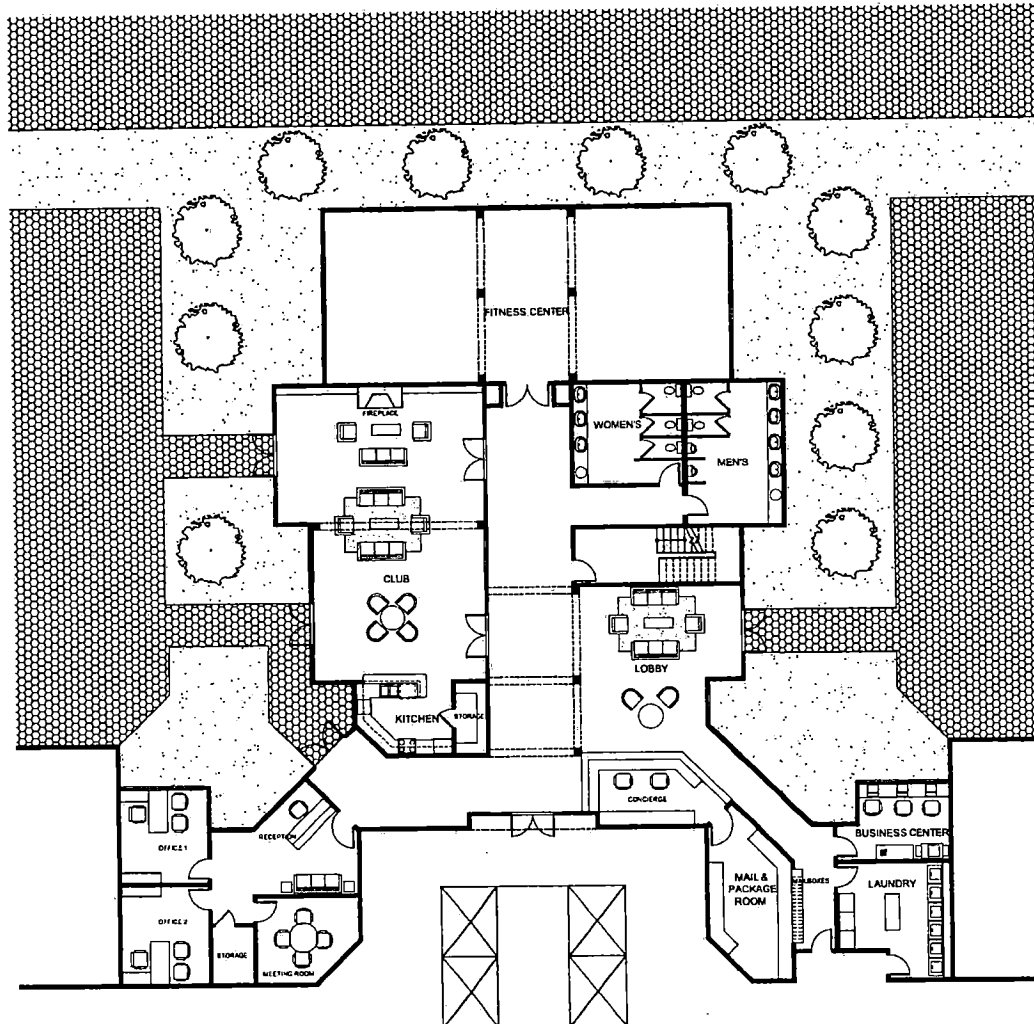
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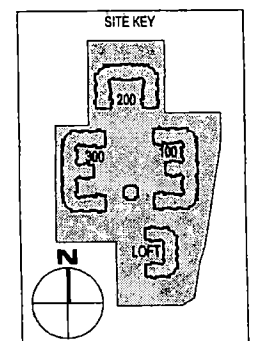
ALTA DRIVE **SDR-6282**
PROPOSED DEVELOPMENT
 LAS VEGAS, NEVADA
 February 22, 2005 **04/28/05 PC**

February 22, 2005

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e-mail: edkimsey@aol.com



LOBBY AMENITIES
BUILDING 100
SCALE: 1/8" = 1'-0"



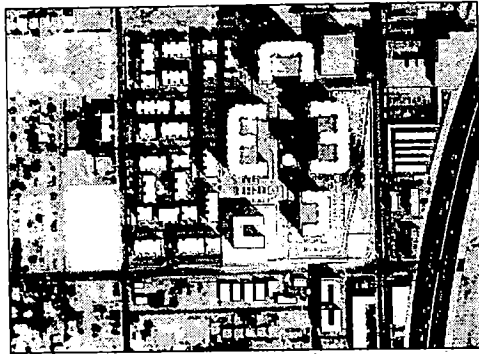
AMBLING
DEVELOPMENT PARTNERS, L.L.C.
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ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

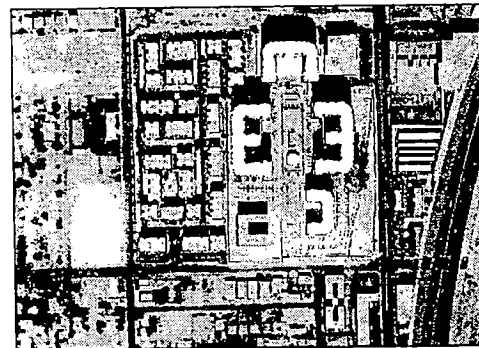
SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Architect
Noted: See SDR-6282 for details
Revised: 04/28/05
Checked: 04/28/05
Drawn: 04/28/05
Reviewed: 04/28/05
NOT RELEASED FOR CONSTRUCTION

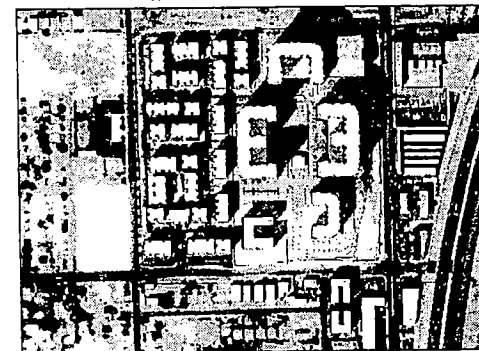
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JANUARY 1ST - AM

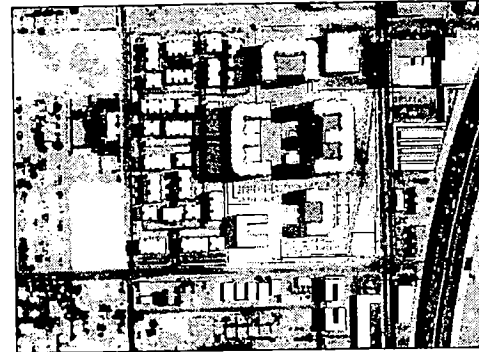


JANUARY 1ST - NOON

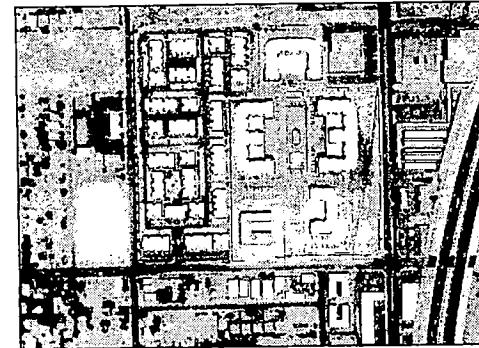


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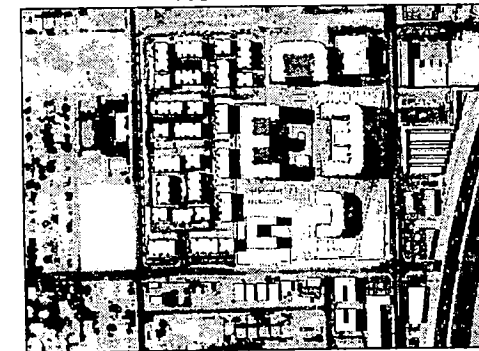
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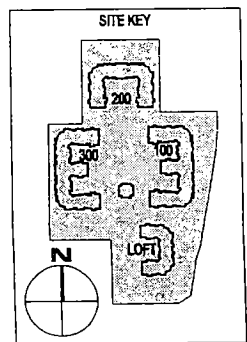
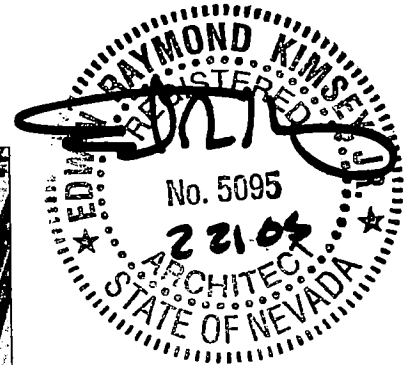
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JULY 1ST - NOON



JULY 1ST - PM



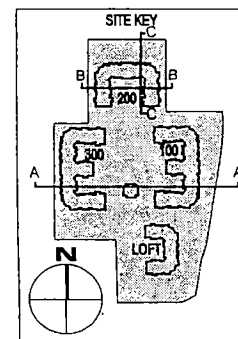
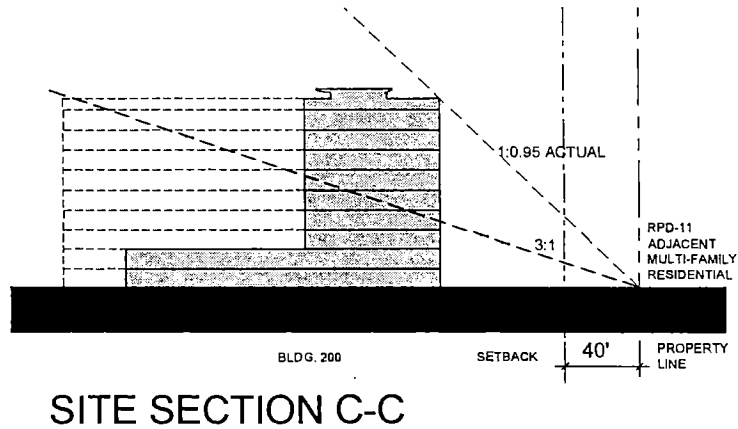
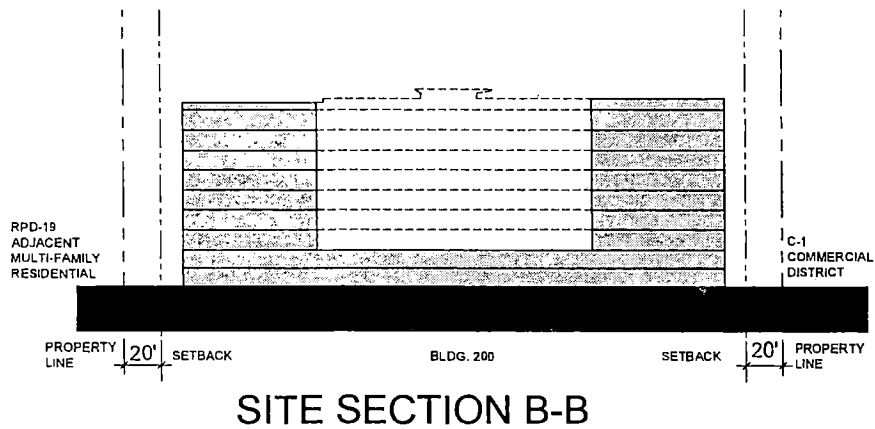
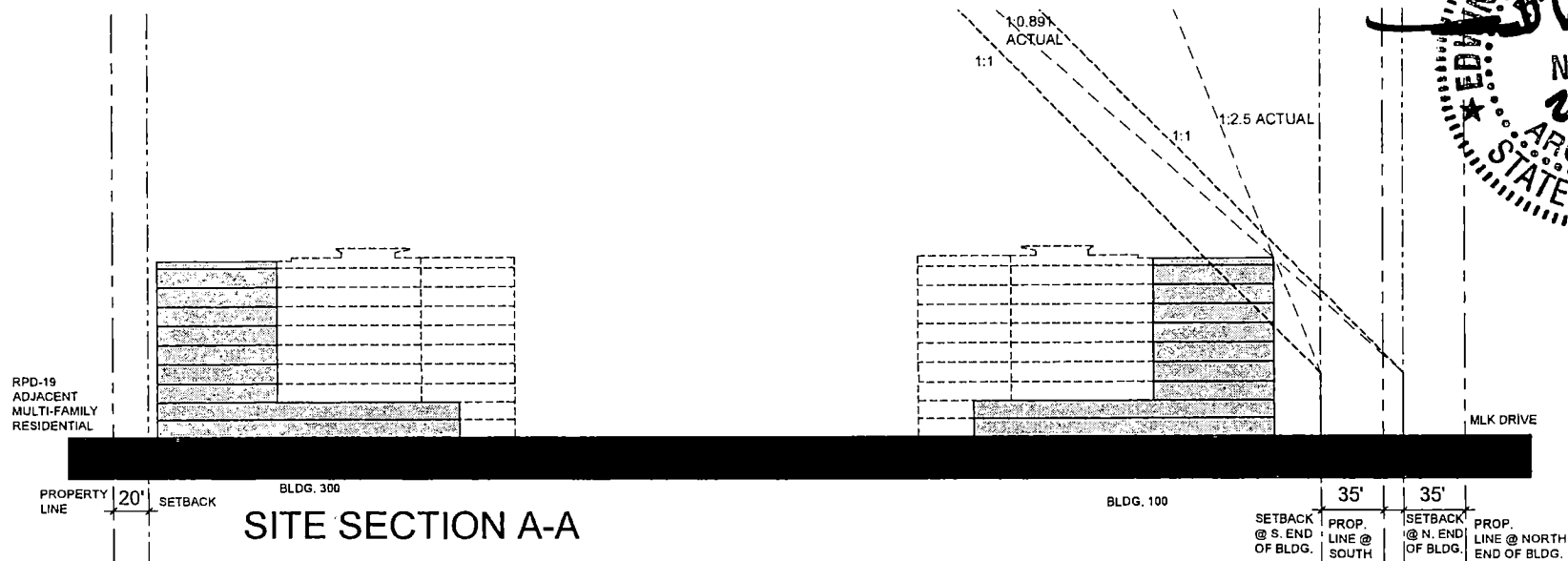
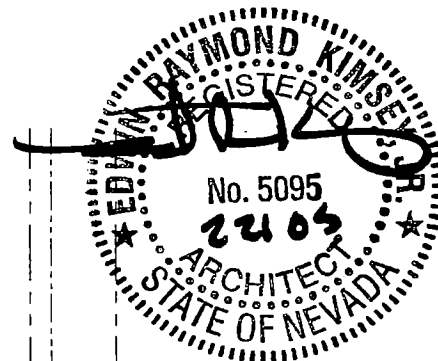
SHADOW STUDIES

A AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
February 22, 2005

Edwin R. Kimsey Jr., AIA
Architectural Firm
Not for Construction
NOT RELEASED FOR CONSTRUCTION

SDR-6282
04/28/05 PC



AMBLING
DEVELOPMENT PARTNERS, L.L.C.
ATLANTA, GEORGIA

ALTA DRIVE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

February 22, 2005

SDR-6282
04/28/05 PC

Edwin R. Kimsey Jr., AIA
Professional Engineer
No. 5095
State of Nevada
NOT RELEASED FOR CONSTRUCTION



VAR-6283, SUP-6284 & SDR-6316 - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER:
NEVADA ALTA, LLC
NORTHWEST CORNER OF ALTA DRIVE AND MARTIN L KING BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



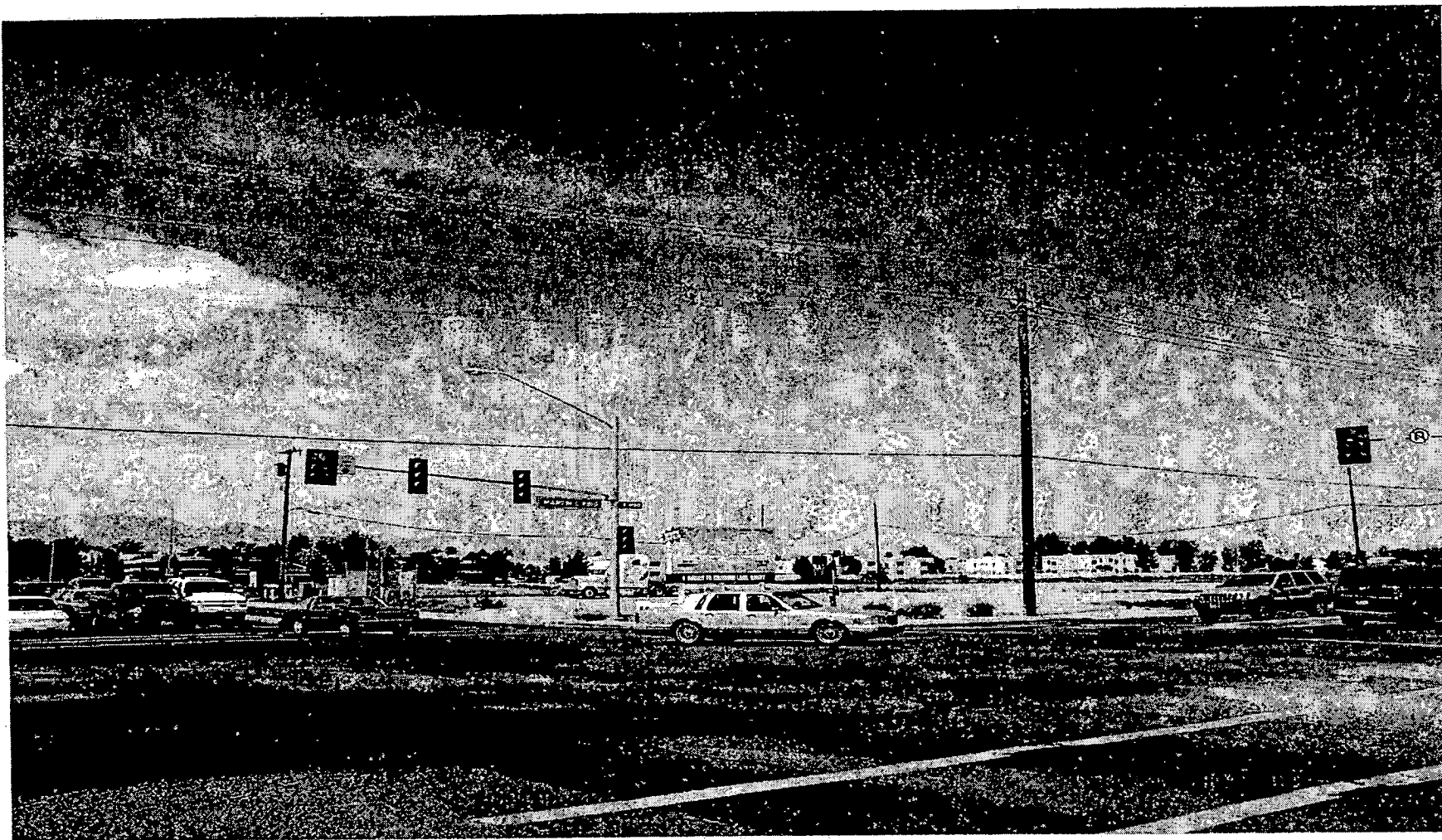
VAR-6283, SUP-6284 & SDR-6316 - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER:
NEVADA ALTA, LLC
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VAR-6283, SUP-6284 & SDR-6316 - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER:
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VAR-6283, SUP-6284 & SDR-6316 - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER:
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APRIL 28, 2005 PLANNING COMMISSION

4/4/05

AMBLING DEVELOPMENT PARTNERS (Alta/MLK)

During the past year, Ambling Development Partners ("Ambling") has had numerous meetings with members of the City Council, Planning Commission and the Rancho Manor Neighborhood Association. These meetings have been marked by the Mayor's vision of both the City and its Downtown Redevelopment Area over the next 5-7 years. Ambling realizes that the upcoming redevelopment plans primarily addressed major commercial occupancies and office space with minimal residential or small scale retail development. Therefore, in an effort to address these needs, Ambling has committed itself to pursuing land acquisitions for the development of reasonably priced "for sale" condominium residences for working professionals, retirees and second-home buyers near the Downtown area and within the Medical districts; as well as retail development required to support them.

Ambling currently intends to develop 16.78 acres located at the intersection of Martin Luther King Boulevard (MLK) and Alta Drive. Ambling's goal is to bring the type of condominium developments currently seen on the main Las Vegas Strip to the nearby suburb of the Downtown area at a price that will promote growth, neighborhood revitalization, reurbanization and improve the overall quality of life in the vicinity. Naturally, the residential condominium population will be the catalyst that promotes the retail and service growth. However, synergies can be created when residential and retail spaces are combined on a single site. Thus, Ambling seeks to provide amenities, retail services, building characteristics, elegant floor plan layouts and views of Las Vegas at prices significantly more affordable than current properties on the Strip and Downtown; and in a manner that will contribute to the neighboring residential communities. It is for this reason that Ambling is focusing on mixed-use development for this site.

The current Site Plan contains four (4) buildings ranging in height from five (5) stories (4 stories over a 1-story parking deck) to nine (9) stories (7 stories over a 2-story parking deck) and designed to contain approximately six hundred sixty four (664) residential units and approximately twenty five thousand (25,000) square feet of retail space. The residential parking decks will contain a total of seven hundred ninety three (793) spaces, there will also be fifty seven (57) surface residential spaces available with

an additional eighty (80) surface guest spaces available and one-hundred seven (107) surface retail spaces available. Additional recreational facilities will be built on site, including 1) Fitness Centers 2) Business/Media Centers 3) Laundry Facilities 4) Club Rooms 5) Swimming Pool 6) Children's Playground Area 7) Tennis Courts and 8) Elevated Courtyard areas. A large clubhouse will be built in the center of the property along with other amenities in order to provide a sense of community for the residents in the central core of the development. Finally, there will be a gated entrance from Alta Drive and a resident-only entrance from MLK Boulevard, both of which will be set back on the site so the general public has vehicle and pedestrian access to the retail shops.

It is expected that this development will help revitalize the historic neighborhood adjacent to the Downtown area, support the growing medical district and diversify the economic base in the vicinity. The proposed site is currently vacant and attracts many nuisances. The appearance of mixed use dwellings on the property will aid in improving local buyers and investors confidence. In addition, this project will promote the momentum for additional residential and mixed-use projects in the adjacent areas. The proximity of this Project to the Downtown area and the Medical District will provide a steady client base for the services and shops in the area, while also drawing other residents to the area because of the on-site retail shops. Additionally, transportation needs will be easily met by public transportation and alleviate some of the traffic problems that may be encountered as the revitalization of the Downtown area occurs. Local neighborhoods will also benefit as declining commercial centers and vacant land become renewed and developed, producing a pedestrian-friendly and aesthetically appealing urban neighborhood environment.

Currently, the site is zoned "C-1" which allows for mixed-use development. Similarly, the current Land Use Designation is "Service Commercial" which also allows for this type of development. However, neither of these designations will be beneficial if (i) the 3-to-1 residential adjacency restriction (LVCM 19.08.060), (ii) the building height at collectors restrictions (LVCM 19.08.030), (iii) street accessibility restrictions for retail spaces (LVCM 19.04.050), and (iv) building placement restrictions (parking on side and rear) are not eliminated. Accordingly, Ambling has filed applications for a variance/waiver of these restrictions.

Currently, Ambling proposes the construction of four (4) buildings ranging in height from seventy (70) feet to one hundred (100) feet above ground level. Based on these proposed heights, all adjacent structures must be at least twenty-three (23) feet tall. Unfortunately, only a few adjacent structures exceed this height; however, none of the current structures have desirable "views" and the construction of these buildings will therefore not negatively impact the current skyline as seen from surrounding structures. Similarly, the height at the sidewalks exceeds the current height restriction and does not step back away from the street at a forty five (45) degree angle. Nevertheless, the height of these buildings will not have a negative impact on Alta Drive or MLK Boulevard as there are already setbacks approximately seventy five (75) feet from these major thoroughfares. These setbacks will also provide sufficient pedestrian protection to street accessibility and building placement requirements. The buildings themselves are placed in a manner that will allow sufficient light and wind to flow through the development, therefore providing the light and air the surrounding community is currently accustomed to.

As the Downtown area continues to evolve during its current revitalization process, significant changes will occur. This site is currently designated for commercial purposes, but there is not a large enough local population to justify development of the site with commercial structures alone, therefore it remains vacant. Development of this site under Ambling's proposed plans will greatly enhance the perception of this area and promote further economic redevelopment. Additionally, this plan will revitalize the urban core along with the Outlet Mall, Furniture Mart, Nevada Department of Transportation (NDOT) projects and Mixed-Use Condominium Development, all of which create synergy.

Ambling therefore contends that the desired zoning, variance and special use permits will allow it to construct a project that meets and supports the City's exiting policies, promotes long term attractiveness, improves the economic vitality of the area, and endorses the City's revitalization goals by improving public safety and the general health and welfare of the population in the area surrounding the project.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-6319 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -

Request for a Special Use Permit FOR A PROPOSED SERVICE STATION adjacent to the northeast corner of Ann Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta (filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

FLINN FAGG, Planning and Development Department, gave a brief explanation of the applications for a service station with a convenience store and fast food restaurant incorporated within it. The service station requires a Special Use Permit and that application includes an automated car wash. There is also a Special Use Permit for off-premise liquor sales. There are

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

no protected uses within the 400-foot radius so staff had no concerns with the request. Regarding the Site Development Plan Review, staff has imposed a condition recommending minor revisions to the elevations to the south and west so that they comply with the Commercial Development Standards. There is also a request from the applicant for a waiver from the foundation landscaping requirements. Because of the additional landscaping provided in the buffer areas, staff is recommending approval of that waiver. Parking is sufficient but a shared parking agreement will be required between the two parcels.

JOHN BARGER, 2480 East Tompkins Avenue, appeared on behalf of the applicant and concurred with all conditions of approval.

JOHN HOLMAN, 7637 Desert Breeze Avenue, Director of the Board of Directors for Desert Creek development, which is to the east and north of the proposed site, noted that this same proposal has been before the board approximately three times in the last 15 years. It gets denied every time and nothing has changed so it should be denied again. The subject parcel is surrounded by residential. The parcel was approved as commercial 30 years ago and this is not appropriate for the area.

JOE CHERNICOFF, 5713 Centralia Street, member of Canyon Creek North Homeowner Association and SANDY BAKLAJIAN, 5700 Whale Rock Street, stated there were many gas station/convenience stores within five minutes of the area and they do not need one at this site. He referenced concerns over having a liquor store where local children walk to school and so close to the community center.

WILLIAM BAGLEY, 5501 Desert Spring Road, disclosed that his company does have ties with Nigro Development but he appeared as a homeowner of the Painted Desert community. His homeowner association mailed out a survey to determine support for the proposed development and of the 122 homeowners, 64 responded and the majority were against this project. J.D. STREETER confirmed the comments of MR. BAGLEY and added that it was 46 respondents, or 72 percent, of the 64 who responded that were against the project. He voiced concern over noise and drainage issues on Ann Road.

SIDNEY McCOMB, 5601 Desert Creek Way, explained that he has to pick up trash and beer cans from his property daily. Adding a service station would only make the problem worse. He asked for denial.

THOMAS FIORE and VIVIAN TAIBI, 8229 Shad Bush Avenue, stated that the same type of application for this property was brought before the City in 1993 and 2000. The last application

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

had a petition of opposition submitted with 900 signatures. The residents are not against commercial if it is beneficial to the area.

KELLY KELLEY, 5525 Desert Spring Road, appeared and spoke on behalf of her husband, MICHAEL KELLEY as well. They purchased their home in this location to assure the safety of their children. They live directly across the street from the subject site and now fear that the business would compromise their safety while walking to school. She pointed out that the bus drops off the middle-school children a few hundred yards from the subject site. A nearby park, Cimarron Rose, is nearby and there is a church and a school in that park. MS. KELLEY fears individuals purchasing liquor would loiter in that park because of its proximity to the proposed project.

JOHN ANZEVINO, 5453 Desert Spring Road, stated there are no traffic controls to take care of additional development in this center. JODY STHILAIRE, Desert Spring Road, said her primary concerns were the safety of children, liquor being sold from the site and traffic. PENNY BARATTA, 5724 Owl Butte Court, explained she is in opposition to the project because it is unnecessary as the same uses are within a mile of the neighborhood. The commercial sites that are currently in the shopping center are closed no later than 8 p.m. and are very low-key uses.

KIM CAULFIELD, 7608 Valley Green Drive, has worked for 15 years to keep commercial development out of the neighborhood. The residents continue to fight the same fight every four or five years. Residents on Ann Road are anticipating the exchange opening up so the traffic on Ann Road would lessen. Adding more commercial would worsen the traffic.

MR. BARGER noted that the opposition is due to the use of the site, not its design. The use is an accessory use to a permitted use in the C-2 zoning. This would be the last commercial pad on the existing commercial center and staff is recommending approval. The applicant did meet with some of the homeowners groups and there were no requests for changes because the opposition was to the use.

COMMISSIONER McSWAIN noticed that directly across from the subject site is an entrance to a residential subdivision. She disagreed with staff's recommendation because it is not compatible in any way. To have any type of a 24-hour service directly in front of an entrance to a neighborhood is inappropriate. She found the site to be a focal point of the neighborhood and thought residents should not have to compete with traffic coming to or from that type of use. She stated she would not support the items but asked that a condition be added if the items were approved relative to signage restrictions so that typical signage at a service station would not further impact the residents to the south of the site. MARGO WHEELER, Director, Planning

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 75 – SUP-6319

MINUTES – Continued:

and Development, indicated her request would go forward as a notation to Council in the event the item is denied.

COMMISSIONER GOYNES could not support this type of use either. He encouraged the applicant to meet with some of the neighbors to find out what type of use they would welcome into the neighborhood.

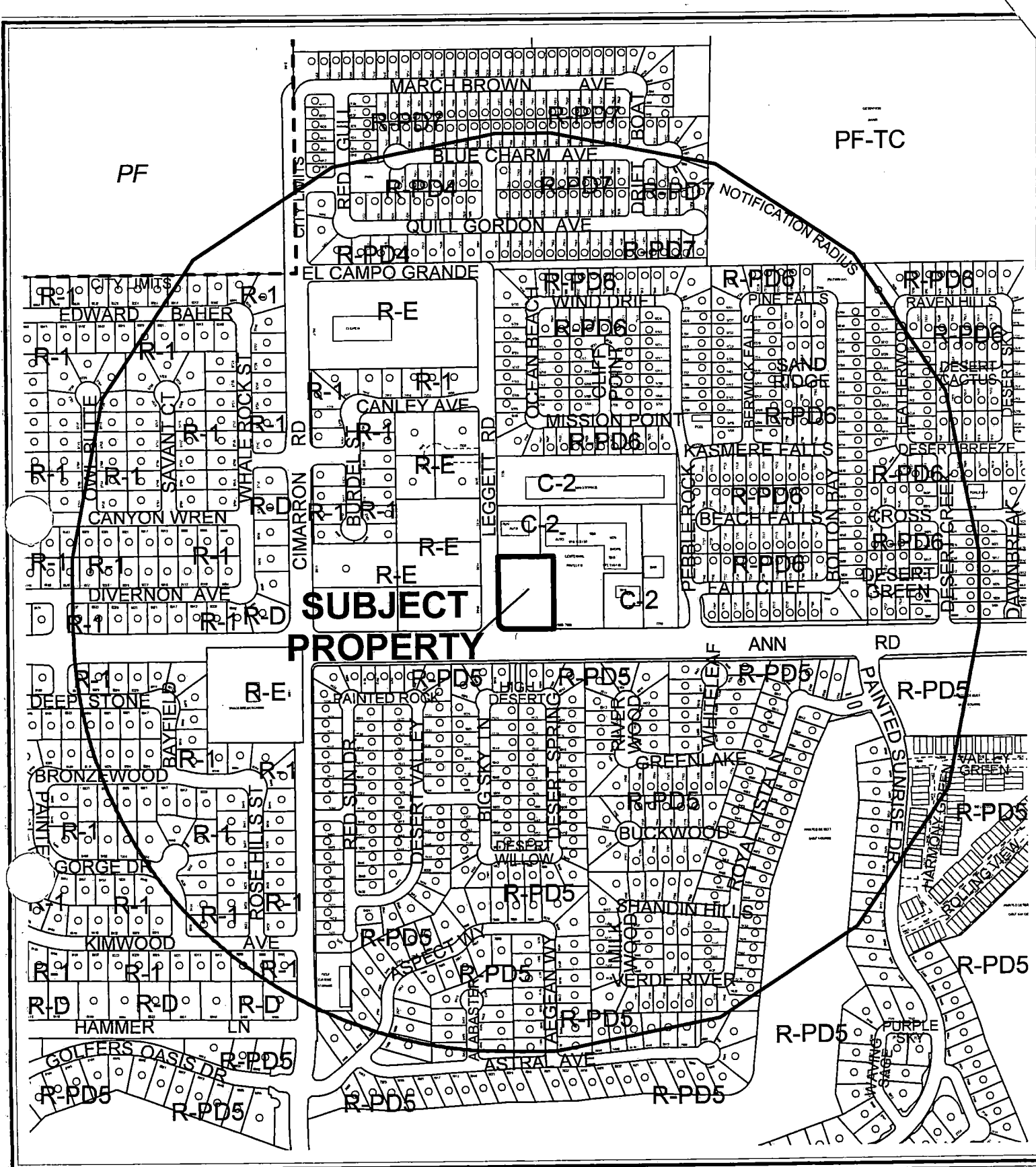
VICE CHAIRMAN TRUESDELL found the use issue to be paramount. The additional use permit requirement allows the Board to review compatibility. He questioned how a gas truck could deliver fuel to the site. MR. BARGER explained that the driveways were already existing and using those, the fuel truck would probably come down off of Ann Road and would circle through the property. He added that the landscaping on the median where the truck would park to fuel is heavily landscaped to help hide that activity from the street view. VICE CHAIRMAN TRUESDELL also questioned the proposed restaurant space. MR. BARGER indicated that the applicant was assuming restaurant to be sure the parking requirement was met no matter what went into that lease space. VICE CHAIRMAN TRUESDELL noted that most of the parking for such a use would be in the center of the development. That would require the clients to walk across two driveways to access the restaurant. He did not feel pedestrian access had been accommodated. He questioned the public safety aspect of the parking scenario.

CHAIRMAN NIGRO shared the concerns of the other Commissioners. The backup indicated that City Council has stated in past years that this use was not appropriate for the corner. He asked why the applicant feels the use is now appropriate. Any use considered for this corner should be less intense.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

(10:56 – 11:29)

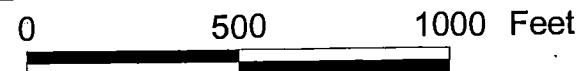
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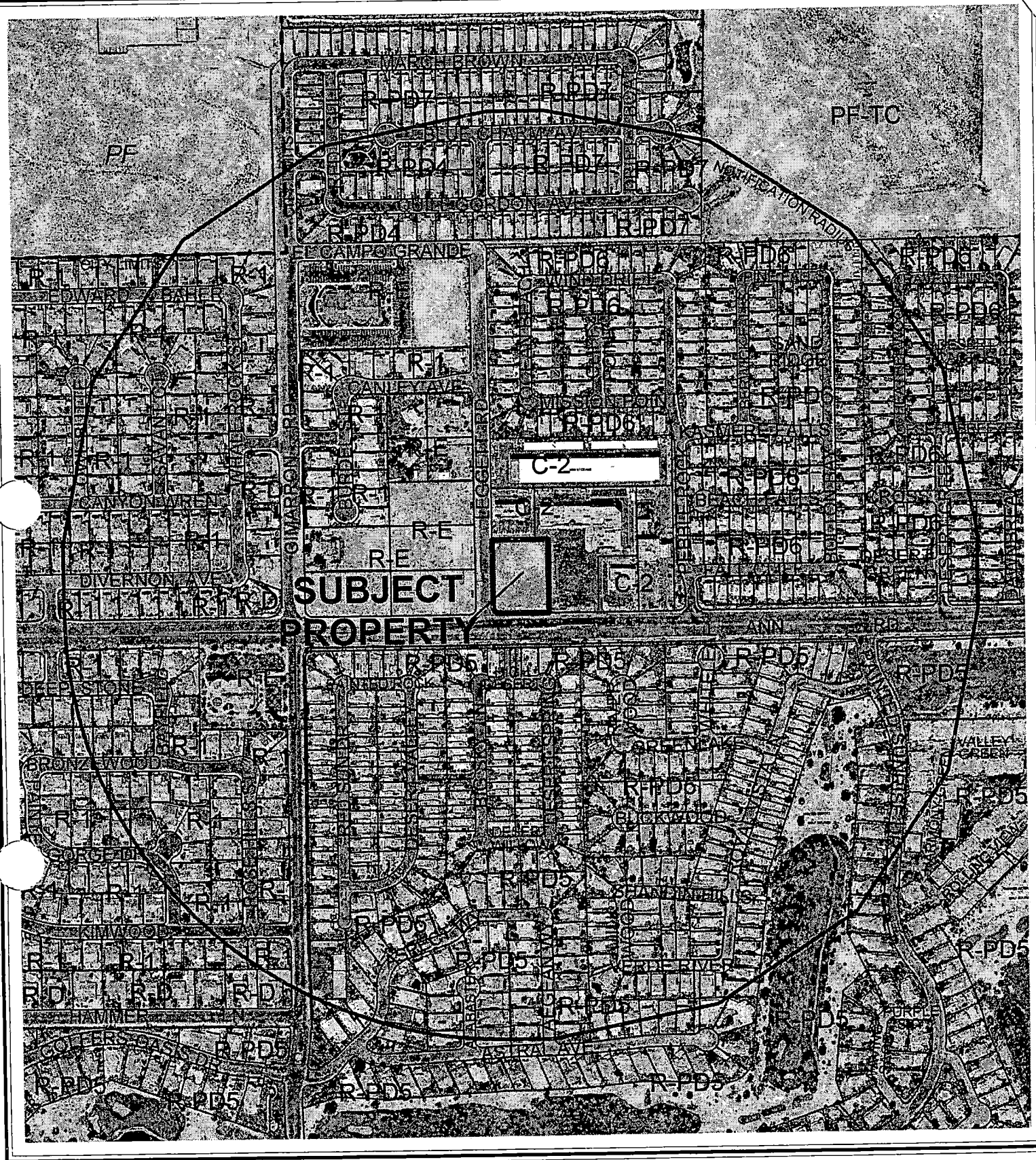


CASE: SUP-6319

RADIUS: 1500 FT

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





CASE: SUP-6319

RADIUS: 1500 FT

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

0 500 1000 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6319 - APPLICANT: WELLES-PUGSLEY
ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Service Station with gas pumps use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-0058-76(4)] and Site Development Plan Review (SDR-6316).
3. If this Special Use Permit is not exercised within two years after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
4. No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
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 Special Use Permit for a Service Station on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road. This application will be considered in conjunction with a Special Use Permit (SUP-6320) application for a liquor establishment for off-premise consumption and a Site Development Plan Review (SDR-6316) for a proposed 7,000 square-foot retail development consisting of a convenience store in conjunction with a service station and a restaurant and a waiver of the foundation landscape standards.

B) Applicant's Justification

The applicant justifies this application by stating that they believe the proposed request for a Special Use Permit for the Green Valley Grocery project is in compliance with the City policies and regulations.

BACKGROUND INFORMATION

A) Related Actions

- 10/23/75 The Board of Zoning Adjustment approved a plot plan review of an approved Variance (V-0002-75) application to allow an addition to the club house building, relocating the mobile home on the property, allowing the construction of a horse warm-up facility (fenced enclosure), an additional row of corrals, a playground facility and to allow livestock used in connection with rodeos or horse shows to be kept on the premises on property located at 7800 West Ann Road.
- 02/26/76 The Board of Zoning Adjustment approved a Variance (V-0012-76) application to allow a public restaurant on property located at 7800 West Ann Road.
- 10/06/76 The Board of City Commissioners approved a Rezoning (Z-0058-76) application for the reclassification of property from R-E (Residence Estates) to C-2 (General Commercial) zoning for a proposed tack and horse trailer sales, restaurant, arena, and riding stables at 7800 West Ann Road. The Planning Commission recommended approval on 09/09/76.

SUP-6319 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 07/11/91 The Planning Commission approved a Site Development Plan Review [Z-0058-76(2)] for a restaurant (now known as Bogeys) and lounge on property located at 7800 West Ann Road.
- 11/06/91 The City Council approved a Special Use Permit (U-0188-91) application for a tavern within the restaurant now known as Bogeys on property located at 7700 West Ann Road. The Board of Zoning Adjustment recommended denial on 09/29/91.
- 12/01/93 The City Council struck from the agenda a request for a Site Development Plan Review [Z-0058-76(3)] for a convenience store with gasoline sales and an automated car wash on property located at 7800 West Ann Road. The Planning Commission recommended denial on 10/28/93.
- 12/15/93 The City Council denied a Special Use Permit (U-0224-93) application to allow an automated car wash and the sale of beer and wine on property located at 7800 West Ann Road. The Board of Zoning Adjustment recommended denial on 10/26/93.
- 10/18/00 The City Council approved a Site Development Plan Review [Z-0058-76(4)] for a proposed commercial center, including a 91,025 square-foot mini-storage facility, a 13,020 square-foot office building and 24,610 square feet of retail space on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended approval on 09/14/00. The original application included a 3,200 square-foot convenience store, which was excluded by condition of approval imposed by City Council.
- 10/18/00 The City Council denied a Special Use Permit (U-0141-00) application for gasoline sales in conjunction with a proposed 3,200 square-foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Special Use Permit (U-0142-00) application for the sale of beer and wine for off-premise consumption in conjunction with a proposed 3,200 square-foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Variance (V-0061-00) application for a zero foot rear yard setback where 20 feet is the minimum setback required for a proposed mini-storage facility on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 03/07/01 The City Council denied a Special Use Permit (U-0188-00) application for a 60-foot high wireless communication monopole at 7800 West Ann Road. The Planning Commission recommended denial on 12/07/00.

SUP-6319 - Staff Report Page Three
April 28, 2005 - Planning Commission Meeting

03/21/05 The City Council approved a Review of Condition [Z-0058-76(5)] #2 regarding the scope and extent of a revised Site Development Plan Review to be heard at a later date; Condition #3 regarding the mini-storage building height; Condition #9 regarding the submittal of a cross-access agreement; Condition #13 regarding an amended Traffic Impact Analysis; and Condition #14 regarding the contribution of money for drainage improvements on property located on the northeast corner of the intersection of Ann Road and Leggett Road. The Planning Commission recommended approval on 02/08/01.

04/28/05 The Planning Commission will consider a Special Use Permit (SUP-6320) application for a proposed Liquor Establishment (Off-Sale) adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.

04/28/05 The Planning Commission will consider a Site Development Plan Review (SDR-6316) application for a proposed 7,000 square-foot retail development consisting of a convenience store in conjunction with a service station and a restaurant and a waiver of the foundation landscape standards on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.

B) Pre-Application Meeting

02/16/05 A pre-application conference was held and resulted in the following comments:

1. Parking standards are to be as follows:
 - a. 1 space / 250 SF for the convenience store.
 - b. 1 space / 250 SF for the carwash.
 - c. 1 space / 100 SF for the restaurant with drive through.
2. Landscaping standards are as follows:
 - a. 15-foot front buffer along the streets.
 - b. 8-foot buffer along the sides and rear of the site.
 - c. 24-inch box trees, 20 feet apart along the streets.
 - d. 24-inch box trees, 30 feet apart along the sides and rear.
 - e. Four one-gallon shrubs and four five-gallon shrubs per tree.
 - f. One landscaped parking finger, five-foot wide for each six parking spaces.
 - g. Parking lot next to the street shall be screened from the street with a three-foot tall landscape berm.
3. The site plan shall show the following:
 - a. Pedestrian path from the corner to the building.
 - b. Bicycle parking required.
 - c. A loading zone.
 - d. Light poles are limited to 30 feet, lights to be of the cut-off variety.
 - e. A pedestrian plaza, no smaller than 250 square feet.

4. A General Plan Amendment is needed to bring the zoning and the General Plan into conformance.
5. Mailing labels would be available for the neighborhood meeting.
6. Public Works commented that they may be responsible to add/remove on/off sites.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.14

B) *Existing Land Use*

Subject Property: Vacant parcel with an established commercial subdivision [Z-0058-76(4)]

North: Auto Repair Garage [Brake Team (G02-00682)] part of Spanish Steps Commercial Subdivision

South: Single-Family Residential Dwellings

East: Spanish Steps Commercial Subdivision

West: Undeveloped [No proposed development at this time]

C) *Planned Land Use*

Subject Property: L (Low Density Residential)

North: L (Low Density Residential)

South: ML (Medium-Low Density Residential)

East: L (Low Density Residential)

West: L (Low Density Residential)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: R-PD5 (Residential Planned Development – 5 units per acre)

East: C-2 (General Commercial)

West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is currently designated L (Low Density Residential) within the Centennial Hills Sector Plan of the General Plan. The subject site is also currently designated as a C-2 (General Commercial) zoning district, which is not in conformance with the Centennial Hills Sector Plan of the General Plan. The proposed Service Station is only permissible by means of a Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 SF.	1 Space / 250 GFA	16		16	
Car Wash – Self Service	1,250 SF.	2 Spaces / Stall + 2 Stacking Spaces	2		2*	

The planned parking for the proposed use is to be provided on site, as well as by sharing parking with the existing commercial subdivision, which the subject site is part of. Two handicap accessible parking spaces are proposed in conjunction with this use and other discussed in Site Development Plan Review (SDR-6316).

* The self-service car wash is providing stacking for approximately six vehicles.

PL

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Service Station use.

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

Standards	Code Requirement	Provided
Service Station	Pump islands shall be located a minimum of 20 feet from a street right-of-way line.	Yes
	A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.	Yes

The proposal complies with all minimum distance requirements set forth by Title 19.04.050.

B) General Analysis and Discussion

- Zoning

The subject site is currently designated as a C-2 (General Commercial) zoning district. A Service Station is a permitted use within said zoning district by means of an approved Special Use Permit.

- Use

Title 19.20 defines a Service Station as:

“Any building, or premises used for the dispensing and sale of fuels or oils and accessories for minor vehicle trade, together with any incidental minor automotive repair or automatic car wash facility.”

- Conditions

Pursuant to Title 19.04.050 a Service Station use is held to the following conditions:

- (1) All activities and operations shall be conducted entirely within an enclosed structure, except as follows:
 - (a) The dispensing of petroleum products, water and air from pump islands.
 - (b) The provision of emergency service of a minor nature.
 - (c) The sale of items via vending machines, which shall be located next to the main structure.

- (2) Pump islands shall be located a minimum of twenty feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than ten feet from the street right-of-way line.
- (3) No vehicle shall be parked on the premises for the purposes of offering the vehicle for sale.
- (4) No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
- (5) Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- (6) The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060(B).

The proposal complies with all minimum requirements set forth by Title 19.04.050.

FINDINGS

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

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

The proposed Service Station with gas pumps can be conducted in a harmonious and compatible manner with the existing and future development within the surrounding area.

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

The subject site is the last undeveloped portion of an existing commercial subdivision and is located on the corner of a primary arterial. The site is physically suitable for the intensity of 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."**

SUP-6319 - Staff Report Page Eight
April 28, 2005 - Planning Commission Meeting

The site will have access from both Ann Road, a Primary (100-foot) Arterial as defined by the Master Plan of Streets and Highways, and Leggett Road, a 60-foot public street. Each of the before mentioned right-of-ways will provide adequate access to the site.

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

The proposed use will be subject to inspections for compliance to business licensing requirements. Approval of this special use permit will not compromise public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 938 [Mailed with SUP-6320 and SDR-6316]

APPROVALS 1

PROTESTS 4

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6319** APN: 125-28-818-005
 Name of Property Owner: ~~Sun West LTD~~ by Ann Road Properties Ltd.
 Name of Applicant: WELLES PUGSLEY ARCHITECTS, LLP Sun West

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 ~~X~~

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

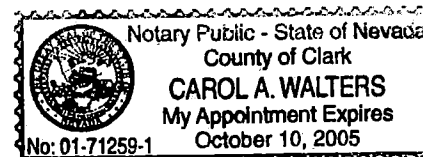
Print Name:

DANIEL S. COLETT

Subscribed and sworn before me

This 2nd day of MARCH, 2005

Carol A. Walters
Notary Public in and for said County and State



WELLES - POSSLEY ARCHITECTS, L.L.P.
2400 E. Hampton Avenue, Suite 222, Las Vegas, Nevada 89117
p. 702.635.1550 fax. 702.635.2699 e-mail. wlp@wlparchitect.com

STAMP:

REVISIONS:

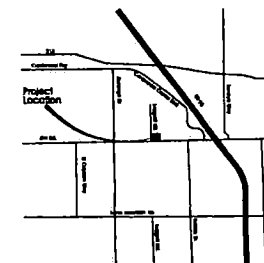
PLANT SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	Grass seed, Bermuda	10,000	SQ. YD.	0.15
2	Grass seed, Fescue	10,000	SQ. YD.	0.15
3	Grass seed, Ryegrass	10,000	SQ. YD.	0.15
4	Grass seed, St. Augustine	10,000	SQ. YD.	0.15
5	Grass seed, Zoysia	10,000	SQ. YD.	0.15
6	Grass seed, Bahia	10,000	SQ. YD.	0.15
7	Grass seed, Paspalum	10,000	SQ. YD.	0.15
8	Grass seed, Cenchrus	10,000	SQ. YD.	0.15
9	Grass seed, Eragrostis	10,000	SQ. YD.	0.15
10	Grass seed, Digitaria	10,000	SQ. YD.	0.15

1. Plant Schedule is an estimate only and is not to be used for pricing purposes.
2. Plant Schedule is an estimate only and is not to be used for pricing purposes.
3. Plant Schedule is an estimate only and is not to be used for pricing purposes.
4. Plant Schedule is an estimate only and is not to be used for pricing purposes.



Vicinity Map



Location Map

PROJECT NAME:
GREEN VALLEY GROCERY

PROJECT NUMBER:
VP-0435

SHEET TITLE:
PLANTING

DRAWN BY:
BC

CHECKED BY:
dp

DATE:
03/15/05

SUBMITTAL:
DESIGN REVIEW

SHEET NUMBER:

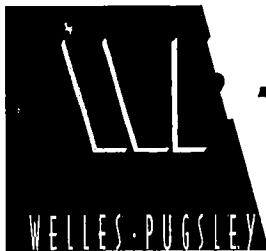
LS1.01

RECEIVED

SCALE: 1" = 30'-0"



SUP-6319
04/28/05 PC



DAVID G. PUGSLEY, A.I.A.
WADE J. SIMPSON, A.I.A.
DAVID F. WELLES, A.I.A. (Retired)
ARCHITECTS, LLP

March 15, 2005

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

Re: **Green Valley Grocery, WP-0435**
Justification Letter – Special Use Permit (LPG Gas Sales)
A.P.N. 125-28-818-005

To Whom It May Concern:

Green Valley Grocery is proposing to develop a 3,800 s.f. convenience store with an attached 1,950 s.f. lease space (assumed to be a restaurant use) and an attached 1,250 s.f. automatic car wash on an undeveloped corner site within an existing commercial center located at the Northeast corner of Leggett and Ann Road. The 0.98 acre property is zoned C-2 and is categorized General Commercial (GC) by the City of Las Vegas General Plan. The total building area is 7,000 s.f. Also included is a 6-island fuel dispensing facility with underground storage tanks and a covered canopy. The fuel canopy will be integrated to match the character of the building.

The General Retail (convenience store and restaurant) are permitted uses in C-2 zoning. The Service Station (fuel dispensing) and liquor-off premise consumption (convenience store) require Special Use Permits.

We believe that the proposed request for a Special Use Permit for the Green Valley Grocery project is in compliance with the City policies and regulations.

Sincerely,


John Barger
Project Manager

Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

Reference Planning Commission Meeting April 28th, 2005 at 6:00pm

Southwest half of the southeast quarter of section 28, township 19 south, range 60 east, MDM

SDR-6316 SUP-6320 SUP-6319

I received a notice in the mail wanting to put a gas station/restaurant/convenience store/liquor store just to the west of my housing development. There are already two of these developments a short distance away in **commercial areas**. One is just east of I-95 off of Ann and the other is just to the Northwest of Durango. The commercial development in question is sitting right in the middle of a residential area. The commercial developments that have occurred at this sight up to now have been very careful to put businesses in the area that are relatively low impact to the residential areas around them. This store being proposed does not belong in a residential neighborhood. It would add a large amount of traffic to a residential area where churches are and where kids are catching buses to school. Owners of this property a couple years ago came around to the homes in the area trying to get a petition allowing them to build a 7-11 at this location. That effort was defeated. It takes time and effort to defeat these request. After a while people get worn down and tired of fighting. Then the developers come in and build their property, make their money and move on. I'm not asking anyone not to develop their property, I'm just asking that they do it with in the confines of the zoning that has already been set. I would be highly surprised if any of these developers would be willing to build one of these stores next to their house.

I would appreciate it if you would deny this zoning change and require the owner to develop their property with a business that is more conducive to the residential area that it is in. Thank you for helping us protect the residential areas in our city from unwanted and unneeded businesses that would have a very negative impact on the area that we have chosen to raise our family.

Dale Franc
7709 Pine Falls Drive
Las Vegas Nv. 89149

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT.

I APPROVE OF THIS
DEVELOPMENT PLAN

12533510027 Case: SUP-6319
STEINFALS CHRISTIAN W
5521 BIG SKY LN
LAS VEGAS NV 89149-6634

his wife

TEL. 702-393-0075

SUP-6319

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -
REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED SERVICE STATION ADJACENT TO THE
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD (APN 125-28-818-005), C-2 (GENERAL
COMMERCIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$)
OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST,
M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

12528711014
DOWD PATRICIA L
5816 RED GULL ST
LAS VEGAS NV 89149-5142

Case: SUP-6319

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

NO P. Dowd
SUP-6319
Our traffic is terrible
we have more
coming from Buffalo
to 95
APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -

REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED SERVICE STATION ADJACENT TO THE
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD (APN 125-28-818-000), C-2 (GENERAL
COMMERCIAL) ZONE, WARD 6 (MACK)

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$)
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GARY LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 4/28/05

Case Number: SUP-6320
SUP-6319
SDR-6316

Date: 4/22/05
Name: PATRICIA WATERS
Address: 5516 Red Sun Drive
Las Vegas, NV 8914
Phone: 702-655-2732

☒ 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

Kathryn E. Umbarger, C.E.M.
5444 Royal Vista Lane
Las Vegas NV 89149-6614
E-Mail: kelizaum@earthlink.net

RECEIVED

APR 22 2005

April 20, 2005

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

Attention: Gary Leobold, Planning Supervisor

Re: **SDR-6316 -- SUP 6319 -- SUP-6320**
Applicant: Welles-Pugsley Architects, LLP
Owner: Ann Road Properties, Ltd.

Attention: Gary Leobold, Planning Supervisor

Mr. Leobold,

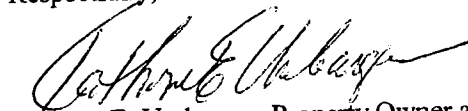
The City's three (3) Notices of Public Hearing with respect to subject Site Development Plan Review and Special Use Permits have been received by me as of 4/19/05.

This writing is to file my objections to the proposed development, specifically a proposed convenience store, gas station, liquor store and restaurant, with a waiver of foundation landscaping standards.

This neighborhood currently is beautifully kept with current landscaping and street-side maintenance nothing short of outstanding. By putting in yet another service station, convenience store and liquor store, the applicant and owner of this property are inviting additional traffic, dirt, discarded solid and liquid trash inherent to the environs of these types of establishments; environmental and safety hazards inherent with the existence of service stations; surface runoff from spilt gasoline, motor oil and trash; noise; and danger to the local residents - particularly the children who walk each day along that area to catch their respective school buses - from increased traffic, polluted air and possibly inebriated customers coming and going to and from the liquor and convenience stores.

I purchased my property across the street specifically to be distant from these types of commercial entities. I am extremely distressed at the prospect of the addition of these proposed business at Ann and Leggett Roads. There are already plenty of service stations and liquor stores nearby. There is no need to provide a waiver for foundation landscaping and degrade the area.

Respectfully,



Kathryn E. Umbarger, Property Owner and
State of Nevada Certified Environmental Manager #1902

WE THE UNDERSIGNED OPPOSE THE DEVELOPMENT OF THE
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD (APN
125-28-818-005), C-2(GENERAL COMMERCIAL)ZONE, WARD 6.
THE ABOVER PROPERTY IS LEGALLY DESCRIBED AS BEING A
PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF
SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

WE OPPOSE THE SPECIAL USE PERMITS - SUP6319 AND SUP-6320.
WE ALSO OPPOSE THE SITE PLAN REVIEW - SDR-6316.

WE ALREADY HAVE TWO CONVENIENCE STORES WITH GAS STATIONS
AND A MULTITUDE OF RETAIL SHOPPING WITHIN A TWO MILE RADIUS OF
THE PROPOSED SITE.

Submitted at Planning Commission

Date 04-28-05 Item # 75 (through 77) (2)

NAME	ADDRESS	PHONE
Kim DAPRIZIO	5720 Owl Butte Ct	656-6385
Mike Muschagno	5708 Owl Butte Ct	656-8818
Remy Bonatti	5724 OWL BUTTE CT.	645-9036
Darl Vetter	5728 Owl Butte Ct	656-4091
Michelle Hogue	5728 OWL BUTTE CT	656-4091
Elizabeth Kahn	5725 Owl Butte Ct	310-7246
Shawn Gabuzzo	5721 Owl Butte Ct.	254-4211
Leonard A. Stowell	5716 Owl Butte Ct.	655-6685
Diana D. Stowell	5716 Owl Butte Ct.	655-6685
Shawn Kutschman	5717 Owl Butte Ct.	369-9832
E. M. Woolfolk	5713 Owl Butte	655-3733
Emil B. Byers	5709 Owl Butte Ct.	254-5111
Lee S. Deward	5701 Centralia St	645-4377
John R. Brown	5701 Centralia St	646-7746
Robert Bork	5709 Centralia	641-2173

WE THE UNDERSIGNED OPPOSE THE DEVELOPMENT OF THE
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THE PROPOSED SITE.

NAME	ADDRESS	PHONE
Joe Cherniack	5713 Centralia St	655-3010
Virginia Champion	5717 Centralia St.	645-2276
Norman A. Champion	5717 Centralia St	645-2276
Helma Roundtree	5720 Centralia St	655-1829
Brent Stokke	8044 Edward Baker Ave	656-6354
Deety & Larry Narsen	8045 Edward Baker Ave	395-6001
Peter L. Beebe	2835 PINE WATER PK	878-8012
Judy L. Davis	7896 Aspect Way	658-2878
Stan Krantz	5448 Red Sun Dr.	656-6920
R. L. Linn	1310 W. Azure	655-4008
W. Jeffrey Burr	7896 Aspect Way	658-9173
Kathleen Stohr	7725 Arnold Palmer	515-0249

WE THE UNDERSIGNED OPPOSE THE DEVELOPMENT OF THE
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WE ALSO OPPOSE THE SITE PLAN REVIEW - SDR-6316.

WE ALREADY HAVE TWO CONVENIENCE STORES WITH GAS STATIONS
AND A MULTITUDE OF RETAIL SHOPPING WITHIN A TWO MILE RADIUS OF
THE PROPOSED SITE.

NAME	ADDRESS	PHONE
Shelley Kentro S.F.	8005 DIVERNON AVE.	(702) 658-4419
John Boehmep's	8009 DIVERNON AVE	702 645-2273
Norma D. Watters	8013 DIVERNON AVE	(702) 396-4313
John Jenkins	8016 Divernon Ave	(702) 895-3541
Lynn Emerson	8012 Divernon Ave	702-877-8308
Cheri Becker	8024 DIVERNON AVE	(720) 645-1095
Margaret Cruise	8021 Divernon Ave	656-7658
William Henchey	8025 Divernon Ave	655-1343
Rosalie R. Lidstrom	8029 DIVERNON AVE	396-9324
Andrew Lidstrom	8028 DIVERNON AVE	655-5096
GERARD LOVE S.F.	8116 Divernon Ave	658-6301
Emgeborg Pullman	8116 DIVERNON AVE	658 6301
James E. Pullman	8121 Divernon Ave	655-2127
Jeff Dodgson	5724 Owl Butte CT	645-9036
Engene Baratta	5724 Owl Butte CT	645-9036
Mary Baratta	5724 Owl Butte CT	645-9036

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WE OPPOSE THE SPECIAL USE PERMITS - SUP6319 AND SUP-6320.
WE ALSO OPPOSE THE SITE PLAN REVIEW - SDR-6316.

WE ALREADY HAVE TWO CONVENIENCE STORES WITH GAS STATIONS
AND A MULTITUDE OF RETAIL SHOPPING WITHIN A TWO MILE RADIUS OF
THE PROPOSED SITE.

NAME	ADDRESS	PHONE
PERRY JOHNSON	5616 DAWNBREAK DR	645-6298
Teresa Kennedy	5028 Portraits PL 89149	645-6209
Erica Jurgensen	4929 LAZYDAVE CT 89131	655-5755
VIRGIL L. Knight	5724 WHALE ROCK ST. 89-149	655-2192
MARILY Knight	" " " 89149	
Richard Pagels	5720 Whale Rock St	655-5312
Gay Hooper	5236 Whale Rock St	658-5921
Kathy Briz	5729 Whale Rock St	655-6575
Edm D.	5721 Whale Rock St	286 4802
Wendy McLaughlin	5716 Whale Rock St	645-2731
MICHAEL McLAUGHLIN	5716 WHALE ROCK ST	645-2731
Nancy A. BOTTORF	5709 WHALE ROCK ST	655-0597
Nancy A. Bottorf		
Angel Carranza	5712 whale Rock St	458-7941
Ann Lynn		
John G. Wiese	5701 WHALE ROCK	655-6906

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**SUP-6320 - SPECIAL USE PERMIT RELATED TO SUP-6319 - PUBLIC HEARING -
APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD
PROPERTIES, LTD. - Request for a Special Use Permit FOR A PROPOSED LIQUOR
ESTABLISHMENT (OFF-PREMISE CONSUMPTION) adjacent to the northeast corner of Ann
Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6
(Mack).**

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

4

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta
(filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

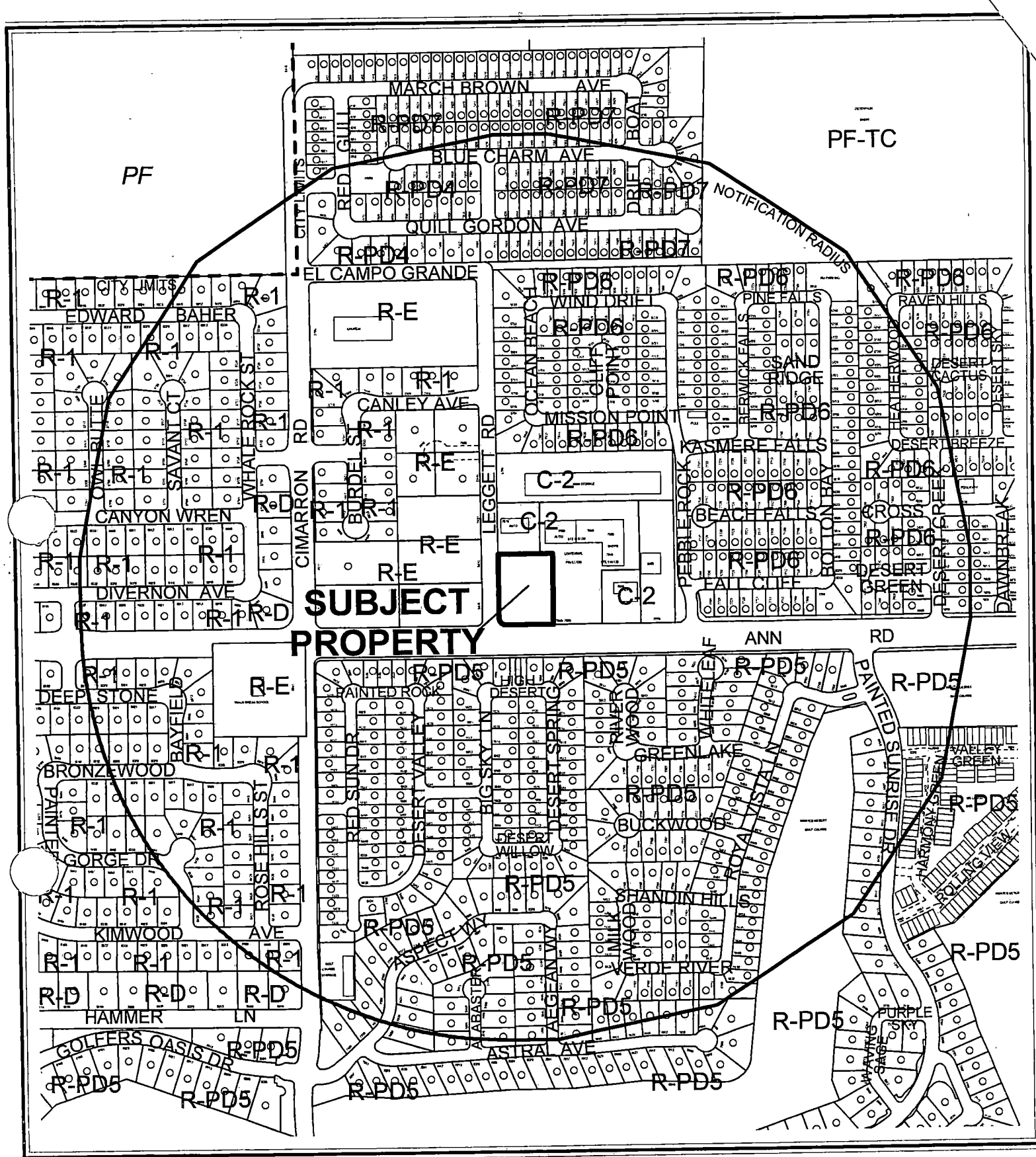
To be heard by City Council 6/01/2005

MINUTES:

See Item 75 [SUP-6319] for related discussion on Item 75 [SUP-6319], Item 76 [SUP-6320] and
Item 77 [SDR-6316].

(10:56 – 11:29)

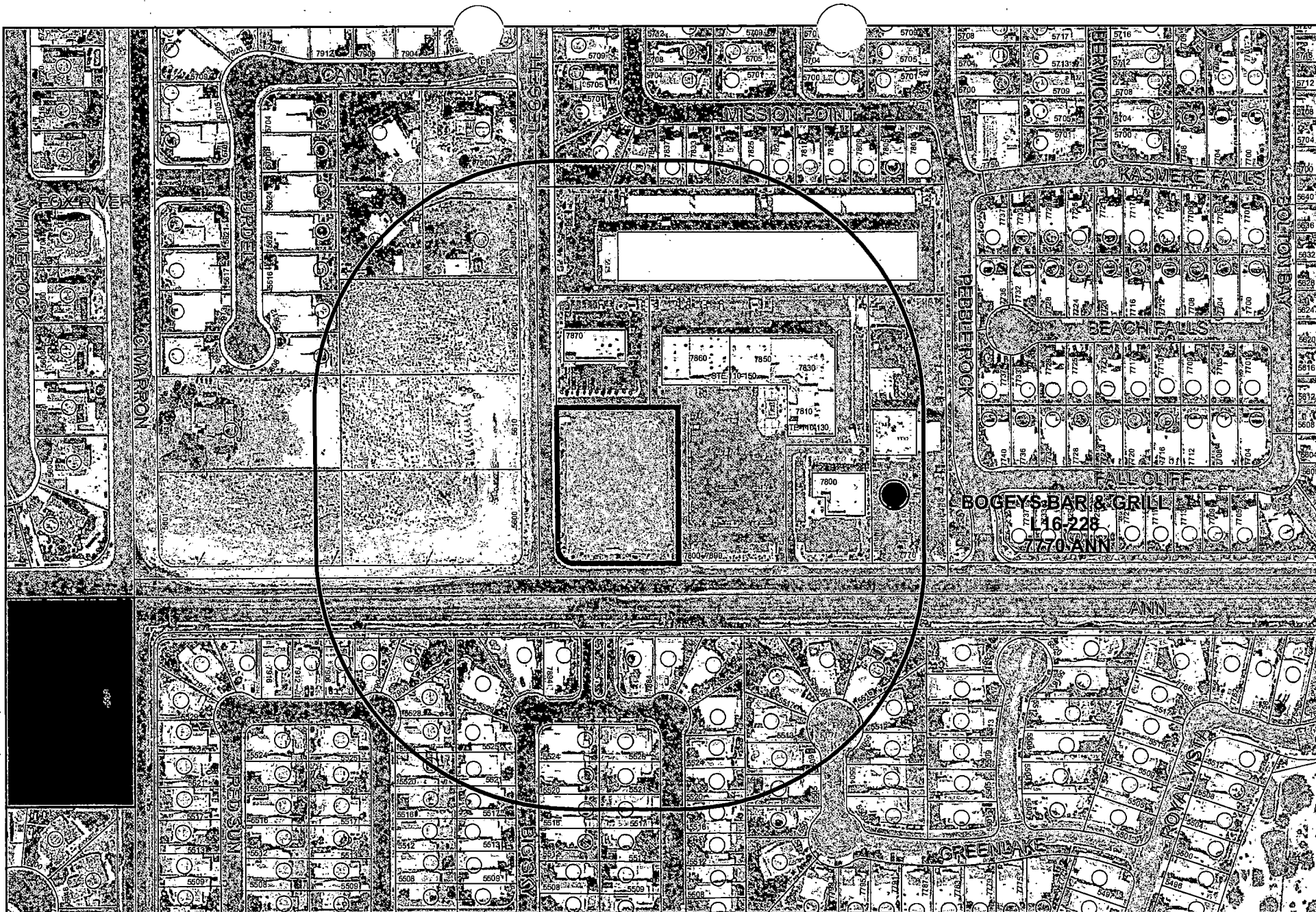
4-381



CASE: SUP-6320

RADIUS: 1500 FT

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



SUP-6320
Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6320 - APPLICANT: WELLES-PUGSLEY
ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off-Sale) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-0058-76(4)] and Site Development Plan Review (SDR-6316).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Liquor Establishment (Off-Sale) adjacent to the northeast corner of Ann Road and Leggett Road. This application will be considered in conjunction with a Special Use Permit (SUP-6319) application for a liquor establishment for a Service Station and a Site Development Plan Review (SDR-6316) for a proposed 7,000 square-foot retail development consisting of a convenience store in conjunction with a service station and a restaurant and a waiver of the foundation landscape standards.

B) Applicant's Justification

The applicant justifies this application by stating that they believe the proposed request for a Special Use Permit for the Green Valley Grocery project is in compliance with the City policies and regulations.

BACKGROUND INFORMATION

A) Related Actions

- 10/23/75 The Board of Zoning Adjustment approved a plot plan review of an approved Variance (V-0002-75) application to allow an addition to the club house building, relocating the mobile home on the property, allowing the construction of a horse warm-up facility (fenced enclosure), an additional row of corrals, a playground facility and to allow livestock used in connection with rodeos or horse shows to be kept on the premises on property located at 7800 West Ann Road.
- 02/26/76 The Board of Zoning Adjustment approved a Variance (V-0012-76) application to allow a public restaurant on property located at 7800 West Ann Road.
- 10/06/76 The Board of City Commissioners approved a Rezoning (Z-0058-76) application for the reclassification of property from R-E (Residence Estates) to C-2 (General Commercial) zoning for a proposed tack and horse trailer sales, restaurant, arena, and riding stables at 7800 West Ann Road. The Planning Commission recommended approval on 09/09/76.
- 07/11/91 The Planning Commission approved a Site Development Plan Review [Z-0058-76(2)] for a restaurant (now known as Bogeys) and lounge on property located at 7800 West Ann Road.

SUP-6320 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 11/06/91 The City Council approved a Special Use Permit (U-0188-91) application for a tavern within the restaurant now known as Bogeys on property located at 7700 West Ann Road. The Board of Zoning Adjustment recommended denial on 09/29/91.
- 12/01/93 The City Council struck from the agenda a request for a Site Development Plan Review [Z-0058-76(3)] for a convenience store with gasoline sales and an automated car wash on property located at 7800 West Ann Road. The Planning Commission recommended denial on 10/28/93.
- 12/15/93 The City Council denied a Special Use Permit (U-0224-93) application to allow an automated car wash and the sale of beer and wine on property located at 7800 West Ann Road. The Board of Zoning Adjustment recommended denial on 10/26/93.
- 10/18/00 The City Council approved a Site Development Plan Review [Z-0058-76(4)] for a proposed commercial center, including a 91,025 square-foot mini-storage facility, a 13,020 square-foot office building and 24,610 square feet of retail space on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended approval on 09/14/00. The original application included a 3,200 square-foot convenience store, which was excluded by condition of approval imposed by City Council.
- 10/18/00 The City Council denied a Special Use Permit (U-0141-00) application for gasoline sales in conjunction with a proposed 3,200 square-foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Special Use Permit (U-0142-00) application for the sale of beer and wine for off-premise consumption in conjunction with a proposed 3,200 square-foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Variance (V-0061-00) application for a zero foot rear yard setback where 20 feet is the minimum setback required for a proposed mini-storage facility on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 03/07/01 The City Council denied a Special Use Permit (U-0188-00) application for a 60-foot high wireless communication monopole at 7800 West Ann Road. The Planning Commission recommended denial on 12/07/00.
- 03/21/05 The City Council approved a Review of Condition [Z-0058-76(5)] #2 regarding the scope and extent of a revised Site Development Plan Review to be heard at a later date; Condition #3 regarding the mini-storage building height; Condition #9

SUP-6320 - Staff Report Page Three
April 28, 2005 - Planning Commission Meeting

regarding the submittal of a cross-access agreement; Condition #13 regarding an amended Traffic Impact Analysis; and Condition #14 regarding the contribution of money for drainage improvements on property located on the northeast corner of the intersection of Ann Road and Leggett Road. The Planning Commission recommended approval on 02/08/01.

04/28/05 The Planning Commission will consider a Special Use Permit (SUP-6319) application for a proposed Service Station adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.

04/28/05 The Planning Commission will consider a Site Development Plan Review (SDR-6316) application for a proposed 7,000 square-foot retail development consisting of a convenience store in conjunction with a service station and a restaurant and a waiver of the foundation landscape standards on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.

B) Pre-Application Meeting

02/16/05 A pre-application conference was held and resulted in the following comments:

1. Parking standards are to be as follows:
 - a. 1 space / 250 SF for the convenience store.
 - b. 1 space / 250 SF for the carwash.
 - c. 1 space / 100 SF for the restaurant with drive through.
2. Landscaping standards are as follows:
 - a. 15-foot front buffer along the streets.
 - b. 8-foot buffer along the sides and rear of the site.
 - c. 24-inch box trees, 20 feet apart along the streets.
 - d. 24-inch box trees, 30 feet apart along the sides and rear.
 - e. Four one-gallon shrubs and four five-gallon shrubs per tree.
 - f. One landscaped parking finger, five-foot wide for each six parking spaces.
 - g. Parking lot next to the street shall be screened from the street with a three-foot tall landscape berm.
3. The site plan shall show the following:
 - a. Pedestrian path from the corner to the building.
 - b. Bicycle parking required.
 - c. A loading zone.
 - d. Light poles are limited to 30 feet, lights to be of the cut-off variety.
 - e. A pedestrian plaza, no smaller than 250 square feet.
4. A General Plan Amendment is needed to bring the zoning and the General Plan into conformance.
5. Mailing labels would be available for the neighborhood meeting.
6. Public Works commented that they may be responsible to add/remove on/off sites.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.14

B) *Existing Land Use*

Subject Property: Vacant parcel with an established commercial subdivision [Z-0058-76(4)]

North: Auto Repair Garage [Brake Team (G02-00682)] part of Spanish Steps Commercial Subdivision

South: Single-Family Residential Dwellings

East: Spanish Steps Commercial Subdivision

West: Undeveloped {No proposed development at this time}

C) *Planned Land Use*

Subject Property: L (Low Density Residential)

North: L (Low Density Residential)

South: ML (Medium-Low Density Residential)

East: L (Low Density Residential)

West: L (Low Density Residential)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: R-PD5 (Residential Planned Development – 5 units per acre)

East: C-2 (General Commercial)

West: R-E (Residence Estates)

E) *General Plan Compliance*

The subject site is currently designated L (Low Density Residential) within the Centennial Hills Sector Plan of the General Plan. The subject site is also currently designated as a C-2 (General Commercial) zoning district, which is not in conformance with the Centennial Hills Sector Plan of the General Plan. The proposed Liquor Establishment (Off-Sale) is only permissible by means of a Special Use Permit.

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

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 SF.	1 Space / 250 GFA	16	2	16	2

The planned parking for the proposed use is to be provided on site, as well as by sharing parking with the existing commercial subdivision, which the subject site is part of. Two handicap accessible parking spaces are proposed in conjunction with this use and other discussed in Site Development Plan Review (SDR-6316).

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (Off-Sale)	400 Feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park	Yes

The proposed use will be located within a proposed convenience store (Green Valley Grocery). The proposed use is located at a greater distance than 400 feet from any protected use. Therefore, the proposed use meets the minimum distance separation requirement.

PL

B) General Analysis and Discussion

- Zoning

The subject site is currently designated as a C-2 (General Commercial) zoning district. A Liquor Establishment (Off-Sale) is a permitted use within said zoning district by means of an approved Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this Liquor Establishment (Off-Sale) use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, there are no protected uses within the required minimum 400-foot distance separation radius. The proposed sale of beer and wine will be an accessory use to a proposed convenience store (Green Valley Grocery).

- Conditions

The following conditions are stipulated for the Liquor Establishment (Off-Sale) use within a C-2 (General Commercial) zoning district. The conditions with asterisks are cannot be waived:

- *1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or City park.
- *2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.

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

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

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

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

- a.** An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
- b.** A proposed retail establishment having more than 50,000 square feet or retail floor space.

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

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

- a.** In accordance with the provisions of Subsection 19.040.050(A)(4) for any liquor establishment, which is proposed to be located on a parcel within the Downtown Casino Overlay District;
- b.** In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any liquor establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

- c. In connection with a proposed retail establishment having between 20,000 square feet and 50,000 square feet of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or
- d. In connection with a retail establishment having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

The application appears to meet all the applicable conditions of Title 19.04.050.

FINDINGS

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

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

The proposed Liquor Establishment (Off-Sale) use can be conducted in a harmonious and compatible manner with the existing and future development within the surrounding area.

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

The subject site is the last undeveloped portion of an existing commercial subdivision and is located on the corner of a primary arterial. The site is physically suitable for the intensity of the proposed use, as it will be accessory to the convenience store.

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

The site will have access from both Ann Road, a Primary (100-foot) Arterial as defined by the Master Plan of Streets and Highways, and Leggett Road, a 60-foot public street. Each of the before mentioned right-of-ways will provide adequate access to the site.

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

SUP-6320 - Staff Report Page Eight
April 28, 2005 - Planning Commission Meeting

The proposed use will be subject to inspections for compliance to business licensing requirements. Approval of this special use permit will not compromise public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 938 [Mailed with SUP-6319 and SDR-6316]



APPROVALS 1

PROTESTS 4





STATEMENT OF FINANCIAL INTEREST

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

Yes

No

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

City Official: _____

Partner(s): _____

APN:

Signature of Property Owner:

Print Name: _____

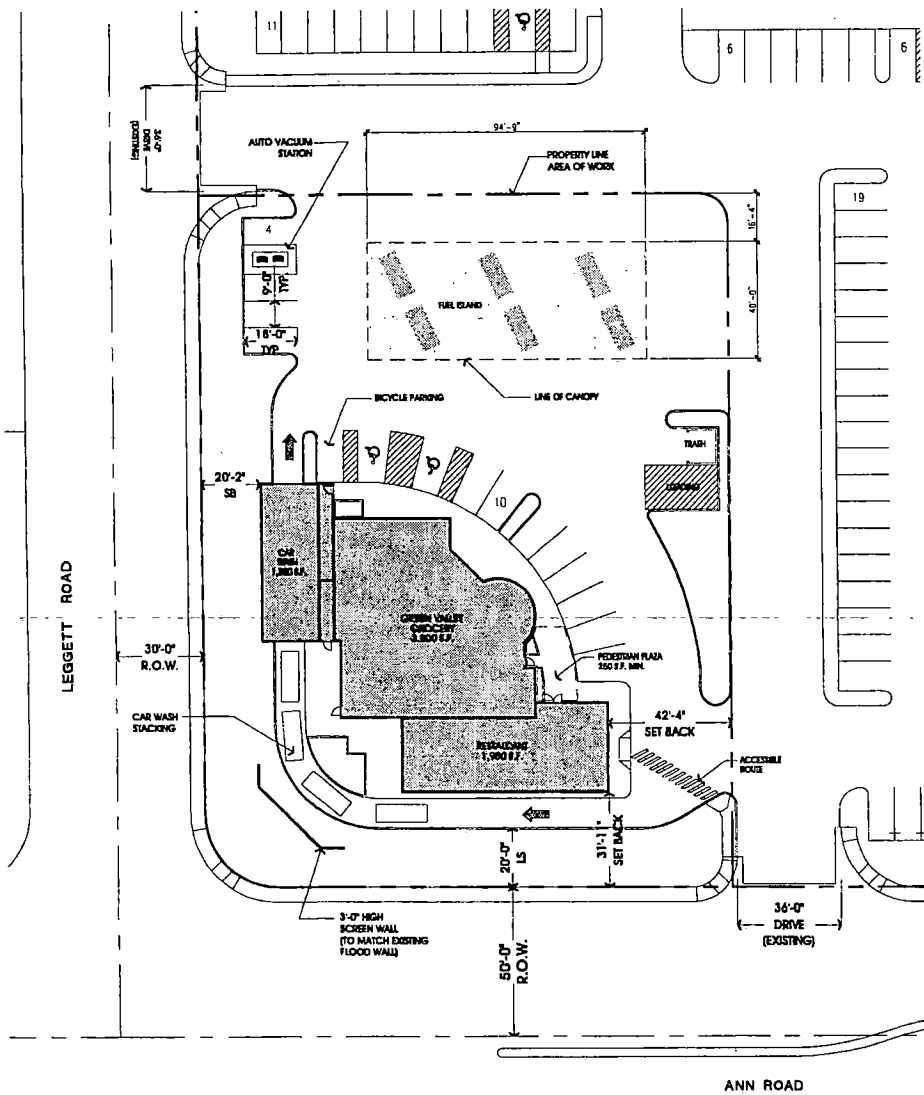
DANIEL S. COLETT

Subscribed and sworn before me

This 2nd day of March, 2005

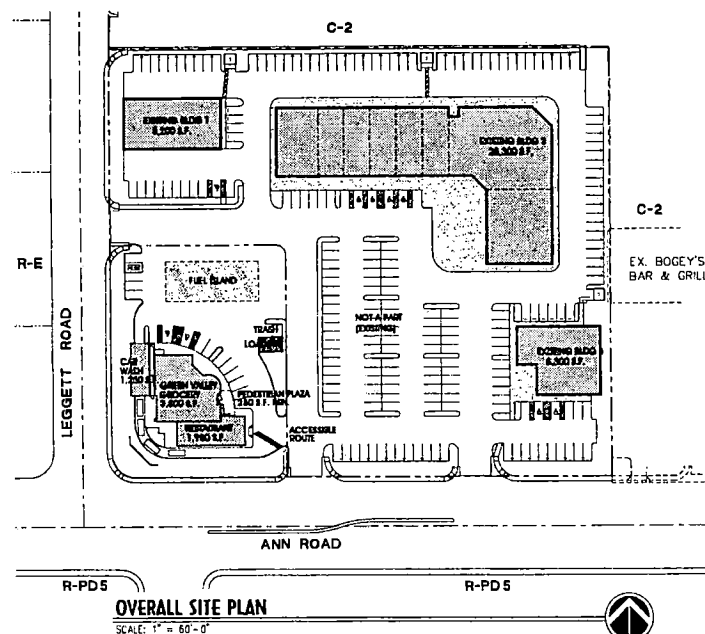
Carol G. Watten
Notary Public in and for said County and State





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

RECEIVED



Location Map

SITE INFORMATION

SITE AREA:	42,284 S.F. = 0.97 ACRES
JURISDICTION:	LAS VEGAS
ZONING:	C-2 GENERAL COMMERCIAL 125-26-411-005
APN:	
BUILDING AREA (NEW)	AREA
GREEN VALLEY GROCERY	3,800 S.F.
RESTAURANT	1,900 S.F.
CAR WASH	1,250 S.F.
TOTAL	7,000 S.F.
FAR: (7,000 SF/42,284)	0.165
BUILDING AREA (EXISTING)	AREA
BUILDING 1	2,200 SF
BUILDING 2	25,300 SF
BUILDING 3	5,300 SF
TOTAL	32,800 SF
PARKING REQUIREMENTS (NEW)	STALLS
GREEN VALLEY GROCERY	1 PER 250 = 15
RESTAURANT	1 PER 100 = 19
CAR WASH (FULL SERVICE)	1 PER 150 = 8
TOTAL	42
ACCESSIBLE PARKING (NEW)	
REQUIRED	2
PROVIDED	2
PARKING REQUIREMENTS (EXISTING)	STALLS
BUILDING 1	1 PER 250 = 21
BUILDING 2	1 PER 250 = 102
BUILDING 3	1 PER 250 = 22
EXISTING REQUIRED	145
NEW REQUIRED	29
TOTAL REQUIRED	174
TOTAL PROVIDED	24

SUP-6320

04/28/05 PC

WELLES - PURSLEY ARCHITECTS L.L.P.
2400 W. HAMPDEN AVENUE, SUITE 202, LAS VEGAS, NEVADA 89102
PH: 702.635.1750 FAX: 702.635.7979 E-MAIL: WELLES@WELLESARCH.COM
© 1993

STAMP

REVISIONS:

PROJECT NAME:
GREEN VALLEY GROCERY
NE CORNER OF ANN ROAD & LEGGETT ROAD
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0435

SHEET TITLE:
SITE PLAN

DRAWN BY:
HD

CHECKED BY:

DATE:
03/15/05

SUBMITTAL:
SITE DEVELOPMENT/
SPECIAL USE PERMIT
SHEET NUMBER

AS1.01

WELLES - PURSLEY ARCHITECTS L.L.P.
 2400 e. Hampden Avenue, Suite 222, Los Angeles, CA 90025
 A 702.653.7500 fax 702.653.7499 e-mail wpa@wellespursley.com

STAMP:

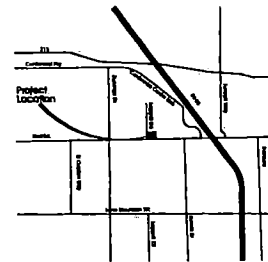
REVISIONS:

PLANT SCHEDULE			
ITEM	DESCRIPTION	QUANTITY	REMARKS
1	Grass seed mix	10,000 sq. ft.	
2	Grass seed mix	10,000 sq. ft.	
3	Grass seed mix	10,000 sq. ft.	
4	Grass seed mix	10,000 sq. ft.	
5	Grass seed mix	10,000 sq. ft.	
6	Grass seed mix	10,000 sq. ft.	
7	Grass seed mix	10,000 sq. ft.	
8	Grass seed mix	10,000 sq. ft.	
9	Grass seed mix	10,000 sq. ft.	
10	Grass seed mix	10,000 sq. ft.	

NOTES:
 1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES, DEPARTMENT OF LAND & NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT, PLANTING SPECIFICATIONS, 2001.
 2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES, DEPARTMENT OF LAND & NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT, PLANTING SPECIFICATIONS, 2001.
 3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES, DEPARTMENT OF LAND & NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT, PLANTING SPECIFICATIONS, 2001.



Vicinity Map



Location Map

SUP-6320
04/28/05 PC

PROJECT NAME:
GREEN VALLEY GROCERY
 THE CORNER OF JAM BOULDER & LEGGETT ROAD
 LOS ANGELES, CALIFORNIA

PROJECT NUMBER:
 VP-0435

SHEET TITLE:
PLANTING

DRAWN BY:
 BC

CHECKED BY:
 dp

DATE:
 03/15/05

SUBMITTAL:
 DESIGN REVIEW

SHEET NUMBER:

LS1.01

RECEIVED

SCALE: 1" = 30'-0"



WELLES - PUGSLEY ARCHITECTS L.L.P.
2400 N. Jambula Avenue, Suite 222, Las Vegas, Nevada 89121
P: 702.435.7129 FAX: 702.435.7477 E-MAIL: wpa@wpaarchitect.com

STAMP:

REVISIONS:

PROJECT NAME:
GREEN VALLEY GROCERY
NE CORNER OF JAMBULA ROAD & LEGGETT ROAD
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0435

SHEET TITLE:
FLOOR PLAN

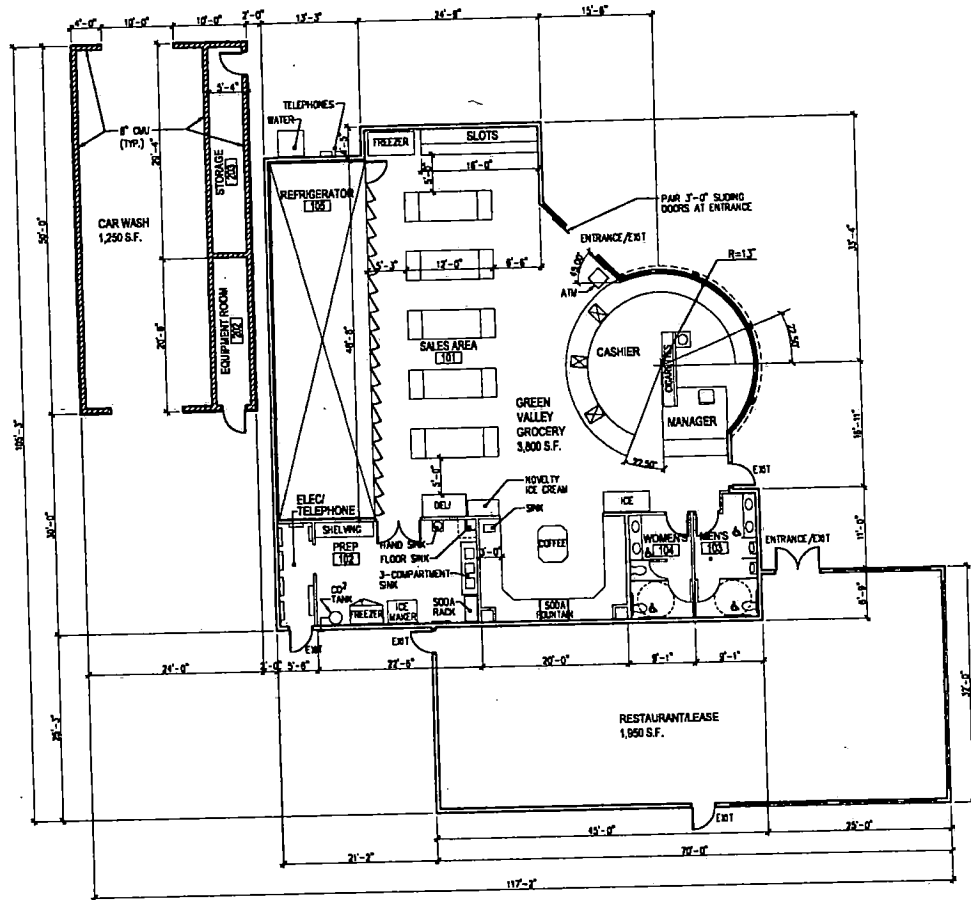
DRAWN BY:
KHA

CHECKED BY:
+

DATE:
03/15/05

SUBMITTAL:
SITE DEVELOPMENT/
SPECIAL USE PERMIT
SHEET NUMBER:

A1.10



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



RECEIVED

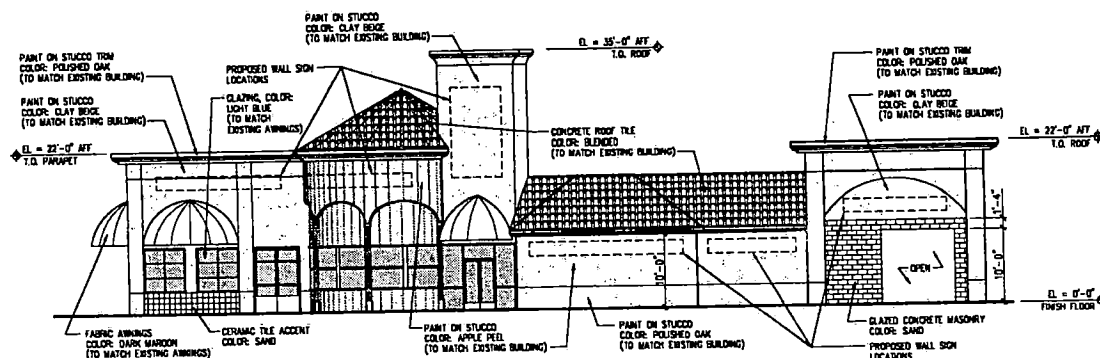
SUP-6320
04/28/05 PC



WELLES - PUSSLEY ARCHITECTS L.L.P.
2400 N. Tropicana Avenue, Suite 222, Las Vegas, Nevada 89121
ph. 702.653.9550 fax. 702.653.9499 e-mail. wpa@wellespussley.com

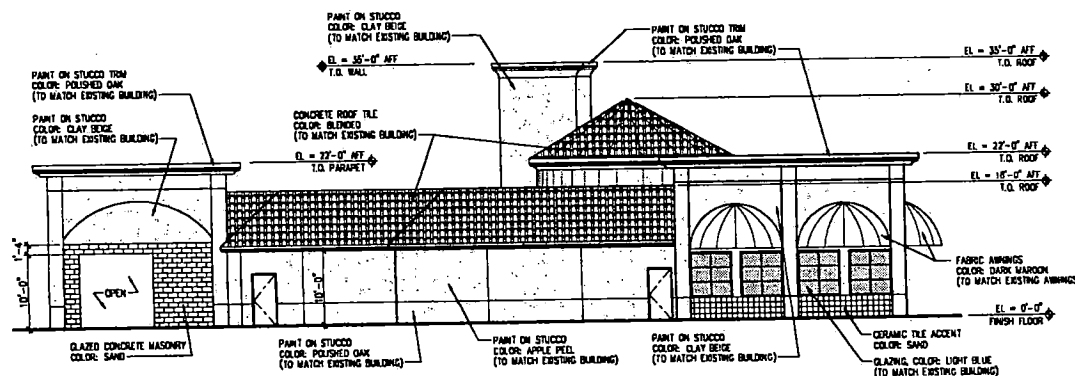
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REVISIONS:



NORTH ELEVATION

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



SOUTH ELEVATION

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

PROJECT NAME:

GREEN VALLEY GROCERY
THE CORNER OF JUNE ROAD & LEGGETT ROAD
LAS VEGAS, NEVADA

PROJECT NUMBER:

WP-0435

SHEET TITLE:

EXTERIOR ELEVATIONS

DRAWN BY:

KHA

CHECKED BY:

+

DATE:

03/15/05

SUBMITTAL:
SAFE DEVELOPMENT/
SPECIAL USE PERMIT

SHEET NUMBER:

A6.01

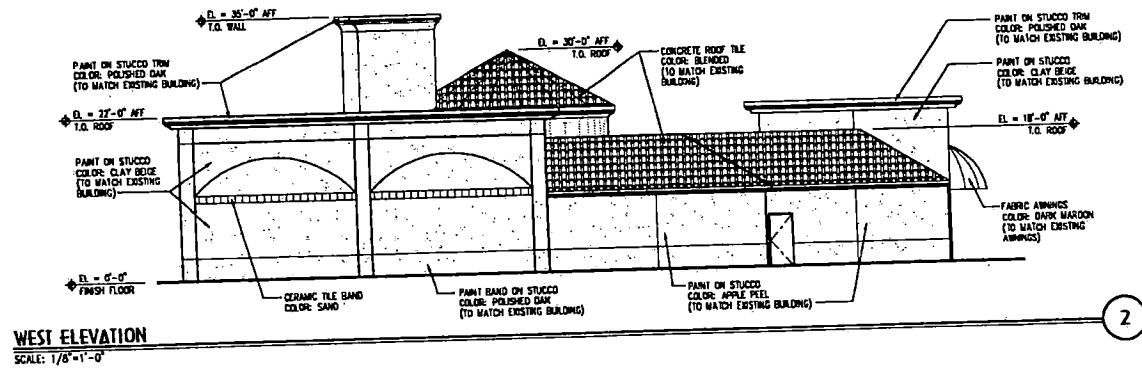
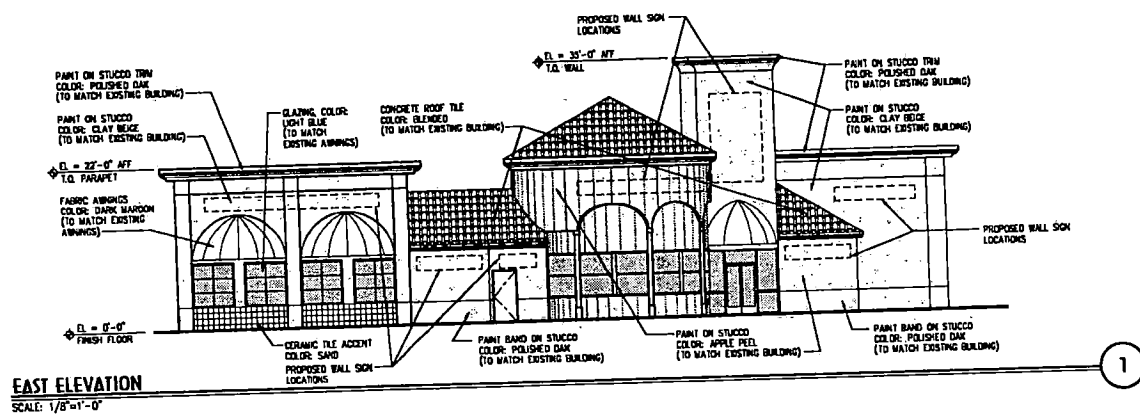
RECEIVED

SUP-6320
04/28/05 PC

WELLES - PUSSLEY ARCHITECTS L.L.P.
2480 N. Tropicana Avenue, Suite 222, Las Vegas, Nevada 89171
P. 702.633.1234 F. 702.633.1235 E. w@wellespussley.com

STAMP:

REVISIONS:



PROJECT NAME:
GREEN VALLEY GROCERY
NE CORNER OF MAIN ROAD & LEGGETT ROAD
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0435

SHEET TITLE:
EXTERIOR ELEVATIONS

DRAWN BY:
KHA

CHECKED BY:
+

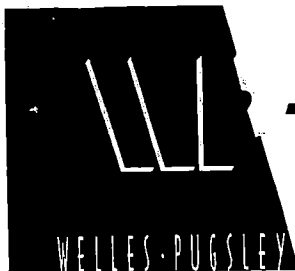
DATE:
03/15/05

SUBMITTAL:
DATE DEVELOPMENT/
SPECIAL USE PERMIT
SHEET NUMBER:

A6.02

SUP-6320
04/28/05 PC

RECEIVED



DAVID G. PUGSLEY, A.I.A.
WADE J. SIMPSON, A.I.A.
DAVID F. WELLES, A.I.A. (Retired)
ARCHITECTS, LLP

March 15, 2005

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

Re: **Green Valley Grocery, WP-0435**
Justification Letter – Special Use Permit (Liquor-Off Premise Consumption)
A.P.N. 125-28-818-005

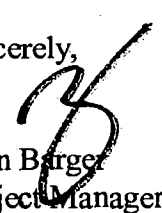
To Whom It May Concern:

Green Valley Grocery is proposing to develop a 3,800 s.f. convenience store with an attached 1,950 s.f. lease space (assumed to be a restaurant use) and an attached 1,250 s.f. automatic car wash on an undeveloped corner site within an existing commercial center located at the Northeast corner of Leggett and Ann Road. The 0.98 acre property is zoned C-2 and is categorized General Commercial (GC) by the City of Las Vegas General Plan. The total building area is 7,000 s.f. Also included is a 6-island fuel dispensing facility with underground storage tanks and a covered canopy. The fuel canopy will be integrated to match the character of the building.

The General Retail (convenience store and restaurant) are permitted uses in C-2 zoning. The Service Station (fuel dispensing) and liquor-off premise consumption (convenience store) require Special Use Permits.

We believe that the proposed request for a Special Use Permit for the Green Valley Grocery project is in compliance with the City policies and regulations.

Sincerely,


John Barger
Project Manager

Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

Reference Planning Commission Meeting April 28th, 2005 at 6:00pm

Southwest half of the southeast quarter of section 28, township 19 south, range 60 east, MDM

SDR-6316 SUP-6320 SUP-6319

I received a notice in the mail wanting to put a gas station/restaurant/convenience store/liquor store just to the west of my housing development. There are already two of these developments a short distance away **in commercial areas**. One is just east of I-95 off of Ann and the other is just to the Northwest of Durango. The commercial development in question is sitting right in the middle of a residential area. The commercial developments that have occurred at this sight up to now have been very careful to put businesses in the area that are relatively low impact to the residential areas around them. This store being proposed does not belong in a residential neighborhood. It would add a large amount of traffic to a residential area where churches are and where kids are catching buses to school. Owners of this property a couple years ago came around to the homes in the area trying to get a petition allowing them to build a 7-11 at this location. That effort was defeated. It takes time and effort to defeat these request. After a while people get worn down and tired of fighting. Then the developers come in and build their property, make their money and move on. I'm not asking anyone not to develop their property, I'm just asking that they do it with in the confines of the zoning that has already been set. I would be highly surprised if any of these developers would be willing to build one of these stores next to their house.

I would appreciate it if you would deny this zoning change and require the owner to develop their property with a business that is more conducive to the residential area that it is in. Thank you for helping us protect the residential areas in our city from unwanted and unneeded businesses that would have a very negative impact on the area that we have chosen to raise our family.

Dale Franc
7709 Pine Falls Drive
Las Vegas Nv. 89149

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

I APPROVE OF THIS
DEVELOPMENT PLAN

Chris W. Steinfall

CHRIS W. STEINFALL
5521 BIG SKY LANE
LAS VEGAS, NV 89149
TEL. 702-895-0475

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-6320

APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -
REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-
PREMISE CONSUMPTION) ADJACENT TO THE NORTHEAST CORNER OF ANN ROAD AND LEGGETT
ROAD (APN 125-28-818-005), C-2 (GENERAL COMMERCIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$)
OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST,
M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object
to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the
Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street,
Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City
Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after
discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call
229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

No
P. Dowd SUP-6320

OUR TRAFFIC IS TERRIBLE
APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -

REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-
PREMISE CONSUMPTION) ADJACENT TO THE NORTHEAST CORNER OF ANN ROAD AND LEGGETT
ROAD (APN 15-28-818-005), C-2 (GENERAL COMMERCIAL) ZONE, WARD 6 (MACK).
We have already
Approved Buffalo

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½)
OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 28, TOWNSHIP 29 SOUTH, RANGE 60 EAST,
M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 4/28/05

Case Number: SUP - 6320

SUP - 6319
SDR - 6316

Date: 4/22/05
Name: PATRICIA WATERS
Address: 5516 Red Sun Drive
Las Vegas, NV 8914
Phone: 702-655-2732

☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

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Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Kathryn E. Umbarger, C.E.M.
5444 Royal Vista Lane
Las Vegas NV 89149-6614
E-Mail: kelizaum@earthlink.net

RECE.

APR 22 2005

April 20, 2005

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

Attention: Gary Leobold, Planning Supervisor

Re: **SDR-6316 -- SUP 6319 -- SUP-6320**
Applicant: Welles-Pugsley Architects, LLP
Owner: Ann Road Properties, Ltd.

Attention: Gary Leobold, Planning Supervisor

Mr. Leobold,

The City's three (3) Notices of Public Hearing with respect to subject Site Development Plan Review and Special Use Permits have been received by me as of 4/19/05.

This writing is to file my objections to the proposed development, specifically a proposed convenience store, gas station, liquor store and restaurant, with a waiver of foundation landscaping standards.

This neighborhood currently is beautifully kept with current landscaping and street-side maintenance nothing short of outstanding. By putting in yet another service station, convenience store and liquor store, the applicant and owner of this property are inviting additional traffic, dirt, discarded solid and liquid trash inherent to the environs of these types of establishments; environmental and safety hazards inherent with the existence of service stations; surface runoff from spilt gasoline, motor oil and trash; noise; and danger to the local residents - particularly the children who walk each day along that area to catch their respective school buses - from increased traffic, polluted air and possibly inebriated customers coming and going to and from the liquor and convenience stores.

I purchased my property across the street specifically to be distant from these types of commercial entities. I am extremely distressed at the prospect of the addition of these proposed business at Ann and Leggett Roads. There are already plenty of service stations and liquor stores nearby. There is no need to provide a waiver for foundation landscaping and degrade the area.

Respectfully,



Kathryn E. Umbarger, Property Owner and
State of Nevada Certified Environmental Manager #1902

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-6316 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6319 AND SUP-6320 - PUBLIC HEARING - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. - Request for a Site Development Plan Review FOR A PROPOSED 7,000 SQUARE FOOT RETAIL DEVELOPMENT CONSISTING OF A CONVENIENCE STORE IN CONJUNCTION WITH A SERVICE STATION AND A RESTAURANT AND A WAIVER OF THE FOUNDATION LANDSCAPING STANDARDS on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Mack)

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Opposition with 49 signatures submitted by Penny Baratta (filed under Item 75)

MOTION:

McSWAIN – DENIED – UNANIMOUS with STEINMAN and EVANS excused

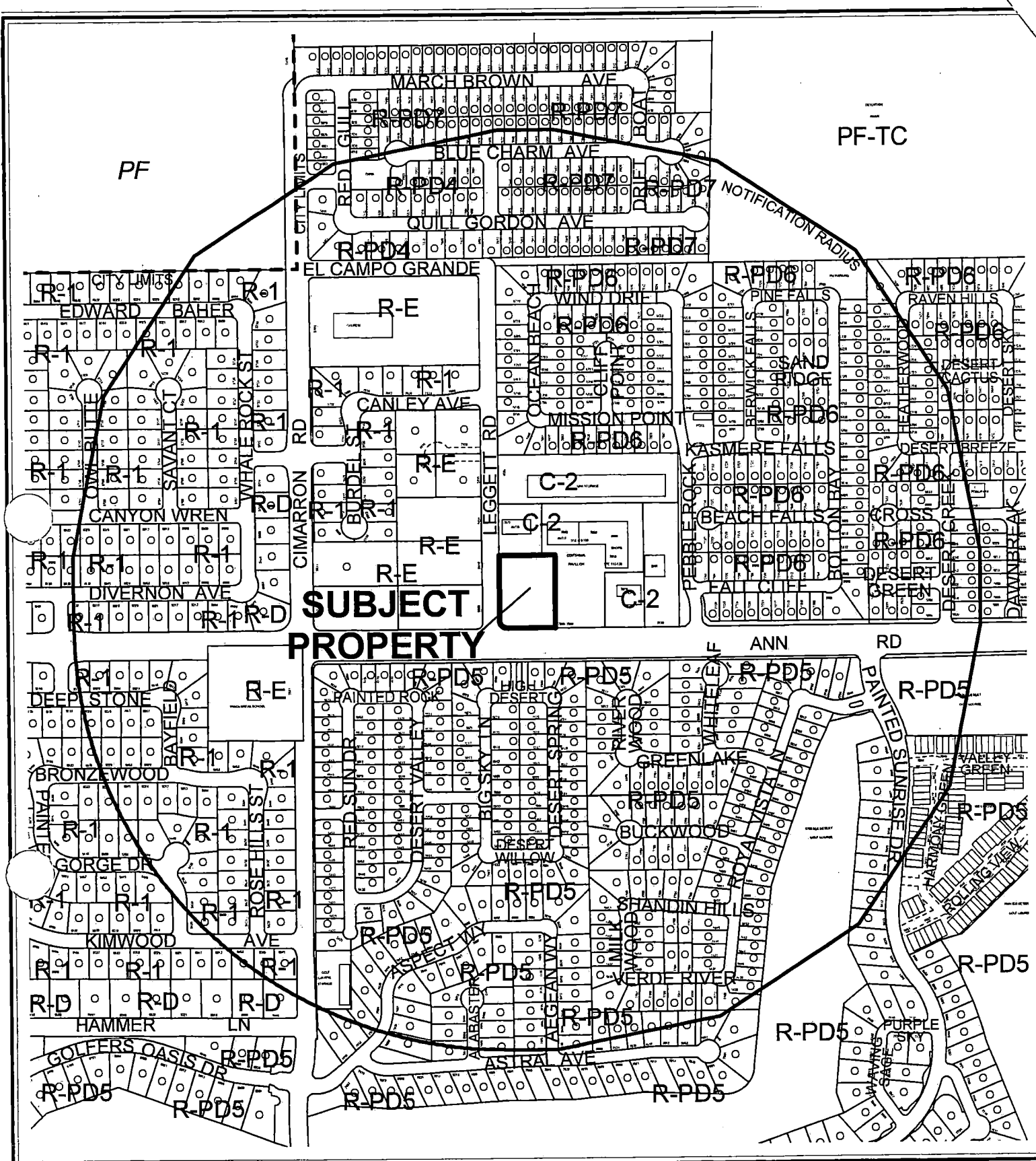
To be heard by City Council 6/01/2005

MINUTES:

See Item 75 [SUP-6319] for related discussion on Item 75 [SUP-6319], Item 76 [SUP-6320] and Item 77 [SDR-6316].

(10:56 – 11:29)

4-381



CASE: SDR-6316

RADIUS: 1500 FT

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

0 500 1000 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6316 - APPLICANT: WELLES-PUGSLEY
ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval and conformance to Special Use Permit (SUP-6319) and Special Use Permit (SUP-6320).
2. Conformance to Site Development Plan Review [Z-0058-76(4)].
3. A waiver of foundation landscaping is hereby granted.
4. Approval of the Site Development Plan Review does not constitute the approval of any signage.
5. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All development shall be in conformance with the site plan and building elevations date stamped 03/15/05, except as amended by conditions herein.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation on portions of the south and west elevations.
8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.]
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

SDR-6316 - Conditions Page Two
April 28, 2005 - Planning Commission Meeting

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.
17. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

SDR-6316 - Conditions Page Three
April 28, 2005 - Planning Commission Meeting

18. 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a proposed 7,000 square-foot retail development consisting of a convenience store in conjunction with a service station and a restaurant and a waiver of the foundation landscape standards on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road. This application will be considered in conjunction with a Special Use Permit (SUP-6319) application for a service station use and a Special Use Permit (SUP-6320) application for a liquor establishment for off-premise consumption.

B) *Applicant's Justification*

The applicant justifies this application by stating that the proposed development is permitted within a C-2 (General Commercial) zoning district and that in developing the site they will exceed the landscaping requirements set forth by Title 19. In addition, the applicant states that parking for this development will exceed the required amount, as shared parking with the rest of the existing development will be utilized. The applicant also states that the appearance and style of the proposed development will match that of the existing shopping center.

BACKGROUND INFORMATION

A) *Related Actions*

- 10/23/75 The Board of Zoning Adjustment approved a plot plan review of an approved Variance (V-0002-75) application to allow an addition to the club house building, relocating the mobile home on the property, allowing the construction of a horse warm-up facility (fenced enclosure), an additional row of corrals, a playground facility and to allow livestock used in connection with rodeos or horse shows to be kept on the premises on property located at 7800 West Ann Road.
- 02/26/76 The Board of Zoning Adjustment approved a Variance (V-0012-76) application to allow a public restaurant on property located at 7800 West Ann Road.
- 10/06/76 The Board of City Commissioners approved a Rezoning (Z-0058-76) application for the reclassification of property from R-E (Residence Estates) to C-2 (General Commercial) zoning for a proposed tack and horse trailer sales, restaurant, arena, and riding stables at 7800 West Ann Road. The Planning Commission recommended approval on 09/09/76.

PL

SDR-6316 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 07/11/91 The Planning Commission approved a Site Development Plan Review [Z-0058-76(2)] for a restaurant (now known as Bogeys) and lounge on property located at 7800 West Ann Road.
- 11/06/91 The City Council approved a Special Use Permit (U-0188-91) application for a tavern within the restaurant now known as Bogeys on property located at 7700 West Ann Road. The Board of Zoning Adjustment recommended denial on 09/29/91.
- 12/01/93 The City Council struck from the agenda a request for a Site Development Plan Review [Z-0058-76(3)] for a convenience store with gasoline sales and an automated car wash on property located at 7800 West Ann Road. The Planning Commission recommended denial on 10/28/93.
- 12/15/93 The City Council denied a Special Use Permit (U-0224-93) application to allow an automated car wash and the sale of beer and wine on property located at 7800 West Ann Road. The Board of Zoning Adjustment recommended denial on 10/26/93.
- 10/18/00 The City Council approved a Site Development Plan Review [Z-0058-76(4)] for a proposed commercial center, including a 91,025 square-foot mini-storage facility, a 13,020 square-foot office building and 24,610 square feet of retail space on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended approval on 09/14/00. The original application included a 3,200 square-foot convenience store, which was excluded by condition of approval imposed by City Council.
- 10/18/00 The City Council denied a Special Use Permit (U-0141-00) application for gasoline sales in conjunction with a proposed 3,200 square-foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Special Use Permit (U-0142-00) application for the sale of beer and wine for off-premise consumption in conjunction with a proposed 3,200 square foot convenience store on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 10/18/00 The City Council denied a Variance (V-0061-00) application for a zero foot rear yard setback where 20 feet is the minimum setback required for a proposed mini-storage facility on the northeast corner of Ann Road and Leggett Road. The Planning Commission recommended denial on 09/14/00.
- 03/07/01 The City Council denied a Special Use Permit (U-0188-00) application for a 60-foot high wireless communication monopole at 7800 West Ann Road. The Planning Commission recommended denial on 12/07/00.

SDR-6316 - Staff Report Page Three
April 28, 2005 - Planning Commission Meeting

- 03/21/05 The City Council approved a Review of Condition [Z-0058-76(5)] #2 regarding the scope and extent of a revised Site Development Plan Review to be heard at a later date; Condition #3 regarding the mini-storage building height; Condition #9 regarding the submittal of a cross-access agreement; Condition #13 regarding an amended Traffic Impact Analysis; and Condition #14 regarding the contribution of money for drainage improvements on property located on the northeast corner of the intersection of Ann Road and Leggett Road. The Planning Commission recommended approval on 02/08/01.
- 04/28/05 The Planning Commission will consider a Special Use Permit (SUP-6319) application for a Service Station on 1.14 acres adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.
- 04/28/05 The Planning Commission will consider a Special Use Permit (SUP-6320) application for a proposed Liquor Establishment (Off-Premise Consumption) adjacent to the northeast corner of Ann Road and Leggett Road. Staff is recommending approval.

B) Pre-Application Meeting

- 02/16/05 A pre-application conference was held and resulted in the following comments:
1. Parking standards are to be as follows:
 - a. 1 space / 250 SF for the convenience store.
 - b. 1 space / 250 SF for the carwash.
 - c. 1 space / 100 SF for the restaurant with drive through.
 2. Landscaping standards are as follows:
 - a. 15-foot front buffer along the streets.
 - b. 8-foot buffer along the sides and rear of the site.
 - c. 24-inch box trees, 20 feet apart along the streets.
 - d. 24-inch box trees, 30 feet apart along the sides and rear.
 - e. Four one-gallon shrubs and four five-gallon shrubs per tree.
 - f. One landscaped parking finger, five-foot wide for each six parking spaces.
 - g. Parking lot next to the street shall be screened from the street with a three-foot tall landscape berm.
 3. The site plan shall show the following:
 - a. Pedestrian path from the corner to the building.
 - b. Bicycle parking required.
 - c. A loading zone.
 - d. Light poles are limited to 30 feet, lights to be of the cut-off variety.
 - e. A pedestrian plaza, no smaller than 250 square feet.

4. A General Plan Amendment is needed to bring the zoning and the General Plan into conformance.
5. Mailing labels would be available for the neighborhood meeting.
6. Public Works commented that they may be responsible to add/remove on/off sites.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 1.14

B) *Existing Land Use*

Subject Property: Vacant parcel with an established commercial subdivision [Z-0058-76(4)]

North: Auto Repair Garage [Brake Team (G02-00682)] part of Spanish Steps Commercial Subdivision

South: Single-Family Residential Dwellings

East: Spanish Steps Commercial Subdivision

West: Undeveloped {No proposed development at this time}

C) *Planned Land Use*

Subject Property: L (Low Density Residential)

North: L (Low Density Residential)

South: ML (Medium-Low Density Residential)

East: L (Low Density Residential)

West: L (Low Density Residential)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: R-PD5 (Residential Planned Development – 5 units per acre)

East: C-2 (General Commercial)

West: R-E (Residence Estates)

E) *General Plan Compliance*

The subject site is currently designated L (Low Density Residential) within the Centennial Hills Sector Plan of the General Plan. The subject site is also currently designated as a C-2 (General Commercial) zoning district, which is not in conformance with the Centennial

Hills Sector Plan of the General Plan. The proposed convenience store and restaurant are a permitted use within a C-2 (General Commercial) zoning district, meanwhile the proposed service station and liquor establishment for off-premise consumption is only permitted by means of a Special Use Permit.

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

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

PROJECT DESCRIPTION

Green Valley Grocery is proposing to develop a 3,800 square-foot convenience store with an attached 1,950 square-foot lease space (assumed to be a restaurant use) and an attached 1,250 square-foot automatic carwash on an undeveloped corner site within an existing commercial center. The proposed development will also include a six-island fuel dispensing facility. The proposed development will create 14 additional parking spaces, two of which are vacuum stations, to be shared with the rest of the commercial subdivision for a total of 229 parking spaces. Additional landscape buffer depth is proposed along the street frontages, as well as vertical screen wall located on the corner, in an attempt to mitigate the visibility of the drive through car wash and any noise it may produce.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.14 Acres	Yes
Min. Lot Width	100 Feet	195 Feet	Yes

SDR-6316 - Staff Report Page Six
April 28, 2005 - Planning Commission Meeting

Min. Setbacks			
• Front	20 Feet	31 Feet, 11 Inches	Yes
• Side	10 Feet	42 Feet, 4 Inches	Yes
• Corner	15 Feet	20 Feet, 2 Inches	Yes
• Rear	20 Feet	98 Feet	Yes
Max. Lot Coverage	50 %	14 %	Yes
Max. Building Height	None	35 Feet	Yes
Trash Enclosure	One	One	Yes
Loading Zone	One	One	Yes

The proposed project is in conformance with the development standards set forth by Title 19. The trash enclosure is to be gated and enclosed by means of a roof.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The proposed building height is well within the residential adjacency proximity slope.
- b) Building setback. The proposed building setbacks exceed residential adjacency standard setbacks.

A3) Parking and Traffic Standards

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

Uses	GFA	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Convenience Store	3,800 SF.	1 / 250 GFA	16		16
Car Wash – Self Service	1,250 SF.	Two spaces per stall, plus two stacking space per stall	2		2

SDR-6316 - Staff Report Page Seven
April 28, 2005 - Planning Commission Meeting

Restaurant	1,000 SF of Seating 950 SF of Remaining	1 / 50 SF of public seating and waiting area, including outdoor seating/eating areas, plus 1 / 200 SF of the total remaining GFA, with a minimum of ten spaces	25		25	
Total	7,000 SF.		41	2	41*	2

* The proposed development is part of an exist commercial subdivision with a total of 229 parking spaces, including the proposed 14 parking spaces. Therefore, based upon the fact of a shared parking agreement the proposed development will meet the required number of parking spaces.

The proposed development will have 14 parking spaces located on the subject parcel, including two handicap accessible parking spaces, one of which is a van accessible handicap parking space. With the additional parking spaces provided via a shared parking agreement the proposed development and uses conform to the parking standards set forth by Title 19.10.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Space	4 Trees	6 Trees
Buffer:	1 Tree / 20 Linear Feet	20 Trees	25 Trees
• Min. Trees			
• Min. Zone Width			
- Front	15 Feet		20 Feet
- Side & Rear	8 Feet		10 Feet
• Wall height	6 Feet		N/A

The proposed landscape plan exceeds the number of trees required for such a development. The increased landscaping within the proposed three-foot landscape berm will effectively screen the proposed drive through facility and carwash, once the vegetation reaches maturity. The inclusion of a three-foot screen wall within the landscape berm will further mitigate any visual intrusion or noise pollution. No perimeter walls have been proposed as the subject site is located on a corner and is

part of an established commercial subdivision. The developer is also proposing a 250 square foot open space plaza located directly in front of the entrance to the convenience store and the restaurant. A waiver of the foundation requirements is needed for the proposed development to be in conformance with Title 19.12.

A5) Sign Standards

No Signage has been proposed on either the site plan or landscape plan. Wall signage has been indicated on the north and east elevations of the proposed building and will be subject to the requirements of Title 19.14. Approval of all signage will be determined at time of permitting.

B) General Analysis and Discussion

- Zoning

The proposed Convenience Store and Restaurant use is permitted within a C-2 (General Commercial) zoning district. The proposed Service Station and Liquor Establishment for Off-premise Consumption use is permitted by means of a Special Use Permit.

- Site Plan

The site plan depicts a 7,000 square-foot service station to be composed of a 1,250 square-foot automated carwash facility, 3,800 square-foot convenience store and a 1,950 square-foot restaurant. Access to the subject parcel will be from ingress/egress points located on both Ann Road and Leggett Road. These points also facilitate the established commercial subdivision, of which this site is a part. Six fuel islands and associated canopy are to be located a minimum of 16 feet from any property line and more than 20 feet from any right-of-way in accordance with the Service Station base conditions. Parking is proposed along the north and east elevation of the building, as well as adjacent to the fuel islands. Two of the 14 parking spaces to be placed on site will also serve as vacuum stations. The site plan also indicates 20-foot landscape buffers along the street right-of-way, a 10-foot plus landscape buffer along a portion of the eastern property line to delineate a defined drive aisle, as well as parking landscape fingers. A loading zone is proposed adjacent to the trash enclosure along the eastern property alignment.

- Waivers

A waiver of foundation landscaping is required for this development to be in conformance with Title 19.12. As the applicant is providing additional landscaping along the perimeter in an attempt to further mitigate visual intrusion and noise pollution the waiver is acceptable.

- Landscape Plan

The landscape plan depicts the use of 24-inch box Monterrey Oak, Texas Mountain Laurel and Mexican Fan Palm trees at a spacing of no greater than 20 feet along the street frontage and within the interior of the site. The landscape plan also calls for the use of five-gallon 'Valentine Bush', Desert Sage, Juniper, Dwarf Mock Orange, Pink Guara and Red Yucca shrubs, as well as one-gallon Latana and Angelita Daisy shrubs throughout the site.

- Elevation

The elevations depict the use of arches and decorative scoring on portions of the building. The south and west elevations lack a continuous thread of decorative elements and therefore will be conditioned to be revised at time of permitting.

- Floor Plan

The submitted floor plan depicts a typical layout for a convenience store. Additionally, the proposed restaurant is does not illustrate a layout, due to speculation as to the tenant. The layout of the restaurant will be determined at the time of permitting.

FINDINGS

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

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

The proposed development is compatible with the surrounding development in the area, as it is the last parcel of an existing commercial subdivision.

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

With the approval of a waiver of foundation landscaping requirements and the revision of the south and west elevations the proposed development will be in conformance with Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and standards. However, the current zoning of the subject parcel and the surrounding commercial subdivision is not in conformance with the General Plan. Hence a General Plan Amendment should be enacted to put the entire site in conformance.

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

Access to the site will be made available from both Ann Road and Leggett Road. Drive aisles servicing the entire commercial subdivision will accomplish internal circulation. Both the site access and internal circulation will not impact adjacent roadways or neighborhood traffic negatively.

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

The building and landscape materials proposed are appropriate for this area.

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

The proposed building elevations incorporate decorative arches and scaring, as well as an acceptable color palette. With the addition of the proposed landscaping the proposed development will not be unsightly, undesirable or obnoxious in appearance and will create an orderly and aesthetically pleasing environment that is harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

NOTICES MAILED 938 [Mailed with SUP-6319 and SUP-6320]

APPROVALS

1

PROTESTS

4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6316** APN: **125-28-818-005**
Name of Property Owner: ~~SUN WEST LTD~~ **Ann Road Property LLC**
Name of Applicant: **WELLES PUGSLEY ARCHITECTS, LLP** **City of Las Vegas**

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

_____ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

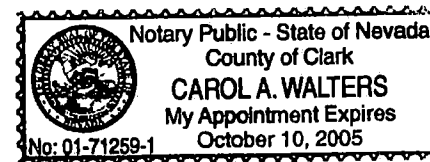
DANIEL S. COLETTI

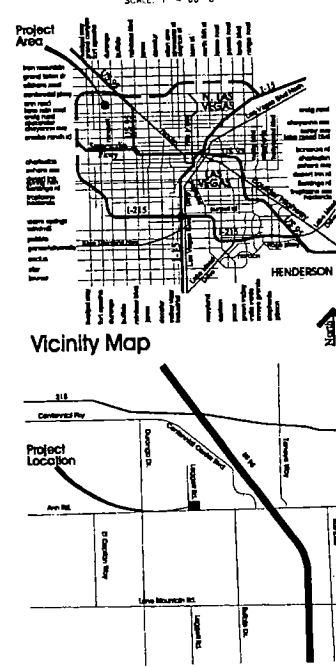
Subscribed and sworn before me

This 2nd day of MARCH, 2005

Carol A. Walters

Notary Public in and for said County and State





SDR-6316
04/28/05 PC

PERSONS

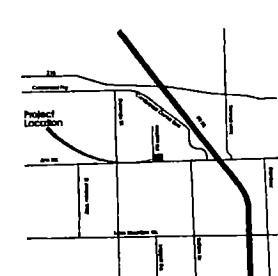
AS1.01

WELLES - PUGSLEY ARCHITECTS L.L.P.
 2400 e. hampden avenue, suite 222, las vegas, nevada 89121
 ph 702.435.1550 fax 702.435.1499 e-mail wpa@wellespugsley.com

STAMP:

REVISIONS:

PLANT SCHEDULE			
ITEM	DESCRIPTION	QUANTITY	REMARKS
1	2" High Round System	1	1" 1/2" 1/2"
2	2" High Round System	1	1" 1/2" 1/2"
3	2" High Round System	1	1" 1/2" 1/2"
4	2" High Round System	1	1" 1/2" 1/2"
5	2" High Round System	1	1" 1/2" 1/2"
6	2" High Round System	1	1" 1/2" 1/2"
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PROJECT NAME:
GREEN VALLEY GROCERY
 NE CORNER OF LAW ROAD & LEGGETT ROAD
 LAS VEGAS, NEVADA

PROJECT NUMBER:
 VP-0435

SHEET TITLE:
PLANTING

DRAWN BY:
 BC

CHECKED BY:
 dp

DATE:
 03/15/05

SUBMITTAL:
 DESIGN REVIEW

SHEET NUMBER:

LS1.01

RECEIVED

SCALE: 1" = 30'-0"



SDR-6316
04/28/05 PC



WELLES-PUGSLEY ARCHITECTS A.L.P.
 2400 E. Imperial Avenue, Suite 222, Los Angeles, CA 90021
 ph 702.655.7320 fax 702.655.7397 e-mail wpa@wellespugsley.com

STAMP:

REVISIONS:

PROJECT NAME:
GREEN VALLEY GROCERY
 NE CORNER OF MAIN ROAD & LEBRETT ROAD
 LAS VEGAS, NEVADA

PROJECT NUMBER:
 WP-0435

SHEET TITLE:
FLOOR PLAN

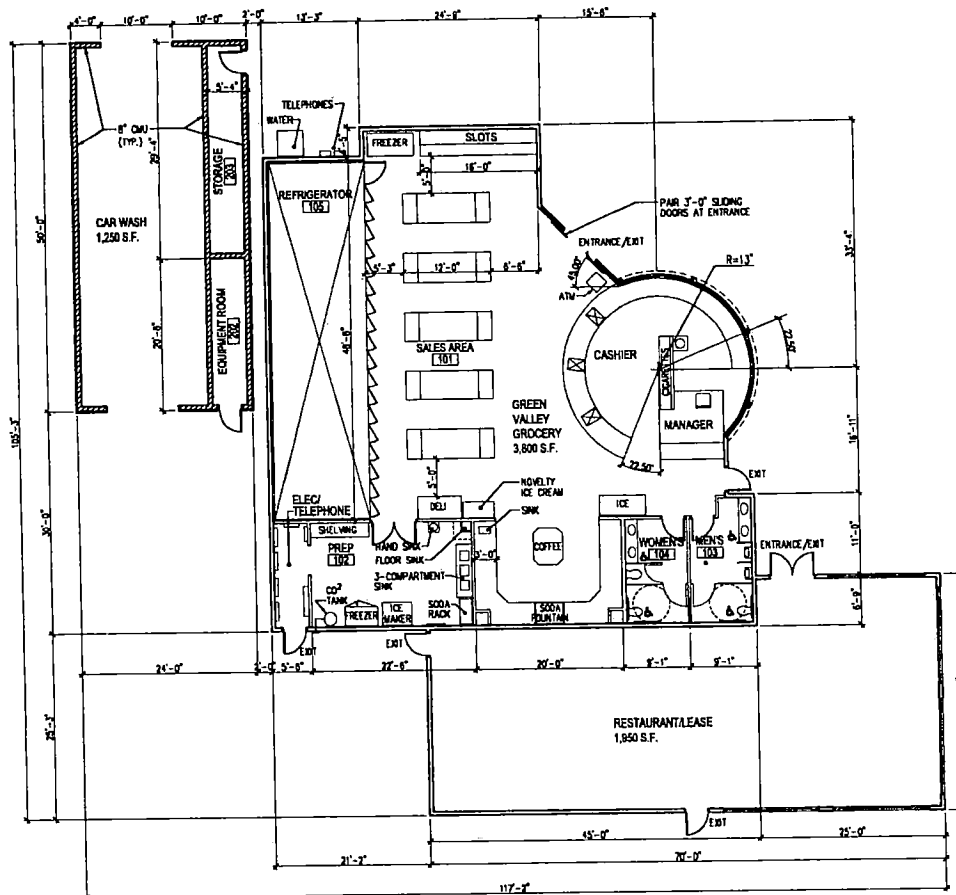
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 KHA

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DATE:
 03/15/05

SUBMITTAL:
 SITE DEVELOPMENT/
 SPECIAL USE PERMIT

SHEET NUMBER:
A1.10



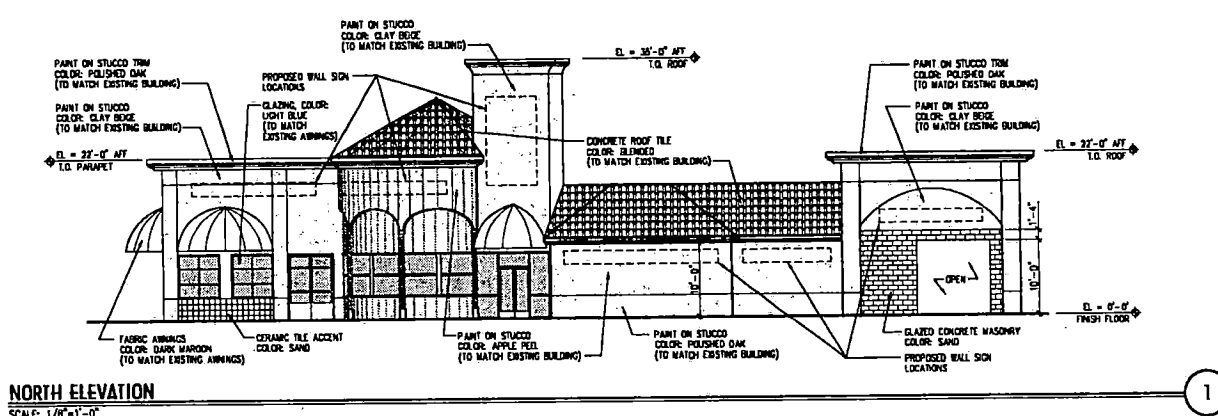
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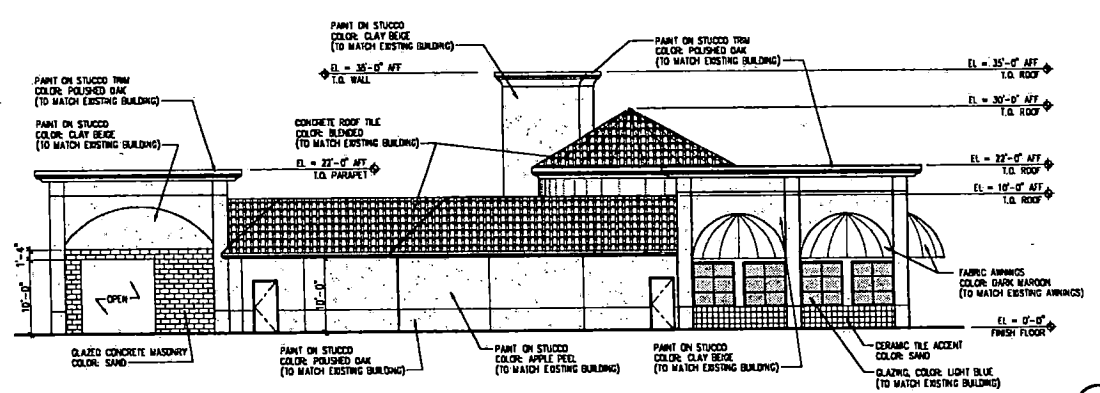
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SDR-6316
04/28/05 PC

WELLES - POSSLEY ARCHITECTS U.L.P.
 2480 E. Longview Avenue, Suite 222, Las Vegas, Nevada 89121
 P: 702.633.1121 Fax: 702.633.7697 E-mail: info@welles-possley.com



NORTH ELEVATION
 SCALE: 1/8"=1'-0"



SOUTH ELEVATION
 SCALE: 1/8"=1'-0"

STAMP:

REVISIONS:

PROJECT NAME:
GREEN VALLEY GROCERY
 NE CORNER OF AMB ROAD & LEGGETT ROAD
 LAS VEGAS, NEVADA

PROJECT NUMBER:
 WP-0435

SHEET TITLE:
EXTERIOR ELEVATIONS

DRAWN BY:
 KHA

CHECKED BY:
 [Signature]

DATE:
 03/15/05

SUBMITTAL:
 1/10 DEVELOPMENT/
 SPECIAL USE PERMIT
 SHEET NUMBER:

A6.01

SDR-6316
04/28/05 PC

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VELLIES - PUSTLEY ARCHITECTS L.L.P.
2480 E. Hampton Avenue, Suite 222, Las Vegas, Nevada 89117
P: 702.651.1550 M: 702.651.7199 E: mail, sales@vparchitect.com
© 2005

STAMP:

REVISIONS:

PROJECT NAME:
GREEN VALLEY GROCERY
NE CORNER OF JUNE ROAD & LEGGETT ROAD
LAS VEGAS, NEVADA

PROJECT NUMBER:
WP-0435

SHEET TITLE:
EXTERIOR ELEVATIONS

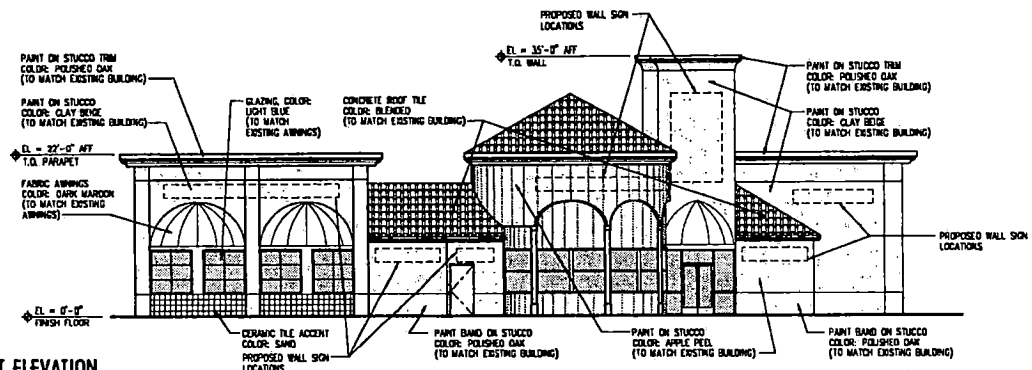
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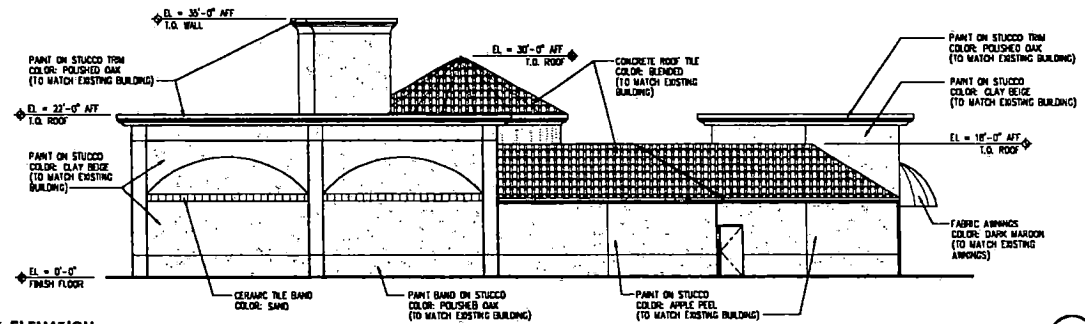
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SUBMITTAL:
SITE DEVELOPMENT/
SPECIAL USE PERMIT
SHEET NUMBER:

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WEST ELEVATION
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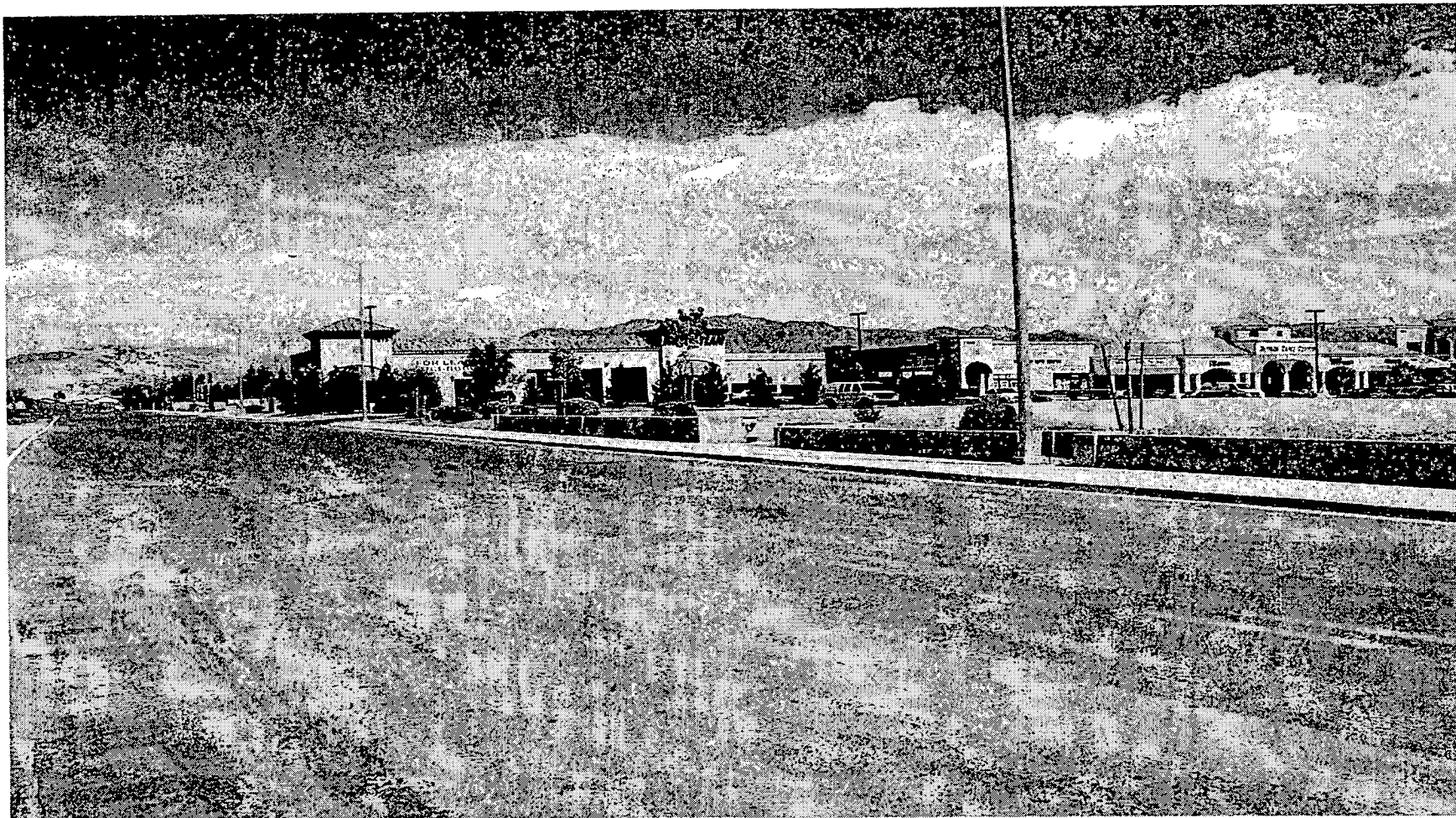
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SDR-6316
04/28/05 PC



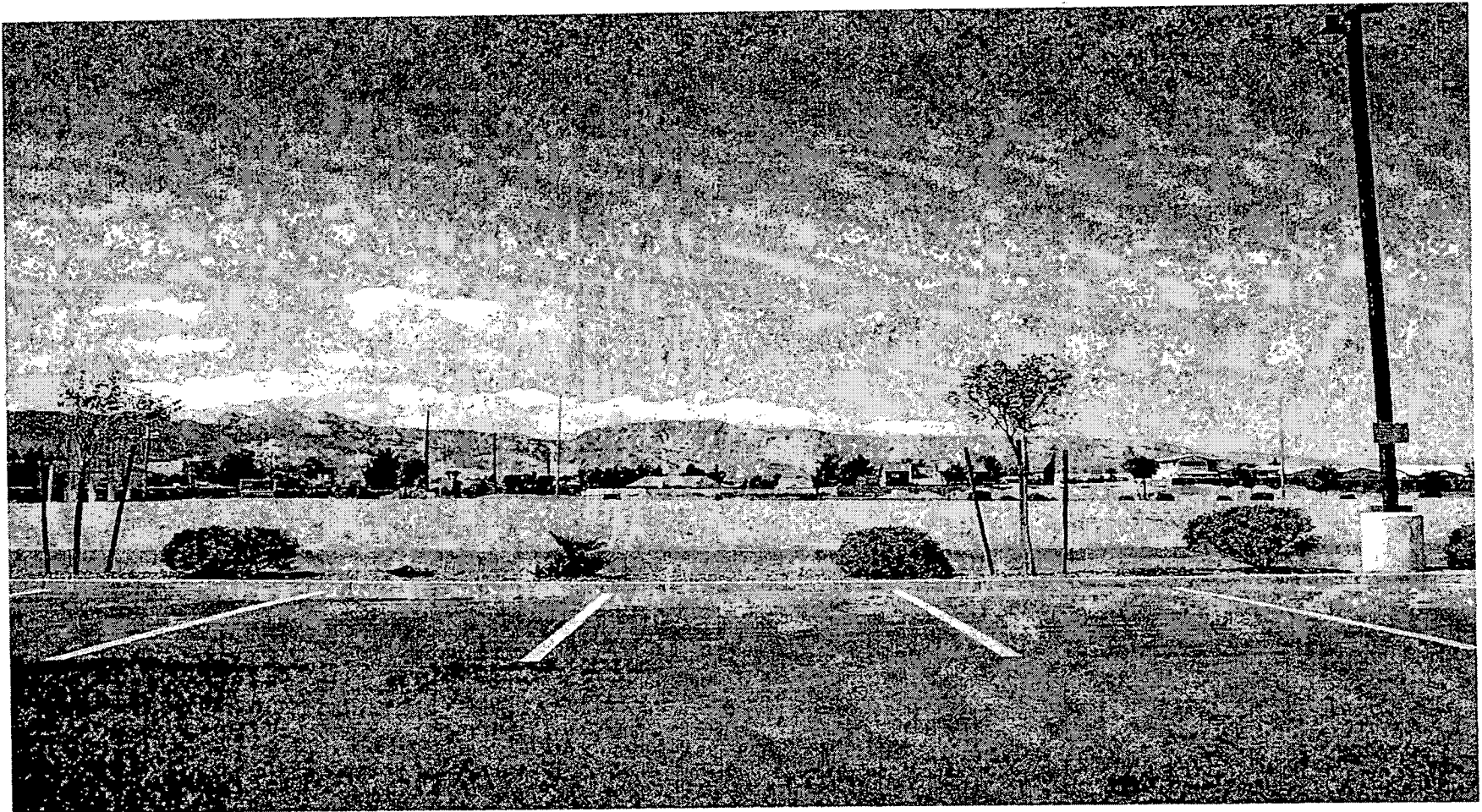
SUP-6319, SUP-6320 & SDR-6316 - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER:
ANN ROAD PROPERTIES, LTD.
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/28/05



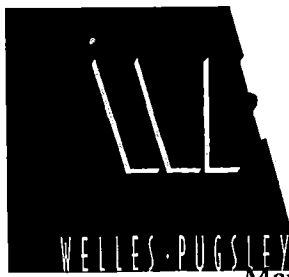
SUP-6319, SUP-6320 & SDR-6316 - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER:
ANN ROAD PROPERTIES, LTD.
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/28/05



SUP-6319, SUP-6320 & SDR-6316 - APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER:
ANN ROAD PROPERTIES, LTD.
NORTHEAST CORNER OF ANN ROAD AND LEGGETT ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/28/05



DAVID G. PUGSLEY, A.I.A.
WADE J. SIMPSON, A.I.A.
DAVID F. WELLES, A.I.A. (Retired)
WELLES PUGSLEY ARCHITECTS, LLP

March 15, 2005

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

Re: **Green Valley Grocery, WP-0435**
Justification Letter – Site Development Plan Review Application
A.P.N. 125-28-818-005

To Whom It May Concern:

Green Valley Grocery is proposing to develop a 3,800 s.f. convenience store with an attached 1,950 s.f. lease space (assumed to be a restaurant use) and an attached 1,250 s.f. automatic car wash on an undeveloped corner site within an existing commercial center located at the Northeast corner of Leggett and Ann Road. The 0.98 acre property is zoned C-2 and is categorized General Commercial (GC) by the City of Las Vegas General Plan. The total building area is 7,000 s.f. Also included is a 6-island fuel dispensing facility with underground storage tanks and a covered canopy. The fuel canopy will be integrated to match the character of the building.

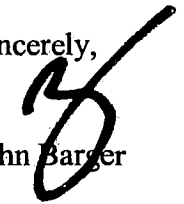
The General Retail (convenience store and restaurant) are permitted uses in C-2 zoning. The Service Station (fuel dispensing) and liquor-off premise consumption (convenience store) require Special Use Permits which are submitted under separate applications.

The added parking proposed with this project exceeds the required parking when using shared parking. The project site and the adjacent commercial center property are the same owner.

The design, materials and color of the Green Valley Grocery will match the appearance and style of the existing commercial center. The existing landscaping will be removed and replaced. Additional landscaping above the requirements of Title 19 is proposed to provide additional screening from the adjacent streets and residential uses.

We believe that the proposed request for the Green Valley Grocery project is in compliance with the City policies and regulations and adheres to the City's future land use and development plan.

Sincerely,


John Barger

Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

Reference Planning Commission Meeting April 28th, 2005 at 6:00pm

Southwest half of the southeast quarter of section 28, township 19 south, range 60 east, MDM

SDR-6316 SUP-6320 SUP-6319

I received a notice in the mail wanting to put a gas station/restaurant/convenience store/liquor store just to the west of my housing development. There are already two of these developments a short distance away **in commercial areas**. One is just east of I-95 off of Ann and the other is just to the Northwest of Durango. The commercial development in question is sitting right in the middle of a residential area. The commercial developments that have occurred at this sight up to now have been very careful to put businesses in the area that are relatively low impact to the residential areas around them. This store being proposed does not belong in a residential neighborhood. It would add a large amount of traffic to a residential area where churches are and where kids are catching buses to school. Owners of this property a couple years ago came around to the homes in the area trying to get a petition allowing them to build a 7-11 at this location. That effort was defeated. It takes time and effort to defeat these request. After a while people get worn down and tired of fighting. Then the developers come in and build their property, make their money and move on. I'm not asking anyone not to develop their property, I'm just asking that they do it with in the confines of the zoning that has already been set. I would be highly surprised if any of these developers would be willing to build one of these stores next to their house.

I would appreciate it if you would deny this zoning change and require the owner to develop their property with a business that is more conducive to the residential area that it is in. Thank you for helping us protect the residential areas in our city from unwanted and unneeded businesses that would have a very negative impact on the area that we have chosen to raise our family.

Dale Franc
7709 Pine Falls Drive
Las Vegas Nv. 89149

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

I APPROVE OF THIS
DEVELOPMENT PLAN
his signature

CHRIS W. STEINHAUS
5521 BIG ROCK LANE
LAS VEGAS, NV 89149
TEL. 702-335-0475

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-6316

APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP - OWNER: ANN ROAD PROPERTIES, LTD. -
REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 7,000 SQUARE FOOT
RETAIL DEVELOPMENT CONSISTING OF A CONVENIENCE STORE IN CONJUNCTION WITH A
SERVICE STATION AND A RESTAURANT AND A WAIVER OF THE FOUNDATION LANDSCAPING
STANDARDS ON 1.14 ACRES ADJACENT TO THE NORTHEAST CORNER OF ANN ROAD AND
LEGGETT ROAD (APN 125-28-818-005), C-2 (GENERAL COMMERCIAL) ZONE, WARD 6 (MACK).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½)
OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST,
M.D.M.

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



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

SEE LOCATION MAP ON REVERSE SIDE

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

MEETING: PLANNING COMMISSION
DATE: APRIL 28, 2005
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

No!

P. Dowd

SDR-6316

OUR traffic is terrible
of we are surrounded
By mall traffic &
the Buffalo - 95 project

APPLICANT: WELLES-PUGSLEY ARCHITECTS, LLP OWNER: ANN ROAD PROPERTIES, LTD.
REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 7,000 SQUARE FOOT
RETAIL DEVELOPMENT CONSISTING OF A CONVENIENCE STORE IN CONJUNCTION WITH A
SERVICE STATION AND A RESTAURANT AND A PARKER OF THE FOUNDATION LANDSCAPING
STANDARDS 1.14 ACRES ADJACENT TO THE NORTHEAST CORNER OF ANN ROAD AND
LEGGETT ROAD (APN 125-88-818-005, U-2 GENERAL COMMERCIAL ZONE (MALL & TRUCK)).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½)
OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 60 EAST,
M.D. 11.

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



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

SEE LOCATION MAP ON REVERSE SIDE

Telephone Protest/ Approval Log

Meeting Date: 4/28/05

Case Number: SUP - 6320

SUP - 6319

SDR - 6316

Date: 4/22/05
Name: PATRICIA WATERS
Address: 5516 Red Sun Drive
Las Vegas, NV 8914
Phone: 702-655-2732
☒ PROTEST ☐ APPROVE

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

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Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Kathryn E. Umbarger, C.E.M.
5444 Royal Vista Lane
Las Vegas NV 89149-6614
E-Mail: kelizaum@earthlink.net

RECE.

APR 22 2005

April 20, 2005

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

Attention: Gary Leobold, Planning Supervisor

Re: **SDR-6316 -- SUP 6319 -- SUP-6320**
Applicant: Welles-Pugsley Architects, LLP
Owner: Ann Road Properties, Ltd.

Attention: Gary Leobold, Planning Supervisor

Mr. Leobold,

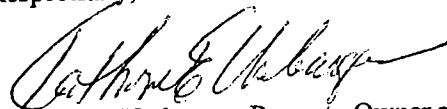
The City's three (3) Notices of Public Hearing with respect to subject Site Development Plan Review and Special Use Permits have been received by me as of 4/19/05.

This writing is to file my objections to the proposed development, specifically a proposed convenience store, gas station, liquor store and restaurant, with a waiver of foundation landscaping standards.

This neighborhood currently is beautifully kept with current landscaping and street-side maintenance nothing short of outstanding. By putting in yet another service station, convenience store and liquor store, the applicant and owner of this property are inviting additional traffic, dirt, discarded solid and liquid trash inherent to the environs of these types of establishments; environmental and safety hazards inherent with the existence of service stations; surface runoff from spilt gasoline, motor oil and trash; noise; and danger to the local residents - particularly the children who walk each day along that area to catch their respective school buses - from increased traffic, polluted air and possibly inebriated customers coming and going to and from the liquor and convenience stores.

I purchased my property across the street specifically to be distant from these types of commercial entities. I am extremely distressed at the prospect of the addition of these proposed business at Ann and Leggett Roads. There are already plenty of service stations and liquor stores nearby. There is no need to provide a waiver for foundation landscaping and degrade the area.

Respectfully,



Kathryn E. Umbarger, Property Owner and
State of Nevada Certified Environmental Manager #1902

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-6323 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 5,200 SQUARE FOOT TAVERN adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the applications. The development will have two access points. The two towers will have two parking structures. Several waivers from Town Center Standards are needed including

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

residential adjacency standards, parking area trees, building setback, build to lines and providing building entry ways every 50 feet on the façade. The Special Use Permit applications are for a tavern and a supper club. The applicant does have approval for tavern on the site already. Town Center Standards do not have any tavern-to-tavern distance separation requirement so two are allowed. There is also a Special Use Permit required because the project exceeds 12 stories in the UTCT (Urban Center Mixed Use) designation. Staff felt the project would be a positive contribution to the neighborhood. The applicant will have to enter into a development agreement per Code.

BOB GRONAUER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. While referencing the Master Plan for Town Center, ATTORNEY GRONAUER pointed out that in 1998, when the plan was adopted, the City Council encouraged the creation of a town center type of mixed-use area. The area was envisioned to go vertical and have urban center types of development and this area was considered back then to be the main thoroughfare. The City has spent approximately about seven million dollars in constructing an S curve alignment in this area. This property is located within the UC (Urban Center Mixed Use – Town Center) designation and that is where the most intense residential and commercial uses should be located.

He noted that along the Durango Alignment there is a Kohls Shopping Center and the Montecito Center, which are under construction as well as a proposed hospital. To the north is a multi-family development, which was approved several years ago with some commercial/retail on the first floor of the buildings.

The current application is for mixed/retail on the bottom floors. The second, third and fourth floors will have office space and from the fifth floor up will be residential units. ATTORNEY GRONAUER felt the use was compatible with the area because to the west of the property, a project has been approved for an office building up to 204 feet in height with a garage area over 50 feet tall. Approval of that project has set a precedent for the area.

EDWARD LAWRENCE, 6827 Momentos Street, spoke in opposition of the project. He moved to this location in February of 2004 to get into a suburb area. He is aware of the hospital going in across the street but in his opinion, Durango Drive provides a nice buffer between the commercial developments ATTORNEY GRONAUER referenced. MR. LAWRENCE also complained that any development over three stories would block his view. The community atmosphere is being eaten away by the development of commercial properties and apartment complexes. He also expressed concern over having a tavern at the subject site because of all of the children who play there.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

BRIGITTE SOLVIE, 7038 North Conquistador Street, questioned how staff could approve a design going up to 24 stories in height when Town Center would only approve up to 12 stories. She compared the proposal to the height of the new Red Rock Casino. Bank buildings are not this high. She could not understand how the Commission could consider putting a structure of this height next to a three-story apartment complex with first floor commercial. MS. SOLVIE asked that more consideration and review be given before voting on such an item. CAROL SQUIRES, 9685 Elkhorn Road, agrees with MS. SOLVIE and did not think the project is needed.

ATTORNEY GRONAUER rebutted by saying this has been the design for the last several years with respect to Town Center. This is the most intense area in the vicinity of Town Center. The neighbors who live off of Momentos are already subjected to an approved 200-foot tall office building with a 50-foot tall garage. That is the development this proposed project will abut. This project will be a for sale project. Line of sight elevations have been done and because of the garage of the adjacent development, the proposed project would not have any impact on the homeowners. This project is compatible and it is needed.

COMMISSIONER GOYNES found ATTORNEY GRONAUER'S argument compelling. Currently, the plan for Town Center has not been followed to the T and that is why people feel there should not be high density there. He confirmed ATTORNEY GRONAUER'S comments that it was intended that the most intense uses be located in this area. He would support the project.

COMMISSIONER McSWAIN asked why the applicant needed an exception to the standard for Town Center. MR. LEOBOLD clarified that it was not a restriction. There is no height limit; however, once a development reaches 12 stories, there is a required review process through Planning Commission and City Council to assess whether that height beyond the 12 stories is appropriate or not. Staff assessed the situation and found the request to be appropriate because of the intervening building mentioned by ATTORNEY GRONAUER and because of what the approved densities were in the area. He used the Momento subdivision for an example and stated it could have been approved up to a seven-story tower but the developer decided to build one and two story single-family homes instead. The intent of the plan is being more truly fulfilled by this proposed project than by what has been built previously in nearby locations.

COMMISSIONER McSWAIN said her quandary over the project was that this building would be the only one of its type. Much of the stretch has developed differently than originally anticipated. She was not comfortable with the concept of high-rise sprawl. This will not be a part of a skyline but will stand out on its own. COMMISSIONER McSWAIN also indicated that

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

MINUTES – Continued:

she did not find the buildings architecturally attractive. ATTORNEY GRONAUER said the designer of this building is the same designer of the SoHo Lofts. The balconies proposed for this project would be similar to those of the SoHo lofts. COMMISSIONER McSWAIN clarified that she was not against the balconies. She did feel the look of the building was like urban Chicago tenement housing. The pop outs were described as monotonous. ATTORNEY GRONAUER indicated the applicant would be amenable to changing the design on the outside of the building.

CHAIRMAN NIGRO concurred with COMMISSIONER GOYNES. This project is exactly what was wanted in Town Center and this is where it was supposed to be. He understood the original concept of Town Center was to develop this type of product in an urban core in the northwest. He shared the concerns of COMMISSIONER McSWAIN in that this was the first project of this type but there has to be a first to get others to come.

COMMISSIONER GOYNES asked about view obstruction being taken into consideration when reviewing applications. He questioned whether that is considered from a planner's perspective when looking at land use issues. CHAIRMAN NIGRO explained that the purpose of residential adjacency standards was to serve as a view protection mechanism. MR. LEOBOLD added that it helped with privacy as well.

MARGO WHEELER, Director, Planning and Development Department, had MR. LEOBOLD discuss the already approved project planned to the west of this site which is a 15 story office project with a six story parking structure behind it. He felt ATTORNEY GRONAUER'S estimates, as to height, were accurate. The tower would be pushed to the southeastern portion of the site so it's away from the residential by approximately 70 or 80 feet. The parking garage would be 25 to 30 feet away and there is a landscaping buffer planned to help mitigate the impact at ground level.

GINA VENGLASS, Public Works Department, pointed out that her department is requiring a bus turnout on Deer Springs Way and it was not shown on the current plan. ATTORNEY GRONAUER acknowledged that and indicated the applicant would adjust the plan as necessary to accommodate the turnout. CHAIRMAN NIGRO confirmed with MS. VENGLASS that the bus turnout was already conditioned on the project.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55

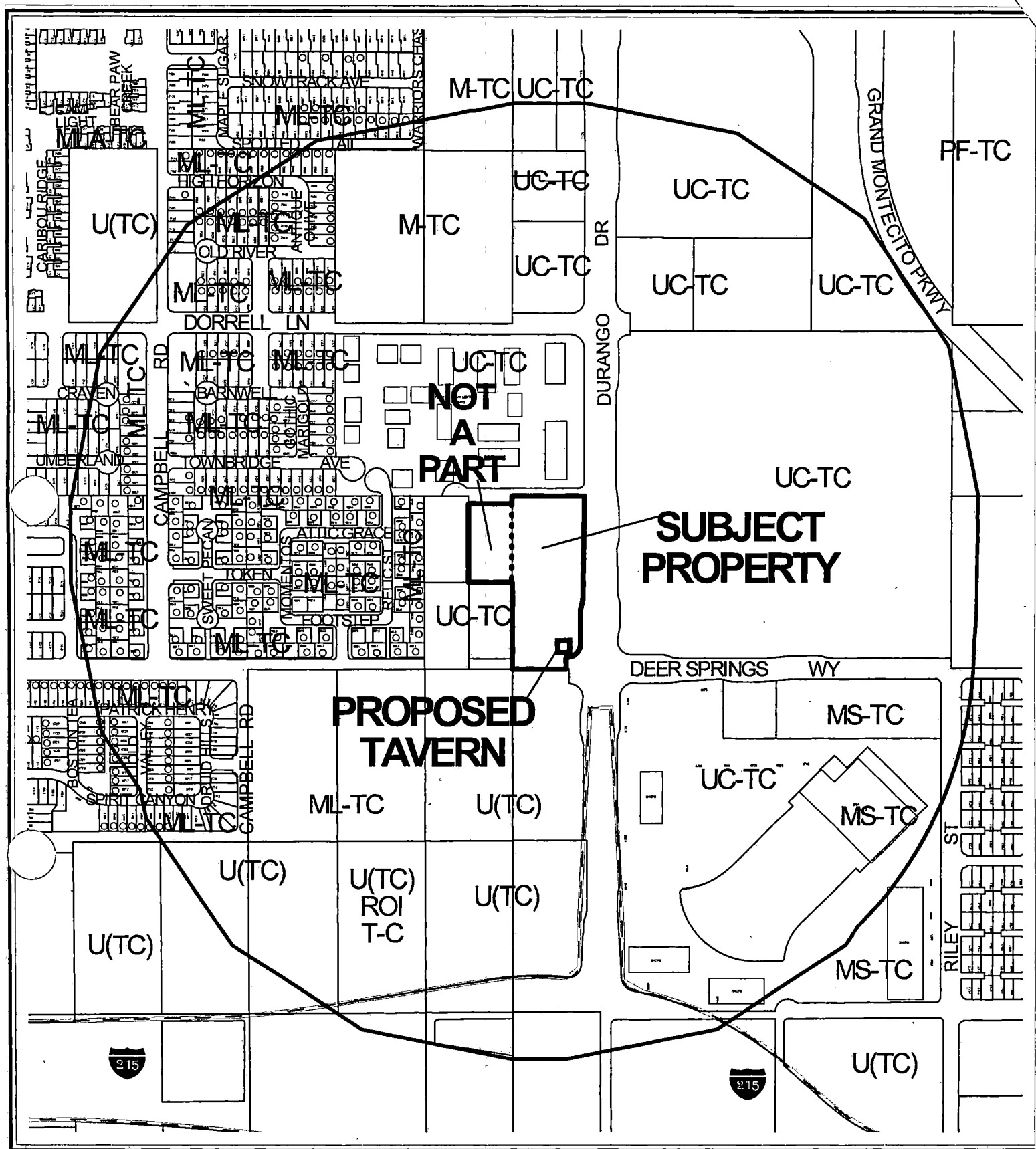
4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 78 – SUP-6323

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6326 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

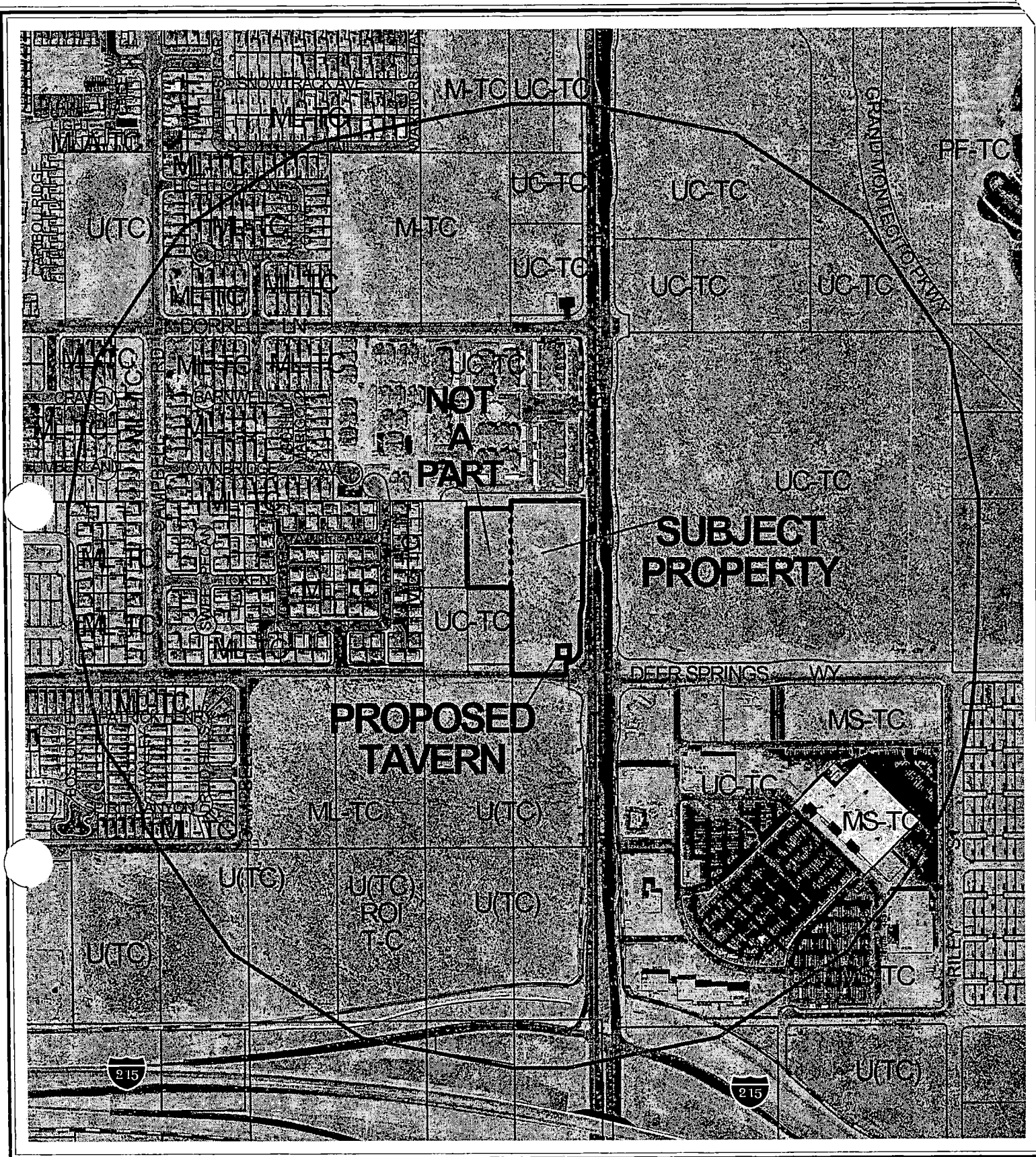


CASE: SUP-6323

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



CASE: **SUP-6323**

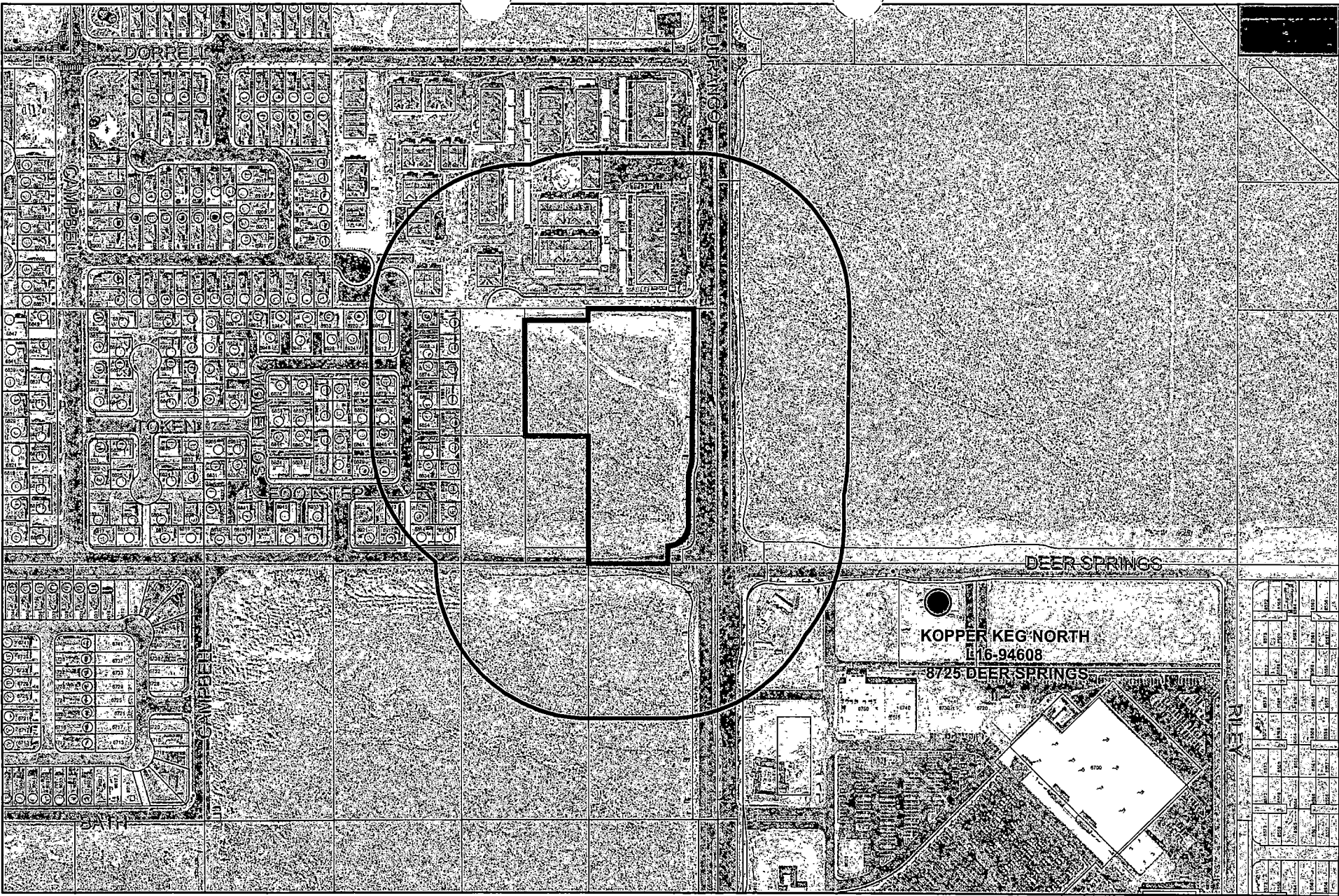
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

0 500 1000 Feet





SUP-6323
Taverns

Business Licenses

- Child Care/
Children Facility
- Tavern

0 245 490 980 Feet

- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6323 - APPLICANT: W. DOUGLAS HITT - OWNER:
DEER SPRINGS INVESTMENTS, LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6326 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 5,200 square-foot Tavern adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use designation], Ward 6 (Mack).

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that the design of this project will meet all the standards depicted in the Town Center Development Standards Manual with the exception of the height. A Special Use is requested for a waiver in the height restriction. It is also stated that the public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was not included within the 1998 Rezoning area. |
| 04/04/01 | The City Council approved a General Plan Amendment (GPA-0038-00) to expand the limits of the Town Center into the designated "Future Town Center" and designating the subject site UC-TC (Urban Center Mixed-Use - Town Center) as part of a larger area. |
| 02/13/03 | The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation] to T-C (Town Center). The Planning Commission recommended approval and staff recommended denial. |
| 02/13/03 | The City Council approved a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property. The Planning Commission recommended approval and staff recommended denial. |

SUP-6323 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 02/13/03 The City Council approved a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.
- 04/28/05 The Planning Commission is scheduled to review accompanying applications for Special Use Permits (SUP-6326 and SUP-6330) and a Site Development Plan Review (SDR-6317). The staff recommends approval of these applications.

B) Pre-Application Meeting

- 03/15/05 Staff met with the prospective applicant to review a proposal for a mixed-use development that would include 474 units of residential and 102,744 square feet of office and retail space. The development also would include 1,456 parking spaces. It was noted that a second Tavern is proposed for the site.

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: 5.21 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed-Use - Town Center)
North: UC-TC (Urban Center Mixed-Use - Town Center)
South: UC-TC (Urban Center Mixed-Use - Town Center)
East: UC-TC (Urban Center Mixed-Use - Town Center)
West: UC-TC (Urban Center Mixed-Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center) Zone
North: T-C (Town Center) Zone
South: U (Undeveloped) under ROI to T-C (Town Center) Zone
East: T-C (Town Center) Zone
West: T-C (Town Center) Zone

DDS

E) General Plan Compliance

The T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site as UC-TC (Urban Center Mixed-Use) as part of the Town Center Master Plan. The intent of this district is to enable development with imaginative site and building design and to maximize the use of property.

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

Town Center Development Standards - Development within the UC-TC (Urban Center Mixed-Use) land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses occupying the upper floors. There are no density limitations in the UC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

Trails – The Town Center Development Standards provide for enhanced sidewalks along Durango Drive. Accordingly, a Parkway Trail will be required along the west side of Durango Drive.

ANALYSIS

A) Zoning Code Compliance.

A1) Parking and Traffic Standards

Pursuant to Las Vegas Zoning Code Section 19.10, the following Parking Standards apply to the subject proposal:

Uses	Floor Area (square feet)	Required			Provided	
		Ratio (Space/sq. ft.)	Parking Spaces		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	5,200 (2,450 seating; 2,750 remaining)	1/50 seating area + 1/200 remaining	60	3	60	3

DDS

The Tavern is being provided in conjunction with a Supper Club and other retail and office uses on the subject site. For the Tavern, it is assumed that there is the required number of parking spaces provided. The total required number of parking spaces will, of course, have to be met for all the uses combined. The total parking space requirement is addressed in an accompanying application for Site Development Plan Review (SDR-6317).

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use) General Plan designation. The proposed Supper Club is within the range of uses permitted with a Special Use Permit in the T-C (Town Center) zoning district and UC-TC (Urban Center Mixed Use) land use designation.

- Use

The Town Center Development Standards require a Tavern to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City park, as measured from property line to property line. In this case, this use meets the minimum distance separation requirements, as no protected uses have been identified within 400 feet. There is no spacing requirement between uses licensed as Taverns or other comparable establishments in Town Center.

- Conditions

The conditions of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns, etc.) include the following:

- a. No Tavern shall be located within 400 feet of any church, synagogue, school, or childcare facility licensed for more than 12 children, or park.
- b. Uses licensed as Taverns or other comparable establishments shall have no specific spacing requirements between similar uses.
- c. All businesses that sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The application as proposed appears to meet or is capable of meeting all the above applicable conditions of the Town Center Development Standards Manual. Compliance with these standards is made a condition of approval for this report.

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 Town Center Development Standards require a Tavern to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. In this case, this use meets the minimum distance separation requirements, as no protected uses have been identified within 400 feet of the subject property.

The Tavern is proposed in conjunction with a Supper Club, a Special Use (SUP-6326) for which has been requested in an accompanying application to this one. In addition, two 24-story towers, containing 474 residential units and 144,200 square feet of commercial space, are proposed. This integrated development will result in harmonious and compatible uses.

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

The subject site will be physically suitable for the proposed Tavern.

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 property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Deer Springs Way will provide adequate access to the development.

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

A Tavern use will be subject to regular City and County inspections for licensing; therefore, public health, safety, and welfare will not be compromised.

SUP-6323 - Staff Report Page Six
April 28, 2005 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 370 [Mailed with SUP-6326, SUP-6330 and SDR-6317]

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6323** APN: 125-20-201-025 & 016

Name of Property Owner: DEER SPRINGS INVESTMENTS, LLC

Name of Applicant: W. Douglas Hitt

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

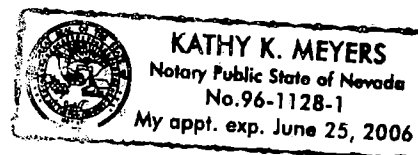
Signature of Property Owner: W. Douglas H. H.

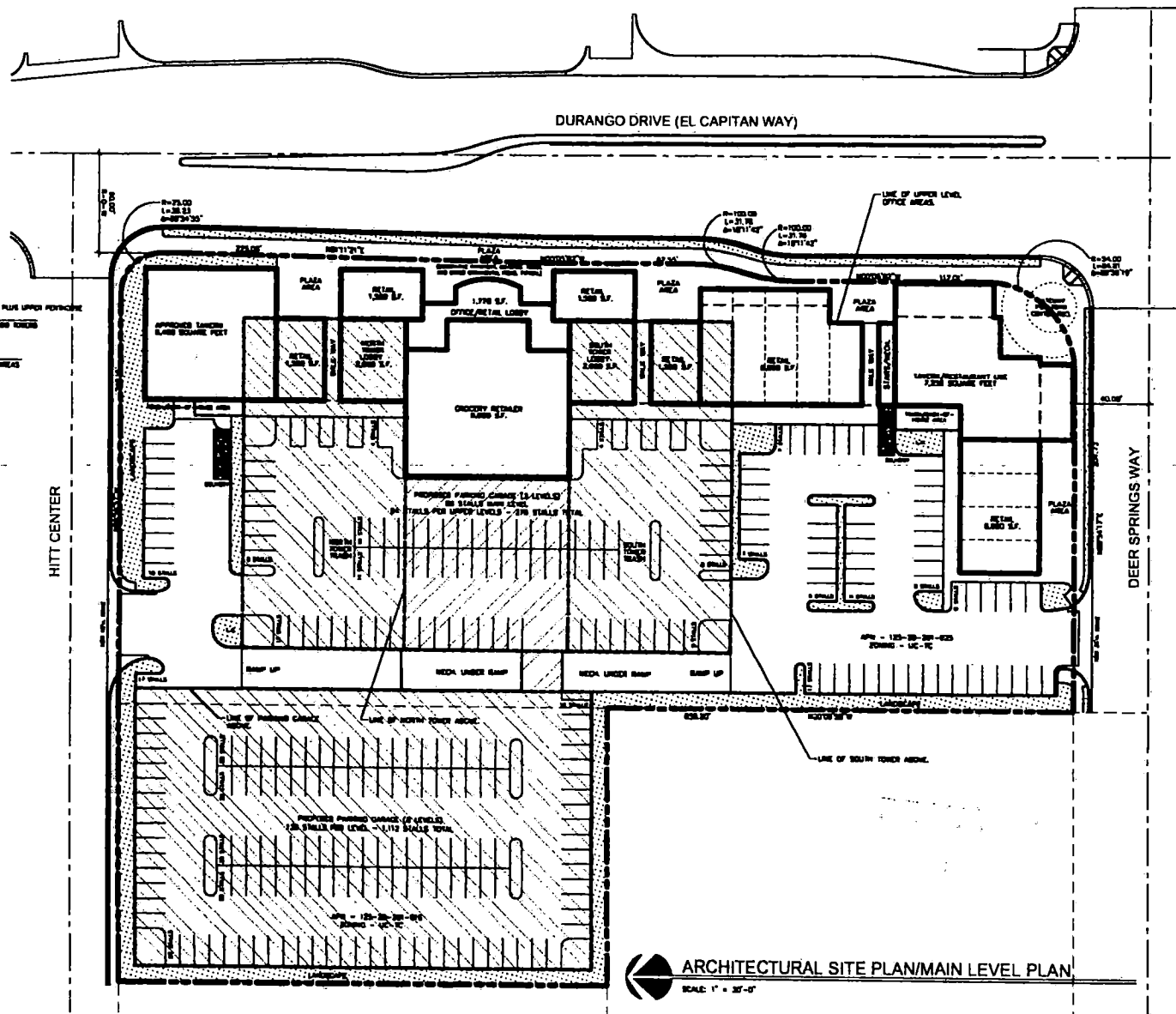
Print Name: W. Douglas Hitt

Subscribed and sworn before me

This 15TH day of March, 2025

Kathy K. Meyers
Notary Public in and for said County and State





LFT AREAS		2-6-80 MDS BEAMS, FEET 8
EXPLOSION TOWER	2-6-80 MDS BEAMS, FEET 8	BEAMS 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822,

APPROVED TRAVEL	2,300 SF. - 2-20 - 1,300 SF. - 7-200 - 10 STALLS
STRAVE, LEE	27,000 SF. - 2-10 - 120 STALLS
STAPFER CORP.	2,200 SF. - 2-20 - 1,200 SF. - 7-200 - 10 STALLS
STANLEY, J. L.	1,200 SF. - 2-20 - 1,200 SF. - 7-200 - 10 STALLS
TWO BEDROOM CONDO UNITS	1.75 PER UNIT - 2.0 UNITS GUEST - 20 STALLS
THE KENNEDY CONDO UNITS	1.25 PER UNIT - 2.0 UNITS GUEST - 40 STALLS
ST. LOUIS	1,000 STALLS
TOTAL, REQUIRED	1,000 STALLS
PARKING PROVIDED	
CLARK PARKING	100 STALLS
THREE UNITS GUEST	750 STALLS
THREE UNITS GUEST	1,175 STALLS
TOTAL, SPACES	1,000 STALLS PROVIDED
ADDITIONAL STALL	20 STALLS REQUIRED - 0 - 000 STALLS, 10 STALLS

Year	Date	Description
1980	10/10/80	10/10/80
1981	10/10/81	10/10/81
1982	10/10/82	10/10/82
1983	10/10/83	10/10/83
1984	10/10/84	10/10/84
1985	10/10/85	10/10/85
1986	10/10/86	10/10/86
1987	10/10/87	10/10/87
1988	10/10/88	10/10/88
1989	10/10/89	10/10/89
1990	10/10/90	10/10/90
1991	10/10/91	10/10/91
1992	10/10/92	10/10/92
1993	10/10/93	10/10/93
1994	10/10/94	10/10/94
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1996	10/10/96	10/10/96
1997	10/10/97	10/10/97
1998	10/10/98	10/10/98
1999	10/10/99	10/10/99
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2002	10/10/02	10/10/02
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2004	10/10/04	10/10/04
2005	10/10/05	10/10/05
2006	10/10/06	10/10/06
2007	10/10/07	10/10/07
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2009	10/10/09	10/10/09
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2012	10/10/12	10/10/12
2013	10/10/13	10/10/13
2014	10/10/14	10/10/14
2015	10/10/15	10/10/15
2016	10/10/16	10/10/16
2017	10/10/17	10/10/17
2018	10/10/18	10/10/18
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2294	10/10/94	10/10/94
2295	10/10/95	10/10/95
2296	10/10/96	10/10/96

[illegible]

CONTRACTOR

THE NEW YORK STATE OFFICE OF GENERAL SERVICES
ATTENTION: CONTRACTS SECTION
ALBANY, NEW YORK 12242

TO: NEW YORK STATE OFFICE OF GENERAL SERVICES
ATTENTION: CONTRACTS SECTION
ALBANY, NEW YORK 12242

DATE: 12/22/2004

BY: [Signature]

FOR: [Signature]

DESIGN & CONSTRUCTION
JOINT VENTURE CONTRACTORS
LC 94-12 0074-10
5625 POLARIS AVENUE
SUITE
LAS VEGAS, NEVADA 89111
(702) 796-2977
FAX (702) 796-3800

Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada

APN:
125-20-201-025
125-20-201-016

**Architectural Site
Plan/Main Level
Floor Plan**

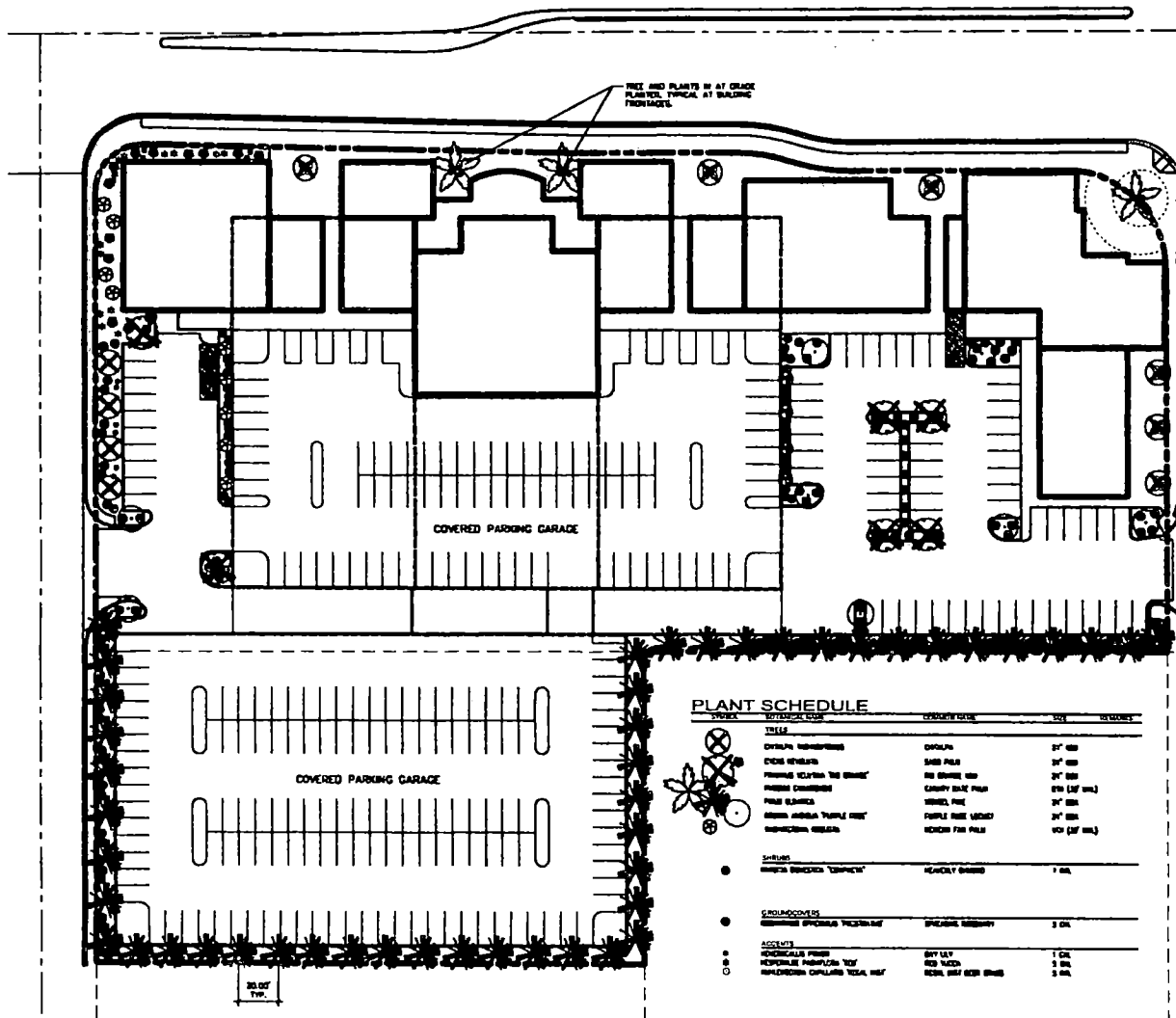
Date	Designed By
March 15, 2000	Tamara Wadsworth
Project No.	Drawn By
10029a	Tamara
Jurisdiction	Checked By
City of Las Vegas	

AS1.01

SUP-6323 SUP-6330
SUP-6326 SDR-6317
04/28/05 PC

GENERAL NOTES

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT CHARACTERISTICS. THE PLANT LIST IS INTENDED AS A REFERENCE ONLY.
2. CONTRACTOR IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE CERTIFICATES TISSUE ON FILE OF TOTAL QUANTITY OF EACH SPECIES, SHOWING EQUAL SPACES AND SPACING, ETC.
4. PROVIDE MATING BARS AND FORMS OF LIME BRICKS SPECIES AS SHOWN ON DRAWINGS.
5. CONTRACTOR SHALL 1/4" VERTICAL CLEAR "PLANTING AREA". 1" TOP IN TYPICAL IS ALL PLANTING AREA. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER AND ADEQUATE CONSTRUCTION TO ACHIEVE PROTECTION OF THE FIRM AND SUPPLY AND PROTECT VEGETATION TO THE DRAINAGE TO ANY CONSTRUCTION.
6. LANDSCAPE BOLLARDS COLOR TO MATCH OR COMPLEMENT ROOM OR OUTDOOR BOLLARDS TO BE ORANGE. BOLLARD IS SHAPE 2" TO 4" IN DIAMETER BASED ACCORDING TO THE FOLLOWING PERCENTAGES:
 30% 4" LARGEST DIAMETER
 40% 2" LARGEST DIAMETER
 30% 1" LARGEST DIAMETER
 CONTRACTOR TO SET 1/4" OF BOLLARD DIAMETER INTO FINISHED GRADE.
7. IT IS THE DUTY OF THIS DRAWING TO CREATE AN ADEQUATE AESTHETIC APPEARANCE. THIS PROJECT MAY REQUIRE VEGETATION REMOVAL AND/OR TRIMMING OUT AT A FUTURE DATE.
8. CONTRACTOR TO DESIGN BUILD IRRIGATION SYSTEM IN ACCORDANCE TO LOCAL CODE AND STANDARDS.



LANDSCAPE PLAN
SCALE: 1" = 30'-0"

CONTRACTOR

BRESLIN BUILDERS

DESIGN & CONSTRUCTION
10000 S. LAS VEGAS BLVD., SUITE 100
LAS VEGAS, NEVADA 89119
(702) 799-1000
FAX (702) 799-1001
www.breslinbuilders.com

Project Owner

Town Center Commons

Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada

APN:
125-20-201-025
125-20-201-016

Sheet 1 of 1

Landscape Plan

Date: March 15, 2005 **Designed By:** Todd McElroy

Project No: 0204 **Drawn By:** Todd

Location: City of Las Vegas **Checked By:**

L1.01

SUP-6323 SUP-6330
SUP-6326 SDR-6317
04/28/05 PC

LETTER OF JUSIFICATION

To Whom It May Concern:

It is herby requested that a Site Development Plan Review be approved pertaining to APN#'s 125-20-201-025, 125-20-201-016 for development of a high rise mixed use consisting of 474 residential units, 102,000 square feet of office and approximately 40,000 square feet of retail, restaurant, tavern uses and to include enough parking to meet the Title 19 parking code. Special use permits to allow for the height of the residential towers and for a tavern.

The design of this project will meet all the Northwest Centennial Hills town standards as depicted in the town center development standard manual, with variance for height.

Public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments. Adequate assurance of any significant impact on the environment will be mitigated to the practical extend.

If you require any additional information or clarification, please do not hesitate to contact myself or Todd McBayer at the numbers below.

Sincerely,

**W. Douglas Hitt
595-9112**

**Todd McBayer
234-5159**

Edward Lawrence
6827 Momentos Street
Las Vegas, NV 89149
April 18, 2005

RECEIVED
APR 22 2005

Mr. Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division
Development Services Division
731 South Fourth Street
Las Vegas, NV 89101

re: SUP-6330, SUP-6323, SUP-6317, SUP-6326

Dear Mr. Leobold:

This letter will express my opposition to the plans laid forth by Deer Springs Investments, LLC. The plan was outlined in a letters marked SUP-6330, SUP-6323, SUP-6317, SUP-6326 sent to my home that I read April, 18, 2005.

I am a reporter with KLAS Channel 8 Eyewitness News. I have covered many developments in the Las Vegas area. I have never seen any that do more harm to an existing area than these plans would do to Arbor Glenn and surrounding developments. The Planning Department has already given enough special use permit's to developers in this area. When I moved in there were more homes than apartments. With the special use permits that your department keeps handing out the area is going to turn in a wasteland of apartments forcing good families to move abandoning the area unless you stop and re-think the current trend of developer rubber stamps.

I moved to the suburb for a suburb lifestyle. I like the quiet neighborhood streets. The people in my neighborhood are good families. Some of them have children who play in the area. Let's encourage single family homes from this point forward on the land in this area to continue the community feel and home ownership.

A proposed hi-rise would be extremely out of place in my community. It would destroy the suburb atmosphere that I moved to my home for. If I wanted to live in the city I would have moved downtown. Anything above the current one to two stories in the area only serves as an eyesore and causes major problems.

I am not a developer who can give hundreds of thousands of dollars to the representatives of this area. I cannot buy anyone's vote with campaign contributions. I am a single family homeowner who works hard and enjoys the quiet neighborhood. Sitting on my back porch I face east and can see over the homes in the community part of a mountain chain on the east side of the valley. It's a peaceful view that would be destroyed by a hi-rise.

It's a view shared by many of my neighbors that would be destroyed. It's not just the partial mountain view that I have. The view of the sky would be tarnished.

The smaller residential streets could not handle the traffic caused by large hi-rise. The shadow it would cast would cover the area and dampen the mood of the community.

An approval by your department and/or the city council would in essence be a vote to kick me out of my house by making it too uncomfortable to live there. Since the housing prices have soared I would need some assistance in being relocated to a house of similar value.

I will go to the meeting scheduled at 6PM in the City Council Chambers. I will be a little late. I report on-air for the 6PM news and will not be able to get to the chambers until after my live shot in that show. I think it's important to express my feelings in person. I hope that the public comment period will still be open because I would like to make it on the record about this project.

I have faith that you will do the right thing for the community, not the developers pockets.

Thank you.

Edward Lawrence
Edward Lawrence

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**SUP-6326 - SPECIAL USE PERMIT RELATED TO SUP-6323 - PUBLIC HEARING -
APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS,
LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED 7,256 SQUARE FOOT
SUPPER CLUB adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN
125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center)
Special Land Use Designation], Ward 6 (Mack).**

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg. 1
City Council Meeting**

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg. 0
City Council Meeting**

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining because he has a business relationship with DOUG HITT and STEINMAN and
EVANS excused**

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326],
Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

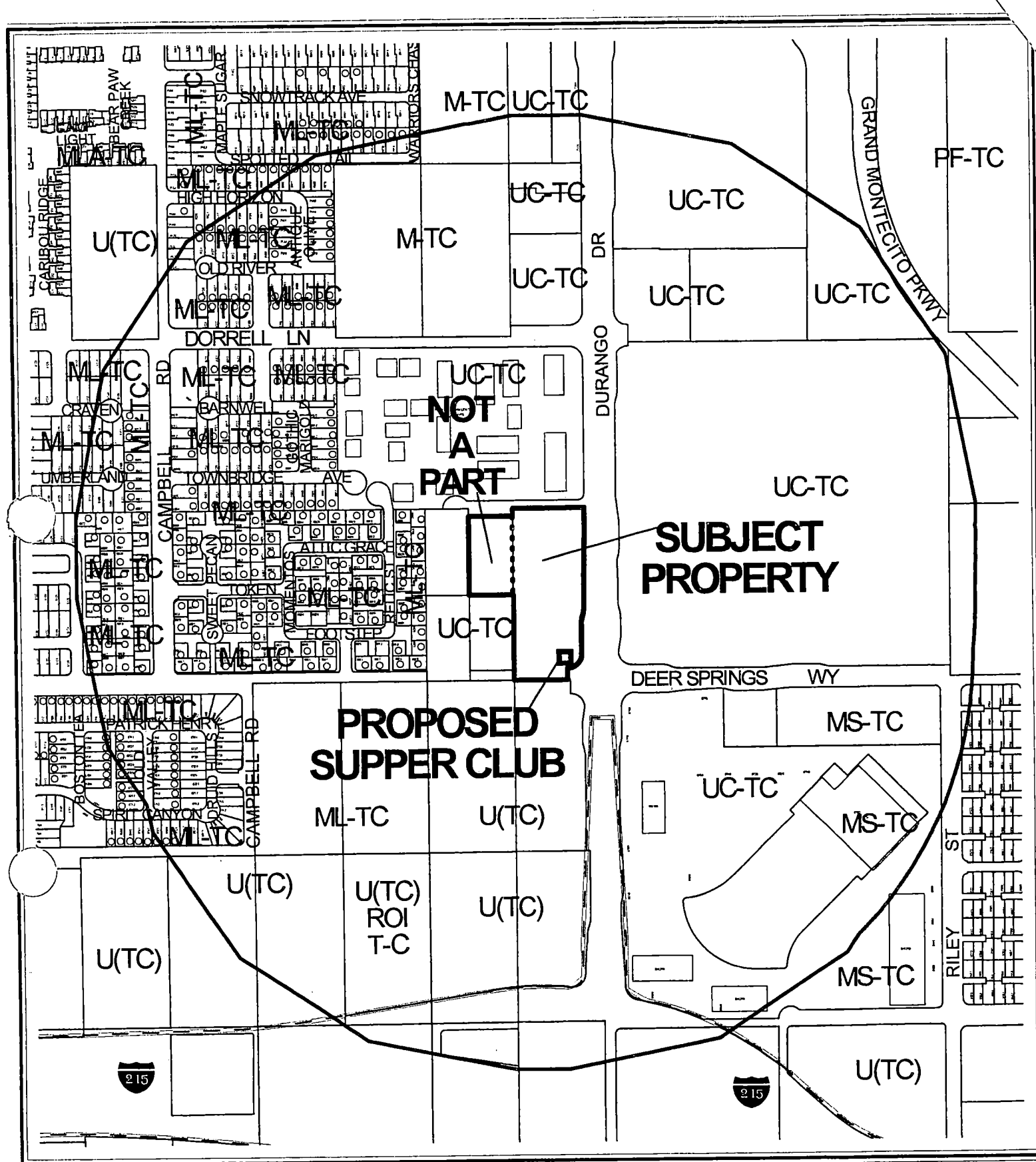
4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 79 – SUP-6326

CONDITIONS:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-6326

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6326 - APPLICANT: W. DOUGLAS HITT - OWNER:
DEER SPRINGS INVESTMENTS, LLC, ET AL

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards Manual for Pubs, Bars and Lounges (Taverns).
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6330) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed 7,256 square-foot Supper Club adjacent to the northwest corner of Deer Springs Way and Durango Drive.

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that the design of this project will meet all the standards depicted in the Town Center Development Standards Manual with the exception of the height. A Special Use is requested for a waiver in the height restriction. It is also stated that the public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was not included within the 1998 Rezoning area. |
| 04/04/01 | The City Council approved a General Plan Amendment (GPA-0038-00) to expand the limits of the Town Center into the designated "Future Town Center" and designating the subject site UC-TC (Urban Center Mixed-Use - Town Center) as part of a larger area. |
| 02/13/03 | The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation] to T-C (Town Center). The Planning Commission recommended approval and staff recommended denial. |
| 02/13/03 | The City Council approved a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property. The Planning Commission recommended approval and staff recommended denial. |

SUP-6326 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 02/13/03 The City Council approved a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.
- 04/28/05 The Planning Commission is scheduled to review accompanying applications for Special Use Permits (SUP-6323 and SUP-6330) and a Site Development Plan Review (SDR-6317). The staff recommends approval of these applications.

B) Pre-Application Meeting

- 03/15/05 Staff met with the prospective applicant to review a proposal for a mixed-use development that would include 474 units of residential and 102,744 square feet of office and retail space. The development also would include 1,456 parking spaces.

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: 5.21 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed-Use - Town Center)
North: UC-TC (Urban Center Mixed-Use - Town Center)
South: UC-TC (Urban Center Mixed-Use - Town Center)
East: UC-TC (Urban Center Mixed-Use - Town Center)
West: UC-TC (Urban Center Mixed-Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center) Zone
North: T-C (Town Center) Zone
South: U (Undeveloped) under ROI to T-C (Town Center) Zone
East: T-C (Town Center) Zone
West: T-C (Town Center) Zone

E) General Plan Compliance

The T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site as UC-TC (Urban Center Mixed-Use) as part of the Town Center Master Plan. The intent of this district is to enable development with imaginative site and building design and to maximize the use of property.

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

Town Center Development Standards - Development within the UC-TC (Urban Center Mixed-Use) land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses occupying the upper floors. The minimum height requirement in this category is two stories. There are no density limitations in the UC District. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

Trails - The Town Center Development Standards provide for enhanced sidewalks along Durango Drive. Accordingly, a Parkway Trail will be required along the west side of Durango Drive.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Las Vegas Zoning Code Section 19.10, the following Parking Standards apply to the subject proposal:

Uses	Floor Area (square feet)	Required			Provided	
		Ratio (space/sq. ft.)	Parking Spaces		Parking	
			Regular	Handicap	Regular	Handicap
Supper Club	7,256 (3,658 seating; 3,598 remaining)	1/50 seating area + 1/200 remaining	87	4	87	4

DDS

The Supper Club is being provided in conjunction with a Tavern and other retail and office uses on the subject site. For the Supper Club, it is assumed that there is the required number of parking spaces provided. The total required number of parking spaces will, of course, have to be met for all the uses combined. The total parking space requirement is addressed in an accompanying application for Site Development Plan Review (SDR-6317).

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use) General Plan designation. The proposed Supper Club is within the range of uses permitted with a Special Use Permit in the T-C (Town Center) zoning district and UC-TC land use designation.

- Use

The Town Center Development Standards require a Supper Club to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City park, as measured from property line to property line. In this case, this use meets the minimum distance separation requirements, as no protected uses have been identified within 400 feet. There is no spacing requirement between uses licensed as Supper Clubs or other comparable establishments in Town Center.

- Conditions

The conditions of the Town Center Development Standards Manual for Supper Clubs include the following:

- a. No Supper Club shall be located within 400 feet of any church, synagogue, school, or childcare facility licensed for more than 12 children, or City park.
- b. Uses licensed as Supper Clubs or other comparable establishments shall have no specific spacing requirements between similar uses.
- c. All businesses that sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The application as proposed appears to meet or is capable of meeting all the above applicable conditions of the Town Center Development Standards Manual. Compliance with these standards is made a condition of approval for this report.

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 Town Center Development Standards require a Supper Club to be a minimum of 400 feet from any church, synagogue, school, or childcare facility licensed for more than twelve children or City park, as measured from property line to property line. In this case, the use meets the minimum distance separation requirements as no protected uses have been identified within 400 feet of the subject property.

The Supper Club is proposed in conjunction with a Tavern, a Special Use (SUP-6323) for which has been requested in an accompanying application to this one. In addition, two 24-story towers, containing 474 residential units and 144,200 square feet of commercial space, are proposed. This integrated development will result in harmonious and compatible uses to the Supper Club.

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

The subject site will be physically suitable for the proposed Supper Club.

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 property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Deer Springs Way will provide adequate access to the development.

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

A Supper Club use will be subject to regular City and County inspections for licensing; therefore, public health, safety, and welfare will not be compromised.

SUP-6326 - Staff Report Page Six
April 28, 2005 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 370 [Mailed with SUP-6323, SUP-6330 and SDR-6317]

APPROVALS 0

PROTESTS 1

DDS



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6326** APN: 125-20-201-025 & 016

Name of Property Owner: Deer Springs Investments, LLC

Name of Applicant: W. Douglas Hitt

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

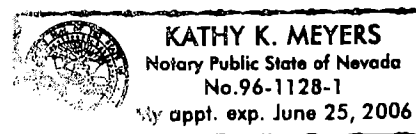
Signature of Property Owner: W. Douglas Hitt

Print Name: W. Douglas Hitt

Subscribed and sworn before me

This 15th day of March, 2005

Kathy K. Meyers
Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6326** APN: 125-20-201-016

Name of Property Owner: William Douglas Hitt

Name of Applicant: Scame

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

Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

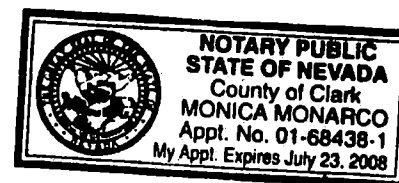
Signature of Property Owner: William Anglen III

Print Name: William Douglas Hoff

Subscribed and sworn before me

This 24th day of March, 2005

Notary Public in and for said County and State



DESIGN DATA

LOT 40 ACRES

MICHIGAN BEARING FEET 8

APPROVED LOT AREA 6,600 SQUARE FEET
NET TOTAL 714.00 SQUARE FEET
TYPICAL/STANDARD USE 3,200 SQUARE FEET
OFFICE USE 100 SQUARE FEET
2ND BEDROOM COMBO UNITS 130 UNITS TOTAL (100 IN BEDROOMS AND 30 IN OFFICES)
2ND BEDROOM COMBO UNITS 130 UNITS TOTAL (100 IN BEDROOMS AND 30 IN OFFICES)
LOBBY AREAS 3,700 SQUARE FEET PLUS CORRIDORS AND OFFICES

TOTAL BEARING AREA 69,200 SQUARE FEET PLUS CORRIDORS, MECHANICAL, LINES, AND PRIORITY AREAS

THREE LEVEL GARAGE 20,000 SQUARE FEET TOTAL
FOUR LEVEL GARAGE 20,000 SQUARE FEET TOTAL

TOTAL PROJECT AREA 1,382,000 TOTAL DEVELOPED BEARING FEET 1

PARKING REQUIRED (CITY OF LOS ANGELES - PAGE 14)

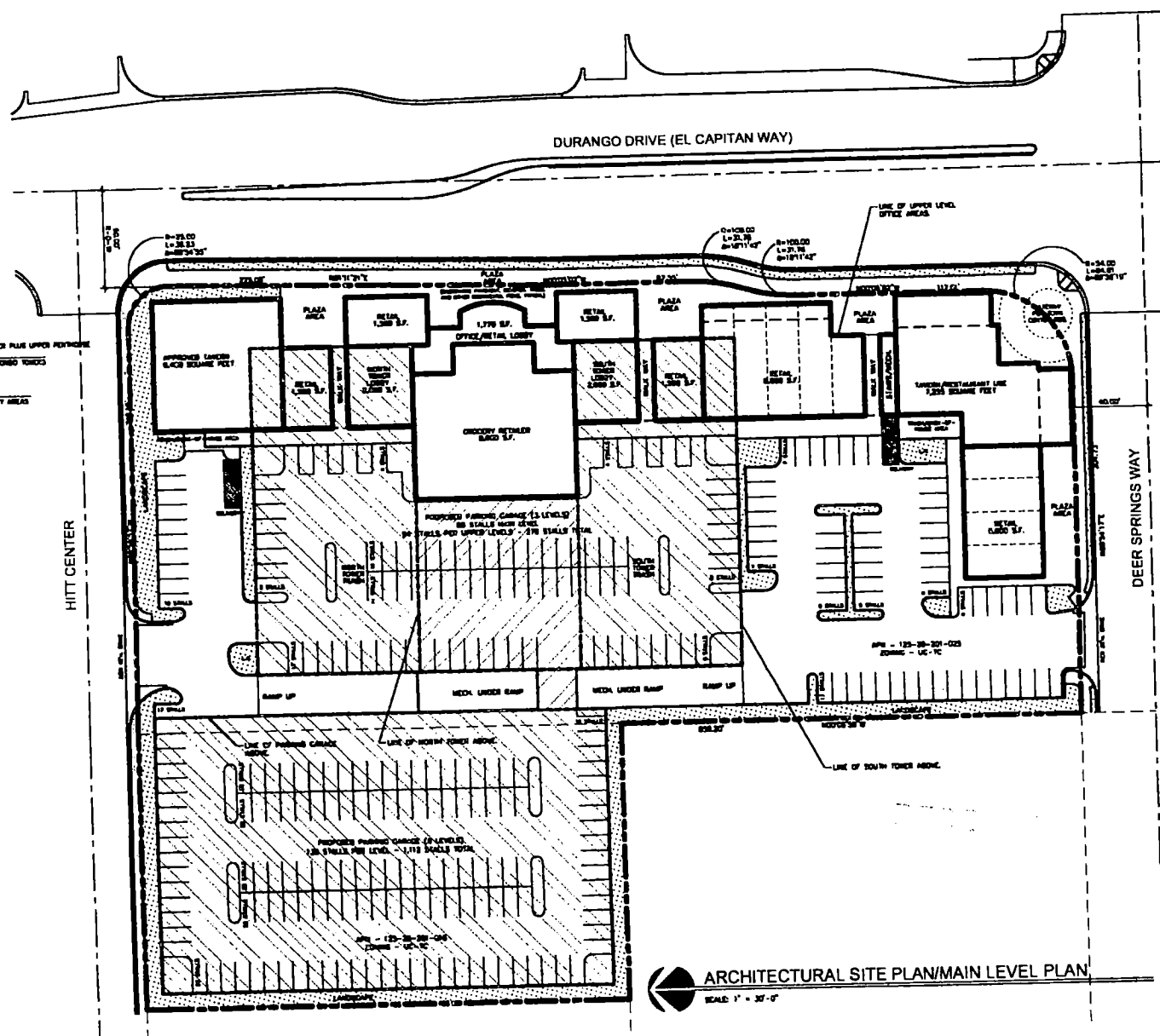
APPROVED LOT AREA - 1,380 S.F. - 6.50 - 1000 S.F. - 2.000 - 50 STALLS
NETAL USE - OFFICE USE - 1,110 S.F. - 5.00 - 200 SALLS
BARRER AREA - 2,000 S.F. - 9.00 - 1,000 S.F. - 2.000 - 50 STALLS
OFFICE USE - 100 S.F. - 0.500 - 20 SALLS
2ND BEDROOM COMBO UNITS - 1,170 S.F. - 5.00 - 200 SALLS
2ND BEDROOM COMBO UNITS - 1,200 S.F. - 5.00 - 200 SALLS
LOBBY AREAS - 300 SALLS
TOTAL REQUIRED 201 SALLS

PARKING PROVIDED

THREE LEVEL GARAGE 20,000 SALLS
FOUR LEVEL GARAGE 20,000 SALLS
TOTAL PROVIDED 4,000 SALLS PROVIDED

REMARKS: 20 SALLS TOTAL - 6.000 SALLS IN BEARING SALLS

HITT CENTER



ARCHITECTURAL SITE PLAN/MAIN LEVEL PLAN
SCALE: 1" = 30'-0"

Part	Q'm	Description
1	1.00	1.00
2	1.00	1.00
3	1.00	1.00
4	1.00	1.00
5	1.00	1.00
6	1.00	1.00
7	1.00	1.00
8	1.00	1.00
9	1.00	1.00
10	1.00	1.00
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96	1.00	1.00
97	1.00	1.00
98	1.00	1.00
99	1.00	1.00
100	1.00	1.00

[illegible]

**BRESLIN
BUILDER**

DESIGN & CONSTRUCTION
JOHN DOE GENERAL, COMPANY

LICENSE NO.

5625 POLARIS AVE.
SUITE 100
LAS VEGAS, NEVADA 89115

(702) 791-1234
FAX (702) 791-1235

Town Center Commons
Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada

APN:
125-20-201-025
125-20-201-016

**Architectural Site
Plan/Main Level
Floor Plan**

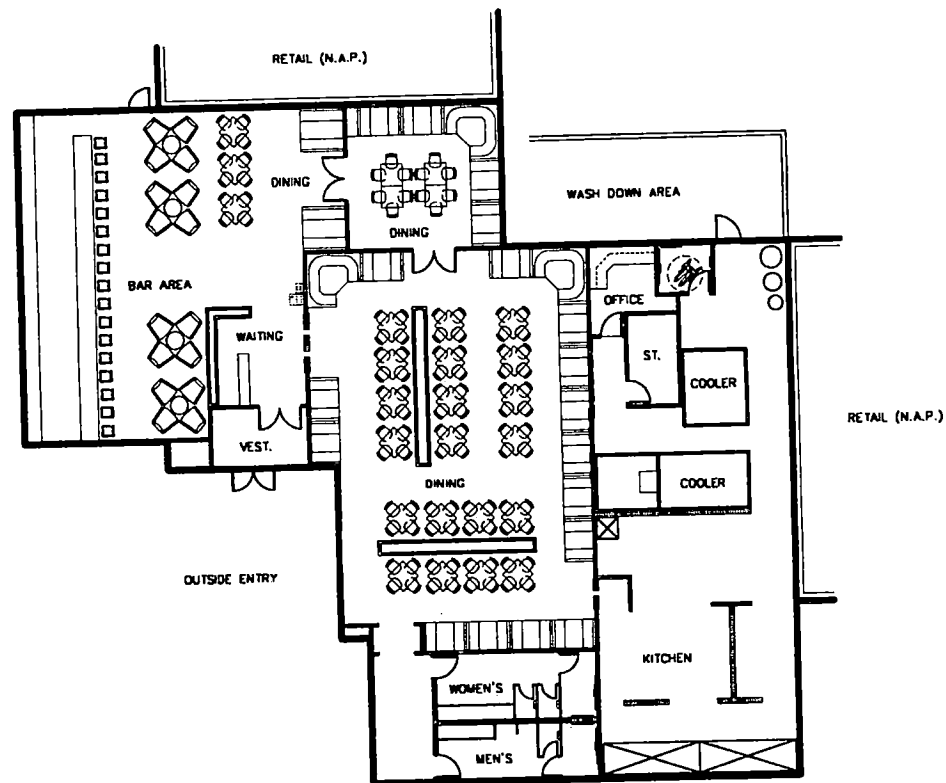
Date	Assigned
March 19, 2008	Toni M...
Project No.	Origin By
VO20A	Talal
Jurisdiction	Character
City of Los Angeles	

AS1.01

SUP-6326
04/28/05 PC

SUPPER CLUB DINING BREAKDOWN (LMD 6.10.05)

BAR SEATS PROVIDED = 17 = 0 DINING SEATS REQUIRED = 135 SEATS
 LOUNGE SEATS PROVIDED = 16 = 3 DINING SEATS REQUIRED = 48 SEATS
 TOTAL REQUIRED SEATS IN DINING AREAS = 184 SEATS
 TOTAL PROVIDED SEATS IN DINING AREAS = 208 SEATS



SUPPER CLUB FLOOR PLAN
 SCALE: 1/8" = 1'-0"

1,226 SQUARE FEET

SUP-6326
 SUP-6330
 SDR-6317
 4-28-05 PC

REC-A1.01a

MAR 30 2005

CONTRACTOR

BRESLIN BUILDERS

DESIGN & CONSTRUCTION
 LICENSED GENERAL CONTRACTOR
 LICENSE #0071180
 5625 POLARIS AVENUE, SUITE B
 LAS VEGAS, NEVADA 89118
 (702) 796-3377
 FAX (702) 796-3808
 www.breslinbuilders.com

Project Owner
Town Center Commons
 Northwest Corner of
 Durango Drive and
 Deer Springs, Las
 Vegas, Nevada

APN:
 125-20-201-025
 125-20-201-016

Sheet Title
Supper Club Floor Plan

Date: March 18, 2005	Designed By: Tami McQuinn
Project No: 1000a	Drawn By: Tami
Architect: City of Las Vegas	Checked By:

LETTER OF JUSIFICATION

To Whom It May Concern:

It is herby requested that a Site Development Plan Review be approved pertaining to APN#'s 125-20-201-025, 125-20-201-016 for development of a high rise mixed use consisting of 474 residential units, 102,000 square feet of office and approximately 40,000 square feet of retail, restaurant, tavern uses and to include enough parking to meet the Title 19 parking code. Special use permits to allow for the height of the residential towers and for a tavern.

The design of this project will meet all the Northwest Centennial Hills town standards as depicted in the town center development standard manual, with variance for height.

Public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments. Adequate assurance of any significant impact on the environment will be mitigated to the practical extend.

If you require any additional information or clarification, please do not hesitate to contact myself or Todd McBayer at the numbers below.

Sincerely,

**W. Douglas Hitt
595-9112**

**Todd McBayer
234-5159**

Edward Lawrence
6827 Momentos Street
Las Vegas, NV 89149
April 18, 2005

RECEIVED
APR 22 2005

Mr. Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division
Development Services Division
731 South Fourth Street
Las Vegas, NV 89101

re: SUP-6330, SUP-6323, SUP-6317, SUP-6326

Dear Mr. Leobold:

This letter will express my opposition to the plans laid forth by Deer Springs Investments, LLC. The plan was outlined in a letters marked SUP-6330, SUP-6323, SUP-6317, SUP-6326 sent to my home that I read April, 18, 2005.

I am a reporter with KLAS Channel 8 Eyewitness News. I have covered many developments in the Las Vegas area. I have never seen any that do more harm to an existing area than these plans would do to Arbor Glenn and surrounding developments. The Planning Department has already given enough special use permit's to developers in this area. When I moved in there were more homes than apartments. With the special use permits that your department keeps handing out the area is going to turn in a wasteland of apartments forcing good families to move abandoning the area unless you stop and re-think the current trend of developer rubber stamps.

I moved to the suburb for a suburb lifestyle. I like the quiet neighborhood streets. The people in my neighborhood are good families. Some of them have children who play in the area. Let's encourage single family homes from this point forward on the land in this area to continue the community feel and home ownership.

A proposed hi-rise would be extremely out of place in my community. It would destroy the suburb atmosphere that I moved to my home for. If I wanted to live in the city I would have moved downtown. Anything above the current one to two stories in the area only serves as an eyesore and causes major problems.

I am not a developer who can give hundreds of thousands of dollars to the representatives of this area. I cannot buy anyone's vote with campaign contributions. I am a single family homeowner who works hard and enjoys the quiet neighborhood. Sitting on my back porch I face east and can see over the homes in the community part of a mountain chain on the east side of the valley. It's a peaceful view that would be destroyed by a hi-rise.

It's a view shared by many of my neighbors that would be destroyed. It's not just the partial mountain view that I have. The view of the sky would be tarnished.

The smaller residential streets could not handle the traffic caused by large hi-rise. The shadow it would cast would cover the area and dampen the mood of the community.

An approval by your department and/or the city council would in essence be a vote to kick me out of my house by making it too uncomfortable to live there. Since the housing prices have soared I would need some assistance in being relocated to a house of similar value.

I will go to the meeting scheduled at 6PM in the City Council Chambers. I will be a little late. I report on-air for the 6PM news and will not be able to get to the chambers until after my live shot in that show. I think it's important to express my feelings in person. I hope that the public comment period will still be open because I would like to make it on the record about this project.

I have faith that you will do the right thing for the community, not the developers pockets.

Thank you.

Edward Lawrence
Edward Lawrence

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-6330 - SPECIAL USE PERMIT RELATED TO SUP-6323 AND SUP-6326 - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED USE DEVELOPMENT IN EXCESS OF 12 STORIES adjacent to the northwest corner of Deer Springs Way and Durango Drive (APN 125-20-201-025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 80 – SUP-6330

CONDITIONS:

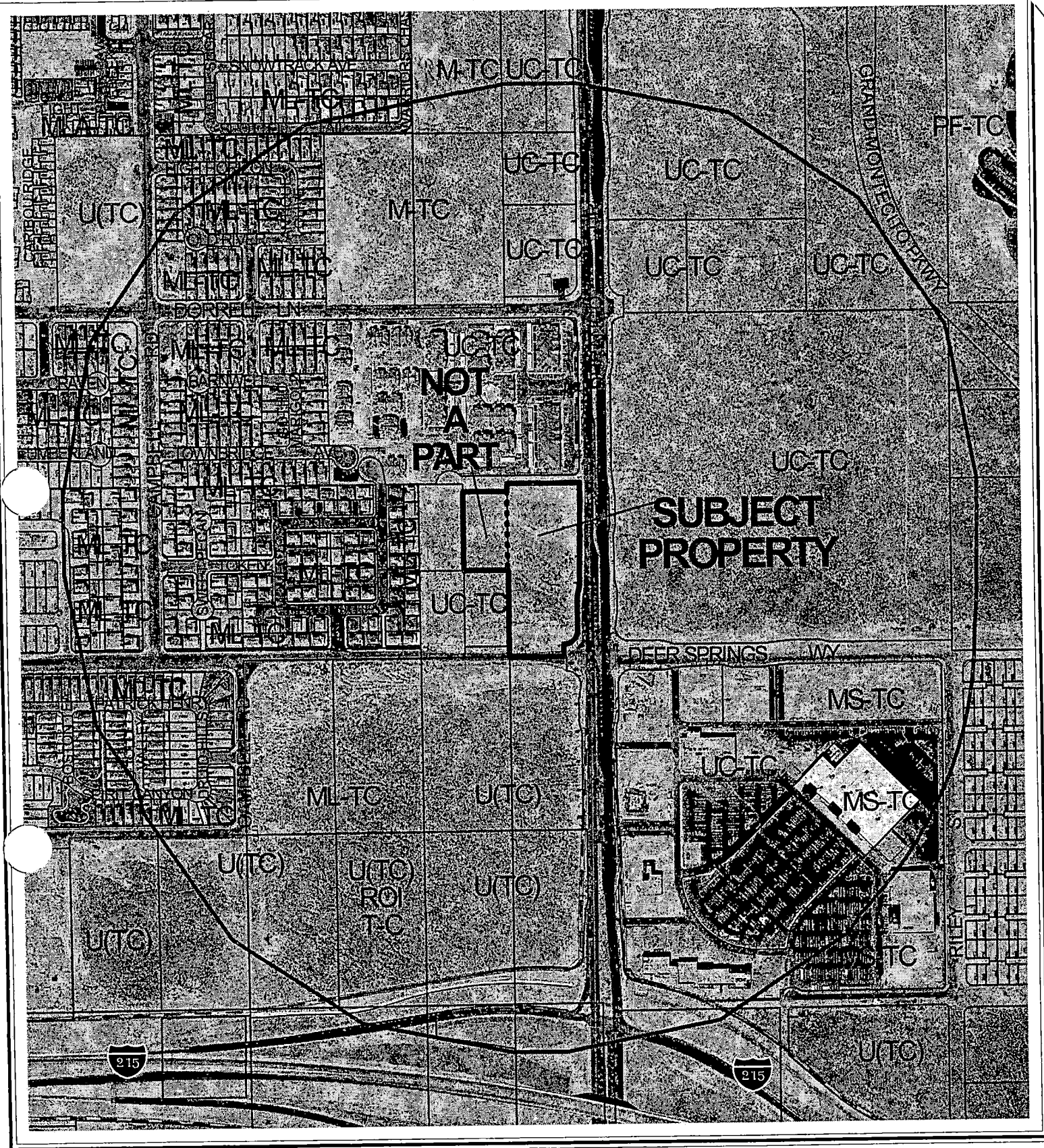
Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards.
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6326) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.



ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL
LAND USE DESIGNATION]





CASE: SUP-6330

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6330 - APPLICANT: W. DOUGLAS HITT - OWNER:
DEER SPRINGS INVESTMENTS, LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements of the Town Center Development Standards.
2. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323 and SUP-6326) and a Site Development Plan Review (SDR-6317).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Mixed-Use Development in excess of 12 stories adjacent to the northwest corner of Deer Springs Way and Durango Drive.

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that the design of this project will meet all the standards depicted in the Town Center Development Standards Manual with the exception of the height. This Special Use Permit has been requested for a waiver in the height restriction. It is also stated that the public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments.

BACKGROUND INFORMATION

- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was not included within the 1998 Rezoning area.
- 04/04/01 The City Council approved a General Plan Amendment (GPA-0038-00) to expand the limits of the Town Center into the designated "Future Town Center" and designating the subject site UC-TC (Urban Center Mixed-Use - Town Center) as part of a larger area.
- 02/13/03 The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan Designation] to T-C (Town Center). The Planning Commission recommended approval and staff recommended denial.
- 02/13/03 The City Council approved a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property. The Planning Commission recommended approval and staff recommended denial.
- 02/13/03 The City Council approved a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.

SUP-6330 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

04/28/05 The Planning Commission is scheduled to review accompanying applications for Special Use Permits (SUP-6323 and SUP-6326) and a Site Development Plan Review (SDR-6317). The staff recommends approval of these applications.

B) Pre-Application Meeting

03/15/05 Staff met with the prospective applicant to review a proposal for a mixed-use development that would include 474 units of residential and 102,744 square feet of office and retail space. The development also would include 1,456 parking spaces.

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: 5.21 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed-Use - Town Center)
North: UC-TC (Urban Center Mixed-Use - Town Center)
South: UC-TC (Urban Center Mixed-Use - Town Center)
East: UC-TC (Urban Center Mixed-Use - Town Center)
West: UC-TC (Urban Center Mixed-Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center) Zone
North: T-C (Town Center) Zone
South: U (Undeveloped) under Resolution of Intent T-C (Town Center) Zone
East: T-C (Town Center) Zone
West: T-C (Town Center) Zone

E) General Plan Compliance

The T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site as UC-TC (Urban Center Mixed-Use) as part of the Town Center Master Plan. The intent of this district is to enable development with imaginative site and building design and to maximize the use of property.

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

Town Center Development Standards - Development within the UC-TC (Urban Center Mixed-Use) land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses occupying the upper floors. There are no density limitations in the UC-TC land use district. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

Trails – The Town Center Development Standards provide for enhanced sidewalks along Durango Drive. Accordingly, a Parkway Trail will be required along the west side of Durango Drive.

ANALYSIS

A) Zoning Code Compliance

A1) Height Standards

The Town Center Development Standards Manual regulates the height of structures in Town Center. Accordingly, the heights permitted and proposed for the subject development are shown as follows:

Land Use District	Permitted Height	Provided
UC-TC	Maximum height – 12 stories	24 stories

The height of a portion of the multistory development is 24 stories, which exceeds the maximum height requirement of 12 stories. According to the Town Center Development Standards Manual, developments in excess of 12 stories along the Durango corridor are possible with a Special Use Permit. For this reason, the subject request for a Special Use Permit has been submitted.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use) General Plan designation. The subject application for a Special Use Permit was submitted to allow for two 24-story towers. According to the Town Center Development Standards Manual, buildings taller than 12 stories are permitted with the approval of a Special Use Permit.

- Use

The subject mixed-use development would consist of various types of land uses, including 474 residential units, 41,456 square feet of retail floor space and 102,744 square feet of office space. The heights of the buildings in the development are equally as variable in multistory buildings as high as two 24-story towers.

- Conditions

There are no specific conditions applicable to a Special Use Permit for buildings taller than 12 stories.

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."**

According the Town Center Development Standards Manual, the UC-TC (Urban Center Mixed-Use - Town Center) land use district is intended for multistoried developments with ground floor commercial development and residences occupying upper floors of buildings. Buildings are permitted to a height of 12 stories with no density limitation. Developments along Durango Drive are permitted to exceed 12 stories with a special use permit. Clearly, the district is intended for high-density residential and high-intensity commercial uses, where high-rise buildings are encouraged.

The proposed development is completely surrounded by the same land use classification, and it is expected that other sites will develop in the same manner. Consequently, the proposed development should be compatible and harmonious to future land uses surrounding the property.

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

The subject site will be physically suitable for the proposed development.

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

The subject property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Deer Springs Way would provide adequate access to the development.

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

The 24-story towers will be subject to regular City inspections; therefore, public health, safety, and welfare will not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 370 [Mailed with SUP-6323, SUP-6326 and SDR-6317]

APPROVALS 0

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6330** APN: 125-20-201-025C 016

Name of Property Owner: DEER SPRINGS INVESTMENTS, LLC

Name of Applicant: W. Douglas Hitt

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 X

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

City Official: _____

Partner(s): _____

APN: _____

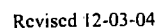
Signature of Property Owner: W. Douglas Hill

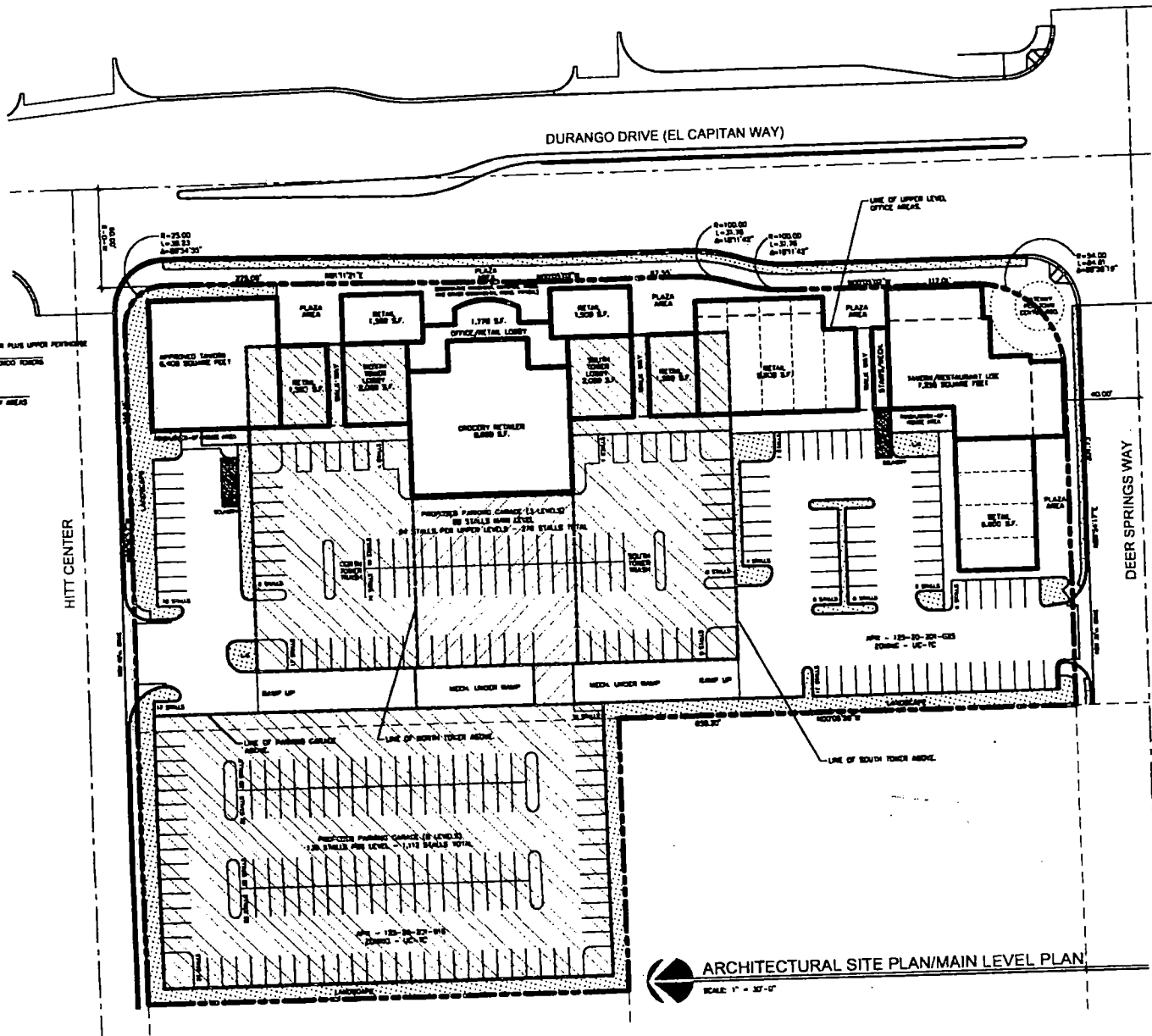
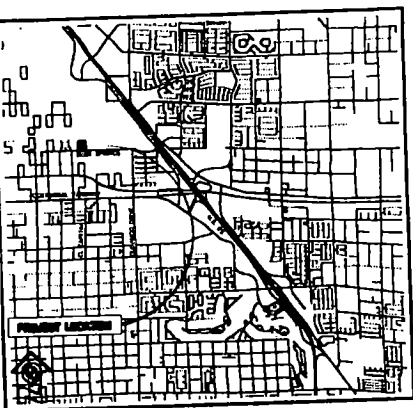
Print Name: W. Douglas Hitt

Subscribed and sworn before me

This 15TH day of MARCH, 2005

Kathy K. Meyers
Notary Public in and for said County and State





DESIGN DATA

USE AREA	SQUARE FEET	NOTES
APPROX. TOWER	6,400	17 LEVELS PER TOWER PLUS UPPER PERIPHERY
RETAIL USE	37,000	2ND FLOOR TOTAL
CHURCH/RESTAURANT USE	2,200	1ST FLOOR TOTAL
OFFICE USE	161,944	1ST FLOOR TOTAL
2ND FLOOR COFFEE UNITS	200	2ND FLOOR TOTAL (COFFEE UNITS)
ONE RESTAURANT COFFEE UNITS	5,700	2ND FLOOR TOTAL (COFFEE UNITS)
LIBRARY AREAS	5,700	2ND FLOOR TOTAL (COFFEE UNITS)
TOTAL BUILDING AREA	200,000	SQUARE FEET PLUS CHURCHES, RECREATIONAL, VEH. AND HIGHWAY AREAS
BASE LEVEL GARAGE	151,000	SQUARE FEET TOTAL
2ND LEVEL GARAGE	140,000	SQUARE FEET TOTAL
TOTAL PROJECT AREA	1,380,000	TOTAL DEVELOPED SQUARE FEET

PARKING REQUIRED CITY OF LAS VEGAS - TITLE 10

APPROX. TOWER	6,400 S.F. - 1.20 = 1,220 S.F. - 1,200 = 20 STALLS
RETAIL USE	37,000 S.F. - 1.10 = 407 STALLS
OFFICE USE	161,944 S.F. - 1.20 = 1,350 S.F. - 1,300 = 50 STALLS
2ND FLOOR COFFEE UNITS	200 S.F. - 1.20 = 240 S.F. - 200 = 0 STALLS
ONE RESTAURANT COFFEE UNITS	5,700 S.F. - 1.20 = 4,750 S.F. - 4,700 = 50 STALLS
LIBRARY AREAS	5,700 S.F. - 1.20 = 4,750 S.F. - 4,700 = 50 STALLS
TOTAL REQUIRED	1,400 STALLS
PARKING PROVIDED	1,400 STALLS
CHURCH PARKING	80 STALLS
BASE LEVEL GARAGE	151,000 STALLS
2ND LEVEL GARAGE	140,000 STALLS
TOTAL SPACES	1,400 STALLS PROVIDED
ACCESSIBLE STALL	20 STALLS TOTAL - 4 MIN STALLS, 16 REGULAR STALLS

ARCHITECTURAL SITE PLAN/MAIN LEVEL PLAN
SCALE: 1" = 30'-0"

Date	Drawn By	Checked By

CONTRACTOR

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
10000 LAS VEGAS AVENUE, SUITE 100
LAS VEGAS, NEVADA 89119
1 (702) 736-2877
FAX 1 (702) 736-2878
www.breslin-builders.com

Project Owner
Town Center Commons
Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada
APN:
125-20-201-025
125-20-201-016

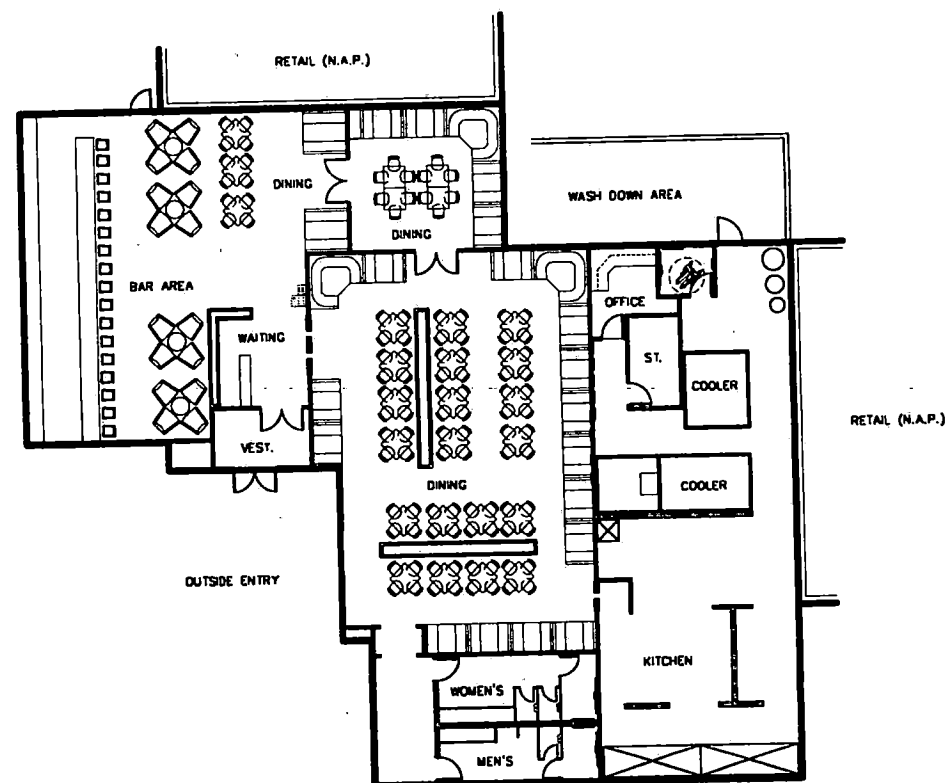
Project Title
**Architectural Site
Plan/Main Level
Floor Plan**

Date	Drawn By	Checked By
March 15, 2005	Todd McElroy	
Project No.	10000	
City of Las Vegas		

AS1.01

SUP-6330
04/28/05 PC

BAR SEATS PROVIDED = 17 = 8 DINING SEATS REQUIRED = 136 SEATS
LOUNGE SEATS PROVIDED = 16 = 3 DINING SEATS REQUIRED = 48 SEATS
TOTAL REQUIRED SEATS IN DINING AREAS = 184 SEATS
TOTAL PROVIDED SEATS IN DINING AREAS = 200 SEATS



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

7,220 SQUARE FEET

REC-A1:01a

MAR 30 2005

[illegible]

LETTER OF JUSIFICATION

To Whom It May Concern:

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Sincerely,

**W. Douglas Hitt
595-9112**

**Todd McBayer
234-5159**

Edward Lawrence
6827 Momentos Street
Las Vegas, NV 89149
April 18, 2005

RECEIVED
APR 22 2005

Mr. Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division
Development Services Division
731 South Fourth Street
Las Vegas, NV 89101

re: SUP-6330, SUP-6323, SUP-6317, SUP-6326

Dear Mr. Leobold:

This letter will express my opposition to the plans laid forth by Deer Springs Investments, LLC. The plan was outlined in a letters marked SUP-6330, SUP-6323, SUP-6317, SUP-6326 sent to my home that I read April, 18, 2005.

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It's a view shared by many of my neighbors that would be destroyed. It's not just the partial mountain view that I have. The view of the sky would be tarnished.

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An approval by your department and/or the city council would in essence be a vote to kick me out of my house by making it too uncomfortable to live there. Since the housing prices have soared I would need some assistance in being relocated to a house of similar value.

I will go to the meeting scheduled at 6PM in the City Council Chambers. I will be a little late. I report on-air for the 6PM news and will not be able to get to the chambers until after my live shot in that show. I think it's important to express my feelings in person. I hope that the public comment period will still be open because I would like to make it on the record about this project.

I have faith that you will do the right thing for the community, not the developers pockets.

Thank you.

Edward Lawrence
Edward Lawrence

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81- SDR-6317

CONDITIONS:

Planning and Development

1. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323, SUP-6326 and SUP-6326).

Waivers shall be granted in the Town Center Development Standards listed as follows:
In the Residential Adjacency Standards to permit buildings to be constructed to a height of 322 feet without compliance with the setback requirement.
In the provision of parking area trees.
In the step backs of buildings.
In build-to-line standards.
In building entryways provided every 50 feet.

2. The development shall be in full compliance with all other Town Center Development Standards.
3. The submittal and approval of a development agreement per Title 19.18.090.
4. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee prior to the issuance of a building permit for any building on the site.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to ascertain compliance with the conditions of approval in this report and to the Town Center Development Standards. In particular, buildings shall be or have the appearance of heights no less than two stories and loading spaces shall be shown.
6. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. The landscape plan shall be revised, fully dimensioned, and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-6317 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6323 AND SUP-6330 - PUBLIC HEARING - APPLICANT: W. DOUGLAS HITT - OWNER: DEER SPRINGS INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED MIXED USE DEVELOPMENT CONSISTING OF TWO 24 STORY TOWERS CONTAINING 474 RESIDENTIAL UNITS AND 144,200 SQUARE FEET OF COMMERCIAL SPACE, OF WHICH 102,744 SQUARE FEET IS OFFICE SPACE on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive (APNs 125-20-201-016 and 025), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition:

- *The applicant shall work with staff on the architectural enhancements of the façade.*
- **UNANIMOUS** with TRUESEDELL abstaining because he has a business relationship with DOUG HITT and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 78 [SUP-6323] for related discussion on Item 78 [SUP-6323], Item 79 [SUP-6326], Item 80 [SUP-6330] and Item 81 [SDR-6317].

(11:29 – 11:55)

4-1546

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

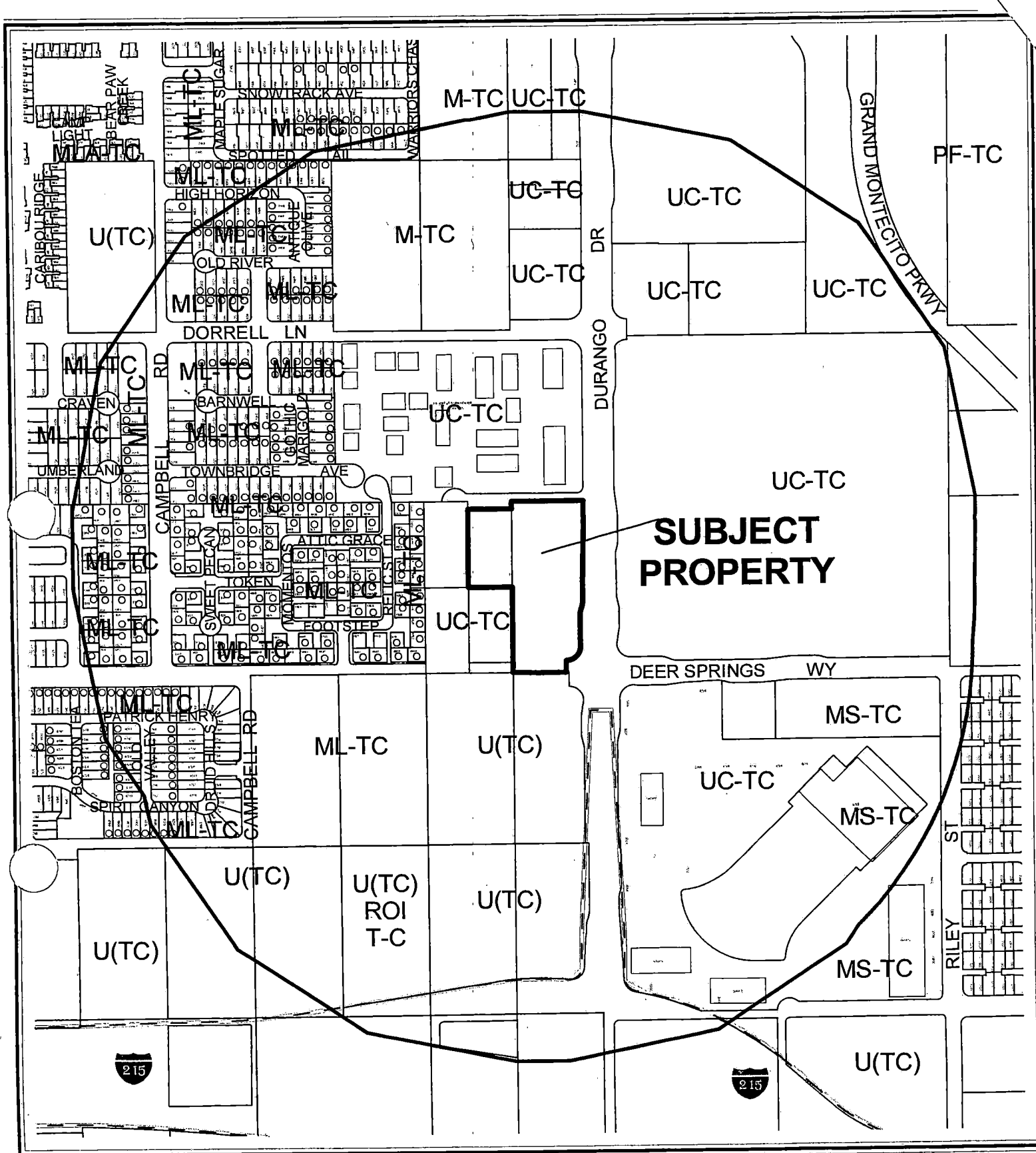
Compliance with the Town Center Development Standards for the amenity zones along Durango Drive and Deer Springs Way.
Open space equal to 20 percent of the total area.

9. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
10. All mechanical equipment, air conditioners and trash containers shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
15. All City code requirements and design standards of all City departments shall be satisfied.
16. No turf shall be placed in common areas such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 81– SDR-6317

CONDITIONS – Continued:

22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
23. A private owner's association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services. 25. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
26. 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 issuance of any permits or approval of construction drawings for this site.
27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.



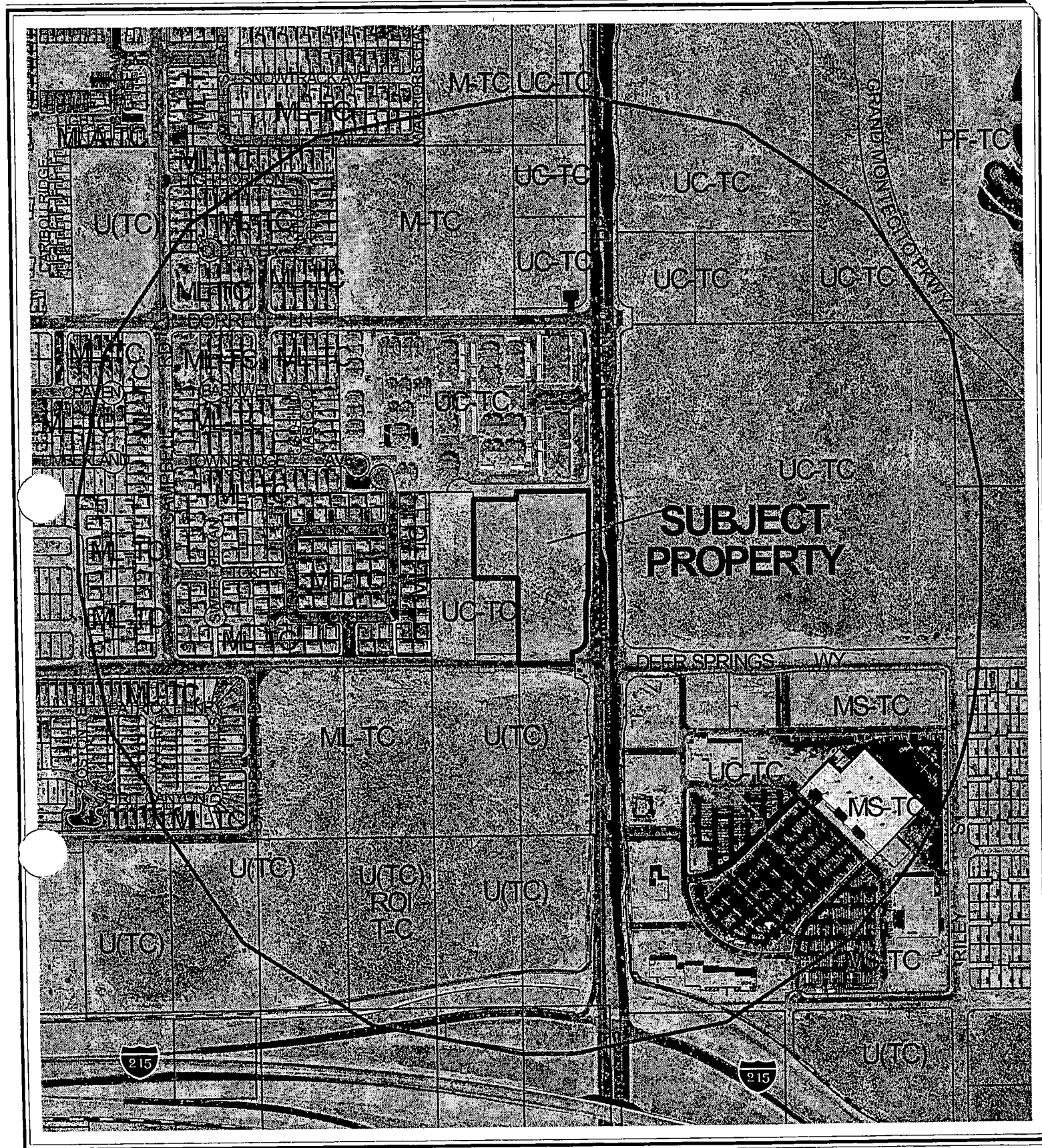
CASE: SDR-6317

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]





0 500 1000 Feet

CASE: SDR-6317

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE[UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-6317 - APPLICANT: W. DOUGLAS HITT - OWNER:
DEER SPRINGS INVESTMENTS, LLC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

- 1. Approval of and conformance to the conditions of approval for Special Use Permits (SUP-6323, SUP-6326 and SUP-6326).
2. Waivers shall be granted in the Town Center Development Standards listed as follows:
- a. In the Residential Adjacency Standards to permit buildings to be constructed to a height of 322 feet without compliance with the setback requirement.
 - b. In the provision of parking area trees.
 - c. In the step backs of buildings.
 - d. In build-to-line standards.
 - e. In building entryways provided every 50 feet.

The development shall be in full compliance with all other Town Center Development Standards.

- 3. The submittal and approval of a development agreement per Title 19.18.090.
4. A Master Sign Plan shall be submitted for approval by the Centennial Hills Town Center Architectural Review Committee prior to the issuance of a building permit for any building on the site.
5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to ascertain compliance with the conditions of approval in this report and to the Town Center Development Standards. In particular, buildings shall be or have the appearance of heights no less than two stories and loading spaces shall be shown.
6. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

8. The landscape plan shall be revised, fully dimensioned, and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:
 - a. Compliance with the Town Center Development Standards for the amenity zones along Durango Drive and Deer Springs Way.
 - b. Open space equal to 20 percent of the total area.
9. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
10. All mechanical equipment, air conditioners and trash containers shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
15. All City code requirements and design standards of all City departments shall be satisfied.
16. No turf shall be placed in common areas such as medians and amenity zones in this development.

Public Works

17. Dedicate 30 feet of right-of-way adjacent to this site for the portion of Hitt Family Court (AKA Haley Avenue) not previously dedicated, 40 feet of right-of-way adjacent to this site for Deer Springs Way, a 54 foot radius at the northwest corner of Durango Drive (AKA El

Capitan Way) and Deer Springs Way, and a 25 foot radius on the southwest corner of Durango Drive (AKA El Capitan Way) and Hitt Family court (AKA Haley Avenue) prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and dedicate all additional rights-of-way required by Standard Drawings #234.1 #234.2 and #234.3 prior to the issuance of any permits or concurrent with any Map subdividing or overlying the property, whichever occurs first, unless specifically annotated as not required within the approved Traffic Impact Analysis.

18. Construct half-street improvements including appropriate overpaving, if legally able, on Deer Springs Way and Hitt Center Court (AKA Haley Avenue) adjacent to this site that meet Town Center Standards 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).
19. Construct any incomplete half-street improvements on Durango Drive (AKA El Capitan Way) adjacent to this site concurrent with development of this site.
20. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
21. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
22. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
23. A private owner's association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
24. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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April 28, 2005 - Planning Commission Meeting

25. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
26. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
27. 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 issuance of any permits or approval of construction drawings for this site.
28. 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 submittal of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
29. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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30. Coordinate with the City Surveyor prior to the submittal of a Map for this site to determine mapping options; comply with the recommendations of the City Surveyor.
31. Site development to comply with all applicable conditions of approval for ZON-1620 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed Mixed-Use Development consisting of two 24-story towers containing 474 residential units and 144,200 square feet of commercial space of which 102,744 square feet is office space on 5.21 acres adjacent to the northwest corner of Deer Springs Way and Durango Drive.

B) Applicant's Justification

In a letter submitted with the application, the applicant indicates that the design of this project will meet all the standards depicted in the Town Center Development Standards Manual with the exception of the height. A Special Use is requested for a waiver in the height restriction. It is also stated that the public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest. The subject site was not included within the 1998 Rezoning area. |
| 04/04/01 | The City Council approved a General Plan Amendment (GPA-0038-00) to expand the limits of the Town Center into the designated "Future Town Center" and designating the subject site UC-TC (Urban Center Mixed-Use - Town Center) as part of a larger area. |
| 02/13/03 | The City Council approved a Rezoning (ZON-1620) of the subject property from U (Undeveloped) Zone [UC-TC (Urban Center Mixed-Use - Town Center) General Plan designation] to T-C (Town Center). The Planning Commission recommended approval and staff recommended denial. |
| 02/13/03 | The City Council approved a Special Use Permit (SUP-1569) for a 6,622 square-foot Tavern on a portion of the subject property. The Planning Commission recommended approval and staff recommended denial. |

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April 28, 2005 - Planning Commission Meeting

- 02/13/03 The City Council approved a Site Development Plan Review (SDR-1741) for a proposed 6,622 square foot Tavern on a portion of the subject site. The Planning Commission recommended approval and staff recommended denial.
- 04/28/05 The Planning Commission is scheduled to review accompanying applications for Special Use Permits (SUP-6323, SUP-6326 and SUP-6326). The staff recommends approval of these applications.

B) Pre-Application Meeting

- 03/15/05 Staff met with the prospective applicant to review a proposal for a mixed-use development that would include 474 units of residential and 102,744 square feet of office and retail space. The development also would include 1,456 parking spaces.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, and one was not held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.21 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed-Use - Town Center)
North: UC-TC (Urban Center Mixed-Use - Town Center)
South: UC-TC (Urban Center Mixed-Use - Town Center)
East: UC-TC (Urban Center Mixed-Use - Town Center)
West: UC-TC (Urban Center Mixed-Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center) Zone
North: T-C (Town Center) Zone
South: U (Undeveloped) under ROI to T-C (Town Center) Zone
East: T-C (Town Center) Zone
West: T-C (Town Center) Zone

E) General Plan Compliance

The T-C (Town Center) zoning district is in conformance with the General Plan, which designates the subject site as UC-TC (Urban Center Mixed-Use) as part of the Town Center Master Plan. The intent of this district is to enable development with imaginative site and building design and to maximize the use of property.

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

Town Center Development Standards - Development within the UC-TC (Urban Center Mixed-Use) land use designation will typically be multi-storied having ground floor offices and/or retail with similar or residential uses occupying the upper floors. There are no density limitations in the UC-TC land use district. Local supporting land uses such as parks, other public recreational facilities, some schools, and churches are also allowed in this district. Development in this land use designation shall be consistent with Section 3.4.3, Mixed Use, of the Centennial Hills Sector Plan. Development in the UC-TC District shall be by development agreement per Section 19.18.090.

Trails – The Town Center Development Standards provide for enhanced sidewalks along Durango Drive. Accordingly, a Parkway Trail will be required along the west side of Durango Drive.

PROJECT DESCRIPTION

This project is a proposed mixed-use development that would consist of 474 residential condominium units, 41,456 square feet of retail floor space, 102,744 square feet of office space, two taverns and a supper club on 5.21 acres of property. Included with the multistory development are two 24-story towers. Retail stores are located along Durango Drive and accessible from the Durango Drive pedestrian walk provided along the corridor. Two taverns and a supper club are located at both ends of the 660-foot frontage. Three plazas and articulated buildings at the front provide an interesting streetscape.

The development will have access from Deer Springs Way and a minor street to the north. Two parking structures are proposed, one three stories in height and the other eight stories in height. The structure and additional surface parking lots are located at the back of the buildings.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to the Town Center Development Standards, the following pertinent standards apply to the subject proposal:

Standards	Required	Proposed
Building Facade	Incorporate patterns and materials that are visually interesting.	To incorporate and assortment of materials and colors for visual acuity
Exterior Features	Awnings, signage, windows and doors required. Walls on primary pedestrian routes shall have a minimum of 70% clear glazing at ground level; Glazing shall not exceed 75% of building elevation. Dark tinted glass is prohibited. External stairwells shall be covered.	To include a decorative metal awning system, and Solarbronze glazed windows at ground floor level. No external stairwells indicated. Other details not shown.
Building Height	Minimum 2 stories, maximum 12 stories, unless approved by PC/CC.	Minimum 1 story to maximum of 24 stories. Increased height requested.
Step backs	Eight-foot step back required after three stories.	Not provided. Waiver required.
Build-to-Line Standards	Required, 60% build to line, with the remaining 40% dedicated to a corner plaza.	40% of remaining setback not at corner. Waiver required.
Entryways every 50 feet	Doorways, porticoes, or other entryways shall occur every 50 feet of building façade that fronts on a street or plaza area.	Storefronts vary in length along a street. Waiver required.
Outdoor dining	Outdoor dining areas and sidewalk cafes are strongly encouraged.	Not provided.
Roofs and Rooftops	Screening and require articulated roofline or cornice	Not indicated.
Exterior Materials	Contribute cohesive environment and convey sense of timelessness. Brick and stone is encouraged. Lists prohibited materials.	Yes. Stone veneering is used for accent. Prohibited materials not shown.
Exterior Colors	Colors to unify and identify individual developments to create a visually coherent streetscape is encourages Large areas of flat uniform texture, unarticulated, windowless, or mono-color buildings is discouraged.	Yes. Elevations show articulated sides with numerous windows. Colors range from light to dark brown and gray tones.
Trash Enclosure	Required per Title 19.08.045	Located within parking ramp
Loading Zone	Required per Title 19.10.020 (15' X 25' Space)	Not indicated.
Mech. Equipment	Roof Mounted and Screened by Parapet	Located under parking ramp

DDS

The proposed development does not comply with many of the Town Center Development Standards, such as step backs, build-to-line standards, and entryways every 50 feet. However, the overall development is well designed, and for a project of this scale, it appears to meet the intent of the standards. The buildings are located within the zero to 15-foot setback requirement, but numerous plaza areas along the frontage provide a more interesting streetscape to the development. With 660 feet of street frontage along Durango Drive, it would not be desirable to have 40 percent of that frontage located in one corner plaza area. As to entryways provided every 50 feet, the retail stores along the frontage are of different sizes and widths. Larger retail stores with wide frontages will not have the proper separation for entryways. It is recommended that Waivers in the standards noted above be granted, which are listed as conditions of approval in this report.

In some cases, there is insufficient detail or no information provided to ascertain compliance with the Town Center Standards. This lack of detail should be provided in detailed revised plans and is addressed as a condition of approval in this report.

A2) Residential Adjacency Standards

Residential Adjacency Standards apply whenever property for nonresidential use is located adjacent to residential property that is developed for sale or designated for such development in the General Plan. Across Hitt Center Court to the north is an existing condominium development with a substantial number of units that are rented out. However, since the units were subdivided for condominium purposes, they are available for purchase.

Two 24-story towers are proposed as part of this project. Each is 322 feet high. Residential Adjacency Standards would require that a distance of three times the height of the towers or 966 feet be maintained from the residential property. The closest tower is 120 feet from the residential property, which requires the approval of a Waiver in the Residential Adjacency Standards.

The property along Durango Drive, including the residential property to the north, is located in an area designated a UC-TC (Urban Center Mixed-Use - Town Center) land use classification. On UC-TC sites generally, buildings to heights of 12 stories are permitted; however, along the Durango Drive corridor specifically, a Special Use Permit may approved for buildings taller than 12 stories. Because development in this land use category is encouraged without limitations in residential density or nonresidential intensity, it is recommended that a Waiver of the Residential Adjacency Standards be approved. This approval is incorporated into the conditions of approval for this report.

A3) Parking and Traffic Standards

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

Uses	Unit (square feet or dwelling unit)	Required Spaces		Provided Spaces	
		Ratio (space/unit)	Regular	Handicap	Regular
Tavern	6,622 sq. ft. (3,300 sq. ft. seating; 3,322 sq. ft. remaining)	1/50 seating area + 1/200 remaining	79	4	79
Tavern	5,200 sq. ft. (2,450 sq. ft. seating; 2,750 sq. ft. remaining)	1/50 seating area + 1/200 remaining	60	3	60
Supper Club	7,256 sq. ft. (3,658 sq. ft. seating; 3,598 sq. ft. remaining)	1/50 seating area + 1/200 remaining	87	4	87
Office	102,744 sq. ft.	1/300 sq. ft.	342	8	1,205
Retail	27,800 sq. ft.	1/250 sq. ft.	111	5	
Residential (2 bedroom)	156 du's	1.75/du + 1/6 du's	299		
Residential (1 bedroom)	318 du's	1.25/du + 1/6 du's	451		
Total			1,429	24	1,431

The development is provided with 1,456 parking spaces, of which 25 are handicapped accessible spaces, in surface parking areas, a three-level parking structure, and in an eight-level parking structure. The total number of spaces provided exceeds the required number of parking spaces by three. It should be noted that the required number of spaces is determined for nonspecific office and retail uses. More specific uses may require a greater number of spaces. It should also be noted that the spaces were not calculated on 5,770 square feet of lobby space. Should any of this space be incorporated into individual uses, additional parking spaces would be required. The exact number of spaces required for each use will be determined at the time a request is submitted for a building permit.

Loading spaces are not shown on the plan, and this deficiency is noted as a condition of approval in this report.

A4) Landscape and Open Space Standards

Pursuant to Town Center Development Standards, the following Landscape Standards and Open Space Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	Trees
Parking Area	1 tree/6 spaces + 1 tree/2 row ends	18	13 Waiver required.
Streetscape: • Town Center Parkway Standards (Min. Trees in Amenity Zone)	1 tree/35 linear feet	19	Not indicated.
• Town Center Arterial Standards (Min. Trees in Amenity Zone)	1 tree/30 linear feet	7	Not indicated.
• Min. Amenity Zone Width (Parkway)	5 feet		Yes
• Min. Amenity Zone Width (Arterial)	3 feet		Yes
Open Space	20%		Not indicated.

The landscape plan does not show compliance with the Town Center Development Standards for Durango Drive and Deer Springs Way. Along Durango Drive, trees are to be installed 35 feet on-center in an alternating pattern consisting of one large canopy tree and two palm trees. Along Deer Springs Way, large canopy trees are to be planted 30 feet on center. These deficiencies are noted as a condition of approval in this report.

The parking lot landscaping does not meet the minimum tree requirement of one tree per six parking spaces plus one tree per two ends of parking rows. Since most of the parking areas are not visible from the adjoining streets and since trees have been provided along the site perimeter adjacent to the parking rows, it is recommended that a Waiver be granted in this requirement. A Waiver is included in the conditions of approval for this report.

Open space equivalent to 20 percent of the lot area is required. The quantity of open space has not been calculated. This deficiency is listed as a condition of approval in this report.

A5) Sign Standards

Signs in the UC-TC (Urban Center Mixed Use) classification are subject to the submittal of a Master Sign Plan and its review and approval by the Centennial Hills Town Center Architectural Review Committee. Proposed signage for the development was not submitted with the site plan, and this stipulation is made a condition of approval with this application.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use) General Plan designation. The proposed Mixed-Use development is permitted in the UC-TC land use classification. Two 24-story towers are proposed as part of the development, which exceed the maximum 12-story height requirement permitted in this classification. An application for a Special Use Permit (SUP-6330) accompanies this application to permit the taller buildings; it is recommended that that application be permitted.

- Site Plan

The site plan illustrates a mixed-use development of 474 residential condominium units, 41,456 square feet of retail floor space, 102,744 square feet of office space, two taverns and a supper club on 5.21 acres of property. Included with the multistory development are two 24-story towers. Retail stores are located along Durango Drive and accessible from the Durango Drive pedestrian walk along this corridor. Two taverns and a supper club are located at both ends of the 660-foot frontage. Three plazas and articulated buildings at the front provide an interesting streetscape.

The development will have access from Deer Springs Way and a minor street to the north. Two parking structures are proposed, one three stories in height and the other eight stories in height. The structure and additional surface parking lots are located at the back of the buildings.

- Waivers

A number of Waivers are needed in the Town Center Development Standards. These Waivers are discussed above and include the following:

- In the Residential Adjacency Standards to permit buildings to be constructed to a height of 322 feet without compliance with the setback requirement.
- In the provision of parking area trees.
- In the step backs of buildings.
- In build to line standards.
- In entryways provided every 50 feet.

It is recommended that these Waivers be granted.

In addition, a Special Use Permit (SUP-6330) has been submitted to allow two 24-story buildings to exceed the maximum 12-story height limit. It is recommended that that application be approved.

- Landscape Plan

The landscape plan does not show compliance with the Town Center Development Standards for trees and street furniture along Durango Drive and Deer Springs Way. These deficiencies are noted in the conditions of approval for this report. Also, as mentioned above, a Waiver is needed in the number of trees for the parking areas. It is recommended that this Waiver be granted.

- Elevation

The elevation drawings portray a multilevel development to a height of 24 stories or 332 feet for two towers. The minimum height for buildings in the T-C (Town Center) Zone is two stories. It is not clear from the plan whether all the buildings meet this minimum requirement. A condition of approval has been added to this report to require that all buildings be constructed to a minimum or have the appearance of two-story buildings.

- Floor Plan

The floor plan is indicative of multiple uses fronting upon Durango Drive. The retail uses, two taverns and a supper club are located on the lower levels of the complex, and one- and two-bedroom residential condominium units are located within two 24-story towers that are incorporated into the development. An abundance of office space is also proposed with a floor plan typical of this type of development. The overall floor plan for the development is well designed and integrated.

FINDINGS

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

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

According the Town Center Development Standards Manual, the UC-TC (Urban Center Mixed-Use - Town Center) land use district is intended for multistoried developments with ground floor commercial development and residences occupying upper floors of buildings. Buildings are permitted to a height of 12 stories with no density limitation. Developments along Durango Drive are permitted to exceed 12 stories with a special use permit. Clearly, the district is intended for high-density residential and high-intensity commercial uses, where high-rise buildings are encouraged. The proposed development meets this criteria and is compatible with adjacent development existing and proposed.

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;"**

Except for the height of the proposed multilevel mixed-use development and except for minor deficiencies, it is consistent with the Town Center Development Standards Manual, which requires two-stories as a minimum and encourages multiple stories of vertically integrated mixed uses. A Special Use Permit (SUP-6330) accompanies this application to allow the height of the buildings to extend to 24 stories and 322 feet. It is recommended that that application be approved. As discussed above, it is also recommended that Waivers be granted in the minor deviations. These Waivers are listed in the conditions of approval for this report.

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

The subject property fronts on Durango Drive, which is designed as a 120-foot wide Primary Arterial street on the Master Plan of Streets and Highways, and accesses Deer Springs Way, which is designated as an 80-foot wide Secondary Collector street. Access is also proposed to a local street along the north side of the property. Deer Springs Way would provide adequate access to the development.

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

The building and landscape materials for the proposed development meet the requirements of the Town Center Development Standards Manual.

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

As discussed above, the building elevations, design characteristics and other architectural and aesthetic features of the development are well designed. The development is harmonious and compatible with existing and future development proposed for the area, and it reflects the type and nature of the development proposed for the Durango Drive corridor by the Town Center Master Plan.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

NOTICES MAILED 370 [Mailed with SUP-6326, SUP-6326 and SUP-6330]

APPROVALS 0

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: W. Douglas Hitt

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

X No

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

City Official: _____

Partner(s): _____

APN: _____

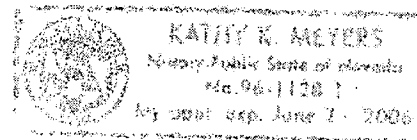
Signature of Property Owner: W. Douglas Hitt

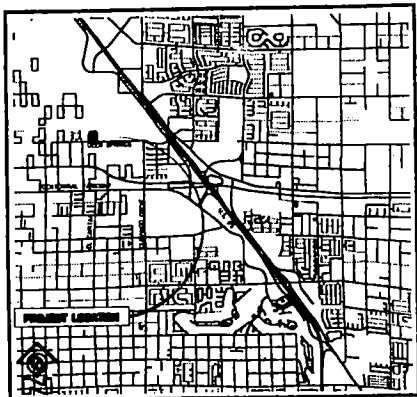
Print Name: W. Douglas Hoff

Subscribed and sworn before me

This 15TH day of March, 2005

Kathleen K. Meepers
Notary Public in and for said County and State



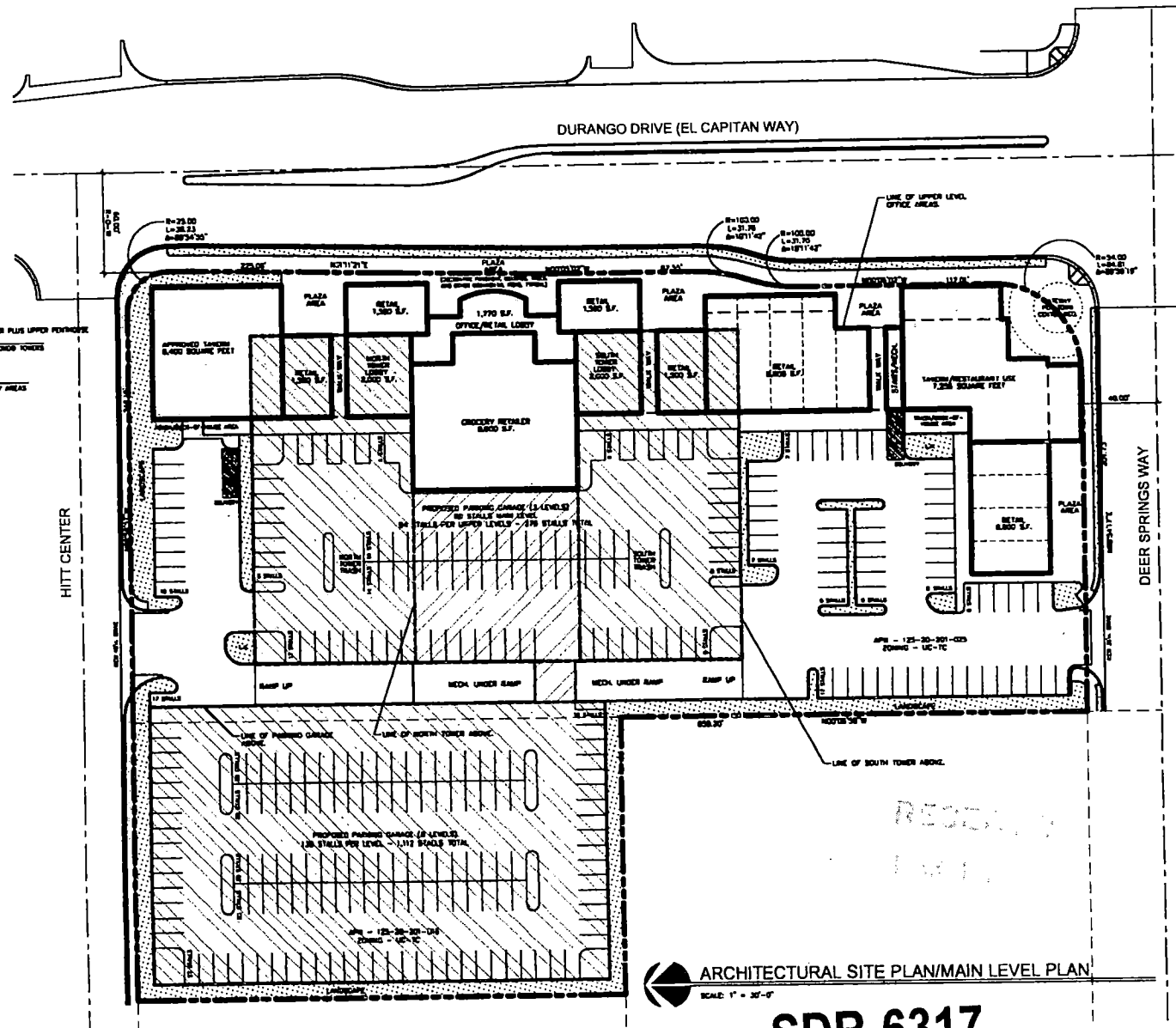


DESIGN DATA

USE AREAS	205,000 SQ. FT. ±
APPROVED TOWN	6,400 SQ. FT. ±
RETAIL USE	37,000 SQ. FT. ±
TAVERN/RESTAURANT USE	1,770 SQ. FT. ±
OFFICE USE	1,770 SQ. FT. ±
TWO BEDROOM CONDO UNITS	120 UNITS TOTAL (60 IN ROWS)
ONE BEDROOM CONDO UNITS	200 UNITS TOTAL (100 IN ROWS)
LOBBY AREAS	5,770 SQ. FT. TOTAL (TOWERS AND OFFICES)
TOTAL BUILDING AREA	89,000 SQ. FT. PLUS CHANNES, MECHANICAL, VEH., AND UTILITY AREAS
THREE LEVEL GARAGE	151,000 SQ. FT. TOTAL
TOTAL LEVEL GARAGE	34,000 SQ. FT. TOTAL
TOTAL PROJECT AREA	1,387,000 ± TOTAL DEVELOPED SQUARE FEET

PARKING REQUIRED (CITY OF LAS VEGAS - RULE 10)

APPROVED TOWN	6,400 S.F. - 1:20 = 320 S.F. - 1:20 = 80 STALLS
RETAIL USE	37,000 S.F. - 1:10 = 3,700 S.F. - 1:20 = 185 STALLS
TAVERN/RESTAURANT USE	1,770 S.F. - 1:20 = 88 S.F. - 1:20 = 22 STALLS
OFFICE USE	1,770 S.F. - 1:20 = 88 S.F. - 1:20 = 22 STALLS
TWO BEDROOM CONDO UNITS	120 PER UNIT = 1:8 UNITS GUEST = 200 STALLS
ONE BEDROOM CONDO UNITS	200 PER UNIT = 1:8 UNITS GUEST = 400 STALLS
LOBBY AREAS	NO PARKING
TOTAL REQUIRED	1,423 STALLS
PARKING PROVIDED	
THREE LEVEL GARAGE	88 STALLS
THREE LEVEL GARAGE	200 STALLS
TOTAL SPACES	1,088 STALLS PROVIDED
ACCESSIBLE STALL	20 STALLS TOTAL - 4 MIN STALLS, 16 REGULAR STALLS



ARCHITECTURAL SITE PLAN/MAIN LEVEL PLAN
SCALE: 1" = 30'-0"

SDR-6317
04/28/05 PC

Mark	Date	Description
1	04/28/05	PC

CONTRACTOR	
Project Name	Town Center Commons
Project Address	Northwest Corner of Durango Drive and Deer Springs, Las Vegas, Nevada
Project Phone	(702) 796-3077
Project Fax	(702) 796-3005
Project Email	towncenter@breslinbuilders.com

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
GENERAL CONTRACTOR
LICENSE #627418
5625 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89119
(702) 796-3077
FAX (702) 796-3005
www.breslinbuilders.com

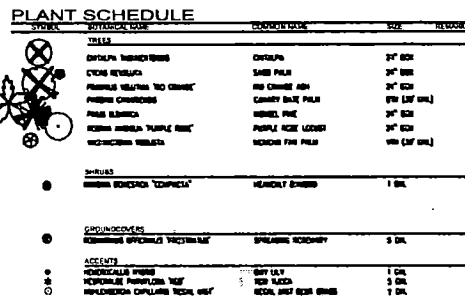
Project Owner
Town Center Commons
Northwest Corner of Durango Drive and Deer Springs, Las Vegas, Nevada
APN: 125-20-201-025
125-20-201-016
Drawn By
Architectural Site Plan/Main Level Floor Plan

Date	March 15, 2005	Designed By	Frank Bragg
Project No.	1000A	Drawn By	TAM
Author	City of Las Vegas	Checked By	

AS1.01

1. CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT LIST IS INTENDED AS A GUIDANCE ONLY.
2. CONTRACTOR IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
3. PLANT MATERIAL IS TO HAVE SPECIFICALLY TAKEN ON ONE OF THE TOTAL QUANTITY OF EACH SPECIES, COLOR, GROWTH HABIT AND THICKNESS ETC.
4. PROVIDE MATING SEEDS AND FORMS OF LIFE SHALL SPECIES AS SHOWN ON DRAWINGS.
5. DEVELOPED GROUND 1/4" BOTTLED, COLOR "PALENDOR GRAY", 1/4" DEPTH FILL IS ALL PLANTING BED. DEVELOPED GROUND IS CONTAINING TWO FEET AND ONE INCH DEEP. CONTRACTOR TO REMOVE MATERIAL FROM THE SURFACE AND PRESENT SUGGESTION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
6. LANDSCAPE BOUNDARIES COLOR TO MATCH OR COMPLEMENT ROUGH CIRCUMFERENCE. BOUNDARIES TO BE COMBINE, BOUNDARIES IN SHAPE OF 4" IN GROUND SEEDS ACCORDING TO THE FOLLOWING PERCENTAGES.

50% OF LARGEST DANGER	> -	TOTAL QUANTITY OF BOUNDARIES
20% OF LARGEST DANGER		
30% OF LARGEST DANGER		
7. CONTRACTOR TO SELECT 4" ROUGH DANGER WITH FINISHED GROUND.
8. IT IS THE RESPONSIBILITY OF CONTRACTOR TO CREATE AN IMAGINE AESTHETIC APPEARANCE. THIS PROJECT MAY NOT IMITATION REGIONAL AND/OR THINGING OUT AT A FUTURE DATE.
9. CONTRACTOR TO DESIGN BOLD IRRIGATION SYSTEM IN ACCORDANCE TO LOCAL CODE AND STANDARDS.



SDR-6317
04/28/05 PC

[illegible]

Greater knowledge about Syria has enabled me one of the
 researchers without that written account. This page is
 1981 - 2001. Also it was information contained in the
 notebook for the time that the account was written. I
 was surprised to find that the other that I had for years I
 prepared is becoming a source of primary material
 rather than the "Syrian" source. These findings are
 used for the account.

CONTRACTOR**BRESLIN BUILDERS**

**DESIGN & CONSTRUCTION
JOB #020 GENERAL CONTRACTOR**

LICENSE #001798

**5525 POLARIS AVENUE,
SUITE B
LAS VEGAS, NEVADA 89118**

**(702) 796-3077
FAX (702) 796-3008**

www.bramblehugbourn.com

Project Owner
Town Center Commons

Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada

APN:
125-20-201-025
125-20-201-016

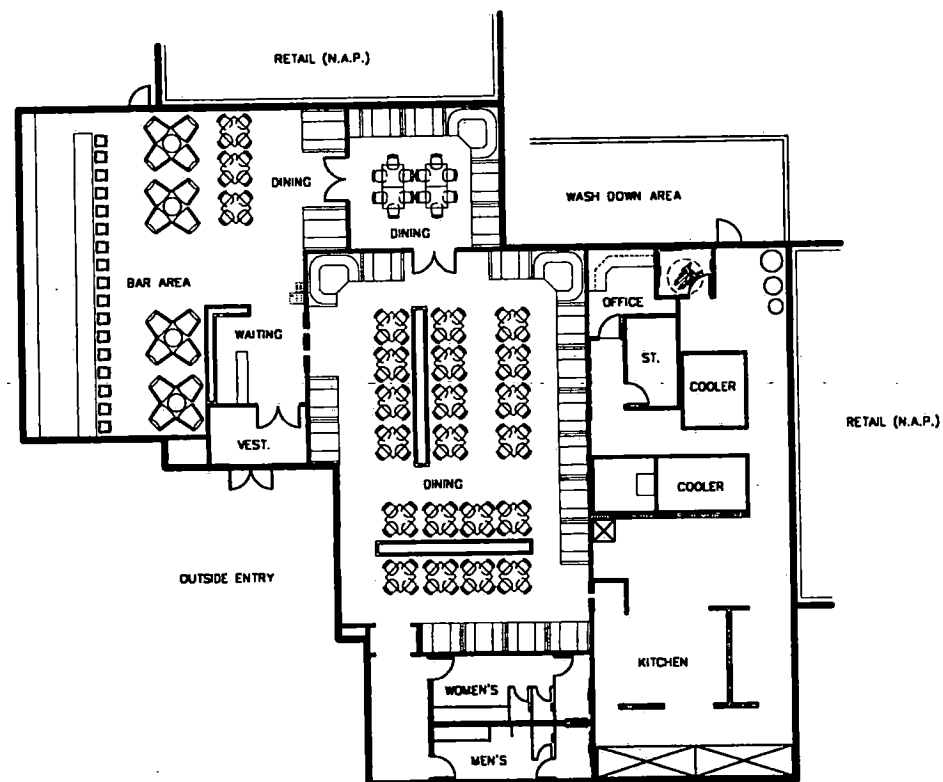
Landscape Plan

Date	Designed By
March 15, 2005	Todd McNeque
Project No.	Drawn By
1005A	TAM
Jurisdiction	Checked By
City of Las Vegas	

L1.01

SUPPER CLUB DINING BREAKDOWN (LINE 0.00.000)

BAR SEATS PROVIDED = 17 = 8 DINING SEATS REQUIRED = 136 SEATS
LOUNGE SEATS PROVIDED = 18 = 3 DINING SEATS REQUIRED = 48 SEATS
TOTAL REQUIRED SEATS IN DINING AREAS = 184 SEATS
TOTAL PROVIDED SEATS IN DINING AREAS = 208 SEATS



SUPPER CLUB FLOOR PLAN

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

7,230 SQUARE FEET

SUP-6326
SUP-6330
SDR-6317
4-28-05 PC

REC A1-01a

MAR 30 2005

Rev	Date	Description

As-built drawings and specifications shall be submitted to the City of Las Vegas for review and approval. The City of Las Vegas reserves the right to require changes to the drawings and specifications as deemed necessary for the health, safety and welfare of the public. The contractor shall be responsible for obtaining all necessary permits and licenses for the project.

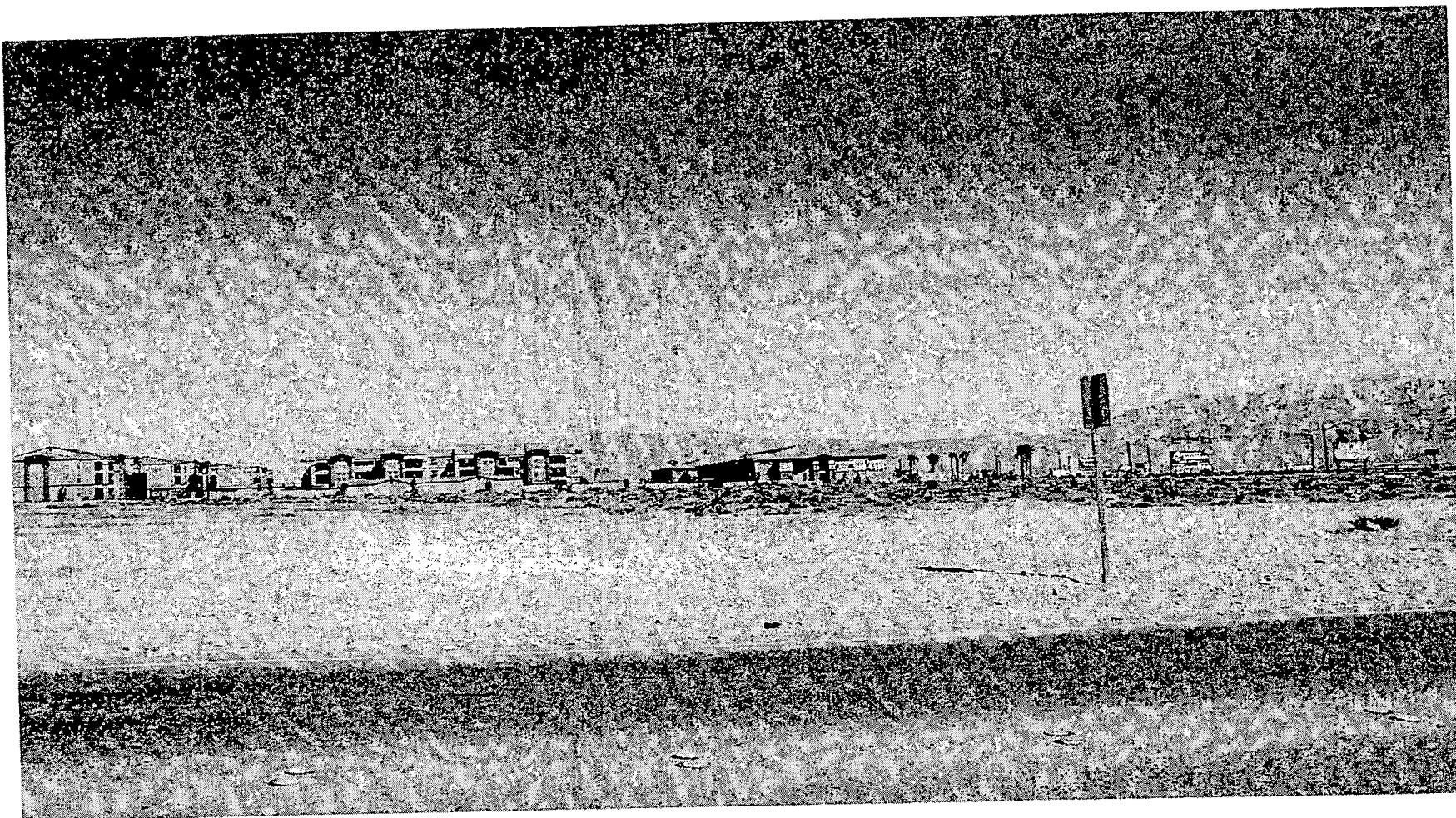
CONTRACTOR	

BRESLIN BUILDERS
DESIGN & CONSTRUCTION
LICENSED GENERAL CONTRACTOR
LICENSE # 48970148
5625 POLARIS AVENUE, SUITE B
LAS VEGAS, NEVADA 89118
(702) 796-3877
FAX (702) 796-3828
www.breslinbuilders.com

Project Owner
Town Center Commons
Northwest Corner of
Durango Drive and
Deer Springs, Las
Vegas, Nevada
APN:
125-20-201-025
125-20-201-016

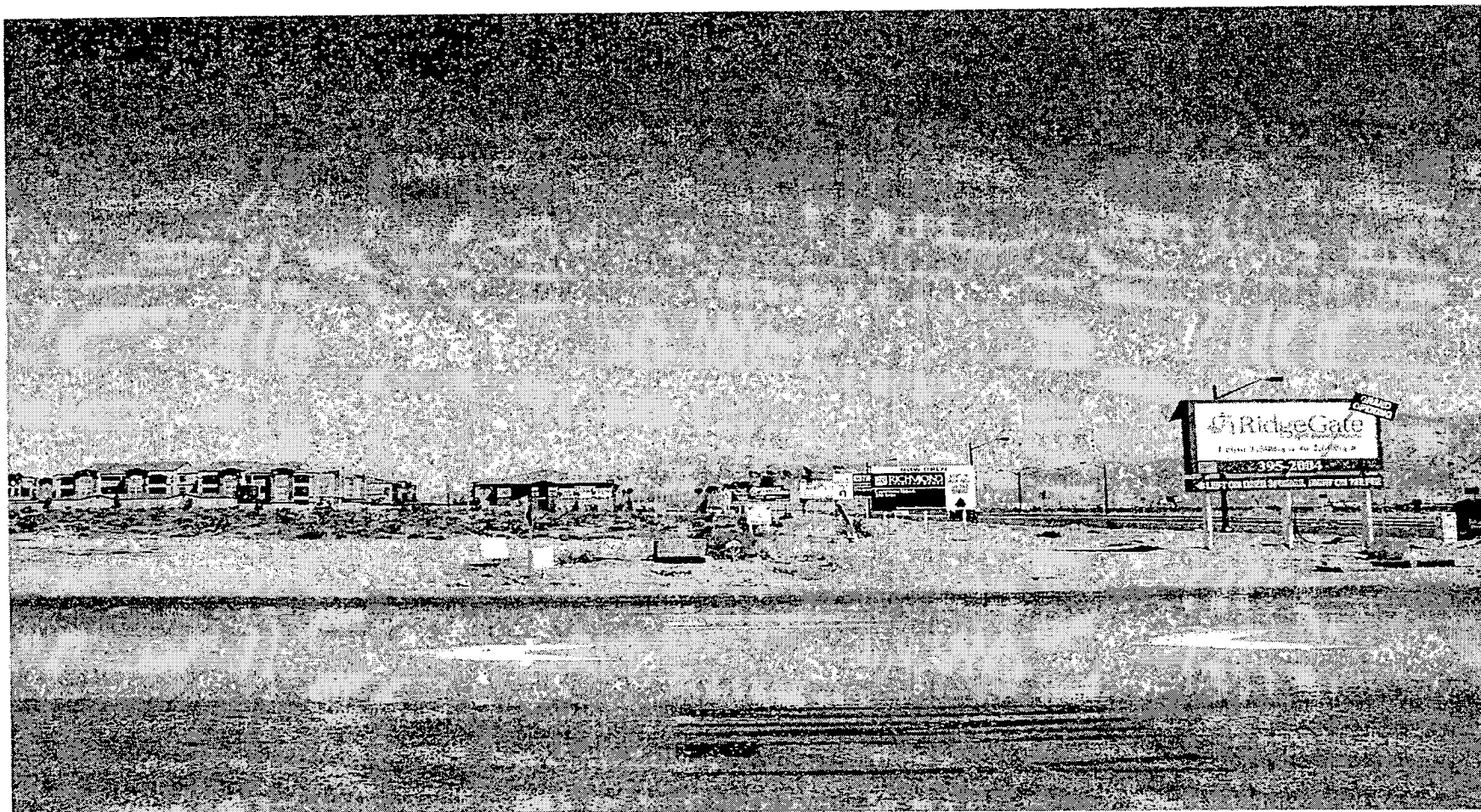
Sheet 6 of 6
Supper Club Floor Plan

Date: March 15, 2005	Designed By: Todd McWhorter
Project No.: 12525A	Drawn By: TMM
Amended: City of Las Vegas	Checked By:



SUP-6323, SUP-6326, SUP-6330 & SDR-6317 - APPLICANT: W. DOUGLAS HITT - OWNER: DEER
SPRINGS INVESTMENTS, LLC, ET AL
NORTHWEST CORNER OF DEER SPRINGS WAY AND DURANGO DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/31/05



SUP-6323, SUP-6326, SUP-6330 & SDR-6317 - APPLICANT: W. DOUGLAS HITT - OWNER: DEER
SPRINGS INVESTMENTS, LLC, ET AL
NORTHWEST CORNER OF DEER SPRINGS WAY AND DURANGO DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/31/05

LETTER OF JUSIFICATION

To Whom It May Concern:

It is herby requested that a Site Development Plan Review be approved pertaining to APN#'s 125-20-201-025, 125-20-201-016 for development of a high rise mixed use consisting of 474 residential units, 102,000 square feet of office and approximately 40,000 square feet of retail, restaurant, tavern uses and to include enough parking to meet the Title 19 parking code. Special use permits to allow for the height of the residential towers and for a tavern.

The design of this project will meet all the Northwest Centennial Hills town standards as depicted in the town center development standard manual, with variance for height.

Public safety, transportation, and other services are available to this property, and the proposed development will have no significant impact to the level of these services to surrounding developments. Adequate assurance of any significant impact on the environment will be mitigated to the practical extend.

If you require any additional information or clarification, please do not hesitate to contact myself or Todd McBayer at the numbers below.

Sincerely,

**W. Douglas Hitt
595-9112**

**Todd McBayer
234-5159**

Edward Lawrence
6827 Momentos Street
Las Vegas, NV 89149
April 18, 2005

RECEIVED
APR 22 2005

Mr. Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division
Development Services Division
731 South Fourth Street
Las Vegas, NV 89101

re: SUP-6330, SUP-6323, SUP-6317, SUP-6326

Dear Mr. Leobold:

This letter will express my opposition to the plans laid forth by Deer Springs Investments, LLC. The plan was outlined in a letters marked SUP-6330, SUP-6323, SUP-6317, SUP-6326 sent to my home that I read April, 18, 2005.

I am a reporter with KLAS Channel 8 Eyewitness News. I have covered many developments in the Las Vegas area. I have never seen any that do more harm to an existing area than these plans would do to Arbor Glenn and surrounding developments. The Planning Department has already given enough special use permit's to developers in this area. When I moved in there were more homes than apartments. With the special use permits that your department keeps handing out the area is going to turn in a wasteland of apartments forcing good families to move abandoning the area unless you stop and re-think the current trend of developer rubber stamps.

I moved to the suburb for a suburb lifestyle. I like the quiet neighborhood streets. The people in my neighborhood are good families. Some of them have children who play in the area. Let's encourage single family homes from this point forward on the land in this area to continue the community feel and home ownership.

A proposed hi-rise would be extremely out of place in my community. It would destroy the suburb atmosphere that I moved to my home for. If I wanted to live in the city I would have moved downtown. Anything above the current one to two stories in the area only serves as an eyesore and causes major problems.

I am not a developer who can give hundreds of thousands of dollars to the representatives of this area. I cannot buy anyone's vote with campaign contributions. I am a single family homeowner who works hard and enjoys the quiet neighborhood. Sitting on my back porch I face east and can see over the homes in the community part of a mountain chain on the east side of the valley. It's a peaceful view that would be destroyed by a hi-rise.

It's a view shared by many of my neighbors that would be destroyed. It's not just the partial mountain view that I have. The view of the sky would be tarnished.

The smaller residential streets could not handle the traffic caused by large hi-rise. The shadow it would cast would cover the area and dampen the mood of the community.

An approval by your department and/or the city council would in essence be a vote to kick me out of my house by making it too uncomfortable to live there. Since the housing prices have soared I would need some assistance in being relocated to a house of similar value.

I will go to the meeting scheduled at 6PM in the City Council Chambers. I will be a little late. I report on-air for the 6PM news and will not be able to get to the chambers until after my live shot in that show. I think it's important to express my feelings in person. I hope that the public comment period will still be open because I would like to make it on the record about this project.

I have faith that you will do the right thing for the community, not the developers pockets.

Thank you.


Edward Lawrence

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-6226 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SERGIO L. PEREZ - OWNER: SHALIMAR HOTEL ENTERPRISES - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB WITHIN AN EXISTING RESTAURANT at 1401 South Las Vegas Boulevard (APN 162-03-202-001), C-2 (General Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because he owns property within the notification area and **STEINMAN** and **EVANS** excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, stated the proposed supper club meets all minimum standards of the Special Use Permit. There are no protected uses within the required separation distance. A condition has been imposed requiring a separation between the bar area and the dining area and staff believes that it can be accommodated with their floor plan.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 82 – SUP-6226

MINUTES – Continued:

DAVE EDDER, Nevada Gaming Application Consultants, 777 East Quartz Avenue, appeared with SERGIO PEREZ the applicant. MR. PEREZ has operated his business at this location for approximately eight years and has enjoyed tremendous growth. His customers have requested that he serve hard liquor so that they may enjoy drinks with their Cuban food. All conditions are acceptable except for Conditions 7 and 8. Because MR. PEREZ leases the restaurant from the hotel, he is not in a position to agree to the condition requirements. GINA VENGLASS, Public Works, indicated that Condition 8 had been removed prior to the item being heard before the Planning Commission. Regarding Condition 7, it is standard procedure for staff to request the dedication of 10 feet of right-of-way because Las Vegas Boulevard is planned for 100 feet wide in that location. She pointed out that the way the condition is written, if a part of the structure is within the area to be dedicated, the condition would not be enforced. She also explained that Public Works conditions to the property so if the dedication is required, it would be up to MR. PEREZ to coordinate it with the owner. MR. EDDER and MR. PEREZ were satisfied by that explanation.

COMMISSIONER McSWAIN stated that she understood the request of the customers and would be able to support the application.

CHAIRMAN NIGRO declared the Public Hearing closed.

(11:55 – 12:00)

4-2689

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 and Title 19.20.020 for a Supper Club use.
2. A barrier separating the bar area from the dining area must be provided in accordance with Title 19.20.020. A revised floor plan showing the barrier shall be submitted to staff for administrative review and approval prior to the application for tenant improvements or licensing.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

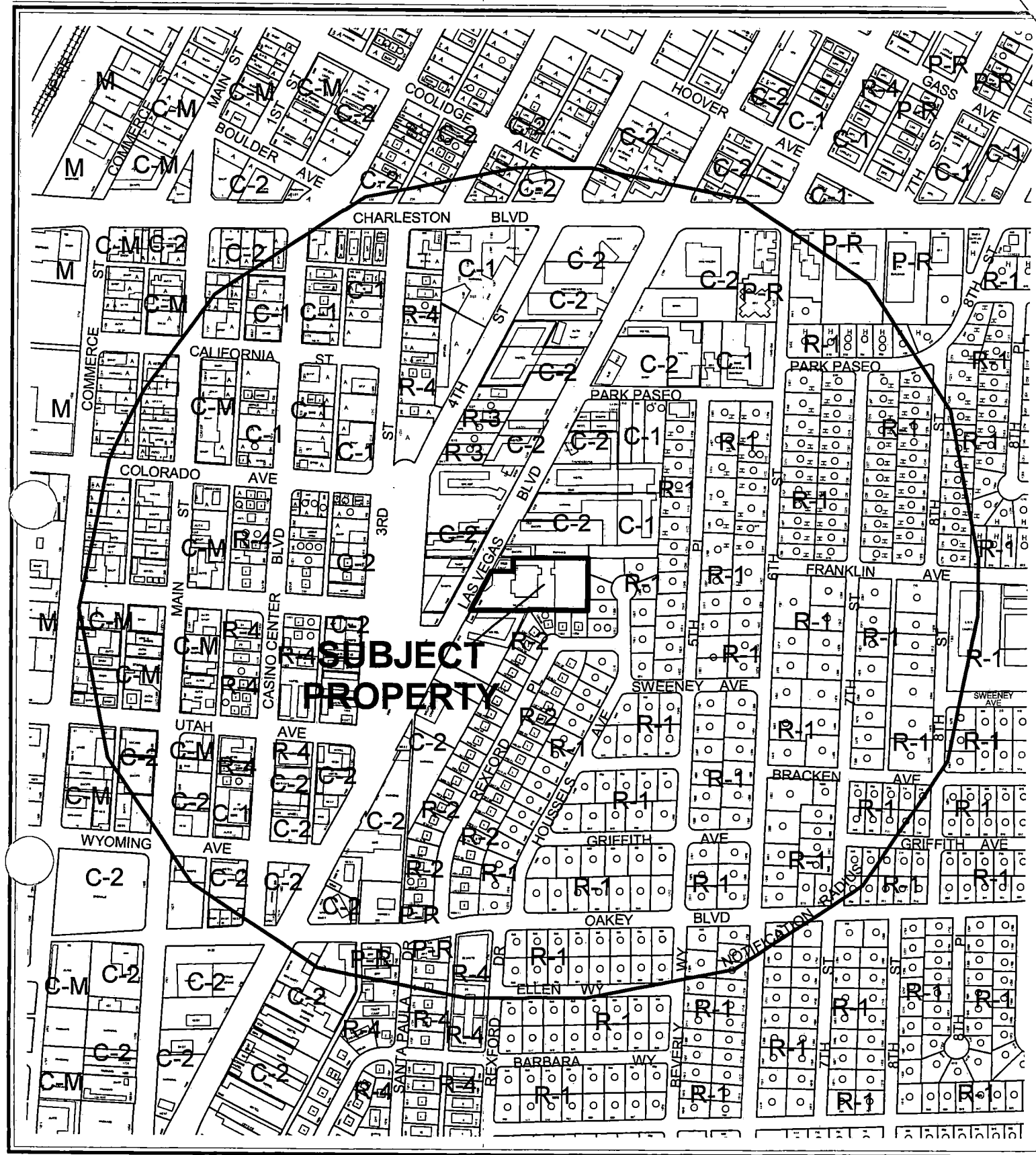
PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 82 – SUP-6226

CONDITIONS – Continued:

5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

Public Works

7. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard adjacent to this site prior to the issuance of any permits. This condition will not be enforced if the applicant can prove that a building structure is located within the area to be dedicated.



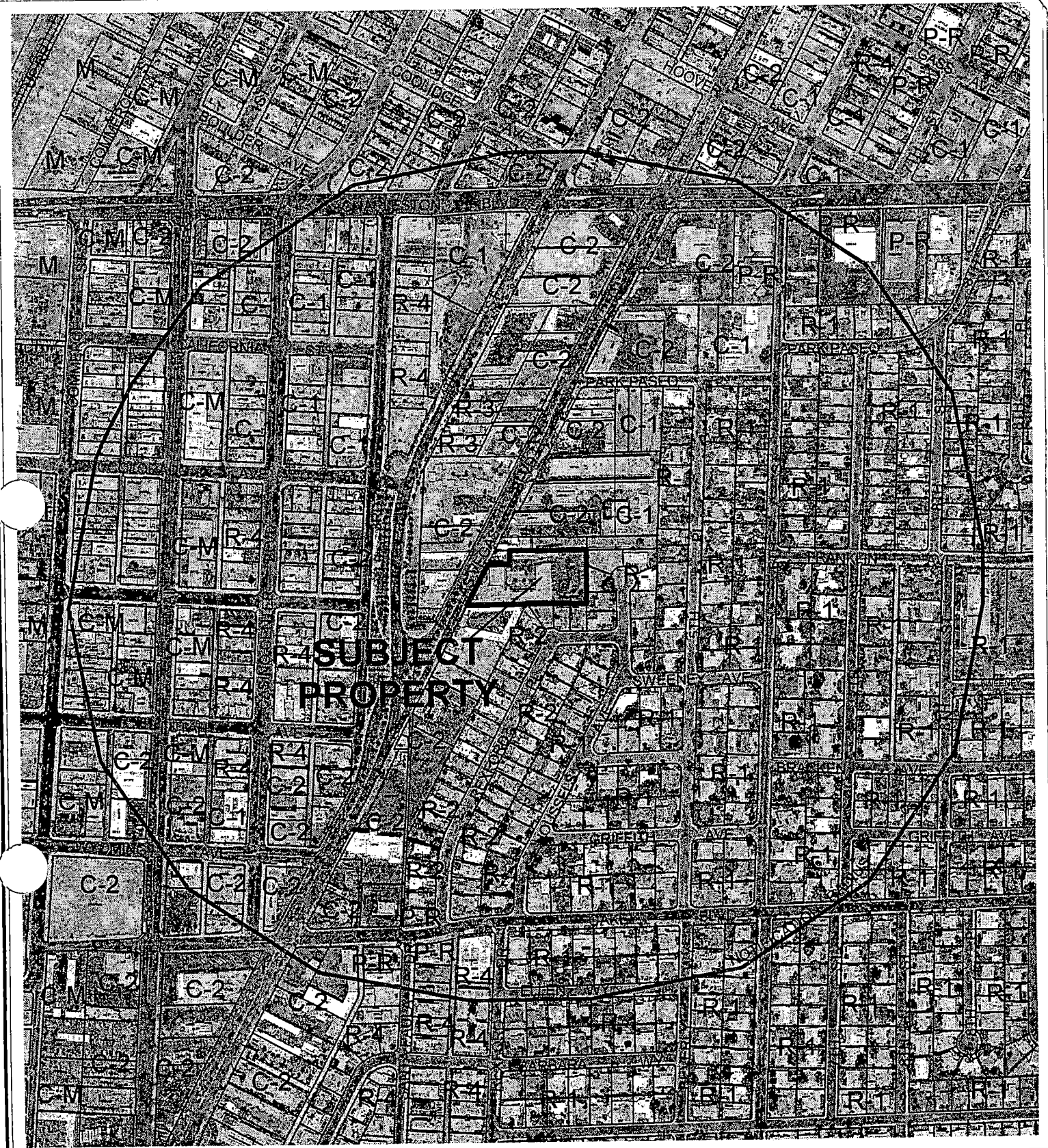
CASE: SUP-6226

RADIUS: 1500 FT

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

0 500 1000 Feet

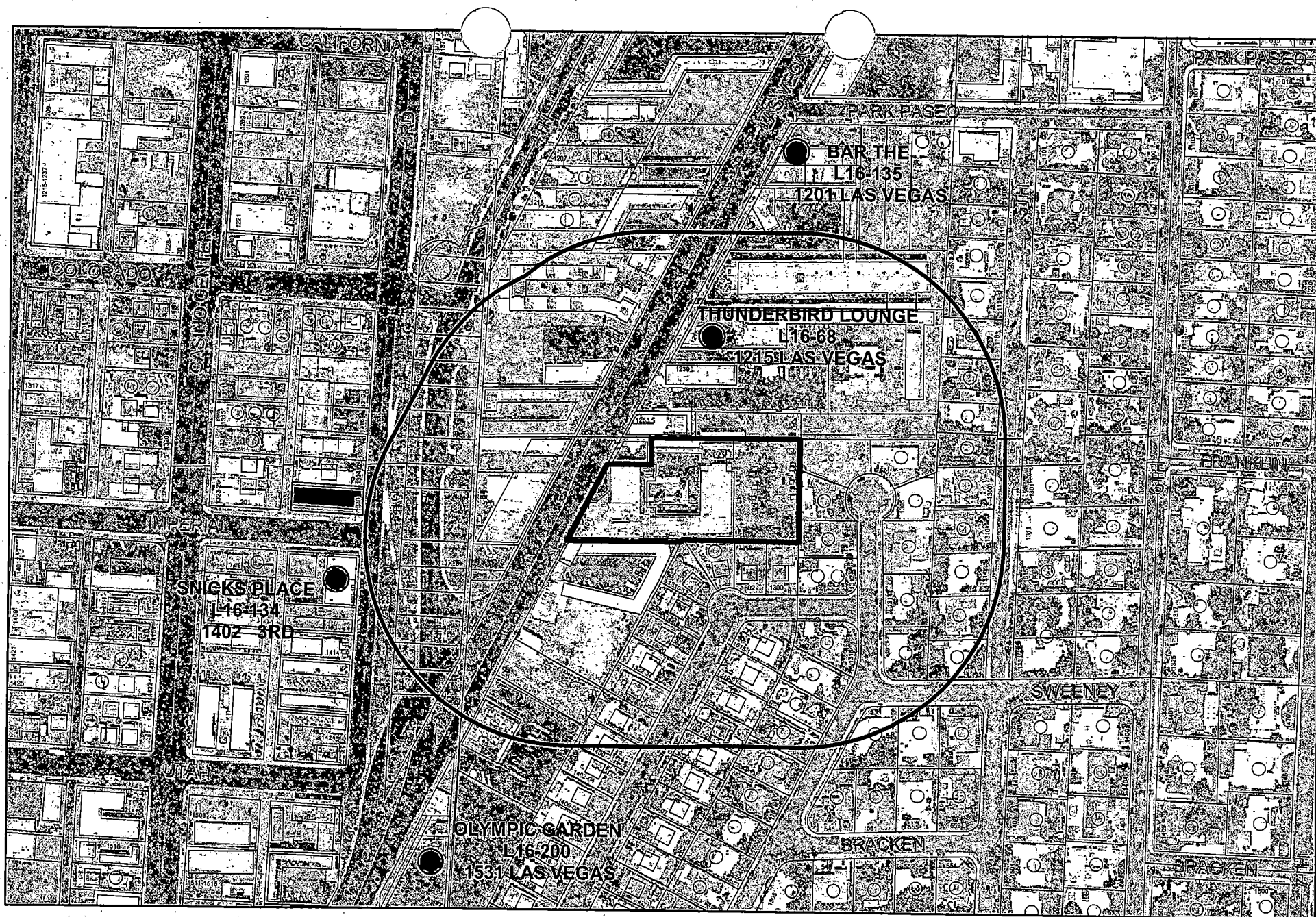




CASE: SUP-6226

RADIUS: 1500 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-6226 - APPLICANT: SERGIO L. PEREZ - OWNER:
SHALIMAR HOTEL ENTERPRISES**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 and Title 19.20.020 for a Supper Club use.
2. A barrier separating the bar area from the dining area must be provided in accordance with Title 19.20.020. A revised floor plan showing the barrier shall be submitted to staff for administrative review and approval prior to the application for tenant improvements or licensing.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
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Public Works

7. Dedicate an additional 10 feet of right-of-way for a total half-street width of 50 feet on Las Vegas Boulevard adjacent to this site prior to the issuance of any permits. This condition will not be enforced if the applicant can prove that a building structure is located within the area to be dedicated.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a proposed Supper Club within an existing restaurant at 1401 South Las Vegas Boulevard.

B) Applicant's Justification

The applicant states that they have been in business for over seven years and their current beer and wine license is no longer sufficient for their customer base. The addition of alcoholic beverage service will help to improve the restaurant and maintain the authentic Cuban atmosphere.

BACKGROUND INFORMATION

A) Related Actions

08/21/96 The City Council denied a Special Use Permit (U-0046-96) to allow a 1,200 square-foot Tavern in conjunction with an existing hotel and a Waiver from the 1,500 foot separation distance requirement. The Board of Zoning Adjustment recommend approval of the request on 07/23/96.

12/15/97 The City Council approved a Special Use Permit (U-0115-97) to allow the on-premise sale of beer and wine in conjunction with an existing restaurant. The Planning Commission recommended approval of the request on 11/20/97.

B) Pre-Application Meeting

03/30/05 At the pre-application conference, issues were discussed relative to the minimum standards for Supper Club uses.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.3

B) Existing Land Use

Subject Property: Hotel Use
 Restaurant Use
 Wedding Chapel Use
 North: General Retail Use
 South: Motel Use
 Sexually-Oriented Business Use
 Multifamily Residential Use
 East: Single-Family Residential Use
 West: General Retail Use

C) Planned Land Use

Subject Property: C (Commercial)
 North: C (Commercial)
 South: C (Commercial)
 East: L (Low Density Residential)
 West: C (Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
 North: C-2 (General Commercial)
 South: C-2 (General Commercial)
 East: R-1 (Single Family Residential)
 West: C-2 (General Commercial)
 R-2 (Medium-Low Density Residential)

E) General Plan Compliance

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a C (Commercial) land use designation. The C (Commercial) designation permits office uses, limited commercial uses, and general commercial uses. The Supper Club use is consistent with the General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
Las Vegas Boulevard Scenic Byway 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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Northern Strip District, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable.

Las Vegas Boulevard Scenic Byway Overlay District

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

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of parking requirements. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Restaurant:			
Public Seating	1,795 SF		
Remaining GFA	1,187 SF		
Total:		121	Not indicated

A total of 121 parking spaces are existing on the site, which serve both the 103-unit hotel and the restaurant; the information submitted by the applicant does not indicate the number of handicap spaces that are provided. As the proposed Special Use Permit request will not increase the square footage of the existing building or result in a more stringent parking requirement, no additional parking spaces are required as a result of the request.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Supper Club	A minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, and City parks	No protected uses are within the required 400-foot distance separation

There are no protected uses known to be within the minimum distance requirement.

B) *General Analysis and Discussion*

- Zoning

The subject site is zoned C-2 (General Commercial); restaurants are an allowed use in the C-2 (General Commercial) district, and Supper Clubs are permitted upon approval of a Special Use Permit.

- Use

Title 19.04.050 establishes the criteria for the approval of alcohol-related uses within the city. The Code requires this use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children, or City park as measured from property line to property line. In this case, there are no protected uses known to be within the minimum distance requirement. The use lies within an established commercial area and can be conducted in a manner that is harmonious and compatible with surrounding development.

Title 19.20.020 defines a Supper Club as a restaurant and bar operation with alcoholic beverage sales, wherein the bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors; wherein the actual seating available at all times within the restaurant area will accommodate at least one hundred twenty-five persons; wherein alcoholic beverages are served in the restaurant area only in conjunction with the service of food; wherein full-course meals are available during all hours the bar area is open to the public; wherein a cook and food server, other than a bartender, are available at all times the bar area is open to the public; and wherein the restaurant operation is the principal portion of the business.

The submitted floor plan depicts a bar located in the principal space, with one entrance directly from Las Vegas Boulevard and a second entrance from within the hotel. A total of nine stools are shown directly at the bar, with approximately 44 seats at tables and booths in the area directly adjacent to the bar. A separate dining area is located towards the back of the restaurant, and the floor plan depicts approximately 82 seats.

SUP-6226 - Staff Report Page Five
April 28, 2005 - Planning Commission Meeting

While the operation of the restaurant and beverage service will conform to the definition contained in Title 19.20.020, the following deficiencies are noted:

- No barrier is shown between the bar and the dining area as required to prevent access by minors; and
- Although the restaurant contains a total of 126 seats as required, 44 of the seats are located in the bar area.

The floor plan of the restaurant will need to be reconfigured to conform to the standards for a Supper Club use.

- Conditions

Pursuant to Title 19.04, the following conditions must be satisfied to approve a Supper Club:

1. No Supper Club use shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park;
2. Except as otherwise provided in Paragraph 3 below, the minimum distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line for the proposed Supper Club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed Supper Club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of a Supper Club proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the Supper Club will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed Supper Club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the Supper Club will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a Supper Club which also requires a wavier of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. In the O District, a Supper Club is permitted only as an accessory use.
6. All businesses that sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The proposal shall meet the conditions as listed above.

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 Supper Club will be located in an existing restaurant on the site. As the restaurant is located on the far west side of the property, it will not impact the single-family residences abutting the east side of the site.

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

The site is suitable for the proposed use; however, the existing interior restaurant space will need to be reconfigured to conform to the basic standards for the Supper Club use.

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

The addition of alcoholic beverage sales at the restaurant will have little impact on the traffic generated by the business; Las Vegas Boulevard has sufficient capacity to accommodate the proposed use.

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

The use will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 486

APPROVALS 1

PROTESTS 0



Case Number: **SUP-6226** APN: 162-03-202-001

Name of Property Owner: SEAN FAYEGU - Shalimar Hotel Enterprises

Name of Applicant: Florida Cafe, Sergio L. Perez

Yes

✓ No

City Official: _____

Partner(s): _____

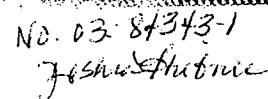
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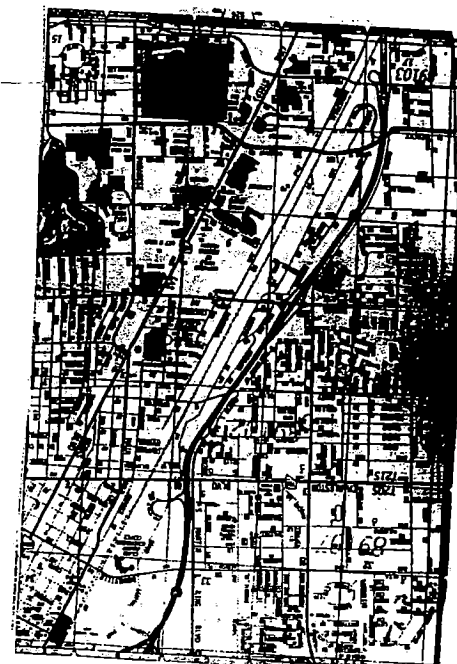
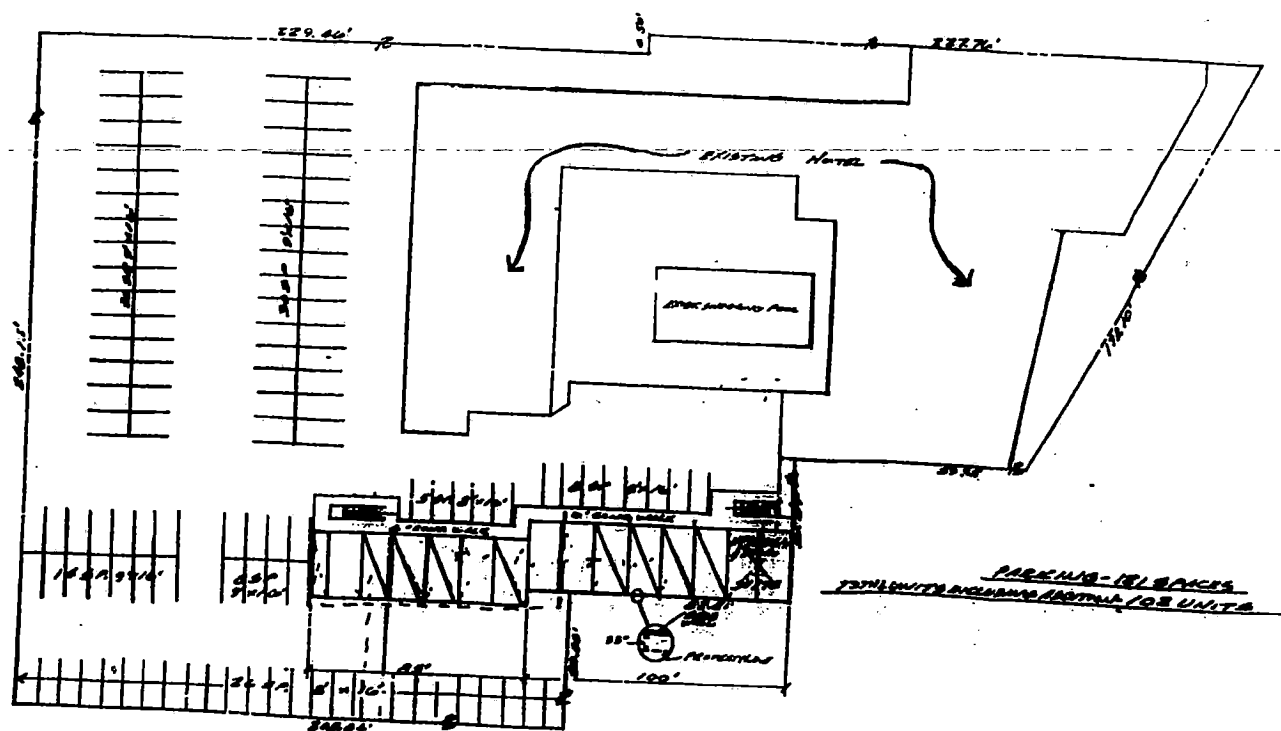
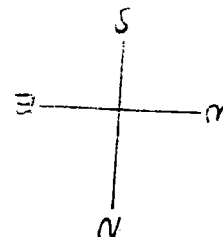
Signature of Property Owner/Authorized Agent: _____

Subscribed and sworn before me

This 16th day of March, 2004

Notary Public in and for said County and State





SITE PLAN

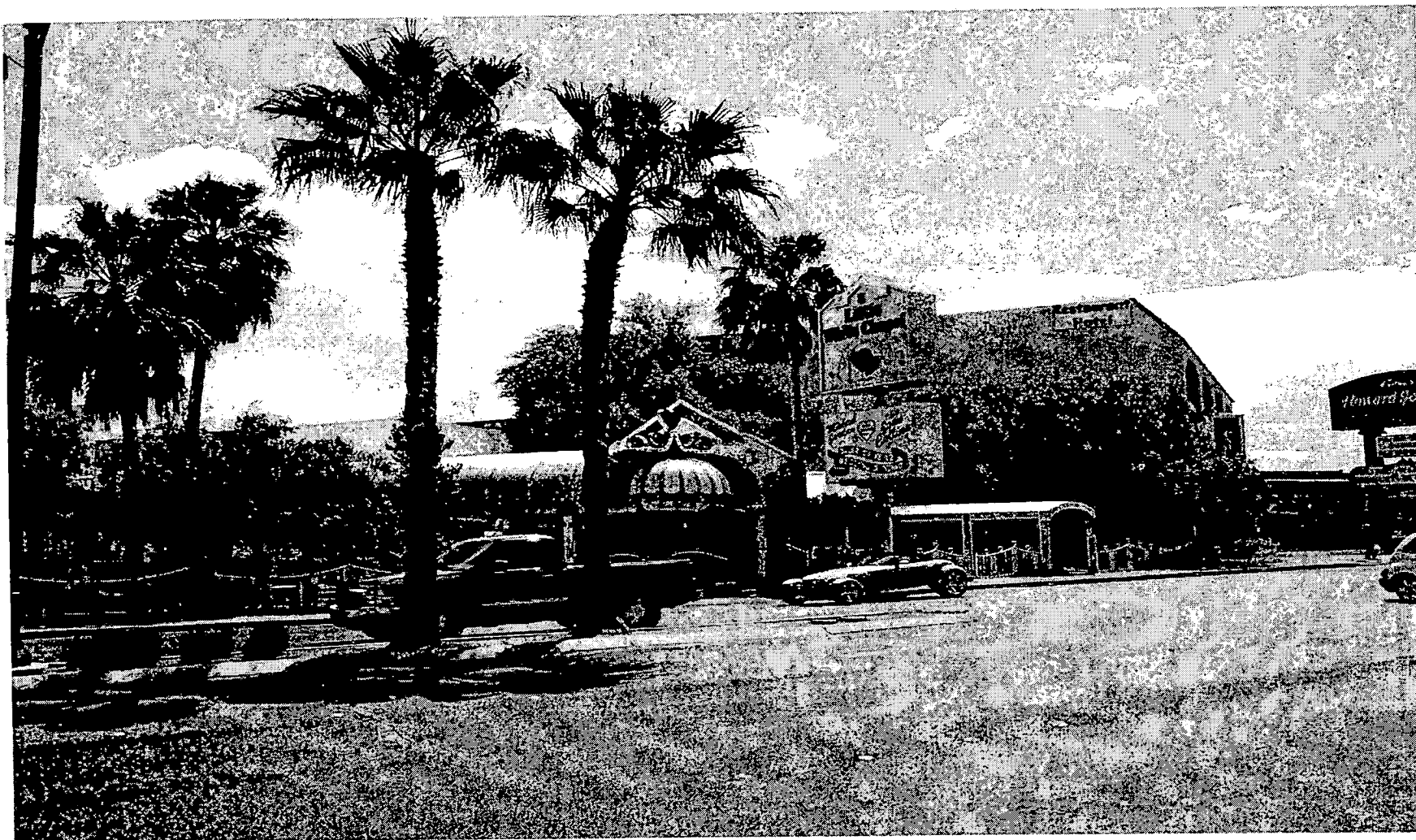
SUP-6226
04/28/05 PC

APN # 162-03-202-001



SUP-6226 - APPLICANT: SERGIO L. PEREZ - OWNER: SHALIMAR HOTEL ENTERPRISES
1401 SOUTH LAS VEGAS BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



SUP-6226 - APPLICANT: SERGIO L. PEREZ - OWNER: SHALIMAR HOTEL ENTERPRISES
1401 SOUTH LAS VEGAS BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

4/4/05

**Sergio Perez
Florida Café Cuban Restaurant
1401 Las Vegas Blvd. So.
Las Vegas, NV 89104
Ph. 702-385-3013**

02/21/2004

To whom it may concern,

My name is Sergio Perez. I am the owner of the Florida Café Cuban Restaurant located at 1401 Las Vegas Blvd. So. I am here today to apply for a Super Club Liquor License.

Due to my recent expansion and my large customer base, I am looking to satisfy my customer's requests for alcoholic beverages. I have been in business now for over seven years and my current Beer and Wine License is no longer sufficient for my ever growing customer base.

We have a large selection of Cuban cuisine and we feel that alcoholic beverages such as mixed drinks and specialty drinks containing alcohol will only help to improve our restaurant, and the restaurants atmosphere as an authentic Cuban restaurant.

I would appreciate if you would vote in favor of me to obtain my Super Club Liquor License. Thank you for your time.

Sincerely,

Sergio Perez

A handwritten signature in black ink, appearing to read 'Sergio', written over a faint dotted line.

Gator & Conne Franklin
1401 5th Place
Las Vegas, NV 89104

RECEIVED

APR 22 2005

April 18, 2005

Planning & Development Dept.
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Attn: Mr. Gary Leobold

Dear Mr. Leobold:

Conne and Gator Franklin wish to express our approval of the Special Use Permit SUP-6226 for the proposed supper club at 1401 South Las Vegas Blvd., as sought by Mr. Sergio L. Perez of Shalimar Hotel Enterprises.

Cordially,



Conne Franklin

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-6245 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
NEAR AND FAR, LLC - Request for a Special Use Permit FOR A PROPOSED INDOOR
SWAP MEET at 401 South Maryland Parkway (APN 139-34-811-047 and 139-34-811-052), C-1
(Limited Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

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

- *There shall be no more than six tenants.*
- **UNANIMOUS with STEINMAN and EVANS excused**

To be heard by City Council on 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, gave a brief explanation of the application. Staff recommended denial because the use is inappropriate relative to the existing multi-family structures that are adjacent to the property and because warehouse uses are not permitted within the C-1 district.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 83 – SUP-6245

MINUTES – Continued:

PEGGY POUND, 6324 Shady Valley Court, appeared on behalf of the applicant and clarified that the proposed usage is not a typical swap meet but will be more of a design center. Unfortunately, the Planning Department did not have another classification that matched the usage more closely. Future plans for the site include a sales center for a high-rise development along with a piano store, a wedding planner and a florist. Once permits are issued for the high-rise, the uses will cease. There will not be second hand sales or t-shirt stalls on this site.

DUSTY BUCKEL, 8225 West Sahara Avenue, Suite C, said that the site had a 16,000 square foot building, which used to be occupied by paint and flooring stores. The flooring company that sold the building to the applicant has moved all of his merchandise into the warehouse portion of the store and he will remain there temporarily. There is a 10,000 square foot showroom in the center of the building and that is where the piano store owner wishes to be located. Another interested party is an interior decorator. The problem is that the building is zoned for only one building and the only designation available for multiple tenants is swap meet. The situation is temporary to keep the building occupied and to allow some income to be generated on the site while plans are made to build the condominium tower to be called The Island. Neighborhood meetings have been held. MS. BUCKEL also said that many neighbors were unhappy to hear a swap meet was being proposed on the site but after getting the situation clarified, they were fine with it.

COMMISSIONER McSWAIN asked why Wal-Mart and Smiths stores are not classified as swap meets since they have different vendors within their walls. MARGO WHEELER, Director, Public Works Department, clarified that a Wal-Mart is a single store with different departments. Separate units must have separate access for the public. COMMISSIONER McSWAIN noted that Smiths Food King rents to banks and those banks do not have separate access. VICE CHAIRMAN TRUESDELL added that Wal-Mart has several tenants that are both local and national and access to those businesses is dependent on Wal-Mart being open.

COMMISSIONER McSWAIN said the project as described was fine and any concerns over mitigating swap meet aspects of the project could be controlled with conditions or a two-year review. VICE CHAIRMAN TRUESDELL asked how the Board could be protected from a future use of a swap meet if they were to approve the item. MS. POUND stated that the applicant would be amenable to having a condition imposed which restricted the number of tenants in the structure and made the Board feel more comfortable.

COMMISSIONER GOYNES suggested that nearby schools might be interested in using the applicant's structure for special events and activities because they do not have multi-purpose rooms. MS. BUCKEL stated that the schools did come to the neighborhood meetings and that idea is being considered. There will be another neighborhood meeting in May and it will be

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 83 – SUP-6245

MINUTES – Continued:

discussed further.

CHAIRMAN NIGRO said he could support the item with a one-year review and with a restriction on the number of tenants. He asked about the reference made during staff report regarding the warehouse usage. MS. BUCKEL replied that she had no problem with telling the tenant they had to vacate but asked that a letter be drafted saying such so she could present the notice in writing. CHAIRMAN NIGRO explained that it would be on the conditions of approval letter.

CHAIRMAN NIGRO declared the Public Hearing closed.

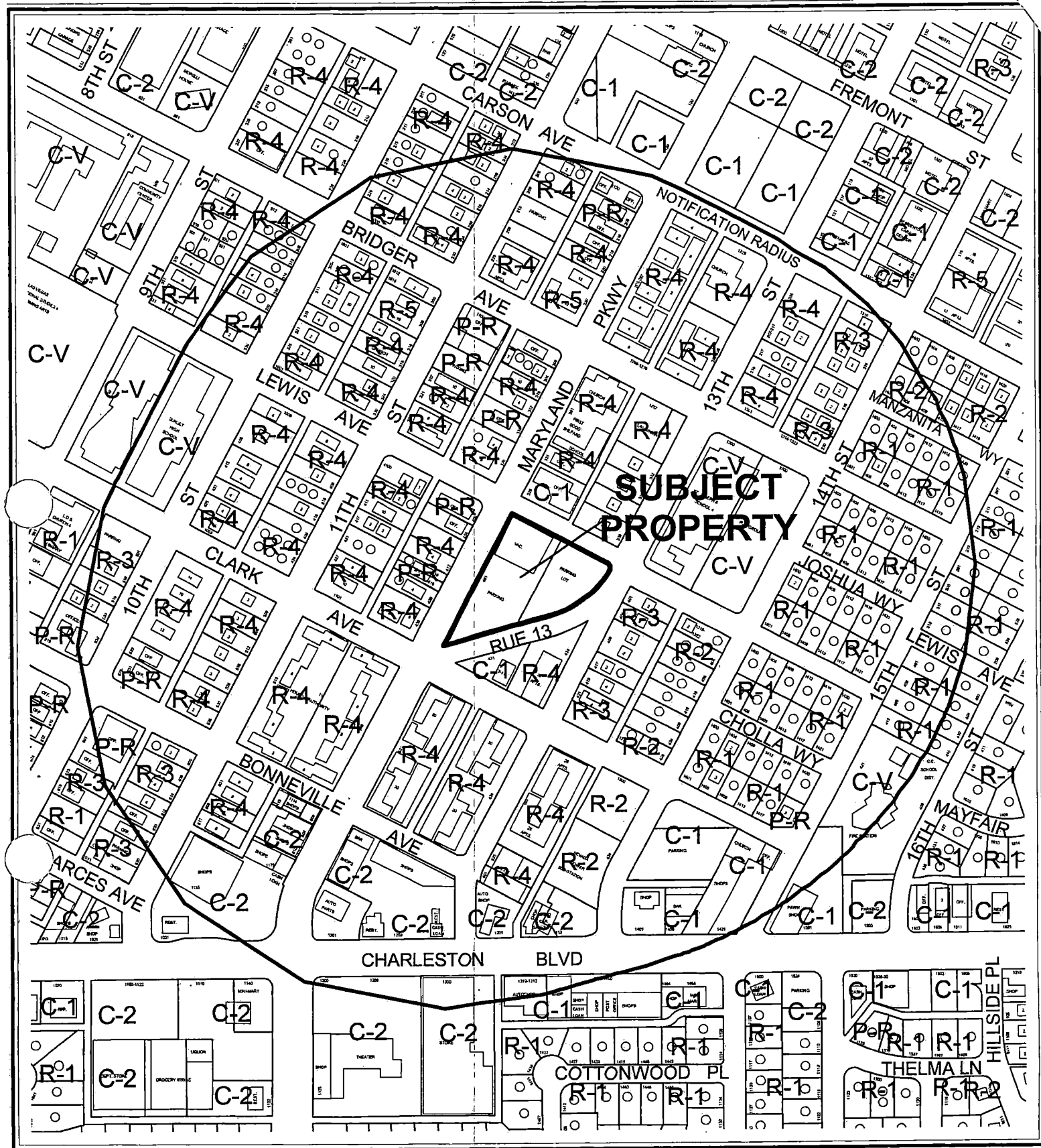
(12:00 – 12:12)

4-2922

CONDITIONS:

Planning and Development

1. The use shall be reviewed in one (1) year. The applicant shall be responsible for notification fees associated with the review.
2. There shall be no warehouse use on this property.
3. Conformance to all Minimum Requirements under Title 19.04.050 for the Swap Meet, Indoor use.
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.



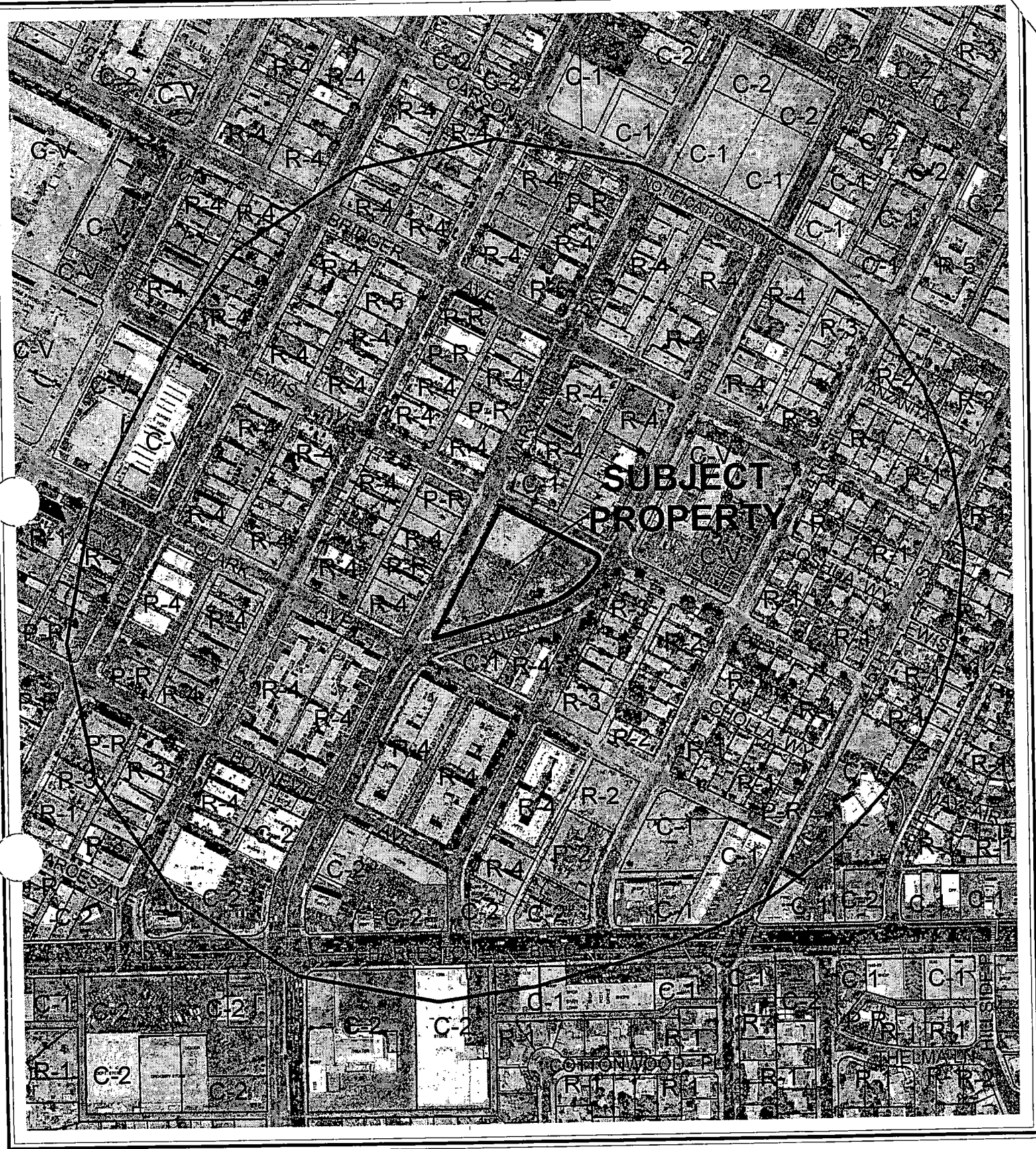
CASE: SUP-6245

RADIUS: 1000 FT

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

0 400 800 Feet





0 400 800 Feet

CASE: SUP-6245

RADIUS: 1000 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6245 - APPLICANT/OWNER: NEAR AND FAR, LLC

**** CONDITIONS ****

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

Planning and Development

1. The use shall be reviewed in one (1) year. The applicant shall be responsible for notification fees associated with the review.
2. There shall be no warehouse use on this property.
3. Conformance to all Minimum Requirements under Title 19.04.050 for the Swap Meet, Indoor use.
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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Indoor Swap Meet at 401 South Maryland Parkway.

B) Applicant's Justification

The applicant justifies this request by stating that the proposed site is planned for a mixed-use development in future years but this use could occupy the building in the meantime, for a period of up to two years. Types of businesses that the applicant is seeking include a piano store and interior decorating sales, not the typical T-shirt vendors.

BACKGROUND INFORMATION

A) Related Actions

02/08/99 The City Council withdrew with prejudice a Special Use Permit (U-0157-98) to allow the sale of Packaged Liquor for off-premise consumption in conjunction with a proposed grocery store and a Waiver of the 400-foot distance separation requirement.

09/14/00 The Planning Commission voted to Withdraw Without Prejudice a request for a Special Use Permit (U-0143-00) for a proposed 15,377 square-foot Charter Public School at 401 South Maryland Parkway.

B) Pre-Application Meeting

03/08/05 It was established that the use applicable to this project is a Swap Meet. No changes to the exterior elevations are proposed. Parking requirements were discussed, and it appeared that they could be met relative to the size of the building.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.05

B) Existing Land Use

Subject Property: Commercial (vacant)
Parking
North: Office
Four-Plex
South: Convenience Store and Apartments
East: Duplexes
West: Professional Offices and Apartments

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
R-4 (High Density Residential)
South: C-1 (Limited Commercial)
R-4 (High Density Residential)
East: R-3 (Medium Density Residential)
West: R-4 (High Density Residential)
P-R (Professional Office and Parking)

E) General Plan Compliance

The subject site is designated MXU (Mixed Use) on the Downtown Redevelopment Area Land Use Map. A wide range of residential and commercial uses are allowed within this category, including Low, Medium-Low, Medium and High Density Residential uses and Office, Service Commercial, General Commercial and Public Facilities uses. The proposed Swap Meet use would be most applicable and would conform to the Service Commercial category within the Southeast Sector Map of the General Plan.

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

The subject site is located within the Las Vegas Redevelopment Plan Area as described by ordinance.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Swap Meet	16,000 SF	1/175 SF GFA	88	4	106	4

The site plan indicates that 110 spaces will be provided. This exceeds the 92 spaces required for the Swap Meet use in a 16,000 square-foot building.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Swap Meet use and there are no similar uses within the 1,000-foot notification radius.

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

Standards	Code Requirement	Provided
Swap Meet	No outdoor display, sales or storage of any merchandise or equipment is permitted except in connection with temporary activities authorized by means of a Temporary Commercial Permit No repair, installation or service work is permitted outside of an enclosed building All signage, including temporary signage, shall comply with Title 19.14 The swap meet operation shall comply with all applicable requirements of Title 6	

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). The Swap Meet use is permitted in this district with approval of a Special Use Permit by the City Council. The Warehousing use indicated on the submitted floor plan is not a permitted use within the C-1 (Limited Commercial) zone and will not be allowed on this site if the Special Use Permit is approved.

- Use

A "Swap Meet" is defined by Title 19.20.020 as a facility in which multiple vendors, dealers, sellers or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for the purpose of selling bartering, exchanging or trading new or used items of personal property, where the aggregate value of all such property exceeds the amount of one thousand dollars. The proposed use is to occur within an existing 16,000 square-foot building. No changes will be made to the exterior. Access to the property is from Maryland Parkway or from Lewis Avenue via an existing alley. The most recent use of the building was for a home decorating store.

The floor plan shows an open floor area (the "showroom") surrounded on the perimeter by nine booths. A reception area greets customers as they enter the showroom. One side of the showroom is to contain a piano store. Behind the booth rental area are some offices for lease to potential tenants. The remainder of the space is reserved for restrooms, a break room, storage area, and a carpet and flooring warehouse. The Warehouse use is considered too intense for the C-1 (Limited Commercial) zoning district and is not allowed by the Zoning Ordinance.

Denial is recommended for the Special Use Permit, as the use is not appropriate for this location and the size of the building. There are existing multi-family structures surrounding the subject site and professional offices across Maryland Parkway. This level of intensity of use was not envisioned for this area. If approved, the use shall be subject to a one-year review by the City Council.

- Conditions

Title 19.04.050 requires several conditions to be met for the approval of a Special Use Permit for a Swap Meet. These conditions include:

(1) No outdoor display, sales or storage of any merchandise or equipment is permitted, except in connection with temporary activities that have been authorized by means of a Temporary Commercial Permit.

(2) No repair, installation or service work is permitted outside of an enclosed building.

(3) All signage, including any temporary signage, shall comply with LVMC Chapter 19.14.

(4) The swap meet operation shall comply with all applicable requirements of LVMC Title 6.

All business activity appears to take place within an enclosed building.

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 Swap Meet is not compatible with the surrounding multi-family residential uses abutting the site or with the professional offices to the west.

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

The subject site, though small for a Swap Meet, can accommodate this use. Sufficient parking has been provided.

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.”**

Maryland Parkway, an existing Secondary (80-foot) Collector, and an alley off Lewis Avenue, an existing 51-foot right-of-way, are adequate to handle traffic coming to and from the proposed site.

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

The proposed Swap Meet will be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

22

NOTICES MAILED 229

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-6245** APN: 159-34-811-047 - 052
Name of Property Owner: NEAR & FAR, LLC
Name of Applicant: THE ISLAND, LLC

Name of Property Owner: NEAR & FAR, LLC

Name of Applicant: THE ISLAND, LLC

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

Yes ☐ No ☒

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: *Hakjune Kim*
Print Name: NEAR + FAR, LLC. - HAKJUNE KIM

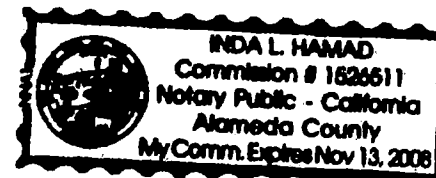
Print Name: NEAR + FAR, LLC. - HAKJUNG KIM

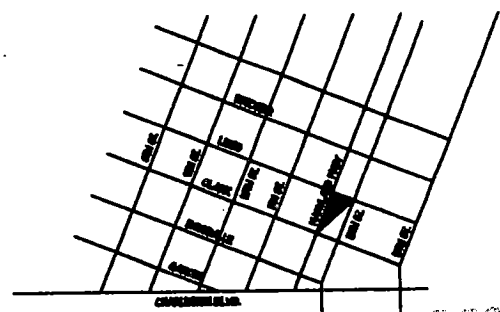
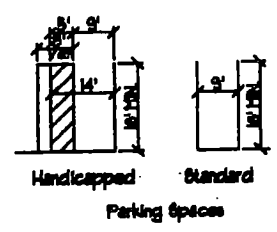
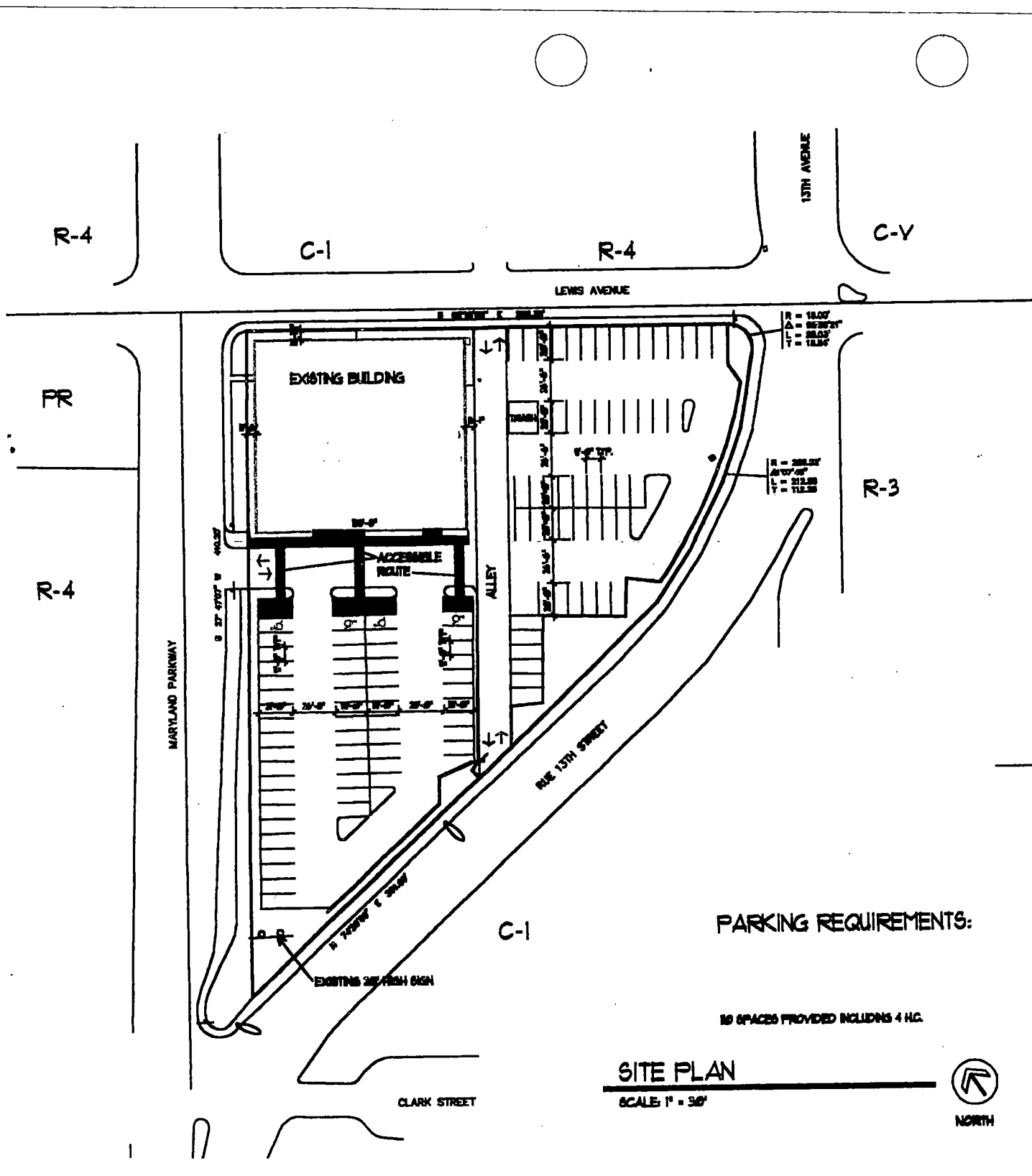
Subscribed and sworn before me

This 16th day of Feb., 2025

Jorda L. Hammack
Notary Public in and for said County and State

Notary Public in and for said County and State



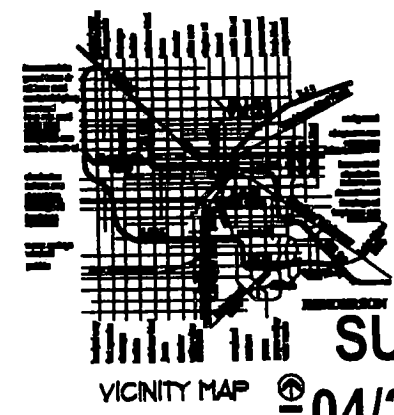


RECEIVED
 MAY 9 2005
 LOCATION MAP

PARKING REQUIREMENTS:

10 SPACES PROVIDED INCLUDING 4 H.C.

SITE PLAN
 SCALE: 1" = 30'



SUP-6245
 04/28/05

WAREHOUSE—
Carpet & Flooring
Store

**Bathrooms &
Storage space**

**Offices available to
tenants in showroom
plus rentable as of-
fices.**

The Island

**401 S. Maryland
Pky**

1—7 *Separate al-
coves with pony
walls open to show-
room*

8 *Break Room*

21 *Reception*

23—26 *Piano Store
plus part of show-
room to Reception
area of 21*

**OPEN SPACE IS
SHOWROOM**

16, 17 *Potential
Booth rentals.*

RECEIVED
MAR 10 1975

RECEIVED

WAREHOUSE—
Carpet & Flooring
Store

Bathrooms
Storage space &

*Offices available to
tenants in showroom
plus rentable as of-
fices.*

SUP-6245
04/28/05 PC

The Island

**401 S. Maryland
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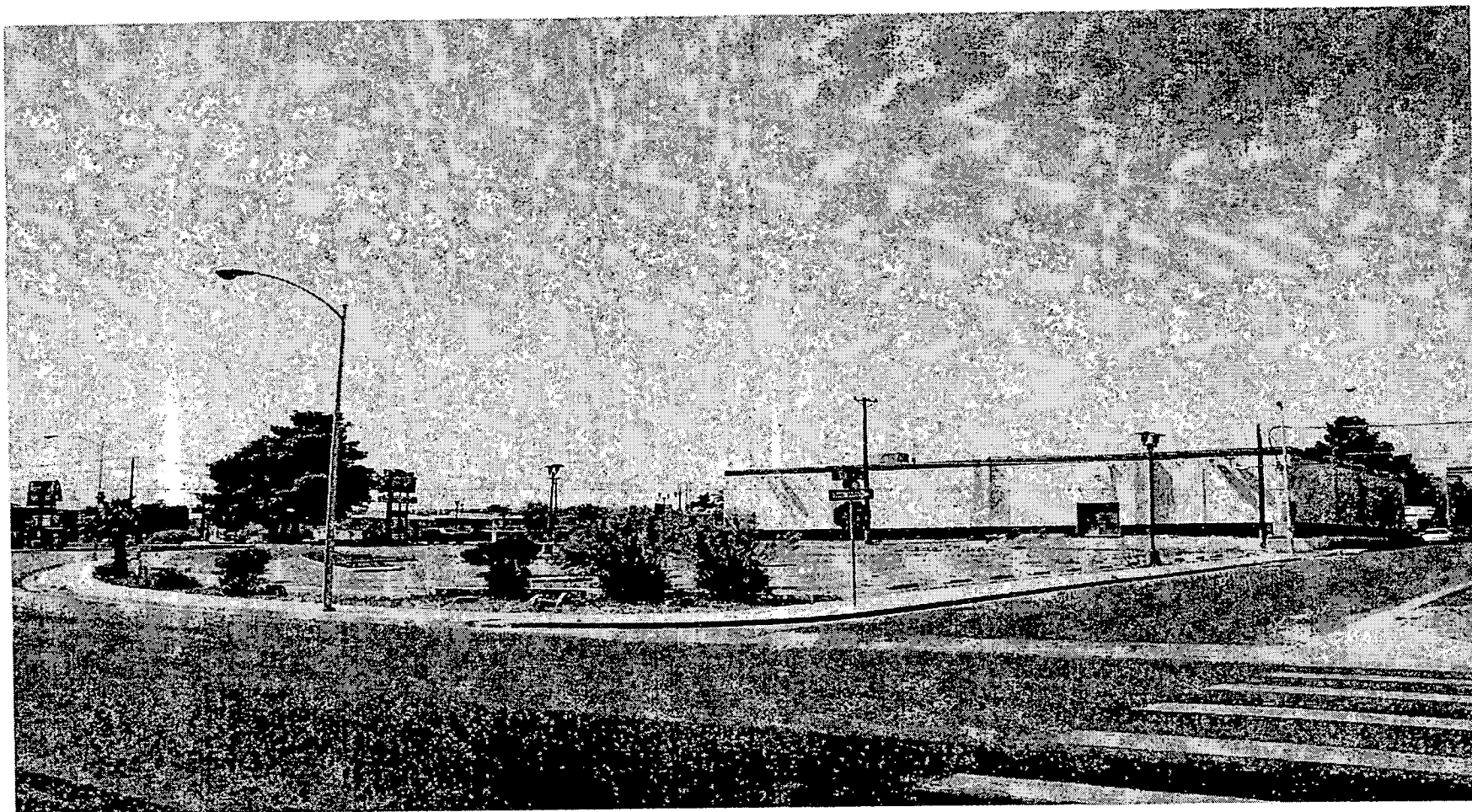
SUP-6245 - APPLICANT/OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
APRIL 28, 2005 PLANNING COMMISSION



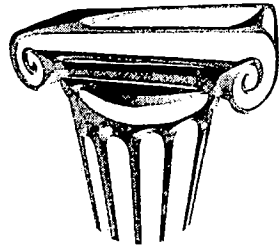
SUP-6245 - APPLICANT/OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
APRIL 28, 2005 PLANNING COMMISSION



SUP-6245 - APPLICANT/OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
APRIL 28, 2005 PLANNING COMMISSION



SUP-6245 - APPLICANT/OWNER: NEAR AND FAR, LLC
401 SOUTH MARYLAND PARKWAY
APRIL 28, 2005 PLANNING COMMISSION



POWER
Realty & Development

February 24, 2005

To: City of Las Vegas

From: The Island Development Team

RE: SPECIAL USE PERMIT FOR 401 S. MARYLAND PKY.

Good Beautiful Day;

I am herein submitting, through my representative and consultant, Peggy Pound, our application for a Special Use Permit for a 16,000 s.f. building located on 2.88 gross acres at the SE Corner of Lewis and & Maryland Pky., Commonly known as 401 S. Maryland Pky.

It was the United Home Flooring and Paint store, and we are in the process of planning a high rise "vertical" community, mixed use at this site. During the pendency of our application plans for developing this site, we are requesting a Special Use for the purpose of allowing us to utilize the showroom, offices in the building for individual merchants to rent space for a period of up to 2 yrs or when we are ready to develop this site, whichever comes first. I have a piano store that wants to relocate from California and rent part of the building. That leaves more space for similar types of businesses, similar to a swap meet, but without the "T" shirt vendors. We want to keep the merchants complimenting each other, considering the downtown construction of residential use, there are a lot of merchants in the interior decorating fields that have expressed interest in locating here. These are the type of business we anticipate attracting at this site, knowing that a more permanent location would be necessary for them, even if it means purchasing and building their own stores in the downtown area in the future.

Thank you and God Bless,

Dusty Buckel,
Resident Agent for Near & Far, LLC

Ltr. City of LV Spec. Use Permit App.
Microsoft Pub.

The Law Office of

BENJAMIN B. CHILDS, LTD.

318 South Maryland Parkway
Las Vegas, Nevada 89101

(702) 385-3865
Fax (702) 385-1847
email benchilds@mgci.com

April 18, 2005

RECEIVED

APR 22 2005

GARY LEOBOLD
CITY PLANNING COMMISSION
Development Services Center
731 S. 4th St.
Las Vegas, NV 89101

re: 401 S. Maryland Parkwy request for special use permit

Dear Mr. Leobold :

I emphatically oppose authorizing use of the property at 401 S. Maryland Parkway as an indoor swap meet. The indoor swap meet which opened inside the former Home Base store on Charleston failed almost immediately. An indoor swap meet is a poor use for such a large and well located property. This area is primarily professional offices and residential apartments; a swap meet is simply not a good fit in this location. I realize that this property has a tortured history, but surely a more practical use can be found than a swap meet, which I believe would simply fail immediately. Perhaps a nursing home or a franchise drug store such as CVS, Walgreens or Rite Aid.

I will plan to attend the hearing on April 28 to voice my concerns in person; is it possible to indicate to me a more precise time of when this matter will be addressed to avoid having me wait from the beginning ? Thank you for any advice you can provide on this point.

Please contact me with any questions.

Sincerely,

Benjamin B Childs
Benjamin B. Childs
Nevada Bar # 3946

SUP-6245

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SUP-6267 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: OSKA THAMMAVONGSA - OWNER: CITY CENTER ENTERPRISES, LLC - Request for a Special Use Permit FOR A PROPOSED TAVERN-LIMITED ESTABLISHMENT at 731 Fremont Street (APN 139-34-612-022), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 06/01/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL abstaining because he manages a building within the notification area and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, gave a brief explanation of the application. He reminded the Board that the applicant was previously heard in October to receive approval of a restaurant service bar. They have since decided to apply for a tavern/limited license instead.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 84 – SUP-6267

MINUTES – Continued:

NIKONE PHOMMALY, 5865 Glory Canyon Way, Las Vegas, NV 89142, appeared with the applicant and concurred with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

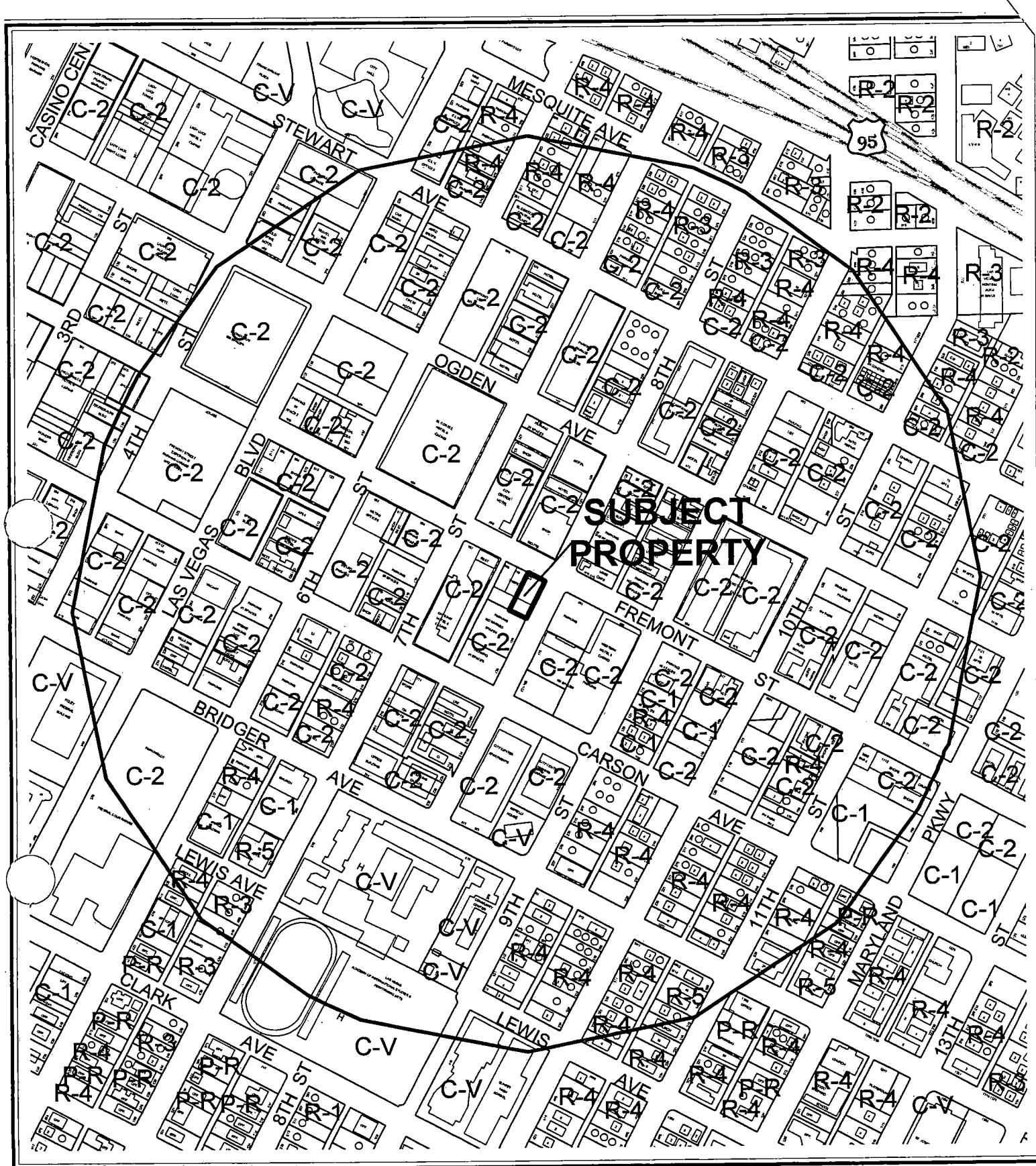
(12:12 – 12:14)

5-16

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.



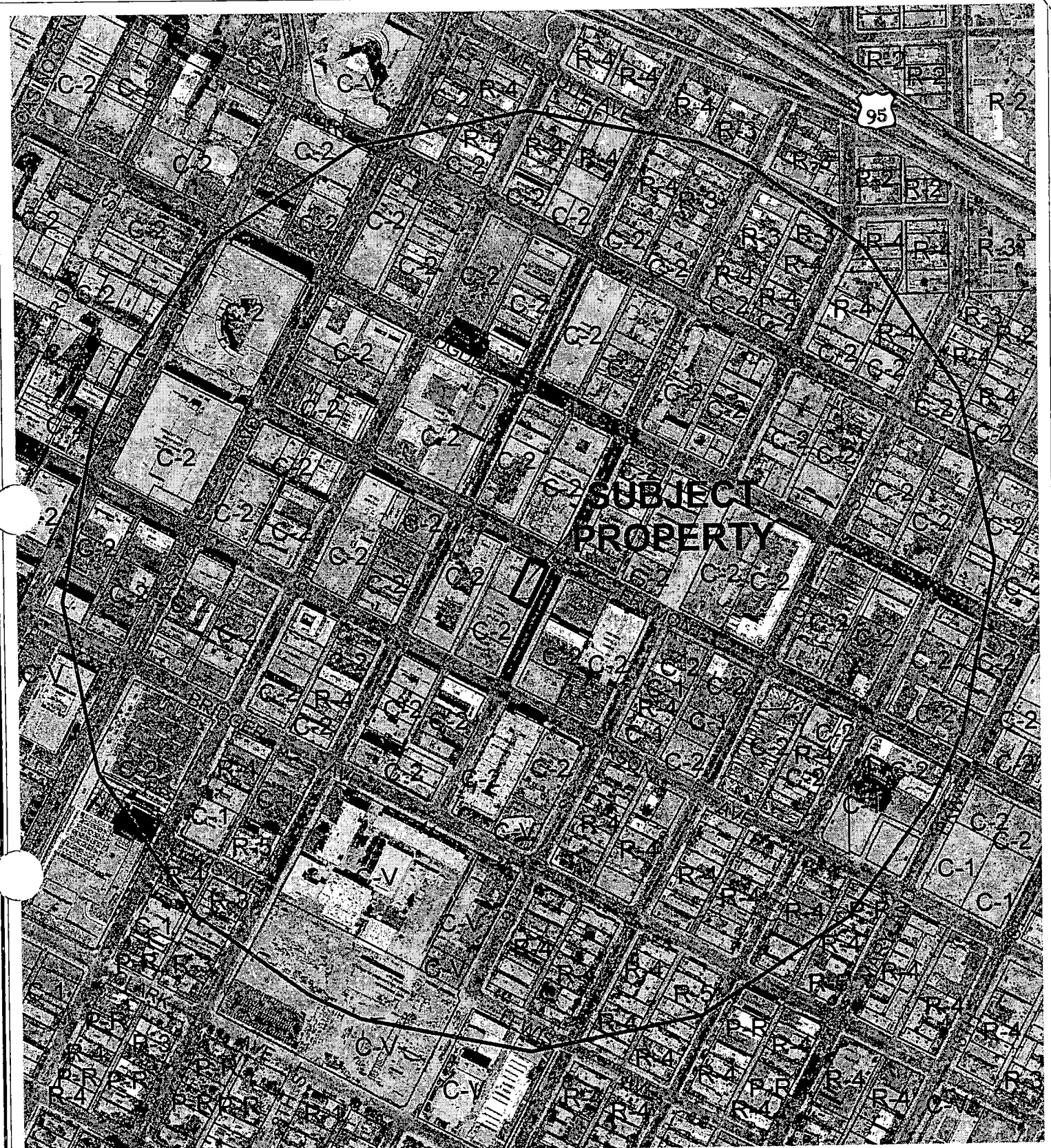
CASE: SUP-6267

RADIUS: 1500 FT

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

0 400 800 Feet





CASE: SUP-6267

RADIUS: 1500 FT

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

0 400 800 Feet





SUP-6267 Taverns

 Downtown Entertainment
Overlay District

Business Licenses

 Child Care/
Children Facility  Tavern

0 245 490 980 Feet

 RELIGIOUS
 PARKS
 SCHOOLS

 Subject Property

 1500 foot buffer



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6267 - APPLICANT: OSKA THAMMAVONGSA -

OWNER: CITY CENTER ENTERPRISES, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **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.
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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 Special Use Permit for a proposed Tavern-Limited Establishment at 731 Fremont Street.

B) Applicant's Justification

The applicant states that the establishment will provide karaoke and a live band every night, and will do whatever it takes to meet or exceed City standards.

BACKGROUND INFORMATION

A) Related Actions

12/17/86 The City Council denied a request for a Variance (V-0083-86) in order to allow an existing sexually-oriented business to remain within 810 feet of a school and 850 feet from two churches where a 1,000-foot separation distance was required.

10/02/02 The City Council adopted an ordinance establishing the Downtown Entertainment Overlay District and corresponding regulatory provisions and establishing the Tavern-Limited liquor license pertaining only to this district.

12/17/04 The City Council approved a Special Use Permit (SUP-5362) to allow a Restaurant Service Bar on the subject property. The Planning Commission and staff recommended approval of the request. The applicant has since decided to apply for a Tavern-Limited Establishment license rather than the Restaurant Service Bar license.

B) Pre-Application Meeting

03/07/05 At the pre-application conference, it was noted that the applicant wanted to open a Tavern-Limited Establishment rather than operate under the previously-approved Restaurant Service Bar. The requirement for live entertainment and gaming prohibition was explained to the applicant.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.22

B) Existing Land Use

Subject Property: General Retail Use
 North: General Retail Use
 South: Parking Lot Use
 East: Hotel Use
 Gaming Use
 West: General Retail Use

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The Downtown Redevelopment Area Land Use Map within the Southeast Sector Plan designates the subject parcel as C (Commercial), which allows office uses, service-oriented commercial uses, and general commercial uses. The proposed use is consistent with the Commercial designation; a Tavern-Limited Establishment is permitted in the C-2 (General Commercial) zoning district upon approval of a Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		
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

The parcel is within 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 Area

The parcel is within the Downtown Centennial Plan boundaries, and is located in the Casino Center District. The district is home to the historic and classic Las Vegas casinos of "Glitter Gulch," and it is intended to retain and enhance these facilities, while diversifying the commercial offerings and protecting the existing public facilities. The proposed use will reinforce the viability of the downtown area by increasing dining opportunities.

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 separation requirements.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the establishment:

Uses	GFA	Provided Parking	
		Regular	Handicap
Restaurant	2,767 SF		
Total:		5	1

A total of six parking spaces will be provided on the property, which includes one handicap parking space. On-street and nearby surface parking is also available. As the building is not being expanded, no additional on-site parking spaces will be required.

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. As the project is within the boundaries of the Entertainment District, there are several Tavern-Limited Establishments within the separation distance. In addition, a school is located approximately 950 feet from the subject site. The proposed use should have no measurable impact on the school or other Tavern-Limited Establishments.

B) General Analysis and Discussion

- Zoning

The proposed Tavern-Limited Establishment requires a Special Use Permit in the C-2 (General Commercial) district. No changes are proposed to the exterior of the building, nor is the square footage of the building being increased to accommodate the proposed use. The signage for the business was approved by the Downtown Entertainment Overlay District Design Review Committee (DEOD-DRC) in accordance with Title 19.06.120 on 11/09/04.

- 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.

A total of six parking spaces will be available on site will be available on site, including one handicap parking space. As the property is within the boundaries of the Downtown Centennial Plan area, parking requirements are not automatically applied. The availability of on-street and surface parking within the vicinity of the site will adequately address any deficiency of parking that may result; in addition, the site has excellent pedestrian access and is within easy walking distance of area hotels and attractions.

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 use is adjacent to other commercial and tourist-related uses, and can be conducted in a manner that is compatible with the surrounding uses.

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

The proposed use will be located within an existing building, which is physically suitable for the proposed operation.

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 has frontage on Fremont Street and Eighth Street; both streets have adequate capacity to serve 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."**

SUP-6267 - Staff Report Page Six
April 28, 2005 - Planning Commission Meeting

Approval of this request is consistent with the objectives of the General Plan, and will not compromise public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

NOTICES MAILED 246

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Oskar Thammavongsa

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

X 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: Gerard Trophete

Print Name: Gerard Frapete

Subscribed and sworn before me

This 11 day of MARCH, 2005

D. Huff CLARK COUNTY, NEVADA STATE
Notary Public in and for said County and State
DATE: MARCH 11, 2005



LAO THAI CUISINE

APN #139-34-612-022

731 Fremont Street

City of Las Vegas, Nevada 89101

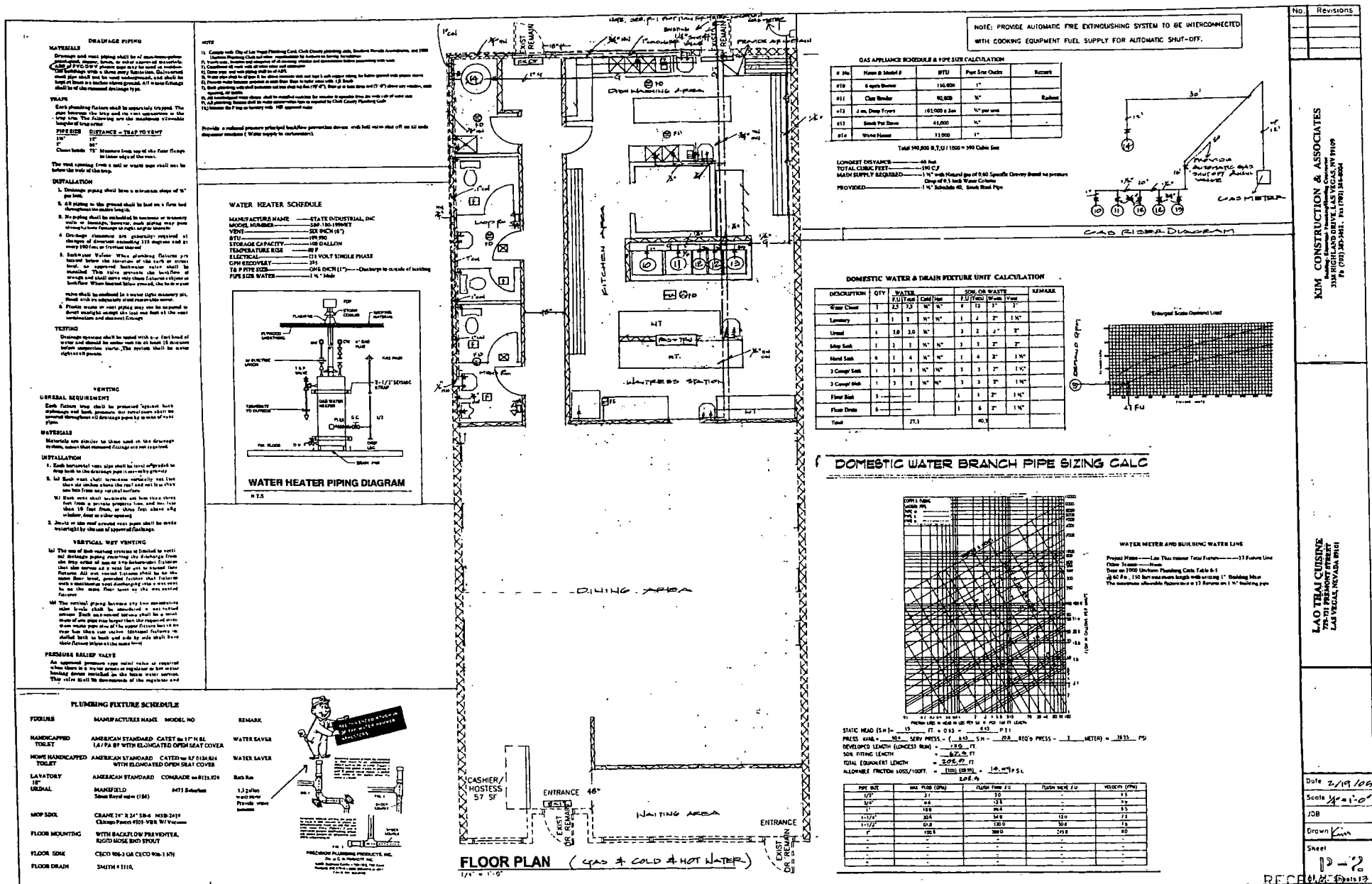
PROJECT DATA

Project Number: 139-34-612-022
 Owner Name(s): LEO FALCONETTI & L.C.
 Site Address: 731 FREMONT ST
 Jurisdiction: Las Vegas - 89101
 Agency Classification: General Commercial District (C-1)

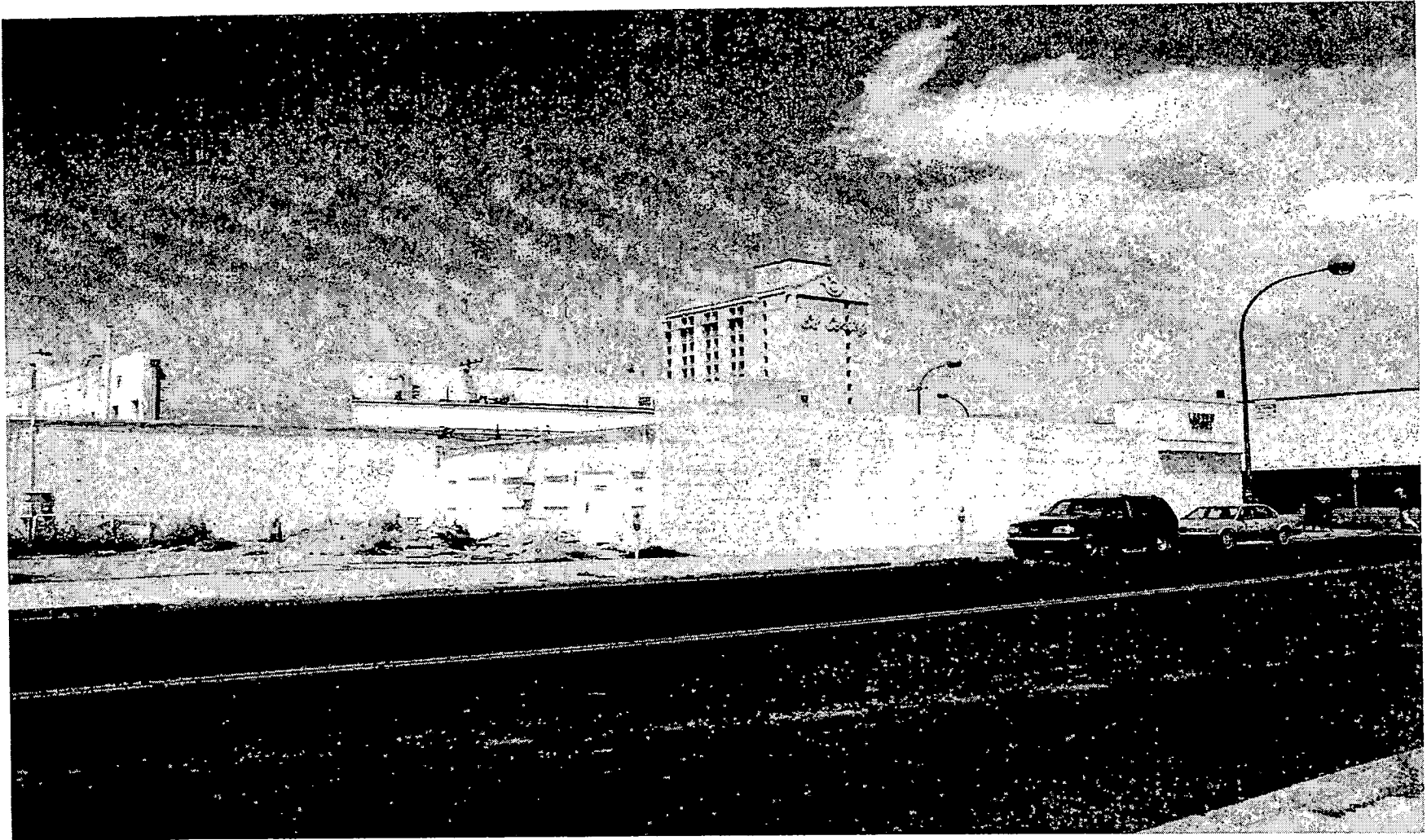
TYPE OF CONSTRUCTION: V-0
 ZONING: C-1
 TYPE OF OCCUPANCY: A-1
 TOTAL SQUARE FEET: 2,745 S.F.
 FIRE SPRINKLER: No
 EXIST: Ramped - 2, Provided - 2

NUMBER OF SEATING AREA: 76
 Seating Area: 77' 4" x 37' 0" = 1,141 S.F. (11) = 75.7
 Kitchen Area: 10' 4" x 37' 0" = 378 S.F. (4) = 14
 Waiting, Counter, Rest Room / Other Interior Room Area 511.3 (52) = 5.1
 Total: 1,534

PLUMBING SYSTEM
 Chapter 19, Section 209
 Drain: 4-6 Water Closet: 15-18, 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, 101-102, 103-104, 105-106, 107-108, 109-110, 111-112, 113-114, 115-116, 117-118, 119-120, 121-122, 123-124, 125-126, 127-128, 129-130, 131-132, 133-134, 135-136, 137-138, 139-140, 141-142, 143-144, 145-146, 147-148, 149-150, 151-152, 153-154, 155-156, 157-158, 159-160, 161-162, 163-164, 165-166, 167-168, 169-170, 171-172, 173-174, 175-176, 177-178, 179-180, 181-182, 183-184, 185-186, 187-188, 189-190, 191-192, 193-194, 195-196, 197-198, 199-200, 201-202, 203-204, 205-206, 207-208, 209-210, 211-212, 213-214, 215-216, 217-218, 219-220, 221-222, 223-224, 225-226, 227-228, 229-230, 231-232, 233-234, 235-236, 237-238, 239-240, 241-242, 243-244, 245-246, 247-248, 249-250, 251-252, 253-254, 255-256, 257-258, 259-260, 261-262, 263-264, 265-266, 267-268, 269-270, 271-272, 273-274, 275-276, 277-278, 279-280, 281-282, 283-284, 285-286, 287-288, 289-290, 291-292, 293-294, 295-296, 297-298, 299-300, 301-302, 303-304, 305-306, 307-308, 309-310, 311-312, 313-314, 315-316, 317-318, 319-320, 321-322, 323-324, 325-326, 327-328, 329-330, 331-332, 333-334, 335-336, 337-338, 339-340, 341-342, 343-344, 345-346, 347-348, 349-350, 351-352, 353-354, 355-356, 357-358, 359-360, 361-362, 363-364, 365-366, 367-368, 369-370, 371-372, 373-374, 375-376, 377-378, 379-380, 381-382, 383-384, 385-386, 387-388, 389-390, 391-392, 393-394, 395-396, 397-398, 399-400, 401-402, 403-404, 405-406, 407-408, 409-410, 411-412, 413-414, 415-416, 417-418, 419-420, 421-422, 423-424, 425-426, 427-428, 429-430, 431-432, 433-434, 435-436, 437-438, 439-440, 441-442, 443-444, 445-446, 447-448, 449-450, 451-452, 453-454, 455-456, 457-458, 459-460, 461-462, 463-464, 465-466, 467-468, 469-470, 471-472, 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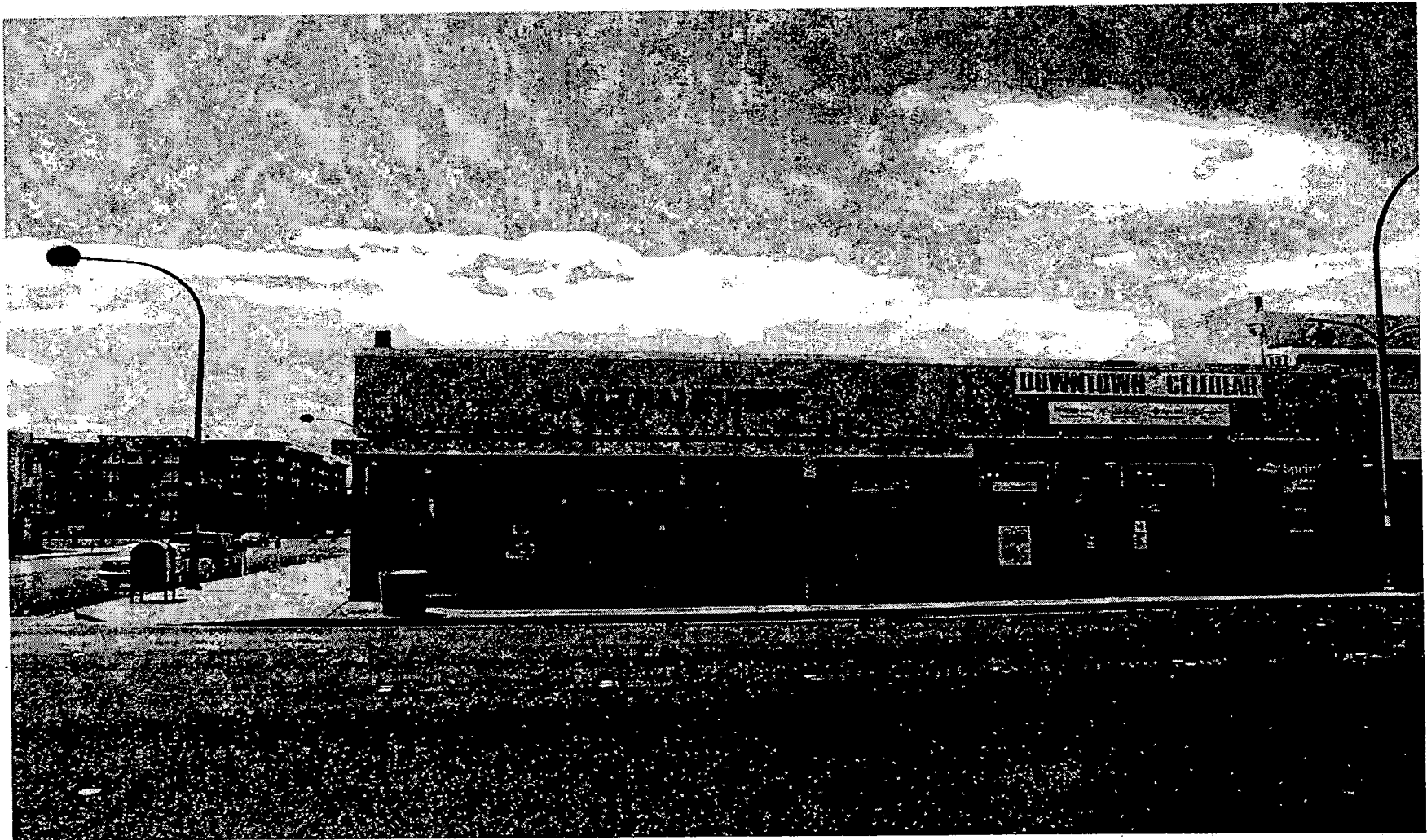


SUP-6267
04/28/05 PC



SUP-6267 - APPLICANT: OSKA THAMMAVONGSA - OWNER: CITY CENTER ENTERPRISES, LLC
731 FREMONT STREET
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



SUP-6267 - APPLICANT: OSKA THAMMAVONGSA - OWNER: CITY CENTER ENTERPRISES, LLC
731 FREMONT STREET
APRIL 28, 2005 PLANNING COMMISSION

4/4/05

To. PLANING + Development

we Request for special use

permit for A TRAVERN limited.

for 731 E Fremont. A parcel that
is intended. To be used for.

LAO THAI CUISINE.

we will have a KARAOKE and

live band. every night.

we will do whatever it take

to meet or exceeds city standards

Please. Approved. this Request

Please.

Thank you.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**SDR-6244 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: FLEMING'S PRIME STEAKHOUSE - OWNER: LENA PICCOLI-
OSTUNIO - Request for a Site Development Plan Review FOR A 524 SQUARE FOOT
ADDITION TO AN EXISTING RESTAURANT on 8.26 acres at 8721 West Charleston
Boulevard (APN 163-05-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

**McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL
abstaining because the underlying applicant of Fleming's is Outback Steakhouse, Inc., and
his company, Cornerstone Company, is currently completing a transaction with them and
STEINMAN and EVANS abstaining**

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The proposed addition meets all commercial development standards and is consistent with the General Plan and other applicable sections of Code. He noted that a previous condition of approval on one of the related cases on this site prohibits any future parking variances. A furniture store has recently opened in the site and because of that, the parking

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 85- SUP-6224

MINUTES – Continued:

requirement has been lowered. If that space is converted back to retail in the future, the site would exceed the parking requirement.

ANTHONY WRITE, 630 South Fourth Street, appeared on behalf of the applicant and concurred with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:14 – 12:17)

5-89

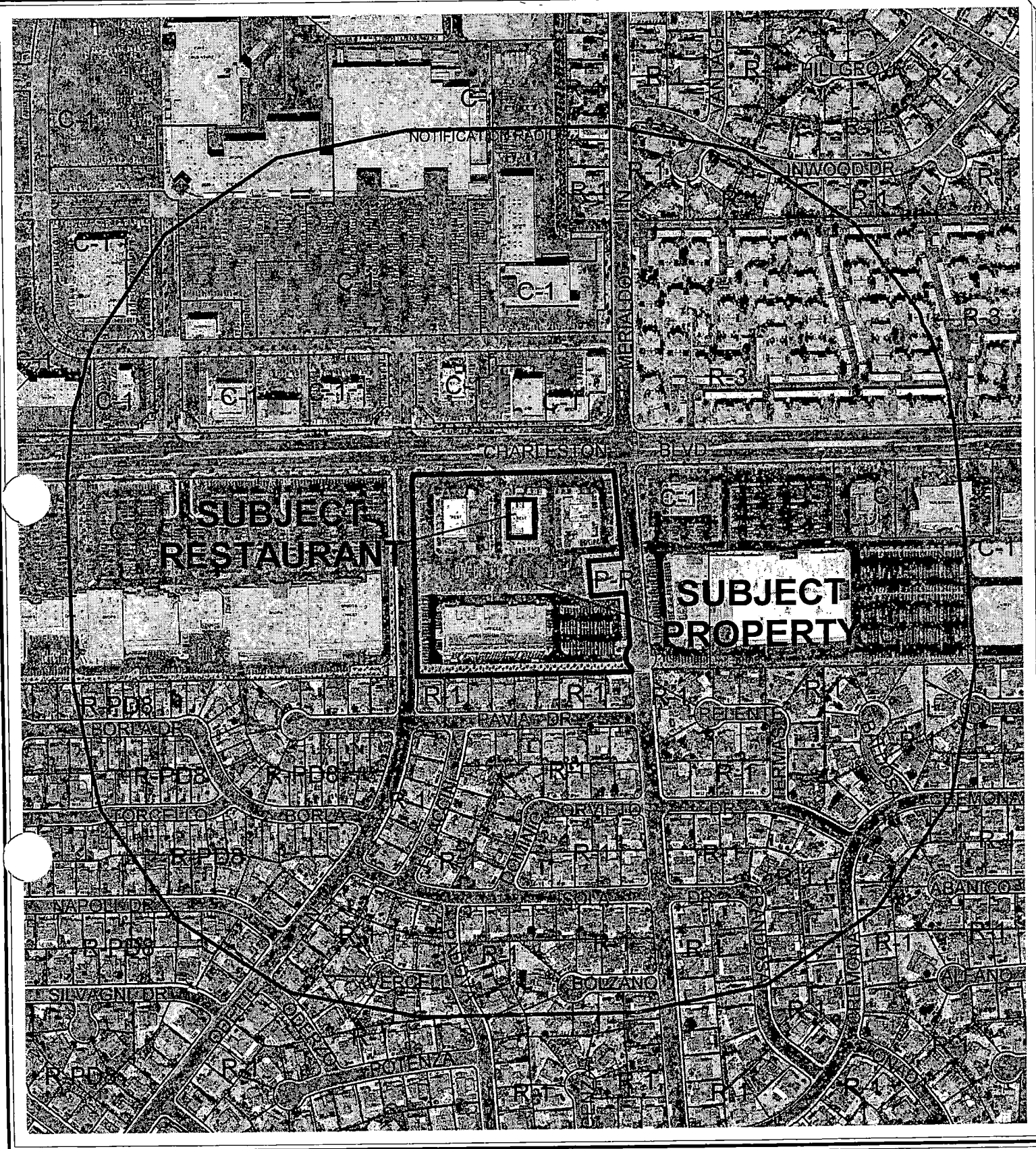
CONDITIONS:

Planning and Development

1. Conformance to all applicable conditions of approval for Rezoning (Z-0071-00), Site Development Plan Review [Z-0071-00(1)] and Special Use Permit (U-0147-00).
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
3. A revised landscape plan showing new plantings adjacent to the building shall be submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit.
4. All development shall be in conformance with the site plan and building elevations date stamped 03/09/05, except as amended by conditions herein.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Meet with the Flood Control Section of the Department of Public Works to determine if a drainage study update will be required for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-71-00 and all other subsequent site-related actions.



CASE: **SDR-6244**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-6244 - APPLICANT: FLEMING'S PRIME STEAKHOUSE -
OWNER: LENA PICCOLI-OSTUNIO**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all applicable conditions of approval for Rezoning (Z-0071-00), Site Development Plan Review [Z-0071-00(1)] and Special Use Permit (U-0147-00).
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted.
3. A revised landscape plan showing new plantings adjacent to the building shall be submitted to and approved by Planning and Development Department staff, prior to the time application is made for a building permit.
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Public Works

6. Meet with the Flood Control Section of the Department of Public Works to determine if a drainage study update will be required for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
7. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-71-00 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 524 square-foot addition to an existing restaurant (Fleming's Prime Steakhouse and Wine Bar) on 8.26 acres at 8721 West Charleston Boulevard.

B) Applicant's Justification

According to the applicant's justification letter, the expansion is needed to provide dining facilities to large parties. It will be consistent with the character of other comparable businesses in the immediate area. The expansion will not have an adverse effect on existing public facilities, traffic conditions or the surrounding neighborhood. Parking is shared on the overall site.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/81 The City Council approved a request for a Rezoning (Z-0034-81) to P-R (Professional Office and Parking) Zone on this site as part of a larger request.
- 10/18/00 The City Council approved a Rezoning (Z-0071-00) to C-1 (Limited Commercial), a Site Development Plan Review [Z-0071-00(1)] for a proposed 58,683 square-foot commercial center, a Special Use Permit (U-0145-00) for a Supper Club (Roy's), a Special Use Permit (U-0146-00) for a second Supper Club (Carrabba's), and a Special Use Permit (U-0147-00) for a third Supper Club (Fleming's) on this site. The Planning Commission and staff recommended approval.
- 01/16/02 The City Council tabled a request for a Review of Condition [Z-0071-00(2)] on the approved Rezoning, Site Development Plan Review, and Special Use Permits, which restricted restaurant operating hours in conjunction with a 58,683 square-foot retail shopping center on this site. The Planning Commission and staff recommended approval.

SDR-6244 - Staff Report Page Two
April 28, 2005 - Planning Commission Meeting

- 09/18/02 The City Council voted to Strike a Review of Condition request [Z-0071-00(3), U-0145-00(2), U-0146-00(2) and U-0147-00(2)] on the approved Rezoning, Site Development Plan Review and Special Use Permits, which prohibited future parking variances on the site. Staff had recommended denial of the Review of Condition.
- 12/04/02 The City Council approved a request for a Site Development Plan Review (SDR-1307) for a proposed 51,718 square-foot, two-story retail/office building at the rear of the subject site. Staff recommended approval.
- 08/06/03 The City Council approved a request for a Special Use Permit (SUP-2485) for a proposed Liquor Establishment (Off-Premise Consumption) acres located at 8751 West Charleston Boulevard, Suite 110. The Planning Commission and staff recommended approval.
- 10/29/03 The City Council approved a Master Sign Plan (MSP-2858) for the approved retail center on the site, including the three existing restaurants. The Planning Commission and staff recommended approval.

B) Pre-Application Meeting

- 09/29/04 This initial meeting was to discuss a proposed 1,100 square-foot addition to the existing Fleming's restaurant. The addition would accommodate large parties and would be located near the front of the building. Staff requested a comprehensive parking analysis of the site, including the three restaurants along Charleston Boulevard, as well as copies of cross access agreements and floor plans of all uses on the site.
- 01/18/05 The applicant did not submit the application within two months of the first pre-application meeting; therefore, another meeting was held. The site plan remained the same. The applicant requested an administrative review. The applicant was told that per a condition of approval of Site Development Plan Review (SDR-1307), Special Use Permit (U-0147-00) and the rezoning of the property (Z-0071-00), no parking variances may be requested for the site and any additional site reviews must have a public hearing. The same requirements for submittal were requested of the applicant.
- 01/31/05 In a follow-up meeting to the pre-application conference, the applicant's representative met with the Director of Planning and Development. The applicant was informed that a site review for the proposed addition would be heard as a public hearing and that an updated parking analysis would need to be submitted with plans. The applicant later scaled back the size of the addition.

C) Neighborhood Meetings

A neighborhood meeting was not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 8.26

B) Existing Land Use

Subject Property: Restaurants, Furniture Store, Offices (LVVWD site is not part of the 8.26 acres)

North: Retail Commercial

South: Single-Family Residential

East: Restaurant

West: Retail Commercial

C) Planned Land Use

Subject Property: SC (Service Commercial) [and PF (Public Facilities) – LVVWD]

North: SC (Service Commercial)

South: L (Low Density Residential)

East: SC (Service Commercial)

West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial) [and P-R (Professional Office and Parking) – LVVWD]

North: C-1 (Limited Commercial)

South: R-1 (Single Family Residential)

East: C-1 (Limited Commercial)

West: C-2 (General Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. This category allows low to medium intensity retail, office or other commercial uses serving primarily local area patrons. The subject restaurant already conforms to the SC (Service Commercial) designation and is unaffected by the proposed addition.

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

No special districts, plans or trails are associated with the subject property.

PROJECT DESCRIPTION

The applicant seeks to add a 524 square-foot addition to the existing Fleming's Prime Steakhouse and Wine Bar. The addition is to be constructed at the front of the restaurant directly behind the bar area and is intended to provide space for private dining. The addition adds 11 parking spaces to the requirement for the overall retail center. Construction and materials will match those on the existing elevations. The proposal complies with all setbacks and lot coverage requirements. Some landscaping adjacent to the building will be removed, but the intent of the foundation landscaping standard will still be preserved.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Setbacks.			
• Front	20 Feet	78 Feet	Y
• Side	10 Feet	240 Feet	Y
Max. Lot Coverage	50 %	20 %	Y

The proposed addition meets applicable Development Standards.

A2) Residential Adjacency Standards

The existing restaurant meets Residential Adjacency Standards, and the proposed addition does not cause a change that would require a Variance from these standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the entire retail center:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Existing Restaurant (Carrabba's/ Fleming's/ Roy's)	20,880 SF (9,203 SF dining area, 11,677 SF remaining floor area)	1 space per 50 SF public seating and waiting area + 1 space per 200 SF of remaining GFA	244 (185+59)	--		
Restaurant addition	524 SF	1 space per 50 SF	11			
Bistro	1,500 SF	1 space per 50 SF	30	--		
Furniture Store	31,218 SF	1 space per 500 SF of sale floor display area + 1 space per 2,500 SF of storage	63 (63 + 0)			
Office, Other	19,000 SF	1 space per 300 SF	64			
TOTAL	73,122 SF	--	403	9	462	15

The retail center provides 477 parking spaces, well over the 412 spaces required. The amount of required parking has declined from the time of the center's original approval because the ground floor of the rear building is now being used almost exclusively as a furniture store and not for retail uses.

A4) Landscape and Open Space Standards

No new landscaping is proposed, other than to reconstruct the planter in front of the addition. The site currently meets all applicable landscape standards.

A5) Sign Standards

An existing Master Sign Plan (MSP-2858) governs the provision of signage on the site. No new signage is proposed for the addition.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). Restaurants are permitted uses as of right within this district. The prohibition of parking variances and parking along Odette Lane conditioned by the Rezoning case for the site (Z-0071-00) is still in effect.

- Site Plan

The primary issue concerning the restaurant addition is parking. A condition of approval of the Rezoning, previous site development reviews and Special Use Permits for the restaurants prohibits future parking variances. Because the parking is already tight, and to add restaurant space would be to increase the parking requirement, the applicant is trading off the loss of retail uses to gain parking spaces. There is now a commitment to the furniture store on the site. The two-story building in the rear of the retail center will now not be able to fully return to retail uses without exceeding parking requirements. Parking spaces have been reconfigured to provided 477 spaces, which is a reduction of 17 spaces from SDR-1307, when the retail and office building was proposed.

- Waivers

No waivers were requested as part of this Site Development Plan Review.

- Landscape Plan

A 33-foot long section of the planter in front of the building will be removed to allow for construction of the addition. Some landscaping will still remain between the addition and the sidewalk abutting the parking lot. Foundation landscaping is provided around the other sides of the building and the intent of the foundation landscaping standard is kept intact. Approval will be conditioned upon submittal of a revised landscape plan showing the new planter.

- Elevation

Elevations for the north and east sides of the building were mislabeled. The addition will match the line of the existing awnings around the other sides of the building.

- Floor Plan

The floor plan indicates that the proposed addition will be located behind the bar area at the front of the building. The expanded area encompasses one large room with an entrance at the side of the bar. Although the addition is to be used for large groups, private dining already is offered in two other sections of the restaurant.

FINDINGS

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

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

The proposed restaurant addition does not add any unusual height or bulk to the existing restaurant, and is not out of character from the other existing restaurants on the site.

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

The proposed addition meets all Commercial Development Standards and is consistent with the General Plan, Landscape, Wall and Buffer Standards, and other applicable sections of the Las Vegas Zoning Code.

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

Access to the property will not change. Vehicles may enter and exit the property from Charleston Boulevard or Merialdo Lane. Addition of such a minor amount of restaurant floor space will not adversely affect traffic patterns in the area.

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

The proposed building materials will match those of the existing building and maintain compatibility with materials used in the other buildings onsite.

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

The proposed elevations of the addition create an aesthetically pleasing environment and do not affect the compatibility of the existing restaurant with respect to other development on the site.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 258

APPROVALS 0

PROTESTS 0

MAIL BOXES ETC 2829 Fax: 714-545-1300

Jan 7 2005 10:22

P.02
PAGE 02/03

11/15/2004

15:25

MORAN & ASSOC + 917753233310013

NO. 000 000



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6244** APN: 163-05-502-001

Name of Property Owner:

Micah 6:8 Holding LP 40 - Carmel
Lena Piccoli-Ostunio

Name of Applicant:

Outback Steakhouse, 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 partner, or an officer of their corporation or limited liability company?

YesNo

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.

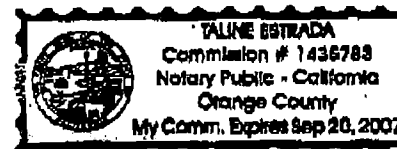
City Official: _____

Partner(s): _____

APN: _____

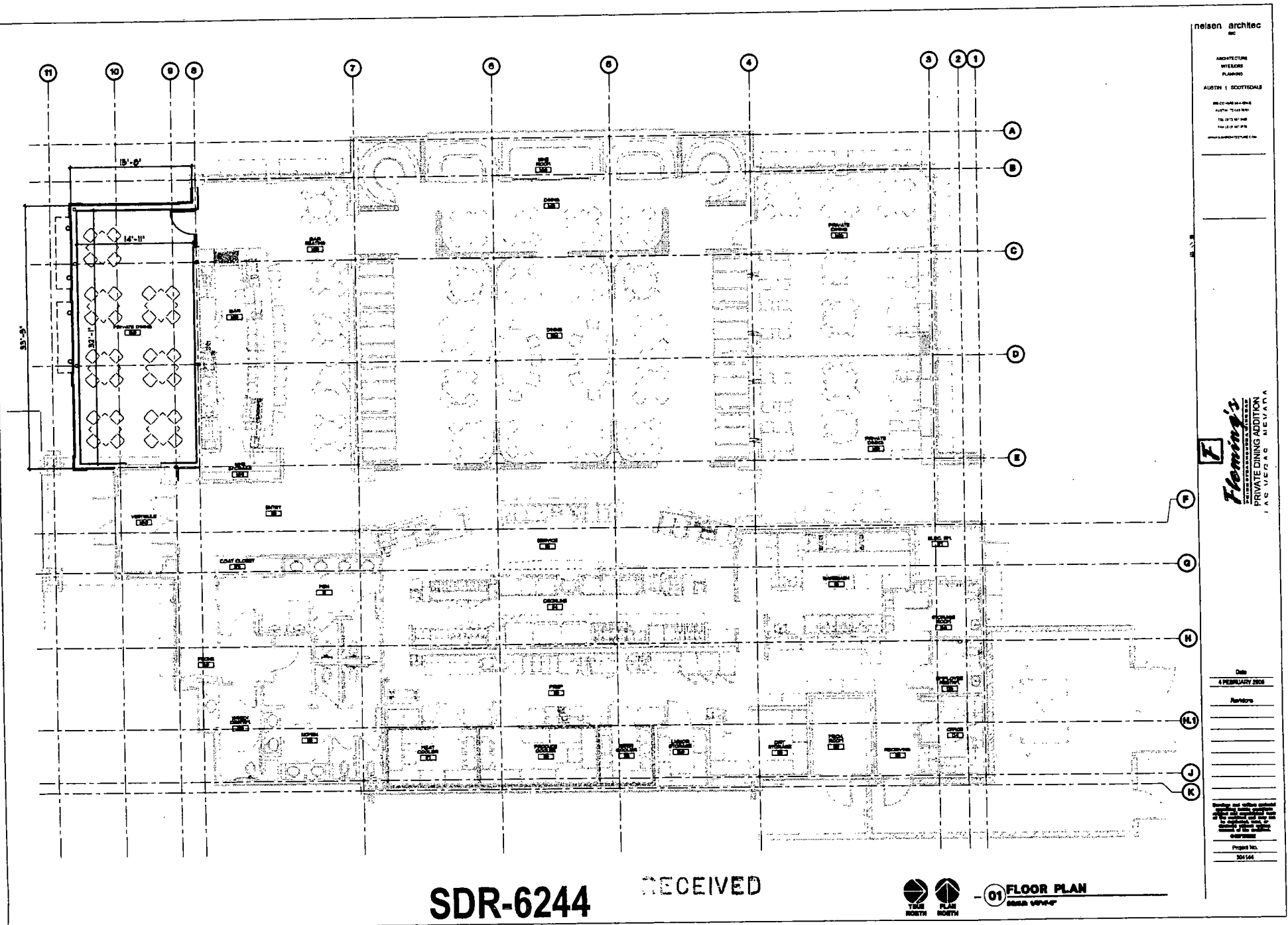
Signature of Property Owner/Authorized Agent: Lena Piccoli OstunioPrint Name: Lena Piccoli Ostunio

Subscribed and sworn before me

This 7th day of Jan, 2005Talene Estrada
Notary Public in and for said County and State

Revised 3/18/01

(Mapes Application Packet/Statement of Financial Interest.doc)



neisen architect
INC.

ARCHITECTURE
INTERIORS
LANDSCAPE

AUSTIN 1 SCOTTSDALE

10000 N. 100TH AVE.
AUSTIN, TEXAS 78758
TEL: 512.451.1111
WWW.NEISENARCHITECTURE.COM

Fleming's
RESTAURANT & BAR
PRIVATE DINING ADDITION
LAS VEGAS, NEVADA

Date
4 FEBRUARY 2004

Revisions

Project No.
304544

SDR-6244

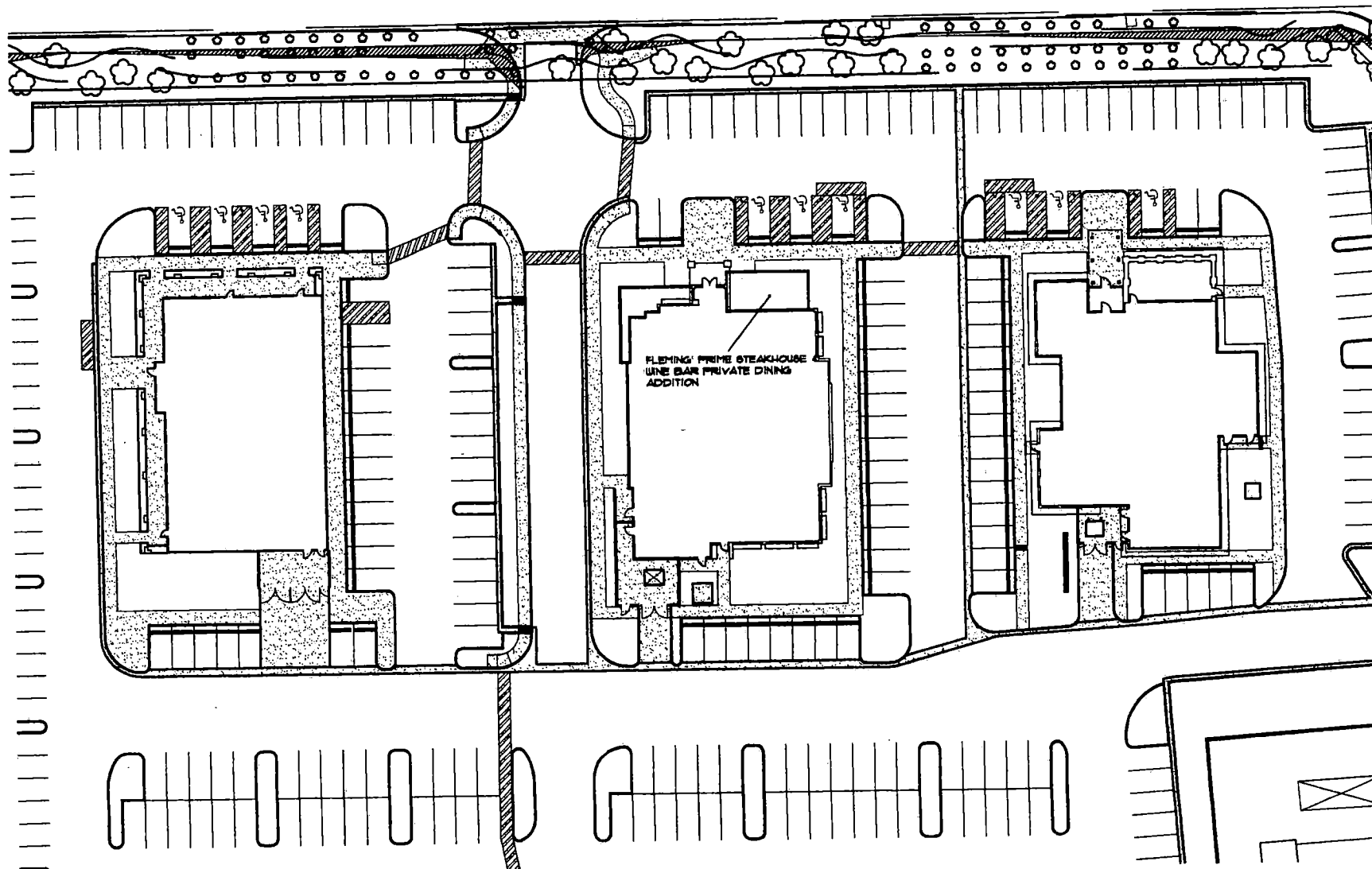
04/28/05 PC

RECEIVED

MAR 22 2005

01 FLOOR PLAN

01 FLOOR PLAN



01 SITE PLAN
SMB VPR-07

RECEIVED

SDR-6244
04/28/05 PC

MAR 22 2005

nelsen architect

ARCHITECTURE
INTERIORS
PLANNING

AUSTIN | SCOTTSDALE

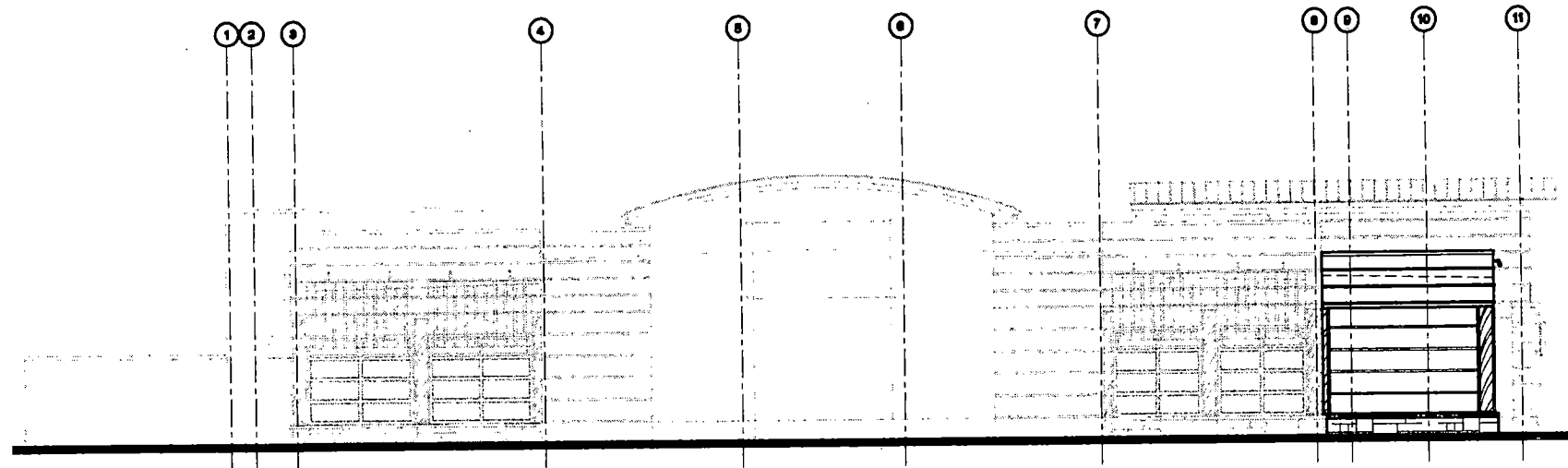
333 COLLETTA AVE. #200
AUSTIN, TEXAS 78704
TEL: 512-317-0000
FAX: 512-317-0001
WWW.NELSENARCHITECT.COM

Fleming's
RESTAURANT & BAR
PRIVATE DINING ADDITION
LAS VEGAS, NEVADA

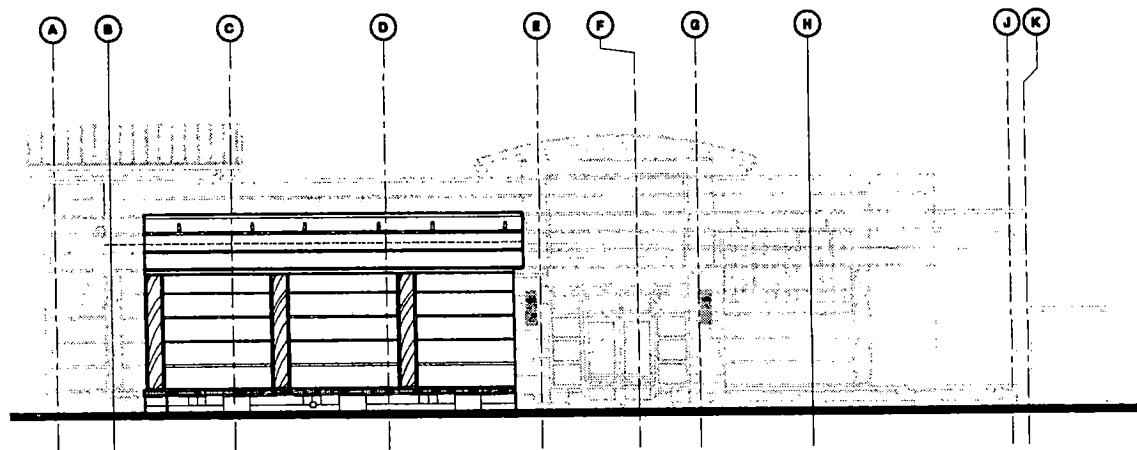
Date
14 FEBRUARY 2005

Revisions

Project No.
304148



02 NORTH ELEVATION
DATE: 07-07-05



01 WEST ELEVATION
DATE: 07-07-05

RECEIVED
MAR 22 2005

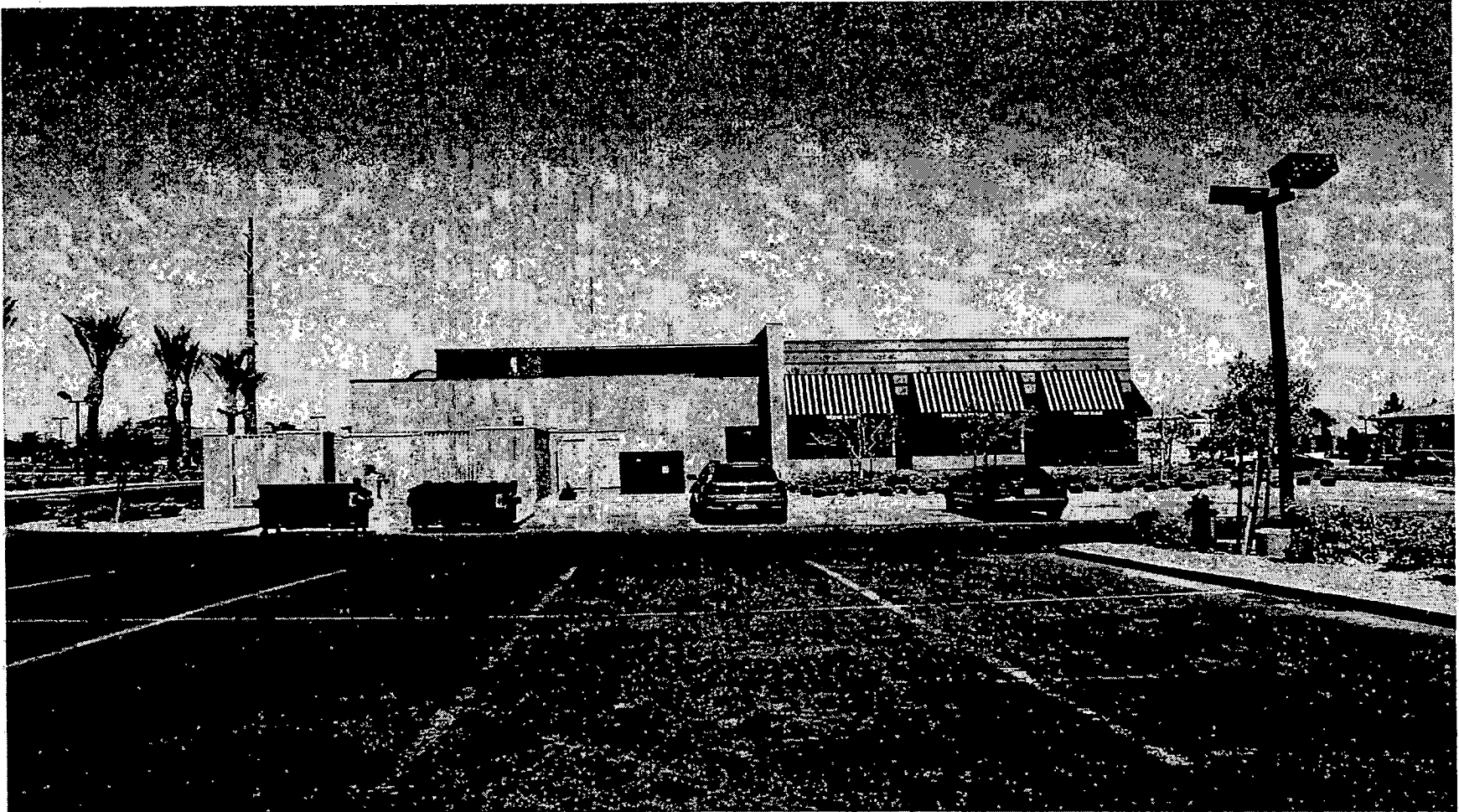
SDR-6244
04/28/05 PC

nelsen architect
ARCHITECTURE
INTERIOR
PLANNING
AUSTIN | SCOTTSDALE
NO CONSTRUCTION
AUSTIN | SCOTTSDALE
NO CONSTRUCTION
AUSTIN | SCOTTSDALE
NO CONSTRUCTION

PROPOSED
NOT FOR
CONSTRUCTION
OR
RECORDING

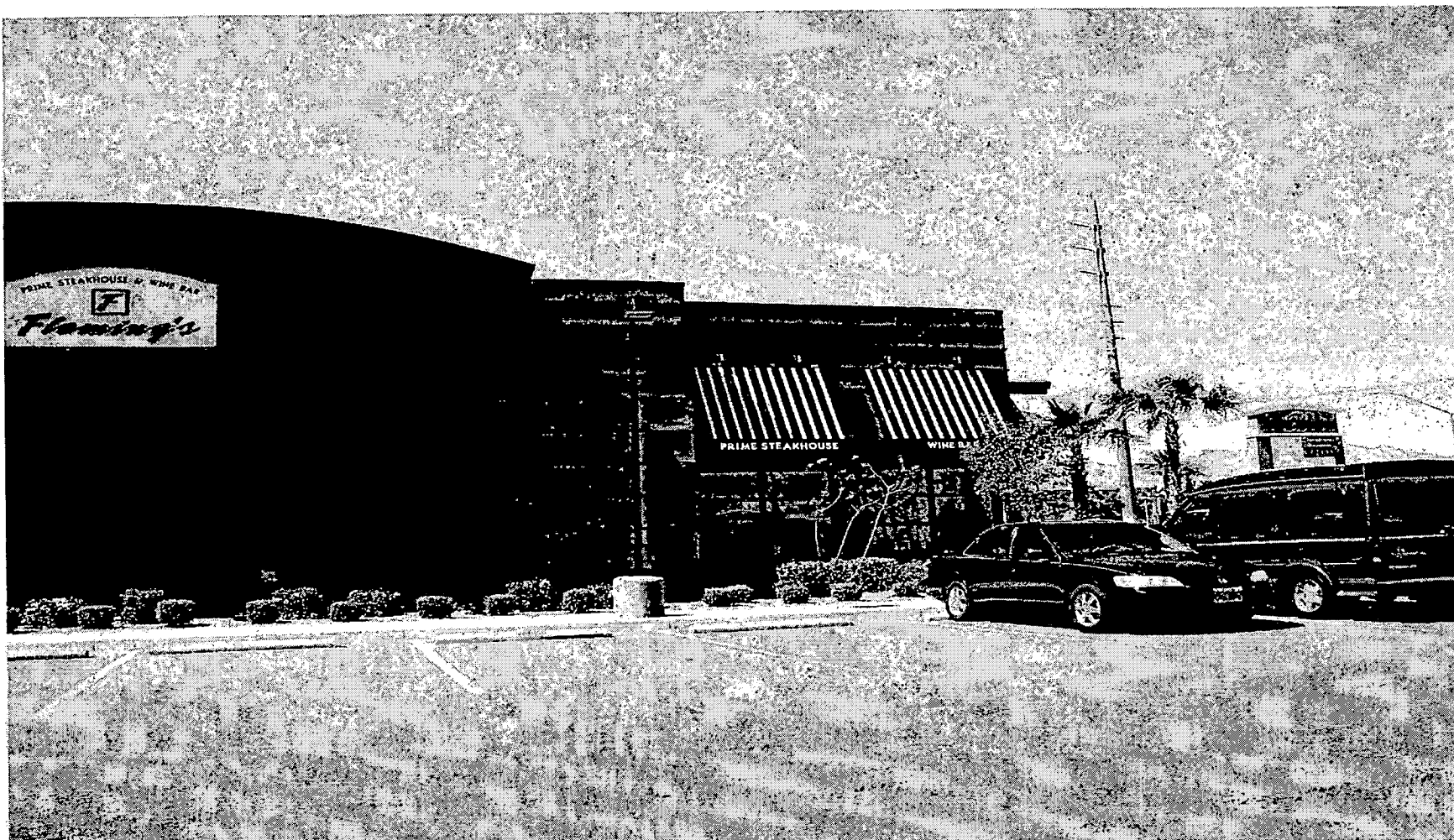
Fleming's
RESTAURANT & BAR
PRIVATE DINING ADDITION
LAS VEGAS, NEVADA

Date
4 FEBRUARY 2005
Revisions
Project No.
304144



SDR-6244 - APPLICANT: FLEMING'S PRIME STEAKHOUSE - OWNER: LENA PICCOLI-OSTUNIO
8721 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/31/05



SDR-6244 - APPLICANT: FLEMING'S PRIME STEAKHOUSE - OWNER: LENA PICCOLI-OSTUNIO
8721 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/31/05



SDR-6244 - APPLICANT: FLEMING'S PRIME STEAKHOUSE - OWNER: LENA PICCOLI-OSTUNIO
8721 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/31/05

JUSTIFICATION LETTER

Applicant seeks to obtain a Site Development Plan for a currently zoned C-1 parcel (APN 163-05-502-0001) located at 8721 West Charleston., Las Vegas, Nevada, to allow for the 524 square foot expansion of an existing commercial building.

Approval of the site development will not adversely affect the community surrounding the application site. In fact, the requested site development will promote the health, safety, and general welfare of the surrounding community. The expansion is for the express purpose of providing dining to large parties. As well, the expansion will be consistent with the character of other comparable businesses, applicable adopted plans, goals and policies in the immediate area. Specifically, several other restaurants currently exist in the surrounding area. Accordingly, the proposed site development will not establish an undesirable precedent.

In addition, the requested site development will not have a substantial adverse effect on public facilities. Specifically, storm water and drainage facilities will remain unaffected as a result of the proposed site development. As well, approval of the site development will not adversely affect traffic conditions or the surrounding neighborhood. Furthermore, applicant agrees to abide by all required guidelines mandated by the City of Las Vegas and Clark County and guarantees the prospective site development will comply with City of Las Vegas and Clark County Codes.

The subject restaurant has a non-exclusive right in common with landlord and other tenants to use all walkways, driveways, sidewalks, access areas, service areas, and parking areas as represented on the parking plan/site map. Therefore, parking for all the buildings is shared.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SDR-6260 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: AMESBURY VILLEGAS TRUST - Request for a Site
Development Plan Review FOR A PROPOSED TWO STORY, 9,805 SQUARE FOOT OFFICE
BUILDING AND WAIVERS OF LOT COVERAGE AND PERIMETER LANDSCAPE
STANDARDS on 0.40 acres at 703 South Eighth Street (APN 139-34-810-042), P-R
(Professional Office and Parking) Zone, Ward 5 (Weekly).**

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions, adding the following condition:

- *Prior to the issuance of the demolition permit, the City Historic Preservation Office shall be allowed to inspect the interior and exterior of the home and make a record of the structure.*
- *The applicant shall submit a copy of the Tenant Improvement plans presented at the Planning Commission meeting to the Planning and Development Department.*

And amending the following condition:

2. All development shall be in conformance with the site plan and building elevations, submitted at the meeting, except as amended by conditions herein. The applicant shall indicate on a revised site plan, prior to permit issuance, how trash collection will be handled on site.

– UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The existing 5,000 square foot building would be removed and replaced with a two-story building. The lower level would be parking with 9,800 square feet of office space above it. The project does not meet Code entirely. Perimeter landscaping on the east side is five feet where eight is required and the south does not have any landscaping because the parking abuts the alley. Also, there is a minor incursion into the front setback by some pop outs that are architectural details. The project exceeds the lot coverage for the zone as 50 percent is the maximum and the project is at 70 percent. The deliveries will be minimal; there are no loading requirements. A revised plan will be submitted indicating how the trash on the site will be handled. The new plan would also show a balcony revision along the alley side of the building.

LES TRAVIS, Gary Guy Wilson Studios, 7625 South Industrial Road, Suite 100, appeared with Architect, GARY GUY WILSON and TOM PARIS, a partner with the applicant's firm. MR. WILSON explained the team has been working on the tenant improvements on the second floor office space since beginning the application process. In the original submittal, there was an outdoor patio to be used for break space. After working on the tenant improvements, they decided to connect four of the outer offices to the open courtyard with a balcony. The balcony will not be enclosed. Regarding trash, the parking structure below the office space will have a space where containers on rollers would be held. The rollers would allow the containers to be rolled up to the alley for trash pick up.

VICE CHAIRMAN TRUESDELL voiced concerns over the trash containers being left in the alley instead of being replaced to the lower level parking area. MR. WILSON showed the rear elevation of the building with the openings where the containers would come out. VICE CHAIRMAN TRUESDELL noted that on the plan, the area MR. WILSON was referencing was marked as a parking space. He questioned if losing the space to the trash container would still allow the project to meet parking requirements. MR. WILSON replied that there is a six-foot space for the container there in addition to the parking spaces. MR. LEOBOLD confirmed MR. WILSON'S comments about the six-foot space but questioned where the containers would go when in the alley on collection day. VICE CHAIRMAN TRUESDELL stated that he liked the project and would support it but did not want to see the trash containers left out in the alley.

COMMISSIONER McSWAIN confirmed with MR. WILSON that the present structure was built in the 1950's. She pointed out that many developers in the area have tried to maintain the structures and do conversions. MR. PARIS explained that the property is comprised of two separate houses. One was built in the late 40's or early 50's with the second structure following a few years later. The previous tenant had purchased the two properties separately and joined the

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

MINUTES – Continued:

structures with a breezeway. The applicant had considered an addition to the two homes but it is not possible due to having two distinct sets of electrical wiring and sewer lines. COMMISSIONER McSWAIN asked if staff had an opinion about how the character of the preserved, older homes change with development. MR. LEOBOLD replied that staff would like to see the aesthetics of the projects remain but economics do have to be taken into consideration as well. MR. WILSON told COMMISSIONER McSWAIN that several of the palm trees and the large shade trees will be kept. MARGO WHEELER, Director, Planning and Development Department, suggested adding a condition that the applicant allow the City's Historic Preservation Officer access to the house to make a record of the structure.

COMMISSIONER DAVENPORT asked if a condition could be imposed to address the VICE CHAIRMAN'S concerns regarding the trash containers. He suggested a location for an enclosed trash structure in the alley. CHAIRMAN NIGRO thought it would be best to direct the applicant to work with staff to find a location for the trash enclosure and also to give staff a more accurate description of which existing improvements and trees on the site will stay. MR. LEOBOLD stated the applicant will retain one palm tree on the Garces Street side and four Chinese Elms that are on the 8th Street side.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:17 – 12:32)

5-162

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/11/05, except as amended by conditions herein. The applicant shall indicate on a revised site plan, prior to permit issuance, how trash collection will be handled on site
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

CONDITIONS – Continued:

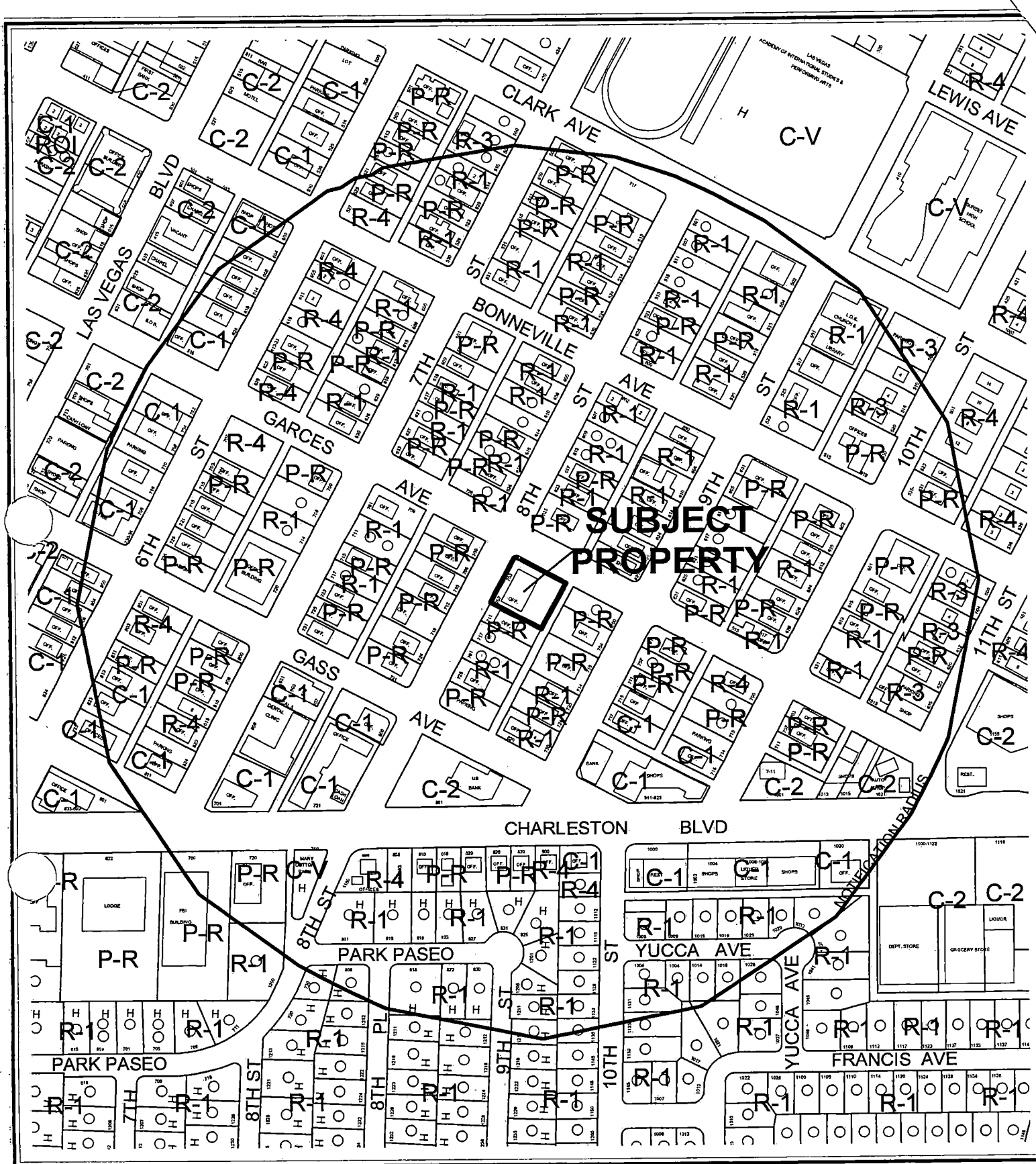
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, along both Garces Avenue and 8th Street. Alternately, the applicant shall plant larger palms, at least 12 to 14 feet in height, in the locations indicated for palm trees on the landscaping plan along Garces Avenue. A waiver of the landscape buffer width along the south property line to a minimum of five feet, and of the tree planting requirement in this area, and a waiver of the entire landscape buffer area to the east of the site, are hereby granted.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
9. Perimeter and security lighting shall utilize ‘shoe-box’ fixtures, wallpack lighting and downward-directed lights. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
2. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
3. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 86 – SUP-6260

CONDITIONS – Continued:

Public Works

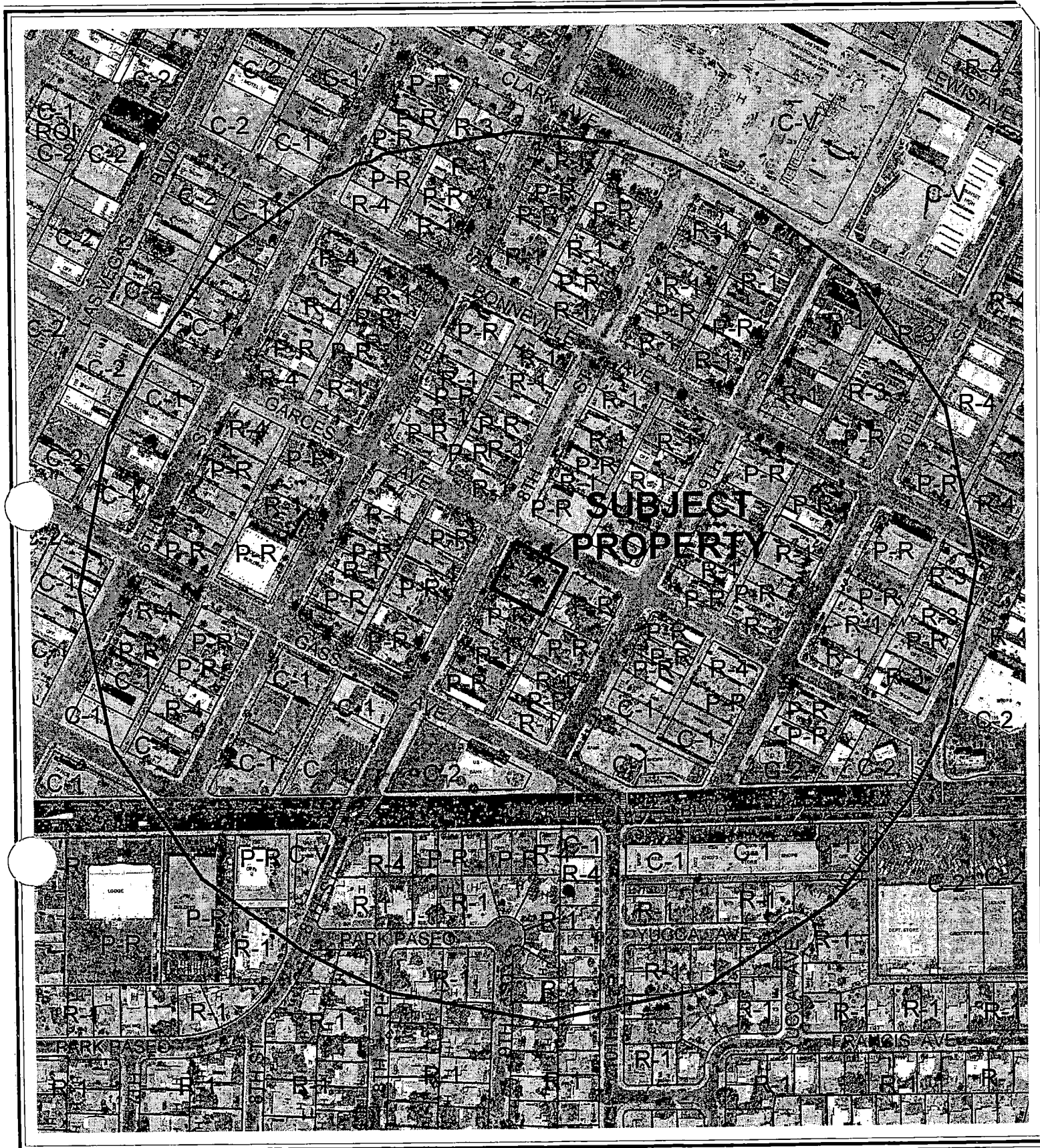
12. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.



CASE: **SDR-6260**

RADIUS: 1000 FT

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



CASE: SDR-6260

RADIUS: 1000 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6260 - PUBLIC HEARING - APPLICANT/OWNER:
AMESBURY VILLEGAS TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/11/05, except as amended by conditions herein. The applicant shall indicate on a revised site plan, prior to permit issuance, how trash collection will be handled on site.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, along both Garces Avenue and 8th Street. Alternately, the applicant shall plant larger palms, at least 12 to 14 feet in height, in the locations indicated for palm trees on the landscaping plan along Garces Avenue. A waiver of the landscape buffer width along the south property line to a minimum of five feet, and of the tree planting requirement in this area, and a waiver of the entire landscape buffer area to the east of the site, are hereby granted.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.]

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
9. Perimeter and security lighting shall utilize 'shoe-box' fixtures, wallpack lighting and downward-directed lights. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
13. 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.
14. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review to allow the development of a 22,349 square-foot two-story professional office building on 0.41 acre at 703 South Eighth Street, which includes 12,544 square feet devoted to parking on the main floor of the project. Development of the project as proposed will require the approval of related waivers, including lot coverage and perimeter landscape and setback standards.

B) Applicant's Justification

The applicant has justified this request by stating that the existing office building on the site needs to be replaced with a larger building to meet current business demands. Placing the parking at grade under the office floor will be an efficient way of meeting the parking requirements on site, but due to dimensional requirements, the building will need to extend into the setback area on two sides of the project and into the perimeter landscape area on one side. Also, the scope of the project will require that the maximum site coverage of 50% be waived.

BACKGROUND INFORMATION

A) Previous Actions

02/05/86 The City Council approved a request (Z-0090-85) to rezone the subject site from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 01/09/86.

B) Pre-Application Meeting

02/23/05 The applicant was advised that they would be responsible for the removal and replacement of substandard public improvements adjacent to the site. They were also advised of the need for waivers to allow the project to precede, the traffic signal impact fee, and of other requirements for inclusion in their submittal.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.41

B) Existing Land Use

Subject Property: Professional Office
North: Professional Office
South: Professional Office
East: Professional Office
West: Single Family Dwelling
Professional Office

C) Planned Land Use

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

D) Existing Zoning

Subject Property: P-R (Professional Office and Parking)
North: P-R (Professional Office and Parking)
South: P-R (Professional Office and Parking)
East: P-R (Professional Office and Parking)
West: P-R (Professional Office and Parking)

E) General Plan Compliance

The subject site is designated MXU (Mixed Use) in the Las Vegas Redevelopment Plan, and is located in the Southeast Sector of the General Plan. A range of commercial, residential and public uses are permitted within this designation. The office use proposed for the subject property conforms to this designation.

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

Redevelopment Plan Area

As previously discussed, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a MXU (Mixed-Use) land use designation. The proposed use is in conformance with the Redevelopment Plan.

PROJECT DESCRIPTION

This project will replace the existing 5,000 square-foot office building on the subject site with a two-story office development consisting of 12,544 square feet on the main level devoted to parking, which is intended to service the 9,805 square feet of office space on the second floor. Access to the property is from the 20-foot wide rear alley. Twenty-six parking spaces are provided within the main level of the building, with two of these being handicap accessible. Seven more spaces are located to the rear of the proposed structure, for a total of 33 spaces. The applicant is requesting several waivers as part of this project, including perimeter landscape buffering, front setback, and the maximum 50% lot coverage allowed in the P-R zoning district. Proposed landscaping is provided along the front and sides of the building.

The proposed development is two stories and 34 feet in height and consists of a painted concrete exterior wall with stucco and stone veneer elements, with metal roofing on the parapet element and wrought iron on the main floor openings to the parking area. The structure has a flat roof and contains storefront system windows on the main entrance area and for the second floor windows.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A Feet	17,841 SF	N/A
Min. Lot Width	60 Feet	125 Feet	Y
Min. Setbacks			
• Front	20 Feet	18 Feet	N
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	19 Feet	Y
Max. Lot Coverage	50 %	70.3 %	N
Max. Building Height	2 Stories / 35 Feet	2 Stories/34 Feet	Y
Trash Enclosure	Screened, walled, roofed	Screened, walled, roofed	Y
Loading Zone	No deliveries	None	N/A
Mech. Equipment	Screened	On Roof	Y

GL

SDR-6260 - Staff Report Page Four
April 28, 2005 - Planning Commission Meeting

The proposed office development meets the required P-R (Professional Office and Parking) development standards, with the exception of two limited portions of the façade of the building that project slightly into the minimum front yard setback, the maximum site coverage, and the eight-foot landscaping buffer on the south side on the site. The applicant has requested waivers of these standards.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060, the subject site is not subject to Residential Adjacency Standards, as it is located within the boundaries of the Las Vegas Redevelopment Plan area, as described by ordinance.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, other	9,805 SF	1/300 SF GFA	33 spaces	2 spaces	33 spaces	2 spaces

The project meets the parking requirements of the Code. The Department of Public Works requires that driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	6 Trees	None
Buffer:			
• Min. Trees (8th Street)	1 Tree/20 Linear Feet	7 Trees	6 Trees*
• Min. Trees (Garces Ave.)	1 Tree/20 Linear Feet	6 Trees	5 Trees*
• Min. Trees (interior side)	1 Tree/20 Linear Feet	6 Trees	No Trees
• Min. Zone Width (8th Street and Garces Ave.)	15 Feet		15 Feet
• Min. Zone Width (interior side yard)	8 Feet		5 Feet
• Min. Zone Width (rear yard)	8 Feet		None
• Wall height	Max. 6 Feet		Y

The development as proposed is deficient in landscaping as follows:

- There are no trees provided in the parking areas. Twenty six of the spaces are covered, within the first floor of the building, and no tree planting is required for these spaces. Seven other spaces are provided outside to the rear of the building. No trees are specifically provided in this area; however, on two trees would be necessary to meet Code, and this requirement can be considered to be met by the additional trees that will be planted along Garces Avenue.
- The applicant is providing a total of 10 trees that meet Code standards along Garces Avenue and Eighth Street, where 13 trees (several existing) are required by Code; however, the applicant is also providing a total of five 6 to 8-foot Mexican Fan Palms within this area. Since these trees are not large enough to meet to the Code standard, it is recommended that the applicant plant additional trees that meet Code, or plant larger palms, at least 12 to 14 feet in height. A condition of approval will address this issue.
- The applicant has requested a waiver to reduce the landscape buffer width along the south property line to five feet, and to waive the requirement for trees within this area, and to waive any landscape buffer area along the east property line, as this area is along an alley and will be used for parking. As this waiver request will not have a detrimental impact on adjacent properties and is relatively minor in nature, approval is recommended.

A5) Sign Standards

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

Wall Signs: [Front elevation]

Standards	Allowed	Provided
Maximum Number	One sign per elevation	Not indicated
Maximum Area	10 % of elevation	Not indicated
Maximum Projection	2 Feet	Not indicated
Illumination	Internal only	Not indicated

At this time, no wall signs have been shown on the elevations as submitted. If signage is requested, it shall meet the minimum standards contained in Title 19.14 for the P-R (Professional Office and Parking) zoning district.

B) General Analysis and Discussion

- Zoning

The subject site is zoned P-R (Professional Office and Parking). Professional offices, such as the one proposed to replace the existing office development on this site, are permitted uses in this zoning district.

- Site Plan

The proposed two-story project will conform to the requirements of the Code with the exceptions of the requested waivers as discussed below. The requested waiver of front setback, reduction of side and elimination of rear landscape buffers and waiver of maximum site coverage are either minor in scope or will not result in negative impacts on surrounding properties and as a result are recommended for approval. As the project will not be receiving commercial deliveries, no requirement for a loading zone will be placed on the project. The applicant has been asked, as a condition of approval, to show on a revised site plan how trash collection will be handled on site.

- Waivers

The proposed office development meets the required P-R (Professional Office and Parking) development standards, with the exception of two limited portions of the façade of the building that project slightly into the minimum front yard setback. Also, the project will exceed the maximum allowable site coverage for the P-R zoning district, and will have a five-foot landscaping buffer on the south side on the site and no landscape buffer on the east side of the site. The applicant has requested waivers of these standards. As the requests involve either minor exceptions to the Code or will not have a detrimental impact on adjacent properties, it is recommended that these waivers be granted.

- Landscape Plan

The development is slightly deficient with regard to the number and size of trees within the combined exterior parking area and the perimeter landscape areas; however, the applicant has asked for a waiver of some of these standards as previously discussed, and will be required as a condition of approval to upgrade the landscaping plan in other areas of the site. Turf is limited to a maximum of 12.5 percent of the total landscaping area. Trees to be planted include 24-inch box Modesto Ash and Mondel Pine, and several Mexican Fan Palms, and several similarly-sized Chinese Elm and Modesto Ash trees currently existing on the site will be retained. Planter areas will contain Photonia and Indian Hawthorn, with decomposed granite as ground cover.

- Elevation

The proposed development is two stories and 34 feet in height and consists of a painted concrete exterior wall with stucco and stone veneer elements, with metal roofing on the parapet element and wrought iron on the main floor openings to the parking area. The structure has a flat roof and contains storefront system windows on the main entrance area and for the second floor windows.

- Floor Plan

The proposed development will be subject to future tenant improvements which have not been identified on the floor plans as submitted. The main entrance and stairwell from the parking level is located at the northwest corner of the site, adjacent to the 8th Street/Garces Avenue intersection. Another exit is provided in the southwest corner of the building.

FINDINGS

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

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

The redevelopment of this site with the proposed structure is consistent with adjacent development and development in the area.

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

The proposed development is consistent with the General Plan and most elements of Title 19. Waivers have been requested for the front setback, the perimeter landscaping and buffering on the south and east sides of the site, and of the 50% maximum lot coverage limit. No loading zone will be required due to the nature of the use, and the applicant will provide information on the location of the trash enclosure prior to permit issuance.

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

The parking lot is designed with sufficient area for on-site maneuvering, and the locations of the drive aisles will not significantly impact the flow of traffic on the alley connecting Garces Avenue and Gass Avenue.

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

The proposed building and landscape materials are appropriate for the neighborhood and for the City.

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

Although the development will be two stories in height, it will hide most of the on-site parking within the main floor level. This will lead to a relatively pleasing appearance because the structure will have only landscaping around its visible sides, except for the east side which faces the alley. Even there, only seven parking spaces will be visible. The architectural design is pleasing and should be compatible with other office projects in the vicinity.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

21

NOTICES MAILED 243

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6260** APN: **139-34-810-042**

Name of Property Owner: **AMESBURY YILLEGAS TRUST**

Name of Applicant: **DAVID C. AMESBURY**

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: -

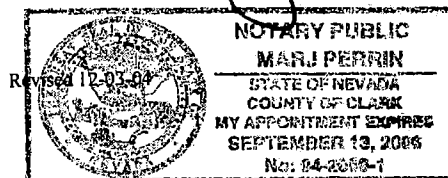
Signature of Property Owner: *David C. Amesbury*

Print Name: David C. Amesbury

Subscribed and sworn before me

This 9th day of March, 2005

Manj Perrin
Notary Public in and for said County and State



ADJACENT LAND USE: RESIDENCE
APN: 139-34-810-029 ZONED R-1

ADJACENT LAND USE: BUSINESS
APN: 139-34-801-005 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-030 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-068 ZONED P-R

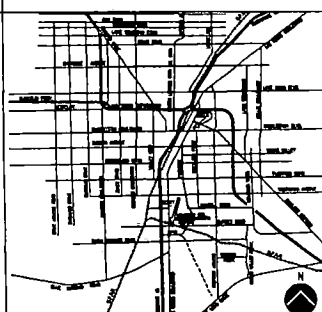
ADJACENT LAND USE: BUSINESS
APN: 139-34-810-069 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-041 ZONED P-R

KEYNOTES:

- 2205 AUTOMATIC ROLL UP ACCESS/ SECURITY GATES
- 2206 ELEVATOR ACCESS TO 2ND FLOOR
- 2207 STAIR ACCESS/ EXIT ENCLOSURE

SDR-6260
04/28/05 PC



FIRST FLOOR PLAN (PARKING)

SC: 1"=20'

5

VICINITY MAP

SC: N.T.S.

FIRST FLOOR PLAN

SC: 1"=20'

SC-2.1

REVISIONS

NO.	DATE	DESCRIPTION
1	04/28/05	ISSUED FOR PERMIT

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FOR ANY PROJECT OR CLIENT

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2005

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ELEC: ...
MECH: ...
CIVIL: ...
STRUCT: ...

TWO STORY LAW OFFICES
SHELL BUILDING
703 SOUTH EIGHTH STREET
FOR: AMESBURY & SCHUTT, ATTORNEYS AT LAW
CITY OF LAS VEGAS, NEVADA

PROJ. NO.	12480407.03
PROJ. ARCH.	G.G. WILSON/AJA
PROJ. MGR.	MM
JOB CAPT.	SSM
TECHN.	LSM
ARCH. CHK.	GGW
PH-2/3	
PH-4	
PH-5	

ADJACENT LAND USE: RESIDENCE
APN: 139-34-810-029 ZONED R-1

ADJACENT LAND USE: BUSINESS
APN: 139-34-801-005 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-030 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-068 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-069 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-041 ZONED P-R

EIGHTH ST.

GARCES AVE.

PARKING DRIVE
20'

ALLEY
125.00'

NINTH ST.

SECOND FLOOR PLAN

SC: 1"=20'

(5)

KEYNOTES:

- (2206) NEW ELEVATOR ACCESS TO 1ST FLOOR PARKING
- (2207) NEW STAIR ACCESS/ EXIT ENCLOSURE
- (2208) UNCOVERED PATIO AREA WITH GUARD RAIL

SDR-6260
04/28/05 PC



VICINITY MAP

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MECH: ...
CIVIL: ...
STRUCT: ...

TWO STORY LAW OFFICES
SHELL BUILDING
703 SOUTH EIGHTH STREET
FOR: AMESBURY & SCHUTT, ATTN: DAVID C. AMESBURY
CITY OF LAS VEGAS, NEVADA

PROJ. NO.	12480407.03
PROJ. ARCH	G.G. WILSON/AA
PROJ. MGR	MM
JOB CAPT	SSM
TECHN	LSM
ARCH. CHK	CGW
PH-1	...
PH-2	...
PH-3	...
PH-4	...
PH-5	...

REVISIONS



SC-2.2

MAR 17 2005

2004 Projects \ 12480407.03 - Two Story Redesign @ AMESBURY & SCHUTT Phase 3 - Building

ADJACENT LAND USE: RESIDENCE
APN: 139-34-810-029 ZONED R-1

ADJACENT LAND USE: BUSINESS
APN: 139-34-801-005 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-030 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-068 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-069 ZONED P-R

ADJACENT LAND USE: BUSINESS
APN: 139-34-810-041 ZONED P-R

EIGHTH ST.

GARCES AVE.

PARKING DRIVE

ALLEY

NINTH ST.

SDR-6260

LANDSCAPE PLAN

SC: 1"=20'

5

04/28/05 PC

KEYNOTES:

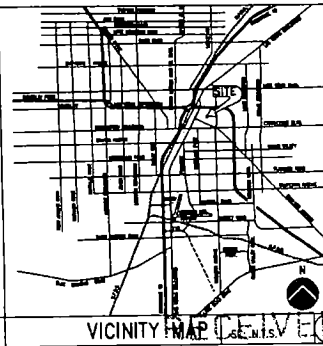
- 2200 EXISTING SIDE WALK TO REMAIN
- 2201 NEW LANDSCAPE AREA WITH BERM ALONG 1ST FLOOR
- 2202 EXISTING GRASS LANDSCAPE TO REMAIN
- 2204 NEW A/C PARKING AND DRIVE WAY ACCESS TO MORE PARKING UNDER 2ND FLOOR

LANDSCAPE SCHEDULE:

KEY	SYM	COMMON NAME	BOTANICAL NAME	SIZE	#/NOTES
1	★	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	8'-8"	5
2	★	PHOTINIA	PHOTINIA FRASER	5 GAL	44
3	★	CRUSHED GRANITE	SEE GENERAL LANDSCAPE NOTES	SEE NOTES	SEE PLAN
4	★	INDIA HAWTHORN	RAPHIOLEPIS INDICA "SPRINGTIME"	5 GAL	16
5	★	MONDEL PINE	PINUS BRUTIA ELIDARICA	24" BOX	5
6	★	MODESTO ASH	FRAXINUS VELLUTINA	24" BOX	4
7	★	DECORATIVE BOULDERS	2'-6"x3'-0" AVE. SIZE	SEE PLAN	4
8	★	ELM CHINESE	ULMUS PARVIFOLIUS	24" BOX	EXISTING
9	★	MEXICAN FAN PALM	WASHINGTONIA ROBUSTA	12"	EXISTING
10	★	MODESTO ASH	FRAXINUS VELLUTINA	24" BOX	EXISTING

GENERAL LANDSCAPE NOTES:

1. ALL PLANTER AREAS NOT OTHERWISE NOTED TO HAVE 3" DECOMPOSED GRANITE (WALVE IN COLOR "PURPLE MIST") O/ BLACK LANDSCAPE FABRIC AS GROUND COVER AROUND PLANTS AND SHRUBS. (SIZE 3/4" - 1" dia.)
2. ALL PLANTING AREAS TO BE PROPERLY PREPARED AND FERTILIZED TO SUSTAIN LIFE AND GROWTH FOR SIX (6) MONTHS AFTER INSTALLATION.
3. SUPPLY AND INSTALL ALL PIPING, FITTINGS, VALVES, HEADS, TIMERS, WIRING, ECT. NECESSARY TO PROVIDE A PROPER AUTOMATIC IRRIGATION SYSTEM TO ALL PLANTING AREAS ADEQUATE TO ALLOW VIGOROUS PLANT LIFE, HEALTH AND GROWTH. IRRIGATION SUB-CONTRACTOR TO PROVIDE DETAILED IRRIGATION PLAN TO ARCHITECT FOR REVIEW AND APPROVAL.
4. PROVIDE ROOT SHIELDS WHERE TREES ARE WITHIN 5' OF A WALL OR SIDEWALK.
5. PROVIDE GRASS FREE WELL FOR ALL TREES WITH EXTRUDED CONCRETE LANDSCAPE CURBING AND CRUSHED GRANITE GROUND COVER.



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MECH. ...

CIVIL ...

STRUCT. ...

TWO STORY LAW OFFICES
SHELL BUILDING

703 SOUTH EIGHTH STREET
FOR: AMESBURY & SCHUTT, ATTN: DAVID C. AMESBURY
CITY OF LAS VEGAS, NEVADA

LANDSCAPE PLAN AND DATA

REVISIONS

DATE: 04/28/05

SCALE: 1"=20'

5

SC-1.3

11

RECEIVED

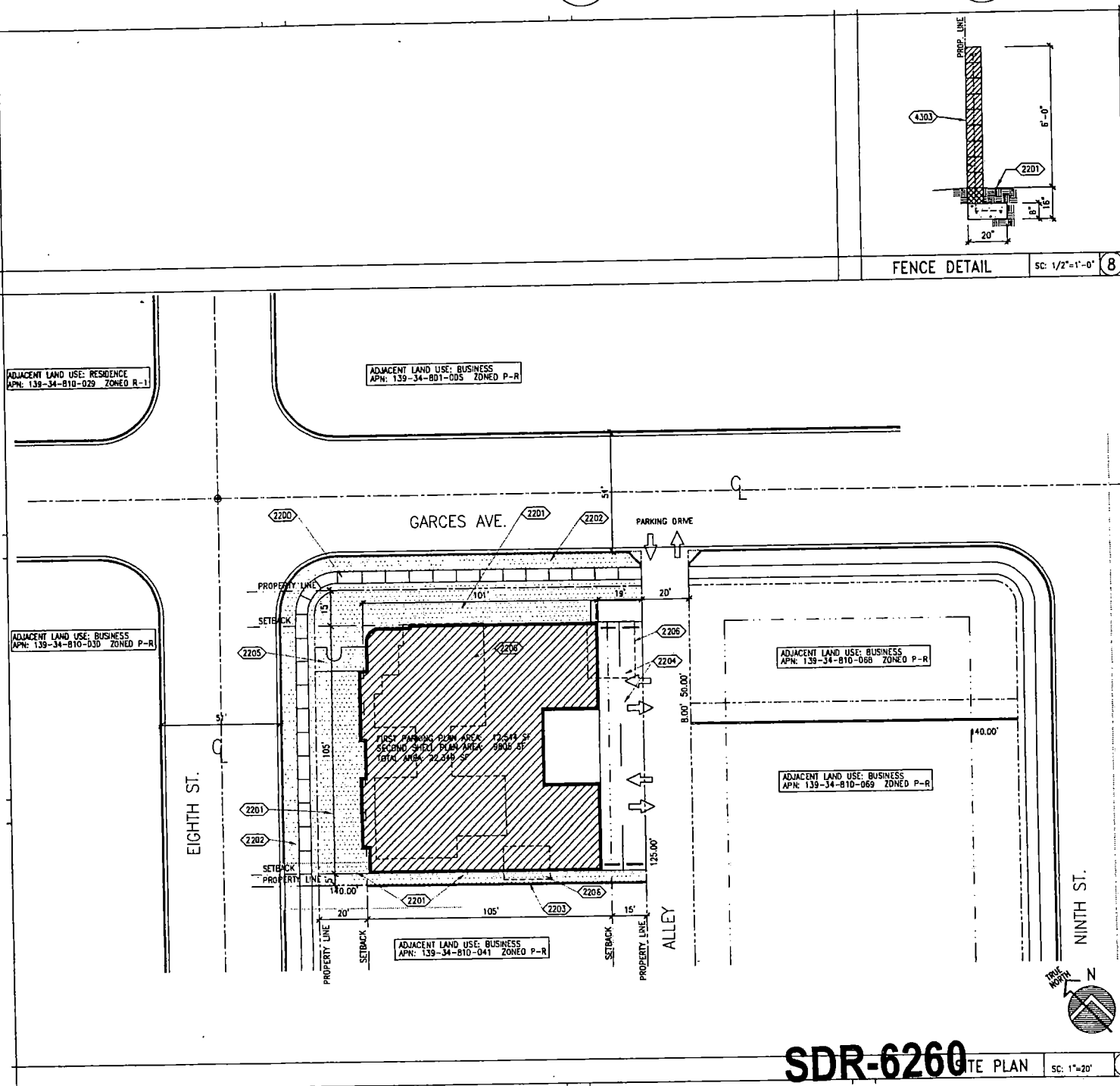
DATE: 04/28/05

TIME: 12:00

BY: [Signature]

FOR: [Signature]

PROJECT: 12480407.03 - Two Story Redesign @ AMESBURY & SCHUTT Phase 3 - Building



FENCE DETAIL

SC: 1/2"=1'-0" 8

KEYNOTES:

- 2200 EXISTING SIDE WALK TO REMAIN
- 2201 NEW LANDSCAPE AREA
- 2202 EXISTING LANDSCAPE TO REMAIN
- 2203 NEW CMU WALL TO BE PROVIDED, SEE DETAIL THIS SHEET
- 2204 NEW A/C PARKING AND DRIVING ACCESS TO ADDITIONAL PARKING UNDER 2ND ROOF
- 2205 NEW ADA ACCESSIBLE CONCRETE WALK
- 2206 OUTLINE OF EXISTING STRUCTURE(S) TO BE DEMOLISHED

PROJECT DATA:

ZONING:
CURRENT ZONING: PR
PROPOSED ZONING: PR
CURRENT GENERAL PLAN: MMU
PROPOSED GENERAL PLAN: MMU

GENERAL:
LEGAL JURISDICTION: LAS VEGAS, NEVADA
BUILDING CODES: IBC 2003

OCCUPANCY: B
TYPE OF CONST: TYPE V-B

AREA AND OCCUPANCY:
SPACE OR ROOM: AREA (SF): OCC(SF/OA):
2ND FLR OFFICE: 9805 SF/100= 96 OCCUP.

SUBTOTAL: 9805
1ST FLR PARKING: 12,544 SF
TOTAL: 22,349 SF
LOT AREA: 17,450 SF (4 ACRES)

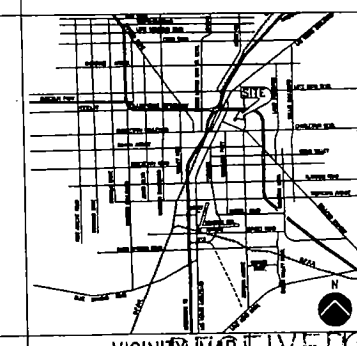
PARKING:
REQUIRED: 1 STALLS/300 SF 33 STALLS
TOTAL PARKING PROVIDED: 33 STALLS

HDCP PKG. REQUIRED: 2 STALLS
HDCP PKG. PROVIDED: 2 STALLS
LOADING REQUIRED: 0 STALLS
LOADING PROVIDED: 0 STALLS

SETBACKS: FRONT: NO. SIDE SO. SIDE REAR
BLDG: 20' 15' 5' 15'
PARKING: 0' 15' 0' 0'
MAX. HT. 35' ACTUAL HT. 34' 0'
MAX. LOT COVERAGE 50% ACTUAL: 56%

A.P.N. 139-34-810-042
REMARKS: 1. A WALKER FOR LOT COVERAGE AND LANDSCAPING ALONG THE SOUTH PROPERTY LINE REQUESTED.

DENSITY:
EXISTING: 26% OF SITE
PROPOSED: 56% OF SITE



SDR-6260

04/28/05 PC

SITE PLAN

SC: 1"=20' 5

VICINITY MAP

SITE PLAN AND DATA

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PROJ. NO. 12480407.03
PROJ. ARCH. G.G. WILSON, AIA
JOB CAPT. SSM
TECH. N. LSM
ARCH. CHK. GOW
PH-2/3
PH-4
PH-5

REVISIONS

DATE: 04/28/05
BY: [Signature]
PROJECT: 12480407.03
SHEET: SC-1.2



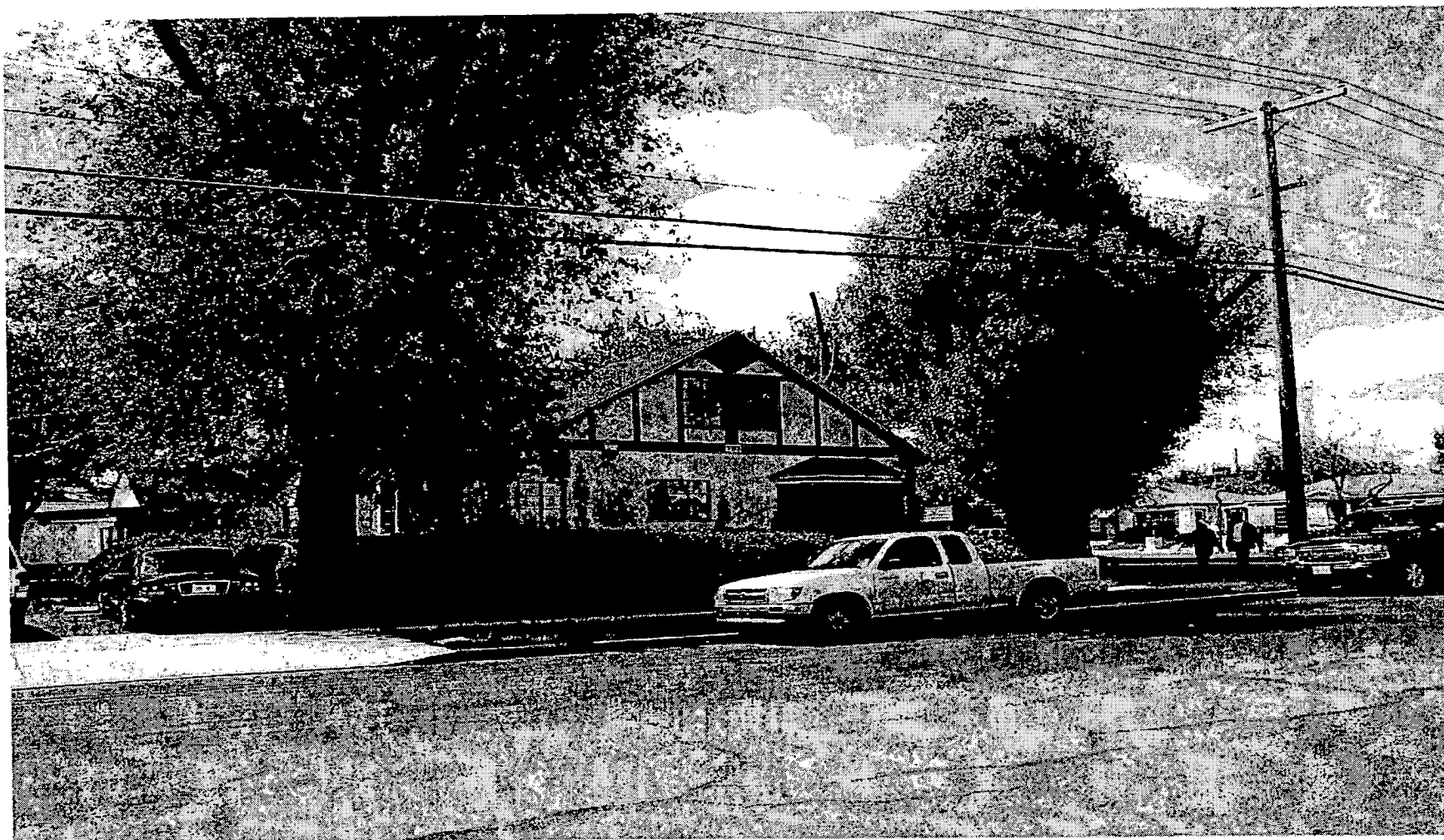
SDR-6260 - APPLICANT/OWNER: AMESBURY VILLEGAS TRUST
703 SOUTH EIGHTH STREET
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



SDR-6260 - APPLICANT/OWNER: AMESBURY VILLEGAS TRUST
703 SOUTH EIGHTH STREET
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



SDR-6260 - APPLICANT/OWNER: AMESBURY VILLEGAS TRUST
703 SOUTH EIGHTH STREET
APRIL 28, 2005 PLANNING COMMISSION

4/4/05

MEMO 04:

SDR-6260

Project Name: 2-Story Law Office SDRDate: 11MAR05Project #: 12680427.03Location: @ 703 South 8th Street, Las Vegas, NVPage: 1 of 2Architect Phase #: 02Type: ☐ Conference ☐ Teleconference ☐ Research Report ☒ Other:**Justification Letter:****REVISED**
4.25.05

Mr. David C. Amesbury requests a Site Development Plan Review (SDR) for the property located at 703 South 8th Street for the following reasons:

1. Mr. Amesbury wishes to expand the law offices currently located at this address by constructing a new building on the site. The Existing single story building will be demolished for a new 2-story professional office building. Parking will be located on the ground floor with one story of office space above. Access to parking will be from the existing alley way to the east and to the professional offices above utilizing stair and elevator access along the west facade.
2. Expansions, remodeling and new construction have been growing within the immediate area of the site, specifically a new 2-story professional office building has been constructed directly across Garces Ave. within the past year. This project is consistent with the neighborhood development.
3. A waiver is requested for the following items: A lot coverage greater than the required 50% maximum. The existing offices consist of just over 5,000 SF and the applicant is in need of maximizing the square footage for the current growth of the business. Along with needed increased floor area, the standards and requirements for parking stalls and access drives are dictating the first floor parking layout. Building directly above the first floor parking is not only practical for construction purposes but also cost effective for the applicant and hence is greater than the required 50% lot coverage. Also, a 5'-0" landscape buffer in lieu of the required 8'-0" landscape buffer is provided along the south property line only. Due to the requirements for the first floor parking the building line is necessary to be set on the 5'-0" required building setback line. New landscaping will be provided within this 5'-0" area. Also, for required parking the landscaping along the East (Alley) property line has been eliminated. Please also note that extensive landscaping is being provided along 8th Street & Garces Ave from 25-30 feet where only 8'-0" is required. A standard loading area is not indicated on the plans due to the fact that extensive deliveries will not be taking place. Loading/delivery will be very in-frequent to this business and any mail/fed-x/ups etc. will stop along 8th, Garces or available stalls at the alley.

Distribution:	Fax:	Date:	Initial:	Signed by:
<u>City of Las Vegas</u>		<u>22APR05</u>		
				Name: Mark V. Martino
				Title: Project Manager
				Last printed: 22-Apr-05 12:22 PM
☐ Mail	☐ Please reply			Reviewed By:
☐ Fax	☒ No Reply Necessary Unless Exception Taken			☒ Project Files ☐ H.R.M. Files
☒ Deliver				☐ Account Files ☐ Other:

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architecture / engineering / site
GARY GUY WILSON
 7625 S. Industrial Rd., #100, Las Vegas, NV 89139
 professional corp./certified n.c.a.r.b.

planning / interior design
STUDIOS...
 (702) 876-0668

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SDR-6266 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA
STELLA GAERLAN - Request for a Site Development Plan Review FOR A PROPOSED
ONE STORY, 3,050 SQUARE FOOT MEDICAL OFFICE BUILDING; WAIVERS TO
ALLOW A 13 FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM
REQUIRED; AND TO ALLOW WAIVERS OF THE FOUNDATION AND PERIMETER
LANDSCAPING STANDARDS on 0.36 acres at 2525 West Charleston Boulevard (APN 162-
05-511-007), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

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

- *The applicant shall work with staff to enhance the articulation of the eastern elevation of the building.*
- UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, gave a brief explanation of the application. The project conforms to the provisions of the P-R (Professional Office and Parking)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

MINUTES – Continued:

Zone except for the requested waivers for the front yard setback and perimeter foundation landscaping standards. Staff found the waivers to be minor and recommended approval.

LARRY RUBENSTEIN, 11699 Glowing Sunset Lane, appeared on behalf of the applicant and concurred with all conditions. The applicant will take an existing residence, which no longer meets Code and Zoning/Parking requirements and will replace that residence with a same sized building in a different location on the parcel so the project could adhere to commercial curb cuts, parking requirements etc. The requested waivers are necessary to complete the project as planned. The setback waiver is necessary because of residential zoning to the south. The requirement is 52 feet from the property line and the small size of the lot cannot accommodate that.

COMMISSIONER McSWAIN liked the drawings. She asked if the subject site was close to abutting adjacent property on the east site. MR. RUBENSTEIN said they would abut the commercial directly to the east. There is an existing six-foot wall at the property line and he was unaware of how far back their building was set back from that wall. She was concerned that there was no articulation on the east wall. She asked that he enhance the back of the building since it was visible from Charleston Boulevard. He agreed.

CHAIRMAN NIGRO declared the Public Hearing closed.

(12:32 – 12:37)

5-660

CONDITIONS:

Planning and Development

1. Waivers of the 13-foot front yard setback where 20 feet is the minimum required and of the foundation and perimeter landscaping standards are hereby granted.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/14/05 except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

CONDITIONS – Continued:

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

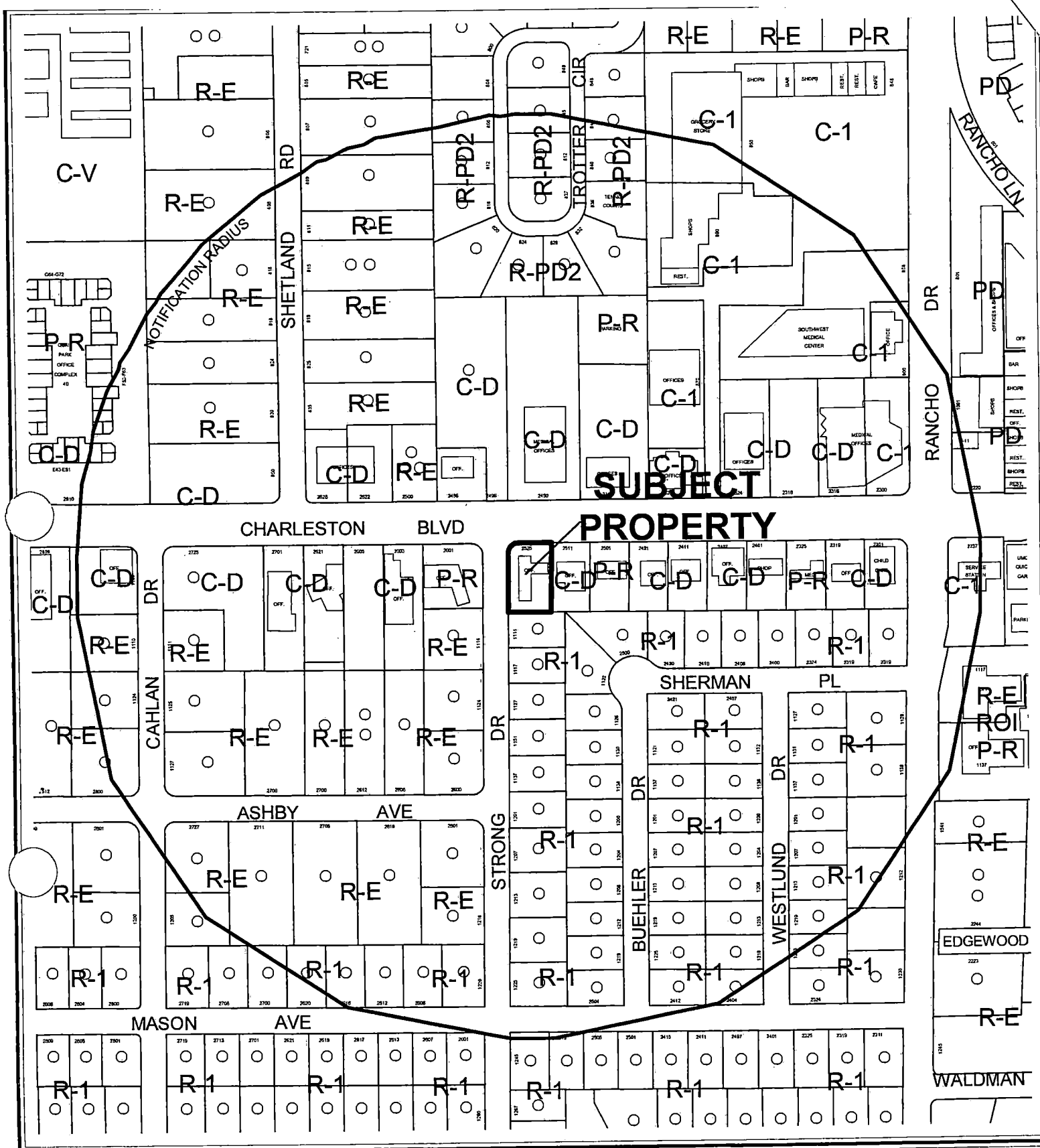
PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 87 – SDR-6266

CONDITIONS – Continued:

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

Public Works

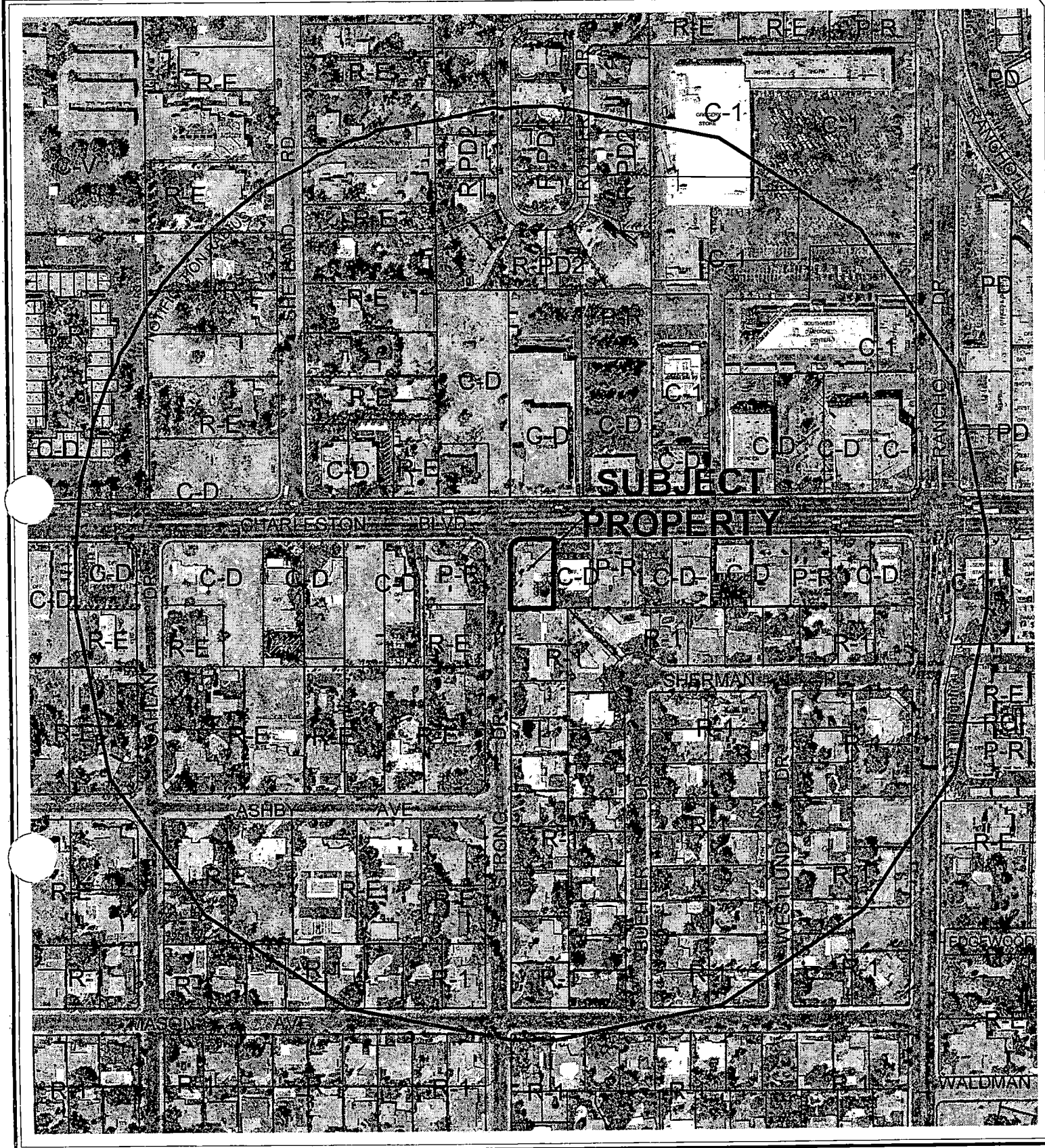
15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.



CASE: SDR-6266

RADIUS: 1000 FT

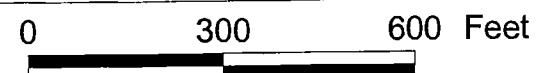
ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: **SDR-6266**

RADIUS: 1000 FT

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



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6266 - APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA STELLA GAERLAN

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Waivers of the 13-foot front yard setback where 20 feet is the minimum required and of the foundation and perimeter landscaping standards are hereby granted.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/14/05 except as amended by conditions herein.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
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10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.

BTS

SDR-6266 - Conditions Page Two
April 28, 2005 - Planning Commission Meeting

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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14. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed one story, 3,050 square foot medical office building. The applicant is also requesting a Waiver to allow a 13-foot front yard setback where 20 feet is the minimum required and a Waiver of the foundation and perimeter landscaping standards on 0.36 acres at 2525 West Charleston Boulevard.

B) Applicant's Justification

The applicant indicates they are doing a service to the city, by removing an existing residence and replacing it with a medical office building. The applicant also indicates that the Waivers are needed due to the limitations of the size and location of the lot.

BACKGROUND INFORMATION

A) Previous Actions

06/19/02 The City Council approved a request to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission recommended denial, while staff recommended approval.

B) Pre-Application Meeting

02/25/05 The following items were discussed at the pre-application conference:

- The Charleston Boulevard driveway cannot meet NDOT requirements, but a driveway on Strong Avenue is acceptable.
- Subject to a traffic signal impact fee, but no TIA is required.
- Meet with flood control to determine finished floor elevations, but no drainage study is required.
- Trash enclosure is required to be 50 feet from residential property.

- Handicapped parking must be stripped according to Title 19.10 standards.
- Waivers of perimeter and foundation landscaping are required.
- Building is required to be brought up to the front of the setback line.
- Possible setback waiver if NDOT rejects existing curb cut.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.36

B) Existing Land Use

Subject Property: Office
North: Medical office
South: Single family dwelling
East: Office
West: Office

C) Planned Land Use

Subject Property: O (Office)
North: O (Office)
South: L (Low Density Residential)
East: O (Office)
West: O (Office)

D) Existing Zoning

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

E) General Plan Compliance

This site is currently designated O (Office) on the Southeast Sector Plan of the General Plan. This category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed office building complies with this designation of the General Plan.

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

The subject site is located within the North Las Vegas Airport Overlay District. The maximum height allowed within the area is 175 feet, without further approval. The office building is proposed to be 24 feet, which is below the maximum height allowed within the overlay.

PROJECT DESCRIPTION

The applicant is proposing to build a one-story 3,050 square foot medical office building on 0.36 acres. The site is located on the southeast corner of West Charleston Boulevard and Strong Avenue. Access is provided via a right-in/right-out from Strong Avenue. Sixteen parking spaces are provided with one van accessible handicapped parking space. The site is located north of a single-family residence and west of an existing office building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	0.36	NA
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	13 Feet	N
• Side (east)	5 Feet	5 Feet	N
• Corner	15 Feet	52 Feet	Y
• Rear	15 Feet	73 Feet	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories / 35 Feet	1 Story / 24 Feet	Y
Trash Enclosure	50 Feet	54 Feet	Y
Loading Zone	Y	N	Y

BTS

SDR-6266 - Staff Report Page Four
April 28, 2005 - Planning Commission Meeting

The applicant is requesting Waiver of the front setback standard. The applicant is requesting a 13-foot setback where a 20-foot setback is required.

The applicant has provided a letter, which states the medical office will not receive any truck deliveries. Therefore, a loading zone is not required as a part of the application.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	3,050 SF.	One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf.	16	1	16	1

The applicant complies with Title 19.10 Parking, Loading, and Traffic Standards.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	3 Trees	3 Trees
Buffer:			
• Min. Trees (rear)	1 Trees/ 20 Linear Feet	5 Trees	8 Trees
• Min. Trees (front and sides)	1 Trees/ 30 Linear Feet	13 Trees	27 Trees
• Min. Zone Width (street)	15 Feet		6/13 Feet
• Min. Zone Width (side/rear)	8 Feet		5/7 Feet
• Wall height	8 Feet		6 Feet

The applicant does not meet the perimeter and foundation landscape standards. The applicant has requested Waivers from these standards, which are discussed in the Analysis and Discussion section below.

B) General Analysis and Discussion

- Zoning

The site is currently zoned P-R (Professional Office and Parking). The project as proposed conforms to the provisions of this zoning district, with the exception of the requested waivers of the front yard setback and the perimeter and foundation landscaping requirements.

- Site Plan

The site plan depicts a 3,050 square foot medical office building. The site is located at the southeast corner of West Charleston Boulevard and Strong Avenue. The site is accessed from Strong Avenue. The site contains 16 parking spaces with one being a van accessible handicapped parking space.

- Waivers

The applicant is requesting Waivers of the front yard setback and the foundation and perimeter landscaping requirements. The applicant indicates that the overall size and width of the site necessitates the need for the requested Waivers. The limitations of the site justify the need for the Waivers as requested.

- Landscape Plan

The landscape plan indicates a variety of existing and proposed trees and shrubs. The trees include; Mondel Pine, Sweet Acacia, Desert Museum Palo Verde, Palm, and Thornless Mesquite. The shrubs include; Cleveland Sage, Desert Spoon, and Purple Fountain Grass. The majority of the 5-gallon shrubs and 24-inch box trees are located adjacent to the entry plaza and parking area.

- Elevation

The submitted elevations indicate a one-story office building. The elevations illustrate a sloping parapet, which varies in height from 17 to 24 feet. The building façade is accented by stucco detail, window variations, and steel/stone trellises. The elevations provide sufficient architectural interest for the submitted project.

- Floor Plan

The floor plan depicts a typical arrangement of exam rooms and offices.

FINDINGS

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

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

The proposed medical office building and its uses are within the range of allowable uses in the P-R (Professional Office and Parking) zoning district and can be operated in a manner that is compatible with existing land uses, which are located within the vicinity of the site.

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

The proposed development will be consistent with the General Plan, Title 19, Design Standards Manual, Waivers, and with the implementation of the recommended conditions.

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

The proposed medical office development will have direct right-in/right-out access from Strong Avenue, a 60-foot right-of-way. The proposed development will be sufficiently served by existing roadway facilities.

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

The building materials include; stucco, stone, and steel trellises, which are appropriate for this development and compatible with existing office developments in the area. The requested landscape Waivers are appropriate due to the limitations of the size and location of the lot.

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

The proposed development will be appropriate for the area and can be developed to complement the existing office uses located adjacent to the site.

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

SDR-6266 - Staff Report Page Seven
April 28, 2005 - Planning Commission Meeting

The proposed medical office building will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 147

APPROVALS 0

PROTESTS 1



Case Number: **SDR-6266** APN: 162-05-511-007
Name of Property Owner: Maria Stella Gaerlan
Name of Applicant: Maria Stella Gaerlan

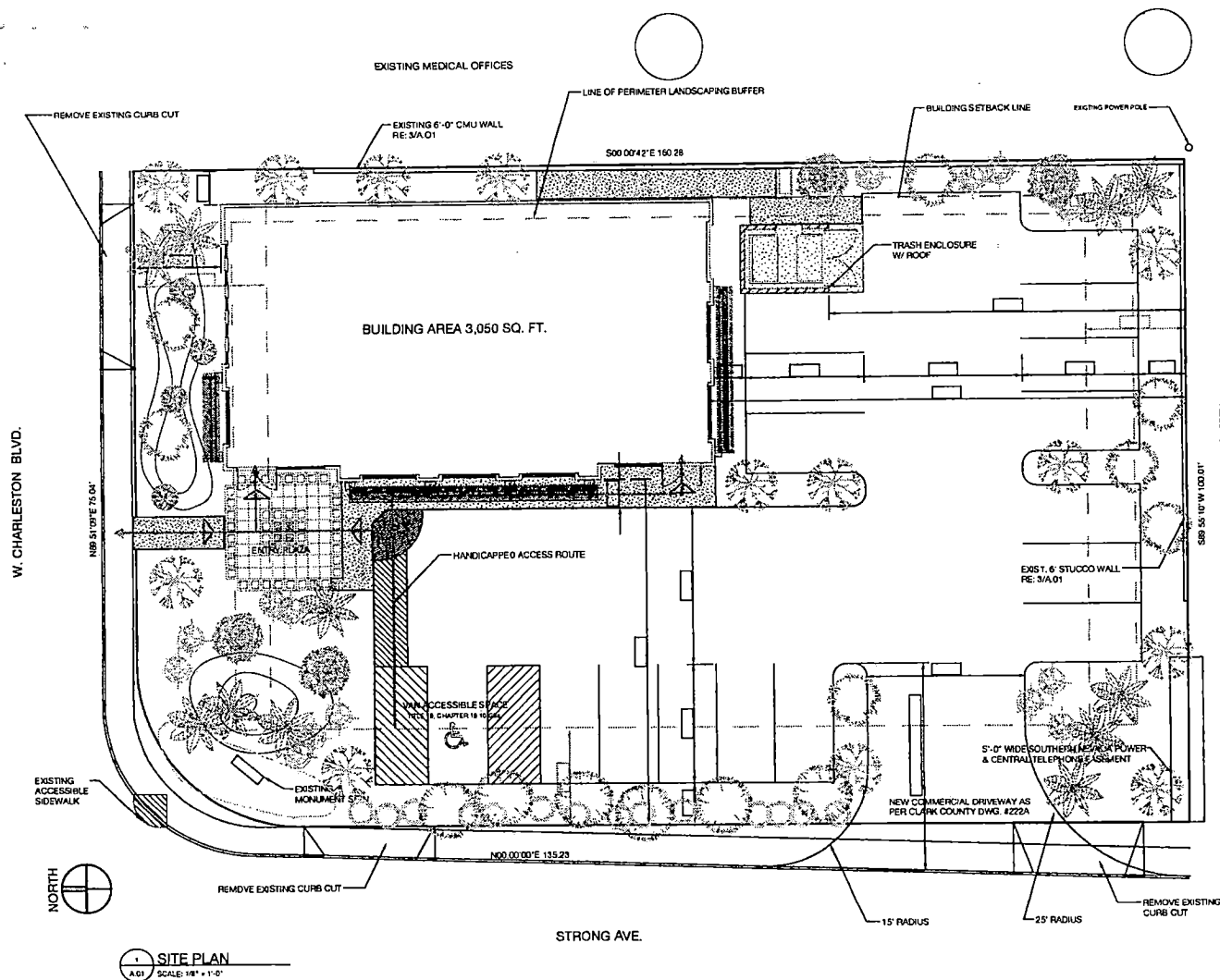
No

APN: _____

Print Name: _____

Notary Public in and for said County and State





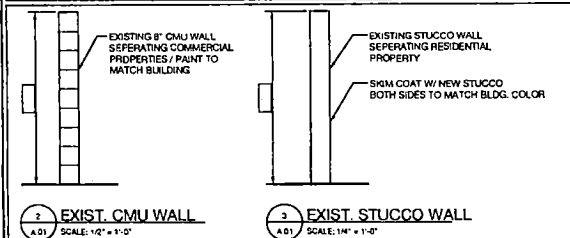
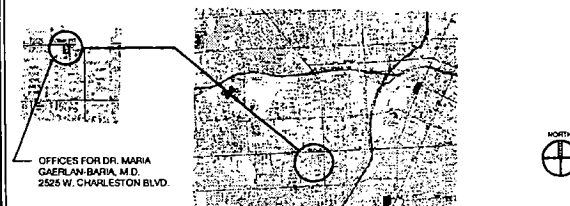
PROJECT DATA

PROJECT LOCATION: SOUTHEAST CORNER OF W. CHARLESTON BLVD. & STRONG AVE.
 JURISDICTION: CITY OF LAS VEGAS, NV.
 GOVERNING CODES: 2000 I.B.C.
 LAND USE ZONE: PROFESSIONAL OFFICES & PARKING (P-R)
 ASSESSOR'S PARCEL NUMBER: 16205511007
 SITE AREA: 15,888 SQ. FT. (0.365 ACRES)
 OCCUPANCY: BUSINESS GROUP B
 TYPE OF CONST. V-B
 FIRE SPRINKLERS: NO
 BUILDING HEIGHT: ACTUAL: 24'-0" - 17'-6" VARIES
 ALLOWABLE: 35'-0"
 NUMBER OF STORIES: ACTUAL: 1
 ALLOWABLE: 2
 BUILDING AREA: ACTUAL: 3,050 SQ. FT.
 ALLOWABLE: 9,000 SQ. FT. (WITHOUT FRONTAGE INCREASE)
 OCCUPANT LOAD: 3,050 SQ. FT. / 100 = 31 OCCUPANTS
 EXITS: REQUIRED: 1
 ACTUAL: 3
 BUILDING TO LOT COVERAGE: 19%
 PARKING REQUIREMENTS: [LAS VEGAS ZONING CODE CHAPTER 19.10 TABLE 1]
 OFFICE, MEDICAL & DENTAL: ONE SPACE FOR EACH 200 SF OF GFA UP TO 2,000 SF, PLUS ONE SPACE FOR EACH ADDITIONAL 175 SF.
 REQUIRED PARKING: 16 SPACES
 PROVIDED PARKING: 1 ACCESSIBLE VAN SPACE
 12 REGULAR PARKING SPACES
 3 COMPACT PARKING SPACES (19% USED FOR COMPACT)
 16 TOTAL PARKING SPACES

EXISTING SITE INFORMATION

LEGAL DESCRIPTION:
 LOT 1, BLOCK 1 "MC NEIL TRACT NO. 2" BOOK 3 OF PLATS, PAGE 96 LOCATED IN THE NORTHEAST QUARTER OF SECTIONS 5 IN T. 21 S., R. 61 E. MDM CITY OF LAS VEGAS, CLARK COUNTY, NEVADA FIELD SURVEYED NOVEMBER 10, 2004.

VICINITY MAP



DESIGN/BUILD A TEAM APPROACH TO QUALITY CONSTRUCTION

ARCHITECTURE
 Inline Construction Services, Inc.
 11699 Glowing Sunset Ln., Las Vegas, NV 89135
 Tel. (702) 809-8822 Fax (702) 304-2904
 email inlineConstServ@aol.com

GENERAL CONSTRUCTION
 BAKER CONSTRUCTION, INC.
 5738 ARVILLE STREET, SUITE 118
 LAS VEGAS, NEVADA 89118
 OFFICE (702) 263-7561 FAX (702) 263-5135
 Bakerconst@aol.com

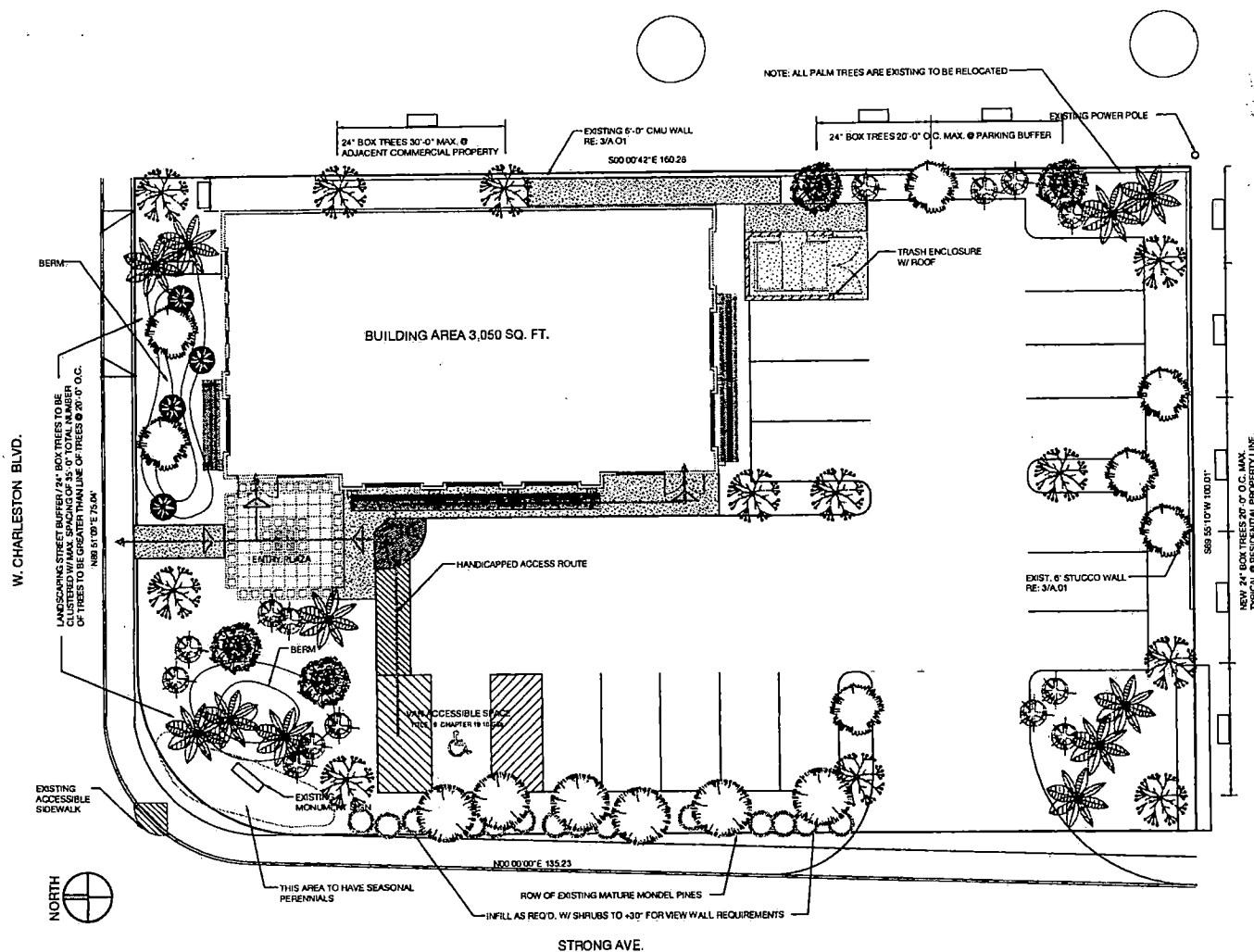
Date:	Revision:	Issue:	Date:	Revision:	Issue:
FEB. 11, 2005		PLANNING & DEVELOPMENT			
MAR. 7, 2005		PRE-APPLICATION COM.			
		PLANNING & DEVELOPMENT SUBMITTAL			

MARIA STELLA GAERLAN-BARIA, M.D.
 Electrodiagnostic Medicine
 2525 W. CHARLESTON BLVD., LAS VEGAS, NV 89102
 Office (702) 877-9511 Fax (702) 877-6711

Sheet Number
 A.01
 Job Number #04042

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 MAR 14 2005

SDR-6266
 04/28/05 PC



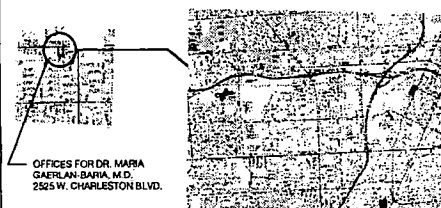
1 LANDSCAPE PLAN
A.02 SCALE: 1/8" = 1'-0"

LANDSCAPE LEGEND

SYMBOL	QUANTITY	SIZE	SCIENTIFIC NAME	COMMON NAME
	[6]			EXISTING FULLY MATURE MONDEL PINE TREES
	[12]	24" BOX	ACACIA SMALLII	SWEET ACACIA
	[7]	24" BOX	CERCIDIUM 'DESERT MUSEUM'	DESERT MUSEUM PALO VERDE
	[4]	24" BOX	PROSOPIS HYBIRD	THORNLESS MESQUITE
				EXISTING MATURE PALM TREES TO BE RELOCATED. EXACT NUMBER TO DEPEND ON ABILITY TO BE TRANSPLANTED
	[14]	5 GAL.	SALVIA CLEVELANDII	CLEVELAND SAGE
	[4]	5 GAL.	DASYLIROON WHEELERI	DESERT SPOON
	[14]	5 GAL.	PENNISETUM SETACEUM CUPREUM	PURPLE FOUNTAIN GRASS

NOTE: ALL PLANTING AREAS TO HAVE MOJAVE GOLD 1" & 3/4" INERT MATERIAL AS GROUND COVER

VICINITY MAP



DESIGN/BUILD A TEAM APPROACH TO QUALITY CONSTRUCTION

ARCHITECTURE
Inline Construction Services, Inc.
11699 Clowling Street, Las Vegas, NV 89135
Tel: (702) 869-8822 Fax: (702) 304-2524
email: inline@constr.com

GENERAL CONSTRUCTION
BAKER CONSTRUCTION, INC.
5720 ARVILLE STREET, SUITE 118
LAS VEGAS, NEVADA 89118
OFFICE: (702) 263-7551 FAX: (702) 263-5135
bakercos116@aol.com

Date:	Revision:	Issue:	Date:	Revision:	Issue:
FEB. 11, 2005		PLANNING & DEVELOPMENT			
MAR. 7, 2005		PRE-APPLICATION CON.			
		PLANNING & DEVELOPMENT SUBMITAL			

MARIA STELLA GAERLAN-BARIA, M.D.
Electrodiagnostic Medicine

2525 W. CHARLESTON BLVD., LAS VEGAS, NV 89102
Office: (702) 877-9511 Fax: (702) 877-6711

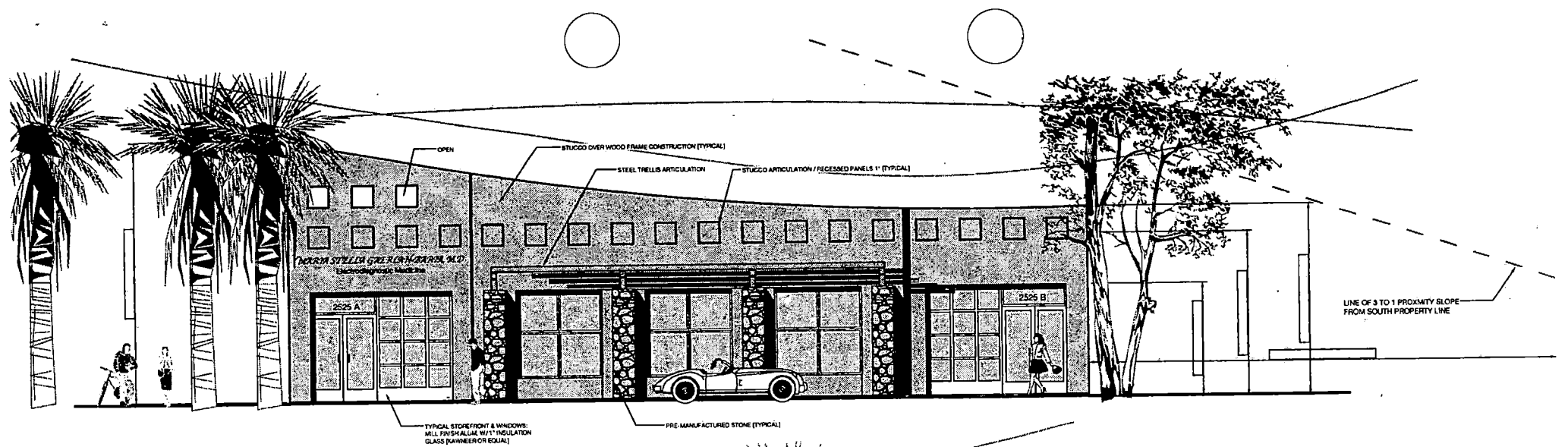
Sheet Number

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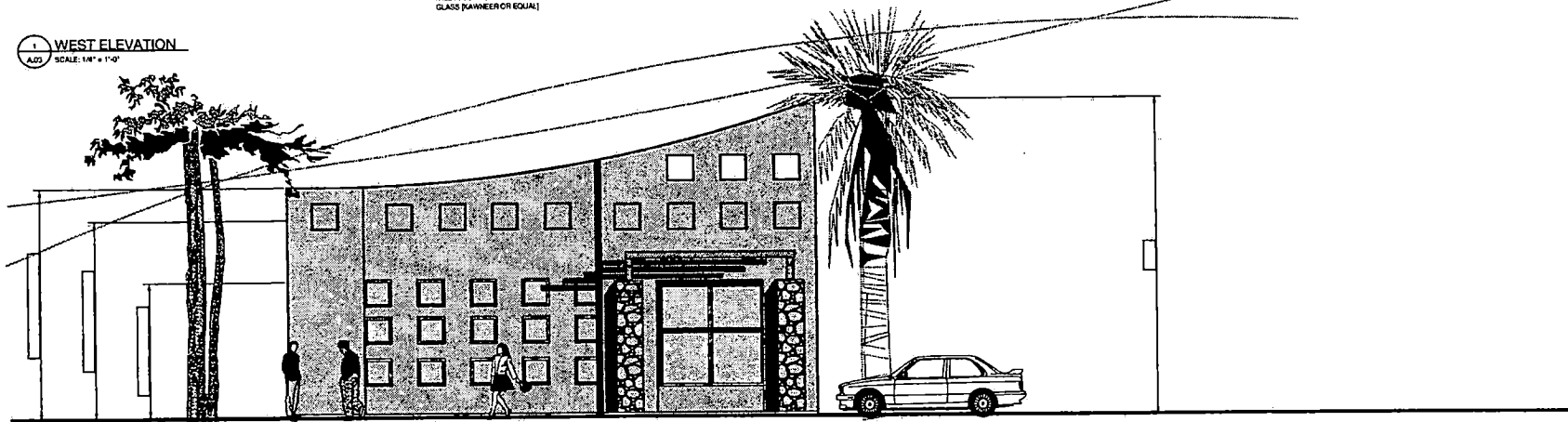
Job Number #04042

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MAR 14 2005

SDR-6266
04/28/05 PC



1 WEST ELEVATION
A.03 SCALE: 1/4" = 1'-0"



SEE ELEVATION ABOVE FOR TYPICAL FINISH NOTES

2 NORTH ELEVATION
A.03 SCALE: 1/4" = 1'-0"

DESIGN/BUILD A TEAM APPROACH TO QUALITY CONSTRUCTION		Date:	Revision:	Issue:	Date:	Revision:	Issue:	Sheet Number
ARCHITECTURE	GENERAL CONSTRUCTION							
Inline Construction Services, Inc. Architecture, Construction Management & General Construction 11699 Growing Sunset Ln., Las Vegas, NV 89135 Tel. (702) 869-6822 Fax (702) 304-2504 email inlineConserv@aol.com	BAKER CONSTRUCTION, INC. 3720 ARVILLE STREET, SUITE 118 LAS VEGAS, NEVADA 89118 OFFICE (702) 263-7561 FAX (702) 263-5135 bakercos11@aol.com	MAR. 7, 2005		PLANNING & DEVELOPMENT SUBMITTAL				A.03
								Job Number #04042
		MARIA STELLA GAERLAN-BARIA, M.D. Electrodiagnostic Medicine 2525 W. CHARLESTON BLVD., LAS VEGAS, NV 89102 Office (702) 877-9511 Fax (702) 877-6711						

SDR-6266
04/28/05 PC



DESIGN/BUILD A TEAM APPROACH TO QUALITY CONSTRUCTION

ARCHITECTURE
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11699 Glowing Sunset Ln., Las Vegas, NV 89135
Tel: (702) 869-8822 Fax: (702) 304-2504
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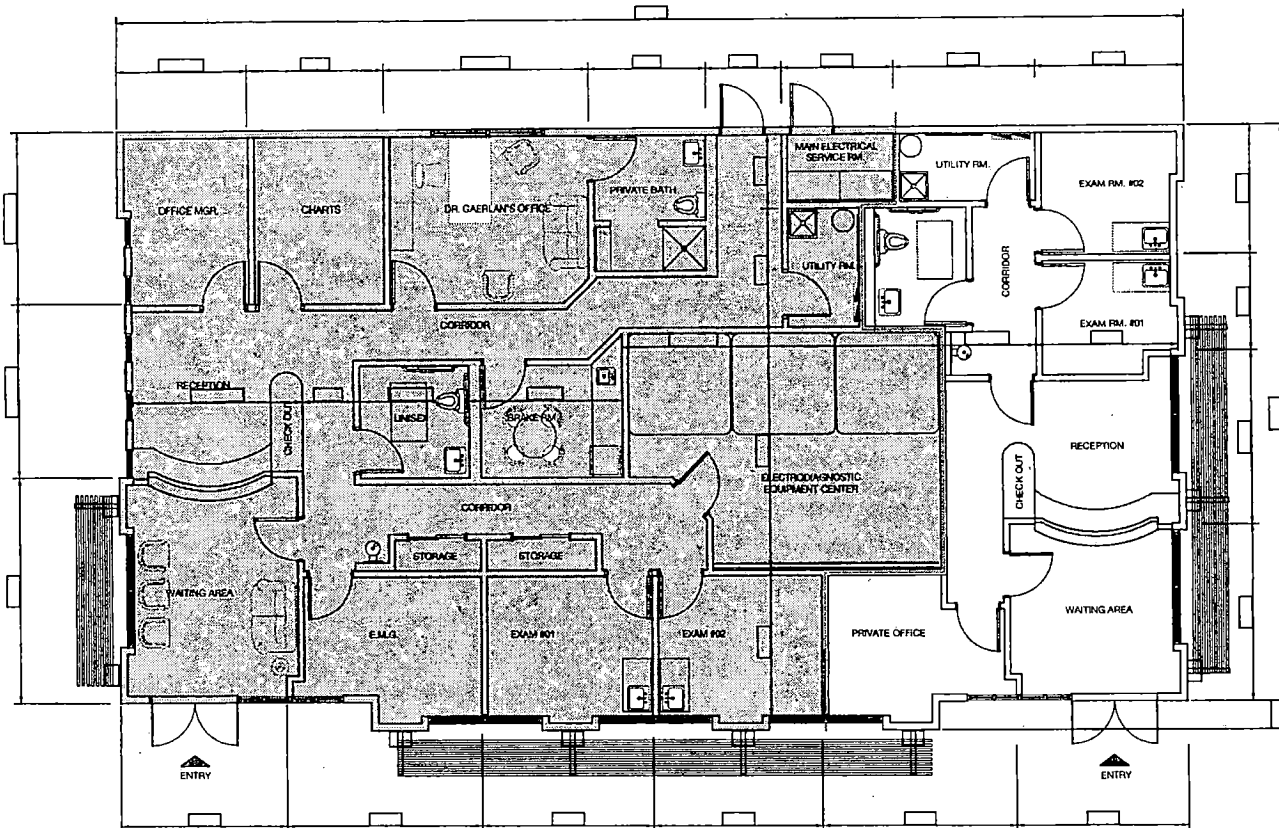
GENERAL CONSTRUCTION
BAKER CONSTRUCTION, INC.
5730 ARVILLE STREET, SUITE 118
LAS VEGAS, NEVADA 89118
OFFICE (702) 263-7561 FAX (702) 263-5135
BakerConst@aol.com

Date:	Revision:	Issue:	Date:	Revision:	Issue:
MAR 1, 2005		DAY OF LAST VISIT PLANNING & DEVELOPMENT PRELIMINARY SUBMITTAL			

MARIA STELLA GAERLAN-BARRIA, M.D.
Electrodiagnostic Medicine
2525 W. CHARLESTON BLVD., LAS VEGAS, NV 89102
Office (702) 877-9511 Fax (702) 877-6711

Sheet Number
A.04
Job Number #04042

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MAR 14 2005
SDR-6266
04/28/05 PC



OFFICES FOR MARIA GAERLAN-BARIA, M.D.
2,220 SQ. FT.

FUTURE TENANT
830 SQ. FT.



1 FLOOR PLAN
A.05 SCALE: 1/4" = 1'-0"

DESIGN/BUILD A TEAM APPROACH TO QUALITY CONSTRUCTION ARCHITECTURE Inline Construction Services, Inc. Architecture, Construction Management & General Construction 11699 Glowing Sunset Ln., Las Vegas, NV 89135 Tel. (702) 869-8622 Fax (702) 304-2504 email inlineConstServ@aol.com		GENERAL CONSTRUCTION BAKER CONSTRUCTION, INC. 5730 ARVILLE STREET, SUITE 118 LAS VEGAS, NEVADA 89118 OFFICE (702) 263-5561 FAX (702) 263-5135 bakersconst@aol.com		Date: MAR. 7, 2005 Revision: Issue: PLANNING & DEVELOPMENT SUBMITTAL	Date: Revision: Issue:	MARIA STELLA GAERLAN-BARIA, M.D. Electrodiagnostic Medicine 2525 W. CHARLESTON BLVD., LAS VEGAS, NV 89102 Office (702) 877-9511 Fax (702) 877-6711	Sheet Number A.05 Job Number #04042
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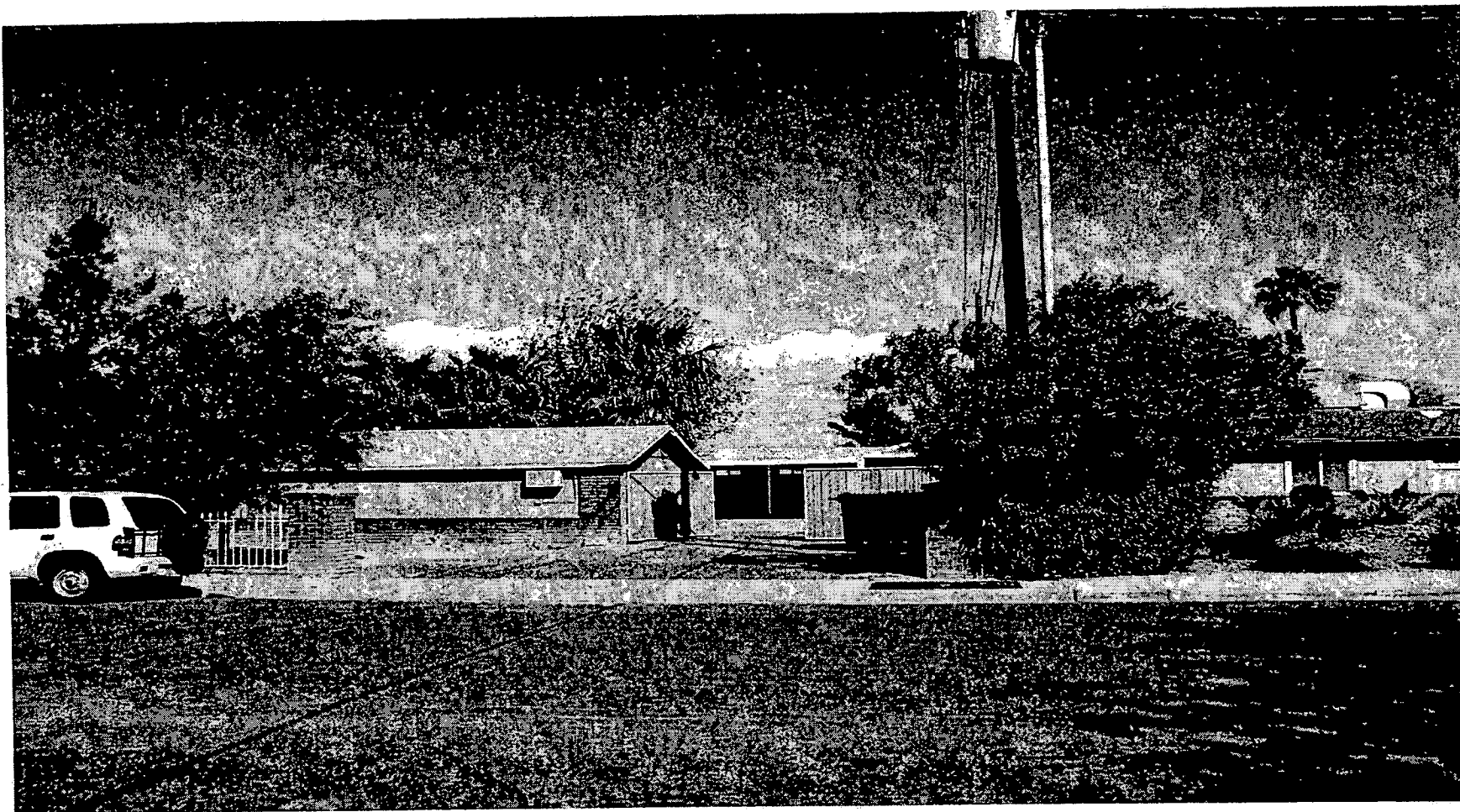
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MAR 14 2005

SDR-6266
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SDR-6266 - APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA STELLA
GAERLAN
2525 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



SDR-6266 - APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA STELLA
GAERLAN
2525 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



SDR-6266 - APPLICANT: INLINE CONSTRUCTION SERVICES, INC. - OWNER: MARIA STELLA
GAERLAN
2525 WEST CHARLESTON BOULEVARD
APRIL 28, 2005 PLANNING COMMISSION

3/13/05

ICS

Inline Construction Services, Inc.
Architecture, Construction Management & General Construction

March 5, 2005

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

Re: Pre-Application Conference / Parcel #16205511007 / 2525 W. Charleston Blvd., Las Vegas, NV

Subject: Justification Letter:

Dr, Maria Steela Gaerlan-Baria, M.D. has retained our services as consulting architect for this project. She purchased this property with the intent to use this site as her primary location for her practice in Electrodiagnostic Medicine. I have carefully analyzed the existing site and the survey provided by her, and my findings are as follows:

1. This site is .0365 acres or 15,888 sq. ft. The existing [1] story structure of approximately 3,000 sq. ft. designed in a 'L' shape with multi levels was originally constructed as a residence and then converted to an office when the site changed zoning classification from residential to [P-R], Professional Offices and Parking. This site currently has [7] parking spaces and does not meet current 2000 International Building Codes.
2. Under current City of Las Vegas Development Standards, this building, if remodeled, would now require [16] parking spaces of which [1] would have to be ADA van accessible. The entire structure would have to be brought up to current commercial codes as governed by the 2000 IBC.

It is our opinion that based on the above existing conditions this site is defined by its parking requirements. The structure where it currently exists on the site cannot accommodate the additional parking as required by the City of Las Vegas. In addition, the shape and multi levels of the existing structure do not lend itself to the internal programming of her practice. The structure must be re-built in a more efficient form and be relocated to the northeast section of the lot. In attempting to meet Chapter 19

Development Standards the driveway along W. Charleston Blvd. and one of the existing driveways along Strong Ave. will have to be abandoned and the curbs and gutters repaired or replaced to current commercial standards.

Our intention is to remove the existing structure and replace it with a close to equal size, 3,050 sq. ft. single story professional office building. The site is extremely difficult to develop due to its small size and being a corner lot with its additional setback requirements. We have attempted to meet as many of the requirements of the City of Las Vegas Chapter 19 Development Standards as possible. Due to the requirements of Dr Gaerlan's SBA loan, any new construction must equal or exceed the area of the existing structure.

In order to meet our client's programming requirements on this very restrictive site we respectfully request the following [4] waivers.

1. Chapter 19.08 Table 3 minimum Front Yard Setback 20 feet required. Our building is set 13 feet back from the North property line along W. Charleston Blvd.

Justification:

Due to the limited area of the site and our adherence to the minimum parking standards and the required distance from the residential property line to the south, 52'-6" [based on the 3 to 1 Residential Adjacent Standards], we have located the building 13 feet from the north property line.

2. Chapter 19.08 E.2 Parking Lot Screening requires any parking lot which abuts a public street shall be setback from the property line a minimum of fifteen feet and set back eight feet from the rear and side property lines, 19.12.060 Table 1.

Our building is located thirteen feet back from the North property line and five feet from the East property line. Our parking area is located 6'-3" at the closest point to the West property line, and seven feet two inches from the South property line.

Justification:

In creating a hierarchy of importance we adhered to the Commercial Driveway requirements as shown per Clark County Drawing #222A, which requires a minimum 25-foot radius and a 25-foot minimum throat depth for the proposed driveway along Strong Ave. We have respected all the minimum required dimensions for parking and driveways in order to accommodate the fifteen parking spaces and the one ADA accessible van parking space required for this project. Due to the size of the site we have reduced the Parking Lot Screening as noted above.

3. Chapter 19.12 Table 1 Landscape Buffering requires one tree per 30 linear feet where adjacent to any commercial property. A six foot CMU wall exists along the East property line for screening the adjacent commercial property. We propose a 4'-4" concrete walk approximately 35'-0" long beginning at the South edge of the building. The remaining area to the North will be totally landscaped.

Justification:

We have adhered to the required size and location of trees to the North, South and West boundaries of the property. The remaining space of 4'-4" on the East side of the building I used for a walkway to access to the Electrical Equipment Rm. and roof hatch. This service area can be hidden from view if neatly tucked into the East side of the building. We have exceeded the required number of trees to be planted in the Northwest section of the site to make up for the [1] tree lost due to the walkway.

In addition, this site has [17] existing Palm trees and [11] Mondale Pines all grown to maturity. Our intention is to save and relocate as many of the existing trees as feasible and leave the row of Mondale Pines untouched along Strong Ave. This with some additional low shrubs will create a visual screening device to adhere to the intent of the Landscape and Buffer Standards.

4. Foundation Landscape buffer of six feet. The west side of our proposed building is five feet two inches from the curb of the parking area. This space will be used for a five-foot sidewalk as required for a handicapped access route.

Justification:

The restraints of the narrow width of the property does not allow for a five foot sidewalk and a six foot landscape buffer between the building and the parking area. There are no parking spaces located along this area and the building is well screened from view with the existing Pine trees and new shrubbery along Strong Ave

Summery:

Our client Dr. Gaerlan had purchased this site because of the zoning change, which allows her to construct a professional office building at this location and her desire to be in close proximity to the University Medical Center and the Medical Center of Southern Nevada on W. Charleston Blvd. She had no prior knowledge of the numerous restraints and/or requirements of Chapter 19 City of Las Vegas Development Standards. We respectfully request you grant the above waivers as the applicant has not compromised the objectives of the City with regard to safeguarding the interests of

the citizens nor will it compromise or affect the public health, safety or general welfare of the public. In fact, by removing a deteriorating residence that is currently used for a commercial purpose, Dr. Maria Gaerlan is doing a service to the City of Las Vegas. She is investing monetarily and well as professionally to the future of this city by offering professional medical services to the community and providing a visually appealing structure which fits within the consistent framework and architectural character of new construction along W. Charleston Blvd.

I hope the above information addresses your questions and concerns regarding the future of this site. If the above waivers are granted and we are allowed to proceed with this project Dr. Maria Stella Gaerlan-Baria M.D. will continue to contribute to the success of the City of Las Vegas, and we will honor the opportunity to provide her with architectural services.

Sincerely,

Larry Rubenstein, Architect
President

Phyllis Fontana-Boex

1111 Strong Drive, Las Vegas, Nevada 89102

702-579-4832

Fontanabo@aol.com

April 19, 2005

Mr. Gary Leobold
Planning Supervisor
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101-2986

RE: Case #SDR-6266

Dear Mr. Leobold,

I've just received notice regarding the property at 2525 W. Charleston. The current owner, Ms. Maria Stella Gaerlan, is requesting a variance to the zoning in place for the area.

First, I must apologize for taking up your time through this letter since I will not be in town at the time of the hearing for this case. I live immediately behind the 2525 Charleston property and must let you know my thoughts on this matter by mail inasmuch as not being available to do so in person.

Two years ago, the previous owner had an additional garage built adjacent to the original garage. However, the new structure is only 2 feet next to cinder block fence between our properties. I immediately called city hall to register a complaint.... not only once but several times. Each time, I was informed that someone would be out to check. Nothing was done and the structure is still standing today. Is this in compliance to the code? Where was the owner's application for a site variance?

Now the present owner plans to expand the building to the edge of the public sidewalk, leaving virtually no parking space for future patients. Said patients will be using Strong Drive for parking and thereby creating a nightmare for the residents. We already are having problems with employees of the newly expanded insurance company on Charleston just west of Strong Drive. Not only have they been parking bumper to bumper on our street, but often blocking the driveways into our homes, making access to our homes impossible. I'm sure if this was your home, you wouldn't want the hassle either.

Please consider this problem while making your decision.

Sincerely,

Phyllis Fontana-Boex
Phyllis Fontana-Boex

cc: Lois Tarkanian, Ward 1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-6189 - TENTATIVE MAP - RYLAND HOMES @ CLIFFS EDGE PODS 305 AND 309 - APPLICANT/OWNER: RYLAND HOMES NEVADA, LLC - Request for a Tentative Map FOR A 275 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 40.81 adjacent to the northeast corner of Durango Road and Puli Road (APN 126-24-310-003 and 126-24-410-001), PD (Planned Development) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

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

3. **Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Standards by City Council *shall be approved before building permits can be issued for this project.***

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is doing work for Ryland Homes and STEINMAN and EVANS excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that Ryland Homes has developed a product, which spans two pods in the Cliffs Edge neighborhood, and a two aspects of their proposal did not meet the Cliffs Edge Master Development Plan Standards. One was the density because part of the 5.5 unit per acre pod with up to 6.7 unit per acre density on it. Also,

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Rezonings (ZON-2184, ZON-1520 and ZON-3241), the Cliff's Edge Master Development Plan and Design Standards, and the Cliff's Edge Development Agreement, as well as the conformance to the 03/01/05 date stamped plans.
3. Prior approval of Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Standards by City Council.
4. A lot fit analysis shall be submitted prior to the recordation of the Final Map.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

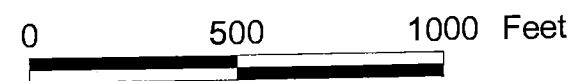
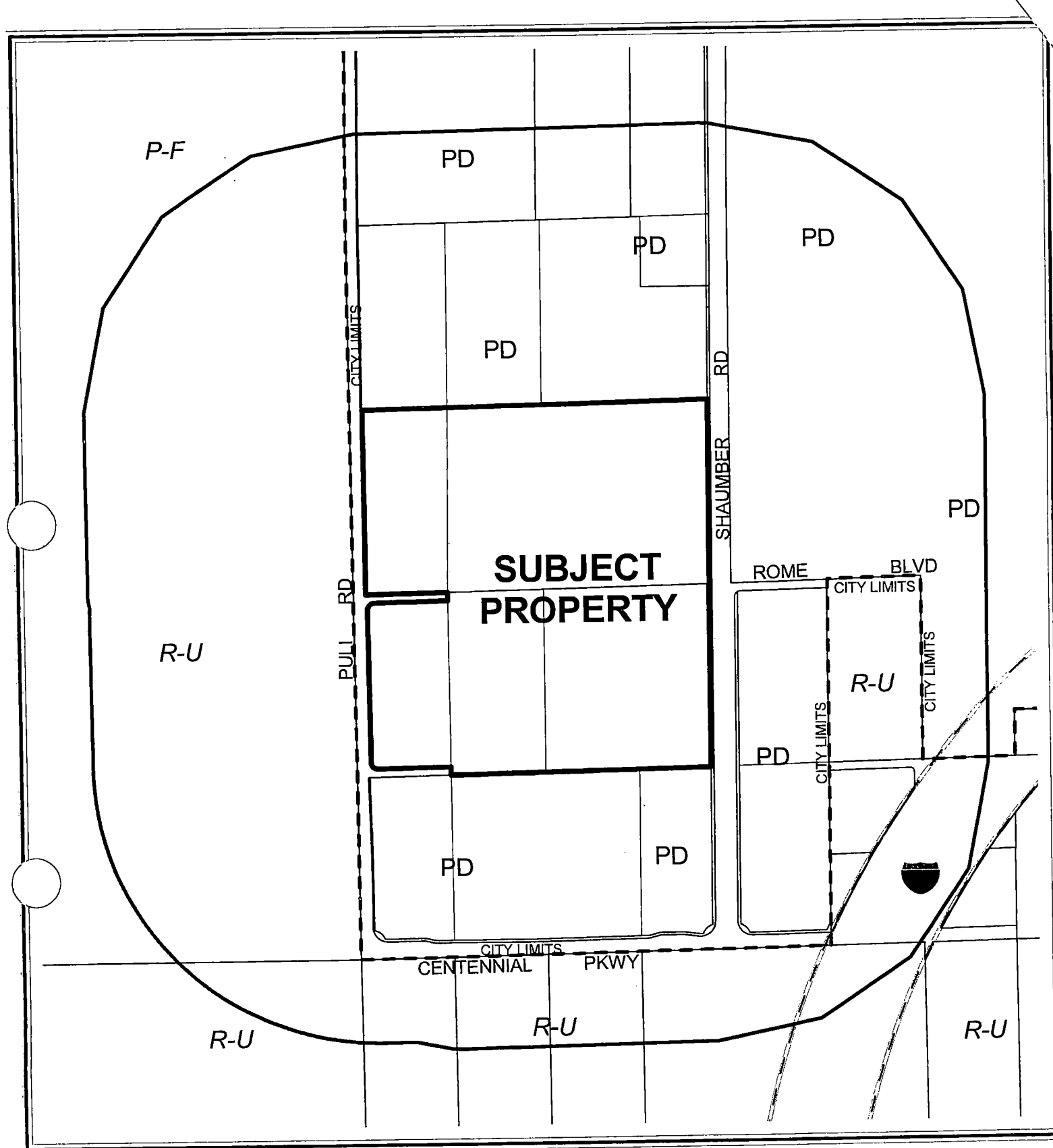
Public Works

8. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.
9. Petition of Vacation VAC-5130 shall record prior to the recordation of a Final Map for this site abutting or overlying the area being vacated.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 88 – TMP-6189

CONDITIONS – Continued:

19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Revise the Common Element Description adjacent to Shaumber Road on Sheet 1 to reflect Common Element “E-E”, as was recorded on the Cliffs Edge Parent Map (FMP-4358).
21. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff’s Edge parent map and include the recorder’s information (subdivision name, book and page number).
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff’s Edge Parent Map, Cliff’s Edge Development Standards, Design Guidelines and Development Agreement, the “Sight Distance Along Shaumber Road within Cliff’s Edge” design document dated 03/04/04 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written

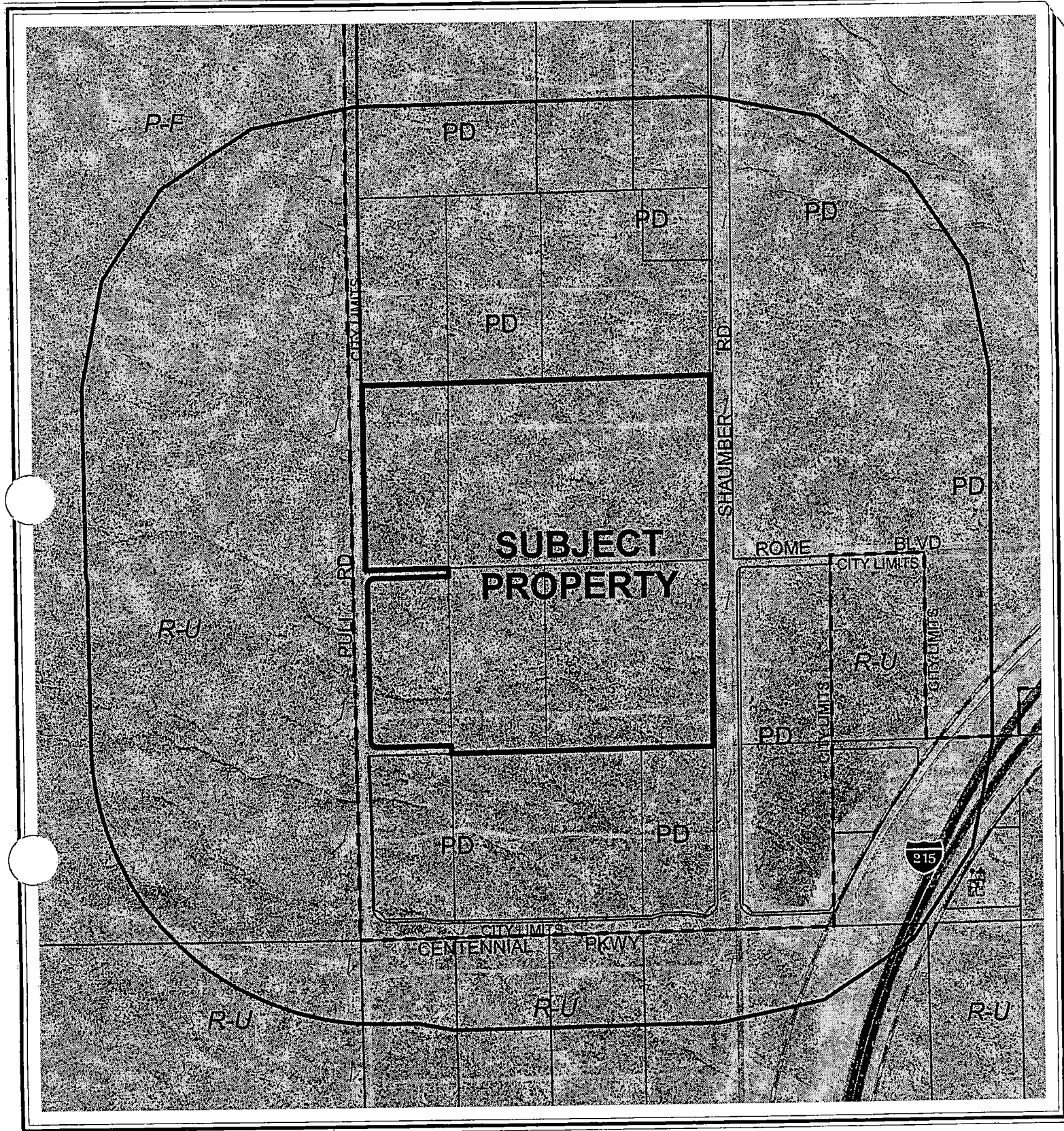


CASE: TMP-6189

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)





0 500 1000 Feet

CASE: TMP-6189

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



City of Las Vegas
AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TMP-6189 - RYLAND HOMES @ CLIFFS EDGE PODS 305
AND 309 - APPLICANT/OWNER: RYLAND HOMES NEVADA LLC

**** CONDITIONS ****

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

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (ZON-2184, ZON-1520 and ZON-3241), the Cliff's Edge Master Development Plan and Design Standards, and the Cliff's Edge Development Agreement, as well as the conformance to the 03/01/05 date stamped plans.
3. Prior approval of Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Standards by City Council.
4. A lot fit analysis shall be submitted prior to the recordation of the Final Map.
5. Street names must be provided in accord with the City's Street Naming Regulations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
7. As an attachment to the civil bond, any part of which shall not be released until this condition has been satisfied and prior to the sale of any lots or units the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels.

DA

Public Works

8. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements must be executed by the property owner(s) of record prior to final approval of this application by City Council. The written agreements will allow the addition of vacated or other property previously outside the district boundary into the Providence Special Improvement District.
9. Petition of Vacation VAC-5130 shall record prior to the recordation of a Final Map for this site abutting or overlying the area being vacated.
10. If not constructed by the Master Developer, construct the full width street improvements on Puli Road and half street improvements on Shaumber Road, including appropriate overpaving, adjacent to this site concurrent with development. In addition, a minimum of two lanes of paved, legal access to the nearest constructed public street shall be in place prior to final inspection of any units within this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
11. If not constructed at the time of development by the Master Developer, landscape and maintain all unimproved right-of-way on Puli Road and Shaumber Road adjacent to this site concurrent with development of this site.
12. If not obtained at the time of development by the Master Developer, submit an Encroachment Agreement for all landscaping and private improvements in the Puli Road and Shaumber Road public rights-of-way adjacent to this site.
13. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. The Final Map for this site shall be labeled as a "Merger and Resubdivision".
15. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
17. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.

18. Private streets and private drives must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowners' Association.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Revise the Common Element Description adjacent to Shaumber Road on Sheet 1 to reflect Common Element "E-E", as was recorded on the Cliffs Edge Parent Map (FMP-4358).
21. Show and dimension the common lots and adjacent right-of-way on the Final Map(s) for this site as recorded by the Cliff's Edge parent map and include the recorder's information (subdivision name, book and page number).
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. Site development to comply with all applicable conditions of approval for previous zoning actions, Master Drainage Studies, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, the "Sight Distance Along Shaumber Road within Cliff's Edge" design document dated 03/04/04 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Tentative Map for a 275 lot single-family residential subdivision on 40.81 acres adjacent to the northeast corner of Durango Road and Puli Road.

B) Applicant's Justification

Although a justification letter is not required for a Tentative Map, one was provided by the applicant, wherein the following justification was made;

"Ryland Homes determined in its feasibility of developing these Pods that due to the topography of the parcels, it would better to plan the community as one 40-acre development versus two separate 20-acre sites. In doing so, Ryland designed two very distinctive, move-up, product lines of homes, eight total models, that even though they are based on different densities, the architecture of the two product lines complements each other and the overall Cliffs Edge project."

"As part of our design, Ryland developed a land plan that created a great sense of arrival for its residence by making a large, 350 feet deep, landscaped entry into our proposed community with a centrally located, linear landscaped common area that generally runs through the entire depth of the project. Based upon the guidelines for Cliffs Edge regarding onsite open space, Ryland has designed into its project with more than 10 times the required open space for its community. Since this open space was designed to be located in areas of greatest impact, the open space is not evenly distributed through the community as it pertains to product type or land use. Additionally, to soften the impact of the 5% fall across the site, Ryland has designed into its site significant rear yard scarps in order to minimize retaining walls."

"Though our designs do not exactly match the specific development Pod criteria, Ryland believes its overall design for its community within the Cliff's Edge Master Plan meets and exceeds the goals and objectives for this project by introducing creative and aesthetically pleasing architecture and land planning."

C) Master Developer's Justification

02/04/05 Providence Master Plan has approved a Design Guideline Certification for Pod's 305 and 309, to become Ryland Homes @ Cliff's Edge. The review committee made the following comments:

1. All corner perimeter lots to maintain 10 foot side setbacks.
2. DRC approves blending of the densities across the two pods.
3. Applicant should provide DRC with revised copies once submitted, and again once approved

DA

BACKGROUND INFORMATION

A) *Related Actions*

- 02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south. The Planning Commission recommended approval on September 26, 2002. The effective date of this annexation was 02/14/03. Staff had recommended approval of this application.
- 04/16/03 The City Council approved a request for a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
- 07/16/03 The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on 06/12/03.
- 12/17/03 The City Council approved an Annexation (ANX-3087) of 27.50 acres in the area generally located north of Centennial Parkway and West of Hualapai Way. The Planning Commission recommended approval on October 23, 2003. The effective date of this annexation was 12/26/03. Staff had recommended approval of this application.
- 12/04/03 A Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines was administratively approved by the Planning and Development Department, subject to a number of conditions.
- 02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres generally located between Grand Teton Drive, Centennial Parkway, Hualapai Way and Corporate City Limits, and approved amendments to the approved Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval on 01/08/04.

- 02/18/04 The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission and staff recommended approval on 01/08/04.
- 05/26/05 The Planning Commission will hear a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan & Design Guidelines to update several sections of the plan and update land use designations within the development. Item will be heard before City Council on 07/06/05. Staff recommended approval.

B) Pre-Application Meeting

- 02/16/05 A pre-application meeting was held where the following items were discussed:
1. The submittal requirements for a Tentative Map application were discussed
 2. The Tentative Map checklist was signed by Public Works.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 40.81 Acres

B) Existing Land Use

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

C) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: Clark County (R-U (Rural Open Land [0.5 units per acre]))

D) General Plan Compliance

The subject parcels are designated PCD (Planned Community Development) within the Centennial Hills Sector Plan of the General Plan. The PCD (Planned Community Development) category of the Centennial Hills General Plan allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per acre, depending upon compatibility with adjacent uses.

The subject site is within a PD (Planned Development) zoning district. The PD (Planned Development) zoning district is intended to be a flexible district which may be applied to individual properties, larger planning areas or areas with multiple properties for redevelopment, economic development and cultural enrichment. The PD (Planned Development) zoning district may be used for office, retail, entertainment or commercial uses or for mixed-use developments where commercial and residential uses are combined. The PD (Planned Development) zoning district is further intended to buffer small infill tracts and adjacent uses, encourage the conservation of open space, promote creative siting arrangements, preserve prominent natural features, provide for the efficient development of large tracts for multiple uses, and provide for development which enhances neighborhood areas. The minimum size of tract eligible for PD (Planned Development) zoning designation is five acres. The subject parcels are in conformance with the General Plan.

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

Cliff's Edge Master Development Plan

The Cliff's Edge Master Development Plan and the Cliff's Edge Design Guidelines control future development within the Cliff's Edge master plan area. These two documents were approved by City Council in March 2003 and amended in July 2003 and December 2003. The Master Development Plan was required for the approval of PD (Planned Development) zoning, which was applied to the area concurrently with the approval of the Master Development Plan and the Design Guidelines. The Design Guidelines prescribe the form of urban development that is to take place in the various neighborhoods or "pods" that are identified in the Master Development Plan. The subsequent amendments were made at the request of city staff to fine-tune some of the concepts and processes outlined in these documents. A third document, the Cliff's Edge Development Agreement, addresses the apportioning of responsibilities between the City and the Master Developer for the regulation and enforcement of the first two documents, and the timing and development of infrastructure systems that is the responsibility of the Master Developer.

The subject parcels within this development are designated L (Low Density Residential) for the northern parcel, which allows up to a density of 5.5 units per acre. The southern parcel is designated ML (Medium Low Density Residential), which allows up to 8 units per acre within the Cliff's Edge Master Development Plan and Design Guidelines. The L (Low Density Residential) land use category allows for lower density single-family project types with a maximum of two stories. The ML (Medium Low Density Residential) land use

category allows for medium density detached or attached single-family product types including, but not limited to, duplexes, compact lots, cluster and zero lot line developments. Buildings in this category should not exceed two stories in height.

Both zones will allow for a "Z"-lot configuration of the lots as long as those lots are able to meet the development standards for the land use category with which they are located. The northern pod of this development is unable to conform to the density requirements of the L (Low Density Residential) land use category because of the blending of the two products types between the two pods. With the addition of "Z"-lots in the northern pod the density for that pod is pushed up to 6.5 units per acre, which exceeds the maximum 5.5 units per acre allowed for this land use classification. A Major Modification has been submitted into the Planning and Developments office for review that would modify the land use category of the northern pod from L (Low Density Residential) to ML (Medium Low Density Residential), which would bring the project into conformance with the land use category and overall density set forth in the Cliff's Edge Master Development Plan and Design Guidelines.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to The Cliff's Edge Master Development Plan And Design Guidelines, the following Development Standards apply to the subject proposal for the southern property designated ML (Medium-Low Density Residential):

Standards	Required	Provided
Front – Living Area or Porch - Single Story Element - Two Story Element	10' 10' for up to 60% of the wall plane; otherwise 15'	N/A Yes, Verbatim
Front-Entry Garage	Less than 5' or 18'+	18' from back of curb
Turn-In Garage	10'	10'
Side - Interior Lots - Perimeter Lots & Parcel Entry (Siding to any community level roadway or open space)	3' 5' for single story element with no gable end, or 10' for two story element or single story element with a gable end	3' min 10'
Standards	Required	Provided
Corner Side - Single Story Element - Two Story Element	10' 10'	N/A 10'

TMP-6189 - Staff Report Page Six
April 28, 2005 - Planning Commission Meeting

Rear - Interior Lots - Perimeter Lots (Backing to any community level roadway or open space)	15' except that 10' allowed for up to 50% of the product width	Yes, Verbatim
	Same as Interior Lots, except that no more than three adjacent dwellings may have the same rear setback; otherwise an additional offset of at least 5' is required	Yes, Verbatim
Rear Patio Covers	10'	10'
Accessory Structures - Less Than 14' Bldg. Ht. - Greater Than 14' Bldg. Ht.	Front: 10' ⁽⁵⁾ Side: 3' Rear: 3' Front: 15' ⁽⁵⁾ Side: 3' Rear: 5' if no window opening facing rear PL 10' if window openings face rear PL	Not Provided

The northern property designated L (Low Density Residential) has the following development standards pursuant to The Cliff's Edge Master Development Plan and Design Guidelines:

Standards	Required	Provided	Compliance
Min. Lot Size	6050 Sq Ft	6050 Sq Ft	Y
Min. Lot Width	55 Feet	55 Feet	Y

Min. Setbacks			
• Front			
- Single story element	10 Feet	NA	Y
Second story element	15 Feet	NA	Y
Front Entry Garage	20 Feet	NA	Y
Turn-in Garage	10 Feet	NA	Y
• Side			
- Interior lots	5 Feet	NA	Y
- Perimeter lots & Entry parcel	5 Feet for single story element w/ no gable. 10 Feet for two-story element w/ gable end.	NA	Y
• Corner			
- Single story element	10 Feet	NA	Y
- Second story element	15 Feet	NA	Y
• Rear			
- Interior Lots	- 20 Feet (15 Feet allowed for up to 50% of Structure width)	NA	Y
- Perimeter Lots**	- Same as Interior lots (No more than three adjacent dwellings may have the same setback; otherwise up to additional 5 Feet setback required)	NA	Y
Max. Building Height	35 Feet	35 Feet	Y

(5) Accessory structures that are provided as detached garages shall have a driveway setback that is less than 5' or greater than 18'.

The proposed Tentative Map shows a blending of products between the two subject properties. For this development there are two types of lots being proposed. One is a standard courtyard style lot, while the other is a "Z"-lot configuration. The "Z"-lots that run along the eastern portion of the project adjacent to Shaumber Road span the two different land use classifications for this project. The "Z"-lots that are located within the northern pod do not meet the setback standards for the L (Low Density Residential) classification. Whereas the "Z"-lots located within the southern pod, which is designated ML (Medium-Low Density Residential), do conform to the standards outlined above.

A Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan and Design Guidelines has been applied for that would change the land use designation on the northern pod from L (Low Density Residential) to ML (Medium-Low Density Residential). Upon approval of the Major Modification by the City Council all the "Z"-lots within the northern pod will then be in conformance with the Cliff's Edge Master Development Plan and Design Guidelines for a ML (Medium-Low Density Residential) development. Staff recommends that this Tentative Map not be approved until the City Council has reviewed and approved the Major Modification.

DA

A2) Open Space Standards

Pursuant to the Cliff's Edge Master Development Plan and Design Guidelines, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Units	Required		Provided
40.81 acres	6.74	275	25 Sq. Ft. / Unit	6,875 Sq. Ft.	Approximately 60,870 Sq. Ft.

With the approval of Major Modification (MOD-6279) and the change of the land use for the northern property to ML (Medium-Low Density Residential), the provided open space for this tentative map will comply with the requirements outlined in the Cliff's Edge Master Development Plan and Design Guidelines.

B) *General Analysis Discussion*

- General information

The proposed Tentative Map will contain two pods within the Cliff's Edge Master Planned development area. The site will be located approximately 1400 feet north of Centennial Parkway on the east side of Shaumber Road. The submitted plan depicts Shaumber Road being a proposed 80-foot wide road. Adjacent to Shaumber Road there will be 10 foot wide landscaped buffer zone along the eastern property line of the subject properties. Also Puli Road, located along the western boundary of the subject parcels, is proposed to be an 80-foot right-of-way with a five-foot landscape buffer zone running the length of the western property lines of the subject parcels. Access to the subdivision will be from one main entrance that will be located on the northern end of the development. All the interior streets will be 39-foot wide private roads.

The Tentative Maps current configuration has two different types of products, a standard court yard lot and a two pack "Z"-lot configuration, that are oriented in a fashion that they span the two Pods involved in this development. Having two different products located in each Pod creates a problem with the density of the overall development. The northern Pod is designated L (Low Density Residential) and only allows for a maximum density of 5.5 units per acre. With the mix of products on the northern property, this portion of the development is unable to meet the required density. The southern portion of the development is able to meet the density requirements for the ML (Medium-Low Density Residential), which is 8 units per acre, with the mixing of the products types. The overall density for the development between the two Pods and the mix of the two product types is 6.74 units per acre. This still exceeds the 5.5 units per acre that is required in the L (Low Density Residential) portion of the development on the north, but is considerably less than the required 8 units per acre that is required for the ML (Medium Low Density Residential) portion of the project to the south. The Master Developer has stated that they do not have a concern with the blending of the product types and that the overall density is acceptable to them for the whole development.

A Major Modification (MOD-6279) has been submitted by the Master Developer to change the land use designation for the northern property to change it from L (Low Density Residential) to ML (Medium Low Density Residential). With this change any concerns that have been discussed with the overall densities of the project, concerns with open space and the setbacks would be resolved. Staff recommends this Tentative Map be held until the City Council can review and approve the Major Modification to the Cliff's Edge Master Development Plan and Design Guidelines

The proposed perimeter walls have been illustrated as having a maximum height of seven feet along the northern and southern property lines. Any perimeter wall in excess of seven feet would be required to be terraced per the Cliff's Edge Design Guidelines. One section of wall along the southern boundary of the development adjacent to Pod 307 on the eastside of the property has a portion of the wall that will exceed the maximum seven-foot height requirement. The master developer has stated that this portion of the fence may exceed the seven-foot height limit due to the fact that the wall will not be visible from any streets.

- **Cross Section**

The submitted north/south cross sections depict maximum natural grade between 2% and 4% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope between 2% to 4%, is allowed a maximum 6-foot retaining wall. The wall along the north property line faces interior to the subdivision. The maximum retaining wall height along the south boundary is shown to be 3.3-feet, therefore presenting a total vertical wall height of 9.3-feet to the abutting property. The wall height complies with Title 18 and was approved by Providence.

The submitted east/west cross section depicts a maximum natural grade greater than 4% across this site. Per Table A Subdivision Code 18.08.110 a development with natural slope greater than 4% is allowed a maximum 6-foot retaining wall per step. The maximum exterior retaining wall height is shown to be 1 foot and is stepped with a landscape buffer, therefore complying with Title 18 and Cliffs Edge Design Guidelines.

- **Trails**

There are no proposed trails in conjunction with this development.

- **Comments**

Staff recommends that this Tentative Map be held until the City Council has reviewed and approved Major Modification (MOD-6279) to modify the land use designation for POD 305 from L (Low Density Residential) to ML (Medium Low Density Residential).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

NOTICES MAILED 165

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

TMP-6189

Case Number. _____ APN: 126-24-210-003; 126-24-410-001

Name of Property Owner: RYLAND HOMES NEVADA LLC

Name of Applicant: RYLAND HOMES

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

_____ Yes

X No

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

City Official: _____

Partner(s) _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

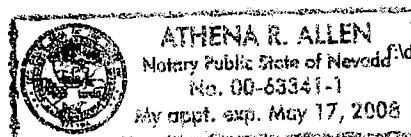
Print Name: Paul Kenner

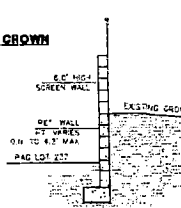
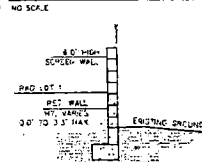
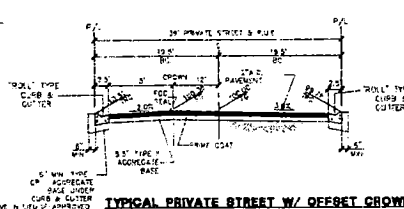
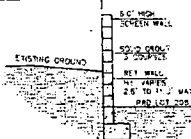
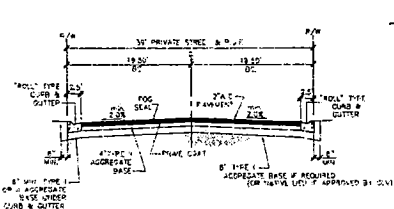
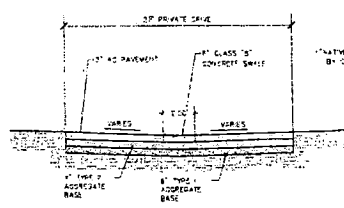
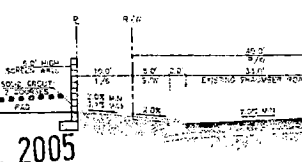
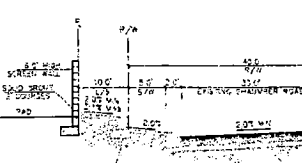
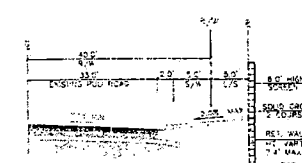
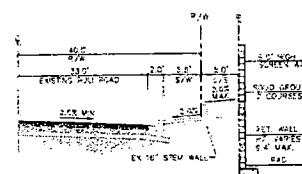
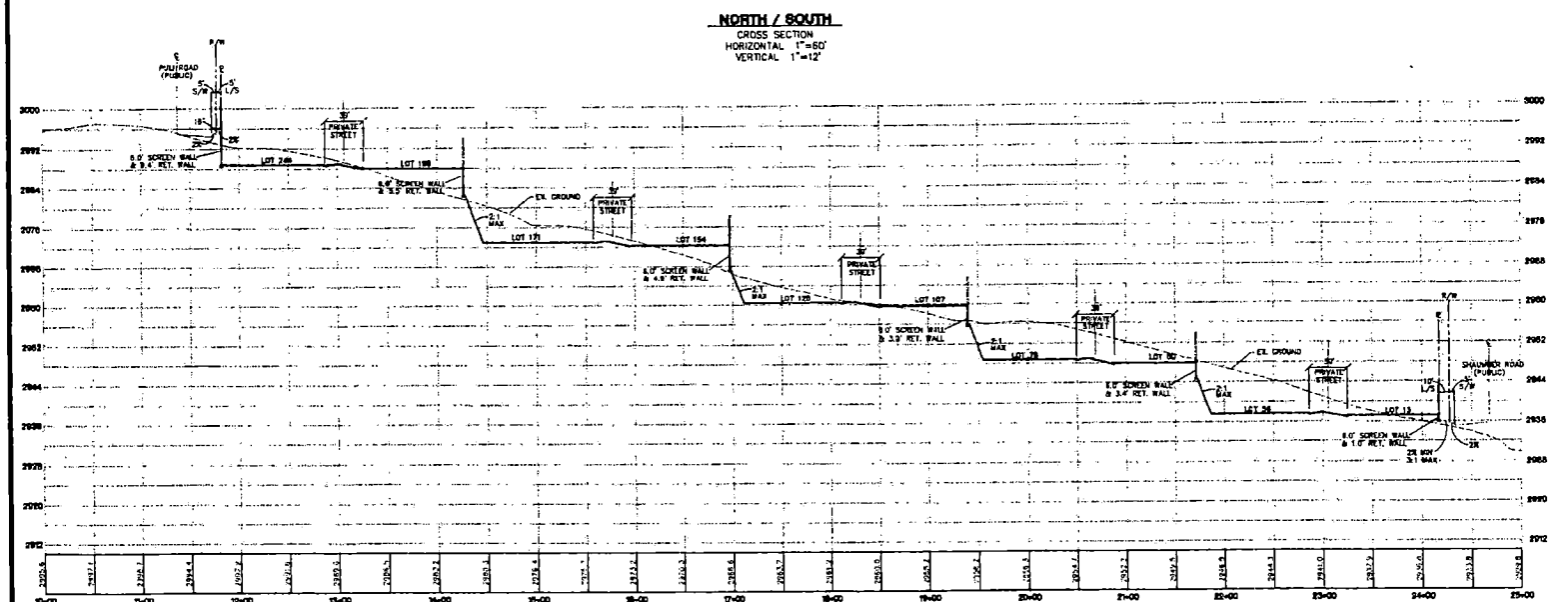
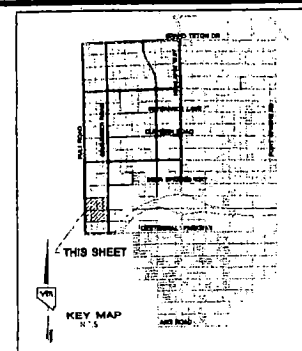
Subscribed and sworn before me

This 17 day of November, 2004

Athena R. Allen

Notary Public in and for said County and State

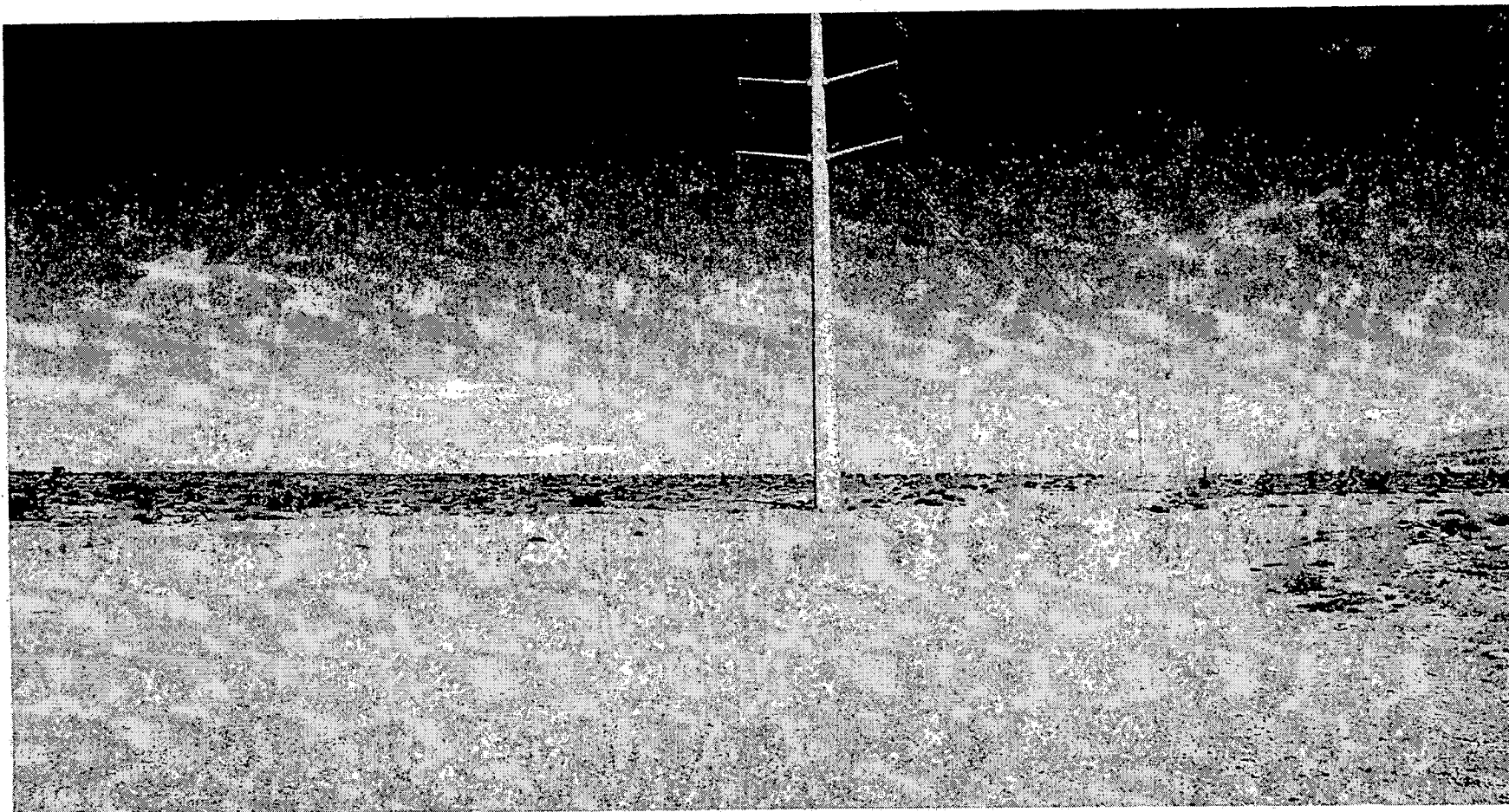




TMP-6189
4-28-05 PC

MAR 1 2005

[illegible]



TMP-6189 - RYLAND HOMES @ CLIFFS EDGE PODS 305 AND 309 - APPLICANT/OWNER: RYLAND
HOMES NEVADA LLC
NORTHEAST CORNER OF DURANGO ROAD AND PULI ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/31/05

RYLAND HOMES

Las Vegas, Nevada

8925 West Russell Road
Suite 200
Las Vegas, NV 89148

(702) 360-7500 Tel
(702) 360-7505 Fax

March 14, 2005

City Of Las Vegas
Planning and Development Department
Attn: Gary Leobold, Senior Planner
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Development Pods 305 and 309 @ Cliffs Edge, "Providence".

Dear Mr. Leobold;

Pursuant to our past discussions regarding Ryland Homes proposed development of Pods 305 and 309 at Cliffs Edge, please accept this letter as our summary of our proposed project and its compliance to the approved overall land use and zoning for these development Pods.

The approved Land Use Map for Cliffs Edge allowed for the following to occur:

Development Pod 305 – Low Density Residential up to 5.5 Units/Acre, 20.45 Acres
Development Pod 309 – Medium Low Density Residential up to 8.0 Units/Acre, 20.36 Acres

Development Pod 305 – Allowed Density = $20.45 * 5.5 = 112.48$ Dwelling Units

Development Pod 309 – Allowed Density = $20.36 * 8.0 = 162.88$ Dwelling Units

Total Allowed Density For Both Pods 305 & 309 = 275.36 Total Dwelling Units
Blended Density Average = 6.75 Units/Acre

Ryland Homes determined in its feasibility of developing these Pods that due to the topography of the parcels, it would better to plan the community as one 40-acre development versus two separate 20-acre sites. In doing so, Ryland designed two very distinctive, move-up, product lines of homes, eight total models, that even though they are based on different densities, the architecture of the two product lines complements each other and the overall Cliffs Edge project.

As part of our design, Ryland developed a land plan that created a great sense of arrival for its residence by making a large, 350' deep, landscaped entry into our proposed community with a centrally located, linear landscaped common area that generally runs through the entire depth of the project. Based upon the guidelines for Cliffs Edge regarding onsite open space, Ryland has designed into its project with more than 10 times

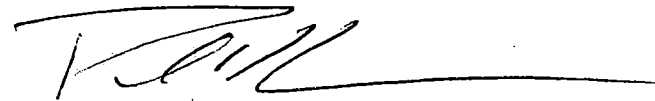
the required open space for its community. Since this open space was designed to be located in areas of greatest impact, the open space is not evenly distributed through the community as it pertains to product type or land use. Additionally, to soften the impact of the 5% fall across the site, Ryland has designed into its site significant rear yard scarps in order to minimize retaining walls.

Because of the distribution of the open space and the rear yard scarps, it has made it difficult if not impossible to easily break down the densities of each of our product lines. The Courtyard Home lots have been designed for the medium low density land use category and are roughly 35% large in size than the Two Pack "Z Lot" product lots that were designed for the medium density land use category. The following is a summary of our two product lines for our community:

Courtyard Homes – 135 Total Units @ an average Density of 6.5 Units/Acre
Two Pack "Z Lot" Homes – 140 Total Units @ an average Density of 7.8 Units/Acre
Number of Homes = 275 Total Dwelling Units @ Blended Density Average = 6.74 Units/Acre

Though our designs do not exactly match the specific Development Pod criteria, Ryland believes its overall design for its community within the Cliffs Edge Master Plan meets and exceeds the goals and objectives for this project by introducing creative and aesthetically pleasing architecture and land planning. If you should have any further questions regarding our project, please do not hesitate to contact me.

Respectfully,
RYLAND HOMES



Paul Kenner
V.P. Land Acquisitions / Forward Planning

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

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

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363],
Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59
[SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89
[TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the
05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784],
Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and
Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] –
UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TXT-6421 - APPLICANT/OWNER: CITY OF
LAS VEGAS

***STAFF REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE MAY 12, 2005 PLANNING
COMMISSION MEETING***

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-6278 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.020, "Accessory Uses and Structures," in order to revise the standards applicable to Garage or Yard Sales; to Amend Title 19.14.040, "Signs Permitted Without a Certificate," to revise the standards for Garage Sale signage; and to amend Title 19.20.020, "Words and Terms Defined," in order to revise the definition for Garage or Yard Sales.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS with EVANS and STEINMAN excused

To City Council in Ordinance Form

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

DEVON SMITH, Manager, Neighborhood Response, gave a brief overview of the application and the current standards applicable to garage or yard sales. Some of the residents' concerns were garage signs are being left in the right-of-ways after the garage sales. In addition, frequent garage sales are causing unwanted traffic and debris. The amendment request would allow Neighborhood Services to better regulate and monitor garage sales activities, as well as, educate the citizens on municipal code and services.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 90 – TXT-6278

MINUTES – Continued:

Regarding Condition 1.2a, COMMISSIONER McSWAIN requested the condition be clarified so that it addresses specific retail sales. MR. SMITH could not verify for VICE CHAIRMAN TRUESDELL what the exact number of garage sales within the City limits on an average weekend was. MR. SMITH informed the Commission that individuals can register on-line, by telephone or mail to have a garage sale. He reiterated that the department has received numerous complaints of certain individuals having garage sales every weekend. Citizens would be offered the information pertaining to the regulations (i.e. only two garage sales are allowed per year), but no citations would be issued.

VICE CHAIRMAN TRUESDELL confirmed with MR. SMITH that Condition 1.2a regarding retail sales would be clarified prior to City Council.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:06 – 6:12)

1-332

CONDITIONS:

1. Title 19.04.020, "Accessory Uses and Structures," is hereby amended as follows:

(A) General. An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

(B) Particular Accessory Uses. In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

(1) The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided;

(2) Garage or yard sales, provided that:

(a) No property may be offered for sale which has not been owned and used by the occupant of the premises;

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 90 – TXT-6278

CONDITIONS – Continued:

- (b) The property owner(s) shall be responsible for removal of the signs at the end of the garage or yard sale event.
- (6) Illumination permitted. No.
- 3. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

C ~~"Garage Sale"~~ "Garage or Yard Sale" means the sale of personal property ~~which is conducted on premises from a parcel that is located~~ within a residential district and upon which is located a dwelling.

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-6278 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.04.020, "Accessory Uses and Structures," is hereby amended as follows:

(A) General. An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.

(B) Particular Accessory Uses. In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

(1) The renting of rooms, providing of board, or both, for not more than three unrelated persons, where no care is provided;

(2) Garage or yard sales, provided that:

(a) No property may be offered for sale which has not been owned and used by the occupant of the premises;

(b) No more than two garage or yard sales shall be conducted on the premises in any calendar year, and each sale must be registered in advance with the Department of Neighborhood Services;

(c) No garage or yard sale shall be conducted for longer than three days duration;

(d) Garage or yard sales may be conducted during the daylight hours only; and

(e) ~~No more than one outdoor sign may be used to advertise a garage or yard sale. Such a sign must not exceed sixteen square feet in size and must be located within the boundaries of the lot on which the garage or yard sale takes place or on other private property, with the consent of the owner thereof.~~ All signage shall conform to the provisions of LVMC 19.14.040(E).

2. Title 19.14.040(E), "Signs Permitted Without a Certificate," is hereby amended as follows:

(E) ~~Garage and or~~ Yard Sale Signs. Garage ~~and or~~ yard sales sale signs, meeting all of the following requirements, are permitted in all zoning districts and do not require a sign certificate:

- (1) Maximum number. ~~Three~~ One per event.
- (2) Maximum area. No ~~garage or yard sale~~ sign shall exceed ~~six~~ sixteen square feet in area.
- (3) Maximum height. Six feet.
- (4) Location. No such sign shall be placed on private property without the permission of the property owner(s), and no such sign shall be placed on any public land, including rights-of-way, traffic medians, public sidewalks, public trails, bicycle paths on City property, in City rights-of-way, or on fixed structures such as light poles or traffic signals.
- (5) Additional standards.
 - (a) No such sign may be used more than twenty-four hours prior to the start of the garage or yard sale event.
 - (b) The property owner(s) shall be responsible for removal of the signs at the end of the garage or yard sale event.
- (6) Illumination permitted. No.

3. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

~~"Garage Sale"~~ "Garage or Yard Sale" means the sale of personal property ~~which is conducted on premises from a parcel that is located~~ within a residential district and upon which is located a dwelling.

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.04.020, "Accessory Uses and Structures," in order to revise the standards applicable to Garage or Yard Sales; to Amend Title 19.14.040, "Signs Permitted Without a Certificate," to revise the standards for Garage Sale signage; and to amend title 19.20.020, "Words and Terms Defined," in order to revise the definition for Garage or Yard Sales.

BACKGROUND INFORMATION

Related Actions

There are no previous actions relative to the proposed text amendment.

ANALYSIS

The current regulations relative to Garage Sales allow a property owner to hold up to two garages sales on a residential property per year, limited a maximum of three days duration each. The Code allows up to three signs to be posted to advertise the event; the signage is limited to six square feet in area.

The proposed change would require property owners to register the Garage Sale event in advance with the Department of Neighborhood Services. The requirement to register the event assists the City to track the number of times an event is held on a particular lot, will assist in code enforcement efforts, and will provide City staff the opportunity to explain the Garage Sale regulations to applicants. There are no changes to the number of times a Garage Sale event may be held on a parcel of property during the calendar year.

The signage requirements for Garage Sale events are also being revised to allow only one sign to advertise the event, instead of three signs as currently permitted. The size of the sign has been increased from six square feet to 16 square feet in area in order to compensate for the reduction in size. The reduction in the number of signs allowed is intended to reduce clutter and litter in residential neighborhoods. There are no changes to where Garage Sale signage may be posted, and any signage posted in public rights-of-way will still be forbidden.

Minor changes are proposed to the definition of Garage Sale listed in Title 19.20.020 in order to clarify the use and application of the term.

RECOMMENDATION AND FINDINGS

Please note the following findings regarding the proposed amendment:

- 1) The amendment will assist in code enforcement efforts relative to Garage Sale event;
- 2) The proposed amendment will reduce clutter that results from temporary signage in residential neighborhoods;
- 3) The amendment will maintain the quality of life that is expected in residential neighborhoods without reducing the ability of a property owner to hold a Garage Sale event.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS

0

PROTESTS

0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

TXT-6359 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04.050, Liquor Establishment (On-Sale/Off-Sale/On-Off Sale) [C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), M (Industrial)].

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with TRUESDELL voting NO and EVANS and STEINMAN excused

To City Council in Ordinance Form

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARGO WHEELER, Planning and Development, gave a brief overview of the application. She pointed out that this amendment would reduce the square footage requirement for liquor establishments seeking a waiver from protected uses from 20,000 square feet to 12,000 square feet. The Planning and Development department sees more establishments that are slightly smaller than the 20%. Therefore, to allow a similar access to the application procedure, there was a request to bring this application forward.

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 91 – TXT-6359

MINUTES – Continued:

VICE CHAIRMAN TRUESDELL was concerned about reducing the square footage again, as it has been previously reduced from 50,000 to 20,000 square feet on a past application. COMMISSIONER McSWAIN questioned if the application would have an impact on applicants in the newer areas of the entertainment district downtown whose retail floor space is less than the 20,000 square feet. MS. WHEELER responded that the amendment is Citywide and not specific to any particular area. In addition, this amendment would allow for a greater number of users to apply for this type of application. Each application is looked upon as a discretionary permit so each application would go before the Commission for approval.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:06 – 6:12)

1-332

CONDITIONS:

1. 19.04.050 Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) [C-1, C-2, C-M, M] subsection 7. c and d is hereby amended as follows:

7. c. In connection with a proposed retail establishment having between ~~20,000~~ [12,000] square-feet and 50,000 of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than ~~20,000~~ [12,000] square-feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages [is no more than 10% of the retail space regularly devoted to the display or merchandising of alcoholic beverages.] and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-6359 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

1. 19.04.050 Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) [C-1, C-2, C-M, M] subsection 7. c and d is hereby amended as follows:

7. c. In connection with a proposed retail establishment having between 20,000 [12,000] square-feet and 50,000 of retail floor space, if no more than 10% of the retail floor space is regularly devoted to the display or merchandising of alcoholic beverages; or

d. In connection with a retail establishment having less than 20,000 [12,000] square-feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages [is no more than 10% of the retail space regularly devoted to the display or merchandising of alcoholic beverages,] and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

**** STAFF REPORT ****

APPLICATION REQUEST

Discussion and possible action to amend a portion of Section 19.04.050 Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) [C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), M (Industrial)] subsection 7. c and d of the Las Vegas Zoning Code. This amendment would reduce the square footage requirement for liquor establishments seeking a waiver from protected uses from 20,000 square feet to 12,000 square feet but still maintain the restriction of 10% of retail floor space for the display or merchandising of alcoholic beverages.

BACKGROUND INFORMATION

Section 19.04.050 Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) [C-1 (Limited Commercial), C-2 (General Commercial), C-M (Commercial/Industrial), M (Industrial)] subsection 7 c and d of the Las Vegas Zoning Code requires a minimum of 20,000 square feet of retail space in order to seek a waiver of the four hundred feet separation from any church, synagogue, school, child care facility licensed for more than twelve children, or City Park before a waiver maybe sought. This amendment would decrease the minimum square footage from 20,000 square-feet to 12,000 square-feet.

ANALYSIS

The proposed amendment would allow waivers from protected uses for smaller retailers like pharmacies, small markets and certain convenience stores.

RECOMMENDATION

No Recommendation

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

DR

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: APRIL 28, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

GARY LEOBOLD, Planning and Development Department, informed the Commissioners that a handout was included in their packets regarding the Master Plan of Streets and Highways Amendment. The item relating to this handout would be heard at the 5/12/2005 Planning Commission meeting. Staff wanted to show some options for taking the 1.2 million square feet that were proposed and finding ways to retain Grand Montecito. The handout was for the Commissioners' consideration and no action was required.

(12:43 – 12:44)

5-1030

MEETING ADJOURNED AT 12:44 P.M.

Respectfully submitted:

STACEY CAMPBELL, DEPUTY CITY CLERK

LEAN COLEMAN, DEPUTY CITY CLERK