

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: ADMINISTRATIVE

DIRECTOR: ELIZABETH FRETWELL

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Report and possible action concerning the status of 2005 legislative issues

Fiscal Impact:

☒ **No Impact**

Amount:

☐ **Budget Funds Available**

Dept./Division:

☐ **Augmentation Required**

Funding Source:

PURPOSE/BACKGROUND:

Staff will report on pending legislation of the 2005 Nevada State Legislature.

RECOMMENDATION:

It is recommended that the City Council accept the report and direct staff, if necessary.

BACKUP DOCUMENTATION:

None

MOTION:

REESE - Motion ACCEPTING the Report - UNANIMOUS

MINUTES:

NOTE: Under Item 1, MAYOR PRO TEM REESE indicated this matter would be trailed to the afternoon session at 1:00 p.m.

CHRIS KNIGHT, Director, Administrative Services, reported that the legislature is coming to a close and the deadline for bills to be passed by the committee of the second house is Friday, May 20, 2005. All bills will need to be passed by Friday, May 27, 2005. The City lobby team is currently tracking about 300 bills. Fifty bills have been short-listed that are of primary concern. Most of the committees have scheduled work sessions between now and Friday, and it is unknown what will be on the agenda, and therefore, those bills are being monitored. MR. KNIGHT outlined several bills that are of concern to the City, such as AB31, the Leisure Services Bill relating to open records law and being able to protect confidentiality of people that participate in the leisure services programs; AB188, the e-mail database law; AB312; AB425, the Urban Core Bill that had restrictions on building heights in certain areas of the City. This bill has been amended a great deal and the City is able to support this bill. SB115, the Homeland Security Bill, was heard by the Assembly Government Affairs Committee and will be forwarded to the floor of the Assembly. The lobby team will be working to ensure that the bill gets full support to move it forward.

Two additional bills scheduled for action today are SB290, the Centennial License Plate Bill and AB418, the Metro Cops Bill. SB327, which relates to the transfer of the authority for bus stop shelter to the Regional Transportation Commission (RTC), will be discussed tomorrow. As these bills come up, the lobby team will address any issues that might arise. MR. KNIGHT indicated that CITY ATTORNEY BRAD JERBIC would explain in detail AB312.

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

MAYOR GOODMAN asked MR. KNIGHT to explain AB425. MR. KNIGHT explained that this bill identified urban core areas in the City and restricted the heights of buildings outside of urban cores to five stories or less. The bill was amended to give the City further flexibility and the lobby team has managed to mitigate the impacts of that bill. MR. KNIGHT verified with MAYOR GOODMAN that this bill would not affect the City's efforts to redevelop downtown.

CITY ATTORNEY JERBIC explained that AB312 passed out of the Assembly a week ago and is over at the Senate side at Governmental Affairs. AB312 is a piece of legislation that was crafted to change the requirements for disposal of public property if owned by cities, counties or airport authorities. MAYOR GOODMAN expressed concern that the bill was on the Senate side. CITY ATTORNEY JERBIC explained that when this bill was brought to the City's attention, there was sufficient reason to believe that large portions of the bill did not apply to the City. The City did not support the bill, but because the City was aware that certain portions would not apply to the City and would not affect some of the City's deals, the City felt comfortable with this bill. Nevada Revised Statutes 279, which pertains to redevelopment agencies, was not included in the original bill. Certain changes could have been made that were not made to individual cities including the City of Las Vegas. As this bill moved through the process, changes were made before it reached the Senate side. All of a sudden NRS279 was included with an amendment. The City of Reno brought to the attention of the Assembly that chartered cities were not specified and the bill began to grow. As it began to grow, it became more of a threat to the City's ability to conduct business with respect to its public lands negotiations.

CITY ATTORNEY JERBIC stated that on Monday he, IRWIN MOLASKY and the City Manager testified before the Senate committee in opposition to the bill and offered amendments that would not hinder the City's ability to conduct transactions on the 61 acres and other business deals. The Senate Intergovernmental Affairs Committee heard the arguments and asked the parties to work out a compromise. There have been numerous amendments exchanged up until today and after speaking with a contact in Carson City, a compromise might have been reached that will be satisfactory to the City. There are a number of public lands owned by the City that are not for purposes of disposing for market value, but rather are owned to encourage economic development. The City likes to choose businesses that bring diversity to the economy or bring a different employment base.

MR. JERBIC was assured by one of the bill's sponsor that they do not wish to amend the bill that would hinder the City's ability to attract big corporations, like the Related Companies for the 61-acres. They would be very supportive of amendments that would carve out those kinds of exceptions. An amendment sent this morning would require that in the future, rather than dispose of land by auction through an appraisal process at market value, which is what the bill intends to do, the City Council has an exception. The exception would be in situations where the City Council makes a written finding that it is in the public's interest to dispose of the property at less than the appraised value and not through an auction, and where the City Council makes a finding that it is for redevelopment, as defined in NRS or for economic development. With those findings the City Council would then be able to conduct the transaction. These findings are usually made when these type of transactions are prepared. There would be no problem reducing them to writing and presenting them to the Council at the time the contract is being considered. This seems to be a fair compromise and at 2:00 p.m. the City will know whether or not it will be incorporated in the bill.

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

MAYOR GOODMAN expressed concern that if the bill were adopted as it presently stands, it would jeopardize everything the City Council has done to make the City a better place. However, with the amendment as proposed by CITY ATTORNEY JERBIC, the City can continue to grow and make downtown what the City Council has envisioned. CITY ATTORNEY JERBIC reiterated that individual sponsors of this bill never intended to introduce legislation that would hinder the City's ability to develop the 61 acres or conduct economic development in the City.

COUNCILMAN WEEKLY confirmed with CITY ATTORNEY JERBIC that the interpretation of redevelopment is based on NRS279. Economic development is not defined; therefore he crafted a definition for it that is based on definitions from other cities. Those definitions appear to be acceptable to everyone.

COUNCILMAN REESE was concerned that such amendments might put the City in a position to be challenged in court, and those challenges could last for years. ATTORNEY JERBIC pointed out the City needs to walk away from this legislation with certainty. There can be no ambiguity because it could lead to lawyers arguing in court, thus making it difficult to conduct deals.

(9:46 - 9:48/1:21 - 1:33)

1-1245/3-666

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: ADMINISTRATIVE

DIRECTOR: DOUGLAS A. SELBY

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ADMINISTRATIVE:

Discussion and possible action regarding a Memorandum Of Understanding (MOU) between the City of Las Vegas, City Parkway V, Inc., the University of Nevada School of Medicine and University of Pittsburgh Medical Center for the development of a new Academic Medical Center on a portion of the 61-acre site known as Union Park bounded by Grand Central Parkway, Bonneville Avenue and the Union Pacific Railroad Rail Line, APNs 139-34-110-002 and 003 - Ward 5 (Weekly)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The master plan for Union Park has always included an Academic Medical Center. An intense collaboration among the City of Las Vegas, City Parkway V, Inc., the University of Nevada School of Medicine and University of Pittsburgh Medical Center is proposed to carry out this vision. The MOU envisions an enduring "partnership" in the development and implementation of clinical, educational and research activities and contains several concepts regarding the creation and management of hospital facilities; corporate governance; development and management of clinical programs; expansion of the University School Of Medicine educational and residency programs; and certain management and fiscal policies and objectives.

RECOMMENDATION:

Approval of authorization for the City and City Parkway V, Inc. to execute the MOU.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Memorandum Of Understanding
3. Location Map

MOTION:

BROWN - ABEYANCE to 6/1/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE commented that he received a request to hold this matter in abeyance.

(9:58 - 9:59)

1-1714

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: ADMINISTRATIVE

ITEM DESCRIPTION: APPROVAL REGARDING MOU BETWEEN CITY OF LAS VEGAS, CITY PARKWAY V, INC., THE UNIVERSITY OF NEVADA SCHOOL OF MEDICINE AND UNIVERSITY OF PITTSBURGH MEDICAL CENTER FOR UNION PARK

Parties have been discussing a business relationship with respect to the construction, management and development of an Academic Medical Center.

Parties are desirous of developing a new Academic Medical Center, to be located on a portion of the 61-acre site known as Union Park.

Las Vegas Academic Medical Center (LVAMC) will have a three-fold mission:

1. A provider of outstanding healthcare services incorporating advanced clinical programs in a state-of-the-art hospital facility;
2. A venue for medical education, enabling the University of Nevada School of Medicine to expand its offerings to include various specialty medical and surgical disciplines, thereby training additional medical specialists for Nevada; and
3. From that clinical and educational platform, to conduct basic and translational research.

The University of Pittsburgh's School of Medicine ("UPSOM"), through University of Pittsburgh Medical Center (UPMC), will play a supportive role in advancing the interests of this collaboration.

\$250 million maximum funding pursued for site acquisition, construction of the facility, construction of the supporting public infrastructure, and for equipment needed.

LVAMC will be organized as a 501(c)(3) wholly owned subsidiary of UPMC, subject to oversight by a Board of Trustees of LVAMC. The UPMC subsidiary, which will manage LVAMC, will assume financial risk for the operation of LVAMC.

LVAMC is to be a "community asset." As such, LVAMC will have policies and programs to assure service for the entire Las Vegas population, including the underserved. LVAMC will create robust residency (and fellowship) programs within its Clinical Departments. LVAMC will also conduct continuing medical education programs, under the joint auspices of UNSOM and UPMC faculty, for the local physician community.

The parties agree to proceed at the earliest appropriate time, in light of their respective needs to acquire appropriate governmental and board of director approval, to negotiate, prepare and execute a Definitive Agreement.

MEMORANDUM OF UNDERSTANDING

Las Vegas Academic Medical Center

THIS MEMORANDUM OF UNDERSTANDING (the "MOU"), effective as of the ____ day of _____, 2005, is made between and among , (i) the **City of Las Vegas** and **City Parkway V, Inc.**, (collectively the "**City**"), (ii) the **University of Nevada School of Medicine ("UNSOM")**, and (iii) **UPMC, d/b/a UNIVERSITY OF PITTSBURGH MEDICAL CENTER ("UPMC")**. (The **CITY**, **UNSOM**, and **UPMC**, together with their respective elected officials, directors, trustees, managers, consultants, counsel, representatives and agents, are hereinafter referred to singly as a "party" or collectively as the "parties");

WITNESSETH THAT:

WHEREAS, the parties have been discussing a business relationship with respect to the construction, management and development of an Academic Medical Center, to be located in the City of Las Vegas, Nevada;

WHEREAS, the parties believe that such a relationship is in the best interests of the parties and the communities served by them; and

WHEREAS, the parties desire to set forth certain basic terms and conditions which the parties intend to serve as the framework for the proposed relationship and the terms of a later Definitive Agreement and/or such other document(s) which will effectuate the intent of this MOU;

NOW, THEREFORE, in order to set forth the current non-binding understanding and relationship among the parties as a guide in continuing good faith negotiations and

discussions toward reaching a Definitive Agreement by which the parties will be legally bound, the parties do hereby enter into this MOU and state the following:

1. Description of the Transaction:

A. The parties hereto are desirous of developing a new Academic Medical Center, to be located on a portion of 61 acre site known as Union Park in the City of Las Vegas, Nevada.

B. The Academic Medical Center will have a three-fold mission:

1. As a provider of outstanding healthcare services incorporating advanced clinical programs in a state-of-the-art hospital facility;
2. As a venue for medical education, enabling the University of Nevada School of Medicine to expand its offerings to include various specialty medical and surgical disciplines, thereby training additional medical specialists for Nevada; and
3. From that clinical and educational platform, to conduct basic and translational research.

B. This MOU envisions intense collaboration among (i) the City , (ii) UNSOM, and (iii) UPMC in creating the new Academic Medical center (referred to herein, for convenience, as “Las Vegas Academic Medical Center” or “LVAMC”). The University of Pittsburgh’s School of Medicine (“UPSOM”), through UPMC, will play a supportive role in advancing the interests of this collaboration.

C. This MOU also envisions an enduring "partnership" between UNSOM, and UPMC in the development and implementation of LVAMC's clinical, educational and research activities.

D. The following sections contain several concepts regarding the creation and management of LVAMC hospital facilities; LVAMC corporate governance; development and management of LVAMC clinical programs; expansion of the UNSOM educational and residency programs; and certain management and fiscal policies and objectives. The concepts expressed below are intended to stimulate thoughtful planning and to express the current state of discussions and are not intended to bind or commit any of the parties to the concepts until a Definitive Agreement has been duly executed by the parties

2. The LVAMC Hospital Facility

A. The LVAMC hospital facility will be constructed on a portion of the 61-acre site that may be under control of UNSOM or the City.

B. The LVAMC facility (land and building) will be transferred to UPMC (or an affiliate controlled by UPMC) under a 99-year lease for rent to be determined by the owner of the site.

C. UPMC will dedicate the leased property exclusively to accommodate the LVAMC missions and objectives.

D. Subject to oversight by the LVAMC Board of Trustees and to approval by the City and any related outside funding entity, UPMC will have the exclusive

right and responsibility for general management of the construction and equipping of the facility and for the ongoing business and fiscal affairs of LVAMC.

E. The City or the University and Community College System of Nevada ("UCCSN") will contribute the site and pursue funding for an amount not to exceed \$250 million for acquisition of the site, construction of the facility, construction of the supporting public infrastructure, and for equipment needed by LVAMC. (It has been suggested that the fixed capital requirements for the LVAMC will be ultimately funded via charitable contributions from the Las Vegas community. However, the timing for completion of this fundraising effort is uncertain. To that end, other financing options will be explored by the City, UNSOM and UCCSN.)

3. LVAMC Corporate Governance

A. LVAMC will be organized as an Internal Revenue Code Section 501(c)(3) non-profit, charitable, wholly owned subsidiary of UPMC, subject to oversight by a Board of Trustees of LVAMC.

B. Certain reserved powers may remain at the parent level consistent with the manner in which all other hospitals within the UPMC system are governed.

C. A number of the LVAMC Trustees will be members of the Las Vegas community and will include persons designated by the City, the University of Nevada, UNSOM and other appropriate local constituencies, including business interests. To the end, LVAMC will be (and will be perceived as) a Las Vegas "community asset".

D. UPSOM and UPMC will also be represented on the Board of Trustees of LVAMC.

4. **LVAMC Clinical Programs**

A. LVAMC will focus on highly specialized tertiary and quaternary services, with associated support programs, as needed to ensure highest quality patient care and rapid translation of “bench to bedside” healthcare advances. The unifying theme will emphasize end-stage organ failure and associated technologies and protocols for treatment of such conditions.

B. In addition, LVAMC will focus on specialty disciplines in which UPMC and/or UNSOM are recognized as clinical leaders.

C. Appendix A contains a lengthy list of services/disciplines that could be considered for inclusion in the LVAMC “menu” of clinical programs. However, final determination of the services/disciplines to be included, from time to time, in LVAMC’s clinical programs will be entrusted to a Clinical Development Committee comprised of representatives from UNSOM and UPMC, with consultative advice from UPSOM. This committee will work collaboratively to advise the CEO on the recommendation and implementation of new programs.

D. It is anticipated that the Clinical Development Committee will be alert to opportunities for interdisciplinary programmatic development and adoption of new techniques pioneered at either UPMC or UNSOM.

E. LVAMC's clinical programs will be organized into separate Clinical Departments, each to be directed by a Chief who will serve on a full-time or part-time basis as needed by LVAMC.

1. All the Clinical Department Chiefs will be jointly recommended by UNSOM and UPMC to the Board of Trustees for approval.
2. It is anticipated that some Chiefs will be chosen from the existing staffs of UNSOM and UPMC, and some will be recruited from the outside.
3. In all events, the goal will be to place in these positions only highly qualified and highly motivated physicians, who are approved by both UNSOM and UPMC.

F. LVAMC will have an open (voluntary) medical/surgical staff. Local physicians will be cultivated as referral sources. LVAMC will provide the voluntary staff with the support of residents and fellows, and with the opportunity to serve as teachers/instructors if they are interested.

G. LVAMC will also have a complement of employed (faculty) physicians in its Clinical Departments, with clinical, teaching and (in some instances) research responsibilities. Each faculty member will be a member of a physician practice plan; each practice plan will be associated with either UNSOM or UPMC.

H. Professional fees generated by the voluntary staff for their clinical services will be collected and retained by them. Professional fees generated by the faculty physicians for their clinical services will be collected and retained by the

respective practice plans. The administrative stipends, to be paid by LVAMC for services of the Chiefs, will be remitted to their respective practice plans.

5. LVAMC Educational Programs

A. LVAMC will create robust residency (and fellowship) programs within its Clinical Departments. It is intended that these programs will operate under an ongoing collaboration with the University Medical Center of Southern Nevada, ("UMC"), with the objectives of (i) providing economies of scale for the benefit of each institution, (ii) enriching/strengthening the residency programs conducted by each institution, and (iii) affording transition opportunities for UMC's general medicine and surgery residents who wish to pursue specialty or subspecialty training.

B. UNSOM currently has 130 residents in Las Vegas spread throughout four facilities with the largest program at UMC. LVAMC will provide a fifth site. In this situation a powerful incentive exists to investigate the possibility of creating a Consortium Model for the academic training investments and hospital affiliations, (existing and new) of UNSOM. The Consortium Model permits seamless rotations, without risking financial penalties and maximizes reimbursement to the facilities. UPMC currently uses the Consortium Model and proposes the same for UNSOM. The University of Pittsburgh Medical Center Medical Education Program (UPMCMEP) which currently oversees 94 ACGME/RRC accredited residencies and 56 non-accredited programs with over 1,200 residents and fellows

will be available to consult, share technology, experience and cost savings with the Las Vegas consortium.

C. LVAMC will also conduct continuing medical education programs, under the joint auspices of UNSOM and UPMC faculty, for the local physician community. These programs will utilize UPMC's existing CME and technology infrastructure to avoid cost replication. UPMC's approach to CME, which stresses providing practical, timely electronic information about care quality and patient safety, has received considerable acclaim.

6. Management and Fiscal Policies

A. Integral to the concept of entrusting the exclusive right and responsibility for general management of LVAMC by UPMC is the notion that the UPMC subsidiary which manages LVAMC will assume financial risk for the operation of LVAMC.

B. LVAMC (as mentioned above) is to be a "community asset" as well. As such, LVAMC will have policies and programs to assure service for the entire Las Vegas population including the underserved; these will emulate the UPMC charitable care policies, which include care for the indigent and Medical Assistance populations.

C. In carrying out its general management responsibilities for the business and fiscal affairs of LVAMC, UPMC will leverage the capabilities and competencies that have already been established (and will be created in the future)

in Pittsburgh. The intent will be to capture efficiencies to the fullest extent possible for the economic benefit of both LVAMC and UPMC.

1. This will involve (among other initiatives and practices) utilization of UPMC systems and deployment of UPMC managerial personnel into LVAMC.

2. In so doing, UPMC will not burden LVAMC's budget or cash flow with management fees or the like, but will instead allocate cost in the same manner as direct and overhead costs are shared by UPMC's other hospitals.

D. It is anticipated that UPMC will also include LVAMC in its "corporate partnership initiatives". These are designed, broadly speaking, to provide opportunities for co-development of new products and resultant economic enhancements, and also to help assure availability of state-of-the-art facilities.

E. UPMC intends that, as an integral part of the "partnership" with UNSOM, meaningful financial benefits will inure to UNSOM on an ongoing basis.

1. To that end, it is anticipated that LVAMC will enter into an agreement with UNSOM, modeled in part on the agreement between UPMC and UPSOM, whereby UNSOM will benefit financially from the economic success of LVAMC's hospital operations.

2. That feature is in addition to the expectation that UNSOM will benefit financially from clinical revenues generated through its associated physician practice plans.

7. Research

A. The University of Pittsburgh currently ranks 7th in the nation in NIH funding. Huge investments have been made in research infrastructure and faculty. It is anticipated that this will provide the opportunity for interested faculty from both institutions to develop new research programs and to take advantage of the investments already made in basic sciences. LVAMC will be available for translational and clinical research for interested faculty.

B. There will be opportunities to work on stem cell research, regenerative medicine, the biology of organ rejection, advances in minimally invasive surgery predicated upon robotics and advanced information processing, advanced imaging techniques and the growth of clinical information systems generally in promoting safe and cost effective medical care.

8. Definitive Agreement

The parties agree to proceed at the earliest appropriate time, in light of their respective needs to acquire appropriate governmental and board of director approval, in good faith and to negotiate, prepare and execute a Definitive Agreement containing, among other things, the general terms and conditions set forth in this MOU. The parties will cooperate with each other in seeking and obtaining all necessary approvals, consents or waivers from third parties and taking reasonable steps necessary to comply with all governmental and regulatory requirements. The parties agree to proceed with their due diligence and finalization of the Definitive Agreement on or before _____, 2005, with a view toward securing approval thereof by their respective governmental bodies and Boards of Directors and Closing on the Transaction on or before _____ 2005, or such other date mutually agreed (the "Closing Date"). In the

event that the parties fail to execute the Definitive Agreement on or by the Closing Date, this MOU shall terminate and the parties shall have no further obligations to each other regarding this MOU.

9. Term and Termination; Extension

This MOU shall inure to the benefit of, the successors and assigns of the parties, but may not be assigned by any party without the prior written consent of the other party or parties. This MOU shall remain in effect until the earlier of (a) the Closing, (b) the mutual written agreement of the parties to such termination, or (c) either of the parties having given to the other party at least sixty (60) days prior written notice of termination if the Definitive Agreement has not been executed on or before _____ or the Closing has not occurred on or before _____. This MOU may be extended or amended by mutual written agreement of the parties, and in any such event, may be executed on behalf of the City, by the City Manager.

10. Governing Law

This Letter shall be interpreted and construed in accordance with the laws of the State of Nevada.

11. Execution in Counterparts

This MOU may be executed by facsimile and such signatures shall be valid for all purposes. This MOU may be executed in two (2) or more counterparts, each of which shall be an original, but all of which taken together shall constitute the same Letter.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed by their duly authorized officers.

UPMC HEALTH SYSTEM

By: _____
Name: G. Nicholas Beckwith, III
Title: Chair of the Board

By: _____
Name: Jeffrey A. Romoff
Title: President

THE CITY OF LAS VEGAS

By: _____
Name: Oscar Goodman
Title: Mayor

ATTEST:

Barbara Jo Ronemus, City Clerk

Approved as to form:

Thomas R. Green 5/11/05
Date

CITY PARKWAY V, INC.

By: _____
Name: Douglas Selby
Title: President

Approved as to form:

Date

UNSOM

By: _____
Name: John McDonald, M.D.
Title: Dean

By: _____
Name: _____
Title: _____



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved May 19, 2004 subject to one year review: Tina P. Morton, 305 Bonanza Way, Las Vegas, Nevada 89101

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

WEEKLY - DENIED the appeal, thereby DENYING the work card - motion carried with GOODMAN excused and MACK and WOLFSON voting NO

NOTE: A previous motion by Weekly for reconsideration, which carried unanimously with Goodman excused, rescinded the initial motion by Weekly for approval, which carried with Goodman excused and Tarkanian voting NO.

MINUTES:

The appellant was present.

When this matter was initially discussed, STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), initially stated there were no additional areas of concern. However, he subsequently indicated that he had overlooked that the most recent confidential report shows that MS. MORTON sold alcohol to a minor in December at her place of employment, during the one-year review period. A citation was issued. COUNCILMAN BROWN asked DETECTIVE RODD if MS. MORTON notified Metro of the incident. DETECTIVE RODD could not recall.

MS. MORTON explained that she made a mistake and assured the Council that it will not happen again. She paid a fine and went through the TAM class again. Her boss also placed her on probation and is working along side her until he feels comfortable. He warned her that he will fire her if it happens again.

COUNCILMAN WOLFSON noted that this is the type of conduct the Council is concerned about when a temporary work card is issued. DETECTIVE RODD stated a temporary card is issued with the intention of making sure the appellant does not engage in acts that might violate the law or City ordinances. COUNCILMAN WOLFSON interjected that he thinks MS. MORTON is being very candid. Nevertheless, he asked DETECTIVE RODD if anyone from Metro sat with her to explain the issue.

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

DETECTIVE RODD indicated that it was done at the time the citation was issued. He reviewed the file to make sure no incidents have occurred since then.

MS. MORTON reiterated that she has taken steps to ensure she does not make a mistake again. The TAM class gives instruction on how to spot fake IDs, how to handle situations where people get angry for being carded, and how to spot people that look under 35.

COUNCILMAN BROWN verified with MS. MORTON that her employer is aware of her past criminal history and of the most recent incident.

COUNCILMAN WEEKLY stated that as much as he believes in giving people second chances, he could not forego that this convenience store is located in an area frequented by junior high school students. He has a serious concern with adults selling alcohol to minors.

(9:59 - 10:08)

1-1757

RECEIVED
CITY CLERK

2004 APR 15 A 8:52

April 15, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,

Tina P. Morton

Tina P. Morton
305 Bonanza Way
Las Vegas, NV 89101



MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

April 15, 2004

Tina P. Morton
305 Bonanza Way
Las Vegas, NV 89101

Re: **WORK CARD APPEAL**

Dear Ms. Morton:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

DEENY ARAUJO
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011
TTY 702.386.9108
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AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved May 19, 2004 subject to one year review: Keith L. Brooks, 825 Camden Lane Court, North Las Vegas, Nevada 89030

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Letter of support from Dr. Shelia Thompson, Community College of Southern Nevada

MOTION:

WEEKLY - APPROVED a site-specific work card, requiring MR. BROOKS to immediately notify Metro of any infractions - UNANIMOUS with GOODMAN excused

MINUTES:

The appellant was present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), reported that he spoke with MR. BROOKS' employer, who is aware of MR. BROOKS' history and is very satisfied with his employment.

COUNCILMAN WEEKLY opted to issue a site-specific work card. COUNCILMAN BROWN confirmed with COUNCILMAN WEEKLY that MR. BROOKS would be required to immediately notify Metro of any infractions.

(10:08 - 10:10)

1-2152

RECEIVED
CITY CLERK

2004 APR 22 A 11:37

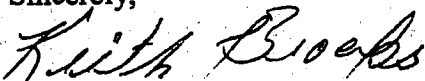
April 22, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,



Keith L. Brooks
825 Camden Lane Ct.
North Las Vegas, NV 89030



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
ANET MONCRIEF

DOUGLAS A. SELBY
CITY MANAGER

April 22, 2004

Keith L. Brooks
825 Camden Lane Ct.
North Las Vegas, NV 89030

Re: WORK CARD APPEAL

Dear Mr. Brooks:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script, reading "Doreen Araujo".

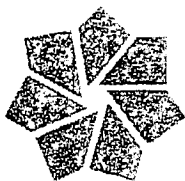
**DOREEN ARAUJO
DEPUTY CITY CLERK II**

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov



**COMMUNITY
COLLEGE
SOUTHERN
NEVADA**

DIRECTOR OF STUDENT ACTIVITIES
DR. SHELIA THOMPSON
CHEYENNE CAMPUS
3200 EAST CHEYENNE AVENUE - C1C
NORTH LAS VEGAS, NEVADA 89030-4296
PHONE (702) 651-4978 — FAX (702) 651-4851

April 26, 2004

Ms. Doreen Araujo
Deputy City Clerk II.
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Ms. Araujo:

The purpose of this letter is to support Mr. Keith L. Brooks in his efforts to receive his "Work Card" from the City Council of Las Vegas. I have served as Faculty Advisor to Mr. Brooks for two consecutive academic years during his tenure on Community College of Southern Nevada Student Government. Mr. Brooks is an upstanding Student Government Senator who possesses a reputable work ethic. In addition, Mr. Brooks is a loyal and trustworthy student.

In previous years, Mr. Brooks had a few misfortunate legal set backs; however, Mr. Brooks has opted to move forward with his life in spite of past circumstances: 1) he shall complete his AA Degree; 2) he has successfully served on the Student Government Senate; 3) he works as a part-time employee of the Community College; and 4) he is a family oriented man.

Mr. Keith L. Brooks has decided to become a contributor to society and has demonstrated his willingness; on May 14, 2004. Keith L. Brooks will graduate from the Community College of Southern Nevada. He will have earned his Associate of Arts Degree in Counseling.

Finally, statistics have proven that an individual with post high education credentials develop into sound, productive, and civic-minded citizens. I appreciate the Las Vegas City Council's approval on behalf of Mr. Keith L. Brooks receiving a "work card."

Respectfully,

Dr. Shelia Thompson

2004 APR 27 P 2:12

RECEIVED
CITY CLERK

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved May 19, 2004 subject to one year review: Caren Lynn Lopez, 4421 W. Washington Avenue, Las Vegas, Nevada 89107

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

WEEKLY - APPROVED a site-specific work card - UNANIMOUS with GOODMAN excused

MINUTES:

The appellant was present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), reported that he spoke with MS. LOPEZ' employer, who is aware of her history and is very satisfied with her employment. The employer supports MS. LOPEZ' continued employment.

COUNCILWOMAN TARKANIAN verified with DETECTIVE RODD that MS. LOPEZ has had no problems for the past six years.

(10:08 - 10:10)

1-2152

April 15, 2004

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal to the City Council the denial by the Metropolitan Police Department of my Work Card application.

Sincerely,



Caren Lynn Lopez
4421 Washington Avenue
Las Vegas, NV 89107

RECEIVED
CITY CLERK

2004 APR 15 P 1:53



MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

April 15, 2004

Caren Lynn Lopez
4421 W. Washington Avenue
Las Vegas, NV 89107

Re: **WORK CARD APPEAL**

Dear Ms. Lopez:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 5, 2004.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script, reading "Angela Crolli".

AANGELA CROLLI
DEPUTY CITY CLERK II

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Angela Jeanne Geiger, 9485 Encanto Cavern Court, Las Vegas, Nevada 89148

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
2. Letter from Appellant's criminal attorney, John F. Momot

MOTION:

BROWN - Motion to bring forward and STRIKE Items 17, 52, 53, 54, and 57 and Hold in ABEYANCE Item 58 to 6/15/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.
(9:46 - 9:48)
1-1245

RECEIVED
CITY CLERK

2005 APR 28 P 3:14

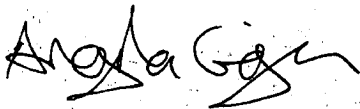
April 28, 2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Angela Jeanne Geiger
9485 Encanto Cavern Ct
Las Vegas, NV 89148



April 28, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN

LAURENCE WEEKLY

MICHAEL MACK

JANET MONCRIEF

STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Angela Jeanne Geiger
9485 Encanto Cavern Ct
Las Vegas, NV 89148

Re: **WORK CARD APPEAL**

Dear Mr. Brown:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **May 18, 2005**.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it **must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ydeleena Yturraide".

Ydeleena Yturraide
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/gr

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011

TDD 702.386.9108

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18112-001-6/04

LAW OFFICES
John J. Momot, Esq.
SUITE 300
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE
(702) 385-7170

April 28, 2005

City Clerk
City Hall - 1st Floor
400 E. Stewart Avenue
Las Vegas, Nevada 89101

Re: Work Card Denial
ANGELA GEIGER
ID No. 1657838

To Whom It May Concern:

Please be advised this office represents Ms. Geiger with regard to a matter currently pending before the Eighth Judicial District Court.

Ms. Geiger entered into a Plea Agreement which hopefully will result in a sentence pursuant to NRS 453.3363 which states in pertinent part:

1. If a person who has not previously been convicted of any offense pursuant to NRS 453.011 TO 453.552, inclusive, or pursuant to any statute of the United States or of any state relating to narcotic drugs, marijuana, or stimulant, depressant or hallucinogenic substances tenders a plea of guilty, nolo contendere or similar plea to a charge pursuant to subsection 2 or 3 of NRS 453.336, NRS 453.411 or 454.351, or is found guilty of one of those charges, the court, **without entering a judgment of conviction** and with the consent of the accused, may suspend further proceedings and place him on probation....

4. Except as otherwise provided in subsection 5, **discharge and dismissal under this section is without adjudication of guilt and is not a conviction for purposes of this section or for purposes of employment, civil rights or any statute or regulation or license or questionnaire or for any other public or private purpose**, but is a conviction for the purpose of additional penalties imposed for second or subsequent convictions or the setting of bail. Discharge and dismissal restores the person discharged, in the contemplation of the law, to the status occupied before the arrest, indictment or information. He may not be held thereafter under any law to be guilty of perjury or otherwise giving a false statement by reason of failure to recite or acknowledge that arrest, indictment, information or trial in response to an inquiry made of him for any purpose. Discharge and dismissal under this section may occur only once with respect to any person.

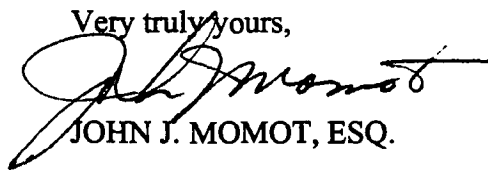
Ms. Geiger has **not** been convicted and it is anticipated that she will have a positive outcome resulting in the dismissal of this action.

City Clerk
April 28, 2005
Page 2

Therefore, in consideration of the above, Ms. Geiger hereby exercises her right to appeal the decision to deny her work card. Ms. Geiger has not suffered a felony conviction thus the reason for denial was inaccurate and she should be granted a work card.

Should you have any questions or require additional information, please do not hesitate to contact me at (702) 385-7170.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Momot", written over the typed name.

JOHN J. MOMOT, ESQ.

JJM/dan

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Dustin Drew Halper, 3870 Whitehorse, Las Vegas, Nevada 89115

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

BROWN - Motion to bring forward and STRIKE Items 17, 52, 53, 54, and 57 and Hold in ABEYANCE Item 58 to 6/15/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(9:46 - 9:48)

1-1245

RECEIVED
CITY CLERK

2005 MAY -3 A 11: 27

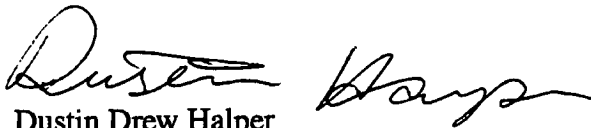
May 3, 2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Dustin Drew Halper". The signature is fluid and cursive, with the first name "Dustin" being more prominent than the last name "Halper".

Dustin Drew Halper
3870 Whitehorse
Las Vegas, NV 89115



May 3, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
VANCE WEEKLY

MICHAEL MACK

STEVE WOLFSON

LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

Dustin Drew Halper
3870 Whitehorse
Las Vegas, NV 89115

Re: **WORK CARD APPEAL**

Dear Mr. Halper:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **May 18, 2005**.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in cursive script that reads "Stacey Campbell".

Stacey Campbell
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Victor L. Johnston, 6201 Casada Way, Las Vegas, Nevada 89107

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

BROWN - Motion to bring forward and STRIKE Items 17, 52, 53, 54, and 57 and Hold in ABEYANCE Item 58 to 6/15/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(9:46 - 9:48)

1-1245

RECEIVED
CITY CLERK

2005 MAY -4 P 3: 28

May 4, 2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor Johnston", with a stylized, flowing script.

Victor L. Johnston
6201 Casada Way
Las Vegas, NV 89107



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
VRENCE WEEKLY

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

May 3, 2005

Victor L. Johnston
6201 Casada Way
Las Vegas, NV 89107

Re: **WORK CARD APPEAL**

Dear Mr. Johnston:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **May 18, 2005**.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Stacey Campbell
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011
TTY 702.386.9108

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18112-001-1-05
CLV 7009

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - Discussion and possible action on Appeal of Work Card Denial: Ronald E. Midby, 272 Deerleap Circle, Henderson, Nevada 89052

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE - STRIKE - UNANIMOUS with GOODMAN excused

MINUTES:

The appellant was not present.

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), was present.

During the 5/18/2005 Redevelopment Agency Citizens Participation portion, RONALD MIDBY inquired about his work card denial appeal. MAYOR GOODMAN referred him to DETECTIVE STACY RODD of Special Investigations.

(10:12 - 10:13/10:40 - 10:44)

1-2345/2-167

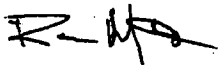
April 13, 2005

**City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101**

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Midby'.

**Ronald E. Midby
272 Deerleaf Circle
Henderson, NV 89052**



April 13, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
IANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Ronald E. Midby
272 Deerleap Circle
Henderson, NV 89052

Re: WORK CARD APPEAL

Dear Mr Midby:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of May 4, 2005.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ydoleena Yturralde".

Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/gr

cc: **City Attorney-Civil**
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-604

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Carol Ann Richmond, 5805 W. Harmon #91, Las Vegas, Nevada 89103

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:**RECOMMENDATION:****BACKUP DOCUMENTATION:**

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

MACK - APPROVED the appeal, thereby granting a site-specific work card, subject to a one-year (5/17/2006) review and requiring MS. RICHMOND to notify Metro within 48 hours of any arrest or citation - UNANIMOUS with GOODMAN excused

MINUTES:

STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro), referred to the report for a summary of MS. RICHMOND'S history. Some charges were dismissed but some had findings of guilt. Her employer is aware of her history and sent Metro a letter in support of MS. RICHMOND'S employment despite her criminal background.

COUNCILWOMAN TARKANIAN asked DETECTIVE RODD if a work card is required for jobs involving a privileged license. DETECTIVE RODD responded in the affirmative and added that he recently put together a list of jobs that do not require a work card.

COUNCILMAN MACK commented that his concern was satisfied with the letter of support from the employer. DETECTIVE RODD maintained Metro's position of denial, as Metro is uncertain about the extent of MS. RICHMOND'S involvement with credit and ID cards.

(10:13 - 10:17)

1-2372

RECEIVED
CITY CLERK

2005 MAY -6 A 9:49

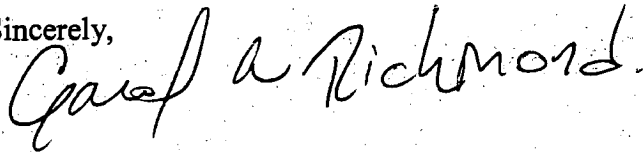
May 6, 2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Carol Ann Richmond
5805 W Harmon #91
Las Vegas, NV 89103



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

May 6, 2005

Carol Ann Richmond
5805 W Harmon #91
Las Vegas, NV 89103

Re: **WORK CARD APPEAL**

Dear Ms. Richmond:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **May 18, 2005**.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee) for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

Yvonne Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/gr

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Robyn Mae Denton, 7804 Silver Plateau Avenue, Las Vegas, Nevada 89128

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

BROWN - Motion to bring forward and STRIKE Items 17, 52, 53, 54, and 57 and Hold in ABEYANCE Item 58 to 6/15/2005 - UNANIMOUS with GOODMAN excused

MINUTES:

There was no discussion.

(9:46 - 9:48)

1-1245

RECEIVED
CITY CLERK

2005 APR 28 A 11:47

April 28, 2005

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

To Whom It May Concern:

I wish to appeal the Metropolitan Police Department's denial of my Work Card application to the Las Vegas City Council.

Sincerely,



Robyn Mae Denton
7804 Silver Plateau Avenue
Las Vegas, NV 89128



April 28, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
VRENCE WEEKLY
MICHAEL MACK

STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

Robyn Mae Denton
7804 Silver Plateau Avenue
Las Vegas, NV 89128

Re: **WORK CARD APPEAL**

Dear Mr. Brown:

I am in receipt of your formal appeal to the City Council regarding the denial of a work card. This matter will be heard by the City Council at their regularly scheduled meeting of **May 18, 2005**.

Your appeal is scheduled to be heard during the morning session of the meeting, which commences at 9:00 a.m. We would advise that you be in attendance to present your appeal and answer any questions which may arise.

Occasionally, the City Council has been persuaded to grant a work card to an applicant through the intercession of the applicant's prospective employer. Therefore, if you think that your prospective employer would acknowledge, either in writing or personally before the City Council at your hearing, that he is aware of the reasons your work card was originally denied and wishes to hire you anyway, I urge you to request him to do so.

If a letter is submitted to the Council, it **must be from the licensee or principal who must be approved for suitability under Las Vegas Municipal Code Chapter 6.06 (the owner of the business, other principal or key employee)** for the establishment in which you are seeking employment. Also, you should bring to the hearing all other materials which may assist you in your appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Ydoleena Yturralde".

Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

/pc

cc: City Attorney-Civil
Las Vegas Metropolitan Police Department - SIB

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a One Year Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street, Salar Shoshani, Ptnr, 50%, Thamer Jarjees, Ptnr, 50% - Ward 5 (Weekly)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a One Year Review of a Restricted Gaming License for 7 slots.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

BROWN - Motion to bring forward and **STRIKE** Items 17, 52, 53, 54, and 57 and Hold in **ABEYANCE** Item 58 to 6/15/2005 - **UNANIMOUS** with **GOODMAN** excused

MINUTES:

There was no discussion.

(9:46 - 9:48)

1-1245

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding a One Year Review of a Restricted Gaming License for 7 slots, Shoshani and Jarjees, dba Family Food II, 1602 H Street

On April 16, 2003 the City Council approved this license subject to a six-month review at the request of Councilman Weekly. The review was conducted on October 29, 2003 and the license was approved subject to another six-month review on April 21, 2004. At that meeting, the City Council approved the license subject to a one-year review. Attached for your information is a copy of the action minutes.

On November 1, 2004, our office received a phone call from Mr. Jarjees stating the partnership between himself and Mr. Shoshani was being dissolved leaving Salar as the sole owner. Documentation has not been received to date to support this transfer of interest.

A report from the Special Investigations Section, Las Vegas Metropolitan Police Department, will be furnished to the City Council prior to the meeting.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Supper Club License and a Liquor Caterer License subject to the provisions of the planning and fire codes and Health Dept. regulations, ANVUI, LLC, dba Hannah's Restaurant, 1050 South Rampart Boulevard, Hannah H. An, Mgr, Mmbr, 100%, Robert W. Eng, Investor - Ward 2 (Wolfson)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Supper Club License and a Liquor Caterer License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Alicia Ashcraft
3. Map

MOTION:

WOLFSON - APPROVED the temporary license (with the intent of approving it subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period) - **UNANIMOUS** with **GOODMAN** excused and **WEEKLY** not voting

MINUTES:

ALICIA ASHCRAFT, Attorney, Jolley, Urga, Wirth, Woodbury, and Standish, appeared on behalf of the applicant and requested approval.

JIM DiFIORE, Manager, Business Services, indicated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:17 - 10:18)

1-2552

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Supper Club License and a Liquor Caterer License subject to the provisions of the planning and fire codes and Health Dept. regulations, ANVUI, LLC, dba Hannah's Restaurant, 1050 South Rampart Boulevard

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 25, 2005 from the applicant's counsel outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on April 27, 2005. Based on a review of Scope printouts furnished to this Department, we have determined they are preliminarily suitable to hold temporary Supper Club and Liquor Caterer licenses until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

R. GARDNER JOLLEY
WILLIAM R. URG
BRUCE L. WOODBURY
THOMAS J. STANDISH

BRIAN E. HOLTHUS
MARTIN A. LITTLE
ALICIA R. ASHCRAFT

**JOLLEY URG WIRTH
WOODBURY & STANDISH
ATTORNEYS AT LAW**

DAWN R. THRONE
L. CHRISTOPHER ROSE
CHRISTOPHER D. CRAFT
NATALIE M. COX

M. DARON DORSEY
DAVID J. MALLEY
BRIAN C. WEDL

OF COUNSEL
CHARLES T. COOK
ROGER A. WIRTH
KATHRYN STRYKER WIRTH

3800 HOWARD HUGHES PARKWAY
SIXTEENTH FLOOR
WELLS FARGO TOWER
LAS VEGAS, NEVADA 89109
TELEPHONE (702) 699-7500
FACSIMILE (702) 699-7555

www.juwv.com
E-MAIL: mail@juwv.com

BOULDER CITY OFFICE
1000 NEVADA WAY
SUITE 105
BOULDER CITY, NEVADA
89005
(702) 293-3674

BILL SPOHRER
DIRECTOR OF ADMINISTRATION

April 25, 2005

Hand Delivered

Donna Tanner
City of Las Vegas
Department of Business License
400 E. Stewart, Room 107
Las Vegas, Nevada 89101

**Re: ANVUI, LLC dba Hannah's Restaurant (the "Company")
1050 South Rampart, Las Vegas, Nevada**

Dear Donna:

Pursuant to your request, enclosed are the following additional documents in conjunction with the above-referenced Company's application for one (1) supper club liquor license (with liquor catering) and one (1) restaurant license:

Company Information

1. Lease (2 copies)
2. Assumption and Assignment of Lease (2 copies)
3. Binding Letter of Intent to Make a Convertible Loan

Individual Applicants

1. Business License Application/Child Support Supplement for Bob Eng (the "Landlord") (original)
2. Personal History Questionnaire for the Landlord (original)
3. Personal Financial Questionnaire for the Landlord (original)

Donna Tanner
City of Las Vegas
Department of Business License
April 25, 2005
Page 2

4. Las Vegas Metropolitan Police Department Authorizations to Release Information for the Landlord (2 originals)
5. Bank statements for the Landlord (copies)
6. Copy of birth certificate for Landlord
7. Copy of Certificate of Naturalization for Landlord
8. Copy of Passport for Landlord
9. Police Records Report from LVMPD, City of North Las Vegas and City of Henderson for Landlord
10. Original Authorizations to Release Information for Hannah An (2 originals)
11. Police Records Report from City and County of San Francisco, LVMPD, City of North Las Vegas and City of Henderson for Hannah An
12. Revised page 7 of Personal History Questionnaire for Hannah An

Additionally, we are enclosing the following checks for the various licensing fees:

Made payable to City of Las Vegas Business License:

• Liquor catering license	\$ 2,500.00
Total	\$ 2,500.00

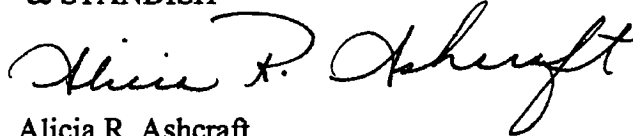
Made payable to Las Vegas Metropolitan Police Department:

• Background investigations fee	\$ 150.00
Total	\$ 150.00

Please do not hesitate to call me if you have any questions, or if there are any additional materials that we need to provide. As always, we thank you for your assistance.

Very truly yours,

JOLLEY URGAS WIRTH WOODBURY
& STANDISH


Alicia R. Ashcraft

ARA:mw
Enclosures

HANNAH'S RESTAURANT

RAMPART BLVD

900-920
SHOP

VET

1000
STE
1-23

901

1001-1085

1085

1090

950

8980

8950

8900

400' Radius

8825 - 8975

RESTAURANT

1100

CAR WASH/
CAFE

1011

LUBE

0 70 140 Feet

N



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License subject to Health Dept. regulations, From: B & R, Inc., dba Timbers, Andrew B. Donner, Dir, Pres, Secy, Treas, Timbers Hospitality Group, Inc., 100%; Donner Investment Trust, 52.542%, Gregory A. Bank, 11.017%, Jack L. Breslin, 8.475%, Robert H. O'Neil, 8.475%, Michael D. Donner, 4.237%, To: Vertigo Enterprises, LLC, dba Outpost Saloon, 2200 North Rainbow Boulevard, Kirk M. McClymont, Mmber, Mgr, 100% - Ward 6 (Mack)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Change of Ownership and Business Name for a Tavern License.

RECOMMENDATION:

Recommend approval subject to Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report extend the temporary in the event the police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Kirk McClymont

MOTION:

BROWN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with **GOODMAN** excused and **MACK** abstaining to avoid any conflict because his brother-in-law Andrew Donner is selling the license

MINUTES:

DAVE EDER, consultant for the applicant, appeared on behalf of the applicant and accompanied by **KIRK McCLYMONT** and **GREG TRAIL**, the key employee.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:18 - 10:20)

1-2612

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a Change of Ownership and Business Name for a Tavern License subject to the provisions of the Health Dept. regulations, To: Vertigo Enterprises, LLC, dba Outpost Saloon, 2200 North Rainbow Boulevard

The applicants are requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated February 9, 2005 from the applicant outlines the request for a temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on February 24, 2005. Based on a letter of clearance from the Holdrege Nebraska Police Department, we have determined they are preliminarily suitable to hold a temporary tavern license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

February 9, 2005

City of Las Vegas
Dept. of Business License
400 Stewart
Las Vegas, NV

Attn: Debbie Outland

RE: Outpost Saloon 2200 N. Rainbow Blvd., Las Vegas, NV 89108
(Currently Timbers)

Dear Ms. Outland,

This letter is to request a Temporary Liquor License to be activated in conjunction with the Space Lease Application approval for United Coin at this location. Our sale agreement calls for us to close escrow and take over the location once the space lease is approved.

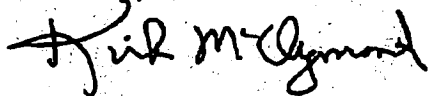
I have attached a copy of my "Scope" from the Holdrege Police Department to assist in this request.

I am aware of my responsibility to set up my Department of Taxation account and Health Department accounts, and have the Health, Fire and Building inspections accomplished prior to opening.

I also have a Key Employee, Greg Traill, whose application is being filed along with my application.

Your help in this matter is greatly appreciated.

Sincerely,



Kirk McClymont
Manager, Vertigo Enterprises, LLC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Mosses & Mosses, dba MSI Martial Arts Academy, 8450 West Sahara Avenue, Suite 112, Ariel F. Mosses, 50%, Shanon L. Mosses, 50% - Ward 1 (Tarkanian)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License.

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Ariel F. Mosses
3. Map

MOTION:

TARKANIAN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with GOODMAN excused and MACK not voting

MINUTES:

The applicants were present.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:20 - 10:21)

1-2701

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Mosses & Mosses, dba MSI Martial Arts Academy, 8450 West Sahara Avenue, Suite 112

The applicant is requesting approval of a temporary license as provided by LVMC 6.02.070(E), which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 15, 2005 from the applicant outlines the request for temporary license.

The applicants submitted all of the required documentation and paid all applicable fees for investigation on April 15, 2005. Based on a review of the Scope printout furnished to this Department, we have determined they are preliminarily suitable to hold a temporary martial arts instruction business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

041505

TO WHOM IT MAY CONCERN,

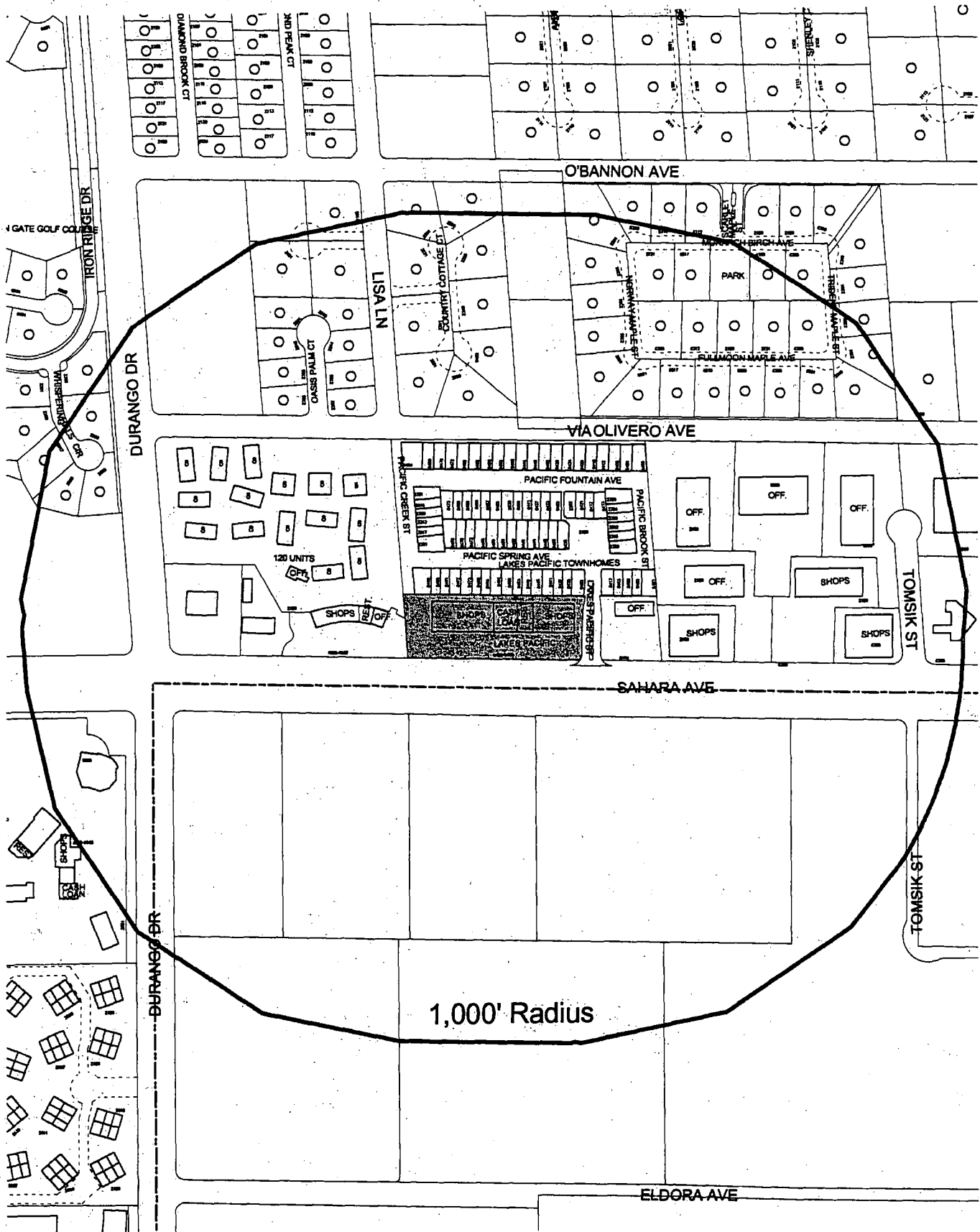
I ARIEL F. MOSSES, FICTITIOUS MSI MARTIAL ARTS ACADEMY AM REQUESTING A TEMPORARY BUSINESS LICENSE. I AM RESUMING THE LOCATION & STUDENTS OF THE PREVIOUS OWNER LANCE BURTON OF SENTINNEL COMBAT ARTS, SO THAT STUDENTS MAY CONTINUE THEIR EDUCATION & STUDIES OF THE MARTIAL ARTS, PLEASE CONSIDER MY REQUEST.

THANK YOU,

A handwritten signature in black ink, appearing to read 'Ariel F. Mosses', with a stylized flourish at the end.

ARIEL F. MOSSES

MSI MARTIAL ARTS ACADEMY



0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Robert W. Pauline, III, dba Aloha Taekwondo, 3950 North Tenaya Way, Suite 140, Robert W. Pauline, III, 100% - Ward 4 (Brown)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License.

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Robert W. Pauline, III
3. Map

MOTION:

BROWN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with GOODMAN excused

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:21 - 10:22)

1-2746

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of a new Martial Arts Instruction Business License subject to the provisions of the fire codes, Robert W. Pauline, III, dba Aloha Taekwondo, 3950 North Tenaya Way, Suite 140

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 13, 2005 from the applicant outlines the request for temporary license.

Based on our review of the applicant's SCOPE printouts from the Las Vegas Metropolitan Police Department, Henderson Police Department and North Las Vegas Police Department, we have determined he is preliminarily suitable to hold a temporary martial arts instruction business license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this individual this item will be brought back before the Council for appropriate action.

4/13/06

To whom it may concern,

My name is Robert William Pauline III.

I am requesting a temporary business license for my martial arts school.

The reason for the request is that I have a hundred-twenty days until I lose my lease.

I would greatly appreciate the temporary license until my official license is delivered.

Thank you for your time.

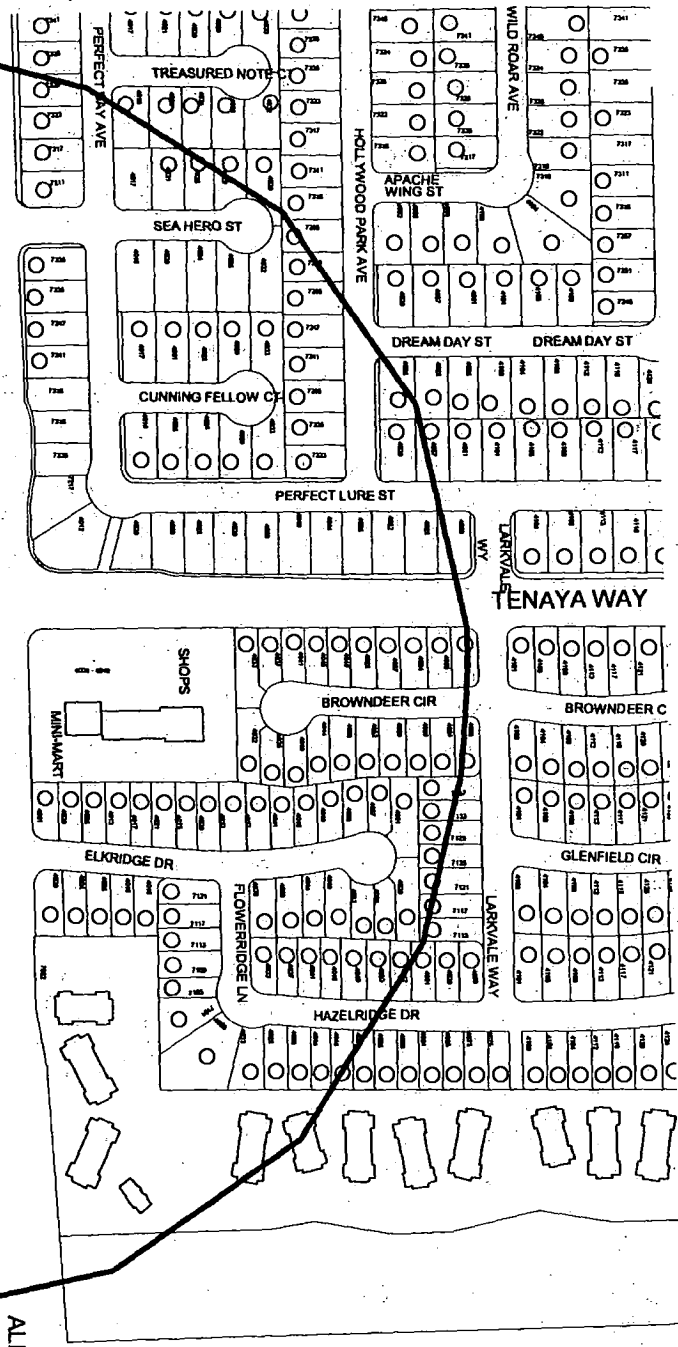
Sincerely,

Robert W. Pauline III

A handwritten signature in cursive script that reads "Robert W. Pauline III". The signature is fluid and stylized, with the last name "Pauline" being the most prominent part.

aloha tea kwon do

ALOHA TAEKWONDO



ALEX

WAYNE BUNKER PARK

CLIFF WAR DR

TENAYA WAY

MELLOTT LN

DALECREST DR

TROPICAL ISLAND DR

YACHT LANDING DR

SAIL PORT CT

CLIFF WAR DR

LAGOON LANDING DR

DALECREST DR

ALEXANDER GARDENS APTS. 480 UNITS

ALEXANDER GARDENS APTS. 480 UNITS

1000' Radius

DETENTION BASIN

DETENTION BASIN

0 200 400 Feet



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: FINANCE & BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Marlan, Inc., dba Shifty's Crows Nest, George L. Crow, Dir, Pres, Secy, Treas, 100%, To: Scotch 80's, Ltd., dba Squiggy's, 3805 West Sahara Avenue, Danny R. Piper, Dir, Pres, Treas, 50%, Joseph D. Bunch, Dir, Secy, 50% - Ward 1 (Tarkanian)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots.

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Pat Drury

MOTION:

TARKANIAN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with GOODMAN excused and WOLFSON not voting

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:22 - 10:23)

1-2849

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, To: Scotch 80's, Ltd., dba Squiggy's, 3805 West Sahara Avenue

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 8, 2005 from the applicants outlines the request for temporary license.

The applicants submitted all of the required documentation and paid all applicable fees for investigation on January 12, 2005. Based on a review of SCOPE printouts furnished to this Department, we have determined they are preliminarily suitable to hold a temporary Tavern license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

GAMBIL Consulting

1400 Bryn Mawr Avenue
Las Vegas, NV 89102

Phone: (702) 474-0081
Fax: (702) 474-4254

April 8, 2005

City of Las Vegas, Department of Finance & Business Services
3rd Floor, City Hall, 400 Stewart Avenue
Las Vegas, NV 89101

Re: Request for Temporary Tavern Liquor and Restricted Gaming
for Squiggy's located at 3805 W. Sahara Avenue

The applicants respectfully request consideration for Temporary Tavern Liquor and Restricted Gaming Licenses.

The applicants previously applied for and were investigated for a Tavern Liquor and Restricted Gaming Licensure, which was approved by City Council on 06/16/04, for Squiggy's located at 530 S Martin Luther King Bl.

Enclosed are Scopes for both applicants from Metro, North Las Vegas, and Henderson.

If you have any questions, please call.

Sincerely,



Pat Drury

cc: Scotch 80's Limited
Enclosed

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership, Business Name and Location for a Brew Pub/Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Wholly Cow, Inc., dba Holy Cow! Casino, Cafe Brewery (Non-Operational), 2423 Las Vegas Boulevard South, Thomas N. Wiesner, Dir, Pres, Secy, Treas, Big Dog's Hospitality Group, Inc., 100%, Thomas N. Wiesner, Dir, Pres, Secy, Treas, Wiesner Gaming Trust, 100%, Thomas N. Wiesner, Trustee, To: In God We Trust Corp., dba Art Bar, 1511 South Main Street, Jesse T. Grice, Jr., Dir, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership, Business Name and Location for a Brew Pub/Tavern License.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Pat Drury
3. Map

MOTION:

TARKANIAN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with GOODMAN excused

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

(10:23 - 10:24)

1-2849

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership, Business Name and Location for a Brew Pub/Tavern License subject to the provisions of the planning and fire codes and Health Dept. regulations, To: In God We Trust Corp., dba Art Bar, 1511 South Main Street

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 5, 2005 from the applicant outlines the request for temporary license.

The applicant submitted all of the required documentation and paid all applicable fees for investigation on April 5, 2005. Based on a review of Scope printouts furnished to this Department, we have determined he is preliminarily suitable to hold a temporary Brew/Pub Tavern license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

GAMBIL Consulting

1400 Bryn Mawr Avenue
Las Vegas, NV 89102

Phone: (702) 474-0081
Fax: (702) 474-4254

April 5, 2005

City of Las Vegas, Department of Finance & Business Services
3rd Floor, City Hall, 400 Stewart Avenue
Las Vegas, NV 89101

Re: In God We Trust, Inc. dba, Art Bar
1511 S. Main Street

The above applicant requests approval of a temporary liquor license. The applicant is planning birthday party on May 5th and a grand opening on May 6th.

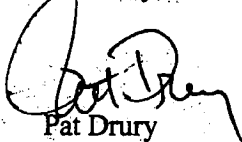
Attached are copies of: Affirmation of Document Submittal; Application for a Gaming License; Transfer Authorization; Corp. Documents; Lease Agreement; Diagram; Certificate of Fictitious Firm Name; GCB Form 2; worksheet of expenditures for this location; and City Business License and Gaming License Applications.

Attached are the documents for the applicant: Manager Requirements; Employer/Employee Requirements; Metro's Gaming Addendum; Scope from Metro, North Las Vegas and Henderson; GCB's Form 1 and Personal History Record; Child Support Form; Birth Certificate; Metro's Release Forms; Metro's Financial Questionnaire; copy of Drivers License; three years Income Tax Returns; three months Bank Statements; Child Support form; and Photo.

The Nevada Business Registration and Sales Tax will be done as soon as the bond is acquired. The coin company agreement will follow.

If you have any questions, please call.

Sincerely,



Pat Drury

CC: Dale & Lori Clayton
Attachments

ART BAR

0 200 400 Feet

N

Figure 1 illustrates a two-stage process. Stage 1 takes an input x and produces an output y . Stage 2 takes the output y from Stage 1 as its input and produces a final output z .



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: FINANCE & BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Sakura Sushi, Inc., dba Sakura Sushi, Inc. (Non-operational), Jay Lee, Dir, Pres, 50%, Yeung B. Lee, Dir, Secy, 50%, To: Yamato Enterprise, Inc., dba Zen Japanese Bistro, 7290 West Lake Mead Boulevard, 2, Kazuyoshi Yamagawa, Dir, Pres, 50%, Eun K. Yamagawa, Dir, VP, Secy, Treas, 50% - Ward 4 (Brown)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License.

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report or extend the temporary in the event the police report is not completed within the 6-month temporary period.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Kazuyoshi Yamagawa

MOTION:

BROWN - APPROVED the temporary license subject to the provisions as recommended, with the Director or Designee granted the authority to approve the permanent license after completion of appropriate process or extend the temporary in the event the police report is not completed within the six-month temporary period - **UNANIMOUS** with GOODMAN excused

MINUTES:

JAMES YU, CPA, 900 E. Karen, appeared on behalf of the applicants, who were also present.

JIM DiFIORE, Manager, Business Services, stated the applicant met the criteria for temporary approval. He suggested approval as recommended.

COUNCILMAN BROWN confirmed with MR. YU that the applicants understand the conditions.

(10:24 - 10:25)

1-2913

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: FINANCE AND BUSINESS SERVICES

ITEM DESCRIPTION: Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, To: Yamato Enterprise, Inc., dba Zen Japanese Bistro, 7290 West Lake Mead Boulevard, 2

The applicant is requesting approval of a temporary license as provided by LVMC 6.06.051, which reads as follows:

- (A) City Council may grant a temporary license pending its decision regarding a license application in order to determine:
 - (1) The applicant's fitness for a license; and
 - (2) The appropriateness of the applicant's business location.
- (B) A temporary license shall not be granted under this Section unless:
 - (1) All principals required to be approved for suitability have submitted a complete investigation packet for determination of suitability and paid all applicable fees;
 - (2) The Director makes a preliminary finding that all of the principals of the business are suitable; and
 - (3) The applicant has submitted a completed and accurate license application and has paid all required application fees.

The attached letter dated April 20, 2005 from the applicants outlines the request for temporary license.

The applicants submitted all of the required documentation and paid all applicable fees for investigation on April 20, 2005. Based on a review of SCOPE printouts furnished to this Department, we have determined they are preliminarily suitable to hold a temporary Beer/Wine/Cooler On-Sale license until the investigation is complete.

In the event the Special Investigations Section, Las Vegas Metropolitan Police Department, should develop an area of concern with this applicant this item will be brought back before the Council for appropriate action.

April 20, 2005

City of Las Vegas
Department of Finance & Business Services
400 Stewart Ave 3rd Floor
Las Vegas NV 89101

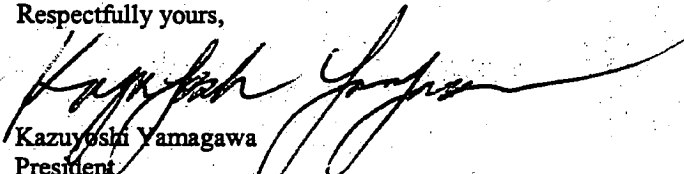
Re: Request for a TEMPORARY BEER AND WINE LICENSE

Dear Sir/Madam,

We have purchased Sakura Sushi at 7290 W lake Mead Blvd #2 Las Vegas NV 89128. Not having Beer and Wine available will seriously hurt daily sales.
We respectfully ask you to grant a temporary beer and wine license at your earliest convenience.

Thank you very much for your consideration.

Respectfully yours,



Kazuyoshi Yamagawa
President
Yamato Enterprise, Inc.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Discussion and possible action to allocate \$500,000 in Redevelopment Set-Aside funds for the Homeownership For Educators Program providing mortgage buy down assistance for new teachers with the Clark County School District - All Wards

Fiscal Impact:

☐ No Impact	Amount:	\$500,000.00
☒ Budget Funds Available	Dept./Division:	Neigh. Svcs./Neigh. Devel.
☐ Augmentation Required	Funding Source:	Redevelopment Set-Aside Funds

PURPOSE/BACKGROUND:

The City of Las Vegas will coordinate the Homeownership for Educators Program to assist new math, science and special education teachers at identified high-risk schools who qualify and wish to purchase homes within the City of Las Vegas city limits. The program is designed to make housing opportunities available for new teachers that are interested in relocating to the city of Las Vegas to pursue their dream of being an educator but decide not to relocate due to the high cost of housing.

RECOMMENDATION:

Staff recommends approval.

BACKUP DOCUMENTATION:

Proposed Guidelines for Homeownership for Educators Program

MOTION:

REESE- APPROVED - UNANIMOUS

MINUTES:

ORLANDO SANCHEZ, Director, Neighborhood Services, addressed the issue of increased housing and the difficulties experienced by Clark County School District's recruiting team. He specifically outlined the difficulty in obtaining qualified Math, Science, and Special Education teachers for at-risk schools. In order to attract the most qualified educators to Las Vegas, he introduced the Homeownership for Educators Program. The program is designed to make housing available for new teachers interested in relocating to Las Vegas but are unable to do so due to the high cost of housing compared to their current state.

The City will allocate \$500,000 of Redevelopment Set-Aside funds to create a fund for the program. The program will provide a mortgage buy down of up to \$30,000 for teachers who meet hiring requirements and guidelines of the school district. He introduced DR. GEORGE ANN RICE, Clark County School District Assistant Associate Superintendent of Human Resources, who thanked the City Council for initiating this program.

DR. RICE shared her experiences of recruiting for the school district in comparison to the growth of the Valley. In previous years, the cost of housing was an attractive incentive used to lure candidates to the City but can no longer be used as part of the school district's recruiting strategy due to increased costs of housing. Without this program, the school district currently can only offer to assist potential candidates with finding a roommate and help their family members with finding a job. She appreciated the City's

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

wonderful efforts in setting aside the funds that will help in the contribution of 16 mortgage paid loans. She hopes that other governmental entities will follow the City of Las Vegas' lead.

MAYOR GOODMAN attributed the initiation of this program to a discussion he had with CARLOS GARCIA, Clark County School District Superintendent, JOYCE HALDEMAN, Clark County School District Executive Director, and DEPUTY CITY MANAGER BETSY FRETWELL. With the rising costs of homes, there was a concern that the City would not be able to fulfill the needs of attracting public educators. MAYOR GOODMAN was pleased with City staff and the school district for creating such a unique program and allowing the City of Las Vegas to be among the first city to pursue this type of much needed assistance. He confirmed that the funds would come from redevelopment effort. He suggested that the program be extended even further to allow current educators the ability to obtain assistance as well. In addition, this program could be used to retain and not just attract public educators.

COUNCILWOMAN TARKANIAN thanked DR. RICE and accredited her hard work with the innovative means of recruiting out of state teachers. She noted that the elementary division of Special Education is more difficult and critical to fulfill and questioned if there could be more flexibility to satisfy those needs. DR. RICE added that five additional programs are in existence at the University of Las Vegas Nevada (UNLV) trying to address this problem. Educators are presented with stipends and upgraded salary steps.

MAYOR GOODMAN verified that this particular program would grant candidates the incentive if they were willing to work at Desert Pines High School, Clark High School, and Western High School only. COUNCILWOMAN TARKANIAN reiterated there are rare occasions where highly qualified teachers for Special Education are obtained, and if so, she believes they should be presented an equivalent offer even if they work at the elementary level. MAYOR GOODMAN agreed and referenced his initial suggestion of acquiring a retention program in the near future, and, at that time, implementing COUNCILWOMAN TARKANIAN'S suggestion as well. He stated that if any rare instances should arise before the second phase evolves, then the City Council would be willing to make exceptions.

DR. RICE introduced PEARL MORGAN, Principal of Western High School, ROGER JACK, Principal of Desert Pines High School, and RONNIE SMITH, Principal of Clark Magnet High School. MAYOR GOODMAN thanked them for working so hard at building a strong community.

COUNCILMAN WEEKLY was pleased with the program and indicated he is a product of the Clark County School District. The school district faces many challenges, but with the help of the entire community and programs such as this, positive changes will be achieved. It will bring equity to the school district ensuring the best interest of students. If a surplus were confirmed by the legislature, the next appropriate step would be to help teachers receive a raise.

COUNCILMAN REESE echoed COUNCILMAN WEEKLY'S comments and acknowledged his involvement with other programs where the City Council has assisted the school district. This particular program is innovative and he hopes for its success. He thanked DEPUTY CITY MANAGER FRETWELL, MR. SANCHEZ and his staff, the Mayor, and the school district.

Since the rental market is shrinking, COUNCILMAN WOLFSON questioned if the same type of

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

incentives are offered to those who are unsure if they want to live in Las Vegas permanently. MR. SANCHEZ stated that particular information was not included as a part of this year's program, but he would definitely consider the suggestion next year. There are limitations from the Redevelopment Set-Aside Funds restricting the program to work with certain confines, but he will follow up with the current legislature team to ensure the allowance of additional options or amendments.

DR. RICE confirmed the need for the options and indicated that the Clark County Education Foundation is working with the school district to contact prominent leaders in the community on how they can contribute to build affordable housing. The Housing Urban Development (HUD) expressed interest in becoming guarantors on money borrowed by developers. Fannie Mae offered assistance with programs they can offer that would contribute to this concept. In addition, the school district is working closely with the City of San Francisco to learn how their affordable housing program for teachers is working.

COUNCILMAN WOLFSON emphasized how honored the City is to be part of such a new and pioneering program. MR. SANCHEZ recognized his staff; RODNEY LISTER, Business Specialist, SUE PRESCOTT, Neighborhood Development Supervisor; FAYE JOHNSON, Neighborhood Development Manager and MARY ANN PRICE, Public Information Specialist, for their tremendous diligence and assistance with this program.

No one appeared in opposition.

(1:03 - 1:21)

3-97

CITY OF LAS VEGAS

HOMEOWNERSHIP FOR EDUCATORS PROGRAM

Program Description

The City of Las Vegas will coordinate the Homeownership for Educators Program to assist new teachers in the purchase of a home. The program has been designed to aid teachers who wish to purchase homes within the City of Las Vegas city limits that have good credit, and qualify for the mortgage payments. The program is designed make housing opportunities available for new teachers that are interested in relocating to the city of Las Vegas to pursue their dream of being an educator but decide not to relocate due to the high cost of housing.

The City will allocate a portion of its Redevelopment Set-Aside funds to create a fund for this program. City of Las Vegas staff will become the first point of contact for interested homebuyer(s) and will be responsible for determining applicant eligibility and levels of financial assistance. City staff will provide program applicants an information sheet with the nonprofit agencies that will administer the program for the city. The city will work with the Clark County School District (CCSD) in identifying prospective homebuyers.

Funding

The City will allocate \$500,000 of its Redevelopment Set-Aside funds. Qualifying individuals will receive financial assistance up to \$30,000 from the program for mortgage buy down.

Program Requirements

Teachers new to the CCSD and to the math, science, and special education departments at Western, Clark and Desert Pines High Schools are eligible to apply for the program. An application review process will be administered to determine the most qualified applicants to participate in the program.

Homebuyer Eligibility

1. Residence must be located within the boundary limits of the City of Las Vegas. Maximum amount of mortgage buy down will not exceed \$30,000.
2. Must be first time homebuyer under HUD's definition of not having purchased or owned a home in the last 3 years.
3. Must be first time Nevada licensed classroom teacher with CCSD.
4. Maximum mortgage payment must not exceed 30% of income.

5. Maximum total mortgage \$108,043. Maximum affordable sales price - \$114,940. (These prices are post mortgage buy down figures.)
6. Period of affordability is ten (10) years.
7. The property must be used as the teacher's principal residence. Subleasing of the residence is prohibited.
8. Must continuously teach at an identified high-risk school.

In order to qualify for the program, a potential homebuyer must:

- Be able to secure a first mortgage loan;
- Attend a homebuyer counseling program provided by a HUD-certified housing counseling agency;
- Must make a minimum investment of \$500.00 by the close of escrow;
- Eligible households may not have total assets exceeding \$10,000 (excluding two vehicles, subject property, furniture and fixtures). Assets include but are not limited to checking accounts, savings accounts, money market accounts, bonds, stocks, mutual funds, pension funds, 401(k) s, IRA's, boats, & motor homes, etc.

Property Eligibility

Property to be purchased must meet the following criteria:

- Be located within the City of Las Vegas city limits
- May be a single family home, condominium, or manufactured housing unit
 - Maximum purchase price must be at or below HUD's 203(b) limit FHA Maximum Mortgage Limit
- Must have a Housing Quality Standards (HQS) inspection and meet HQS acceptability criteria at time of initial occupancy (it will be seller's responsibility to pay for any repairs required for the property to pass the HQS inspection)
- Homebuyer applicant:
 - must occupy as principal resident for the duration of HUD affordability period;

- must accept a deed restriction for a ten (10) year term from the date of close of escrow;
- may not allow any liens or encumbrances on the property for the ten (10) year eligibility period;

Program Management

It is the responsibility of the program participant to ensure that prior to purchase, the proposed unit meets the required HQS, is not an historic property, and that it is located outside of the flood plain area (or adequate flood insurance is obtained), not occupied by a renter and not within a Runway Clear Zone (or if so located, a disclaimer form is obtained from the potential homebuyer).

Homeownership for Educators Program Reimbursement Costs:

Mortgage buy down will be completed at close of escrow

Recapture Provisions

The Homeownership for Educators Program will require a deferred loan period of ten (10) years for loans up to \$30,000.

Homebuyer will be required to repay the appropriate portion of the assistance provided according to the repayment schedule below if any one (1) of the following occurs:

- The housing does not continue to be the principal residence of the homebuyer.
- The homebuyer is not continuously employed by the CCSD in a high-risk school.
- The property owner has breached the terms of the program agreement;
- Death of the last surviving homebuyer of the property during period of affordability;
- The property is sold or title is otherwise transferred during the period of affordability;

Repayment Schedule

If the homebuyer sells the property within the first five (5) years of purchase, the entire loan amount of \$30,000 will be deemed repayable to the City of Las Vegas. If the homebuyer sells the property after the five (5) year period, the prorated repayment schedule below will be followed:

- thru the end of the 6th year: \$15,000 (50% of \$30,000)
- thru the end of the 7th year: \$12,000 (40% of \$30,000)
- thru the end of the 8th year: \$9,000 (30% of \$30,000)

- thru the end of the 9th year: \$6,000 (20% of \$30,000)
- thru the end of the 10th year: \$3,000 (10% of \$30,000)

The repayment commences the day the deed is recorded at the Office of the County Recorder. At the end of the 10th year repayment will not be required.

The required recapture provisions will be enforced through the execution of a Loan Agreement between the subrecipient and the homebuyer, which will include the signing of a Promissory Note and a Deed of Trust.

Foreclosure/Payoff/Refinancing

Foreclosure: Should the homeowner's property go into foreclosure proceedings, the subrecipient agency will take all precautions necessary to ensure the program funds invested in the property are protected. The subrecipient agency should also offer counseling to the homebuyer prior to entering into foreclosure. Should the Homebuyer lose possession of the property through foreclosure, the City must be properly notified by a recorded Request for Notice submitted in a timely manner in order that the City is included in the division of net proceeds from the foreclosure sale and this amount will satisfy the repayment of the program funds. The program participant will be required to acknowledge and agree that the City of Las Vegas will require repayment of the program funds from the net proceeds (if any) from the foreclosure sale and this amount will satisfy the repayment of the program funds.

Payoff: Should the homeowner repay the program funds invested in the property; the homeowner shall issue a check to the City of Las Vegas in the amount of the program funding. The City will then execute a Substitution of Trustee and a Deed of Reconveyance and send this to the homeowner's title company.

Refinancing: Refinancing of an assisted property is allowable only for the following situations (unless the program money is repaid to the City in the refinancing process):

- to lower the interest rate and monthly payment on the first mortgage by a minimum of \$50 per month;
- to allow the borrower to secure a loan to cover emergency non-insured property damage to the home;
- to allow the borrower to secure a loan to cover major, non-insured medical treatment.

City of Las Vegas will not subordinate its position for other credit debt or loans, which do not meet the criteria noted above. In addition, the City will not subordinate its position if the borrower is refinancing to "cash-out" their equity for any reason. In order to expedite refinancing, the applicant must request the subrecipient send a written request to the City of Las Vegas Neighborhood Services Director explaining the reason for a subordination

request. Supporting documentation for the reason of the requested subordination must be included. Additionally, the new refinanced amount must be at or below HUD's 203(b) limit FHA Maximum Mortgage Limit as determined by the City of Las Vegas. The subrecipient must receive written consent to the subordination request from the Neighborhood Services Director or designee and will be responsible for informing the applicant that the processing of subordination agreements by the City may take up to four weeks after receipt of a correctly formatted agreement. The City of Las Vegas will only approve one subordination request per year per applicant, and only if it fulfills the requirements above. Applicants may refinance the property if the 18% Redevelopment Set-Aside funds are being paid back to the City in the process – see "Payoff" paragraph above.

COMMITMENT OF FUNDS

CCSD should not commit funds to a potential homebuyer. The City of Las Vegas will be responsible for awarding funds.

1. CCSD submits documentation to the City of Las Vegas confirming the employment status of the applicant (copy of the state issued teacher certificate/license) and required documents.
2. Prospective Homebuyer has met with one of the designated nonprofit agencies and complete required paperwork and completed the required Homebuyer education course.

Commitment of funds will be for a minimum period of 45 days. Homebuyer must sign this policy acknowledging that they have read, understand, and agree to its terms.

NOTE: Because Subrecipients are only authorized allotments in increment reservations of \$30,000 of funds at one time, timely closing of escrow and submission of packages will be important to their ability to continue approving additional loans.

**General Instructions to Teachers Seeking Assistance
City of Las Vegas Homeownership for Educators Program**

1. CCSD identifies potential homebuyers.
2. Complete an approved homebuyer training program.
3. Homebuyer identifies property.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-52-2005 - Discussion and possible action regarding a Resolution Amending Fee Schedule for LVMC Titles 18 and 19

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Chapters 18.22 and 19.18 of the Las Vegas Municipal Code authorize the City Council to adopt a fee schedule applicable to land division, zoning and other applications described in Titles 18 and 19 of the Code, and to amend the schedule from time to time. This Resolution will adopt an amended fee schedule to reflect changes in the costs of providing services. The changes have been presented to the Southern Nevada Home Builders Association and the local chapter of the National Association of Industrial and Office Properties for their review and input.

RECOMMENDATION:

It is recommended that the City Council approve this Resolution and authorize its execution on behalf of the City.

BACKUP DOCUMENTATION:

Resolution No. R-52-2005

MOTION:

BROWN - APPROVED as recommended - UNANIMOUS with GOODMAN excused

MINUTES:

MARGO WHEELER, Director, Planning and Development, remarked that this resolution will change the fee schedule for the Planning Department. The fees have not been updated since 1997. The changes will take effect 7/1/2005. She urged approval.

SHAUN SCHOENER, National Association of Industrial and Office Properties (NAIOP), and ROBERT LEVRANT, Southern Nevada Home Builders Association (SNHBA), appeared in support.

(10:26 - 10:29)

1-3012

RESOLUTION AMENDING FEE SCHEDULE FOR LVMC TITLES 18 AND 19

WHEREAS, pursuant to Chapters 18.22 and 19.18 of the Las Vegas Municipal Code (LVMC), the City Council has adopted a fee schedule (the "Fee Schedule") applicable to land division, zoning and other applications described in Titles 18 and 19 of the Code; and

WHEREAS, the Fee Schedule may be amended from time to time by resolution of the City Council; and

WHEREAS, the Fee Schedule needs to be updated in order to address current needs and to reflect changes in the costs of providing services; and

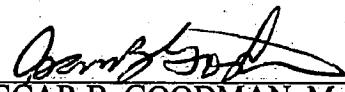
WHEREAS, the City Council desires to amend the Fee Schedule accordingly by means of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS AS FOLLOWS:

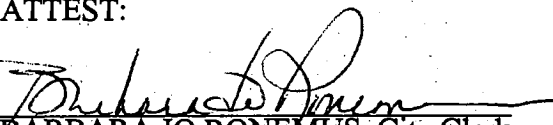
The Fee Schedule is hereby amended to read as set forth in the attached document, which document shall replace and supersede the existing Fee Schedule.

PASSED, ADOPTED, AND APPROVED this 18th day of May, 2005.

CITY OF LAS VEGAS

BY 
OSCAR B. GOODMAN, Mayor

ATTEST:


BARBARA JO RONEMUS, City Clerk

APPROVED AS TO FORM

 5-10-05
Date

PLANNING & DEVELOPMENT DEPARTMENT FEE SCHEDULE (LVMC TITLES 18 & 19)

TITLE 18 (SUBDIVISIONS AND RELATED)

Tentative Map	\$750
Final Map	\$750
Parcel Map	\$300
Extension of Time (Final Map)	\$300
Vacation Petition	\$500, plus Notification/Advertising Fee
Boundary Line Adjustment	\$300
Waiver Application (Non-public hearing)	\$300
Waiver Application (Public hearing)	\$300, plus Notification/Advertising Fee
Notification/Advertising Fee	\$300

TITLE 19 (ZONING APPLICATIONS-GENERAL)

General Plan Amendment	\$1000, plus Notification/Advertising Fee
Master Plan of Streets and Highways Amendment	\$900, plus Notification/Advertising Fee
Rezoning	\$700, plus Notification/Advertising Fee
Extension of Time (Non-public hearing)	\$300
Extension of Time (Public hearing)	\$300, plus Notification/Advertising Fee
Site Development Plan Review (Non-public hearing) ¹ .	\$500
Site Development Plan Review (Public hearing)	\$500, plus Notification/Advertising Fee
Review of Condition (Non-public hearing)	\$300
Review of Condition (Public hearing)	\$300, plus Notification/Advertising Fee
Special Use Permit	\$500, plus Notification/Advertising Fee
Variance	\$300, plus Notification/Advertising Fee
Administrative Deviation	\$100
Waiver Application (Non-public hearing) ²	\$300
Waiver Application (Public hearing) ²	\$300, plus Notification/Advertising Fee
Development Agreement	\$1000, plus Notification/Advertising Fee
Temporary Commercial Permit	\$100
Home Occupation Permit	\$50
Street Name Change	\$300, plus Notification/Advertising Fee
All Other Applications-Non-public hearing	\$300
All Other Applications-Public hearing	\$300, plus Notification/Advertising Fee
Notification/Advertising Fee	\$300

¹Includes administrative reviews conducted by staff

²Applies to "stand alone" waiver applications (e.g., re: distance limitations or development standards under Title 19)

TITLE 19 (SPECIAL PURPOSE DISTRICTS)

Development Plan Review	\$700
Minor Modification	\$300
Major Modification	\$500, plus Notification/Advertising Fee

TITLE 19 (SUMMERLIN APPLICATIONS)

City Referral Group	\$300
Minor Modification	\$300
Major Modification	\$700, plus Notification/Advertising Fee
Minor Deviation	\$300
Major Deviation	\$300, plus Notification/Advertising Fee

TITLE 19 (SIGN CERTIFICATES, TAGS AND PERMITS)³

On-premise Sign (no certificate)	No fee
On-premise Sign (with certificate)	\$0.50/square foot
Off-premise Sign	\$0.50/square foot
Off-premise Sign Renewal	\$0.50/square foot
Special Event Sign	\$100 per event
Civic Event/Political Sign	No fee
Development Entry Sign	\$100 per sign
Community Interior Sign	\$100 per sign
Subdivision Development Sale Sign	\$100 per sign
Subdivision Directional Sign	\$100 per sign
Weekend Directional Sign	\$100 per sign
Construction Sign	\$0.50/square foot

³NOTE: These fees represent Planning & Development Department fees only. Other fees may apply (e.g., Building and Safety fees)

TITLE 19 (OTHER FEES)

Annexation	\$300
Appeal of Director's Decision	\$300
Zoning Verification Letter	\$100
Address Change Request	\$100
Satellite Parking Agreement	\$200

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BOARDS AND COMMISSIONS

TRAFFIC & PARKING COMMISSION - Ted Carry, Term Expiration 5-27-2005

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The members are appointed by the Mayor and confirmed by the City Council such that one member shall reside in and represent each of the six Wards and one member representing the City as a whole. There is no requirement to fill unexpired portions of terms and no limits to the number of terms which may be served. Mr. Carry has passed away so a new Ward 5 representative will need to be appointed.

RECOMMENDATION:

Procedure for this Board requires appointment by the Mayor with confirmation by the City Council. This seat is for Councilman Weekly's recommendation and a new representative will need to be appointed who resides in Ward 5.

BACKUP DOCUMENTATION:

1. Current Listing & Authority - Traffic & Parking Commission
2. Board Interest Form from Vernell P. McNeal

MOTION:

WEEKLY- Motion to APPOINT VERNELL McNEAL (Weekly's recommendation) - UNANIMOUS with BROWN excused

Clerk to notify

MINUTES:

COUNCILMAN WEEKLY requested this matter be trailed, as he was awaiting the name of a new appointment and MR. CARRY'S wife, who would be recognized. He noted that MR. CARRY was a great asset to this committee. Unfortunately, he recently passed away.

When the item was recalled, COUNCILMAN WEEKLY reiterated that TED CARRY recently passed away. COUNCILMAN WEEKLY commended MR. CARRY'S wonderful service and presented MRS. CARRY with flowers as a token of appreciation. MR. CARRY'S colleague and friend, COLONEL WILLIAM BROOKS, who was a Tuskegee Airman, was also recognized for sponsoring Youth Flights. This program exposes youths to aeronautics and allows them the opportunity to board airplanes. COUNCILMAN WEEKLY thanked COLONEL BROOKS and MR. CARRY for the many years of service they provided to the community.

COUNCILMAN WEEKLY requested MRS. CARRY to pass the torch on to the new appointment, VERNELL McNEAL, who will replace MR. CARRY, to serve on the Traffic and Parking Commission.
(10:28 - 10:29/1:00 - 1:04)

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

1-3125/3-6

TRAFFIC & PARKING COMMISSION

<u>MEMBERS</u>	<u>ADDRESS</u>	<u>ZIP CODE</u>	<u>ORIGINAL APPT.</u>	<u>TERM EXPIRES</u>
1. CRAIK, BETTE (McDonald's recommendation) (Replaced Robert White-Resigned 3-29-2002)	4416 Alta Drive Resident of Ward 1	07	5-15-2002	5-15-2006
2. ESBIN, MARTIN L. McDonald's reappt./rec) (	9329 Lotus Elan Dr. Resident of Ward 2	17	2-21-1996 (Reappt. 2-16-2000) (Reappt. 2-4-2004)	2-21-2008
3. CARRY, TED (Weekly's reappt.recommendation)	1900 Stonehaven Dr. Resident of Ward 5	108	5-27-1997 (Reappt. 5-2-2001)	5-27-2005
4. HOBAN, ROBERT (Reese's recommendation)	1929 Ballard Drive Resident of Ward 3	04	12-20-1995 (Reappt. 1-5-2000) (Reappt. 12-3-2003)	12-20-2007
5. TURNER, DAVID STEPHEN (Mayor Goodman, City-wide appt.)	1210 Hinson Street Resident of Ward 1	02	6-19-2002	6-19-2006
6. PHILLIPS, JOHN J. (Brown's recommendation)	3016 Yeoman Circle Resident of Ward 4	28	1-3-2001 (Reappt. 9-15-2004)	10-18-2008
7. GARCIA, ED (Mack's recommendation)	7709 Meadowrobin Ave. Resident of Ward 6	131	3-3-2004	3-3-2007

(The Sheriff, or his designee, Lt. Wayne Petersen, Attn. Sgt. Tom Plehn, Traffic Section, LVMPD, 400 Stewart Avenue, Traffic Section, Las Vegas, Nevada 89101-2984 (229-3535) (Acting Designee - Sgt. Tom Plehn) and the Director of Public Works, or his designee, are also voting members.)

AUTHORITY: L.V.M.C. 2.48, Amended by Bill 2001-70, Ordinance 5346, adopted 8-1-2001. Resolution R-34-2002, adopted 6-5-2002, creates a Traffic Signal Capital Improvements Advisory Committee in conjunction with the City's Traffic Signal Capital Improvements Plan.

TERM: 4 years. No limit to number of terms. No requirement to fill unexpired portions of terms.

MEMBERS: 9 voting members - 7 members of the public, the Sheriff, & Public Works Director.
(Bill #89-72 adopted 1-3-90 increased from 3 to 5 the public members; Ordinance #5258 enacted 10/4/2000 increased the public membership to 7 to include the two new Wards). Seven public members **appointed by the Mayor and confirmed by the City Council** such that one member shall reside in and be representative of each of the six Council Wards with one member representing the City as a whole. Ex-Officio (non-voting) - Traffic Engineer, City Attorney, Fire Chief, Director of Planning & Development or their designees and other staff members that the City Manager may designate.

NOTES: MUST BE CITY OF LAS VEGAS RESIDENT, Ord. 3527.

NO CITY FINANCIAL DISCLOSURE REQUIREMENT per Bill 2001-70, Ordinance 5346, adopted 8-1-2001. (State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Commissions no longer required to file State form.)

MEETINGS: Meets 4th Thursday of each month, 2 p.m., City Hall Council Chambers.

RECEIVED
CITY CLERK

2004 DEC 15 A 10:56



CC: Councilman Weekly
Betsy Fretwell
Planning Dept.
Leisure Services
Public Works

City of Las Vegas Board, Commission, or Committee Interest Form

Name: VERNEIL P. McNEAL

Home Street Address: 100 S. MLK BLVD., #2235

City: LAS VEGAS ZIP Code: 89106-4335

Work Street Address: 1100 E. CHARLESTON BL.

City: LAS VEGAS ZIP Code: 89104

Employer: SAVERS Occupation: OPERATIONS SUPERVISOR

Home Phone Number: 868-8899 Work Phone Number: 474-4773

Other Phone Number: 591-4068 Email Address: N/A

Please list the boards, commissions, or committees that you are interested in
serving on:

HISTORIC PRESERVATION COMMISSION

PARKS AND RECREATION ADVISORY COMMISSION

TRAFFIC AND PARKING COMMISSION

For office use only

CLV Y ☒ N

Ward 6

Date 12/15/04

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

NONE FOR THE CITY OF LAS VEGAS, BUT I SERVED AS
THE SAFETY COMMITTEE LEADER FOR SAVON DRUGS AND A
COMMITTEE MEMBER FOR A PRISON EMPLOYEE ADVISORY COMMITTEE.

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

I'M LOOKING TO BECOME INVOLVED IN A ENTITY TO
BETTER MY COMMUNITY. ON DEC 1ST 2004 I
GRADUATED FROM THE FIRST LAS VEGAS CITIZENS
LEADERSHIP ACADEMY.

Please list any of your relatives or friends that work for the entity in which you would be serving:

NONE

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to: City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

VERNELL P. MCNEAL

OBJECTIVE

To secure a position with a company where I can apply my diversified background, education, experience, and skills.

SKILLS

Strong Leadership/Supervisory Skills
Good Communications and Customer Service Skills
Computer Literate (DOS, Windows, MS Word, Word Perfect, etc.)
Managerial Experience
U. S. Marine Corps Veteran
Member of Las Vegas Community Emergency Response Team
Member of American Red Cross Disaster Action Team

WORK EXPERIENCE

Oct 03 – Present Savers Las Vegas, NV

Operations Supervisor

Responsible for managing the day-to-day functions of the sales floor, monitor the flow of customers, oversee the maintenance of the sales floor, fitting rooms, restrooms, entrance and parking lot areas. Manage and direct operations team members, screening, selecting, orienting, training, and monitoring team members performance and providing guidance and feedback on performance. Following and ensuring all company policies and procedures are upheld. Perform Loss Prevention duties when needed.

June 99 – Oct 03 Sav-on Drugs Las Vegas, NV

Assistant Manager

- Provides customer service and assists the General Manager in managing the operations of the store. Supervises, trains, and assists associates in daily store activities, while adhering to and enforcing all company policies and procedures. Supervise the checkout area of the store, perform all cash handling responsibilities, assists in the processing of customer transactions. Perform store opening and closing procedures and manages all operations of the store when the General Manager is not present.

Aug 98 - Sep 00 World Duty Free In-Flight, Inc. El Segundo, CA

Security Agent

- Duties include but not limited to examining imported merchandise in order to enforce regulations of the U. S. Customs Service. Transport merchandise to be sold aboard major airlines as duty free items. Notify government agencies responsible for particular import/export inspections when violations are committed.
- Holder of FAA and Customs Service Security Clearance.

June 81 – Dec 95 California Department of Corrections California
Correctional Sergeant

- Responsible for the safety and well-being of the public, staff, and inmates in California State Prisons. Supervised Peace Officers and other Prison staff in inmate housing units, inmate work areas, and inmate recreation areas. Lower level inmate disciplinary hearing officer. Trained Line Officers and SWAT personnel in self-defense, the proper use of departmental firearms and chemical agents. Developed and taught several lesson plans used in the Prison systems of California, Nevada, and Utah. Recipient of the California Distinguished Service Medal. Served 10 years as a SWAT member.

EDUCATION

- California Supervisors Training Academy, Sacramento, CA Sep 94
- Effective Supervision – Cal Poly University, Pomona, CA
Jan 90 – Dec 91
- SWAT Instructors Academy, Sacramento, CA Mar 88
- FBI Officers Training Academy, San Bernardino, CA Nov 87
- Hostage Negotiations Academy, Sacramento, CA Mar 87
- California SWAT Academy, Sacramento, CA Oct 84
- Basic Corrections Academy, Sacramento, CA June 81 – Mar 82
- General Business - Mt. San Antonio College, Walnut, CA
Aug 78 – Jan 81

REFERENCES

Available Upon Request

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

DIRECTOR: SCOTT D. ADAMS

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Wolfson and Councilwoman Tarkanian

Discussion and possible action regarding an extension to the term of the Exclusive Negotiating Agreement between the City of Las Vegas, the Las Vegas Redevelopment Agency, and Alpha Omega Strategies, Inc., for certain properties located at and around 1501 North Decatur, APNs 138-25-503-006, 138-25-515-000, and 138-25-516-000 - Ward 1 (Tarkanian) [NOTE: This is a companion item to Redevelopment Agency Item 2]

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Redevelopment Agency staff is in an Exclusive Negotiating Agreement (ENA) with Alpha Omega Strategies, Inc. that outlines the duties and responsibilities of all parties during the negotiation leading to a Purchase and Sales Agreement. The original ENA allowed 90 days to bring a Purchase and Sales Agreement for City Council and Redevelopment Agency Board approval. Due to difficulty obtaining the appraisal, staff requests an additional 90 days.

RECOMMENDATION:

The 5/17/2005 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. First Amendment to the Exclusive Negotiating Agreement
3. Exclusive Negotiating Agreement (ENA), including Disclosure of Principals
4. Location Map
5. Submitted at meeting: written comments of Tom McGowan

MOTION:

TARKANIAN - APPROVED a 90-day extension - UNANIMOUS with GOODMAN excused and MACK abstaining because his brother Steven Mack owns property adjacent to this property, which could be impacted by the scope of this project, and because Michael McDonald is one of the partners in this project and, although COUNCILMAN MACK has no financial interest in this matter, he and MR. McDONALD have independent consultant contracts with Southwest Group

MINUTES:

A Combined Verbatim Transcript for Council Item 69 and Redevelopment Agency Item 2 are made part of the Final Minutes for each meeting.

APPEARANCE:

GARY REESE, Mayor Pro Tem

CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway

SEAN ANDERSON, Attorney, 400 South Fourth Street

TOM MCGOWAN, Las Vegas Resident

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

LOIS TARKANIAN, Councilwoman

UNIDENTIFIED SPEAKER

MICHAEL MACK, Councilman

LARRY BROWN, Councilman

STEVE WOLFSON, Councilman

BART ANDERSON, Department of Public Works

MARGO WHEELER, Planning and Development Department

(10:29 - 10:33)

1-3202

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: BUSINESS DEVELOPMENT

ITEM DESCRIPTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN EXTENSION OF TIME OF THE EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE CITY OF LAS VEGAS, THE LAS VEGAS REDEVELOPMENT AGENCY, AND ALPHA OMEGA STRATEGIES, INC. FOR CERTAIN PROPERTIES LOCATED AT AND AROUND 1501 NORTH DECATUR, APNS 138-25-503-006, 138-25-515-000, AND 138-25-516-000

1. Alpha Omega Strategies, Inc. has tendered an offer to purchase the RDA owned parcel at 1501 Decatur and the related City owned parcels along Laurelhurst Drive and Westmoreland Drive.
2. The composite acreage is approximately 13.34 acres.
3. Alpha Omega Inc. is aware that a cross parking agreement is in place on the 1501 parcel.
4. Alpha Omega Inc. is aware that the City currently does not control all of the properties along Laurelhurst Drive and Westmoreland Drive.
5. An Exclusive Negotiating Agreement for 90 days was approved on February 16, 2005.
6. Difficulty in obtaining the appraisal requires additional time.
7. A 90 day extension to the term of the agreement is requested.

**FIRST AMENDMENT TO
THE EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN
THE CITY OF LAS VEGAS, THE CITY OF LAS VEGAS
REDEVELOPMENT AGENCY
AND ALPHA OMEGA STRATEGIES, INC.**

THIS FIRST AMENDMENT is made and entered into this _____ day of _____, 2005, by and between the CITY OF LAS VEGAS (the "City"), the CITY OF LAS VEGAS REDEVELOPMENT AGENCY (the RDA) and ALPHA OMEGA STRATEGIES, INC. (AOS).

RECITALS

WHEREAS, on February 16, 2005, the City, the RDA and AOS made and entered into the Exclusive Negotiation Agreement ("Agreement"), and

WHEREAS, the City and the RDA have requested a 90 day extension to the Term of the Agreement to which AOS agrees.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Section 2, the Term of the Agreement, is hereby amended by extending the Term to August 18, 2005.

2. No Other Amendments. Except as expressly set forth in this First Amendment, all provisions of the Agreement shall remain in full force and effect.

...
...
...
...
...
...
...
...

IN WITNESS WHEREOF, the parties hereto have caused this Agreement on the date set forth above.

CITY OF LAS VEGAS
A Nevada municipal corporation

ATTEST:

By _____
Oscar B. Goodman, Mayor

Barbara Jo Ronemus, City Clerk

CITY OF LAS VEGAS REDEVELOPMENT
AGENCY

ATTEST:

By _____
Oscar B. Goodman, Chairman

Barbara Jo Ronemus, Secretary

APPROVED AS TO FORM:

J. Ponticello 5/2/05
Date

ALPHA OMEGA STRATGIES, INC.

By: _____
Michael J. McDonald, President

Date

EXCLUSIVE NEGOTIATION AGREEMENT

THIS EXCLUSIVE NEGOTIATION AGREEMENT ("Agreement") is entered into as of the 16th day of February, 2005 by and between the City of Las Vegas ("City"), the City of Las Vegas Redevelopment Agency ("RDA") and Alpha Omega Strategies, Inc., a Nevada Corporation ("Buyer"), on the terms and provisions set forth below.

WHEREAS:

A. The RDA is the owner of a parcel site comprising approximately 9.95 acres located at 1501 North Decatur Ave. in the City of Las Vegas, Clark County, Nevada as described on Exhibit "A" and depicted on Exhibit "A-1". The City is owner of a multi-parcel site comprising approximately 3.39 acres as depicted and described on Exhibits "B-1" and "B-2" attached hereto (The properties described and depicted on Exhibits "A", "A-1", "B-1" and "B-2" shall collectively be referred to as the "Site"); and

B. The RDA and the City desire that a facility containing multiple uses including but not limited to senior housing, medical and retail operations be developed on the Site; and

C. The Buyer desires to proceed with the City and the RDA in investigating and determining the suitability of the Site for the facility indicated above; and

D. The City, the RDA and the Buyer mutually desire to enter

into this Agreement to set forth the terms and conditions by which they shall mutually proceed to determine that the Buyer desires to purchase the Site.

NOW, THEREFORE, for and in consideration of the mutual agreements, which are hereinafter contained, the parties do hereby agree as follows:

1. Definitions. The following terms in this Agreement shall have the following definitions:

"Buyer" shall have the meaning set forth in the first paragraph of this Agreement.

"City" means the City of Las Vegas, Nevada.

"RDA Board" means the City of Las Vegas Redevelopment Agency Board of Directors.

"RDA" shall have the meaning set forth in the first paragraph of this Agreement.

"Key Persons" means (i) for Buyer the following individuals: Michael J. McDonald, President, Alpha Omega Strategies, Inc. or his designee and (ii) for the City the following individuals: Douglas A. Selby, City Manager or Scott D. Adams, Director, Office of Business Development, and (iii) for the RDA the following individuals: Douglas A. Selby, Executive Director or Scott D. Adams, Operations Officer.

"Party(ies)" means Buyer, the City and the RDA individually and

Buyer, the City and the RDA collectively.

"Purchase and Sales Agreement ("PSA")" means an agreement between the City, the RDA and the Buyer stating the condition under which the Site will be sold to the Buyer

"Term" shall have the meaning set forth in Section 2 of this Agreement.

"Site" shall mean the real property documented on Exhibit "A" and Exhibit "B-2" and depicted on Exhibits "A-1" and "B-1" of this Agreement. The parties acknowledge that the City does not own all the properties depicted on Exhibit "B-1".

2. Term of Agreement. The term of this Agreement (the "Term") shall commence on the date of execution by the City and the RDA and automatically expire ninety (90) days thereafter.

3. Purpose. The City, the RDA and the Buyer agree that their mutual goal under this Agreement is to determine the feasibility of the Buyer acting as the owner and developer of the Site.

(a) Purchase and Sales Agreement ("PSA"). The City, the RDA and the Buyer (with each Party bearing their respective costs and expenses including attorney's fees) will attempt to draft a mutually acceptable agreement setting forth their respective rights and obligations in respect to the purchase and sales of the Site. The PSA shall also determine the purchase and sale of the properties not owned by the City as depicted on Exhibit "B-1"

(b) Other. Such other matters as the City, the RDA or the Buyer may reasonably determine necessary to complete the feasibility determination.

4. Exclusivity

(a) Exclusivity. The City and the RDA agree that during the Term that (i) they shall deal exclusively with Buyer in connection with the purchase and sale of the Site to the Buyer and (ii) they shall not actively negotiate with any other person or entity regarding sale of the Site or any portion thereof.

5. Buyer Due Diligence. The Buyer shall conduct its own independent due diligence review concerning the various matters relating to all aspects of the development of the Site, including the physical review described in Section 6 below. The City and the RDA shall cooperate in providing the Buyer with appropriate information and assistance in conducting such due diligence review. Such cooperation will include assistance in arranging meetings with those persons reasonably determined by the Buyer as necessary in completing the Buyer's due diligence review. In connection therewith, the Buyer acknowledges receiving that documentation and information set forth on Exhibit "C" attached hereto.

6. Physical Review.

(a) Physical Review. The Buyer at its sole cost and expense will have the Term of this agreement to conduct a physical inspection of the Site. During this Term, the Buyer, and its representatives (including architects and engineers) will have the right to enter upon and inspect the Site and conduct

such boundary and topographic surveys, soil and engineering tests and environmental assessments with engineers or consultants licensed in the State of Nevada as the Buyer may reasonably require, provided that such inspections and tests will not materially damage the Site in any respect. The City and the RDA will make available for the Buyer's review all material in the City's or the RDA's possession related to the physical condition of Site, including, without limitation, all reports and documents related to the environmental condition of the Site

(b) Plan. The Buyer agrees that prior to undertaking any type of tests, investigations or other activities which involve borings, soil removal or any other penetration of the ground surface of the Site, the Buyer will provide the City and RDA with a written plan for such activities which will set forth the intended actions and the steps to be taken to comply with the provisions of this paragraph (b). Such plan will set forth precautions to be taken to insure that the Site will not be negatively impacted. The Buyer agrees that such plan will be subject to the approval of the City and the RDA, which approval shall not be unreasonably withheld, and that the City and the RDA shall have the right to have its representatives present during such activities

(c) Restoration. All such tests and inspections shall be conducted in accordance with standards customarily employed in the industry and in compliance with all governmental laws, rules and regulations. The Buyer will promptly restore the Site to its original condition as existed prior to

any such inspections and/or tests. If the Buyer, its agents, representatives or employees undertakes any boring or other disturbance of the soil, the soil so disturbed will be recompactd to the original condition of the Site and the Buyer will obtain at its own expense a certificate from a soils engineer which certifies that such soil so disturbed has been recompactd to the original condition of the Site. To the extent that any costs for damages and/or injuries are not covered by any insurance policy protections or are in excess of the insurance policy limits, the Buyer agrees to indemnify, hold harmless and defend (with counsel reasonably acceptable to the City and the RDA) the City, the RDA, and their respective affiliates or assignees and their respective officers, agents, servants and employees against and from any and all liability, loss, cost, damage or expense (including attorneys' fees) of whatsoever nature growing out of or in connection with personal injury to or death of persons whomsoever (including, without limitation, exposure to hazardous or toxic substances), or loss or destruction of or damage to property whatsoever (including, without limitation, contamination by hazardous or toxic substances and any required testing, removal or cleanup thereof), where such personal injury, death, loss, destruction or damage arises in any way in connection with or incident to the occupation or use of the Site by, or the presence thereon of, the Buyer, its officers, agents or employees and occurs from any such cause. If the Buyer should discover any hydrocarbon substances or any other hazardous or toxic substances, asbestos or asbestos-bearing materials, waste or materials

subject to legal requirements or corrective action, the Buyer will immediately notify the City and the RDA of the same. The indemnity obligations of the Buyer under this Section will survive any termination of this Agreement. The Buyer covenants and agrees upon request of the City or the RDA to promptly deliver to the City or the RDA without charge therefore, the results and copies of any and all environmental reports and related correspondence.

7. Effect of Agreement.

(a) The City and the RDA. The Buyer agrees that this Agreement does not (i) constitute any disposition of any interest or control whatsoever in the Site and (ii) does not create or grant to the benefit of the Buyer any right or interest whatsoever in the Site. The Buyer further agrees that (i) the execution of this Agreement by the City and the RDA is merely an agreement by the City and the RDA to enter into a period of exclusive negotiations according to the terms and conditions of this Agreement, (ii) neither the City or the RDA is under any obligation to enter into a PSA or any other agreement whatsoever with the Buyer in connection with the Site or otherwise and (iii) the decision to enter into a purchase and sales agreement or any other agreement with the Buyer is at the sole and unfettered discretion of the City and the RDA and final approval by the Las Vegas City Council and the RDA Board as to any and all proceedings and decisions in connection with a PSA.

(b) Buyer. The City and the RDA further agree that (i) the execution of this Agreement by the Buyer is merely an agreement by the Buyer to enter into a period of exclusive negotiations according to the terms and conditions of this Agreement, (ii) the Buyer is not under any obligation to enter into a PSA or any other agreement whatsoever with the City and/or the RDA in connection with the Site or otherwise and (iii) the decision to enter into a PSA or any other agreement with the City and/or the RDA is at the sole and unfettered discretion of the Buyer.

8. Non-Performance; Good Faith Deposit.

(a) Default. In the event (i) a Party has failed or is failing to perform an obligation of such Party hereunder and (ii) the Non-Performing ("NP") Party does not perform such obligation within ten (10) days written notice by the other Party, the NP Party shall be in default of this Agreement.

(b) City and RDA Rights. In the event the Buyer is in default of this Agreement, then the City and/or the RDA shall have the following sole and exclusive rights and remedies upon written notice to the Buyer:

- (i) Terminate this Agreement; and
 - (ii) Retain the Good Faith Deposit as the City's and/or the RDA's liquidated damages or the breach of this Agreement by the Buyer.
- It is expressly understood and agreed between the City, the RDA and the Buyer that the City's and/or the RDA's actual damages for any such breach by the Buyer would be substantial but extremely difficult to

ascertain and that the Deposit is a good faith and fair estimate of such damages.

Upon such termination this Agreement shall be of no further force and effect and neither Party shall have any rights hereunder except as otherwise provided in Section 6 above and Section 13 below.

(b) Buyer Rights. In the event the City and/or the RDA is in default of this Agreement, then the Buyer shall have the as its sole and exclusive right the right to terminate this Agreement upon written notice to the City and/or the RDA and receive a refund of the Deposit in full. Upon such termination this Agreement shall be of no further force and effect and neither Party shall have any rights hereunder except as otherwise provided in Section 6 above and Section 13 below.

(c) Good Faith Deposit ("GFD") Concurrently with its execution of this Agreement, the Buyer has delivered to the City and/or the RDA a GFD to secure the good faith performance of its obligations under this Agreement in the amount of Fifty Thousand Dollars (\$50,000.00).

(d) Non-Liability of Officials. No officers, shareholders, officials (elected or otherwise) or employees of the City or the RDA shall be personally liable to the Buyer for any default or breach by the City and/or the RDA, for any amount which may become due to the Buyer or for any obligation of the City and/or the RDA under the terms of this Agreement. No officers,

shareholders, partners, directors or employees of the Buyer shall be personally liable to the City or the RDA for any default or breach by the Buyer, for any amount which may become due to the City or the RDA for any obligation of the Buyer under the terms of this Agreement.

(e) Non-Liability for Buyer Expenses The Buyer hereby agrees and acknowledges that neither the City nor the RDA shall have any obligation to reimburse or otherwise pay to the Buyer any costs and expenses incurred by the Buyer in connection with this Agreement in any way notwithstanding that a PSA is not consummated or that this Agreement is terminated for any reason whatsoever. The Buyer agrees that all such costs and expenses are to be borne solely by the Buyer and that the Buyer will make no claim whatsoever against the City or the RDA for reimbursement or otherwise for or in connection with such costs and expenses.

9. Buyer

(a) Organization. Buyer is a corporation duly authorized to conduct business in the State of Nevada. The principal office of Buyer is:

Alpha Omega Strategies, Inc.
4908 Carmen Blvd.
Las Vegas, NV 89108
Phone: 702-646-2716
FAX: 702-869-5145

(b) Buyer Ownership. The Buyer is required to make full disclosure to the City and the RDA of its principals, officers, major stockholders, major partners, joint venture partners, key managerial employees

and other associates, and all other material information concerning the Buyer and its associates. Any significant change in the principals, associates, partners, joint venture, negotiators, development manager, consultants, professionals and directly-involved managerial employees of the Buyer during the time this agreement is in effect is subject to the approval of the City and the RDA.

Pursuant to Resolution R-105-99 adopted by the Las Vegas City Council effective October 1, 1999, the Buyer warrants that it has disclosed, on the form attached hereto as Exhibit "D", all principals, including, partners or members of the Buyer, as well as all persons and entities holding more than 1% interest in the Buyer or any principal, partner or member of the same. Throughout the term hereof, the Buyer shall provide written notification of any material change in the above disclosure within 15 days of any such change.

10. Conflict of Interest.

(a) City Officials and RDA Officials. An official of the City or the RDA, who is authorized in such capacity and on behalf of the City or the RDA to negotiate, make, accept or approve, or take part in negotiating, making, accepting, or approving this Agreement, payments under this Agreement, or work under this Agreement, shall not be directly or indirectly interested personally in this Agreement or in any part hereof. No officer, employee, architect, attorney, engineer or inspector of, or for the City or the RDA, who is authorized in such capacity and on behalf of the City or the RDA to exercise

any legislative, executive, supervisory or other similar functions in connection with this Agreement, shall become directly or indirectly interested personally in this Agreement or in any part hereof, any material supply contract, subcontract, insurance contract, or any other contract pertaining to this Agreement.

(b) No Interest. Each party represents that it is unaware of any financial or economic interest of any public officer or employee of the City or the RDA relating to this Agreement. Notwithstanding any other provision of this Agreement, if such interest becomes known, the City or the RDA may immediately terminate this Agreement for default or convenience, based on the culpability of the parties.

(c) Buyer Disclosure. The Buyer represents and warrants that it has, in accordance with the current policy of the City, disclosed the ownership and principals of the Buyer on Exhibit "D" and that it has a continuing obligation to update this disclosure whenever there is a material change in the information.

11. Commissions. Neither the City nor the RDA shall be liable for any real estate commission or brokerage fees relating to this Agreement or the transactions contemplated hereunder. The Buyer represents and warrants that it has engaged no broker, agent or finder in connection with this transaction, and the Buyer agrees to hold the City and the RDA harmless from any claim by any broker or finder retained by the Buyer.

12. Buyer's Financial Capability. Within thirty (30) days of the effective date of this Agreement, the Buyer shall submit to the City and the RDA satisfactory evidence of its, its partners and/or Designees ability to act as the Buyer of the Site, including, without limitation, financial statements for the last three (3) years including income statements and balance sheets and tax returns. All such documents provided to the City and the RDA shall be stamped "Proprietary Information and Confidential" and the City and the RDA shall return all such information after completion of its analysis.

13. Buyer's Indemnity. The Buyer agrees to indemnify, hold harmless and defend (with counsel reasonably acceptable to the City and the RDA) the City and the RDA, their respective affiliates or assignees and their respective officers, agents, servants and employees against and from any and all liability, loss, cost, damage or expense (including attorneys' fees) of whatsoever nature relating to or otherwise resulting from or in connection with the Buyer's activities under this Agreement. The indemnity obligations of the Buyer under this Section 13 will survive any termination of this Agreement.

14. Miscellaneous.

(a) No Assignment. No party shall have the right to assign this Agreement or any interest in this Agreement without the prior written consent of the other Party which may be granted or withheld at a Party's sole discretion.

(b) Notices. Formal notices, demands and communications between the City, the RDA and the Buyer shall be sufficiently given if made in

writing and dispatched by registered or certified mail, postage prepaid, return receipt requested or by personal delivery, to the principal offices of the City, the RDA and the Buyer as set forth in this Section 14. Such written notices, demands and communications may be sent in the same manner to such other addresses as either party may from time to time designate in writing.

If to the RDA: City of Las Vegas Redevelopment Agency
400 Stewart Avenue, 2nd Floor
Las Vegas, Nevada 89101
Attention: Operations Officer

If to the City: City of Las Vegas
400 Stewart Avenue, 8th Floor
Las Vegas, Nevada 89101
Attention: City Manager

With a copy to: City Attorney's Office
City of Las Vegas, 9th Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

If to Buyer: Alpha Omega Strategies, LLC
4908 Carmen Blvd.
Las Vegas, NV 89108

(c) Entire Agreement. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.

(d) Waivers and Amendments. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of

the City, the RDA and the Buyer and no waiver of one provision shall be construed as a waiver of that provision in the future or as a waiver of any other provision. All amendments hereto must be in writing and signed by the appropriate authorities of the City, the RDA and the Buyer.

(e) Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be valid under applicable law, but if any provision shall be invalidated, it shall be deemed to be severed from this Agreement and the remaining provisions shall remain in full force and effect.

(f) Applicable Law. The interpretation and enforcement of this Agreement shall be governed in all respects by the laws of the State of Nevada.

(g) Captions. The captions contained in this Agreement are for the convenience of the parties and shall not be construed so as to alter the meaning of the provisions of the Agreement.

(h) Counterparts. This Agreement may be signed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to be one and the same Agreement.

(i) Subsequent City and RDA Approvals. Any approvals or waivers required of the City or the RDA under this Agreement may be given by the City Manager for the City or the Executive Director of the RDA for the RDA, or such other person as the City or the RDA designate in writing, unless the

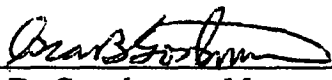
City Manger or Executive Director determines in his/her sole discretion that the approval of the City Council or the RDA Board is required.

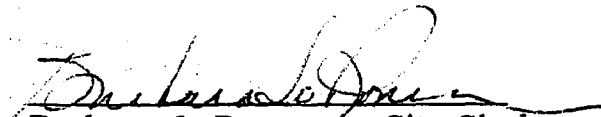
(j) Attorneys' Fees. If either Party shall breach its representations or shall fail to fulfill or perform any of its covenants or obligations in this Agreement, that party shall pay all costs, including, without limitation, reasonable attorneys' fees and expert witness fees, that may be incurred to enforce the terms, covenants, conditions and provisions of this Agreement, or that may be incurred as a result of the default under or breach of this Agreement, in the event legal action or any arbitration or other proceeding is commenced.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement
on the date set forth above.

City of Las Vegas
A Nevada municipal corporation

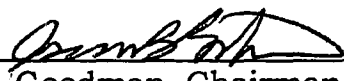
ATTEST:

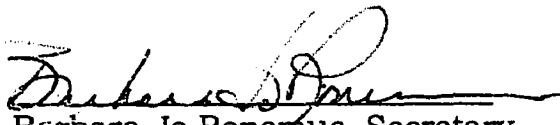
By 
Oscar B. Goodman, Mayor


Barbara Jo Ronemus, City Clerk

Las Vegas Redevelopment Agency
A Nevada municipal corporation

ATTEST:

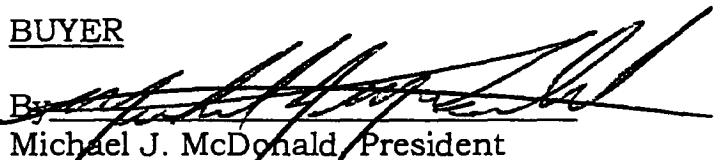
By 
Oscar B. Goodman, Chairman


Barbara Jo Ronemus, Secretary

APPROVED AS TO FORM:

 2/2/05
Date

BUYER

By 
Michael J. McDonald, President
Alpha Omega Strategies, Inc.

LIST OF EXHIBITS

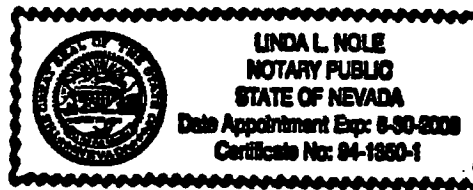
Exhibit "A"	1501 North Decatur Legal Description
Exhibit "A-1"	Site Map 1501 N Decatur (Site A)"
Exhibit "B-1"	Site Map of related City of Las Vegas Parcels (Site B)
Exhibit "B-2"	List of City acquired related properties
Exhibit "C"	Checklist of Due Diligence Materials
Exhibit "D"	Buyer Disclosure of Ownership and Principals Form

SIGNATURE ACKNOWLEDGEMENT

STATE OF NEVADA }

County of Clark

}SS
}



On this 1 day of Feb, 2005, before me, a Notary Public in and for said state, personally appeared Michael J. McDonald, personally known to me (or proved to me) to be the person who executed the above instrument, and acknowledged to me that (they/he/she) executed the same for purposes stated therein.

Linda L. Nole
Notary Public

EXHIBIT "A"
LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M. IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE SOUTH 00|42'34" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) THEREOF, A DISTANCE OF 190.00 FEET; THENCE NORTH 89|57'34" WEST A DISTANCE OF 70.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89|57'34" WEST A DISTANCE OF 735.96 FEET; THENCE SOUTH 00|42'34" EAST (00|41'40" M) A DISTANCE OF 591.00 FEET; THENCE SOUTH 89|57'34" EAST A DISTANCE OF 735.96 FEET; THENCE NORTH 00|42'34" WEST (00|41'40" M) A DISTANCE OF 591.00 FEET TO THE POINT OF BEGINNING.

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF:

NEVADA TITLE COMPANY

09-25-2000 15:01 ARD
OFFICIAL RECORDS

BOOK: 20000925 INST: 01388

FEE: .00 RPTT: EX#002

EXHIBIT "A-1"

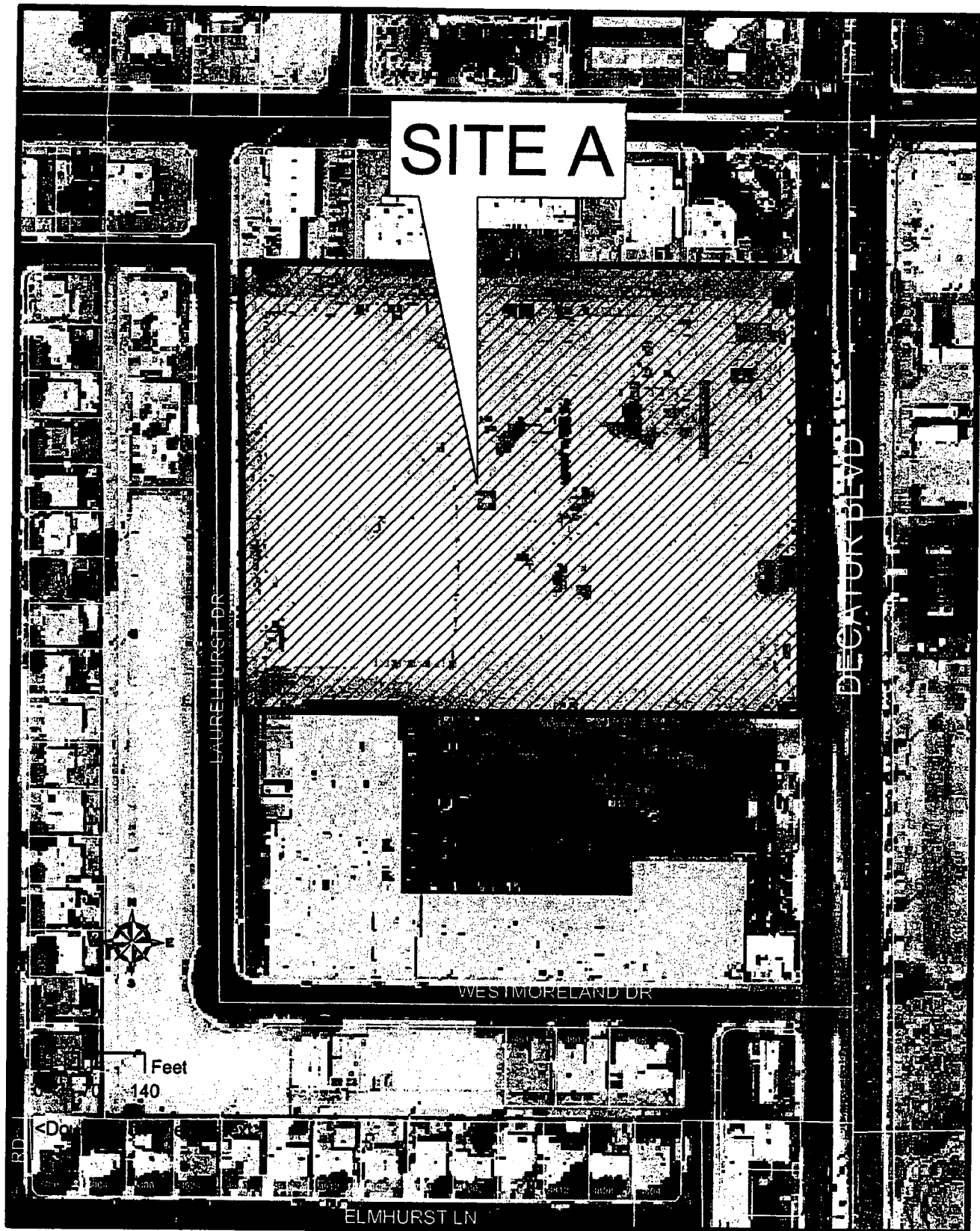


EXHIBIT "B-1"

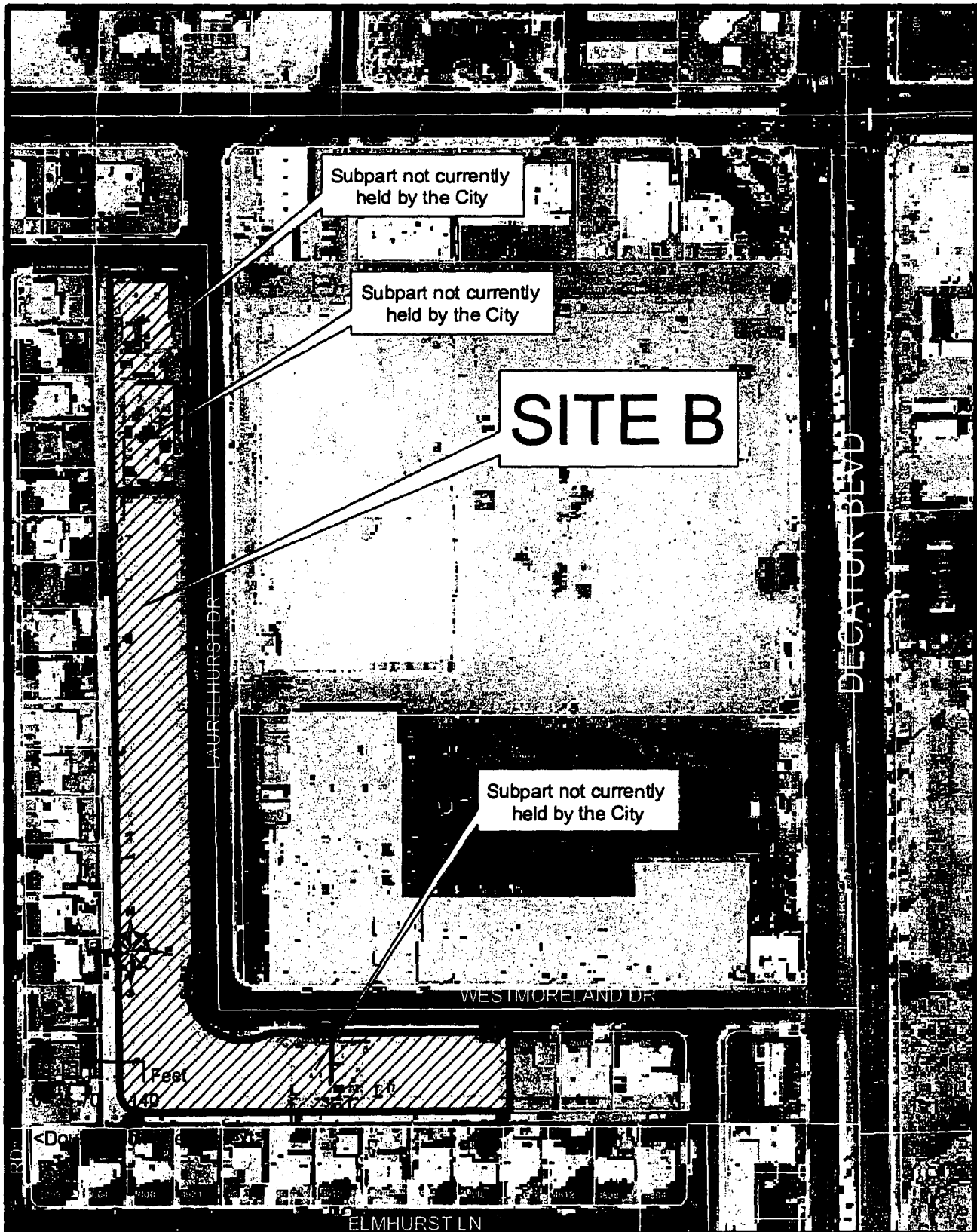


EXHIBIT "B-2"
List of Property acquired by the City of Las Vegas

1309 Laurelhurst Dr #1 & 2	1425 Laurelhurst units 2 & 4
1313 Laurelhurst Dr, Unit 34	1421 Laurelhurst units 5-8
1313 Laurelhurst Dr, Unit 36	1417 Laurelhurst units 9-11
1409 Laurelhurst #17-20	1413 Laurelhurst units 13-15
1409 Laurelhurst #21-24	1401 Laurelhurst units 25-28
1413 Laurelhurst Dr, Unit 1	1317 Laurelhurst units 29-32
1417 Laurelhurst #4	1313 Laurelhurst units 33 & 35
1425 Laurelhurst #1	1309 Laurelhurst units 37-38
1425 Laurelhurst #3	4917 Westmoreland units 42 & 44
1501 Laurelhurst # 13	4913 Westmoreland units 46 & 48
1501 Laurelhurst #14	4905 Westmoreland units 53-56
1501 Laurelhurst Dr, Units 15&16	4901 Westmoreland units 57-60
1505 Laurelhurst #12	4817 Westmoreland units 61-64
1505 Laurelhurst Dr, Unit 11	1425 Laurelhurst units 2 & 4
1509 Laurelhurst #6	1421 Laurelhurst units 5-8
1509 Laurelhurst #8	1417 Laurelhurst units 9-11
1505 Laurelhurst #10	1413 Laurelhurst units 13-15
1509 Laurelhurst Dr, Unit 5	1401 Laurelhurst units 25-28
1509 Laurelhurst Dr, Unit 7	1317 Laurelhurst units 29-32
1513 Laurelhurst #4	1313 Laurelhurst units 33 & 35
1513 Laurelhurst Dr, Unit 2	1309 Laurelhurst units 37-38
1513 Laurelhurst Dr, Unit 3	4917 Westmoreland units 42 & 44
4913 Westmoreland #3	4913 Westmoreland units 46 & 48
4913 Westmoreland Unit 1	4905 Westmoreland units 53-56
4917 Westmoreland #3,4 (41&43)	4901 Westmoreland units 57-60
	4817 Westmoreland units 61-64

EXHIBIT "C"

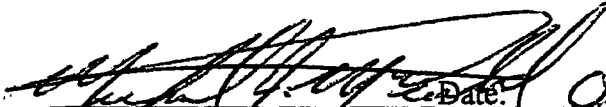
CITY OF LAS VEGAS
400 Stewart Avenue
Las Vegas, NV 89101
(702) 229-6551

It is hereby acknowledged that Alpha Omega Strategies, Inc. received copies of due diligence materials from the Owners relative to: APN 138-25-503-006, and to APN 138-25-515-000, and 138-25-516-000.

The due diligence materials provided are as follows:

- ☒ Exhibit "A-1" Site Map (APN 138-25-503-006)
- ☒ Exhibit "A-2" Legal Description for Site A
- ☒ Exhibit "B-1" Site Map (Portions of APN 138-25-515-000, 138-25-516-000)
- ☒ Exhibit "B-2" List of Properties acquired for Site B
- ☒ Grant, Bargain, and Sale Deed for APN 138-25-503-006, 1501 North Decatur
- ☒ Owner's Polity of Title Insurance (ALTA), 1501 North Decatur
- ☒ Phase I Environmental Site Assessment, Pentacore Resources, dated July 27, 2000
- ☒ Phase II Environmental Site Assessment, Pentacore Resources, dated July 28, 2000
- ☒ Asbestos Inspection and Analysis Report, Pentacore Resources, dated November 10, 2000
- ☒ Off-site Well Installation and Sampling, Pentacore Resources, ~~dated August 23, 2000~~ *Stewart Env. Nov 2, 2000*
- ☒ Release letter from Nevada Division of Environmental Protection, dated May 1, 2003
- ☒ Grant, Bargain and Sale Deeds for property acquired at Site B
- ☒ Covenants, Conditions, & Restrictions for property acquired at Site B (if applicable)

Acknowledged by:


Date: 02-01-05
Michael J. McDonald, President
Alpha Omega Strategies, Inc

Date: _____
Douglas A. Selby, City Manager and
Redevelopment Agency Executive Director

**CERTIFICATE - DISCLOSURE OWNERSHIP/PRINCIPALS
(CONTINUED)**

Block 1	Contracting Entity
Name	
Address	
Telephone	
EIN or DUNS	

Block 2	Description
Subject Matter of Contract/Agreement:	
RFP #	

Block 3	Type of Business
☒ Individual ☐ Partnership ☐ Limited Liability Company ☐ Corporation	

Block 4	Disclosure of Ownership and Principals		
In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.			
	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Michael J. McDonald	4908 Carmen Blvd. 89108	702-592-1990
2.	Richard L. Henry	4908 Carmen Blvd. 89108	702-592-1990
3.	Robert L. Moore	400 S. 4th Street #400 89101	702-221-7000
4.	Lisa M. Brady	400 S. 4th Street #400 89101	702-221-7000
5.	Kenneth Cornell	2123 Garnett Ave. San Diego, CA 92109	858-274-1585
6.	Beth Molasky- Cornell	2123 Garnett Ave. San Diego, CA 92109	858-274-1585
7.	Arne Rosencrantz	400 S. 4th Street #400 89101	702-221-7000
8.	Robert Johns	400 S. 4th Street #400 89101	702-221-7000
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals - Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 Disclosure of Ownership and Principals - Alternate

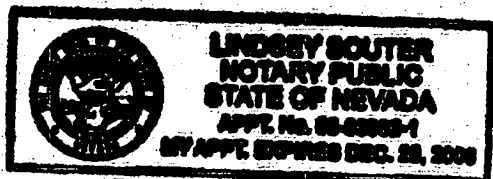
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____

Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

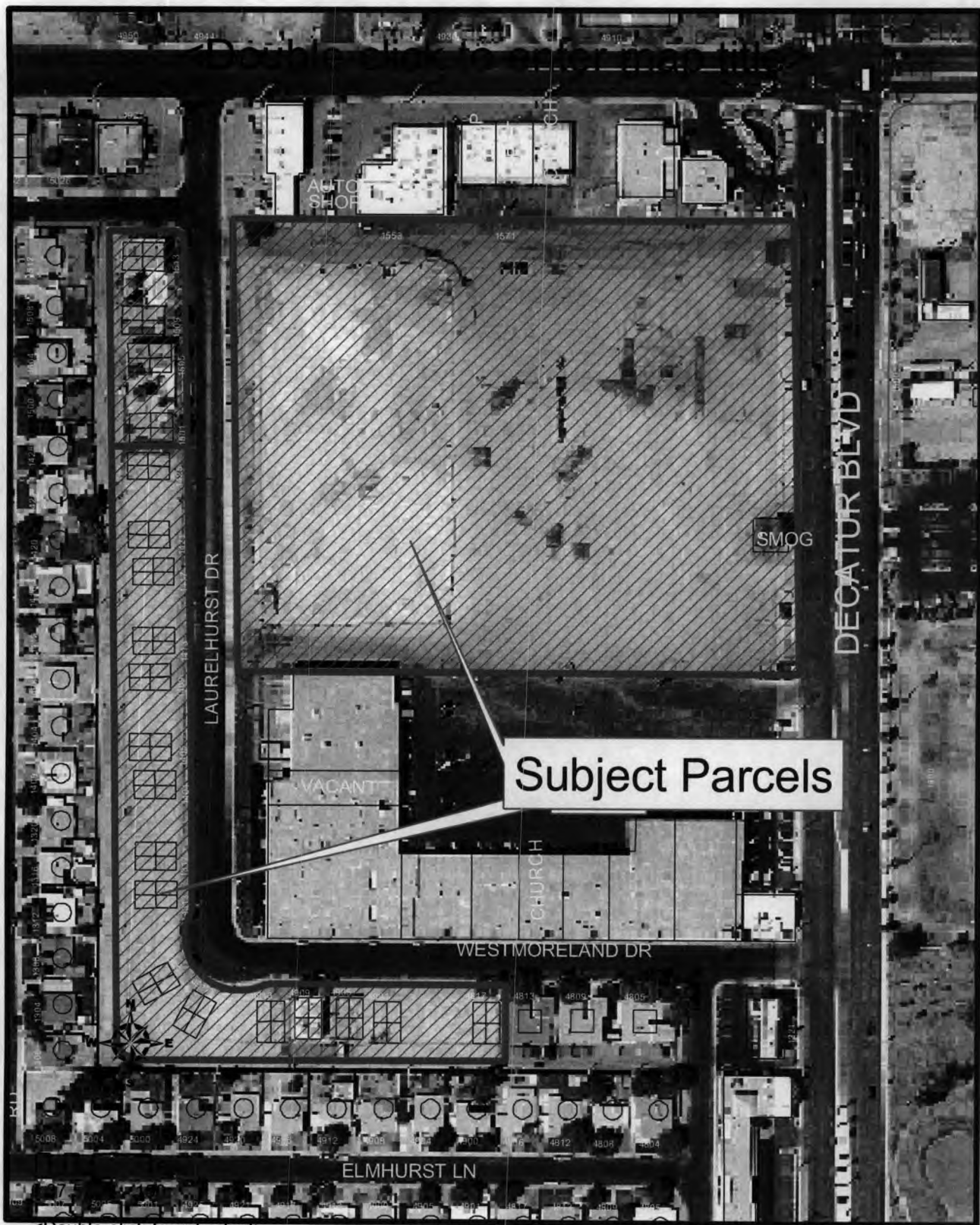


[Signature]
 Name
 4-13-05
 Date

Subscribed and sworn to before me this 13th
 day of

April, 2005.

[Signature]
 Notary Public



Location Map

TM/LV REBUDOPHAT Agency m19: AVEZ, 18 May, '05 (incl. CHB) (CA: mm o/g)

Tom McEvoy! Lvs UBER RESTOIT.

" < (15 sec.) > "

I recommend you ~~STAY~~ THE AGREEMENT.

Now, HERE'S A CENTENNIAL BIRTHDAY GIFT FOR THE MAYOR. (Submitted) ~
open it up, and there it is GOOD HEALTH!

Thank you.

Submitted at City Council
Date: 18 May 05
Item # 69

**CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005**

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

Item 69 – Discussion and possible action regarding an extension to the term of the Exclusive Negotiating Agreement between the City of Las Vegas, the Las Vegas Redevelopment Agency, and Alpha Omega Strategies, Inc., for certain properties located at and around 1501 North Decatur, APNs 138-25-503-006, 138-25-515-000, and 138-25-516-000 - Ward 1 (Tarkanian) [NOTE: This is a companion item to Redevelopment Agency Item 2]

Redevelopment Agency Item 2 – Discussion and possible action regarding an extension to the term of the Exclusive Negotiating Agreement between the City of Las Vegas, the Las Vegas Redevelopment Agency, and Alpha Omega Strategies, Inc., for certain properties located at and around 1501 North Decatur, APNs 138-25-503-006, 138-25-515-000, and 138-25-516-000 - Ward 1 (Tarkanian) [NOTE: This is a companion item to City Council Item 69]

Appearance List:

GARY REESE, Mayor Pro Tem

MICHAEL MACK, Councilman

SCOTT ADAMS, Director, Office of Business Development

TOM McGOWAN, Las Vegas resident

LOIS TARKANIAN, Councilwoman

BEATRICE TURNER, West Las Vegas resident

MICHAEL McDONALD, Applicant

(10:29-10:33/10:36-10:37)

1-3202/2-25

5 minutes

Typed by: Stacey Campbell

Proofed by: Ydoleena Yturalde

***CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005***

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

31 **MAYOR PRO TEM REESE**

32 Item 69 is discussion and possible action regarding an ex, extension of the term for Exclusive
33 Negotiating Agreement between the City of Las Vegas Redevelopment Agency and the Alpha
34 Omega Strategies, Inc., for certain properties located in and around 1501 North Decatur
35 Boulevard. This is in Councilwoman Tarkanian's ward and Mr. Adams is present –

36

37 **COUNCILMAN MACK**

38 Mayor Pro Tem.

39

40 **MAYOR PRO TEM REESE**

41 – as well as the applicant. Yes?

42

43 **COUNCILMAN MACK**

44 Quick disclosure, my brother, Stephen Mack, owns property near this site. I believe the scope of
45 this project, development could have an impact on my brother's interest so I'll be abstaining. I
46 should also note, for the record, that I need to disclose because one of the partners is, in the
47 project is former Councilman Michael McDonald. Although I have no financial interest
48 whatsoever in this proposal, both of us do independent contracts with Southwest Group as
49 consultants.

50

51 **MAYOR PRO TEM REESE**

52 Thank you.

53

54 **SCOTT ADAMS**

55 Good morning, Scott Adams, Director of the Office of Business Development. This item is one
56 that you approved an agreement under an Exclusive Negotiating Agreement back in February.
57 The – developer on this project, Alpha Omega – Strategies has performed under that ENA by
58 submitting to us the required fifty thousand dollars security deposit. They've provided us
59 financial information required in the ENA. And, what were asking for here is an extension of 90

**CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005**

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

60 days due to the fact that we just recently received the actual appraisal on the site and that was
61 really something we needed to form the basis of our negotiations of a – final and definitive Dis,
62 Disposition and Development Agreement. So, we're asking for a 90 day extension of the ENA.
63 This is a site that's owned by both the City and the RDA. There're portions owned by the City,
64 portions owned by the RDA so there's a companion item that trails on the RDA agenda that also
65 approves their, the extension of the agreement as well. It's a three party agreement and staff
66 recommends approval.

67

68 **MAYOR PRO TEM REESE**

69 Thank you. Are there any questions or comments at this time? Councilwoman Tarkanian.

70

71 **TOM McGOWAN**

72 Any public comment?

73

74 **MAYOR PRO TEM REESE**

75 Yes, I'm sorry. I didn't hear you, see you.

76

77 **TOM McGOWAN**

78 Very brief, Tom McGowan, Las Vegas resident, I recommend you extend the agreement. And
79 now, here's a centennial birthday gift for the Mayor, that the Mayor Pro Tem is invited to open
80 and ask the Mayor to wear it good health. Thank you very much.

81

82 **MAYOR PRO TEM REESE**

83 Scared to open it.

84

85 **COUNCILWOMAN TARKANIAN**

86 I move that we approve this item, oh, –

**CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005**

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

87 **MAYOR PRO TEM REESE**

88 Just a moment.

89

90 **COUNCILWOMAN TARKANIAN**

91 – excuse me, I didn't see you.

92

93 **BEATRICE TURNER**

94 Thank you, Beatrice Turner, West Las Vegas. You know, I should get up here and slam dunk it
95 but I ain't. Because I got some elderly people that live in that area and they're askin' when is the
96 senior center coming. Even the people over there at that Catholic Charities, they're even asking,
97 when is they gonna do something with that property? What's the hold up with them other two
98 units that's sittin' there. And you know, and it's a long way for seniors that live there to travel to
99 go to other senior developments, go to other senior places. So, they, 'cause last week, the lady
100 asked me, well Beatrice, when the senior place comin'? I said first they got to get rid of those
101 two buildings that still sittin' there. So, that's the only reason I'm standing here supporting this
102 because I support them seniors.

103

104 **MAYOR PRO TEM REESE**

105 Thank you. Any other questions or comments? Councilwoman Tarkanian.

106

107 **COUNCILWOMAN TARKANIAN**

108 **I move to approve this item.**

109

110 **MAYOR PRO TEM REESE**

111 Thank you, we've got a motion for approval, please cast your vote. Please post. Motion carries.
112 **(Motion carried UNANIMOUSLY with GOODMAN excused and MACK abstaining**
113 **because his brother Steven Mack owns property adjacent to this property, which could be**
114 **impacted by the scope of this project, and because Michael McDonald is one of the partners**
115 **in this project and, although COUNCILMAN MACK has no financial interest in this**

***CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005***

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

116 matter, he and MR. McDONALD have independent consultant contracts with Southwest
117 Group)

118

119 **MICHAEL McDONALD**

120 Thank you.

121

122 **VICE CHAIRMAN REESE**

123 Item No. 2 is discussion and possible action regarding an extension to the term of the Exclusive
124 Negotiating Agreement between the City of Las Vegas Redevelopment Agency and the Alpha
125 Omega Strategies, Inc., for certain properties located at – and around 1501 North Decatur
126 Boulevard. Again, this is in Councilwoman Tarkanian's ward, the applicant is present, Mr.
127 Adams.

128

129 **MEMBER MACK**

130 Mayor Pro Tem.

131

132 **VICE CHAIRMAN REESE**

133 Yes.

134

135 **MEMBER MACK**

136 I need to make the similar disclosure. Due to the size of the project proposed for this site I
137 believe it would have an impact on my brother, Stephen Mack's property located nearby. So I'll
138 be abstaining from this item. I also need to disclose, for the record, that former Councilman
139 Michael McDonald, who's in front of us today, is a principal in the project. Both of us have
140 individual contracts with Southwest Strategies Group so I'll be abstaining from the complete
141 item. Thank you.

142

143 **VICE CHAIRMAN REESE**

144 Thank you very much.

***CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005***

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

145 **SCOTT ADAMS**

146 Good morning. Scott Adams, again, Director of the Office of Business Development. This item
147 is the companion item on the RDA agenda to the previous item that I described regarding 1501
148 Decatur and staff recommends approval.

149

150 **VICE CHAIRMAN REESE**

151 Any questions of the applicant? Hearing none, Councilwoman Tarkanian, please.

152

153 **MEMBER TARKANIAN**

154 **I move for approval of this item.**

155

156 **VICE CHAIRMAN REESE**

157 Thank you very much, we've got a motion for approval with all conditions, please cast your
158 vote. Please post.

159

160 **MEMBER MACK**

161 Show me as an abstention, thank you.

162

163 **VICE CHAIRMAN REESE**

164 Motion carries. (Motion carried UNANIMOUSLY with GOODMAN excused and MACK
165 abstaining because his brother Steven Mack owns property adjacent to this property,
166 which could be impacted by the scope of this project, and because Michael McDonald is
167 one of the partners in this project and, although MEMBER MACK has no financial
168 interest in this matter, he and MR. McDONALD have independent consultant contracts
169 with Southwest Group

170

171 **MICHAEL McDONALD**

172 Thank you, have a good day.

***CITY COUNCIL and REDEVELOPMENT AGENCY MEETING OF
MAY 18, 2005***

**COMBINED VERBATIM TRANSCRIPT – City Council Item 69 and Redevelopment
Agency Item 2**

173 **VICE CHAIRMAN REESE**

174 Thank you.

175

176 **MICHAEL McDONALD**

177 And congratulations on your Centennial, you all did a wonderful job.

178

179 **VICE CHAIRMAN REESE**

180 Thanks.

181 **(END OF DISCUSSION)**

182 /slc;yy

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-29 - Annexation No. ANX-6060 - Property location: On the west side of Balsam Street, 270 feet south of Lone Mountain Road; Petitioned by: Serge Charbonneau, et al.; Acreage: 2.79 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (May 27, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 5/18/2005 City Council meeting pursuant to the 5/17/2005 Recommending Committee.

First Reading - 5/4/2005; First Publication - 5/7/2005

BACKUP DOCUMENTATION:

Bill No. 2005-29 and Location Map

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5771 - UNANIMOUS with GOODMAN excused

Clerk to proceed with second publication

MINUTES:

There was no discussion.
(10:33 - 10:34)
1-3431

BILL NO. 2005-29

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-6060)

Sponsored by: Councilman Michael Mack Summary: Annexes property described generally as located on the west side of Balsam Street, 270 feet south of Lone Mountain Road.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 3, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, also being LOT 20, LOT 19 and LOT 18 and the adjoining half street right-of-way of BALSAM STREET (30.00 feet wide as measured from the centerline thereof) and 20.00 feet wide alleys as shown on Block 1 of BRIDLE PATH ESTATES, recorded in Book 6 of Plats, Page 99 of Clark County, Nevada Records, described as follows:

COMMENCING at the northeast corner of said Section 3, said corner also being the northeast corner of said BRIDLE PATH ESTATES; thence along the north line of said Section 3 and the centerline of LONE MOUNTAIN ROAD (50.00 feet wide as measured from centerline thereof) South 89°51'32" West 680.05 feet to the centerline intersection with said BALSAM STREET; thence southerly along the centerline of said BALSAM STREET, South 00°31'52" West 310.01 feet to the POINT OF BEGINNING also being the point of intersection with the centerline of a 20.00 foot wide east-west

1 alley; thence westerly along said centerline, South 89°51'39" West 330.06
2 feet to the intersection with the centerline of a 20.00 foot wide north-south
3 alley; thence southerly along the centerline of said 20.00 foot wide
4 north-south alley, South 00°31'52" West 367.44 feet to the intersection with
5 the westerly projection of the south line of said LOT 18; thence easterly
6 along the westerly projection of said south line, along said south line and
7 along the easterly projection said south line, South 89°28'04" East 330.04 feet
8 to the centerline of said BALSAM STREET; thence northerly along the
9 centerline of said BALSAM STREET, North 00°31'52" West 371.32 feet to
10 the POINT OF BEGINNING.

11
12 BASIS OF BEARINGS: North 89°51'32" East being the north line of the
13 Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 3,
14 Township 20 South, Range 60 East, M.D.M., as shown on Book 6 of Plats,
15 Page 99 of Clark County, Nevada Records.

16
17 Written by:
18 Brian Yu PLS
19 731 S. Fourth Street,
20 Public Works,
21 City of Las Vegas

22 SECTION 2: The City Council hereby determines that the described territory
23 meets the requirements provided by law for annexation to the City for the following reasons:

- 24 A. The area to be annexed was contiguous to the City's boundaries at the
25 time the annexation proceedings were instituted;
- 26 B. More than one-eighth (1/8) of the aggregate external boundaries of
27 the area are contiguous to the City;
- 28 C. The territory proposed to be annexed is not included within the
boundaries of another incorporated city or within the boundaries of
any unincorporated town as those boundaries existed as of July 1,
1983;
- D. The City is eligible to annex the described territory since the
landowners have signed a petition constituting one hundred percent
(100%) of the owners of record of individual lots or parcels of land
within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas
Metropolitan Police Department, fire protection, street maintenance, and library services
immediately upon annexation. Garbage collection by the company franchised by the City

1 will also be provided immediately. The City sanitary sewer system will serve the proposed
2 annexation area. Any connection to or extension of this sewer line to serve the annexation
3 area shall be at the expense of the landowners. Other services, such as participation in the
4 City's recreational programs, special education classes and programs, public works planning,
5 building inspections, and other City services will also be available immediately. Utilities
6 such as gas, electricity, telephone, and water are provided by private utility companies and
7 other services to the area will not be affected by annexation. Street paving, curbs and gutters,
8 sidewalks and street lights which are not in place at the time of annexation will be installed
9 in the presently developed areas upon the request of the property owners and at their expense
10 by means of special assessment districts. Such improvements will be extended into the
11 undeveloped areas as development takes place and the need therefor arises, and will be
12 located according to the needs of the area at that time. Such installations will also be made
13 at the expense of the property owners, either by means of special assessment districts or as
14 prerequisites to the approval of subdivision plats, building permits or other land use or
15 development applications.

16 SECTION 4: The annexation of the described territory shall become
17 effective on the 27th day of May, 2005, and on that date the City will have the funds
18 appropriated in sufficient amount to finance the extension into the described territory of
19 police protection, fire protection, street maintenance, street sweeping, and street lighting
20 maintenance.

21 SECTION 5: The described territory, together with the inhabitants and
22 property thereof, shall, from and after the 27th day of May, 2005, be subject to all debts,
23 laws, ordinances and regulations in force in the City and shall be entitled to the same
24 privileges and benefits as other parts of the City, and shall be subject to municipal taxes
25 levied by the City.

26 SECTION 6: The City Engineer is hereby instructed to cause to be prepared
27 an accurate map or plat of the described territory and to record the map or plat, together with
28 a certified copy of this ordinance, in the office of the County Recorder of Clark County,

1 Nevada, which recording shall be done prior to the 27th day of May, 2005.

2 SECTION 7: The described territory, which previously has been zoned R-E
3 (County of Clark classification), is hereby classified as R-E (City of Las Vegas
4 classification), which is deemed to be the City equivalent of the County classification.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence,
6 clause of phrase in this ordinance or any part thereof, is for any reason held to be
7 unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such
8 decision shall not affect the validity or effectiveness of the remaining portions of this
9 ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that
10 it would have passed each section, subsection, subdivision, paragraph, sentence, clause or
11 phrase thereof irrespective of the fact that any one or more sections, subsections,
12 subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid
13 or ineffective.

14 SECTION 9: All ordinances or parts of ordinances, sections, subsections,
15 phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las
16 Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this ____ day of _____,
18 2005.

19 APPROVED:

20

21 By OSCAR B. GOODMAN, Mayor

22

23 ATTEST:

24

25 BARBARA JO RONEMUS, City Clerk

26 APPROVED AS TO FORM:

27 Val Steed 4-20-05
Date

28

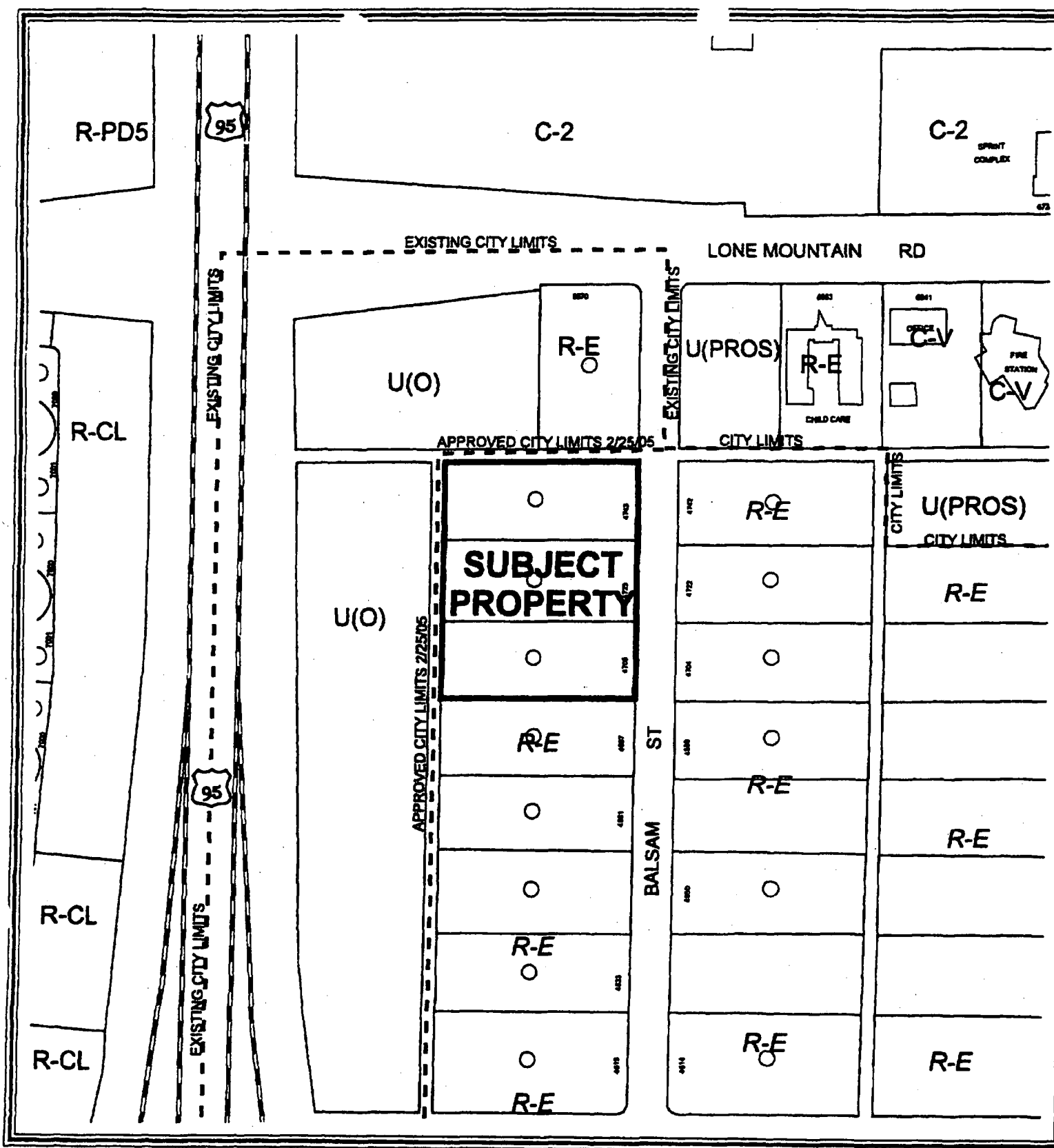
1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:
8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____
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28

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

BARBARA JO RONEMUS, City Clerk



CASE: ANX-6060



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2005-30 - Levies Assessment for Special Improvement District No. 1485 - Alta Drive (Rancho Drive to approximately 275 feet west of Lacy Lane) (Landscape Maintenance FY2006) Sponsored by: Step Requirement

Fiscal Impact:

☐ No Impact	Amount:	\$49,240.38
☒ Budget Funds Available	Dept./Division:	Public Works/SID
☐ Augmentation Required	Funding Source:	Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

Levies the assessment for the annual maintenance costs of street beautification improvements along Alta Drive from Rancho Drive to approximately 275 feet west of Lacy Lane. The fiscal amount reflects the estimated maintenance costs from July 2005 through June 2006.

RECOMMENDATION:

ADOPTION at 5/18/2005 City Council meeting pursuant to the 5/17/2005 Recommending Committee.

First Reading - 5/4/2005; First Publication - 5/7/2005.

BACKUP DOCUMENTATION:

Bill No. 2005-30

MOTION:

WOLFSON - Second Reading and BILL ADOPTED as recommended as Ordinance No. 5772 - UNANIMOUS with GOODMAN excused

Clerk to proceed with second publication

MINUTES:

COUNCILWOMAN TARKANIAN pointed out that staff met with the residents to review the maintenance contract, which staff is monitoring closely and may possibly use a different company.

There was no discussion.

(10:33 - 10:34)

1-3431

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 – ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance) (hereinafter the "District"), to defray the annual maintenance costs of a street beautification project within the District (hereinafter the "Maintenance Project") as defined in Chapter 271, Nevada Revised Statutes and has provided that the entire cost and expense of the Maintenance Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Consolidated Local Improvement Law; and

WHEREAS, the City Council has heretofore determined that the entire cost and expense of the Maintenance Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

WHEREAS, in accordance with NRS 271.360 and NRS 271.378, the City Council has heretofore determined, and does hereby declare, that the net cost of the Maintenance Project for FY2006 (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$49,240.38, of which, \$0.00 is available from other sources and of which \$49,240.38 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the Maintenance Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the Director of Public Works with the assistance of the Engineering Integration Division (hereinafter the "Engineer") to make out a final assessment roll; and

WHEREAS, after a determination of the costs of such work to be paid by the property specially benefited, the City Council, together with the Engineer made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon; and

WHEREAS, the Engineer has reported the final assessment roll to the City Council and has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, April 6, 2005, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Maintenance Project in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the Engineer has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for the Maintenance Project in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, April 6, 2005, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on March 2, 2005; and

WHEREAS, the City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing on April 6, 2005, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1485 (FY2006) Assessment Protest Resolution; and

WHEREAS, by the District No. 1485 (FY2006) Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor the total cost of the Maintenance Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Maintenance Project, with funds completely derived from the levy of assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1485 (FY2006) Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1485 (FY2006) Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1485 – Alta Drive (Landscape Maintenance FY2006) including, but not limited to, the creation of the District, the amount of the maintenance contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value

increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying the costs and expenses of the Maintenance Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by the Maintenance Project) and described in the final assessment roll for the District, as filed in the office of the City Clerk on March 2, 2005, and as modified and confirmed by the District No. 1485 (FY2006) Assessment Protest Resolution duly adopted by the City Council on May 4, 2005.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand; provided that all or any part of such assessments may, at the election of the owner, be paid in installments, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in four (4) substantially equal quarterly installments of principal until paid in full, without interest, payable at the office of the City Treasurer on July 1, 2005, October 3, 2005, January 2, 2006 and April 3, 2006. Failure to pay any installment when due shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City, the exercise of said option to be indicated by the commencement of foreclosure proceedings by the City; and the whole amount of the unpaid principal shall, after such delinquency, whether said option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest until the day of sale or until paid, but at any time prior to the date of the sale the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, and all penalty interest accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The

owner of any property assessed and not in default as to any installment or payment may, at any time (at the option of such owner), pay the whole or any installment of the unpaid principal.

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the property owner's application for renewal of the Hardship Determination is disapproved; or (c) the property owner pays all previous and current assessments. The property owner shall file an application for renewal of the Hardship Determination each year when the Maintenance Project is levied. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. May 22, 2005) until paid. The lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal, penalties, and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Council may require the City Treasurer to apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.625. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable and the last day for their payment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher or his designee and filed with the City Clerk of the City. In accordance with NRS 271.390(2) the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her

last known address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments have been paid in full or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

**NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR
LANDSCAPE MAINTENANCE IN CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE
MAINTENANCE FY2006)**

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1485 (FY2006) Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on May 18, 2005. The Levy Ordinance levied and assessed the cost and expense of landscape maintenance against the lots, tracts and parcels of land specially benefited by the maintenance in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1485 - Alta Drive (Landscape Maintenance)," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer in Las Vegas, Nevada, on or before June 21, 2005, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, without interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in four (4) substantially equal quarterly installments of principal until paid in full, being payable at the office of the City Treasurer in Las Vegas, Nevada, on July 1, 2005, October 3, 2005, January 2, 2006, and April 3, 2006. Failure to pay any assessment installment when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal will, after such delinquency, whether the City's option is or is not exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid, but at any time prior to the date of the sale, the owner may pay the amount of all delinquent

installments originally becoming due on or before the date of payment, and all penalty interest accrued, and will thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal.

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the property owner's application for renewal of the Hardship Determination is disapproved; or (c) the property owner pays all previous and current assessments. The property owner shall file an application for renewal of the Hardship Determination each year when the Maintenance Project is levied. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from May 22, 2005, (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this May 18, 2005.

BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before May 18, 2005, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006) PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 20th day of April, 2005, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 18th day of May, 2005.

**/s/ Barbara Jo Ronemus
City Clerk**

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:

(Form for Publication After Final Adoption of Ordinance)

ORDINANCE NO. _____

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1485 - ALTA DRIVE (LANDSCAPE MAINTENANCE FY2006); PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF MAINTAINING STREET BEAUTIFICATION IMPROVEMENTS; ASSESSING THE COST OF MAINTENANCE AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID MAINTENANCE; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on May 4, 2005, and was passed at a regular meeting held on May 18, 2005, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

Oscar B. Goodman
Gary Reese
Larry Brown
Lawrence Weekly
Michael Mack
Steve Wolfson
Lois Tarkanian

Those Voting Nay:

Those Absent:

This Ordinance shall be in full force and effect from and after May 22, 2005, i.e., the day after its publication by title only.

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada, has caused this Ordinance to be published by title only.

This 18th day of May, 2005.

/s/ OSCAR B. GOODMAN
Mayor
City of Las Vegas, Nevada

(SEAL)

Attest:
/s/ BARBARA JO RONE MUS
City Clerk

Section 16. That if any section, paragraph, clause or other provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this Ordinance.

Introduced May 4, 2005, PASSED, ADOPTED AND APPROVED May 18, 2005.

OSCAR B. GOODMAN, Mayor

Attest:

BARBARA JO RONEMUS, City Clerk

Approved as to Form:

21 APR 2005 N 2/any
Date Deputy City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) SS
)
CITY OF LAS VEGAS)

I, Barbara Jo Ronemus, the duly chosen, qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on May 4, 2005, and finally adopted and approved on May 18, 2005.

2. The following members of the City Council were present at the May 4, 2005, Council meeting:

Mayor:	Oscar B. Goodman
Councilmembers:	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

3. The foregoing Ordinance was first proposed and read by title to the City Council on May 4, 2005, and referred to a committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said Ordinance on May 18, 2005, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the May 18, 2005, meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye:	Oscar B. Goodman
	Gary Reese
	Larry Brown
	Lawrence Weekly
	Michael Mack
	Steve Wolfson
	Lois Tarkanian

Those Voting Nay:	_____

Those Absent:	_____

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on May 4, and May 18, 2005. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on May 4, 2005, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on May 18, 2005, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand on this May 18, 2005.

BARBARA JO RONEMUS, City Clerk

(SEAL)

EXHIBIT A

(Attach Copy of Notice of May 4, 2005 Meeting)

EXHIBIT B

(Attach Copy of Notice of May 18, 2005 Meeting)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-26 - Annexation No. ANX-3026 - Property location: On the north side of Moccasin Road, between the Buffalo Drive alignment to the east and Spin Ranch Road to the west; Petitioned by: City of Las Vegas; Acreage: 7,683 acres; Zoned: R-U (County zoning), U (RC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes or re-annexes certain real property generally located as described above. The annexation is at the request of the City, with a statement of non-objection having been filed by the Bureau of Land Management as owner. The annexation was previously the subject of Ordinance No. 5657, recorded in 2004, but is being reprocessed because of a possible misreading of State law concerning the annexation procedure to be used. This bill will accomplish the annexation/reannexation and establish appropriate effective dates.

RECOMMENDATION:

ADOPTION at 6/1/2005 City Council meeting pursuant to the 5/17/2005 Recommending Committee.

First Reading - 5/4/2005; First Publication - 5/20/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/1/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-27 - Annexation No. ANX-5528 - Property location: Bounded by Iron Mountain Road to the south, Puli Road to the west, Hualapai Way to the east, and Moccasin Road to the north; Petitioned by: Southwest Desert Equities, LLC, et al.; Acreage: 538.42 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally described as bounded by Iron Mountain Road to the south, Puli Road to the west, Hualapai Way to the east, and Moccasin Road to the north. The annexation is at the request of the majority of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 10, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 6/1/2005 City Council meeting pursuant to the 5/17/2005 Recommending Committee.

First Reading - 5/4/2005; First Publication - 5/20/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/1/2005 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2005-28 - Annexation No. ANX-6042 - Property location: On the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue; Petitioned by: Leech West, LLC; Acreage: 9.63 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 10, 2005) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 6/1/2005 City Council meeting pursuant to the 5/17/2005 Recommending Committee.

First Reading - 5/4/2005; First Publication - 5/20/2005

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/1/2005 Council Agenda

THE MORNING SESSION RECESSED AT 10:35 A.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO RONEMUS**☐ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE - Motion to STRIKE Item 76 [6101 Denver Circle]; and HOLD IN ABEYANCE Item 86 [VAC-6184], Item 109 [SUP-6219] and Item 110 [SDR-6220] to 6/1/2005 - UNANIMOUS with WEEKLY excused

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT explained that Item 109 [SUP-6219] and Item 110 [SDR-6220] are being held as a result of clerical error. There was an error in the notification given to the surrounding property owner and the City Attorney's Office decided it would be best to hold the items until the 6/1/2005 City Council Meeting. It has been arranged with the City Clerk's Office that these two items will be heard at the first part of the Planning section of City Council.

(1:33 - 1:35)

3-1084

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: ORLANDO SANCHEZ**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

ABEYANCE ITEM - Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 6101 Denver Circle. PROPERTY OWNER: CHARLES ERBACHER - Ward 2 (Wolfson)

Fiscal Impact:

☐ No Impact	Amount:	\$1,123.55
☒ Budget Funds Available	Dept./Division:	Neigh. Services/Response
☐ Augmentation Required	Funding Source:	General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired ADS Environmental & Construction, Inc., - Nevada to remove all scattered refuse, waste, litter, and debris from the property, remove inoperable/abandoned black Nissan Maxima from the driveway, remove all overgrown weeds and vegetation and posting "No Trespassing" signs on site.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1,123.55 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE - Motion to STRIKE Item 76 [6101 Denver Circle]; and HOLD IN ABEYANCE Item 86 [VAC-6184], Item 109 [SUP-6219] and Item 110 [SDR-6220] to 6/1/2005 - UNANIMOUS with WEEKLY excused

MINUTES:

There was no discussion.

(1:33 - 1:35)

3-1084

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

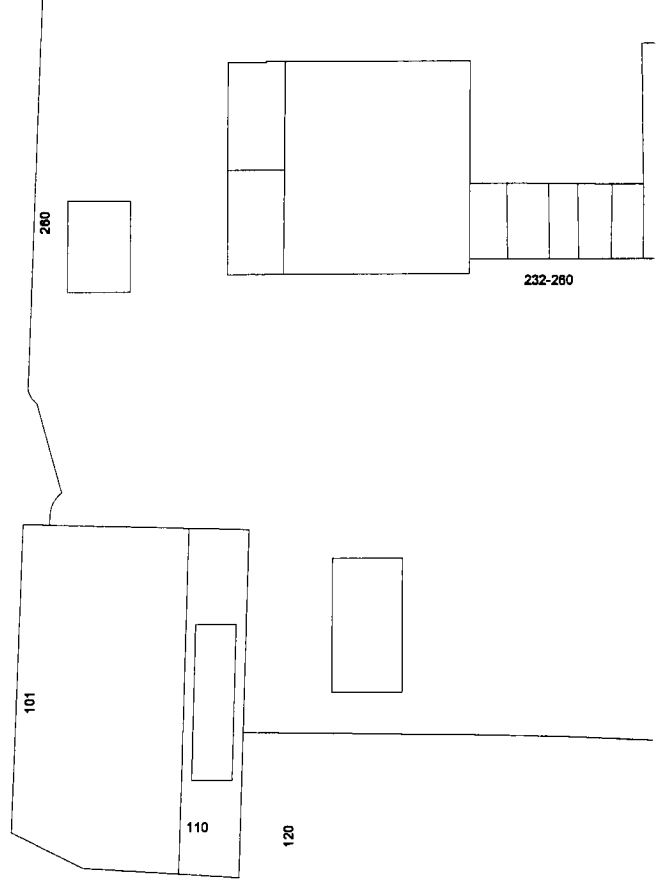
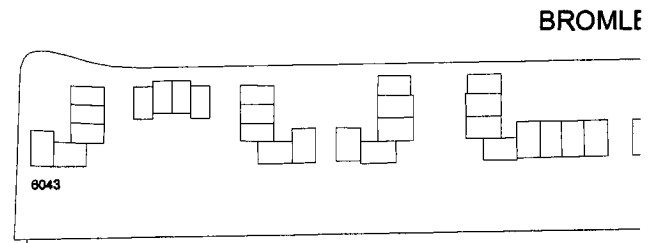
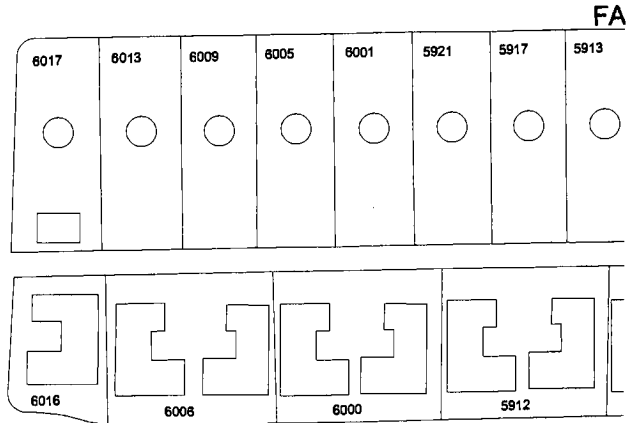
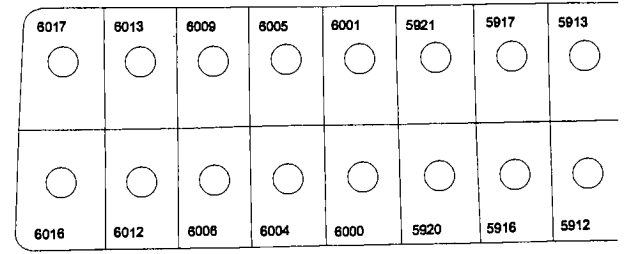
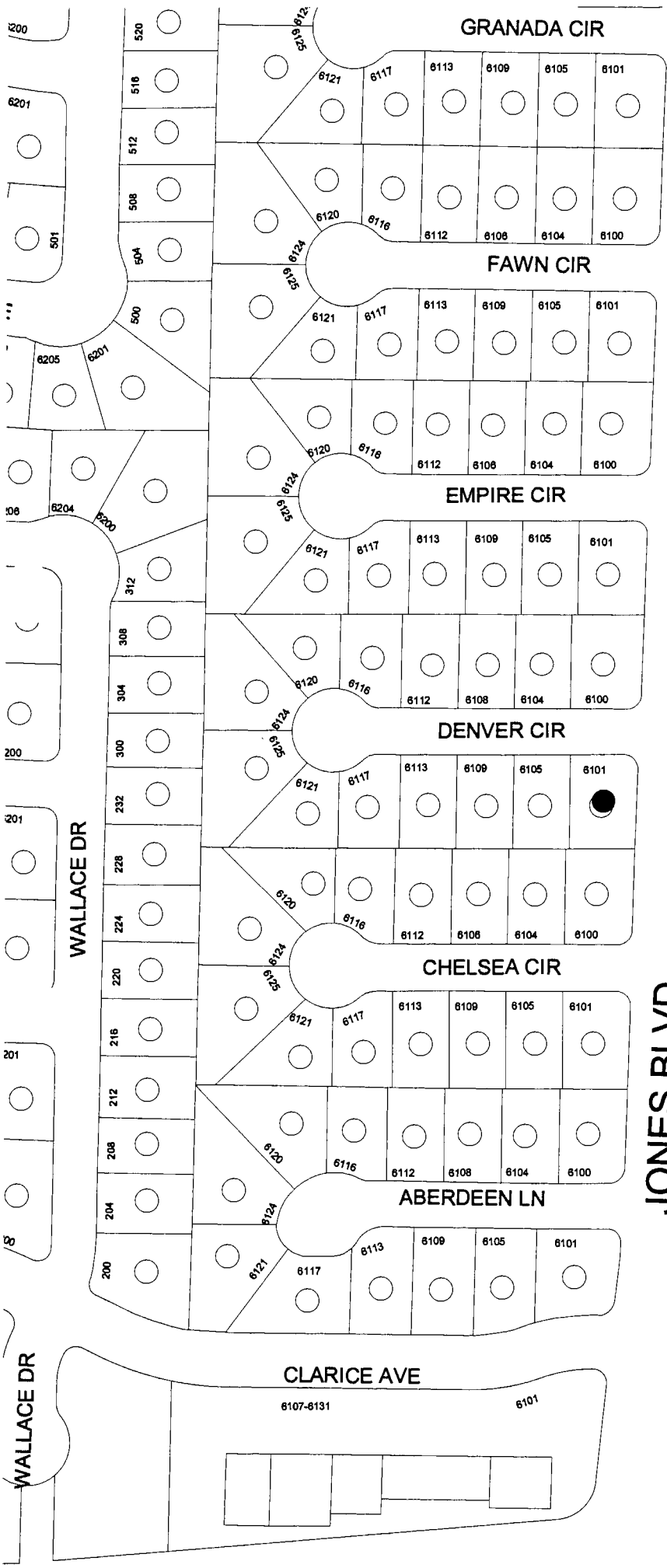
DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: ABEYANCE ITEM - Public Hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 6101 Denver Circle. PROPERTY OWNER: CHARLES ERBACHER – Ward 2 (Wolfson)

ADS Environmental & Construction, Inc., - Nevada completed work on December 13, 2004 at a cost of \$977.00, plus a 15% administrative fee, for a total of \$1,123.55.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the "Uniform Code for the Abatement of "Nuisance", the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk
From: Devin S. Smith, Manager – Neighborhood Response Division
CC: File
Date: April 8, 2005
Re: Report of Expenses for the abatement of Nuisance/Litter located at 6101 Denver Circle - Ward 2 (Wolfson)

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Nuisance/Litter," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing all scattered refuse, waste, litter, and debris from the property, removing inoperable/abandoned black Nissan Maxima from the driveway, removing all overgrown weeds and vegetation and posting "No Trespassing signs on site. ADS Environmental & Construction, Inc. – Nevada completed the work on December 13, 2004 at a cost of \$977.00, which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Removing scattered refuse, waste, litter and debris, removing inoperable/abandoned black Nissan Maxima from driveway, removing all overgrown weeds and vegetation and posting No Trespassing signs.	\$977.00
AMOUNT DUE	\$977.00
Administrative Processing Fee:	\$146.55
TOTAL AMOUNT DUE:	\$1,123.55
OWNER OF RECORD:	CHARLES ERBACHER
PROPERTY ABATED:	6101 Denver Circle
ASSESSOR PARCEL:	138-26-813-021
LEGAL DESCRIPTION:	CHARLESTON HGTS TRACT #28A
	PLAT BOOK 6 PAGE 57
	LOT 34 BLOCK 1

DSS:jl

ADS Consulting Inc.
1801 S Eastern Ave.
Las Vegas, NV 89104

Disclosure of Principals

The principals and partners of ADS Consulting, and all persons and entities holding more than 1% interest in ADS Consulting or any principal of ADS Consulting are the following:

Full Name	Business Address	Business Phone
1. <u>Nelson Quetzada</u>	<u>1801 S. Eastern Avenue</u>	<u>(702) 531 3336</u>
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

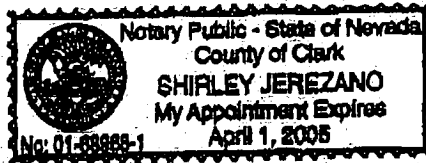
I certify under penalty of perjury, that the foregoing list is full and complete.

ADS Consulting

By: _____

STATE OF NEVADA)
COUNTY OF CLARK }

Subscribed and sworn to before me, a Notary Public,
on this 24th day of April, 2002.



Shirley Jerezano
NOTARY PUBLIC in and for said
County and State



NOTICE OF PUBLIC HEARING MAY 4, 2005

Pursuant to Title 9, Chapter 12 of the Las Vegas Municipal Code NOTICE IS HEREBY GIVEN THAT ON **Wednesday, May 4, 2005** at the hour of **1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following **REPORT OF EXPENSES** submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing all scattered refuse, waste, litter and debris from the property, removing inoperable/abandoned black Nisan Maxima from the driveway, removing all overgrown weeds and vegetation and posting "No Trespassing" signs on property located at **6101 DENVER CIRCLE** legally described as **CHARLESTON HGTS TRACT #28A, PLAT BOOK 6 PAGE 57 LOT 34 BLOCK 1** Owner of record at time of abatement: **CHARLES ERBACHER – WARD 2 (WOLFSON)**

The Director of Neighborhood Services certifies in the report that the sum of \$1,123.55 was expended (\$977.00 to ADS Environmental & Construction, Inc. for cleaning the property; and \$146.55 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS
CITY CLERK

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
EVE WOLFSON
JOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009



Address: 6101 DENVER CIR

VACANT HOUSE, HIGH WEEDS

Parcel(s)

Parcel:	Size:	Subdivision Name:
13826813021	0.16 ACRE	CHARLESTON HGTS TRACT #28A

Owner Information:

10-Aug-02	05-Feb-03	RAMOS MANUEL TREJO 6101 DENVER CIR; LAS VEGAS, NV 89107-1469
05-Feb-03	14-Feb-03	UNIVERSAL MORTGAGE CORPORATIONQQ P O BOX 2082; MILWAUKEE, WI 53203
14-Feb-03	05-Mar-03	UNIVERSAL MORTGAGE CORPORATIONQQ P O BOX 2082; MILWAUKEE, WI 53201-2082
05-Mar-03	12-Mar-03	SECRETARY HOUSING & URBAN DEV 744 N FOURTH ST; MILWAUKEE, WI 53203
12-Mar-03	04-Jun-03	SECRETARY HOUSING & URBAN DEV 744 N FOURTH ST; MILWAUKEE, WI 53203-2112
04-Jun-03	09-Jul-03	REEVES DORTHEA 6101 DENVER CIR; LAS VEGAS, NV 89107-1469
09-Jul-03	16-Jul-03	ERBACHER CHARLES 6170 W LAKE MEAD BLVD #349; LAS VEGAS, NV 89108
16-Jul-03	24-Feb-05	ERBACHER CHARLES 6101 DENVER CIR; LAS VEGAS, NV 89107
24-Feb-05		ERBACHER CHARLES 6170 W LAKE MEAD BLVD #349; LAS VEGAS, NV 89108-2661

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
860034	Failed		8/10/2004	08/10/2004 15:41	08/10/2004 15:56	15
860034	Passed	Partial	8/23/2004	08/16/2004 10:18	08/16/2004 10:23	5
860034	Passed	Partial	8/23/2004	08/25/2004 8:00	08/25/2004 8:15	15
860034	Passed	Partial	9/1/2004	09/01/2004 15:00	09/01/2004 15:10	10
970581	Passed	Partial	9/20/2004	09/11/2004 7:01	09/11/2004 7:08	7
860034	Failed		9/20/2004	09/20/2004 13:03	09/20/2004 13:13	10
860034	Passed	Partial	10/18/2004	10/07/2004 9:43	10/07/2004 9:48	5
860034	Failed		10/18/2004	10/18/2004 10:53	10/18/2004 11:00	7
870076	Passed	Partial	11/19/2004	11/15/2004 8:51	11/15/2004 9:13	22
870076	Passed		11/30/2004	11/18/2004 14:37	11/18/2004 14:49	12
870076	Passed		2/4/2005	02/04/2005 12:51	02/04/2005 12:55	4
Time in Minutes:						112

Violation Details

Violation	Violation DT	Resolve DT	Location:
------------------	---------------------	-------------------	------------------

A-WEEDS	8/10/2004	11/18/2004	All Yards
Trim, cut, & remove all weeds & turf grass exceeding 8 inches in height.			
A-VEHICLE	8/10/2004	11/18/2004	Driveway
Remove abandoned/junk vehicle (Black Compact).			
A-REFUSE/WST	8/10/2004	11/18/2004	Property
Remove bogs of garbage, scattered litter, trash, & debris.			
A-PAINTING	9/1/2004	11/18/2004	Fence line along Jones Blvd
Repair or replace deteriorated fence along Jones Blvd.			

Log

Type:	Date:	Employee:	Min:
MEET	5/5/2005 7:48:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on May 18, 2005.			
DIRECT	5/4/2005 7:14:00 AM	JESSICA LARRAMENDY	0
JL) Item held in abeyance - to go before Council on 5/18. Meeting w/Tom Green and property owner's attorney. Tom will then meet with Orlando, Steve, and Devin with resolution before next meeting.			
MISC	4/22/2005 9:29:00 AM	JESSICA LARRAMENDY	0
JL) Dropped off affidavit of posting - Public hearing Notice at City Clerk's office.			
NTCPH	4/21/2005 2:30:00 PM	PAMELA HINES	3
24)POSTED PUBLIC HEARING NOTICE ON CHAINLINK GATE (PADLOCKED). FUNNY..THE PLACE LOOKS WORSE NOW THAN IT DID BEFORE ABATEMENT...NO SIGN OF OCCUPANCY & YET PROP OWNER SWORE TO US HE LIVES HERE NOW.			
MISC	4/13/2005 6:54:00 AM	JESSICA LARRAMENDY	0
JL) Rec'd green cert card back signed - E. Diamond - Kolias Law Offices.			
LETTER	4/8/2005 9:31:00 AM	JESSICA LARRAMENDY	0
JL) Mailed report of expense letter and memo to property owner both certified and regular mail. Also mailed certified and regular mail to Marina E. Kolias, attorney.			
MEET	3/30/2005 10:31:00 AM	JESSICA LARRAMENDY	0
JL) Prepared to go before Council for approval of lien on May 4, 2005.			
PHONE	3/30/2005 9:36:00 AM	JESSICA LARRAMENDY	0
JL) Spoke to Marina Kolias regarding status of property and if we should be going before Council to place lien or if he wanted to pay for abatement. She stated for us to put before Council on 5/4 and cc her.			
DIRECT	3/17/2005 7:54:00 AM	JESSICA LARRAMENDY	0
JL) Per OS, have DSS call attorney regarding abatement fees and if owner is going to pay or if we need to go before Council for approval to place lien. File to DSS.			
MISC	2/28/2005 6:58:00 AM	JESSICA LARRAMENDY	0
JL) Rec'd certified letter back - Unclaimed.			
DIRECT	2/8/2005 1:41:00 PM	KIMBERLY BARRERA	0
kb) Orlando & Devin meeting with Atty-Marina Kolias and owner on 2/14/05 to resolve			
MISC	2/8/2005 9:48:00 AM	JESSICA LARRAMENDY	0
JL) Per email from Kim - strike item for hearing from agenda.			
NTCPH	2/4/2005 12:51:00 PM	PAMELA HINES	4
24)POSTED TO CHAIN LINK GATE @ FRONT OF DRIVEWAY			
MISC	2/2/2005 10:57:00 AM	JESSICA LARRAMENDY	0
JL) Rec'd certified green card back from Charles Erbacher's attorney signed by Erica Diamond.			
LETTER	1/27/2005 9:24:00 AM	JESSICA LARRAMENDY	0
JL) Mailed report of expense letter and memo to Charles Erbacher's attorney - Marina E. Kolias, certified			
MEET	1/27/2005 8:02:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on 2/16/05			
LETTER	1/27/2005 8:02:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense letter and memo mailed to property owner.			

MISC	1/26/2005 6:57:00 AM	JESSICA LARRAMENDY	0
JL) After speaking with #24, she informed me that the Black Nissan Maxima was towed the day after the post video was taken. The vehicle was towed per our request to ADS in the bid.			
DIRECT	1/19/2005 2:02:00 PM	JESSICA LARRAMENDY	0
JL) Per OS - will prepare case to go before Council for approval on lien.			
PHONE	1/10/2005 3:28:00 PM	JESSICA LARRAMENDY	0
JL) Spoke w/Marina - requested copy of video tape of 6101 Denver. Informed her per City Clerk's office, to send a written request to them stating they wanted a copy of tape. (P) 474-4417 (F) 474-4419.			
MISC	1/10/2005 2:10:00 PM	KATHY STEWART	0
ks) Sent Invoice (\$977) from ADS Environmental & Construction, Inc. to Finance for payment. Gave file to Jessica Larramendy for Council.			
MISC	1/7/2005 8:19:00 AM	KATHY STEWART	0
ks) Invoice from ADS Environmental to Orlando for signature.			
MISC	12/15/2004 11:09:00 AM	JESSICA LARRAMENDY	0
JL) Spoke with Marina (Attorney hired by property owner). Advised her that the appeal hearing will be scheduled for 1/19/05 before Council.			
MISC	12/8/2004 7:55:00 AM	KATHY STEWART	0
ks) Gave file to Jessica.			
VIDPST	11/18/2004 2:37:00 PM	KATHY STEWART	12
24) All oleander bushes trimmed, garbage, debris removed. The area under & around vehicle has been cleaned. Litter in corners removed. Looks good.			
VIDPRE	11/15/2004 8:57:00 AM	KATHY STEWART	16
24) Pre-Video Insp. R&W in rear yard, along NW perimeter. Low hanging limbs on oleander bushes, litter in SE corner, Bags of garbage on rear patio, leaking/open. A black Maxima w/webs, litter under veh, unreg in d/w. Dead/dry bush in front of house.			
FAX	11/12/2004 3:36:00 PM	KATHY STEWART	0
ks) Per fax from ADS, start date will be 11/15 @ 10 a.m.			
BIDA	11/8/2004 1:57:00 PM	KATHY STEWART	0
ks) Faxed Award letter to ADS. Contractor to call with a start date within five days. Award letter attached in OLE.			
DIRECT	11/3/2004 7:44:00 AM	KATHY STEWART	0
Per Steve Harsin, award bid to lowest bidder, ADS (\$977).			
BIDR	11/3/2004 7:00:00 AM	KATHY STEWART	0
Received bids from contractors (1) ADS-\$977; (2) Weaver-\$1,275; (3) C&W-\$1,900; (4) KO-\$1,949. Sent e-mail to Steve Harsin & Pam Hines with the bid results.			
BIDS	10/27/2004 7:57:00 AM	KATHY STEWART	0
Faxed Invitation to Bid to contractors. Bids due by COB 11/2. Invitation to Bid attached in OLE.			
MISC	10/20/2004 10:35:00 AM	KATHY STEWART	0
Received Certified letters back from Charles Erback, 3316 Valley Lane & 6170 W. lake Mead Blvd. #349, Return to Sender, Attempt Not Known. Sent letter to #27 to file.			
DIRECT	10/20/2004	KATHY STEWART	0
24) Proceed with bids.			
INSP	10/18/2004 10:53:00 AM	KATHY STEWART	7
27) Fence repaired. Vehicle remains on driveway. Some high weeds, brush, & scattered litter remain on all yards. ASSESS FEE. Proceed with abatement.			
MISC	10/18/2004 10:35:00 AM	KATHY STEWART	0
Received regular letter back Return to Sender, Not at This Address, No Forwarding Address. Sent letter to #27 to file.			
MISC	10/14/2004 10:55:00 AM	KATHY STEWART	0
Received Certified Card back from owner signed. (1982 Rainbow Blvd. #136). Received Regular letter, 3316 Valley Lane, Return to Sender, Attempt Not Known. Regular letter, 627 Hull St., Expired. Sent card & letters to #27 to file.			
MISC	10/14/2004 8:13:00 AM	KATHY STEWART	0
ks) Received Certified letters back Return to Sender, Attempt Not Known. Sent letter to #27 for filing.			
MISC	10/14/2004 7:36:00 AM	KATHY STEWART	0
ks) Sent Recorded N&O letter to #27 for filing.			

RECORD	10/13/2004 3:14:00 PM	JESSICA LARRAMENDY	0
JL) Recorded Notice & Order at Clark County. Book: 20041013 Inst: 02997.			
NOPOST	10/7/2004 2:33:00 PM	LYNN NIHIPALI	7
27)POSTED COPY OF N&O @ 517 VAN BUREN, THIS IS A VACANT/BOARDED BLD, POSTED ON BOARDED FRONT DOOR.			
NOPOST	10/7/2004 2:26:00 PM	LYNN NIHIPALI	5
27)POSTED COPY OF N&O @ 620 W MONROE AVE, ON FRONT OF BLDG,			
NOPOST	10/7/2004 2:06:00 PM	LYNN NIHIPALI	4
27)POSTED COPY OF N&O @ 3316 VALLEY LN, ON MAIL BOX POLE			
NOPOST	10/7/2004 10:40:00 AM	LYNN NIHIPALI	7
27)DELIVERED COPY OF N&O @ 1982 N RAINBOW #136, THIS IS "MAIL PLUS"			
NOPOST	10/7/2004 9:40:00 AM	LYNN NIHIPALI	8
27)POSTED N&O @ 6101 DENVER CIR, ON FRONT WINDOW			
INSP	10/7/2004 9:40:00 AM	LYNN NIHIPALI	8
27)NO CHANGE, CB 10/18			
LETTER	10/5/2004 3:11:00 PM	KATHY STEWART	1
N&O letter attached in OLE.			
NOTICE	10/5/2004 2:35:00 PM	KATHY STEWART	34
Sent Nuisance/Litter Abatement Notice & Order to Comply ltr to owner, Charles Erbacher & to addresses, 4542 E. Tropicana, #135; 627 Hull St, Henderson; 620 W. Monroe; 517 Van Buren; 3316 Valley La; 1982 N. Rainbow #136. POST: 10/7. C/B 10/18. File to #27			
RESEAR	9/28/2004 11:45:00 AM	LYNN NIHIPALI	10
27)CHECKED ASESSORS, SEWER, AND TEL BOOK NO GOOD CONTACT ADDRESS OF PH #. ABOVE OWNERS ADDRESS, 9170 W LAKE MEAD IS RIPS MAIL BOX STORED REFER TO 24			
MISC	9/22/2004 10:22:00 AM	KATHY STEWART	0
Received Certified letter back Return to Sender, No Forwarding Address. Sent letter to #27 for filing.			
INSP	9/20/2004 1:03:00 PM	KATHY STEWART	10
27) Fence along Jones Blvd remain the same. Some scattered trash & debris remain in front. Black Nissan Maxima inop/abandoned remains on driveway. Proceed with abatement. Assess fee. No new ownership on record. FILE SENT TO #24 FOR REVIEW.			
MISC	9/13/2004 10:35:00 AM	KATHY STEWART	0
Received Regular letter back Return to Sender, No forwarding address. Sent letter to #27 for filing.			
NOPOST	9/11/2004 7:01:00 AM	KATHY STEWART	7
26) N&O posted on front security door. Took PIXS.			
INSP	9/11/2004 7:01:00 AM	KATHY STEWART	7
26) No improvement, fence damaged & black Nissan on driveway. Took PIXS. C/B 9/20			
RECORD	9/9/2004 7:47:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O Addendum at Clark County. Book: 20040909 Inst: 02265.			
RECORD	9/9/2004 7:46:00 AM	JESSICA LARRAMENDY	0
JL) Recorded N&O at Clark County. Book: 20040909 Inst: 02264.			
LETTER	9/8/2004 11:26:00 AM	KATHY STEWART	0
N&O addendum letter attached in OLE.			
NOTICE	9/8/2004 11:00:00 AM	KATHY STEWART	25
Sent Addendum Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Charlest Erbacher. POST: 9/9. C/B: 9/20. Sent file to #27.			
NOREQ	9/2/2004 8:00:00 AM	KATHY STEWART	5
27) Submitted Addendum N&O for approval to #24. Addendum: Unpainted/Deteriorated (Structure, Fence) Repair or replace deteriorated fence along Jones Blvd.			
INSP	9/1/2004 3:00:00 PM	KATHY STEWART	10
27) No further improvement. Assess fee. Deteriorated chain link fence along Jones. Will do Addendum N&O.			
INSP	8/25/2004 8:00:00 AM	LYNN NIHIPALI	15
27)IMPROVEMENT, VEHICLE REMAINS O D/W AND SOME HIGH WEEDS T/D REMAIN ON FRONT YARD, CB 9/1			
MISC	8/20/2004 2:13:00 PM	KATHY STEWART	0
Received Certified Letter back Return to Sender, Attempt Unknown. Sent to C/E for filing.			

MISC	8/16/2004 11:38:00 AM	KATHY STEWART	0
Received Regular letter back Return to Sender, Not at this address, No Forwarding Address. Sent letter to C/E for filing.			
MISC	8/16/2004 11:25:00 AM	KATHY STEWART	3
Received Certified Card back signed. Sent to C/E for filing.			
INSP	8/16/2004 10:18:00 AM	LYNN NIHIPALI	-33661435
27)NO CHANGE			
NOPOST	8/16/2004 10:18:00 AM	LYNN NIHIPALI	-33661435
27)PSTED N&O ON PROPERTY, CB 8/23			
LETTER	8/11/2004 11:32:00 AM	KATHY STEWART	0
N&O letter attached in OLE.			
NOTICE	8/11/2004 11:05:00 AM	KATHY STEWART	25
Sent Nuisance/Litter Abatement Notice & Order to Comply letter to owner, Charles Erbacher. POST: 8/12. C/B: 8/23. Sent file to #27.			
NOREQ	8/10/2004 3:56:00 PM	KATHY STEWART	0
27) N&O referred to #24.			
INSP	8/10/2004 3:41:00 PM	KATHY STEWART	15
27) High weeds, trash/debris on all yards. Power is still on, no answer to knock or doorbell. Bldg is secure. Black Nissan on driveway. Will send N&O, refer to #24.			
<i>Time in minutes:</i>			-67322622



May 5, 2005

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
TREASURER

MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

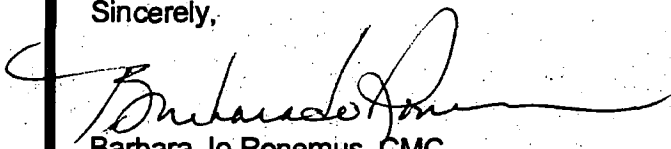
Mr. Charles Erbacher
6101 Denver Circle
Las Vegas, Nevada 89107-1469

Re: Notice of Public Hearing – 6101 Denver Circle

Dear Property Owner:

The Las Vegas City Council, at their regular meeting of May 4, 2005, held the public hearing for the aforementioned property in ABEYANCE to the May 18, 2005 City Council meeting. This item will appear on the afternoon session, which begins at 1 pm.

Sincerely,


Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Orlando Sanchez, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response Division
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Building & Safety
Larry Harala, Ward 2 Liaison

Cert # 7004 1160 0005 5215 3318

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05
CLV 7009

APN 138 26 813 021

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **CHARLES ERBACHER**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 138 26 813 021
Commonly known as: 6101 Denver Circle
Legal Description: **CHARLESTON HGTS TRACT #28A**
PLAT BOOK 6 PAGE 57
LOT 34 BLOCK 1

On December 13, 2004, as provided in the Municipal Code, Title 9, Chapter 12, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$1,123.55 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on May 18, 2005, ordered the above charges in the amount of \$1,123.55, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA)
)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this ____ day of April, 2005

NOTARY PUBLIC, in and for said County and State

WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE, LAS VEGAS, NV 89101
Ref # - 19940

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

Public hearing on annexation report for the proposed annexation area located on the south side of Centennial Parkway, east of Puli Drive (ANX-5163) - Ward 6 (Mack)

Fiscal Impact:

☒ No Impact	Amount:
☐ Budget Funds Available	Dept./Division:
☐ Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

NRS Sections 268.588 and 268.590 require a public hearing in connection with the annexation of property when the long form annexation process is utilized. By previous action, the City Council, in accordance with NRS, has adopted a resolution of intent to annex, set the date for a public hearing, and approved an annexation report regarding the proposed annexation. Notice of this May 18, 2005 public hearing has been provided in accordance with NRS. Those who wish to be heard regarding the annexation will have the opportunity.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

Annexation Report

MOTION:

None required.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

FRED SOLIS, Planner, gave the report for Annexation 5163, which outlined the services provided in the area.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:57 - 1:58)

3-2063

ANX-5163

ANNEXATION REPORT

This annexation area is generally located on the south side of Centennial Parkway, east of Puli Drive.

ANX-5163

Contents

Summary of Municipal Services to be provided

Accurate Map with Legal Description

Boundary Map/ General Land Use Map

Location Map

Map of Existing and Proposed Flood Control Facilities

Map of Existing and Proposed Sewer Facilities

Map of Existing and Proposed Water Facilities

Statement of Eligibility for Annexation

SUMMARY OF MUNICIPAL SERVICES TO BE PROVIDED
BY THE CITY OF LAS VEGAS

The City of Las Vegas will provide fire protection, street maintenance, street sweeping, and street lighting maintenance in the territory proposed to be annexed on the effective date of such annexation, on substantially the same basis and in the same manner as such services are provided by the City to the property owners and residents within the remainder of the City. Police protection and garbage collection provided by other agencies will also be provided on substantially the same basis and in the same manner as such services are provided by the City to the property owners and residents within the remainder of the City immediately prior to the effective date of the annexation.

Drainage

This text and the attached exhibits have been prepared to outline the anticipated drainage system improvements and magnitude of offsite and onsite flows in the existing and future conditions, which impact this project. This information has been taken from several studies approved by the City of Las Vegas (CLV) including the "Final Hydraulic Design Report for the Western Segment Las Vegas Beltway Ann Road to El Capitan Way Initial Improvements" by The Louis Berger Group, Inc., the "2002 Las Vegas Valley Flood Control Master Plan Update" by PBS&J, and the "Technical Drainage study for Cliffs Edge Infrastructure Phase 2" by VTN Nevada. The attached exhibits are designated as the *Existing Flow Rates*, *Future Flow Rates* and *Flood Control Facilities*.

The Western Segment Las Vegas Beltway study analyzes the existing flow rates during the 10-year and 100-year storms along various roadways or flow corridors upstream, downstream and within the project area. The existing offsite flows impacting the west perimeter of the site are perpetuated through the project to the east onto the Las Vegas Beltway where flows are collected at culvert crossing and routed through the Beltway along historical flow locations. Onsite roadways and flow corridors will be developed to perpetuate the flows accordingly. The anticipated offsite flows to have a substantial impact to the project site, as analyzed in the *Beltway and Cliff Edge* studies, are routed in Tropical Parkway, Azure Drive and Centennial Parkway. Drainage facilities would probably be required to be developed within these flow corridors to mitigate the impacts to the surrounding parcels.

The storm sewer system outlined on the attached exhibit illustrates both planned CLV local and Clark County Regional Flood Control District (CCRFCD) facilities. According to the CCRFCD "2002 Las Vegas Valley Flood Control Master Plan Update" CCRFCD facility, designated as GOAN 0061 (CAM 10 Detention Basin), would collect a 100-year flow of 2,834 cfs east of the project area. The tributary CCRFCD facilities to GOAN 0061 may need to be developed to alleviate any impacts to the surrounding parcels.

Some of these drainage facilities may be necessary to develop this project. Those improvements necessary to provide adequate flood protection to this project will be constructed by this project.

Those CCRFCD improvements not necessary to provide adequate flood protection for this project will be constructed by others.

Sewer

Service to the proposed annexation area will be provided by an extension of the existing 12" sewer line in Centennial Parkway and the existing 8" sewer line in Bright Angel Way. These existing sewer lines outfall into an existing oversize 30" sewer line in Durango Road.

Available capacity within the existing sewer lines will need to be verified with the City of Las Vegas for the proposed development within the annexation area.

The above listed facilities may require the developer to enter into extension and oversize agreements with the CLV for any portion not constructed prior to development of this property.

The existing system as outlined is shown on the attached exhibit.

Water

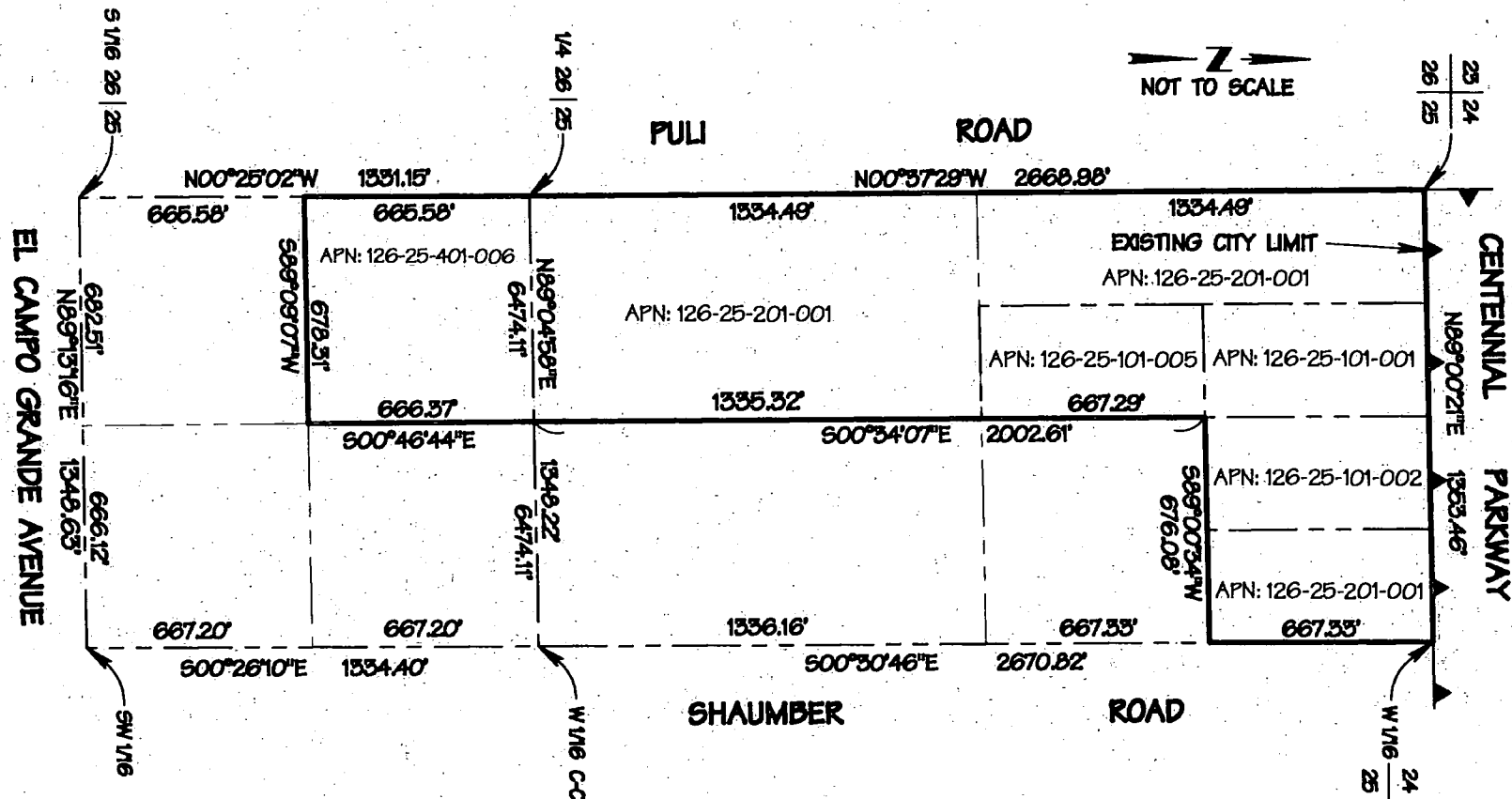
The proposed annexation area is located within the 3090 pressure zone. The LVVWD provides water service in each of these zones and has planned for the future development in the annexation area by requiring additional facilities to be constructed.

The 3090 pressure zone will be serviced from an existing 30" water line in Shaumber Road. This line is fed from the 3205 pressure zone via a pressure reducing valve (PRV).

The LVVWD will typically take 3 years to construct the required facilities and 18 months for oversized main extensions. The District's policy is to allow development demands to dictate construction schedules.

The proposed water system as outlined is shown on the attached exhibit.

PORTION OF THE W 1/2, W 1/2, SEC 25, T19S, R59E, M.D.M.,



ANX-5163

ANNEXED TO THE CITY OF LAS VEGAS UNDER ORDINANCE No. _____

THE MAP EXHIBIT WAS PREPARED PER NRS 268.600 FROM THE DATA ON THE SURVEY MAP IN FILE 104, PAGE 74 OF CLARK COUNTY, NEVADA RECORDS; SAID EXHIBIT IS NOT A RECORD OF SURVEY AS DEFINED BY NRS 625.340 TO 625.38

**CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY DESIGN
LEGAL DESCRIPTION**

A.P.N. 126-25-101-001, -002, -005; 201-001; -401-006
Reference: 20000114:01860, 20040315:01848, 20040714:03165,
Record of Survey in File 104, Page 74 (1999)

Vesting: ANX-5163

Section: W 1/2, W 1/2, SEC 25, T19S, R59E, MDM

Street/Subdivision: EAST OF PULI ROAD, SOUTH OF CENTENNIAL
PARKWAY

W.A. No. P21400

Cogo:- TM: anx-5163.pro

Requested	eb	Written	byu	Checked	nw	Proofread	nw/byu
			09-16-04		09-16-04		09-16-04

Those portions of the West Half (W 1/2) of the West Half (W 1/2) of Section 25, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, described as follows:

PARCEL 1

The Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 25.

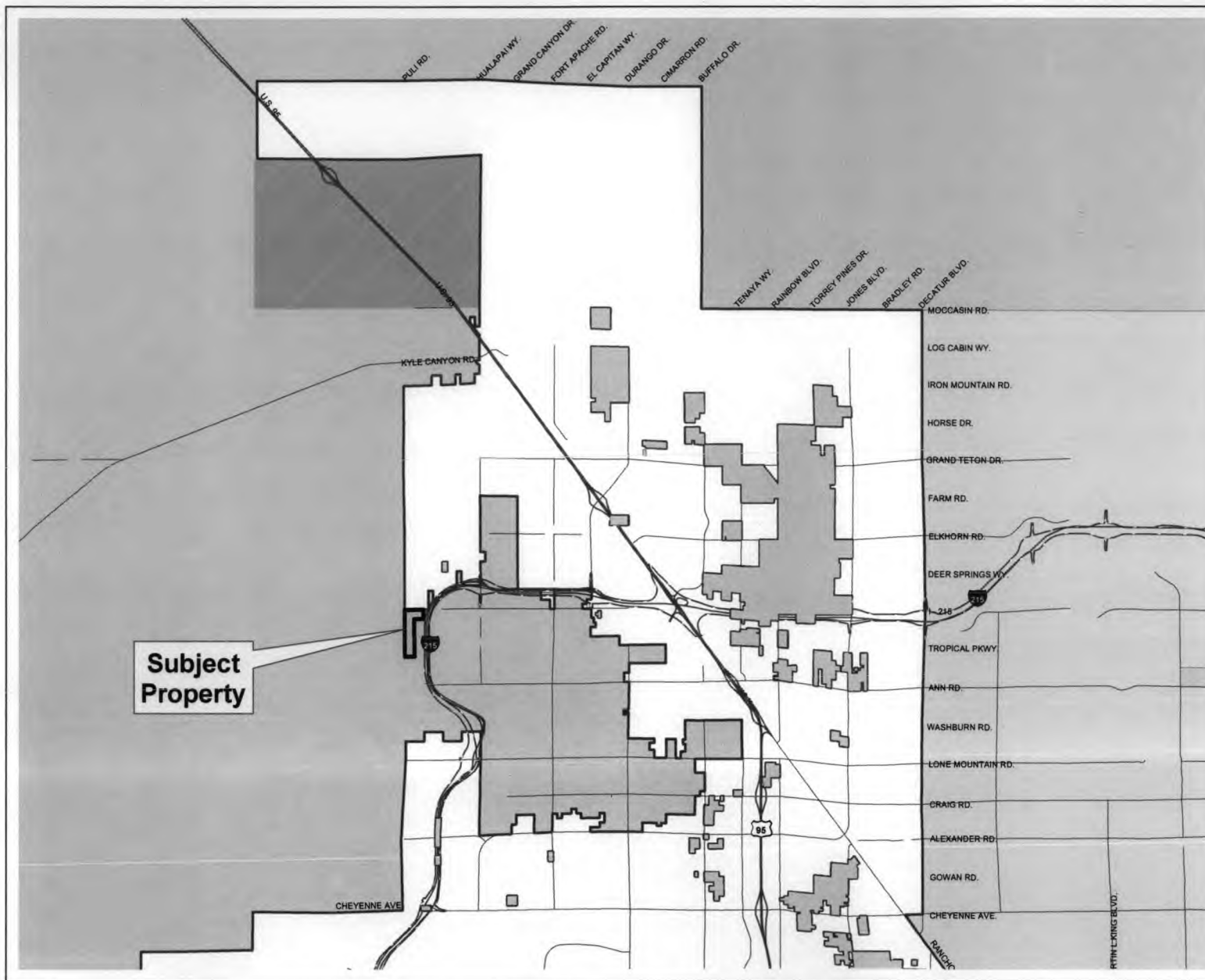
PARCEL 2

The West Half (W 1/2) of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of said Section 25.

PARCEL 3

The Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 25.

The above-described PARCEL 1, PARCEL 2, and PARCEL 3 contain a total area of 2,704,625 square feet or 62.090 acres, more or less.



City of Las Vegas

Annexation Area Location Map

ANX-5163

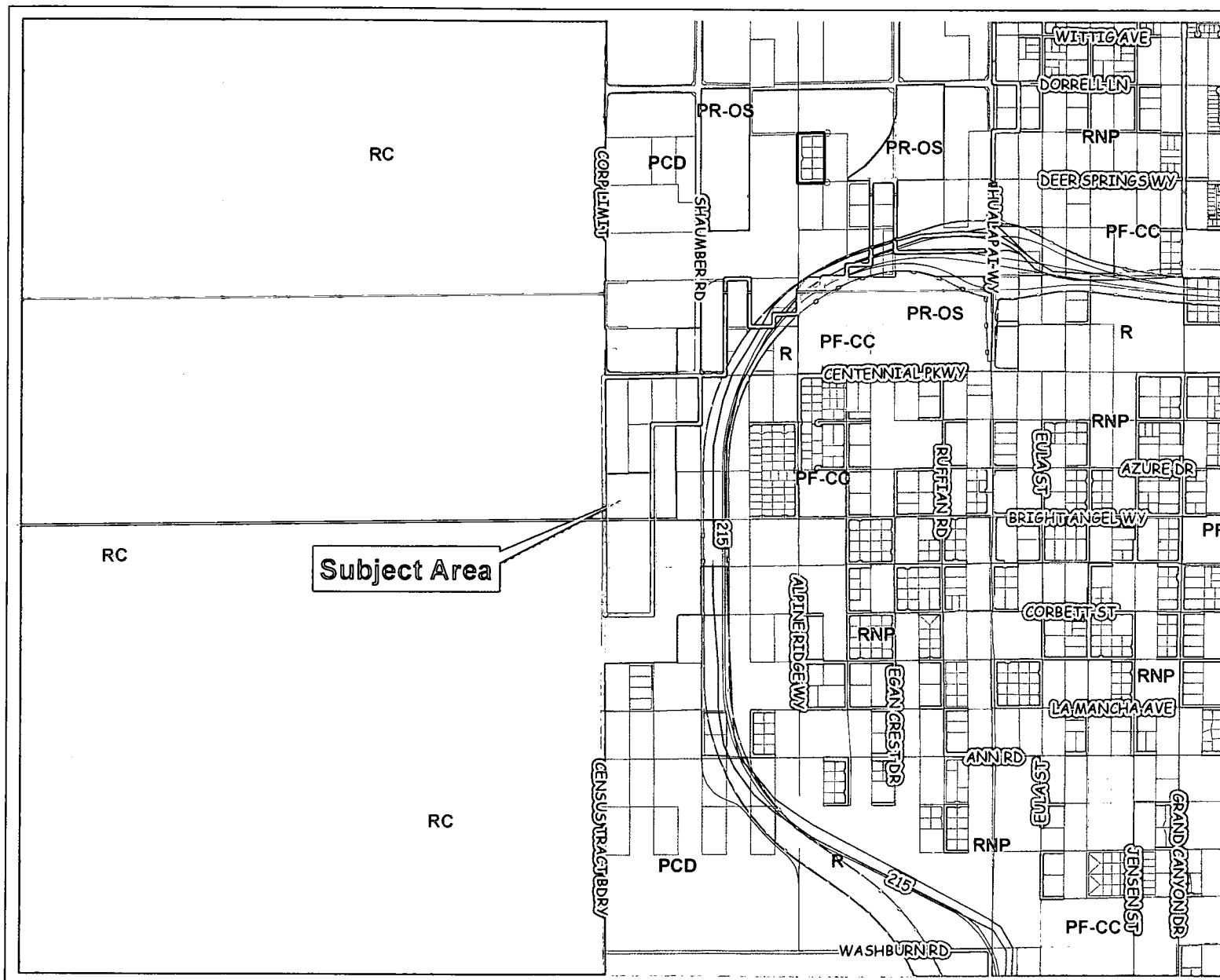
- ~ Freeways
- City of Las Vegas
- Clark County
- Paiute Indian Reservation
- North Las Vegas
- Subject Property

Plotted: March 30, 2005



GIS maps are created and
updated on a regular basis.
Data is subject to change without
notice. Map is for reference only.
Geographic Information System
Planning & Development Center
905 224-5401





City of Las Vegas

Annexation Area and
Land Use Designation

ANX-5163

~ Freeways

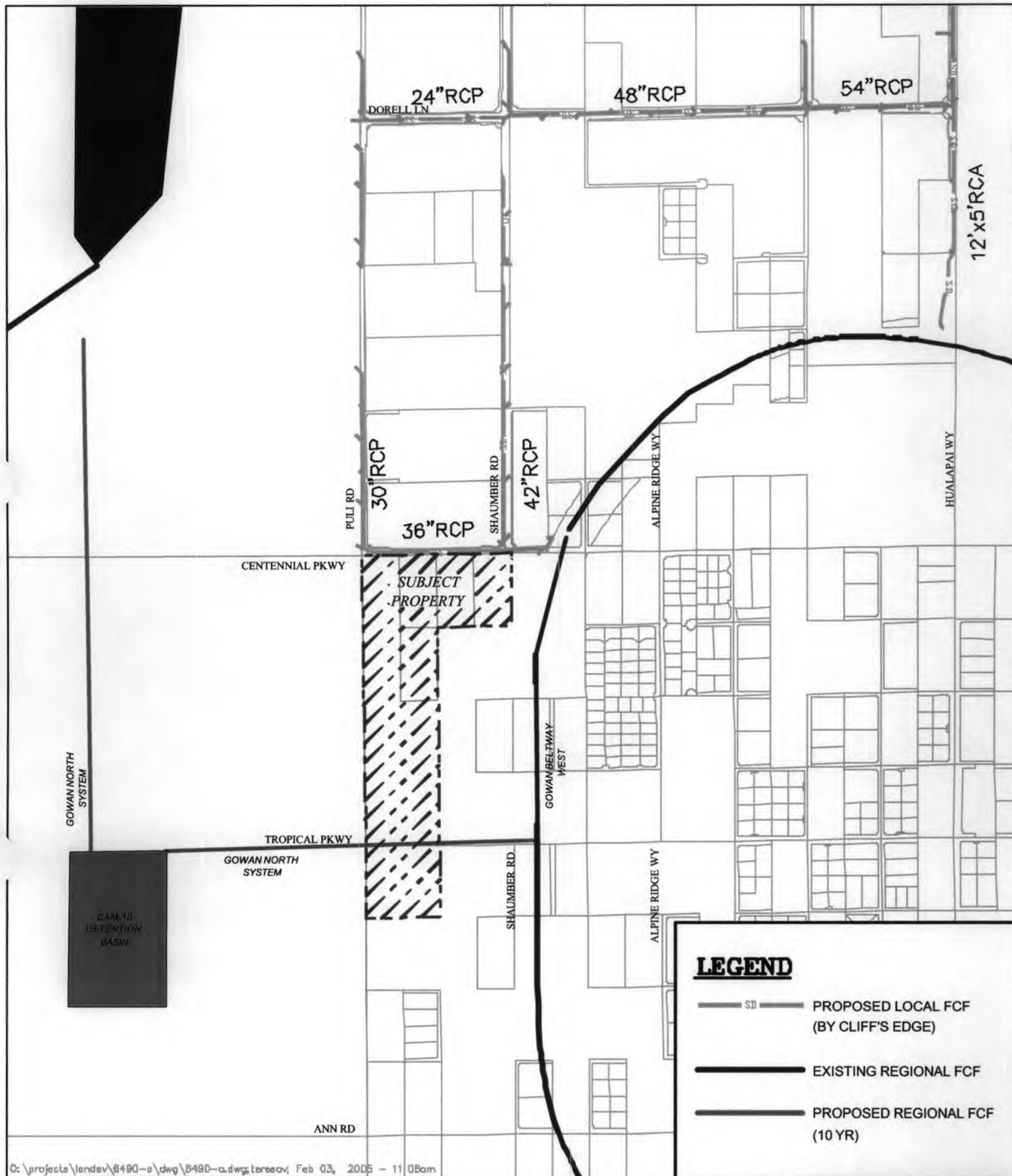
- ☒ City of Las Vegas
- ☐ Planned Community Development
- ☐ Resource Conservation
- ☐ Rural Neighborhood Preservation
- ☐ Public Facility
- ☐ Rural
- ☐ Parks, Recreation & Open Space
- ☐ Public Facility - Clark County

Plotted: March 30, 2005



GIS maps are internally produced
and do not represent the views of the City.
This map is for informational purposes only.
Geographic Information System
Planning & Development Center
May 2004



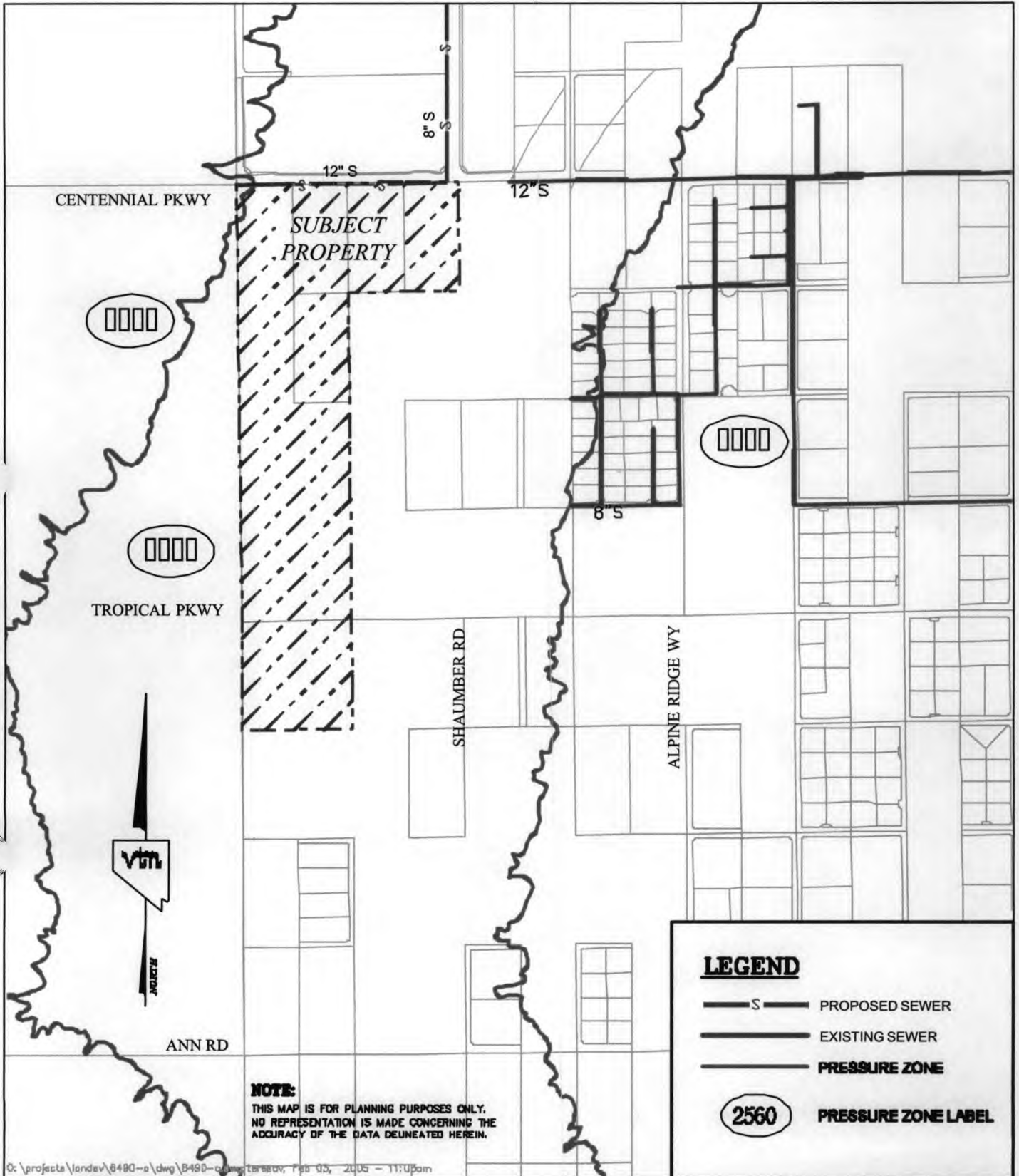


VTM nevada

2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

ANNEXATION REPORT AREA FLOOD CONTROL FACILITIES

SCALE	HORZ. 1"=1200'
	VERT.
W.O. NO.	6490-A
DRAWN BY:	TvH
DATE:	12/29/04
SHEET	OF

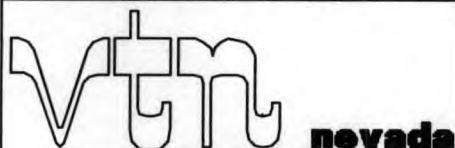
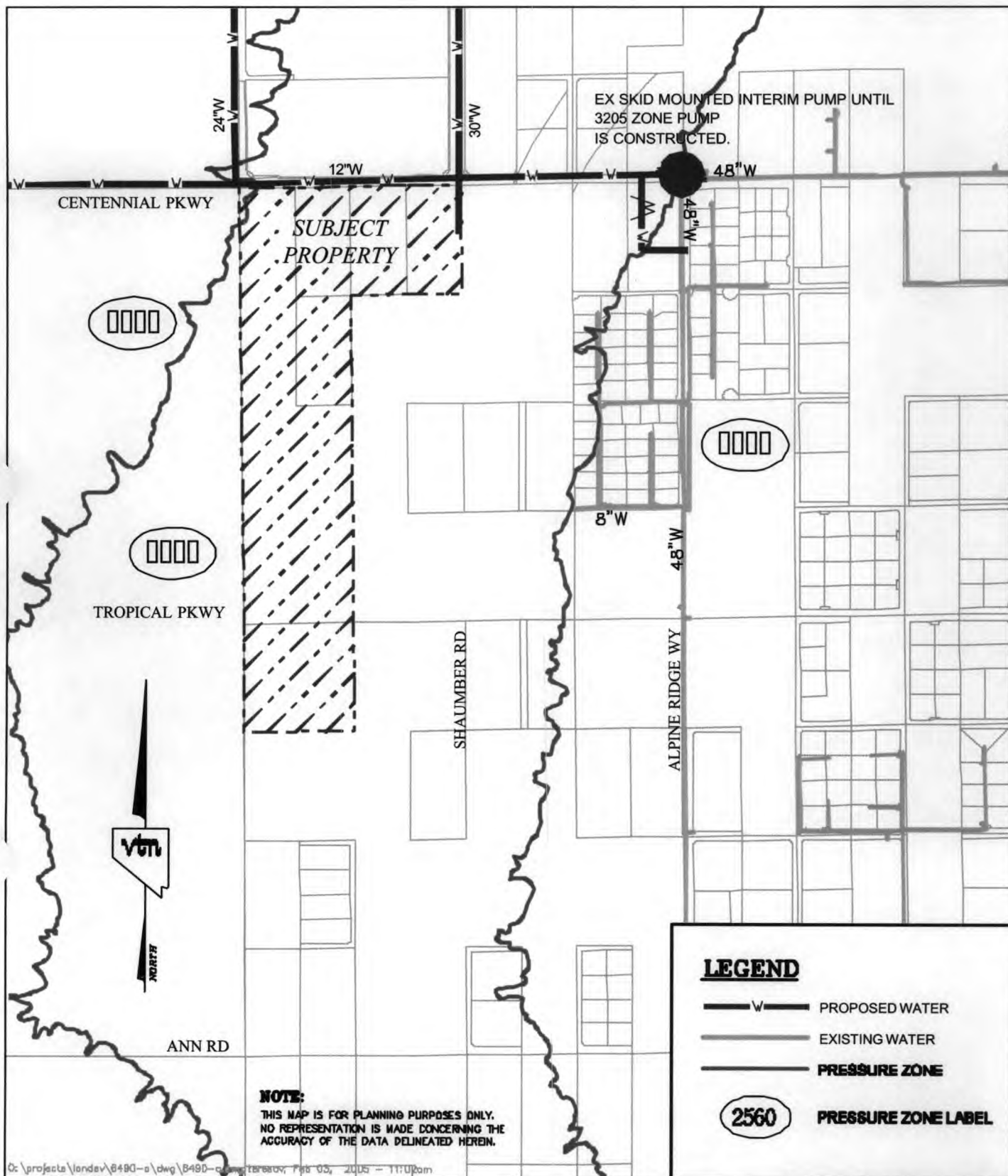


VTM nevada
2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

ANNEXATION REPORT AREA

SEWER FACILITIES

SCALE	HORZ. 1"=800'
	VERT.
W.O. NO.	6490-A
DRAWN BY:	TvH
DATE:	12/29/04
SHEET	OF



2727 S. RAINBOW BOULEVARD
LAS VEGAS, NEVADA 89146-5148

ANNEXATION REPORT AREA

WATER FACILITIES

SCALE	HORZ. 1"=800
	VERT.
W.O. NO.	6490-A
DRAWN BY:	TvH
DATE:	12/29/04
SHEET	1 OF

ELIGIBILITY FOR ANNEXATION

In order for territory to be annexed to a city within Clark County, all the territory must meet the general standards of NRS 268.580 (2) and must meet the requirements of NRS 268.580 (3), 268.580 (4), 268.580 (5) or 268.580 (6). The territory proposed for annexation in connection with this report is eligible for annexation under subsections 2 through 6 of NRS 268.580 as follows:

Subsection 2

- (a) The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted.
- (b) More than one eighth (1/8) of the aggregate external boundaries of the area are contiguous to the boundaries of the City of Las Vegas.
- (c) The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983.

Subsection 3

Not applicable.

Subsection 4

Not applicable.

Subsection 5

Not applicable.

Subsection 6

With respect to territory not owned by a governmental entity, as referred to in Paragraph (a) of this Subsection (6), the owners of record of not less than 75 percent of the individual lots or parcels of land within the territory have petitioned the City to annex the territory.

With respect to territory owned by a governmental entity, as referred to in Paragraph (b) of this Subsection (6), the City has received a written statement from the governmental entity that owns the territory indicating that the entity does not object to the City's annexation of the territory.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

EXTENSION OF TIME - REZONING

EOT-6428 - APPLICANT: EXECUTIVE DEVELOPMENT - OWNER: DESERT SHADOWS APARTMENTS, LLC - Request for a Extension of Time of an approved Rezoning (ZON-1315) FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 0.13 acres adjacent to the south side of Charleston Boulevard, approximately 140 feet east of Jones Boulevard (APN 163-01-102-037), Ward 1 (Tarkanian). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused and MACK not voting

MINUTES:

There was no discussion.
(1:58 - 1:59)
3-2106

CONDITIONS:

Planning and Development

1. This Extension of Time shall expire on 04/02/07 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning ZON-1315 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.





CASE: EOT-6428

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-6428 - APPLICANT: EXECUTIVE DEVELOPMENT –
OWNER: DESERT SHADOWS APARTMENTS, LLC

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. This Extension of Time shall expire on 04/02/07 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning ZON-1315 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for an Extension of Time of an approved Rezoning (ZON-1315) FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 0.13 acres adjacent to the south side of Charleston Boulevard, approximately 140 feet east of Jones Boulevard.

B) *Applicant's Justification*

The applicant's justification letter indicates additional time is needed to complete the transfer of the 10-foot strip of land to the adjacent property owner.

BACKGROUND INFORMATION

A) *Related Actions*

04/02/03 The City Council approved a General Plan Amendment (GPA-1313) to SC (Service Commercial) and a Rezoning (ZON-1315) to C-1 (Limited Commercial) on this site. The Planning Commission and staff recommended approval on 02/27/03.

04/25/05 To date, no building plans have been submitted for development.

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.13

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: U (Undeveloped) [L (Low Density Residential) General Plan Designation]
East: R-E (Residence Estates) under Resolution of Intent to R-3 (Medium Density Residential)
West: C-1 Limited Commercial)

E) *General Plan Compliance*

The site is designated as SC (Service Commercial) on the Southwest Sector map of the General Plan. The approved C-1 (Limited Commercial) zoning is in compliance with this land use designation.

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

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

ANALYSIS

A) *Zoning Code Compliance*

The purpose of the original rezoning was to allow transfer of the 10-foot wide strip of land to the adjacent property owner to the west. Any new structures on the site will require approval of a Site Development Plan Review prior to any development activity on this site.

B) *General Analysis and Discussion*

The C-1 (Limited Commercial) zoning remains appropriate at this location; therefore, approval of the Extension of Time is recommended with a two-year time limit.

FINDINGS

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

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

The approved rezoning to C-1 (Limited Commercial) is compatible and conforms to the SC (Service Commercial) land use designation of the site.

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

The approved C-1 (Limited Commercial) zoning will be compatible with the land use designations as set forth in the Southeast Sector Map of the General Plan.

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

The approved rezoning will allow for transfer the 10-foot wide property to the adjacent property to the west and will allow uses that are consistent with the commercial development surrounding the site.

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

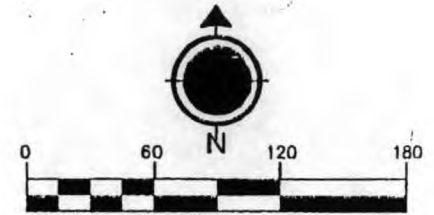
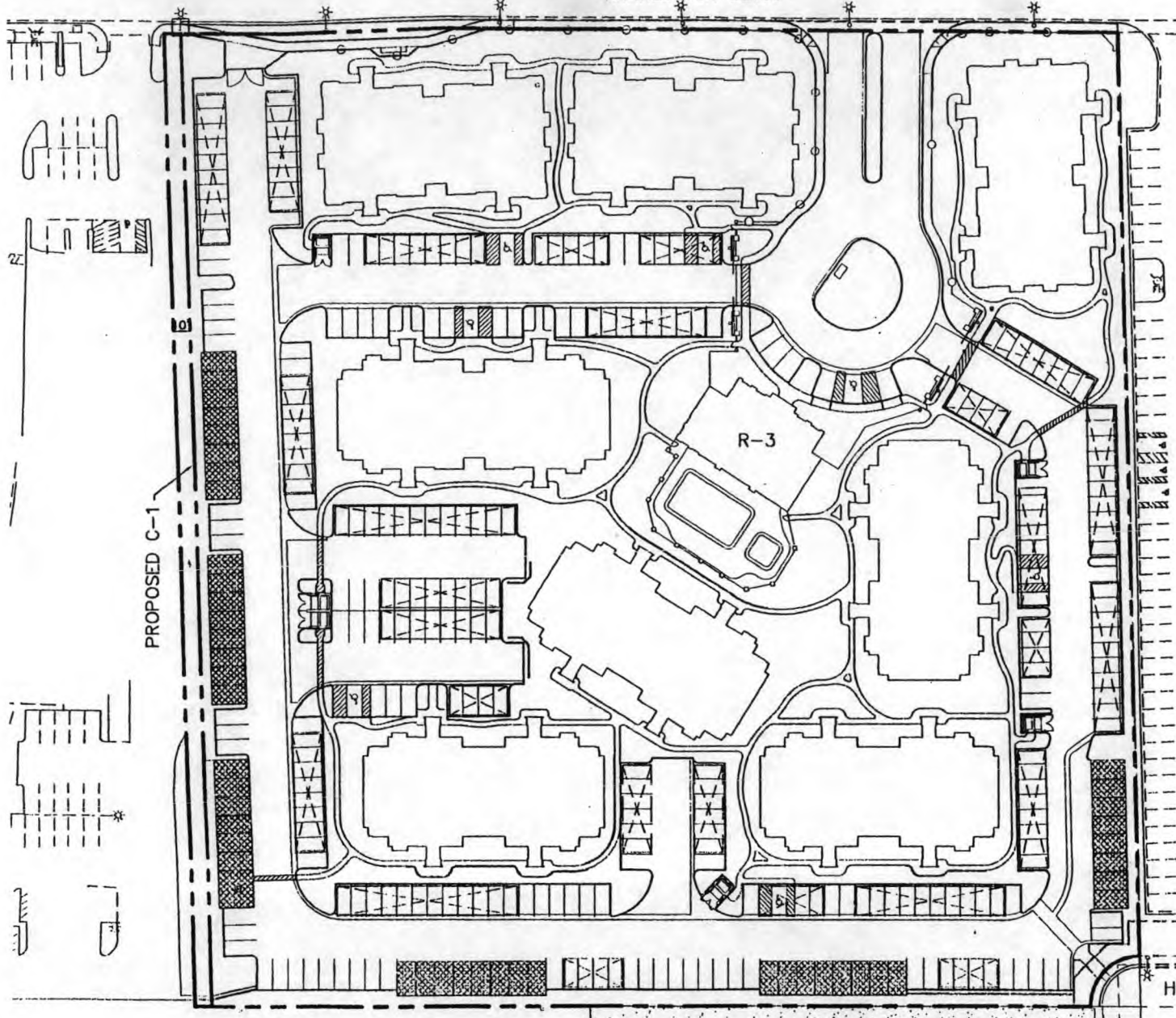
The existing street system will be developed around the subject site, and will have adequate capacity to accommodate traffic generated by the proposed development of this site.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

HARLESTON BLVD.



Stantec

Stantec Consulting Inc.
7251 West Charleston Blvd.
Las Vegas NV U.S.A.
89117
Tel. 702.258.0115
Fax. 702.258.4956
www.stantec.com

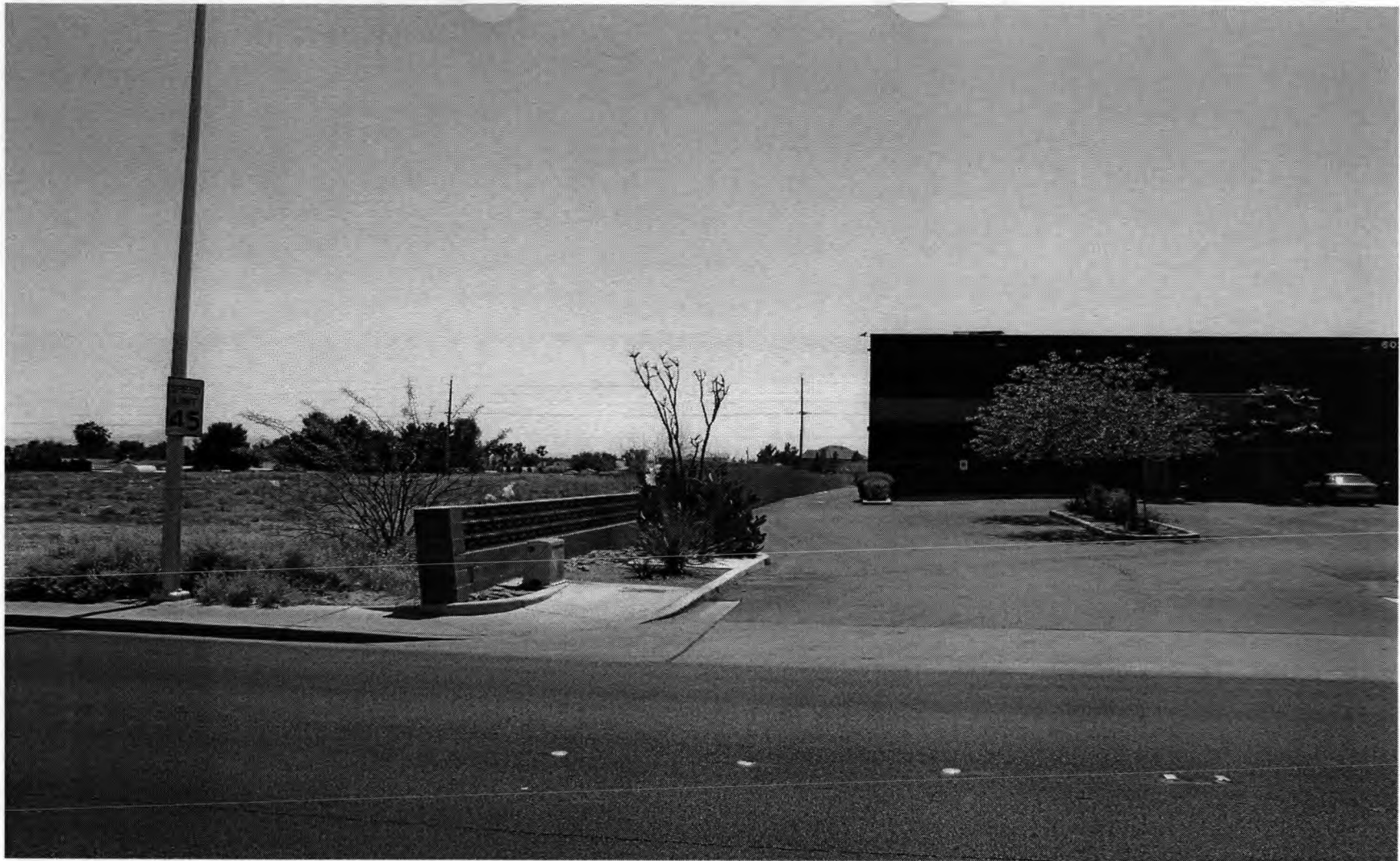
Executive Development
7321 West Charleston
Las Vegas, NV 89117
Tel. 702.877.6222
Fax 702.287.3237

EXECUTIVE DEVELOPMENT CORPORATION
JONES / CHARLESTON APARTMENTS
REZONING EXHIBIT

HOLMBY AVE

SHEET 1
OF

**EOT-6428
5-18-05 CC**



**EOT-6428 - APPLICANT: EXECUTIVE DEVELOPMENT – OWNER: SHADOWS
APARTMENTS, LLC**

**Adjacent to the south side of Charleston Boulevard, approximately 140 feet east of Jones
Boulevard**

MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 04/18/05



**EOT-6428 - APPLICANT: EXECUTIVE DEVELOPMENT – OWNER: SHADOWS
APARTMENTS, LLC**

**Adjacent to the south side of Charleston Boulevard, approximately 140 feet east of Jones
Boulevard**

MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 04/18/05



EXECUTIVE DEVELOPMENT CORPORATION

Project: 88100117

March 28, 2005

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

**Reference: ZON-1315 Charleston Jones Development
Extension of Time Request**

Dear Staff:

Please accept this letter as justification to request an extension of time on ZON-1315. This application was heard and approved by the City of Las Vegas City Council in 2003.

The improvement plans have been approved for this apartment complex, but building has not commenced due to the serious illness of the property owner. The owner/developer has had two major surgeries, one for a quadruple bypass and one for cancer. Due to these surgeries and extensive recuperation periods, along with the adjacent property having a new owner, negotiations on the transfer of the 10-foot strip of land involved in this rezoning application have been delayed.

At this time, we do not anticipate any additional delays, and would appreciate staff's support on this request for an extension of time on the zoning of this property.

Sincerely,

Mary Lou Kessler

Mary Lou Kessler
Administrator

EOT-6428

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REVIEW OF CONDITION

ROC-6400 - PUBLIC HEARING - APPLICANT/OWNER: THOMAS AND JUDITH MILLER - Request for a Review of Condition Numbers 5 and 6 of an approved Rezoning (ZON-3031) TO ELIMINATE THE REQUIREMENT TO DEDICATE THE WEST PORTION OF THE CUL-DE-SAC OF NEMETH ROAD for a proposed commercial development located adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN 138-23-110-043), U (Undeveloped) [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for ZON-3031

MOTION:

MACK- APPROVED subject to conditions- UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

TOM MILLER, 3550 Dancing Winds, concurred with the recommendation.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(1:59 - 2:00)

3-2154

CONDITIONS:

Public Works

1. Original Condition Number 5 shall be revised to read as follows:

Nemeth Road, accessed from Smoke Ranch Road, shall be terminated in a cul-de-sac meeting current City standards at a location acceptable to the City Engineer concurrent with development of this site; additional dedications, as needed, shall be provided for the east half of the cul-de-sac prior to issuance

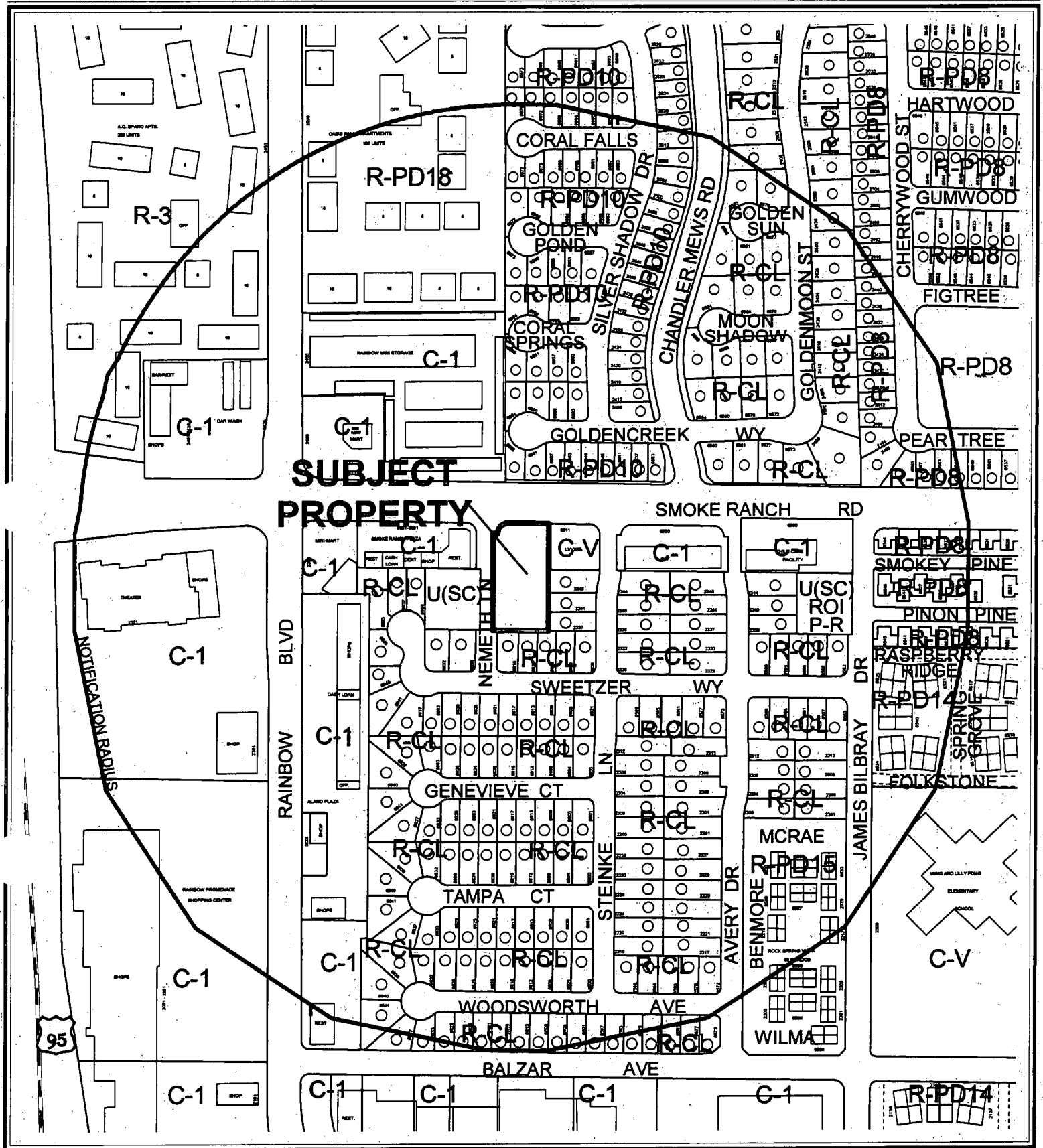
CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

of permits. Appropriate Vacation Applications shall be submitted as necessary to terminate Nemeth Road; if needed, the Petition(s) of Vacation shall record prior to the issuance of any building permits overlying the area to be vacated.

2. Original Condition Number 6 shall be revised to read as follows:

Construct half-street improvements including appropriate overpaving, if legally able, on Nemeth Road, including the full east half of the cul-de-sac terminating Nemeth Road, and as much of the west half of the bulb as can be accommodated within existing public right-of-way. Also, construct all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.



CASE: ROC-6400

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-6400 - APPLICANT/OWNER: THOMAS AND JUDITH MILLER

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Public Works

1. Original Condition Number 5 shall be revised to read as follows:

Nemeth Road, accessed from Smoke Ranch Road, shall be terminated in a cul-de-sac meeting current City standards at a location acceptable to the City Engineer concurrent with development of this site; additional dedications, as needed, shall be provided for the east half of the cul-de-sac prior to issuance of permits. Appropriate Vacation Applications shall be submitted as necessary to terminate Nemeth Road; if needed, the Petition(s) of Vacation shall record prior to the issuance of any building permits overlying the area to be vacated.

2. Original Condition Number 6 shall be revised to read as follows:

Construct half-street improvements including appropriate overpaving, if legally able, on Nemeth Road, including the full east half of the cul-de-sac terminating Nemeth Road, and as much of the west half of the bulb as can be accommodated within existing public right-of-way. Also, construct all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Review of Condition Numbers 5 and 6 of an approved Rezoning (ZON-3031) to eliminate the requirement to dedicate the west portion of the cul-de-sac of Nemeth Road for a proposed commercial development located adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road.

B) *Applicant's Justification*

The applicant's justification letter indicates they have been unable to obtain the dedication for the west portion of the cul-de-sac from that property owner.

BACKGROUND INFORMATION

A) *Related Actions*

01/07/04 The City Council approved a Rezoning (ZON-3031) to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-3035) for a proposed 9,000 square-foot retail building, with a waiver of perimeter setbacks to zero feet where 20 feet is required at the rear and 10 feet is required at the side, a reduction in the amount of perimeter buffering and landscaping, a reduction of parking lot landscaping, and a waiver of a number of commercial design guidelines on this site. The Planning Commission and staff recommended approval of the Rezoning and denial of the Site Development Plan Review on 11/06/03.

B) *Pre-Application Meeting*

02/28/05 A pre-application meeting was held and the applicant was advised of the requirements for a Review of Condition application.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.78

B) *Existing Land Use*

Subject Property: Undeveloped

North: Single Family Residences and Mini-Storage

South: Single Family Residences

East: Single Family Residences and Public Facility
West: Undeveloped and Retail/Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North: R-PD10 (Residential Planned Development – 10 Units Per Acre) and C-1 (Limited Commercial)
South: R-CL (Single Family Compact-Lot)
East: R-CL (Single Family Compact-Lot) and C-V (Civic)
West: U (Undeveloped) [SC (Service Commercial) General Plan Designation] and C-1 (Limited Commercial)

E) General Plan Compliance

The site is designated as SC (Service Commercial) on the Southwest Sector map of the General Plan. The approved C-1 (Limited Commercial) zoning is in compliance with this land use designation.

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

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

ANALYSIS

A) Zoning Code Compliance

The design of the site and conformance to code requirements was determined with Site Development Plan Review (SDR-3035). The Review of Condition for Conditions of Approval Numbers 5 and 6 does not affect the approved Site Development Plan Review on this site.

B) General Analysis and Discussion

The applicant is requesting a Review of Public Works Condition Numbers 5 and 6 of Zoning Reclassification ZON-3031. These conditions required the construction and termination of Nemeth Road adjacent to this site.

The Department of Public Works requires, in accordance with 18.12.130 of the Title 18 Subdivision Ordinance, that all non-intersecting or non-continuing public streets terminate in a cul-de-sac. However, if this Review of Condition application is approved, the Department of Public Works recommends that Condition Numbers 5 and 6 be revised as follows to accommodate the revision to the development plan:

Original Condition Number 5 shall be revised to read as follows:

5. Nemeth Road, accessed from Smoke Ranch Road, shall be terminated in a cul-de-sac meeting current City standards at a location acceptable to the City Engineer concurrent with development of this site; additional dedications, as needed, shall be provided for the east half of the cul-de-sac prior to issuance of permits. Appropriate Vacation Applications shall be submitted as necessary to terminate Nemeth Road; if needed, the Petition(s) of Vacation shall record prior to the issuance of any building permits overlying the area to be vacated.

Original Condition Number 6 shall be revised to read as follows:

6. Construct half-street improvements including appropriate overpaving, if legally able, on Nemeth Road, including the full east half of the cul-de-sac terminating Nemeth Road, and as much of the west half of the bulb as can be accommodated within existing public right-of-way. Also, construct all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

FINDINGS

The Department of Public Works has indicated the purpose of the condition, in accordance with 18.12.130 of the Title 18 Subdivision Ordinance, is to require all non-intersecting or non-continuing public streets terminate in a cul-de-sac. Since the applicant is unable to obtain the right-of-way from the property owner to the west, the recommendation for this request is approval subject to the revised conditions recommended by the Department of Public Works.

NOTICES MAILED 349 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-6410 APN: 138-23-110-0149015

Name of Property Owner: Tom & Judy Miller

Name of Applicant: Tom & Judy Miller

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

Yes

~~No~~

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

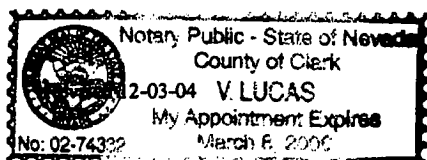
Thomas W. Miller

Print Name: Thomas Smiller - J. Konrad Miller

Subscribed and sworn before me

This 15th day of MARCH, 2005

Notary Public in and for said County and State





ROC-6400 - APPLICANT/OWNER: THOMAS AND JUDITH MILLER
Adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 04/18/05



ROC-6400 - APPLICANT/OWNER: THOMAS AND JUDITH MILLER
Adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 04/18/05

**Tom and Judy Miller
3550 Dancing Winds Pl.
Las Vegas, NV. 89141**

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

March 15, 2005

Justification Letter

APN -13823-110-014 & 015

**We are requesting permission to construct a half cul-de-sac on our
dedicated portion of Nemeth Road.**

**We have been unable to obtain the right of way to complete a full cul-de-sac
from the property owner West of us.**

Respectfully,

Tom and Judy Miller

RCC-6400



MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

March 10, 2004

Mr. Thomas and Mrs. Judith Miller
3088 South Highland Drive
Las Vegas, Nevada 89109

RE: ZON-3031 - REZONING
CITY COUNCIL MEETING OF JANUARY 7, 2004
RELATED TO VAR-3040, SUP-3038 & SDR-3035

Dear Mr. and Mrs. Miller:

The City Council at a regular meeting held January 7, 2004 APPROVED the request for a Rezoning FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 0.93 acres adjacent to the southeast corner of Smoke Ranch Road and Nemeth Road (APN: 138-23-110-014 and 015). The Notice of Final Action was filed with the Las Vegas City Clerk on January 8, 2004. This approval is subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Parcel Map or a Reversionary Parcel Map is necessary; if such map is required it should record prior to the issuance of any building permits for this site.
4. Dedicate an additional 10.5 feet of right-of-way for a total half-street width of 25.5 feet on Nemeth Road adjacent to this site prior to the issuance of any permits.
5. Terminate Nemeth Road in a circular cul-de-sac meeting current City standards, at a location acceptable to the City Engineer, concurrent with development of this site. The remaining portion of Nemeth Road existing to the south of the proposed site shall be terminated in a manner, other than a standard cul-de-sac, acceptable to the City Engineer. Appropriate Vacation Applications shall be submitted as necessary to terminate Nemeth Road; if needed, the Petition(s) of Vacation shall record before the issuance of any building permits overlying the area to be vacated.

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

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

ROC-6400

6. Construct half-street improvements including appropriate overpaving on Nemeth Road, the full turn-around radius for the required cul-de-sac terminating Nemeth Road, and all improvements necessary to terminate the southern portion of Nemeth Road. Also, construct all incomplete improvements on Smoke Ranch Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. 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.
8. 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 City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

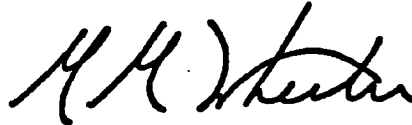
Mr. Thomas and Mrs. Judith Miller
ZON-3031 – Page Three
March 10, 2004

9. Meet with the Flood Control Section of the Department of Public Works for assistance in establishing finished floor elevations and drainage pathways required for this site, prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first.

Sincerely,



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



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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REVIEW OF CONDITION**

ROC-6466 - PUBLIC HEARING - APPLICANT: WORLD MARKET CENTER - OWNER WMC III ASSOCIATES, LLC, ET AL - Request for a Review of Condition Number 6 of an approved Site Development Plan Review (SDR-4841) TO ALLOW REQUIRED LANDSCAPING TO BE INSTALLED IN PHASES WHERE AN OVERALL LANDSCAPING PLAN WAS REQUIRED for an approved 345,670 square-foot exhibit space on 30.2 acres a 495 South Grand Central Parkway (APNs 139-33-511-003 and 004 and 139-33-610-005 and 006), PD (Planned Development) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

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

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for SDR-4841

MOTION:**BROWN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused****MINUTES:**

MAYOR PRO TEM REESE declared the Public Hearing open for Item 80 [ROC-6466] and Item 81 [ROC0-6467].

ROBERT HOLGATE, 495 South Grand Central Parkway, appeared on behalf of World Market Center. He concurred with staff's conditions and recommendations, and expressed appreciation to the City for continuous support. MR. HOLGATE announced that the building is 100 percent completely leased and the Grand Opening will be July 27, 2005. Special events will take place throughout that entire week, and there will be a job fair on May 25, 2005. A site development plan for Building 2 has been submitted, which is 80 percent leased and there are plans for a third building.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 80 [ROC-6466] and Item 81 [ROC0-6467].

(2:00 - 2:05)

3-2206

CITY COUNCIL MEETING OF: MAY 18, 2005

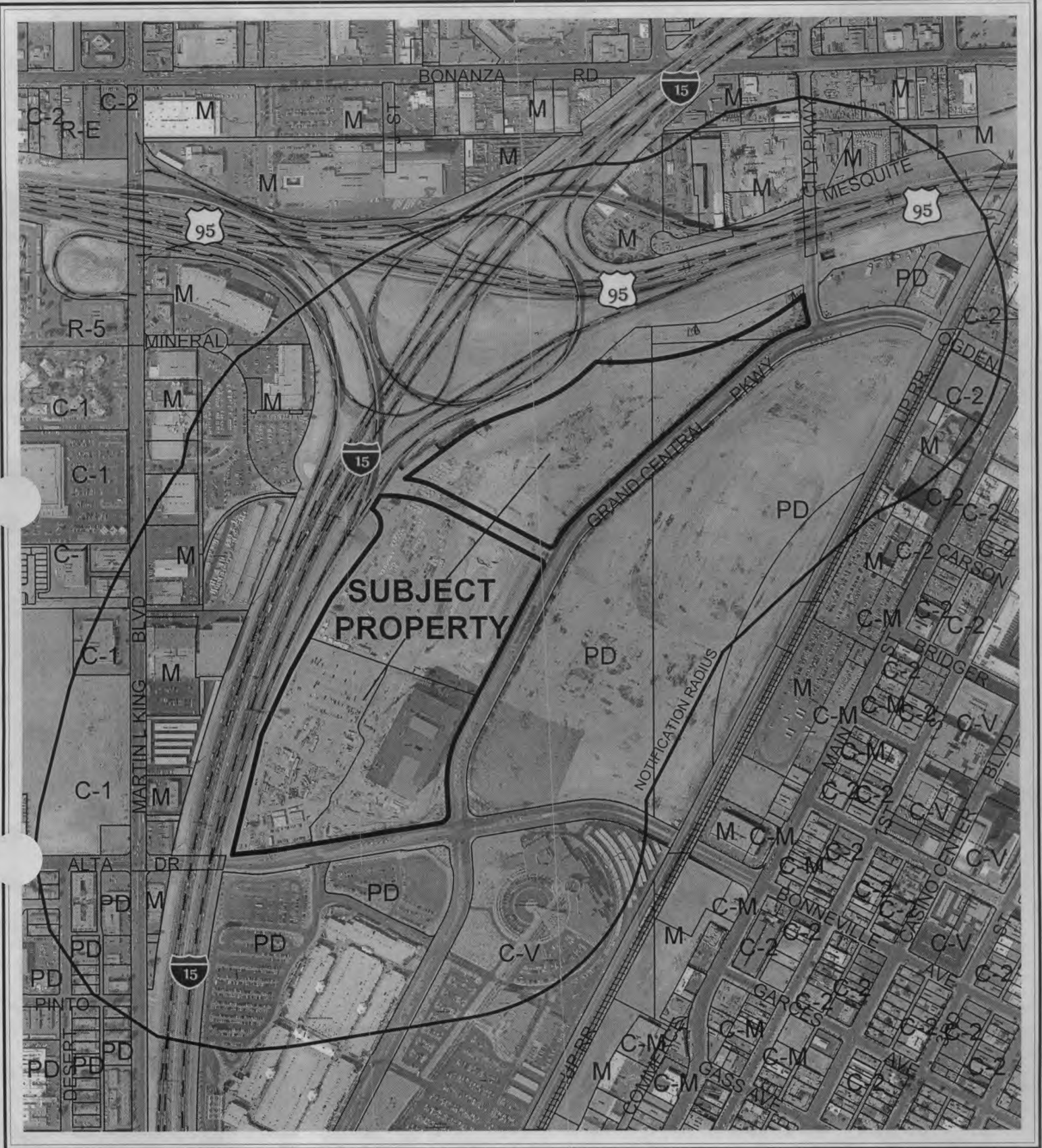
CONDITIONS:

Planning and Development

1. Condition of Approval Number 6 for Site Development Plan Review SDR-4841 shall be revised as follows:

"The Applicant shall submit a staging plan to show the phasing of the development for the overall site. In addition, a landscape plan shall be submitted concurrently for each phase of the proposed staging plan as developed by the applicant and approved by the Planning Department. Each plan must address status of total requirement for a minimum 204 24-inch box trees and 4 5-gallon shrubs per tree. Each plan shall indicate all areas of permanent on-site landscaping and all areas of temporary perimeter landscaping based on the approved phasing of the development. Permanent landscaping shall meet all requirements of Title 19 and of the Parkway Center Standards in the Downtown Centennial Plan."





CASE: ROC-6466

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 700 1400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-6466 - APPLICANT: WORLD CENTER MARKET –
OWNER: WMC III ASSOCIATES, LLC, ET AL

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition of Approval Number 6 for Site Development Plan Review SDR-4841 shall be revised as follows:

“The Applicant shall submit a staging plan to show the phasing of the development for the overall site. In addition, a landscape plan shall be submitted concurrently for each phase of the proposed staging plan as developed by the applicant and approved by the Planning Department. Each plan must address status of total requirement for a minimum 204 24-inch box trees and 4 5-gallon shrubs per tree. Each plan shall indicate all areas of permanent on-site landscaping and all areas of temporary perimeter landscaping based on the approved phasing of the development. Permanent landscaping shall meet all requirements of Title 19 and of the Parkway Center Standards in the Downtown Centennial Plan.”

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Review of Condition Number 6 of an approved Site Development Plan Review (SDR-4841) to allow required landscaping to be installed in phases where an overall landscaping plan was required for an approved 345,670 Square-Foot Exhibit Space on 30.2 acres a 495 South Grand Central Parkway.

B) *Applicant's Justification*

The applicant's justification letter indicates they are asking to phase the landscape improvements to coincide with the phasing of the development of the overall site.

BACKGROUND INFORMATION

A) *Related Actions*

- 11/23/98 The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. The Planning Commission and staff recommended approval on 05/28/98.
- 05/16/01 The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff recommended approval on 03/22/01.
- 10/06/04 The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square foot temporary exhibit space on this site. The Planning Commission and staff recommended approval on 08/26/04.
- 05/18/05 The City Council will hear a related request for a Review of Condition (ROC-6467) of Site Development Plan Review Z-0100-97(3) to allow for realignment of the required trail on this site.

B) *Pre-Application Meeting*

- 04/06/05 A pre-application meeting was held and the applicant was advised of the requirements for a Review of Condition application.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 30.2

B) Existing Land Use

Subject Property: Furniture Store (World Market Center – Under Construction)
North: US 95 Expressway
South: Retail/Commercial
East: Undeveloped
West: Interstate 15 and Industrial Uses

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: ROW (Right-of-Way) and LI/R (Light Industrial/Research)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: ROW (Right-of-Way) and LI/R (Light Industrial/Research)

D) Existing Zoning

Subject Property: PD (Planned Development)
North: US 95 Expressway and M (Industrial)
South: PD (Planned Development)
East: PD (Planned Development)
West: Interstate 15 and M (Industrial)

E) General Plan Compliance

This site is designated as MXU (Mixed Use) on the Downtown Redevelopment Area Plan of the Southeast Sector Plan. The existing PD (Planned Development) zoning is in compliance with this land use designation.

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

This proposal's land use is designated by the Downtown Redevelopment Plan as Mixed Use. Also, as part of the Downtown Centennial Plan, this proposal is a substantial component of the Parkway Center, the large area west of the downtown office core, casino center and Fremont Street. The ability to phase the landscape improvements does not affect the size and intensity of this site plan, which remains appropriate for the Redevelopment Plan and overlay District.

PROJECT DESCRIPTION

The approved Site Development Plan Review depicts the project consists of three large temporary exhibition structures, adjacent parking, overflow parking areas, a shuttle bus staging area, and drop-off areas. The project sits northeast of the site where the permanent Phase I structure for the World Market Center is currently under construction. This temporary development will be removed in phases as the permanent structures become available. Complete removal is expected by the end of 2008.

ANALYSIS

General Analysis and Discussion

- Landscape Plan

The revised landscape plan shows the required landscaping will be installed in eight phases within the required landscape planters throughout the site. It should be noted that Site Development Plan Review applications are required for all new permanent structures on the site not already approved. Landscaping for those structures shall be provided as required by the related Site Development Plan Review approvals.

- Conditions

Condition of Approval Number 6 for the approved Site Development Plan review reads as follows:

"A landscape plan must be submitted prior to the time application is made for a building permit, to reflect a minimum of 204 24-inch box trees planted a maximum of 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters."

The applicant is now requesting this that condition be revised to allow the installation of the landscaping to be phased with the ongoing development of the site. If this request is approved, Condition of Approval Number 6 shall be revised to read as follows:

"The Applicant shall submit a staging plan to show the phasing of the development for the overall site. In addition, a landscape plan shall be submitted concurrently for each phase of the proposed staging plan as developed by the applicant and approved by the Planning Department. This landscape plan shall indicate all areas of permanent on site landscaping and all areas of temporary perimeter landscaping based on the approved phasing of the development. Permanent landscaping shall meet all requirements of Title 19 and of the Parkway Center Standards in the Downtown Centennial Plan."

FINDINGS

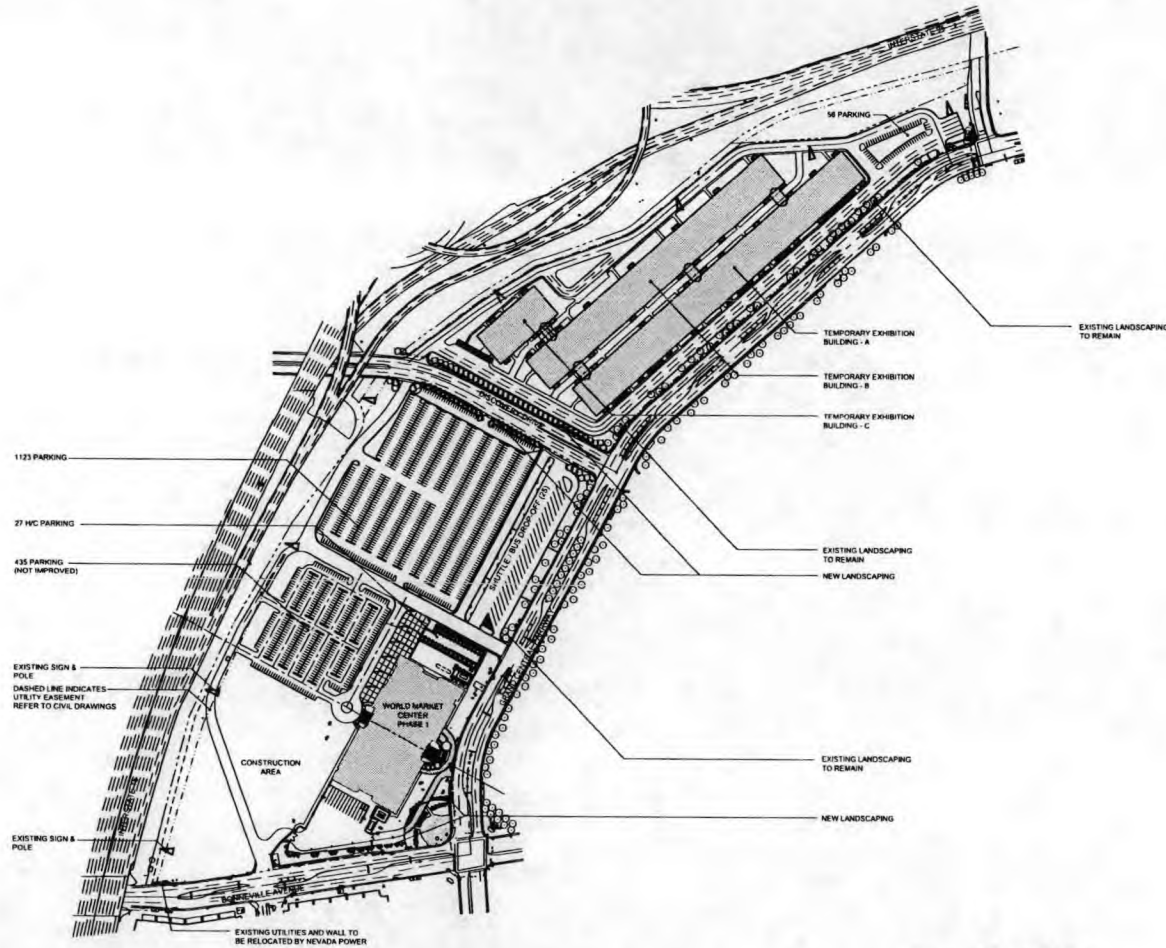
The original condition requires all landscaping to be provided with the development of the temporary exhibit space. The applicant is now requesting that the landscaping be allowed to be installed in phases to minimize the damage to the plant materials as this project is built. The condition has been revised to require the landscaping in accordance with the revised plan dated 04/08/05 and be installed in phases to match the phases of the development on this site.

The recommendation for this request is approval subject to the revised condition as recommended above.

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 0



PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	330

TOTAL REQ'D	1600
TOTAL PROVIDED	1635

SCHEDULE

BUILDING ONE	COMPLETION DATE
07/05	18 mo.

RECEIVED
APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

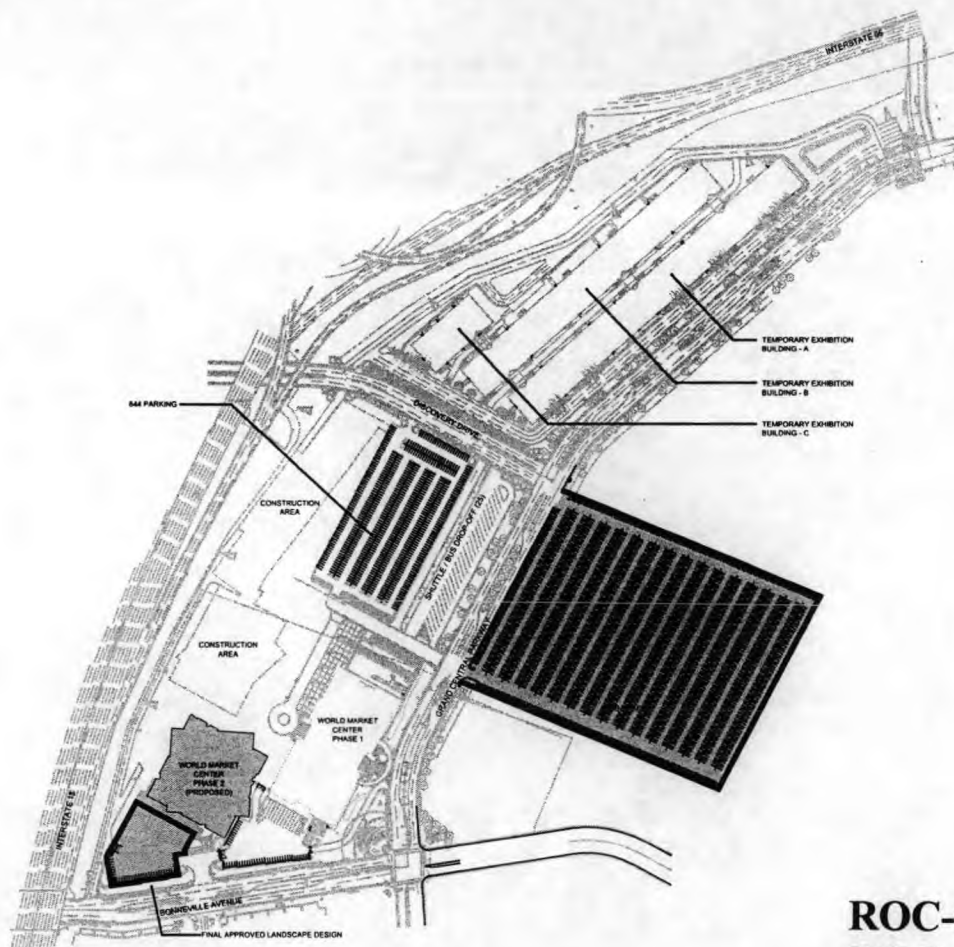
PHASE ONE A - MASTER PLAN WORLD MARKET CENTER

2281 CORPORATE CIRCLE, SUITE 200 HENDERSON, NEVADA 89014
PHONE: (702) 942-2553 FAX: (702) 942-2559 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE: APRIL 7, 2005

0 100' 200' 400'
SCALE: 1" = 200'





PARKING

BUILDING ONE	.1250
TEMPORARY FACILITIES	.350
BUILDING TWO	.1600

TOTAL REQD.	.3350
TOTAL PROVIDED	.3200

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05, 03/07
BUILDING TWO	11/07, 11/09

ROC-6466
ROC-6467
5-18-05 CC

RECEIVED
APR 8 2005

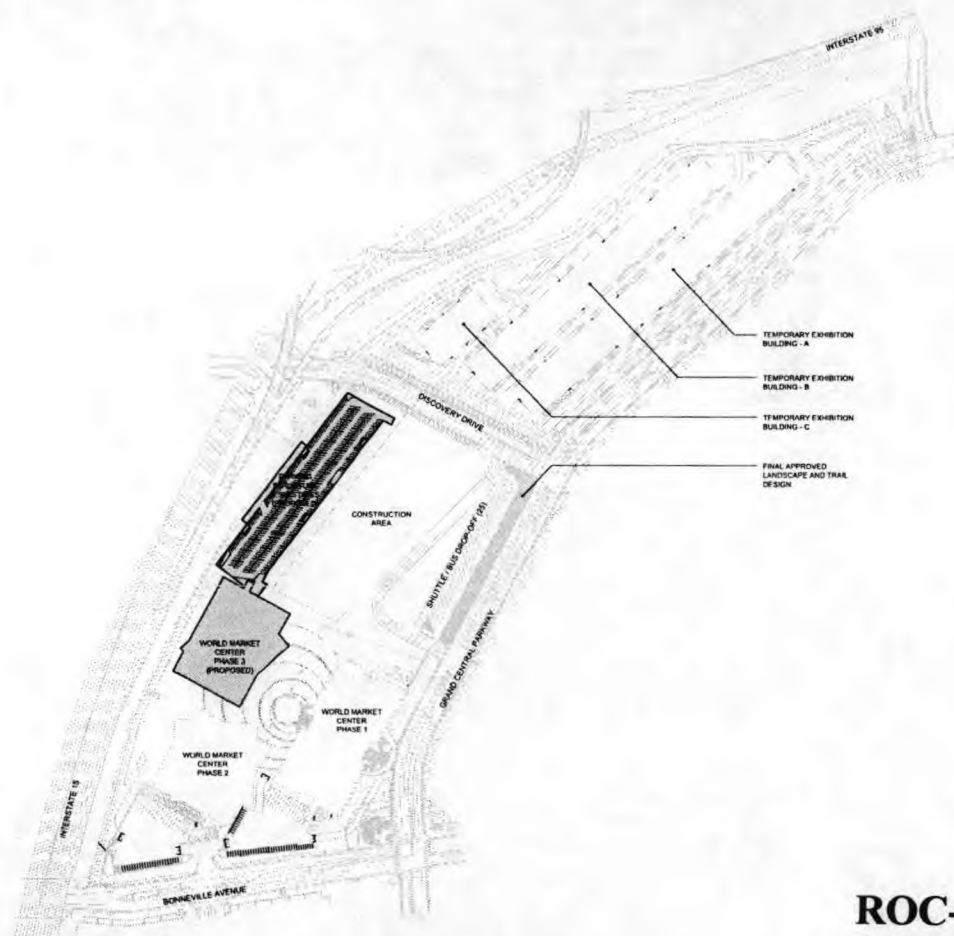
2285 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 942-2523 FAX: (702) 942-2539 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE: MARCH 2, 2005

0 100' 200' 400'
SCALE: 1" = 200'



PHASE TWO - MASTER PLAN WORLD MARKET CENTER



PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1600
BUILDING THREE	1500

TOTAL REQ'D	4700
TOTAL PROVIDED	4500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05
BUILDING TWO	03/07
BUILDING THREE	09/07

ROC-6466
ROC-6467
5-18-05 CC

RECEIVED

APR 18 2005

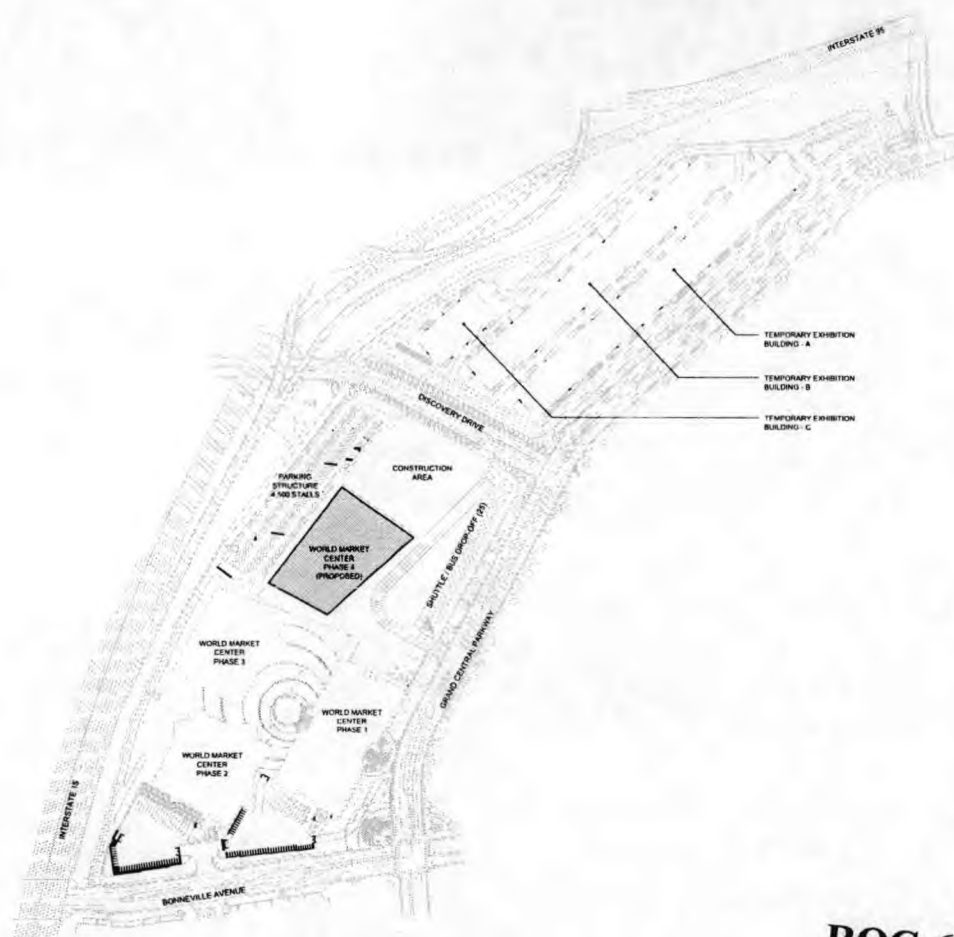
PHASE THREE - MASTER PLAN WORLD MARKET CENTER

2381 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMARCH.COM

PROJECT NO: 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1600
BUILDING THREE	1500
BUILDING FOUR	1500

TOTAL REQ'D	6300
TOTAL PROVIDED	4500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05 03/07 05/07 03/08
BUILDING TWO	08 mo
BUILDING THREE	08 mo
BUILDING FOUR	08 mo

ROC-6466
ROC-6467
5-18-05 CC

PHASE FOUR - MASTER PLAN WORLD MARKET CENTER

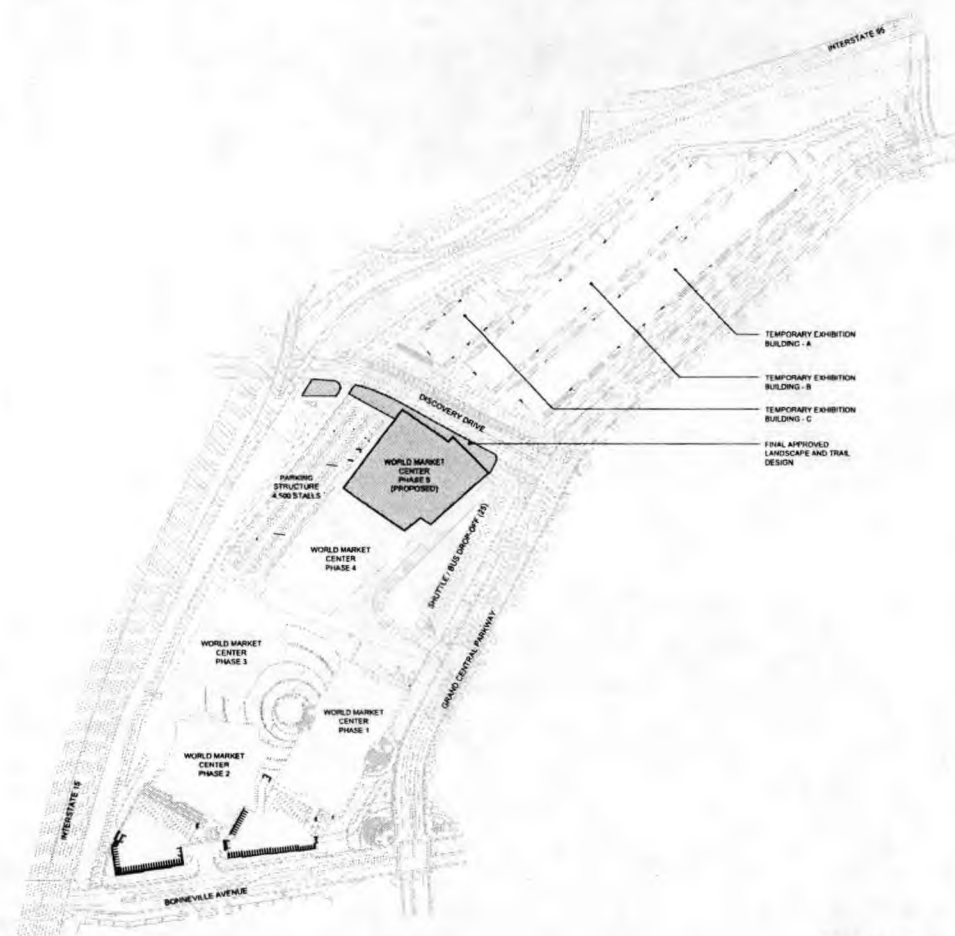
RECEIVED
APR 8 2005

2381 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMAARCH.COM

PROJECT NO: 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'





PARKING	
BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1800
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
TOTAL REQ'D	7850
TOTAL PROVIDED	4500

SCHEDULE	
	COMPLETION DATE
BUILDING ONE	07/05 03/07 09/07 03/08 09/08
BUILDING TWO	08 mo
BUILDING THREE	08 mo
BUILDING FOUR	08 mo
BUILDING FIVE	08 mo

PHASE FIVE - MASTER PLAN WORLD MARKET CENTER

ROC-6466
ROC-6467
5-18-05 CC

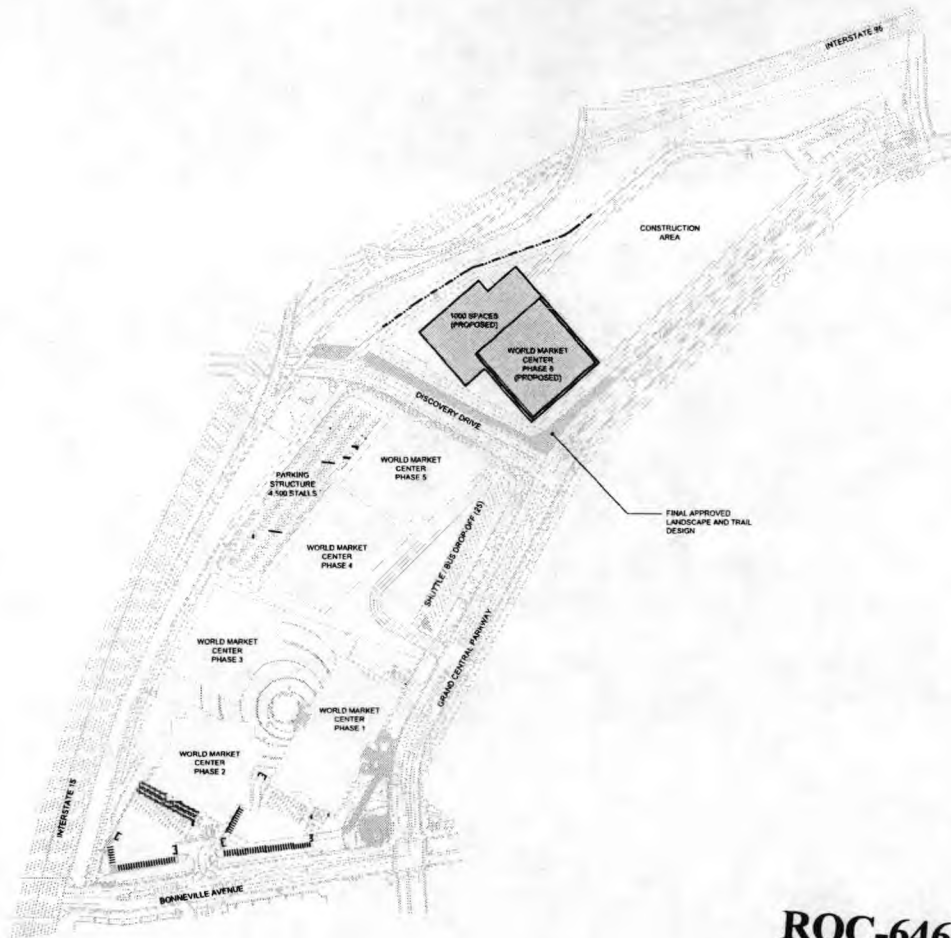
RECEIVED
APR 8 2005

2295 CORPORATE CIRCLE, SUITE 210 HENDERSON, NEVADA 89014
PHONE: (702) 942-2233 FAX: (702) 942-2039 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'

NORTH



PARKING

BUILDING ONE	1250
BUILDING TWO	1800
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500
TOTAL REQ'D	8850
TOTAL PROVIDED	5500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05
BUILDING TWO	03/07
BUILDING THREE	05/07
BUILDING FOUR	03/08
BUILDING FIVE	05/08
BUILDING SIX	03/09

ROC-6466
ROC-6467
5-18-05 CC

APR 8 2005

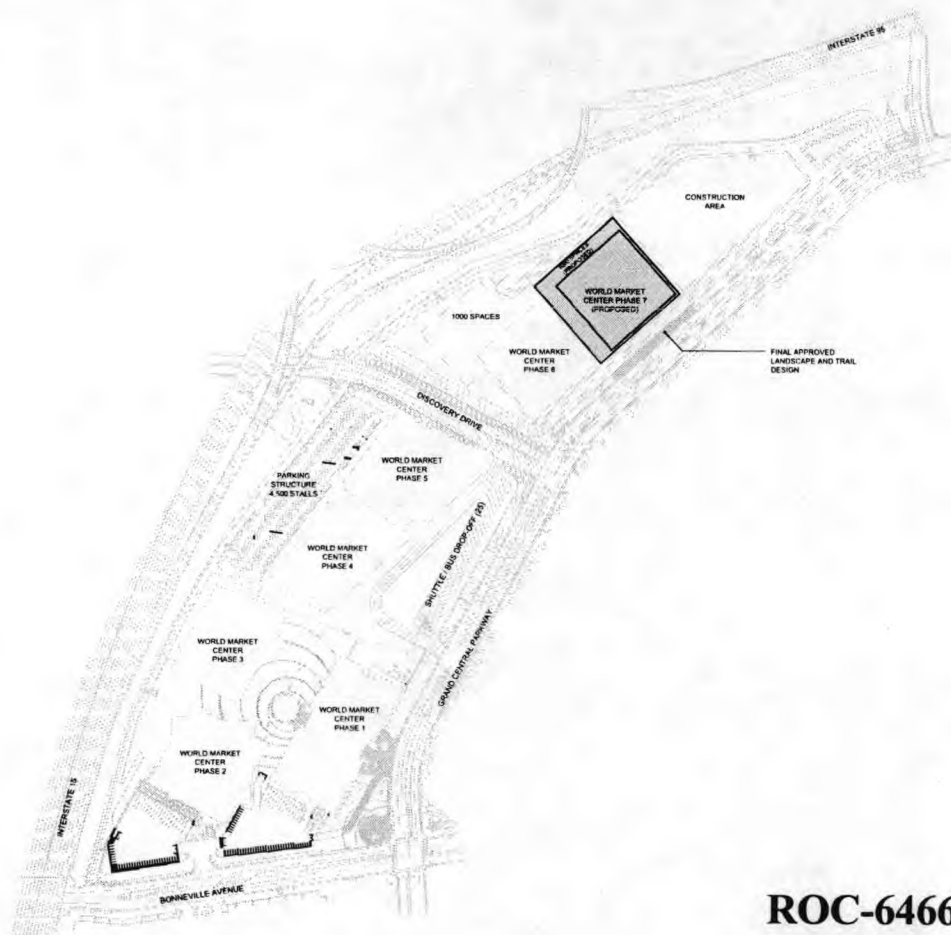
PHASE SIX - MASTER PLAN WORLD MARKET CENTER

2391 CORPORATE CIRCLE, SUITE 150 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMAARCH.COM

PROJECT NO: 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
BUILDING TWO	1600
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500
BUILDING SEVEN	1500
TOTAL REQD.	10,350
TOTAL PROVIDED	8500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05 03/07 05/07 03/08 05/08 03/09 05/09
BUILDING TWO	08 mo
BUILDING THREE	08 mo
BUILDING FOUR	08 mo
BUILDING FIVE	08 mo
BUILDING SIX	08 mo
BUILDING SEVEN	08 mo

ROC-6466
ROC-6467
5-18-05 CC

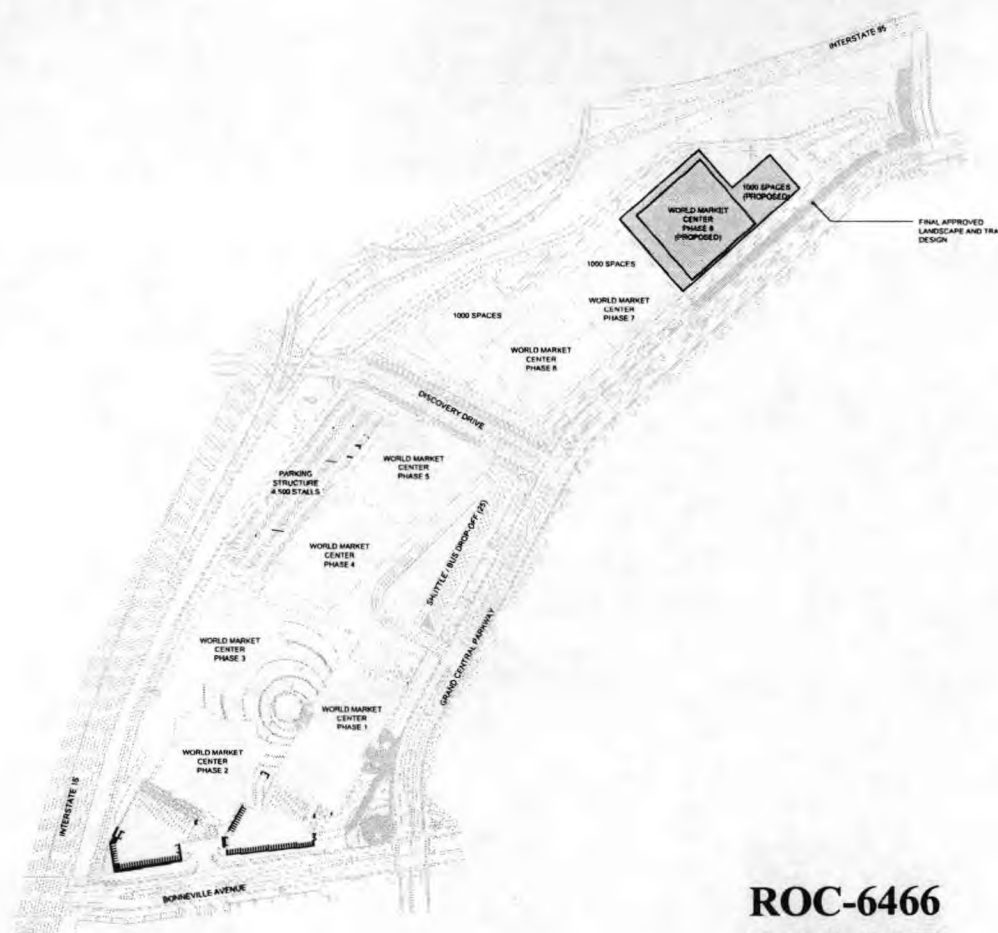
PHASE SEVEN - MASTER PLAN WORLD MARKET CENTER

2285 CORPORATE CIRCLE, SUITE 210 HENDERSON, NEVADA 89014
PHONE: (702) 942-2533 FAX: (702) 942-2535 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE APRIL 7, 2005

0 100' 200' 400'
SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
BUILDING TWO	1600
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500
BUILDING SEVEN	1500
BUILDING EIGHT	1500
TOTAL REQ'D	11,850
TOTAL PROVIDED	7500

SCHEDULE

	07/05	03/07	09/07	03/08	09/08	03/09	09/09	03/10
BUILDING ONE	8 mo							
BUILDING TWO		8 mo						
BUILDING THREE			8 mo					
BUILDING FOUR				8 mo				
BUILDING FIVE					8 mo			
BUILDING SIX						8 mo		
BUILDING SEVEN							8 mo	
BUILDING EIGHT								8 mo

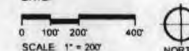
ROC-6466
ROC-6467
5-18-05 CC

RECEIVED
APR 9 2005

PHASE EIGHT - MASTER PLAN WORLD MARKET CENTER

2381 CORPORATE CIRCLE, SUITE 200, HENDERSON, NEVADA 89014
PHONE: (702) 942-2753 FAX: (702) 942-2018 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE APRIL 7, 2005





WORLD MARKET CENTER™

L A S V E G A S

4/7/05

City of Las Vegas
Development Services Center
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101

Attention Gary Leobold, AICP
Planning Supervisor / Current Planning

Subject : Request for Review of Conditions referenced SDR 4841 Item # 6 and Z-0100-97 (3) Item # 7
(Justification Letter)

In addressing previous conditions set forth in SDR 4841, we are experiencing issues as to the phasing and implementation of the permanent landscaping in accordance to the original recorded documents. At this time we are requesting an amendment to such recorded documents as to read the following : Item #6 The applicant shall submit a staging plan to show the phasing of the development for the overall site. In addition, a landscape plan shall be submitted concurrently for each phase of the proposed staging plan as developed by the applicant and approved by the Planning Department. This landscape plan shall indicate all areas of permanent on site landscaping and all areas of temporary perimeter landscaping based on the approved phasing of the development. Permanent landscaping shall meet all requirements of Title 19 and of the Parkway Center Standards in the Downtown Centennial Plan. This process will enable to clarify all issues pertaining to each phase as it is presented in the site plan review process.

In addition, Z-0100097 (3) Item # 7 as part of each phase of the development, the applicant shall construct and maintain a multiuse transportation trail along the north side of Bonneville Ave, the west side of Grand Central Parkway, and both sides of Discovery Dr. Notwithstanding other trail section standards identified in the Parkway Center Standards in the Downtown Centennial Plan, the trail section shall consist of a 10-foot Portland cement sidewalk adjacent to the property line with a five foot landscaped amenity zone on either side of the ROW, the other side on the subject site. The applicant shall be allowed to vary from this standard only where the site plan contains a plaza or similar outdoor feature. In lieu of providing the permanent trail , the applicant may provide a temporary five-foot Portland cement concrete sidewalk adjacent to undeveloped phases of the project. Determination of this request was due to site restraints from NDOT future expansion and existing utility easement locations site specific.

ROC-6466
ROC-6467



WORLD MARKET CENTER™
LAS VEGAS

Page 2 of 2

We appreciate your consideration in respect to this request. We find it necessary in addressing all concerns as to the integrity to the Downtown Centennial Plan.

Respectfully,

Robert Holgate
Related Group
World Market Center
Director of Forward Planning



December 16, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Jack Kashani
WMCI Associates, Limited Liability Company
350 South Beverly Drive, Suite #330
Beverly Hills, California 90212

RE: SDR-4841 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF OCTOBER 6, 2004

Dear Mr. Kashani:

The City Council at a regular meeting held October 6, 2004 APPROVED the request for a Site Development Plan Review FOR A 345,670 SQUARE FOOT TEMPORARY EXHIBIT SPACE on 30.2 acres at 495 South Grand Central Parkway (APN 139-33-610-004, 139-33-511-003 and 004), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 7, 2004. This approval is subject to:

Planning and Development

1. This Site Development Plan Review shall expire one year from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations date stamped 08/03/04, except as amended by conditions herein.
4. Site development to comply with all applicable conditions of approval for Z-0100-97(3) and all other subsequent site-related actions.
5. Approval of this site plan is for 5 years, with a Required Review at one year from the Final Action of this Site Development Plan Review. The City Council reserves the right to revoke the 5 year approval at the one year period if conditions in the area change such that the temporary structures become incompatible with surrounding development.
6. A landscaping plan must be submitted prior to the time application is made for a building permit, to reflect a minimum of 204 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.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-8/04

ROC-6466

- 7. The landscape plan submitted prior to application is made for a building permit will show that no landscaped area will be turf.**
- 8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.**
- 9. All mechanical equipment, air conditioners and trash areas shall be fully screened (via structural components and landscaping) in views from the abutting streets and highways.**
- 10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.**
- 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 Title 19.12.050.**
- 13. A revised traffic study shall be submitted prior to application being made for a building permit for the temporary structures and parking.**

Public Works

- 14. Dedicate those portions of Discovery Drive necessary for the required bus turn out and to align with the existing portion of Discovery Drive west of this site concurrent with onsite development of this site.**
- 15. Construct full-width improvements on Discovery Drive (aka World Drive) through this site concurrent with development of any portion of the project that abuts Discovery Drive. Also, concurrent with development, remove all substandard improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards.**
- 16. All temporary trailers shall be connected to the City of Las Vegas public sewer system.**
- 17. Meet with the Traffic Engineering Representative in Land Development to determine the placement of proposed driveway access acceptable to the City Traffic Engineer prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.**

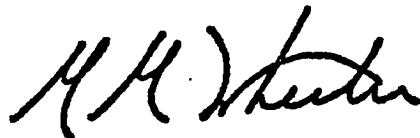
Mr. Jack Kashani
SDR-4841 – Page Three
December 16, 2004

18. The traffic study (including parking analysis) shall be completed and approved prior to the start of phase II.
19. A Drainage Plan and Technical Drainage Study for the parcel 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.

Sincerely,



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



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

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

Mr. Robert Holgate
Furniture Mart Land Holdings II, Limited Liability Company
495 South Grand Central Parkway
Las Vegas, Nevada 89106

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REVIEW OF CONDITION RELATED TO ROC-6466

ROC-6467 - PUBLIC HEARING - APPLICANT: WORLD MARKET CENTER - OWNER: WMC I ASSOCIATES, LLC, ET AL - Request for a Review of Condition Number 7 of an approved Site Development Plan Review [Z-0100-97(3)] TO CHANGE THE LOCATION OF THE REQUIRED TRAIL for an approved 1,000,000 square-foot commercial development on 36.11 acres at 495 South Grand Central Parkway (APNs 139-33-511-003 and 139-33-610-005 and 006), PD (Planned Development) Zone, Ward 5 (Weekly). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification letter
5. City Council approval letter for Z-0100-97(3)

MOTION:

BROWN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 80 [ROC-6466] for all related discussion.

(2:00 - 2:05)

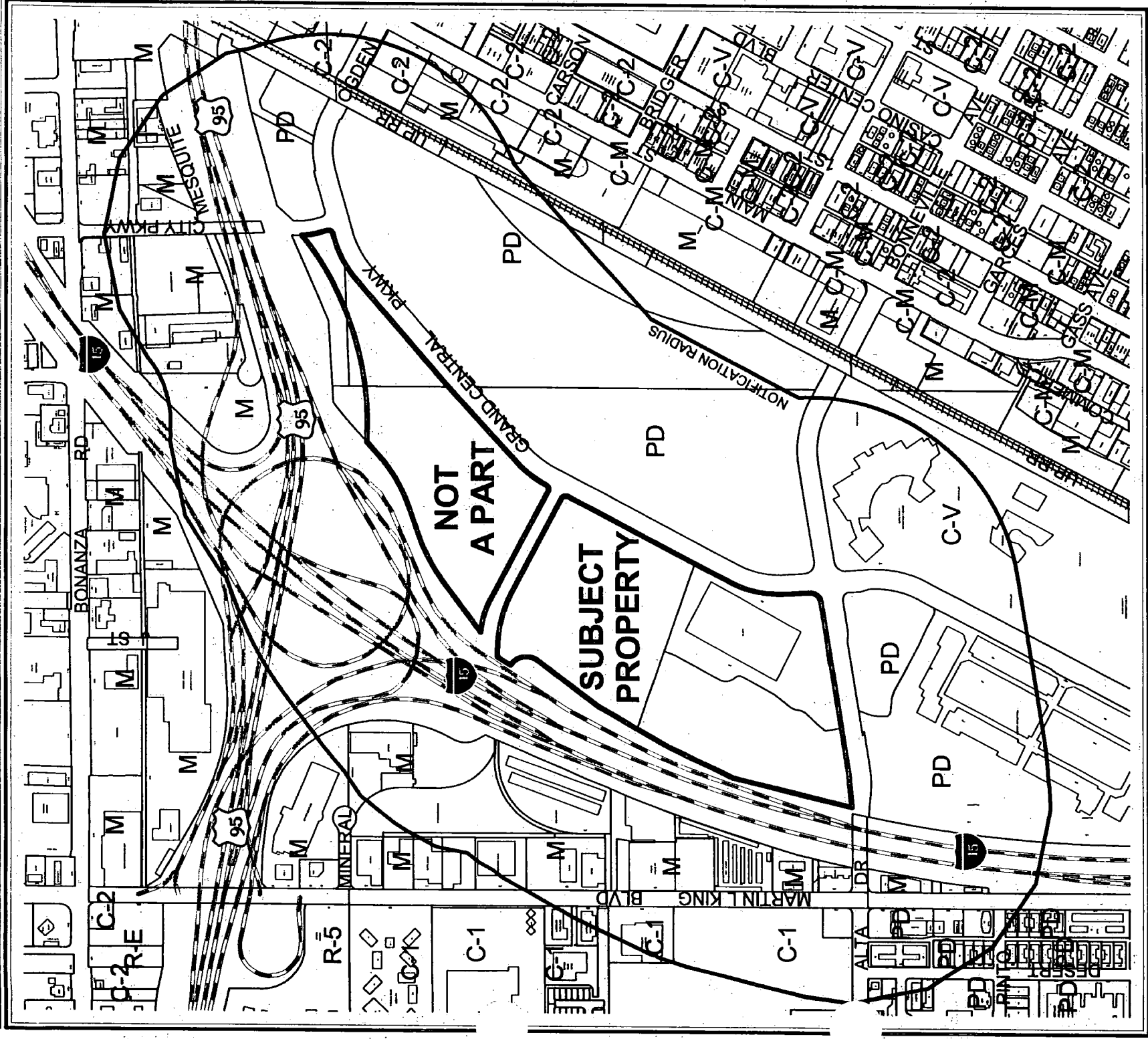
3-2206

CONDITIONS:

Planning and Development

1. Condition of Approval Number 7 for Site Development Plan Review Z-0100-97(3) shall be revised as follows:

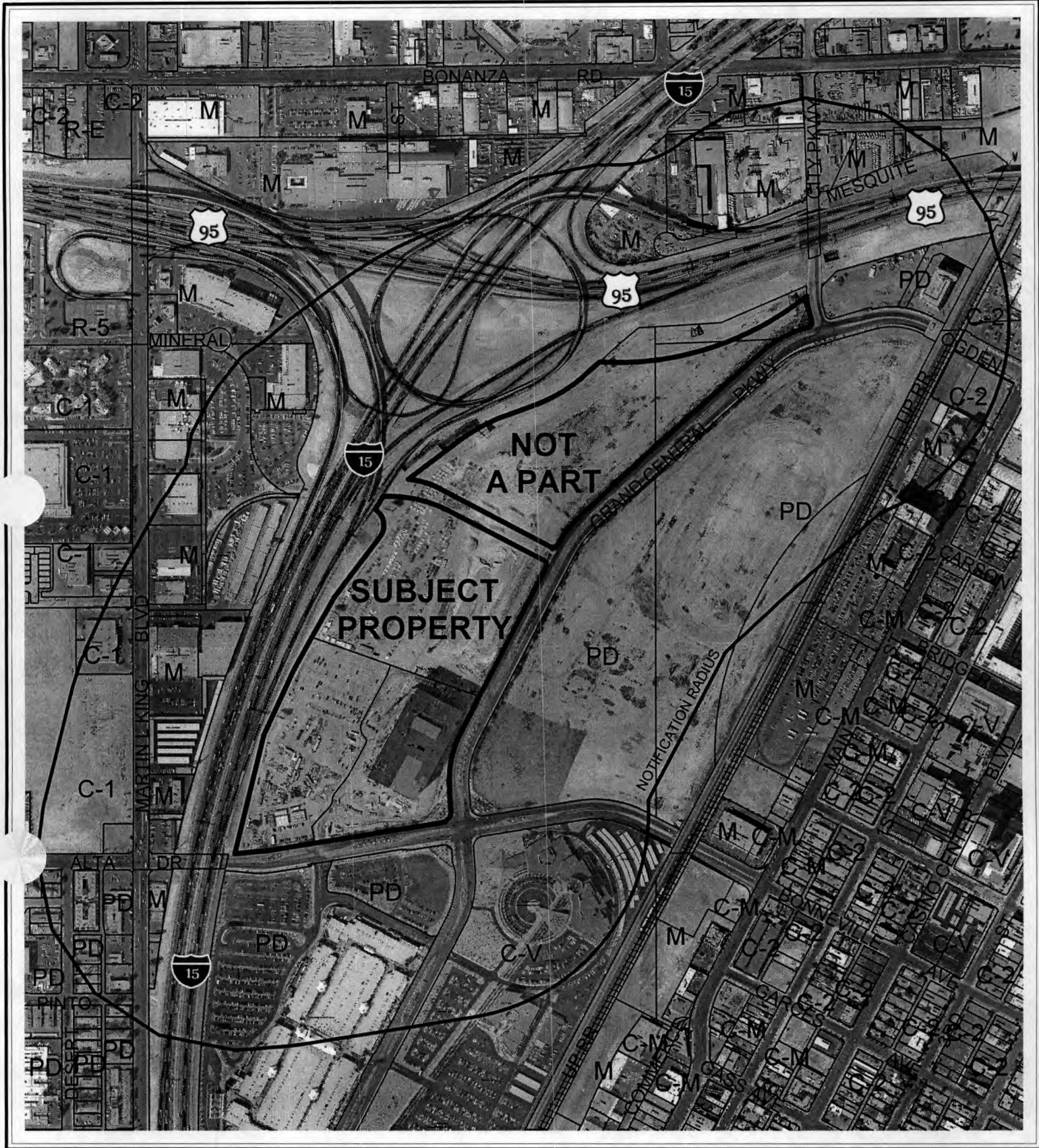
"As part of each phase of the development, the applicant shall construct and maintain a Multiuse Transportation Trail along the north side of Bonneville Avenue, the west side of Grand Central Parkway, and both sides of Discovery Drive. Notwithstanding other trail section standards identified in the Parkway Center Standards in the Downtown Centennial Plan, the trail section shall consist of a 10-foot wide Portland cement sidewalk adjacent to the property line with a five-foot landscaped amenity zone on either side (i.e. one side in the ROW, the other side on the subject site). The applicant shall be allowed to vary from this standard only where the site plan contains a plaza or similar outdoor feature. In lieu of providing the permanent trail, the applicant may provide a temporary five-foot wide Portland cement sidewalk adjacent to undeveloped phases of the project."



CASE: ROC-6467

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: ROC-6467

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 700 1400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-6467 - APPLICANT: WORLD CENTER MARKET –
OWNER: WMC I ASSOCIATES, LLC, ET AL

**** CONDITIONS ****

Staff recommends APPROVAL, subject to:

Planning and Development

1. Condition of Approval Number 7 for Site Development Plan Review Z-0100-97(3) shall be revised as follows:

“As part of each phase of the development, the applicant shall construct and maintain a Multiuse Transportation Trail along the north side of Bonneville Avenue, the west side of Grand Central Parkway, and both sides of Discovery Drive. Notwithstanding other trail section standards identified in the Parkway Center Standards in the Downtown Centennial Plan, the trail section shall consist of a 10-foot wide Portland cement sidewalk adjacent to the property line with a five-foot landscaped amenity zone on either side (i.e. one side in the ROW, the other side on the subject site). The applicant shall be allowed to vary from this standard only where the site plan contains a plaza or similar outdoor feature. In lieu of providing the permanent trail, the applicant may provide a temporary five-foot wide Portland cement sidewalk adjacent to undeveloped phases of the project.”

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Review of Condition Number 7 of an approved Site Development Plan Review [Z-0100-97(3)] to change the location of the required trail for an approved 1,000,000 square-foot commercial development on 36.11 acres at 495 South Grand Central Parkway.

B) Applicant's Justification

The applicant's justification letter indicates they are asking to relocate the trail currently required along the west side of the site to the street frontages along Grand Central Parkway and Bonneville Avenue.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 11/23/98 | The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. The Planning Commission and staff recommended approval on 05/28/98. |
| 05/16/01 | The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff recommended approval on 03/22/01. |
| 10/06/04 | The City Council approved a Site Development Plan Review (SDR-4841) for a 345,670 square foot temporary exhibit space on this site. The Planning Commission and staff recommended approval on 08/26/04. |
| 05/18/05 | The City Council will hear a related request for a Review of Condition (ROC-6466) of Site Development Plan Review SDR-4841 to allow landscaping to be installed in phases for this development. |

B) Pre-Application Meeting

- | | |
|----------|---|
| 04/06/05 | A pre-application meeting was held and the applicant was advised of the requirements for a Review of Condition application. |
|----------|---|

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 36.11

B) *Existing Land Use*

Subject Property: Furniture Store (World Market Center – Under Construction)

North: Undeveloped

South: Retail/Commercial

East: Undeveloped

West: Interstate 15 and Industrial Uses

C) *Planned Land Use*

Subject Property: MXU (Mixed Use)

North: MXU (Mixed Use)

South: MXU (Mixed Use)

East: MXU (Mixed Use)

West: ROW (Right-of-Way) and LI/R (Light Industrial/Research)

D) *Existing Zoning*

Subject Property: PD (Planned Development)

North: PD (Planned Development)

South: PD (Planned Development)

East: PD (Planned Development)

West: Interstate 15 and M (Industrial)

E) *General Plan Compliance*

This site is designated as MXU (Mixed Use) on the Downtown Redevelopment Area Plan of the Southeast Sector Plan. The existing PD (Planned Development) zoning is in compliance with this land use designation.

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

This proposal's land use is designated by the Downtown Redevelopment Plan as Mixed Use. Also, as part of the Downtown Centennial Plan, this proposal is a substantial component of the Parkway Center, the large area west of the downtown office core, casino center and Fremont Street. The relocation of the trail does not affect the size and intensity of this site plan, which remains appropriate for the Redevelopment Plan and Overlay District.

PROJECT DESCRIPTION

The approved Site Development Plan Review shows the building is set back from the Grand Central Parkway right-of-way by approximately 20 feet to 100 feet, with a generous landscape buffer area along the street frontages. Mexican Fan palm trees of 20-foot to 50-foot brown trunk height are depicted in a linear array along Bonneville Avenue and Grand Central Parkway at an average of approximately 30 feet on-center, plus clustered plantings adjacent to the Bonneville Avenue and Grand Central Parkway intersection. A plaza feature is shown at the intersection of Bonneville Avenue and Grand Central Parkway.

The proposal to relocate the trail will move the trail route from the west perimeter of the property to the street frontages along Bonneville Avenue, Grand Central Parkway, and Discovery Drive. The relocated trail route will still be able to connect to other regional trail routes at Bonneville Avenue and Discovery Drive.

ANALYSIS

General Analysis and Discussion

- Conditions

Condition of Approval Number 7 for the approved Site Development Plan review reads as follows:

"The applicant shall participate in the development of a major trail/landscaped buffer feature along I-15 and US-95/1-515, and shall develop such trail within the subject property. Such trail shall be 20-feet wide, and include a 10 foot wide asphalt walking/jogging/biking trail and heavy landscaping. Such trail shall have eventual connectivity into other downtown trails such as a trailhead near City Hall to the Bonanza Trail and the possible Third Street pedestrian corridor, linking to the regional trail plan. A trail plan for this segment shall be approved by the Planning and Development Department staff prior to the issuance of any permits for this site."

The applicant is now requesting this condition be review to allow the installation of the landscaping to be phased with the ongoing development of the site. If this request is approved, Condition of Approval Number 7 shall be revised to read as follows:

“As part of each phase of the development, the applicant shall construct and maintain a Multiuse Transportation Trail along the north side of Bonneville Avenue, the west side of Grand Central Parkway, and both sides of Discovery Drive. Notwithstanding other trail section standards identified in the Parkway Center Standards in the Downtown Centennial Plan, the trail section shall consist of a 10-foot wide Portland cement sidewalk adjacent to the property line with a five foot landscaped amenity zone on either side (i.e. one side in the ROW, the other side on the subject site). The applicant shall be allowed to vary from this standard only where the site plan contains a plaza or similar outdoor feature. In lieu of providing the permanent trail the applicant may provide a temporary five-foot wide Portland cement sidewalk adjacent to undeveloped phases of the project.”

FINDINGS

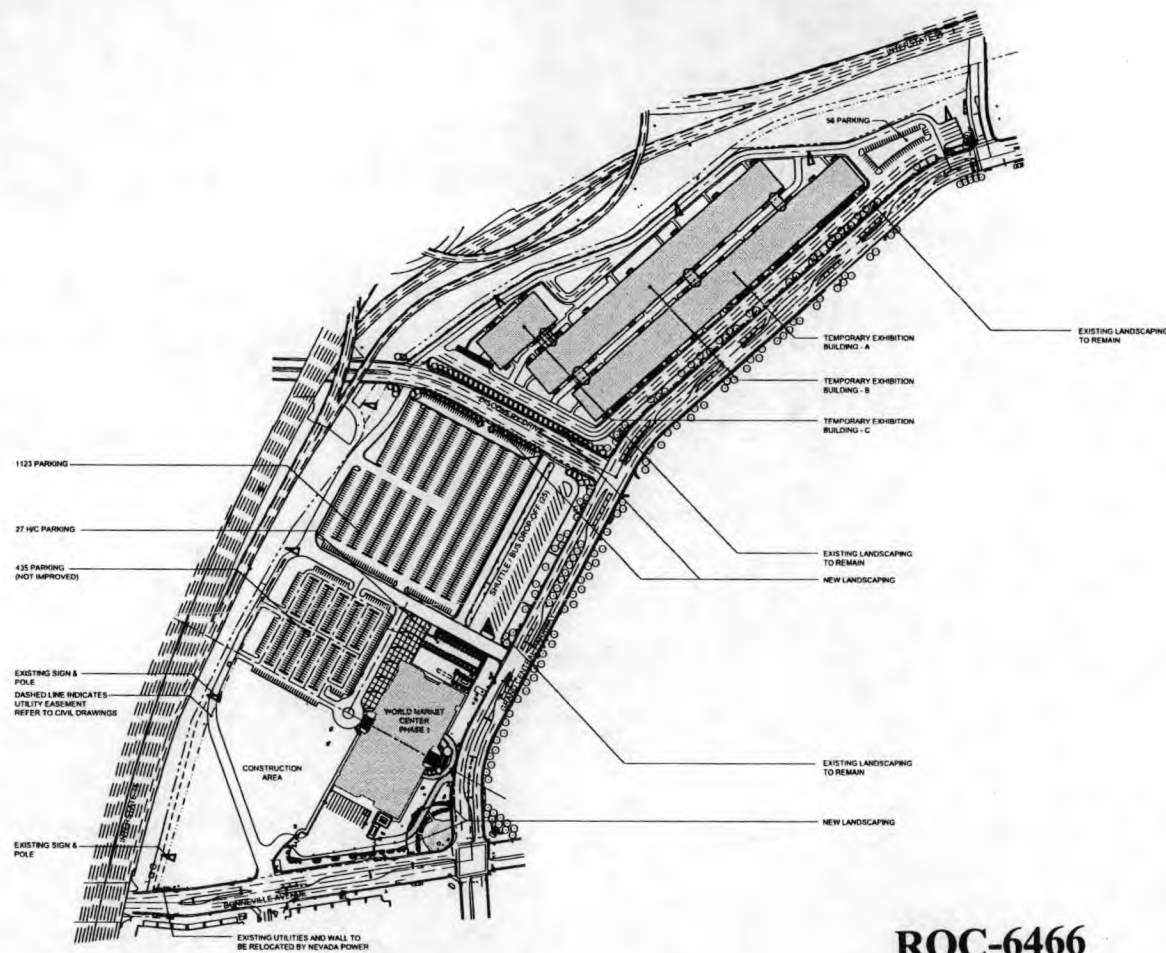
The original condition requires a 20-foot wide transportation trail along the west side of the site adjacent to Interstate 15. The applicant is now requesting the condition be revised to allow the trail along the street frontages of Grand Central Parkway and Bonneville Avenue. The request is acceptable provided the requirement of the original condition that the applicant submit a plan depicting connectivity to other trails in the Downtown Area.

The recommendation for this request is approval, subject to the revised condition as recommended above.

NOTICES MAILED 55 by Planning Department

APPROVALS 0

PROTESTS 0



PARKING	
BUILDING ONE	1250
TEMPORARY FACILITIES	390
TOTAL REQ'D	1600
TOTAL PROVIDED	1635

SCHEDULE		COMPLETION DATE
BUILDING ONE	07/05	18 mo.

RECEIVED

APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

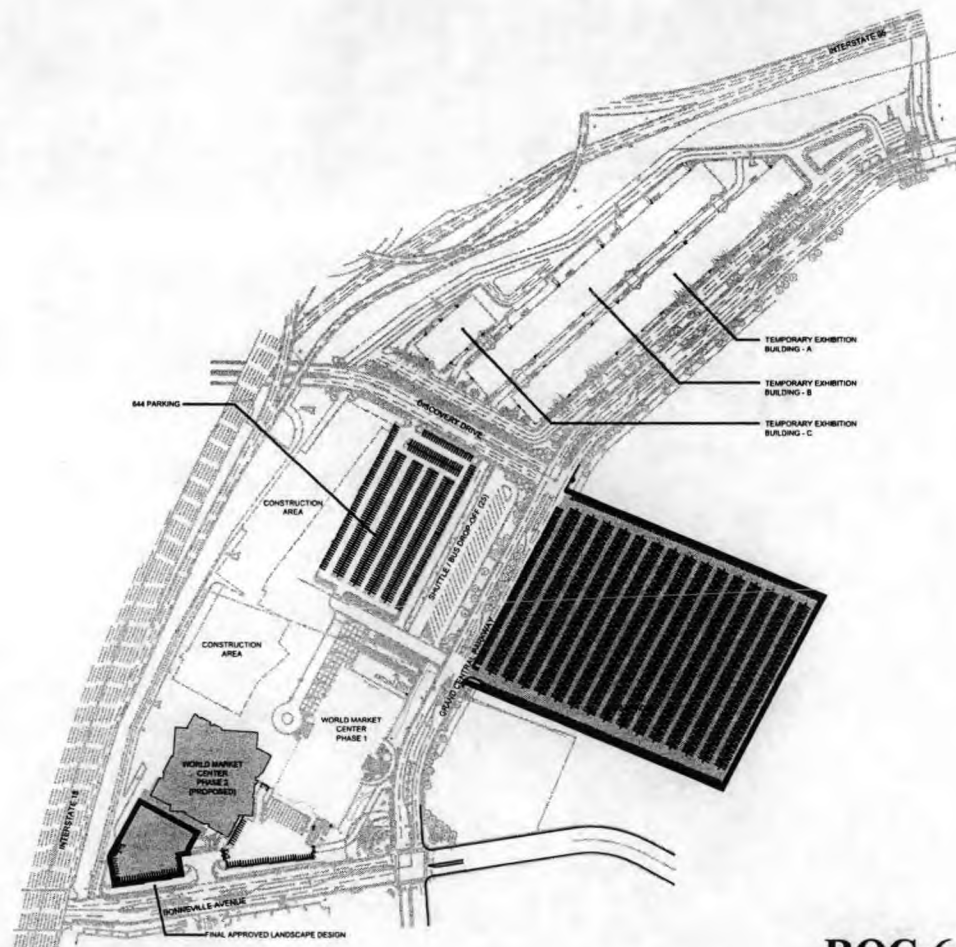
PHASE ONE A - MASTER PLAN WORLD MARKET CENTER

2285 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMARCH.COM

PROJECT NO. 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'
NORTH

JMA ARCHITECTURE STUDIOS



PARKING

BUILDING ONE	.1250
TEMPORARY FACILITIES	.350
BUILDING TWO	.1600

TOTAL REQD.	.3550
TOTAL PROVIDED	.3200

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05, 03/07
BUILDING TWO	07/05, 03/07

RECEIVED
APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

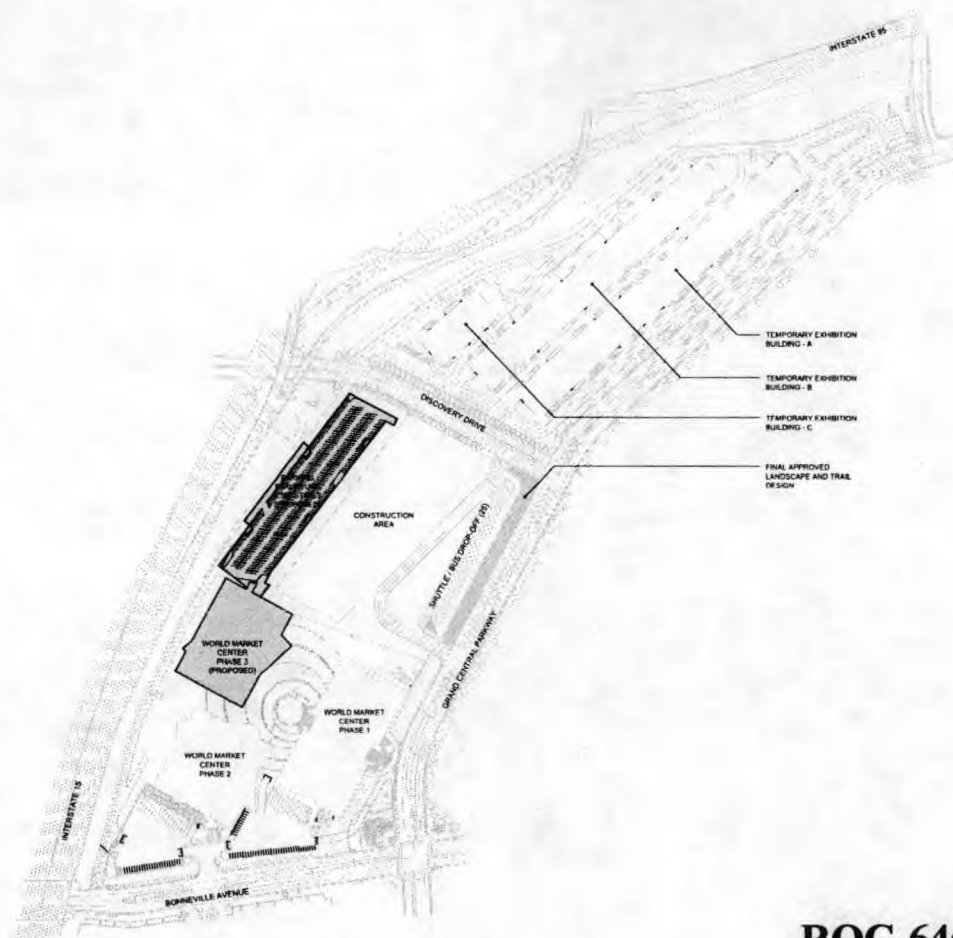
PHASE TWO - MASTER PLAN WORLD MARKET CENTER

2985 CORPORATE CIRCLE, SUITE 200 HENDERSON, NEVADA 89074
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMAARCH.COM

PROJECT NO: 200402144
DATE: MARCH 2, 2005

SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1600
BUILDING THREE	1500

TOTAL REQD	4700
TOTAL PROVIDED	4500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05
BUILDING TWO	03/07
BUILDING THREE	06/07

RECEIVED

APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

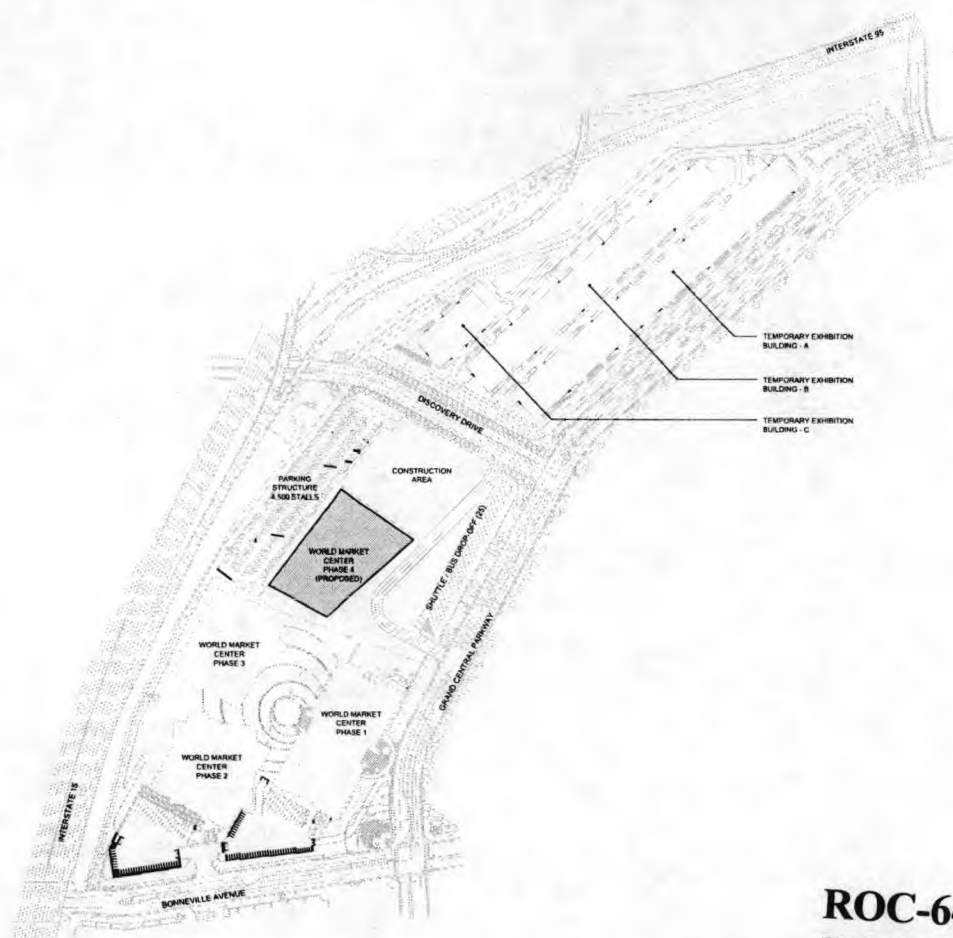
PHASE THREE - MASTER PLAN WORLD MARKET CENTER

2281 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89074
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMAARCH.COM

PROJECT NO. 200402144
DATE APRIL 7, 2005

0 100' 200' 400'
SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1600
BUILDING THREE	1500
BUILDING FOUR	1500

TOTAL REQD	6300
TOTAL PROVIDED	4500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05 03/07 09/07 03/08
BUILDING TWO	08 mo
BUILDING THREE	08 mo
BUILDING FOUR	08 mo

RECEIVED

APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

PHASE FOUR - MASTER PLAN WORLD MARKET CENTER

2281 CORPORATE CIRCLE, SUITE 210 HENDERSON, NEVADA 89014

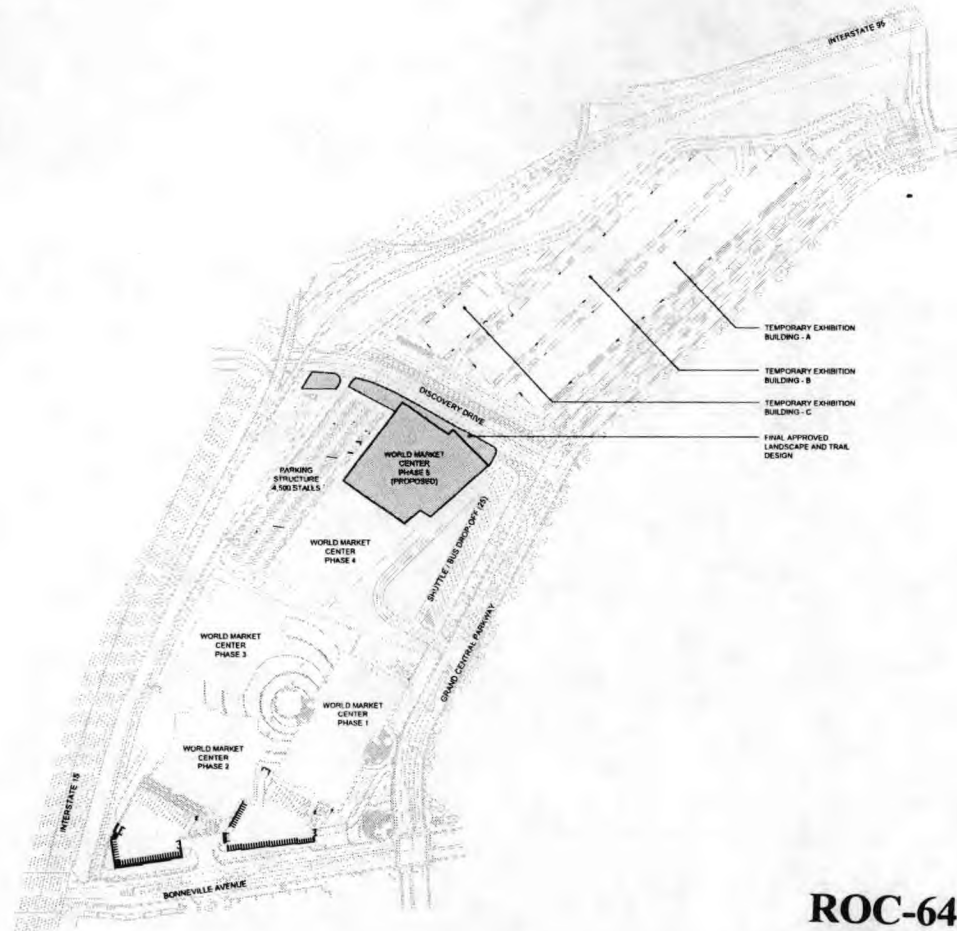
PHONE: (702) 942-2033 FAX: (702) 942-2039 WWW.JMAARCH.COM

PROJECT NO. 200402144

DATE: APRIL 7, 2005

0 100' 200' 400'
 SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
TEMPORARY FACILITIES	350
BUILDING TWO	1800
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500

TOTAL REQD	7800
TOTAL PROVIDED	4500

SCHEDULE

	COMPLETION DATE
BUILDING ONE	07/05 03/07 05/07 03/08 05/08
BUILDING TWO	08 mo.
BUILDING THREE	08 mo.
BUILDING FOUR	08 mo.
BUILDING FIVE	08 mo.

RECEIVED
APR 8 2005

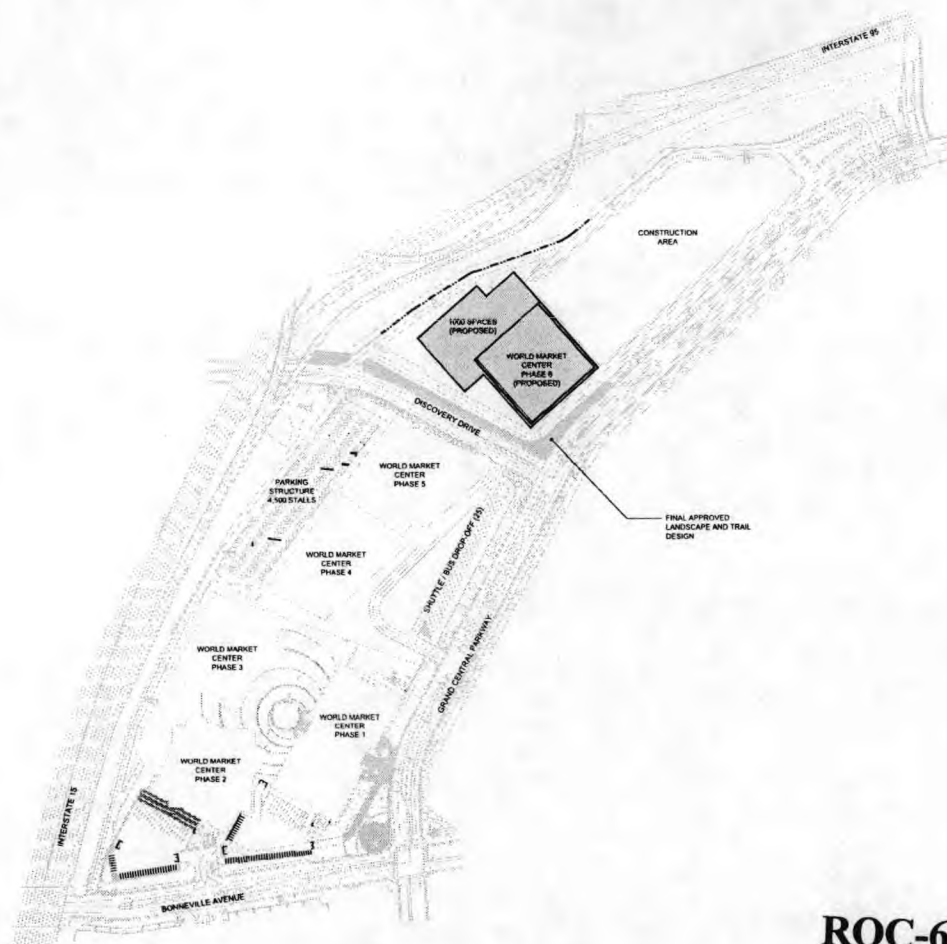
ROC-6466
ROC-6467
5-18-05 CC

PHASE FIVE - MASTER PLAN WORLD MARKET CENTER

2285 CORPORATE CIRCLE, SUITE 250 HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2035 WWW.JMAARCH.COM

PROJECT NO: 200402144
DATE: APRIL 7, 2005

0 100 200 400
SCALE: 1" = 200'
NORTH



PARKING

BUILDING ONE	1250
BUILDING TWO	1600
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500

TOTAL REQ'D 8850
TOTAL PROVIDED 5500

SCHEDULE

COMPLETION DATE
07/03 03/07 06/07 03/08 05/08 03/09

BUILDING ONE	07/03
BUILDING TWO	03/07
BUILDING THREE	06/07
BUILDING FOUR	03/08
BUILDING FIVE	05/08
BUILDING SIX	03/09

RECEIVED

APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

PHASE SIX - MASTER PLAN WORLD MARKET CENTER



PARKING

BUILDING ONE	1250
BUILDING TWO	1000
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500
BUILDING SEVEN	1500
TOTAL REQ'D	10,350
TOTAL PROVIDED	6500

SCHEDULE

	07/05	03/07	09/07	03/08	09/08	03/09	09/09
BUILDING ONE	1.8 mo.						
BUILDING TWO		1.8 mo.					
BUILDING THREE			1.8 mo.				
BUILDING FOUR				1.8 mo.			
BUILDING FIVE					1.8 mo.		
BUILDING SIX						1.8 mo.	
BUILDING SEVEN							1.8 mo.

RECEIVED
APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

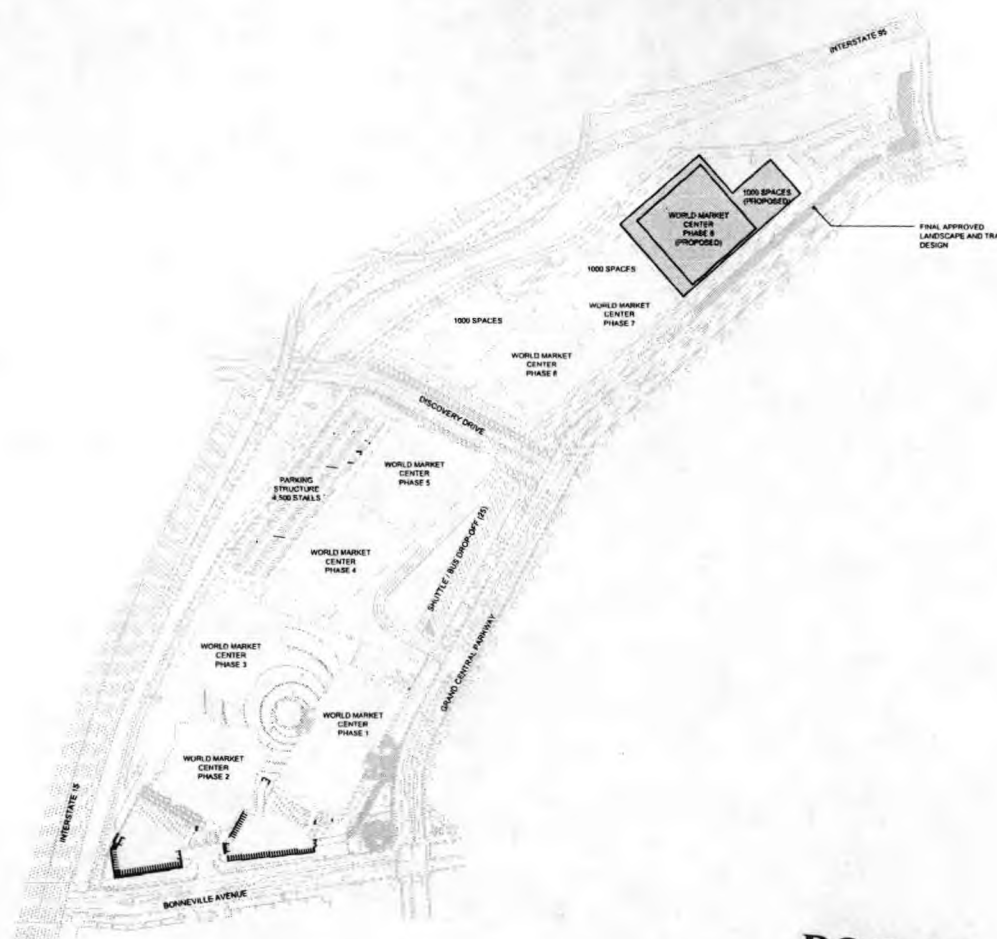
PHASE SEVEN - MASTER PLAN WORLD MARKET CENTER

200 CORPORATE CIRCLE, SUITE 200, HENDERSON, NEVADA 89014
PHONE: (702) 942-2033 FAX: (702) 942-2038 WWW.JMAARCH.COM

PROJECT NO: 200402144
DATE: APRIL 7, 2005

0 100' 200' 400'
SCALE: 1" = 200'





PARKING

BUILDING ONE	1250
BUILDING TWO	1800
BUILDING THREE	1500
BUILDING FOUR	1500
BUILDING FIVE	1500
BUILDING SIX	1500
BUILDING SEVEN	1500
BUILDING EIGHT	1500
TOTAL REQ'D	11,850
TOTAL PROVIDED	7500

SCHEDULE

	COMPLETION DATE							
	07/05	03/07	09/07	03/08	09/08	03/09	09/09	03/10
BUILDING ONE								
BUILDING TWO								
BUILDING THREE								
BUILDING FOUR								
BUILDING FIVE								
BUILDING SIX								
BUILDING SEVEN								
BUILDING EIGHT								

RECEIVED
APR 8 2005

ROC-6466
ROC-6467
5-18-05 CC

PHASE EIGHT - MASTER PLAN WORLD MARKET CENTER



**ROC-6466 and ROC-6467 - APPLICANT: WORLD CENTER MARKET – OWNER: WMC
III ASSOCIATES, LLC, ET AL
495 South Grand Central Parkway
MAY 18, 2005 CITY COUNCIL MEETING**

Picture taken 04/18/05



**ROC-6466 and ROC-6467 - APPLICANT: WORLD CENTER MARKET – OWNER: WMC
III ASSOCIATES, LLC, ET AL
495 South Grand Central Parkway
MAY 18, 2005 CITY COUNCIL MEETING**

Picture taken 04/18/05



**ROC-6466 and ROC-6467 - APPLICANT: WORLD CENTER MARKET – OWNER: WMC
III ASSOCIATES, LLC, ET AL
495 South Grand Central Parkway
MAY 18, 2005 CITY COUNCIL MEETING**

Picture taken 04/18/05



**ROC-6466 and ROC-6467 - APPLICANT: WORLD CENTER MARKET – OWNER: WMC
III ASSOCIATES, LLC, ET AL
495 South Grand Central Parkway
MAY 18, 2005 CITY COUNCIL MEETING**

Picture taken 04/18/05



WORLD MARKET CENTER

L,

4/7/05

City of Las Vegas
Development Services Center
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101

Attention Gary Leobold, AICP
Planning Supervisor / Current Planning

Subject : Request for Review of Conditions referenced SDR 4841 Item # 6 and Z-0100-97 (3) Item # 7
(Justification Letter)

In addressing previous conditions set forth in SDR 4841, we are experiencing issues as to the phasing and implementation of the permanent landscaping in accordance to the original recorded documents. At this time we are requesting an amendment to such recorded documents as to read the following : Item #6 The applicant shall submit a staging plan to show the phasing of the development for the overall site. In addition, a landscape plan shall be submitted concurrently for each phase of the proposed staging plan as developed by the applicant and approved by the Planning Department. This landscape plan shall indicate all areas of permanent on site landscaping and all areas of temporary perimeter landscaping based on the approved phasing of the development. Permanent landscaping shall meet all requirements of Title 19 and of the Parkway Center Standards in the Downtown Centennial Plan. This process will enable to clarify all issues pertaining to each phase as it is presented in the site plan review process.

In addition, Z-0100097 (3) Item # 7 as part of each phase of the development, the applicant shall construct and maintain a multiuse transportation trail along the north side of Bonneville Ave, the west side of Grand Central Parkway, and both sides of Discovery Dr. Notwithstanding other trail section standards identified in the Parkway Center Standards in the Downtown Centennial Plan, the trail section shall consist of a 10-foot Portland cement sidewalk adjacent to the property line with a five foot landscaped amenity zone on either side of the ROW, the other side on the subject site. The applicant shall be allowed to vary from this standard only where the site plan contains a plaza or similar outdoor feature. In lieu of providing the permanent trail , the applicant may provide a temporary five-foot Portland cement concrete sidewalk adjacent to undeveloped phases of the project. Determination of this request was due to site restraints from NDOT future expansion and existing utility easement locations site specific.

RAC-6466

RAC-6467



WORLD MARKET CENTER™

Page 2 of 2

We appreciate your consideration in respect to this request. We find it necessary in addressing all concerns as to the integrity to the Downtown Centennial Plan.

Respectfully,

Robert Holgate
Related Group
World Market Center
Director of Forward Planning



June 20, 2001

Mr. Don Caldwell
Union Pacific Railroad Company
150 North Santa Anita Avenue, Suite #300
Arcadia, California 91006

RE: Z-0100-97(3) - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MAY 16, 2001

Dear Mr. Caldwell:

The City Council at a regular meeting held May 16, 2001 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 1,000,000 SQUARE FOOT COMMERCIAL DEVELOPMENT AND FOR A WAIVER OF THE OFF-STREET PARKING REQUIREMENTS on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway (APN: 139-33-610-002). The Notice of Final Action was filed with the Las Vegas City Clerk on May 17, 2001. This approval is subject to:

Planning and Development

1. If this Site Development Plan Review is not exercised within two years of the City Council approval, this Site Development Plan Review shall be void unless an Extension of Time is granted.
2. The adequacy of parking shall be reviewed by the Planning Commission and City Council within two years of the approval of this Site Development Plan Review, at which time the Planning Commission and City Council may require additional parking be provided for the facility.
3. The rear (west) elevation of the Phase I building shall depict a loading area enclosure, consisting of an effective solid screen at least 10 feet in height, or meeting all landscape screening requirements of the approved Site Development Plan Review and Site Development Standards for Lot 1 for service and dock areas, along the full loading area perimeter.
4. The site plan shall be revised to depict substantial outdoor plazas with seating areas and appropriate landscaping to encourage pedestrian gathering, including at a minimum an area adjacent to the north of the building.

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

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

ROC-6467

5. The details of all exterior signage shall be submitted with a Master Sign Plan for approval by the Planning Commission, prior to issuance of a Certificate of Occupancy.
6. A detailed landscaping plan in compliance with all Landscape Architecture Design Criteria requirements of the approved Site Development Plan Review and Site Development Standards for Lot 1 shall be submitted for approval of the Planning and Development Department, prior to the issuance of any building permits for the site.
7. The applicant shall participate in the development of a major trail/landscaped buffer feature along I-15 and US-95/I-515, and shall develop such trail within the subject property. Such trail shall be 20-feet wide, and include a 10 foot-wide asphalt walking/jogging/biking trail and heavy landscaping. Such trail shall have eventual connectivity into other downtown trails such as a trailhead near City Hall to the Bonanza Trail and the possible Third Street pedestrian corridor, linking to the regional trail plan. A trail plan for this segment shall be approved by the Planning and Development Department staff prior to the issuance of any permits for this site.
8. All decorative paving, including square and round intersections, pedestrian plazas, and entry plazas, shall consist of stamped colored concrete or handset pavers or some other type of decorative amenities subject to approval by the Planning and Development Department Staff.
9. Any deviations from the approved master plan and master development standards shall require approval of a waiver to be heard at a public hearing before the Planning Commission and City Council.
10. This site development, including land uses, pedestrian, vehicular and transit circulation systems, and general development standards, shall be coordinated with the City-owned 61-acre parcel to the east of this site, and the UP-owned 39-acre parcel to the south of this site.
11. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

Public Works

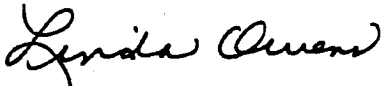
13. Dedicate appropriate right-of-way for a total radius of 54 feet on the northwest and southwest corners of Discovery Drive and Grand Central Parkway prior to the issuance of building or grading permits for this site. Additional rights-of-way may also be required in accordance with the approved Traffic Impact Analysis. The applicant shall work with staff regarding the Discovery Drive rights-of-way dedication to coordinate with future development of Phases 1, 2, and 3.

14. Construct full-width improvements on Discovery Drive (aka World Drive) through this site concurrent with development of any portion of the project that abuts Discovery Drive. Also, concurrent with development, remove all substandard improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. In addition, coordinate with the Traffic Engineer regarding the proposed entry feature at the intersection of Discovery Drive (aka World Drive) and Grand Central Parkway prior to the submittal of any construction drawings; comply with the recommendations of the Traffic Engineer.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for 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 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, whichever may occur first., if allowed by the City Engineer.

Mr. Don Caldwell
Z-0100-97(3) – Page Four
June 20, 2001

18. Site development to comply with all applicable Conditions of Approval for Z-100-97 and all other site-related actions.

Sincerely,



LINDA OWENS
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK

AR

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

Mr. Mark Fiorentino
KKB&R

3800 Howard Hughes Pkwy, 7th Floor
Las Vegas, Nevada 89109

Mr. Jack Kashani
Furniture Mart Enterprises, Limited Liability Company
935 North Whittier Drive
Beverly Hills, California 90210

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SITE DEVELOPMENT PLAN REVIEW**

SDR-6188 - PUBLIC HEARING - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC - Request for a Site Development Plan Review FOR A 38-STORY MIXED-USE DEVELOPMENT CONSISTING OF 278 RESIDENTIAL UNITS AND 9,300 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEP BACK AND STREETScape REQUIREMENTS on 0.44 acres adjacent to the southeast corner of Charleston Boulevard and Casino Center Boulevard (APN 162-03-110-039 and 162-03-110-040), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

TARKANIAN- APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused and MACK not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

JEFF BRODES, 919 East Bonneville, conveyed wonderful assistance received from the Art's District Community Association and from the City who also offered many beneficial suggestion that have contributed to improving the project. He concurred with the recommendations and agreed to all conditions.

TOM MCGOWAN, Las Vegas resident, supported the appearance of the building and questioned the reason for the waivers of the step back and streetscape requirements. He also questioned what retail commercial use will exist on this property and what is the projected rate of lease for the retail spaces.

MARGO WHEELER, Director of Planning and Development, explained the step back is a requirement within the downtown Centennial Plan Area at integral stories. Based on the lot and the footprint of the lot, it was deemed unnecessary and inappropriate to meet those step backs on this particular project. The streetscape has only minor changes to the sidewalk, that only an eight-foot sidewalk can be accommodated instead of an eleven-foot sidewalk. Because this is the site where Casino Center Drive is

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

being reconfigured there are some limitations on the site. Overall, the entire intention of the downtown Centennial Plan is being met and the modifications are minor.

WES MILES, 107 East Charleston, owns the property across the street from this project and fully supports the development. The wonderful design and style of the building will attract artists who want to live in that area. He also supported the design of billboard signs being part of buildings as opposed to a stand-alone pole and looks forward to more of that design in this area.

IYAD HADDAD, 200 East Charleston, stated the commercial space will include an art gallery and is the first building that will be attributed to art. There are plans for a coffee shop, wine and cheese, and a fruit bar downstairs.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:05 - 2:12)

3-2394

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/05, except as amended by conditions herein.
3. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and massing of the building.
4. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements.
5. A parking plan shall be submitted for review and approval by staff to accommodate commercial parking.
6. The existing billboard on the site shall be removed prior to the issuance of building permits.
7. The palm trees shown along the Casino Center right-of-way shall have a minimum height of 25 feet upon installation, and shall not exceed 35 feet on center. The required shade trees shown along the Charleston Boulevard right-of-way shall be installed at a maximum spacing of 30 feet on center; minimum tree size shall be a 24-inch box.
8. The sidewalk shall include a decorative paving treatment at the street intersection in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

the Fourth Street improvements installed by the City of Las Vegas.

9. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.

10. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

11. The elevations of the structure shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation of the parking levels of the structure.

12. All metal panels and metal surfaces shall have a matte finish so as to minimize reflectivity. Reflective glass at the pedestrian level is prohibited; glazing on the upper stories of the building shall be limited to a maximum of 22% reflectivity.

13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

15. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

16. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

17. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

18. Signage for the development shall be subject to conformance to the Arts District requirements of

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

Downtown Centennial Plan.

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

Public Works

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

21. Dedicate a 25 foot radius and also grant a Traffic Signal Chord easement at the southeast corner of Casino Center Boulevard and Charleston Boulevard prior to the issuance of any permits.

22. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

23. Coordinate with the Collection System Planning Section of the Department of Public Works to provide a new connection to public sewer in Charleston Boulevard. Also coordinate with the Collection System Planning Section of the Department of Public Works to determine connection requirements prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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

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

26. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.

27. Coordinate with the City Engineer's office to discuss the Casino Center realignment project to determine impacts, if any, to this site plan.

28. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.

29. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

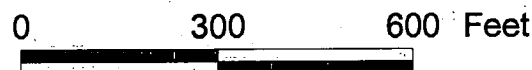
30. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works

CITY COUNCIL MEETING OF: MAY 18, 2005**CONDITIONS - Continued:**

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

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

32. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements located in the Nevada Department of Transportation public right-of-way adjacent to this site.

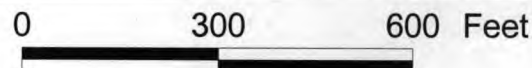


ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)





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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/05, except as amended by conditions herein.
3. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed façade articulation and massing of the building.
4. The Waiver from the Downtown Centennial Plan streetscape requirement for 11-foot wide sidewalks and a five-foot amenity zone is hereby approved, due to the constraints of the public right-of-way. All other streetscape elements shall conform to the Downtown Centennial Plan requirements.
5. A parking plan shall be submitted for review and approval by staff to accommodate commercial parking.
6. The existing billboard on the site shall be removed prior to the issuance of building permits.
7. The palm trees shown along the Casino Center right-of-way shall have a minimum height of 25 feet upon installation, and shall not exceed 35 feet on center. The required shade trees shown along the Charleston Boulevard right-of-way shall be installed at a maximum spacing of 30 feet on center; minimum tree size shall be a 24-inch box.
8. The sidewalk shall include a decorative paving treatment at the street intersection in accordance with Subsection DS4.2 of the Downtown Centennial Plan. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.
9. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.

10. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
11. The elevations of the structure shall be reviewed and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to ensure that there is adequate façade articulation of the parking levels of the structure.
12. All metal panels and metal surfaces shall have a matte finish so as to minimize reflectivity. Reflective glass at the pedestrian level is prohibited; glazing on the upper stories of the building shall be limited to a maximum of 22% reflectivity.
13. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
14. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
16. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.
17. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).
18. Signage for the development shall be subject to conformance to the Arts District requirements of Downtown Centennial Plan.
19. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

20. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
21. Dedicate a 25 foot radius and also grant a Traffic Signal Chord easement at the southeast corner of Casino Center Boulevard and Charleston Boulevard prior to the issuance of any permits.
22. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
23. Coordinate with the Collection System Planning Section of the Department of Public Works to provide a new connection to public sewer in Charleston Boulevard. Also coordinate with the Collection System Planning Section of the Department of Public Works to determine connection requirements prior to the issuance of any permits. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
24. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
25. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
26. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of any construction drawings.
27. Coordinate with the City Engineer's office to discuss the Casino Center realignment project to determine impacts, if any, to this site plan.
28. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
29. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

30. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
31. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
32. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements located in the Nevada Department of Transportation public right-of-way adjacent to this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a 38-story mixed-use development including 278 residential units and 9,300 square feet of commercial space with Waivers of the Downtown Centennial Plan building setback and streetscape requirements on 0.44 acres adjacent to the southeast corner of Charleston Boulevard and Casino Center Boulevard.

B) *Applicant's Justification*

The applicant states that the project meets the downtown Centennial guidelines, including the Arts District guidelines.

BACKGROUND INFORMATION

A) *Previous Actions*

No previous actions have been taken relative to the subject properties.

04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #56/ff).

B) *Pre-Application Meeting*

02/11/05 At the pre-application conference, issues were discussed relative to the streetscape requirements, the appearance of the parking structure, the Arts District signage requirements, and the restriction against time share units in the Arts District. In addition, it was noted that a radius dedication would be required at the intersection of Charleston Boulevard and Casino Center Boulevard, and that a traffic study would be required for review by Planning Commission and City Council.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.44

B) *Existing Land Use*

Subject Property: Office Use

North: Undeveloped [The site is approved for a 98-unit mixed-use development (SDR-5660)]

South: Multifamily Residential Use

East: Multifamily Residential Use

West: Retail Use

C) *Planned Land Use*

Subject Property: C (Commercial)

North: C (Commercial)

South: MXU (Mixed Use)

East: C (Commercial)

West: C (Commercial)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: C-1 (Limited Commercial)

East: C-2 (General Commercial)

West: C-2 (General Commercial)

E) *General Plan Compliance*

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

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Arts District. The district is intended to accommodate a variety of commercial, residential and arts-related uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

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

PROJECT DESCRIPTION

The project involves the removal of the existing structures and billboard on the site and the construction of a new 38-story mixed-use building, with a total of 278 residential condominium units and 9,300 square feet of ground-level commercial space. Parking will occupy Levels 2 through 7 of the building; residential units will occupy Levels 8 through 37. A total of 280 parking spaces will be provided within the building, and on-street parking is available immediately adjacent to the site. The exterior of the building will feature a combination of glass curtainwalls, decorative glass panels, metal panels, and exposed pre-cast concrete.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.44 Acres	N/A
Min. Lot Width	N/A	125 Feet	N/A
Min. Setbacks			
• Front (Casino Center)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner (Charleston)	0 Feet	0 Feet	Y
• Rear	0 Feet	0 Feet	Y
Max. Lot Coverage	Up to 100%	96%	Y
Max. Building Height	N/A	415 Feet	N/A
Building Stepback	4 th , 11 th , 18 th Stories	None	N
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Not indicated	Not indicated
Mech. Equipment	Screened	Not indicated	Not indicated

The proposed structure does not comply with the Centennial Plan requirement for building setbacks at the 4th, 11th and 18th stories of the building; the applicant has requested a Waiver from this requirement. No information has been provided relative to loading spaces or screening of mechanical equipment.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Multifamily Residential	278 Units		
Commercial	9,300 SF		
Total:		280	Not indicated

The proposed development only provides two parking spaces in excess of the number of residential units, which raises concerns about parking impacts to the adjacent neighborhood. Ideally, there should be one parking space for each residential unit and three parking spaces per 1,000 square feet of commercial space. Consequently, it is recommended that 26 additional parking spaces be added on site.

Public Works has noted that a radius dedication will be required at the intersection of Charleston Boulevard and Casino Center Boulevard; the configuration of the first floor of the building allows for the radius dedication. In addition, the applicant may need to provide a bus turnout on Charleston Boulevard. The required traffic study may also require other modifications to mitigate the impacts of the development.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	Required		Provided
	Ratio	Trees	
East/West Street Charleston Boulevard	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	7 Trees
North/South Street Casino Center	1 Palm Tree @ 35' o.c. max. (min. 25' height)	4 Trees	4 Trees
Sidewalk	11' Sidewalk		Charleston: 8' Casino: 8'

The site plan indicates that the minimum number of trees will be provided in the public right-of-way as required by the Downtown Centennial Plan. Due to the constraints of the existing rights-of-way, the sidewalks will not meet the minimum required width, and no landscape amenity zone will be provided. The applicant has requested a Waiver from the streetscape requirements to address this issue.

A5) Sign Standards

The elevations depict the use of large signs as a design element to screen the parking levels of the building; all building signage shall be subject to the requirements listed in the Downtown Centennial Plan relative to the Arts District, and will be addressed under a separate permit.

B) General Analysis and Discussion

- Zoning

The subject property is zoned C-2 (General Commercial); however, development standards and uses for the property are dictated by the Downtown Centennial Plan. The Arts District section of the Centennial Plan allows mixed-use developments by right, and no Special Use Permit is required. The structure will generally conform to the development standards listed in the Centennial Plan, with the exception of the building setback requirement, for which a Waiver has been requested. The applicant notes that encroachment permits will be requested for a proposed canopy that will extend over the public right-of-way on Casino Center Boulevard, and for balconies on the upper levels of the building. The requested encroachments will be subject to the review and approval of the Public Works Department.

- Site Plan

The site plan depicts the commercial space fronting on Charleston Boulevard, with the residential lobby and additional commercial space front on Casino Center Boulevard. Access to the parking structure will be provided from the alley on the south side of the property; the mechanical and service areas will also be accessed from the alley. The front corner of the building at the intersection of Charleston and Casino Center has been recessed so as to provide adequate area for the radius dedication that is required in that location.

- **Waivers**

The applicant has requested the following Waivers from the Downtown Centennial Plan requirements:

1. **Building Stepbacks:** The Centennial Plan requires a minimum five-foot stepback at the 4th, 11th, and 18th stories of a building. The only stepback to be provided is at the eighth story of the building; however, there is adequate articulation to the façade elements to satisfy the design requirements of the Downtown Centennial Plan. Consequently, staff recommends approval of the Waiver.
2. **Streetscape:** The Centennial Plan requires an 11-foot wide sidewalk and a five-foot wide amenity zone in the public rights-of-way; due to the constrained rights-of-way area, an eight-foot sidewalk will be provided along both the Charleston Boulevard and Casino Center Boulevard frontages. Due to these constraints, staff recommends approval of the Waiver.

- **Landscape Plan**

The landscape plan depicts the use of shade trees in the public right-of-way along Charleston Boulevard and palm trees along Casino Center Boulevard in accordance with the Centennial Plan streetscape requirements. The specifications indicate that the trees will comply with the spacing requirements. The sidewalk will need to include the required accent paving at the intersection as required by the Centennial Plan, and the required alley treatment will also need to be provided.

- **Elevations**

The elevations clearly define each building function through changes in fenestration and materials; these distinctions assist in giving the building scale and character. The retail spaces at the ground floor will feature storefront glazing in accordance with code requirements, and decorative glass panels will be utilized on the parking levels of the structure to add visual interest to that portion of the structure. The upper levels of the building will utilize aluminum and glass curtainwall construction, and will also feature two different types of metal panels interspersed with exposed pre-cast concrete. The development will feature both one- and two-story residential units; the difference in unit types is expressed on the exterior of the structure, and assists in giving variety to the façade of the building.

One element of concern in the design of the elevations of the building is the detailing of the parking floors of the building; the decorative glass screen wall is only utilized on portion of the elevations, leaving large areas of exposed pre-cast concrete. While the applicant has proposed the installation of signage to cover these areas, the signage will be subject to the standards of the Arts District regulations, and may not meet the guidelines as proposed. A Condition of Approval has been included to address this issue should the signage not be approved as proposed.

- Floor Plan

The first floor of the building is laid out with retail space fronting on Charleston Boulevard, with the residential lobby and additional commercial space on Casino Center Boulevard. Egress stairs will exit to the public sidewalks on Charleston Boulevard and Casino Center Boulevard. The parking garage entrance is located at the rear of the building, directly off of the alley. One- and two-story units will be provided; the number of units per floor will vary between 11 units and 18 units, based on the configuration of the floor plans.

FINDINGS

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

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

The proposed uses are compatible with adjacent development in the area, and a comparable mixed-use project has been approved on the north side of Charleston Boulevard across from the subject property. The proposed tower will be significantly taller than other buildings in the immediate vicinity, but its height is consistent with the recommendations of the Downtown Centennial Plan.

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

The proposed development is consistent with the General Plan, Title 19, and is generally consistent with the Downtown Centennial Plan. Waivers have been requested from the building setback and streetscape requirements, but the overall design of the project is consistent with the objectives of the Centennial Plan.

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

The only vehicular access to the structure will be from the public alley on the south side of the property; access to the alley is available from Casino Center Boulevard, Third Street, and California Street. The alley access will assist in dispersing traffic from the development, and should not significantly impact the adjacent roadways.

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

The proposed building and landscape materials are generally appropriate for the area and for the City.

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

The design of the building elevations is generally appropriate to the different functions and unit types within the building, and will be compatible with other development within the Arts District.

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

The project will be subject to inspections, and appropriate measures will be taken to protect public health, safety, and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #5 as shown to allow the applicant the opportunity to ensure that adequate parking is provided.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

NOTICES MAILED 174 by Planning Department

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6188 APN: 162-03-110-039 & 040

Name of Property Owner: Iyad Haddad

Name of Applicant: Iyad Haddad

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

Yes

~~_____~~ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

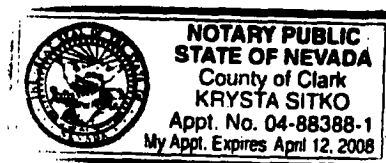
Print Name: Eddie Haddad

Subscribed and sworn before me

This 25th day of February, 2005

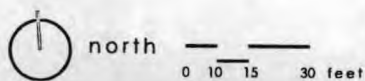
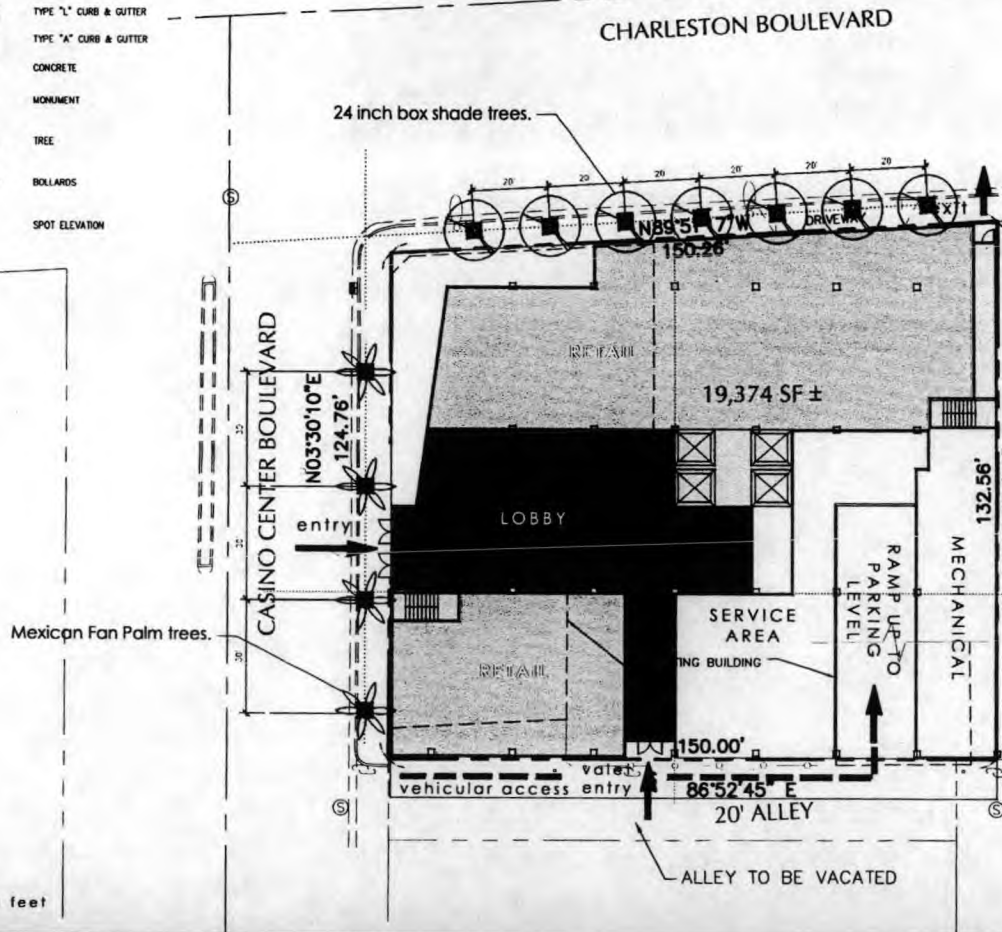
Notary Public in and for said County and State

~~W~~ KRYSTA SITKO



LEGEND

--- RIGHT-OF-WAY	===== SCREEN / RETAINING WALL
--- CENTERLINE	--- CHAIN LINK FENCE
--- WATER LINE	--- WIRE FENCE
--- SANITARY SEWER LINE	--- A.C. PAVING
--- GAS LINE	--- TYPE "L" CURB & GUTTER
--- 50" STORM DRAIN	--- TYPE "A" CURB & GUTTER
--- POWER LINE	--- CONCRETE
--- TELEPHONE LINE	--- MONUMENT
--- EASEMENTS	--- TREE
--- FIRE HYDRANT	--- BOLLARDS
--- WATER VALVE	--- SPOT ELEVATION
--- METERS / PULL BOXES	
--- CLEANOUT	
--- SEWER MANHOLE	
--- STORM MANHOLE	
--- SIGN POLE	
--- POWER POLE	
--- DRAIN INLET	
--- STREET LIGHT	
--- 1990 --- CONTOUR	



NOTE
THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.
DIMENSIONS WERE DERIVED FROM RECORD INFORMATION
AND THE COUNTY ASSESSOR'S MAP.

APN 162-03-110-039
RESIDENTIAL APARTMENTS



VICINITY MAP

site plan

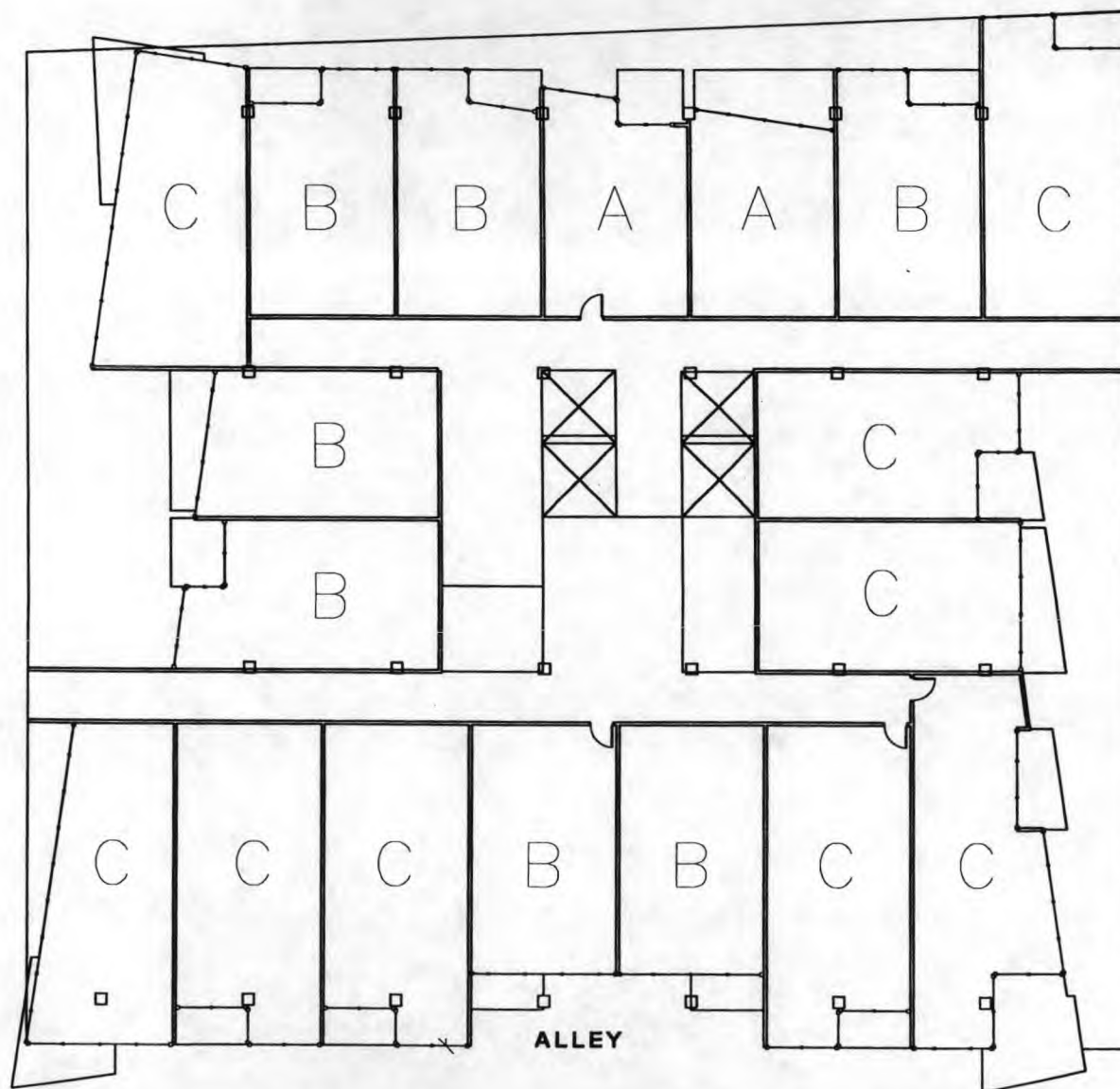
200 EAST CHARLESTON

SDR-6188
04-14-05 PC

RNL

MARTIN & MARTIN
CIVIL ENGINEERS
2101 S. JONES, SUITE 120
LAS VEGAS, NV 89146
PHONE (702) 248-8000
FAX (702) 248-8070

MARTIN & MARTIN



RNL

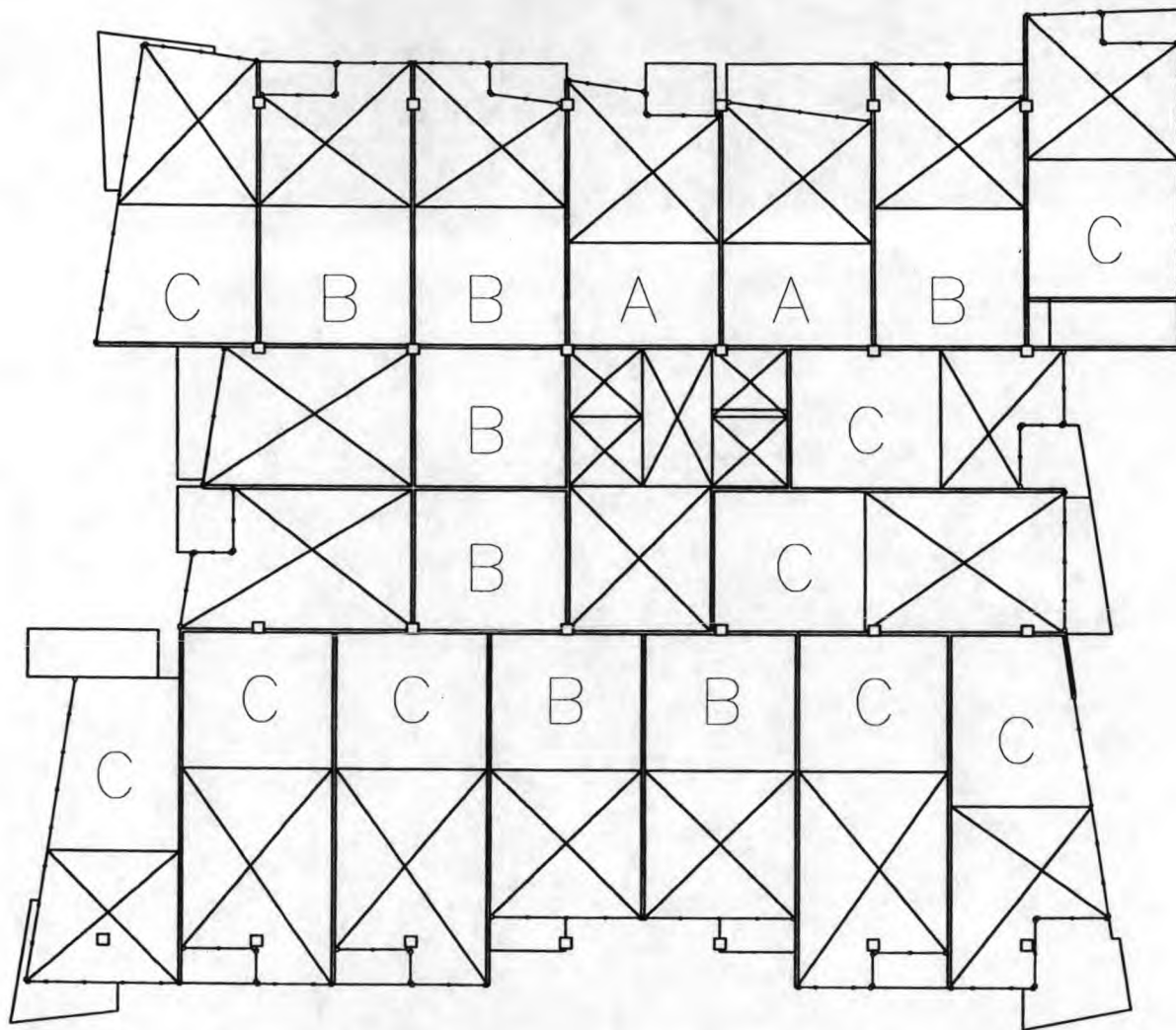
200 CHARLESTON

TWO STORY

SCALE: 1/16"=1'

SDR-6188

04-14-05 PC



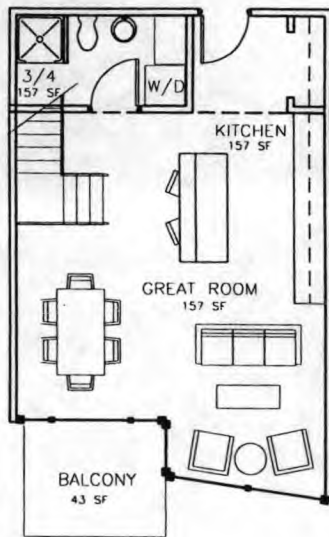
RNL

200 CHARLESTON

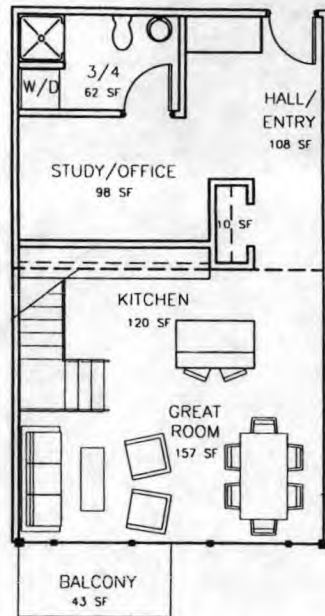
TWO STORY
second floor

SCALE: 1/16"=1'

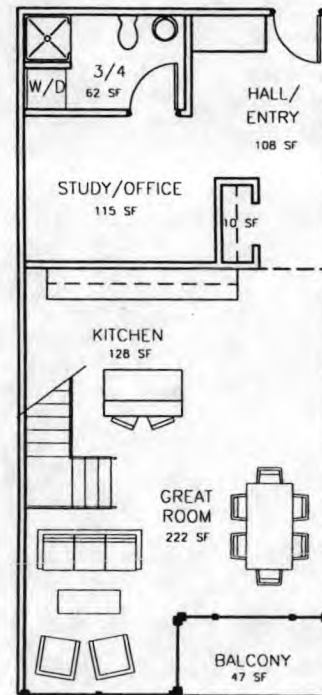
SDR-6188
04-14-05 PC



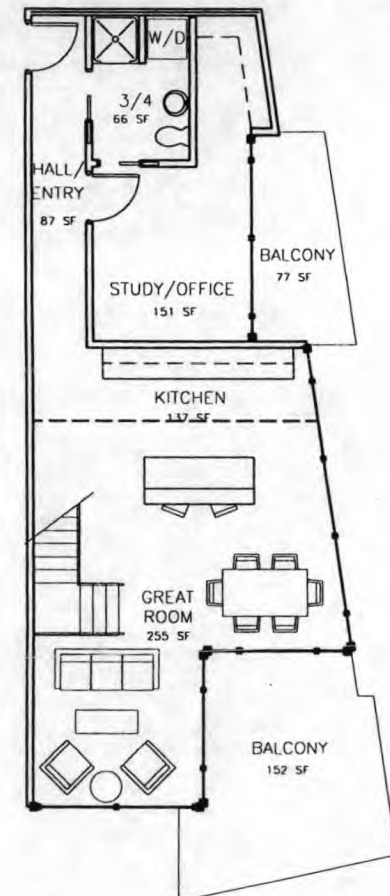
A



B



C



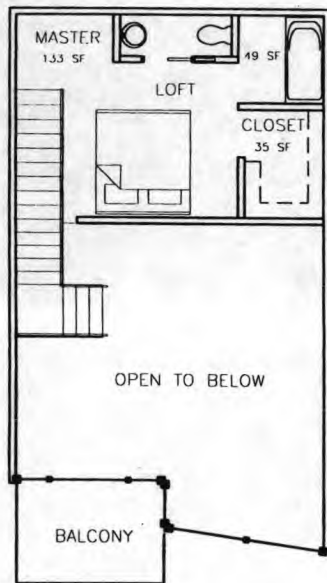
C

SCALE: 1/8" = 1'

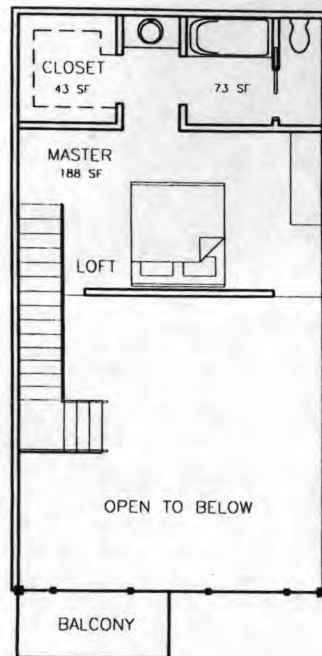


TWO STORY UNITS

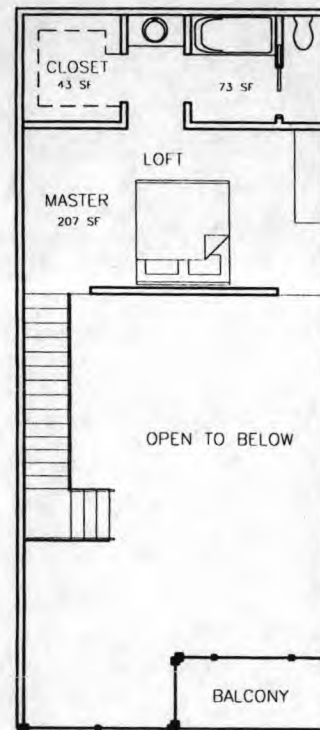
SDR-6188
04-14-05 PC



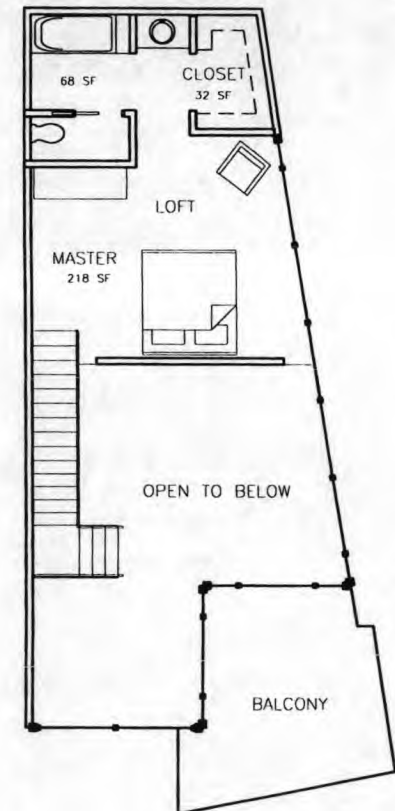
A



B



C



C

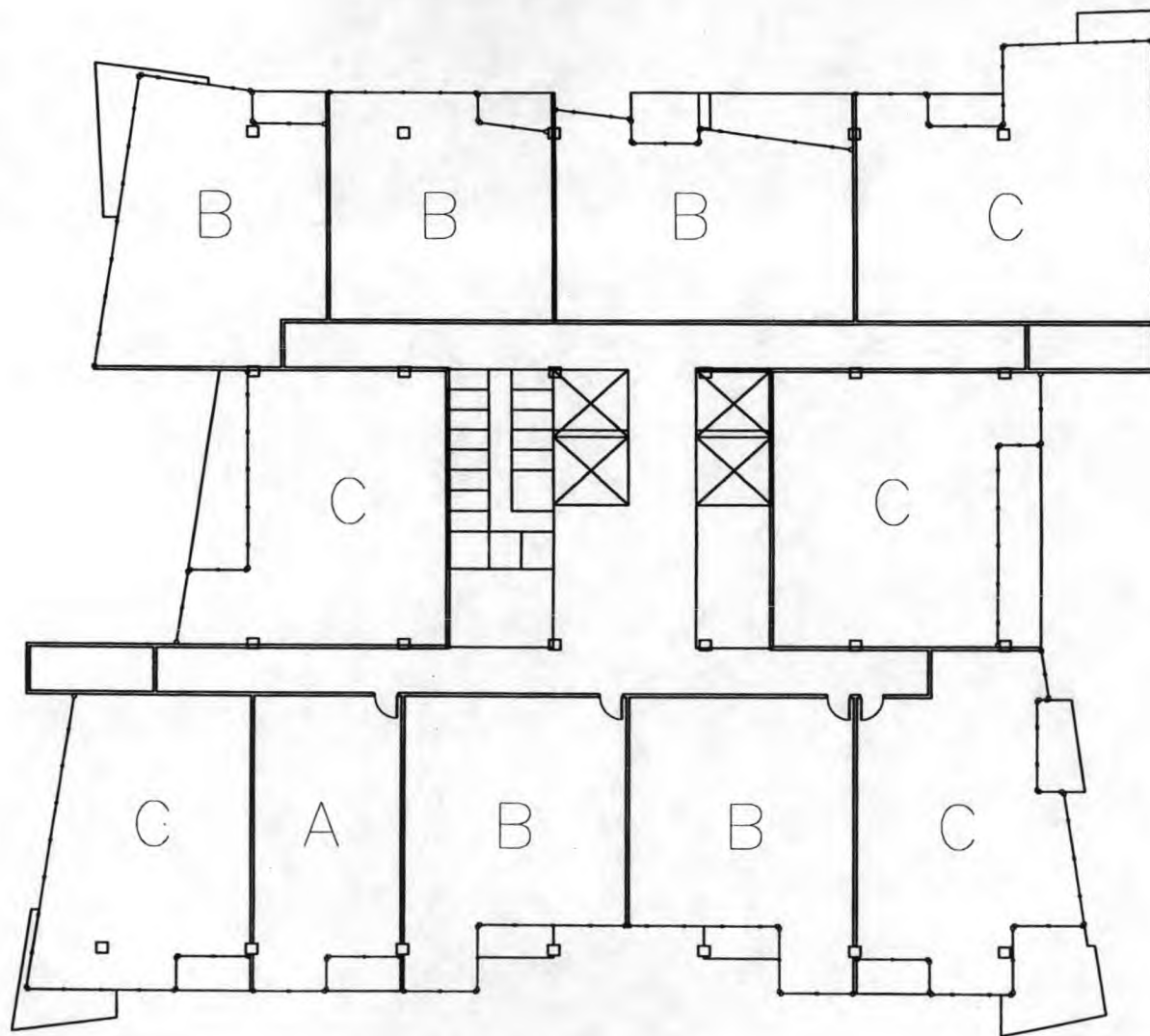
SCALE: 1/8" = 1'



TWO STORY UNITS

SECOND FLOOR

SDR-6188
04-14-05 PC



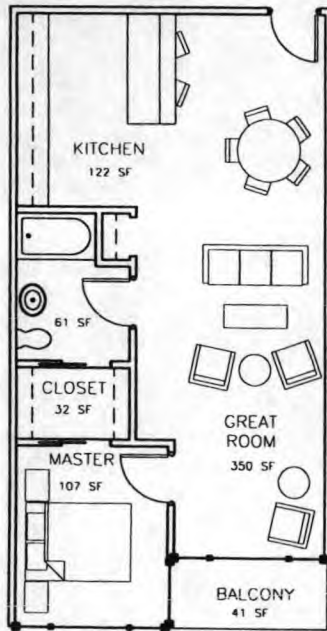
RNL

200 CHARLESTON

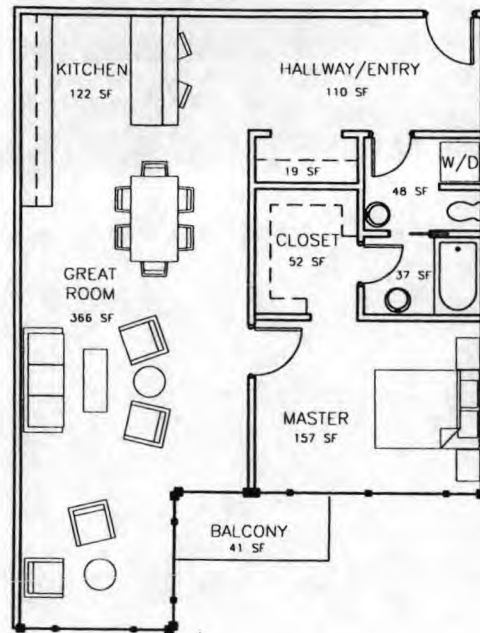
ONE STORY

SCALE: 1/16" = 1'

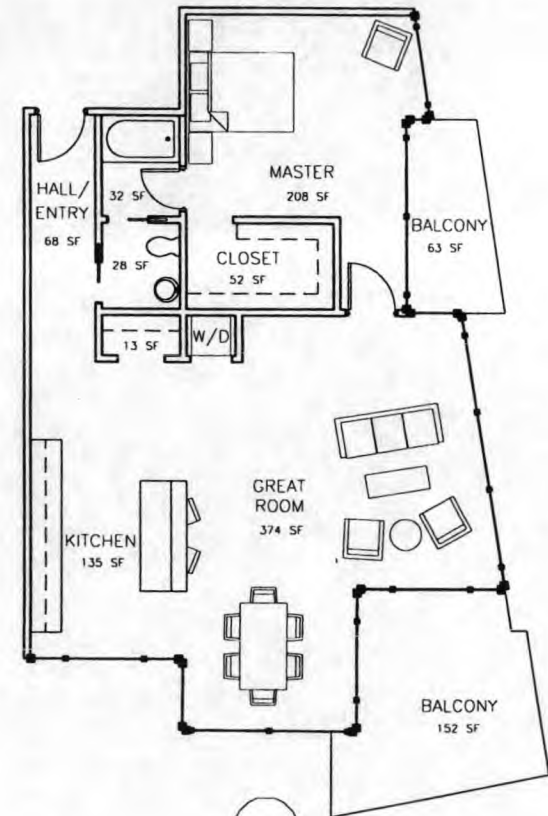
SDR-6188
04-14-05 PC



A



B



C

SCALE: 1/8"=1'



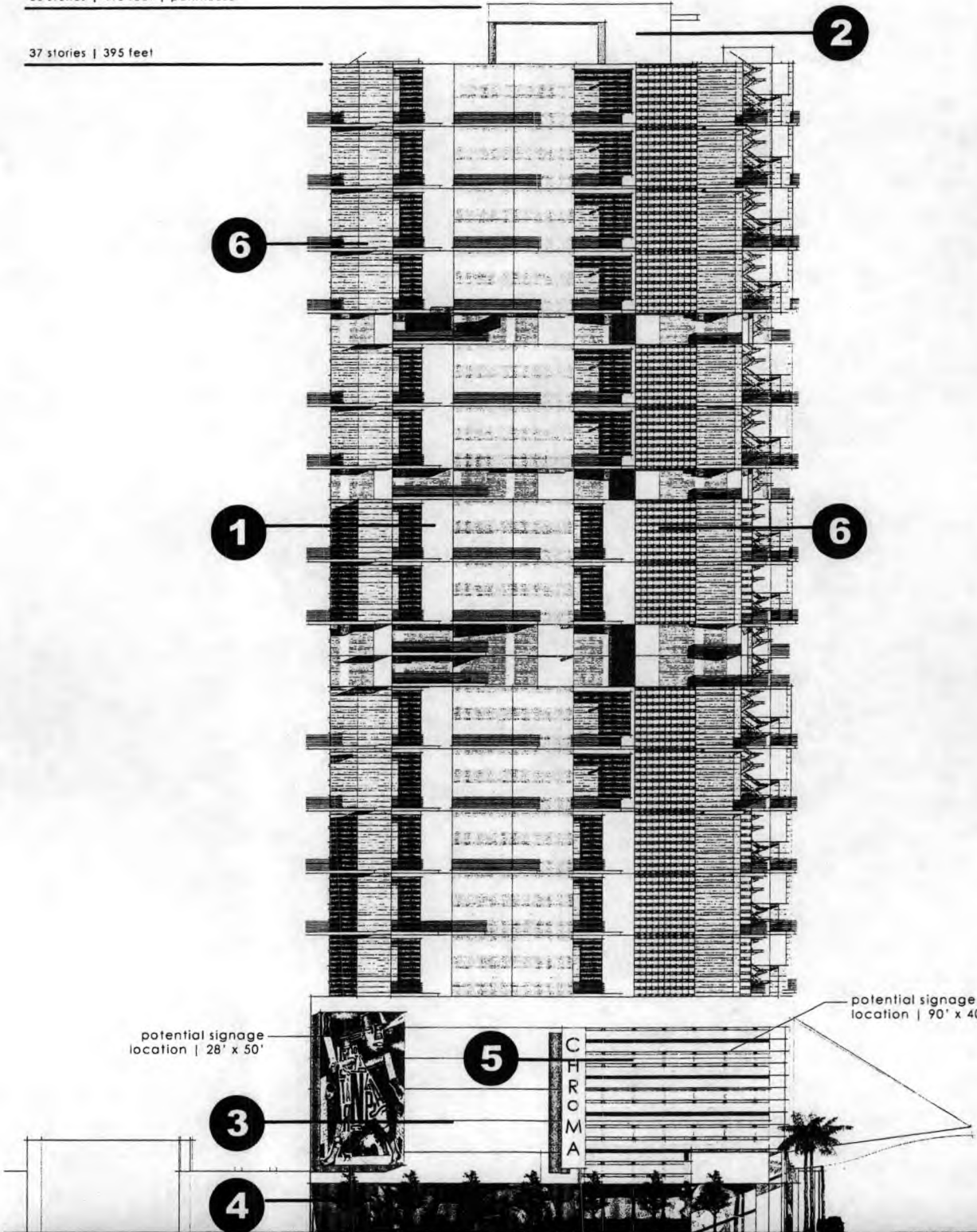
ONE STORY UNITS

SDR-6188
04-14-05 PC

38 stories | 415 feet | penthouse

37 stories | 395 feet

SDR-6188
04-14-05 PC



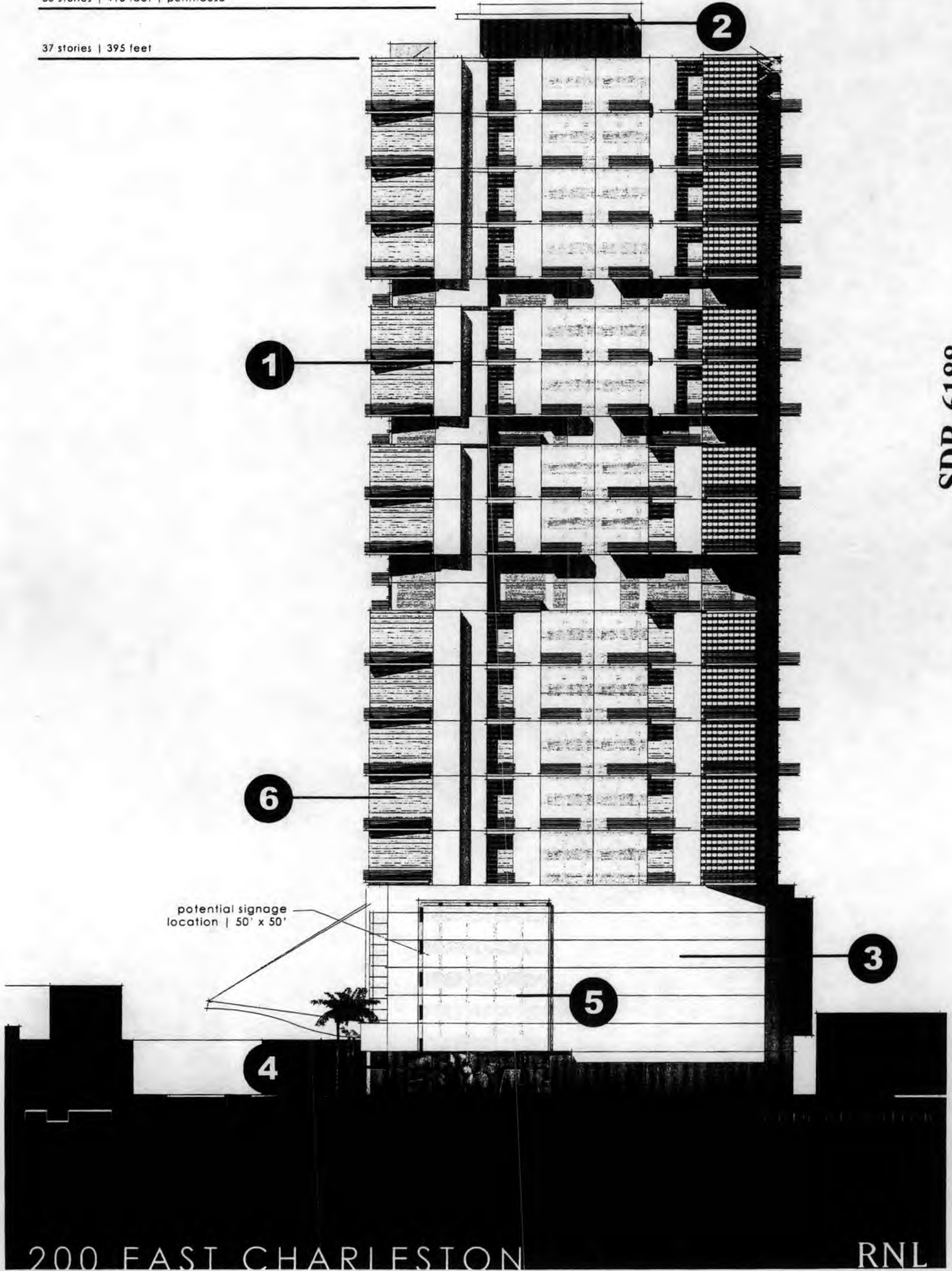
200 EAST CHARLESTON

RNL

38 stories | 415 feet | penthouse

37 stories | 395 feet

SDR-6188
04-14-05 PC

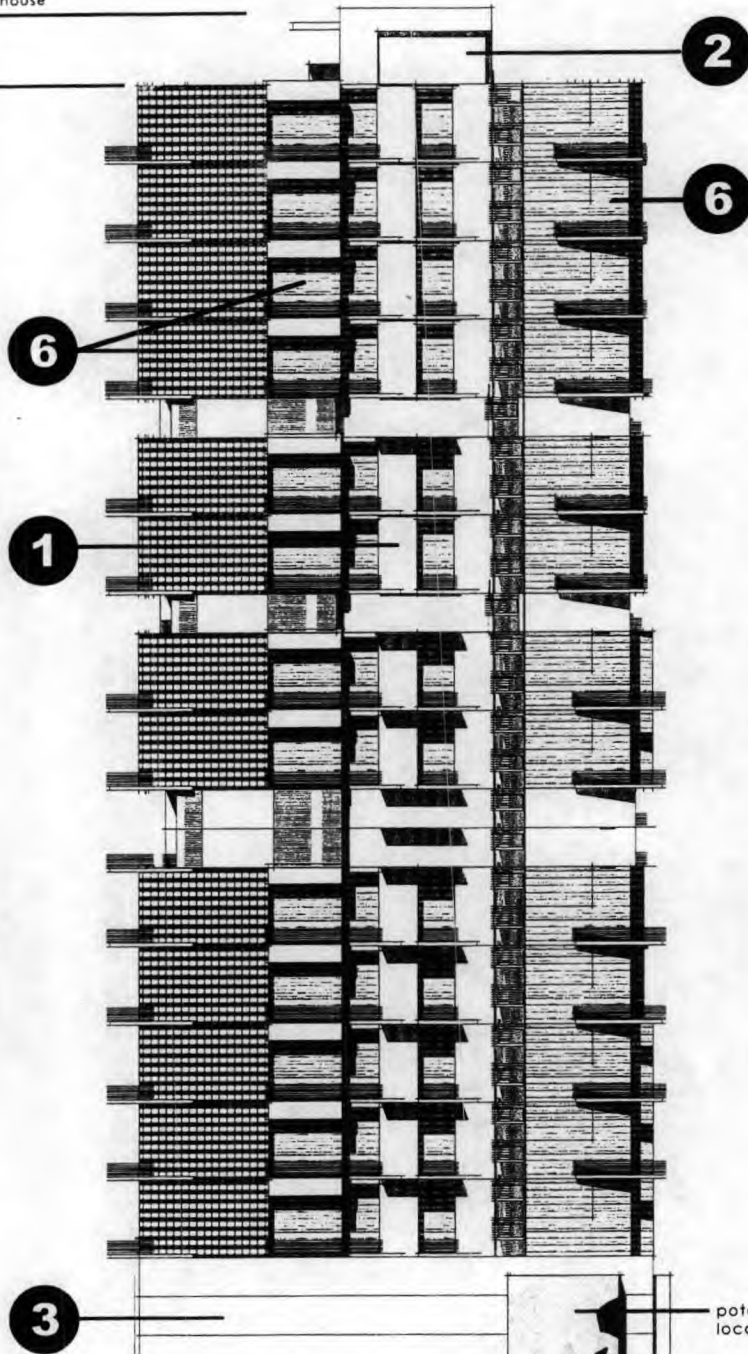


200 EAST CHARLESTON

RNL

38 stories | 415 feet | penthouse

37 stories | 395 feet



potential signage
location | 28' x 50'

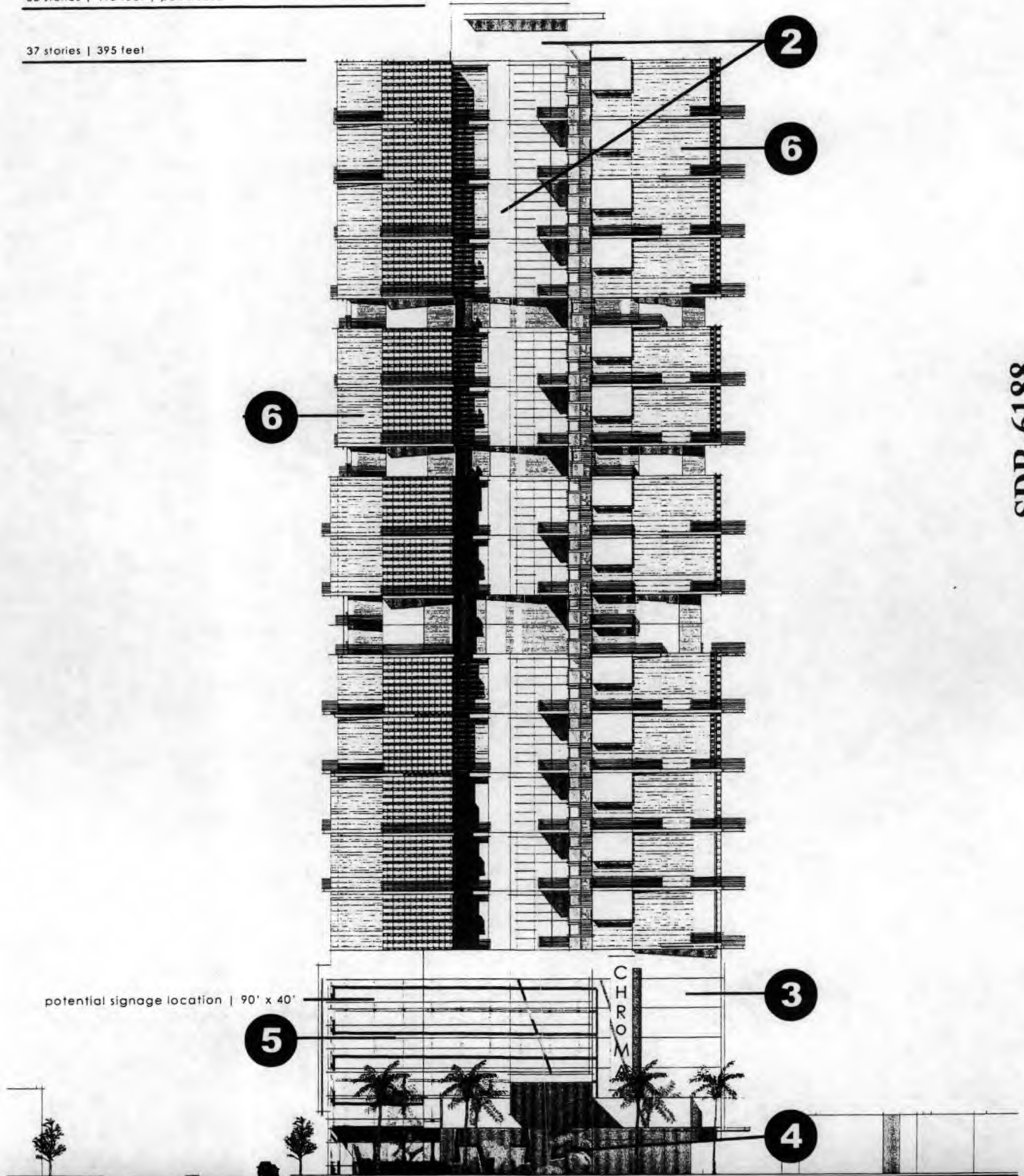
SDR-6188
04-14-05 PC

200 EAST CHARLESTON

RNL

38 stories | 415 feet | penthouse

37 stories | 395 feet



SDR-6188
04-14-05 PC



SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SDR-6188 - APPLICANT/OWNER: SAUCY STRATEGIC PLANNING, LLC
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND CASINO CENTER BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

RNL

RNL/Nevada, Inc.

Richard vonLuhrt, FAIA
Nevada Registered Architect

David Klages, FAIA
Nevada Registered Architect

1515 Arapahoe Street
Tower 3, Suite 700
Denver, CO 80202
P: 303 295 1717
F: 303 292 0845

www.RNLdesign.com

March 1, 2005

City of Las Vegas
Site Development Review

Justification Letter

RE: 200 E. Charleston, Site Development Application

The proposed project at 200 E. Charleston is a high-rise condominium building. Included in the project are ground floor retail and six levels of structured parking. 200 E. Charleston provides 278 high-end residential units on 30 floors. 44 units are one-story lofts while the remainder is two-story lofts. The project sits in the middle of the arts district at Casino Center and Charleston Boulevard and is within the Downtown Centennial redevelopment area.

The project meets the Downtown Centennial guidelines, including the arts district guidelines. The design of 200 E. Charleston takes advantage of the opportunities present in the arts district by creating a very artistic building and creating opportunities for art installations on the façade. Exceptions to the Downtown Centennial guidelines for which we are requesting variances include the streetscape treatment and the building setbacks. We have not been able to meet the requested 11' sidewalk with 5' tree lawn on the Charleston side due to the constrained right-of-way caused by the Charleston widening. Additionally, the project has a high level of articulation on the façade in lieu of building setbacks.

As the project moves forward, we will be applying for some encroachment permits. We will be requesting an encroachment into the Casino Center right-of-way for our entry canopy into the building. We will also be requesting an encroachment into the Casino Center and Charleston rights-of-way for balconies attached to the residential units.

As part of this application, we are submitting an application to vacate the alley directly south of the property. The neighboring property owner has agreed to this vacation. The use of the alley will be for vehicular access to both properties, and for valet service serving 200 E Charleston. The affected property owners will enter into a joint use agreement allowing for access to both of properties via the existing alley. The affected property owners will also provide a utility easement to the City, granting the City access to alley for maintenance of the existing utilities located in and under the existing alley.

We look forward to your review of our submittal. Please feel free to contact us if there are any questions that we can answer for you.

Sincerely,



Thomas M. Wuertz, AIA

SDR-6188

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SITE DEVELOPMENT PLAN REVIEW**

SDR-6197 - PUBLIC HEARING - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, INC. - Request for a Site Development Plan Review FOR A 104,000 SQUARE-FOOT BUILDING ADDITION on 6.06 acres at 620 Shadow Lane (APN 139-33-303-024), PD (Planned Development) Zone [MD-1 (Medical Support) and MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

BROWN - APPROVED subject to conditions - **UNANIMOUS** with **GOODMAN** and **WEEKLY** excused and **WOLFSON** not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

PRESTON HOWARD, 2300 West Sahara, appeared on behalf of the applicant and concurred with the recommendation of staff and Planning Commission. COUNCILMAN MACK questioned the status of ground breaking in Centennial Hills but MR. HOWARD was unable to estimate a date. COUNCILWOMAN TARKANIAN requested clarification of whether the building affected the parking lot section, and MR. HOWARD confirmed it did. There are plans for a building on the very corner of the lot but that is not part of this project at this time.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:12 - 2:15)

3-2744

CONDITIONS:

Planning and Development

1. A revised landscape shall be submitted to the Department of Planning for approval. The revised plan shall include landscaping for the western blank wall of the site and Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

Drive (Type D) per the Las Vegas Medical District Plan, where adjacent to the subject site.

2. Waivers of the parking lot landscaping shall be granted.
3. All development shall be in conformance with the site plan date stamped March 1, 2005 and building elevations and landscaping date stamped March 1, 2005 except as amended by conditions herein.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
8. All City Code requirements and design standards of all City departments must be satisfied.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except adjacent to single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

Public Works

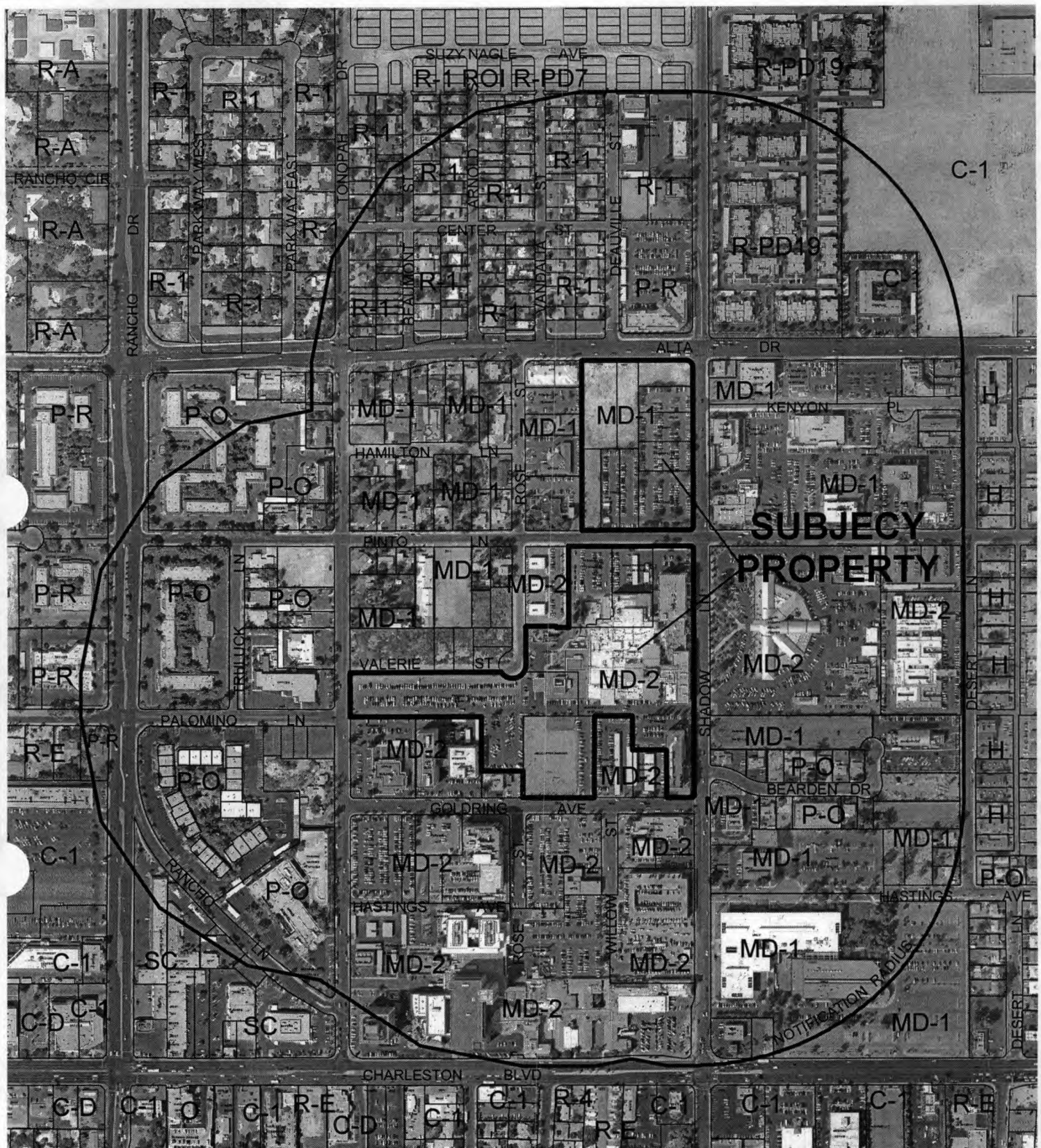
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.
18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of new additions. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional Traffic Control devices are proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.



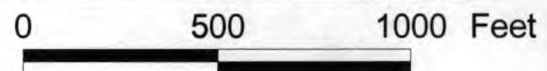


CASE: SDR-6197

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT) ZONE [MD-1 (MEDICAL SUPPORT) AND MD-2 (MAJOR MEDICAL) LAS VEGAS MEDICAL DISTRICT SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6197 - APPLICANT/OWNER: VALLEY HEALTH SYSTEM, INC.

**** CONDITIONS ****

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

Planning and Development

1. A revised landscape shall be submitted to the Department of Planning for approval. The revised plan shall include landscaping for the western blank wall of the site and Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D) per the Las Vegas Medical District Plan, where adjacent to the subject site.
2. Waivers of the parking lot landscaping shall be granted.
3. All development shall be in conformance with the site plan date stamped March 1, 2005 and building elevations and landscaping date stamped March 1, 2005 except as amended by conditions herein.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
7. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
8. All City Code requirements and design standards of all City departments must be satisfied.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except adjacent to single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
16. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way.
17. Obtain an Encroachment Agreement for all landscaping and private improvements, if any, in the public right-of-way adjacent to this site.
18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of new additions. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional Traffic Control devices are proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if

recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

19. An update to the Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot.

B) *Applicant's Justification*

The applicant states; "The project will improve and upgrade the overall hospital site and bring it into compliance with the Medical District Plan. The remainder of the site development contemplated by the proposed addition is consistent with present zoning. The overall project will serve as an enhancement to the community, and does not conflict with, nor have any negative impacts on neighboring properties".

BACKGROUND INFORMATION

A) *Previous Actions*

- 06/16/76 The Board of City Commissioners approved a Rezoning (Z-27-76) for the property generally located on the southwest corner of Shadow Lane and Pinto Lane from R-1 (Single Family Residence) [Parcel 1 under Resolution of Intent to P-R] to C-1 (Limited Commercial).
- 01/07/80 The Board of Zoning and Adjustments approved a Variance (V-85-79) to allow a second freestanding on-premise sign on property located at 647 Tonopah Drive in Zoning District P-R (Professional Offices and Parking).
- 05/27/97 The City Council approved a Rezoning (Z-20-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from: R-1, R-3, R-4, R-5, R-E, P-R, C-1, C-2, and C-V to PD (Planned Development).
- 06/19/02 The City Council approved a request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Neighborhood Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west, PD (Planned Development) Zone.
- 09/18/02 The City Council approved a request for a Site Development Plan Review [Z-0020-97(38)] for a 27,000 square foot addition to an existing Hospital on 9.51 acres at 620 Shadow Lane.

- 07/22/04 The Planning Commission approved a request for a Master Sign Plan (MSP-4481) on property located at 620 Shadow Lane.
- 11/04/04 The Planning Commission approved a request for a Tentative Map (TMP-5303) for a one-lot commercial subdivision on 19.84 acres adjacent to the southwest corner of Shadow Lane and Pinto Lane.
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #57/dr).

B) Pre-Application Meeting

- 02/15/05 A pre-application meeting was held with the applicant discussing the requirements for a Site Development Review along with the following items:
- Setbacks for the MD-2 zoning
 - Bicycle spaces
 - Streetscape standards for the Medical District

C) Neighborhood Meetings

No neighborhood meeting was required or held for this project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 6.06

B) Existing Land Use

Subject Property:	Hospital
North:	Parking
South:	Parking, Medical Offices
East:	Parking, Hospital, Medical Offices
West:	Medical Offices

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	MD-2 (Major Medical)
North:	MD-1 (Medical Support)
South:	MD-2 (Major Medical)
East:	MD-2 (Major Medical)
West:	MD-1 (Medical Support)

E) General Plan Compliance

The site is designated as MD-2 (Major Medical) on the Southeast Sector Map of the General Plan. The PD District is intended to be a flexible district, which may be applied to larger planning areas. The site is zoned PD (Planned Development) in conformance the Las Vegas Medical District Plan. The proposed hospital addition and parking lots are allowed in the MD-2 zone.

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

This site is located within the Las Vegas Medical District Plan. The purpose of this Plan is to create a regional medical district, which will provide a complete range of medically related services. In addition, it is also the intent of the Plan that other compatible and supporting uses be encouraged to be located within this planning area. The proposed hospital addition and parking lots are in conformance to the Las Vegas Medical District Plan.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed not to be a "Project of Significant Impact".

PROJECT DESCRIPTION

The applicant proposes to build a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot. The site is accessed from three sides: from the south by Goldring Avenue, from the east by Shadow Lane, and from the west by Tonopah Drive. The site provides 1,856 parking spaces. The height of the addition is 70 feet 8 inches. The elevations match the existing Hospital.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	1 acre	6.06 acre	Y
Min. Lot Width	100 Feet	946 feet	Y
Min. Setbacks			
• Front	5-15 Feet	5 feet	Y
• Side	10 Feet	15 feet	Y
• Corner	15 Feet	20 feet	Y
• Rear	15 Feet	17 feet	Y
Max. Lot Coverage	50 %	46%	Y
Max. Building Height	Unlimited	70.66 feet	Y
Trash Enclosure	Y	Y	Y
Loading Zone	Y	Y	Y

The applicant meets or exceeds all standards pursuant to Title 19.08 and the Las Vegas Medical District Plan.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject site.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Hospital		1.5/bed	758	16		
Medical Off.	133,575	1/200 first 2,000 SF	20	1		
		1/175 2,001 SF and greater	742	16		
Admin. Off.	7,380	1/300 SF	25	1		
Total			1544	33	1,856	87

The application exceeds all requirements for parking pursuant to Chapter 19.10.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	97 Trees	123
Buffer:			
• Min. Trees	1 Tree/ 30 Linear Feet	26 Trees	31
• Min. Streetscape Trees	1 Tree/ 30 Linear Feet	26 Trees	0
• Min. Zone Width			
Type A Streetscape	5-15 Feet		15 feet
Type B Streetscape	5-15 Feet		15 feet
Type D Streetscape	5-15 Feet		15 feet

The application exceeds the Landscape Standards for the number of trees for this project. However, the application only provides for one landscape parking lot finger for every ten parking spaces. A waiver has been requested to reduce the number of parking lot fingers. In regards to the landscape buffer, the application meets the requirements of 19.12 but fails to meet the requirements of the Las Vegas Medical District Plan for Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D). A condition of approval has been written to address the lack of Streetscape Trees.

B) General Analysis and Discussion

- **Zoning**

The PD District is intended to be a flexible district, which may be applied to larger planning areas. The site has a land use designation of MD-2 (Major Medical) which is in conformance the Las Vegas Medical District Plan. The proposed hospital addition and parking lots are allowed in the MD-2 zone.

- **Site Plan**

The site plan depicts a 104,000 square-foot building addition to an existing hospital and an expansion of the existing parking lot. The site is accessed from three sides: from the south by Goldring Avenue, from the east by Shadow Lane, and from the west by Tonopah Drive. The site provides 1,856 parking spaces and 4 bicycle spaces. Las Vegas Medical District Plan requires 1,111 square-feet of open space/plaza for this project. The application depicts 1,275 square-feet of plaza with landscaping.

- **Waivers**

The application does not meet the Landscape Parking Lot Fingers standards for one finger per six spaces of parking. The applicant has requested a waiver of this requirement.

- Landscape Plan

The landscape plan depicts a variety of 24-inch box trees used for perimeter and parking lot landscaping, including Shoestring Acacia, Desert Willow, Chitalpa, Mondel Pine, and Heritage Live Oak with one-gallon and five-gallon shrubs as ground cover plantings. Plant and shrub requirements call for a minimum of four five-gallon shrubs and four one-gallon shrubs for each 24-inch box tree planted.

- Elevation

The building elevations for this project match the existing hospital. A combination of hybrid stucco and faux stone cover the elevations.

- Floor Plan

The floor plans depict patient rooms and treatment areas through out the seven stories of the new addition.

FINDINGS

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

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

The proposed development as conditioned, will be compatible with development in the Las Vegas Medical Plan.

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

The project is consistent with the MD-2 category policies of the General Plan and the zoning regulations of the Las Vegas Medical Plan.

The application does not meet the Landscape Parking Lot Fingers standards for one finger per six spaces of parking. The applicant has requested a waiver of this requirement. Staff can support the request of the waiver as the site plan as does provide for the more trees than required and therefore meets the intent of the landscaping standards for a parking lot. The landscape plan does not meet the requirements of the Las Vegas Medical District Plan for Streetscape Trees along Shadow Lane (Type A), Pinto Lane (Type B), Goldring Avenue (Type B), Tonopah Drive (Type B) and Alta Drive (Type D). A condition of approval has been written to address the lack of Streetscape Trees.

The overall design meets most of the standards as set in the Las Vegas Medical District Plan. However, the western wall of the new addition is not in conformance with the Plan, as it proposed to be built as a blank wall. Per the Las Vegas Medical District Plan: Blank walls that abut pedestrian open spaces must be softened through the use of various landscaping elements such as raised planter beds and trellises. A condition of approval has been written in order to address the western blank wall.

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

The site is accessed from three sides: from the south by Goldring Avenue a (60 foot) local right of way, from the east by Shadow Lane a (60 foot) local right of way, and from the west by Tonopah Drive a (60 foot) local right of way. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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

Building and Landscape materials are appropriate for the area in accordance with the Las Vegas Medical District Plan.

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

As conditioned, the proposed elevations are appropriate for the intended use and present a development that will be compatible with the surrounding area.

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended Conditions #1, 11 and 18 as shown.

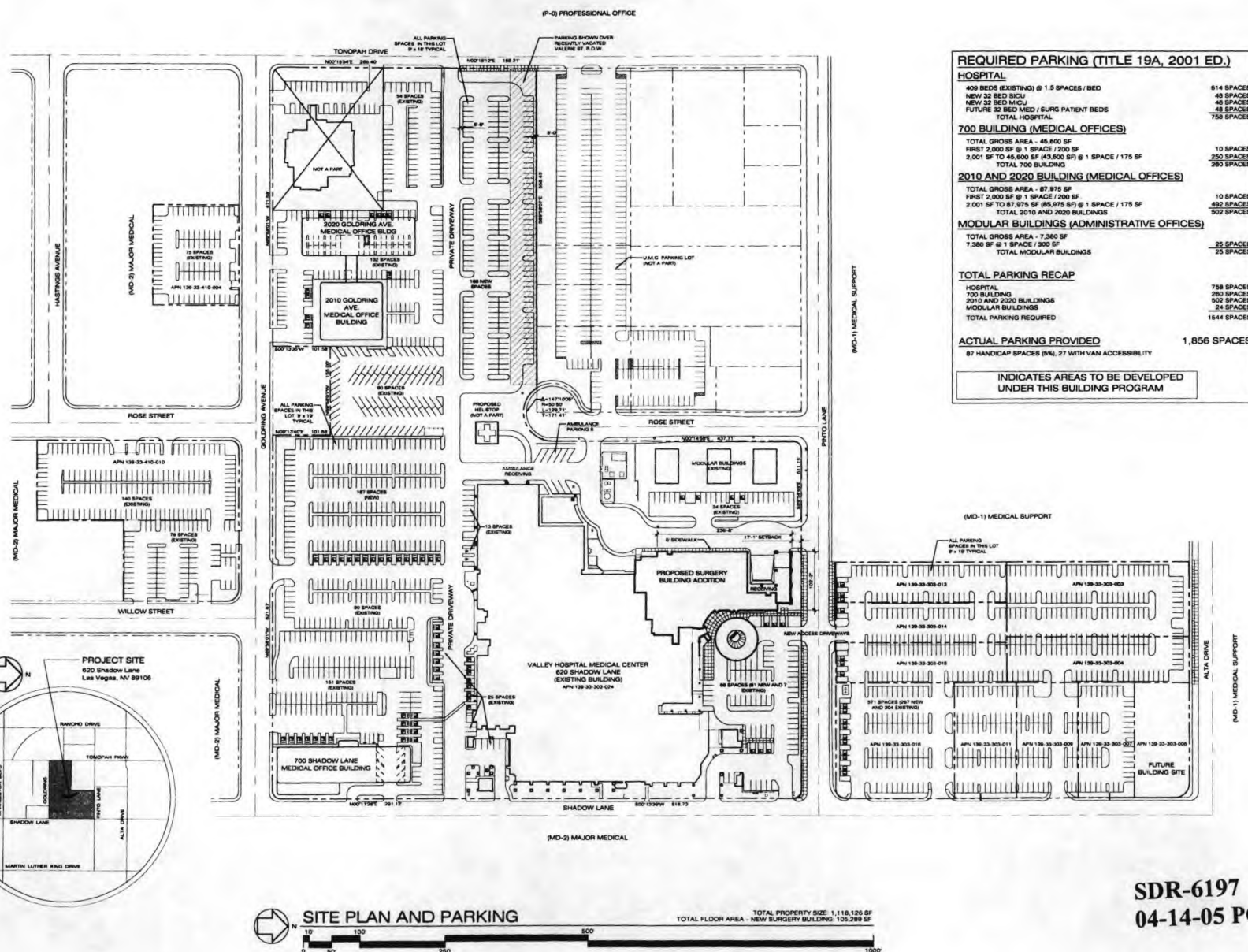
NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 257 by Planning Department

APPROVALS 0

PROTESTS 0





SDR-6197
04-14-05 PC

OVERALL SITE PLAN AND PARKING
PROPOSED SURGERY / ICU
BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE
LAS VEGAS, NV 89106

OVERALL SITE PLAN AND PARKING

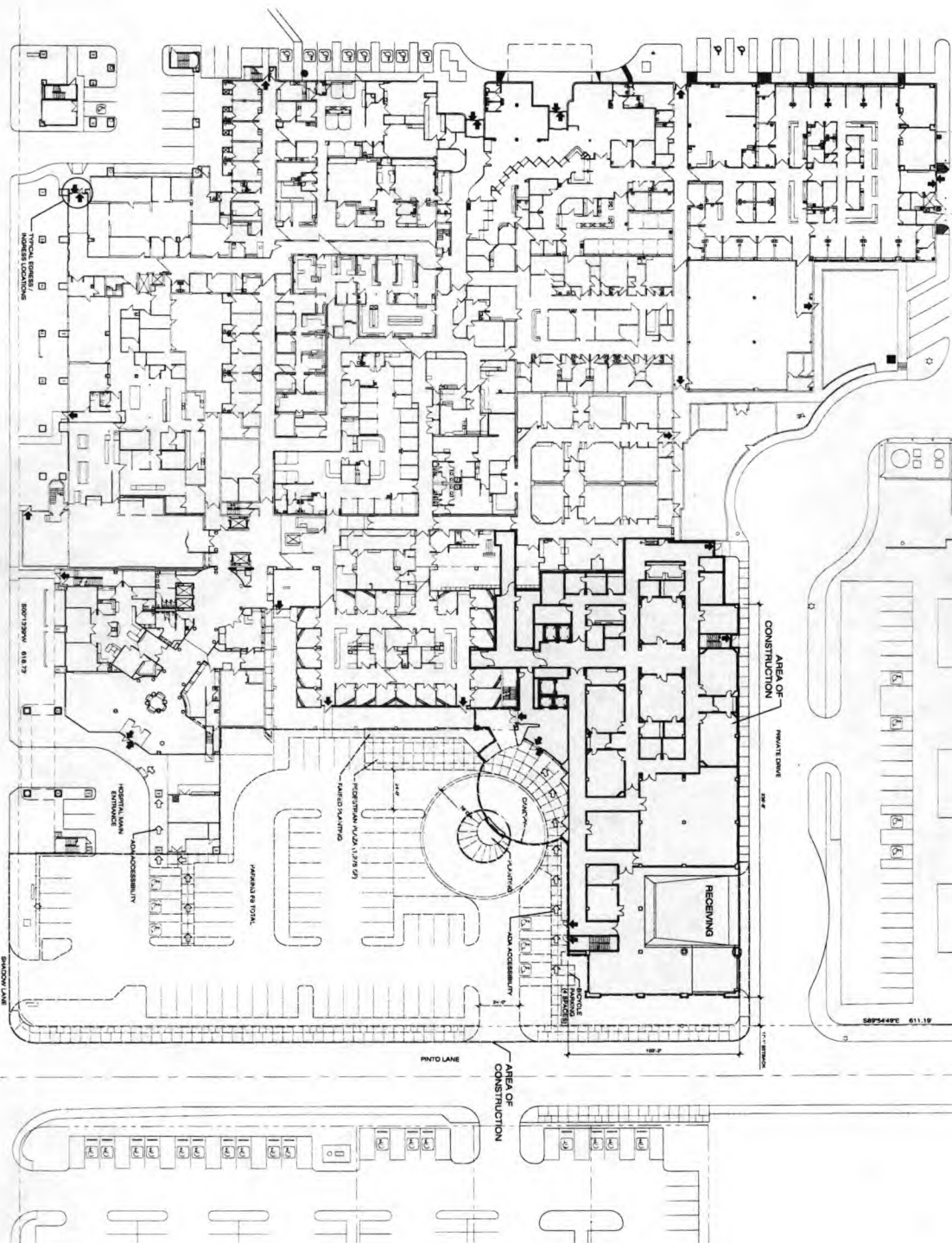
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DATE	02/25/2005
DRAWN BY	JCSC
CHECKED BY	NUN

SP-0



PARTIAL SITE PLAN AND PARKING (NEW BUILDING)

TOTAL FLOOR AREA - NEW SURGE IV BLDG: 105,280 SF



SDR-6197
04-14-05 PC

SP-1

PARTIAL SITE PLAN AND PARKING

**PROPOSED SURGERY / ICU
BUILDING ADDITION**
VALLEY HOSPITAL M.C.
620 SHADOW LANE
LAS VEGAS, NV 89106

UHS

NICHOLAS J. NOWICKI, LTD.

1400 W. DESERT INN ROAD, SUITE 27 LAS VEGAS, NEVADA 89102
Tel: (702) 676-7747 Fax: (702) 676-7737 E-mail: nash@nash.com

TONOPAH DRIVE

661.20'

N89°54'49"W

1322.40'

179.80'

PINTO LANE

ROSE STREET

5' WIDE PEDESTRIAN WALKWAY EASEMENT HEREBY GRANTED TO THE CITY OF LAS VEGAS

LOT 1
12.43 ACRES

5' WIDE PEDESTRIAN WALKWAY EASEMENT HEREBY GRANTED TO THE CITY OF LAS VEGAS

GOLDRING AVENUE

155.00'

N89°58'01"W

1323.32'

142.2072

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06 0003 0005094

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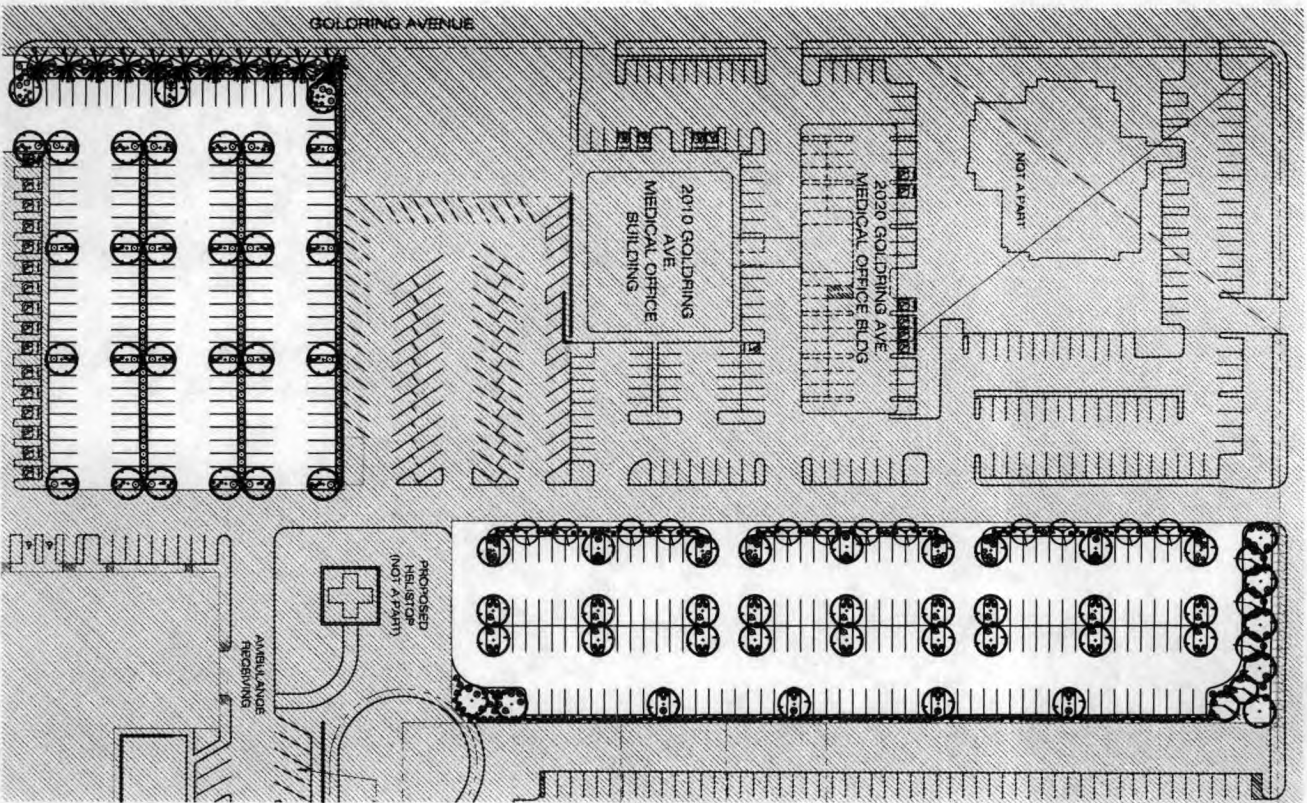
12-28-95

1/8" = 10'

GRAPHIC SCALE

(IN FEET)
1 inch = 80 ft

SP-2



PLANT SCHEDULE

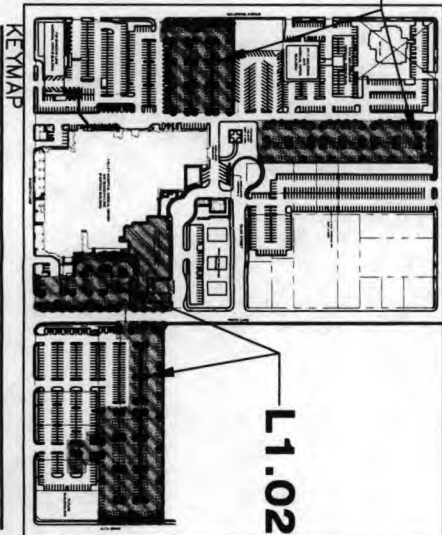
ITEM	DESCRIPTION	QTY	SIZE	REMARKS
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2	CHERRY LILAC	5	24" DIA	
3	CHERRY LILAC	127	24" DIA	
4	CHERRY LILAC	21	24" DIA	
5	CHERRY LILAC	11	24" DIA	
6	CHERRY LILAC	11	24" DIA	
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8	CHERRY LILAC	11	24" DIA	
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98	CHERRY LILAC	11	24" DIA	
99	CHERRY LILAC	11	24" DIA	
100	CHERRY LILAC	11	24" DIA	

1. CONTRIBUTE IS RESPONSIBLE TO KEEPER ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 45 DAYS.
3. PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
4. CONTRIBUTION TO PROVIDE MATCHING SIZES AND FORMS OF LINE SHIRTS SPECIES AS SHOWN ON DRAWINGS.
5. DECOMPOSED GRANITE 1/2" MAX. COARSE, "CHERRY" WITH 1" TYPICAL SPREAD IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN 80% AGGREGATE AND 20% FINES. CONTRIBUTION TO PROVIDE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.

6275 NORTH WINDMILL PARK ROAD
LAS VEGAS, NV 89131
TELEPHONE: (702) 273-1371
CONTACT: ROBIN WICKSTROM

L1.01

L1.02



SDR-6197
04-14-05 PC



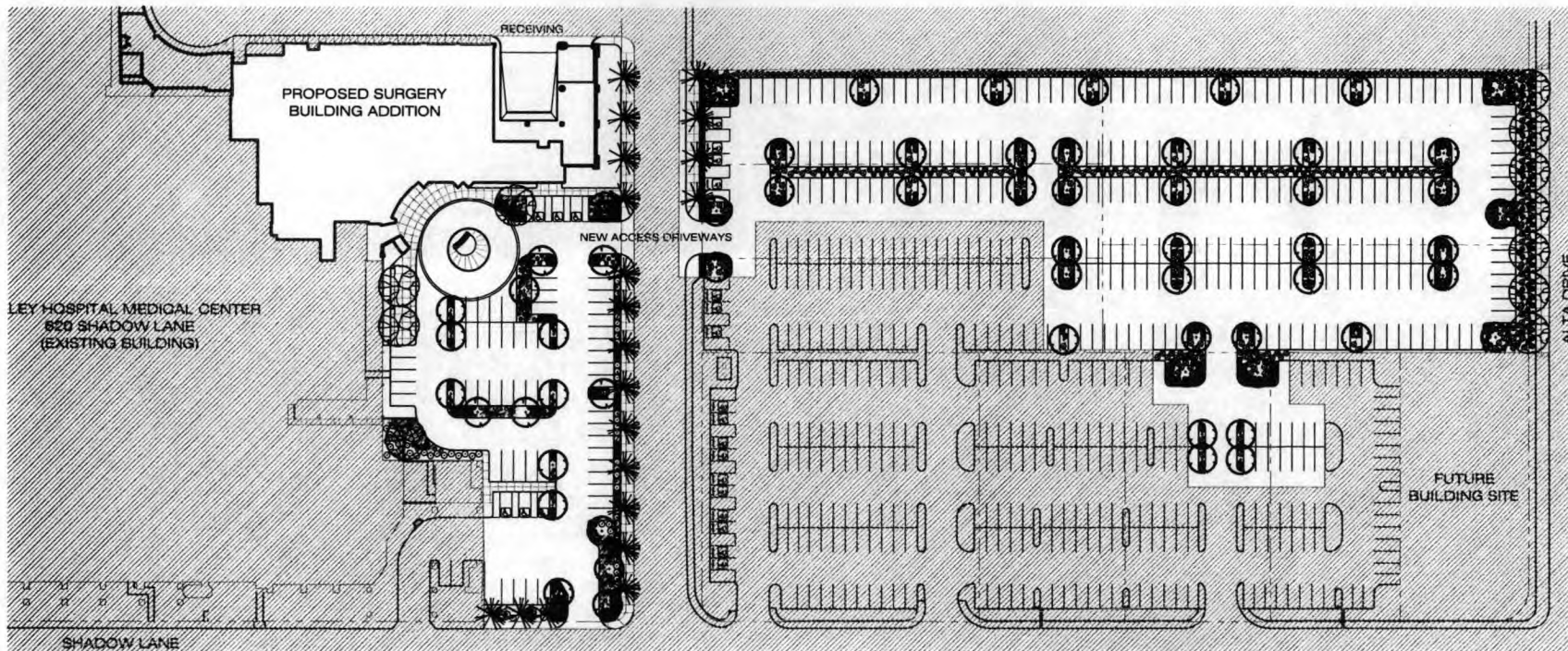
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UHS

PROPOSED SURGERY // ICU
BUILDING ADDITION
VALLEY HOSPITAL M.C.
620 SHADOW LANE
LAS VEGAS, NV 89106

ARCHITECT
UHS
1000 N. DEWITT BLVD. SUITE 100
LAS VEGAS, NV 89106
TEL: 702.474.1747
FAX: 702.474.1747

WJZUNINO
& ASSOCIATES
LANDSCAPE ARCHITECTS
1000 N. DEWITT BLVD. SUITE 100
LAS VEGAS, NV 89106
TEL: 702.474.1747
FAX: 702.474.1747



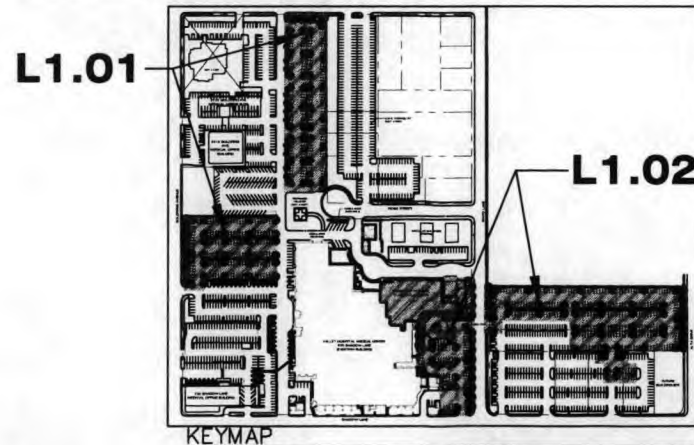
PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS
TREES					
○	ACACIA STIMPHYLIA	SHOESTRING ACACIA	12	24" BOX	
○	CHALCOPHYS LINEARIS 'WARREN JONES'	DESERT WILLOW	5	24" BOX	
○	CHETALPA TASHMENTENSIS 'PINK DAWN'	CHETALPA	127	24" BOX	
○	PNUS ELDMANII	MONDEL PINE	31	24" BOX	
○	QUERCUS VIRGINIANA 'HERITAGE'	HERITAGE LIVE OAK	11	24" BOX	
SHRUBS					
●	CALLUNDA X 'SIERRA STAR' PP&F	SIERRA STAR	50	5 GAL	
●	MYRTUS COMMENS 'COMPACTA'	COMPACTA MYRTLE	125	5 GAL	
●	RAPHIDOLEPS INDICA 'JACK EVANS'	JACK EVANS INDIAN HAWTHORN	183	5 GAL	
●	ROSBARNIA OFFICINALIS 'TUSCAN BLUE'	UPPOINT ROSEMARY	128	5 GAL	
●	XYLOSMA CONGESTUM 'COMPACTA'	COMPACT XYLOSMA	482	5 GAL	
GROUNDCOVERS					
■	LANTANA SPECIES 'NEW GOLD'	NEW GOLD LANTANA	82	5 GAL	
■	LANTANA MONTIVIDEOSIS	PURPLE TRAILING LANTANA	48	5 GAL	
■	ROSBARNIA OFFICINALIS 'BUNTINGTON CARPET'	SPECKLING ROSEMARY	508	5 GAL	
ACCENTS					
●	DASYLIRION LONGISSIMUM	TOOTHLESS SOTOL	23	5 GAL	
●	DIETES BICOLOR	EVERGREEN IRS	380	5 GAL	
●	HEPERALDE PARMELARIA 'RED'	RED YUCCA	89	5 GAL	
●	MILKWEEDIA CAPILLARS 'REGAL MIST'	REGAL MIST DEER GRASS	198	5 GAL	

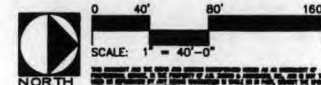
GENERAL NOTES

- CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT SCHEDULE IS INTENDED AS A REFERENCE ONLY.
- LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
- PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF THE TOTAL QUANTITY OF EACH SPECIES, SHOWING GENUS, SPECIES, VARIETY, ETC.
- CONTRACTOR TO PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
- DECOMPOSED GRANITE: 1/2" MINUS, COLOR: "CHERRY MIST"; 2" DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE SHALL CONTAIN 80% AGGREGATE AND 40% FINES. CONTRACTOR TO RECEIVE VERIFICATION FROM ROCK SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.

WHOLESALE DEALER:
MINERAL PARK DECORATIVE ROCK
8275 NORTH MINERAL PARK ROAD
KINGMAN, AZ 86143
TELEPHONE: (702) 275-1371
CONTACT: ROBIN MICKELSON



SDR-6197
04-14-05 PC



JWZUNINO & ASSOCIATES
LANDSCAPE ARCHITECTURE
LAND PLANNING

2191 South Jones Blvd.
Las Vegas, Nevada 89102
Phone: (702) 833-1010
Fax: (702) 833-1010
E-mail: jwzunino@jwzunino.com
www.jwzunino.com

PROJECT:

NO. VISITING:

DATE:

DESIGNED BY:

DRAWN BY:

CHECKED BY:

APPROVED BY:

PROPOSED PLANTING PLAN

PROPOSED SURGERY / ICU
BUILDING ADDITION
VALLEY HOSPITAL M.C.
820 SHADOW LANE
LAS VEGAS, NV 89108

JAN 10
0412A

DATE: 02/28/2005

DESIGNED BY: CMH

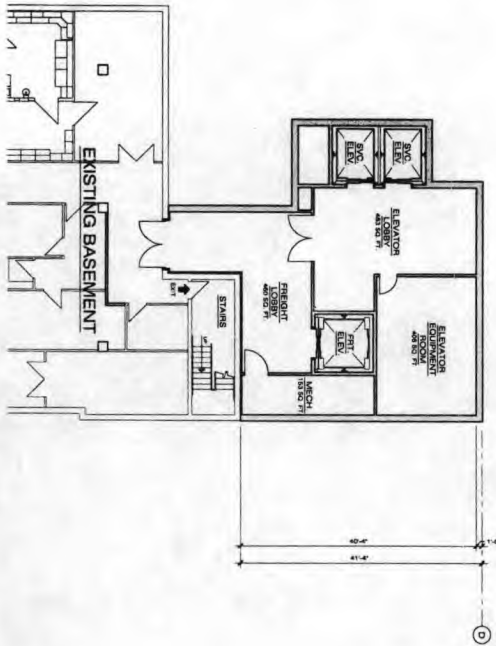
DRAWN BY: JWC

CHECKED BY: JWC

APPROVED BY:

L1.02

GROSS SQUARE FOOTAGE: 2,099 SF



FP-0

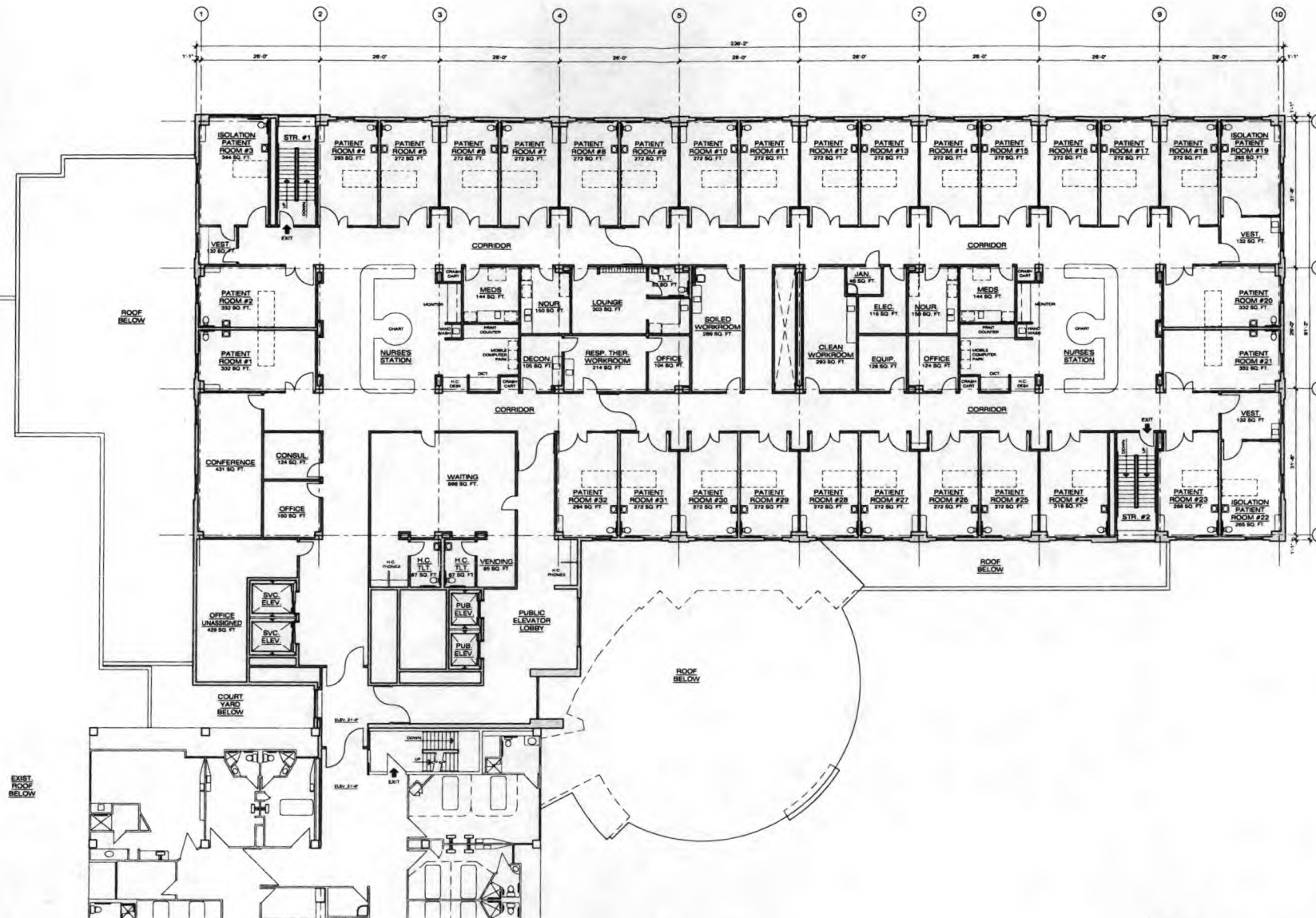
**PROPOSED SURGERY / ICU
BUILDING ADDITION**
VALLEY HOSPITAL M.C.
620 SHADOW LANE
LAS VEGAS, NV 89106

UHS

NICHOLAS J. NOWICKI, LTD.

5400 W. DESERT AVENUE, SUITE 27 LAS VEGAS, NEVADA 89103
Tel: (702) 876-7767 Fax: (702) 876-7737 E-mail: repull@repull.com

\\jind\jnl\LD Files\2004\0412A-Drawings\0412A-Preliminary\0412A-FP2-03-floor2.dwg, 2/28/2005 12:08:04 PM



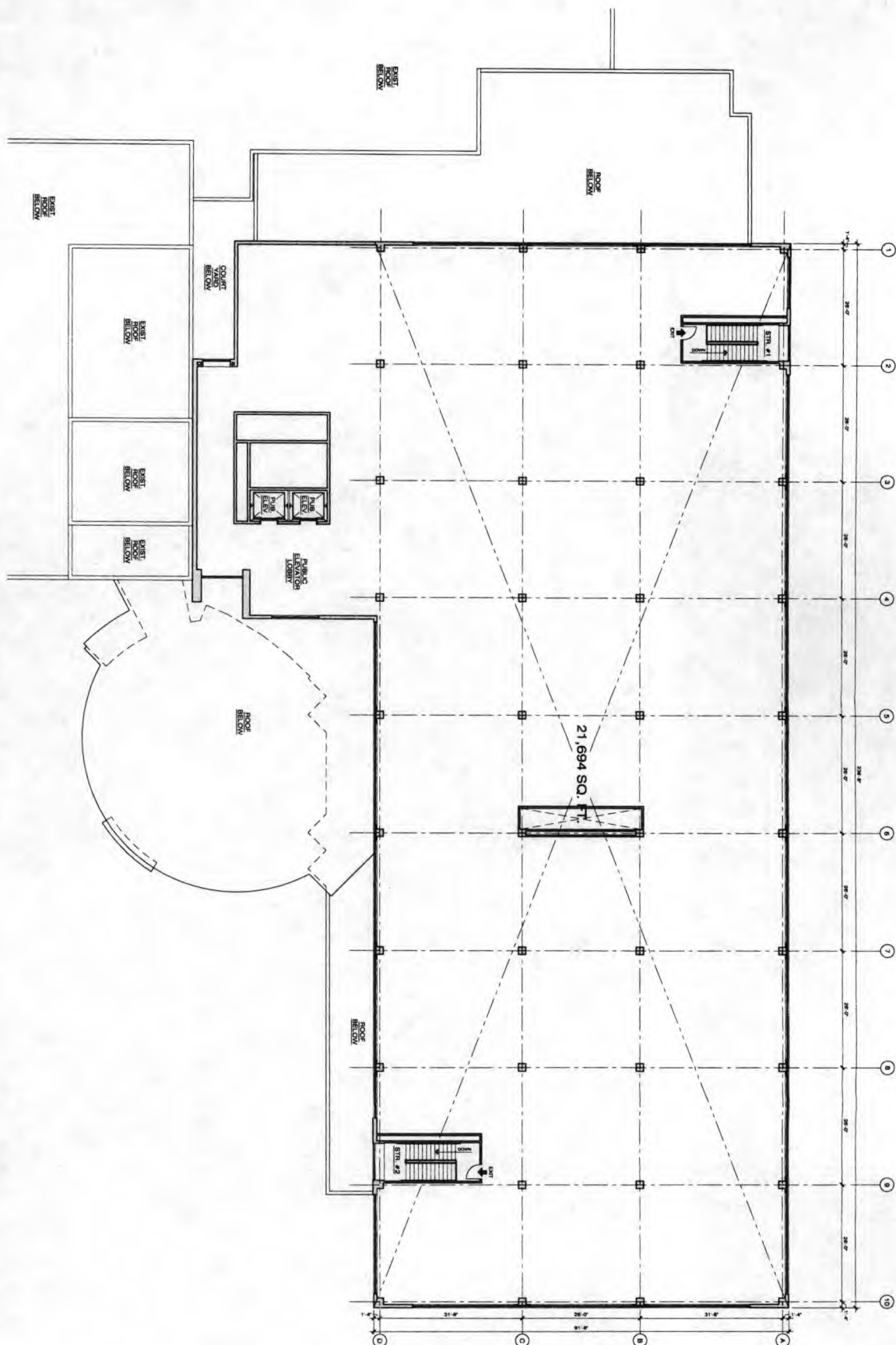
SECOND AND THIRD FLOOR PLAN
(THIRD FLOOR DEVELOPED AS SHELL ONLY)

0 10 20 30 40 50 60 70 80 90 100

GROSS SQUARE FOOTAGE PER FLOOR: 24,352 SF

SDR-6197
04-14-05 PC

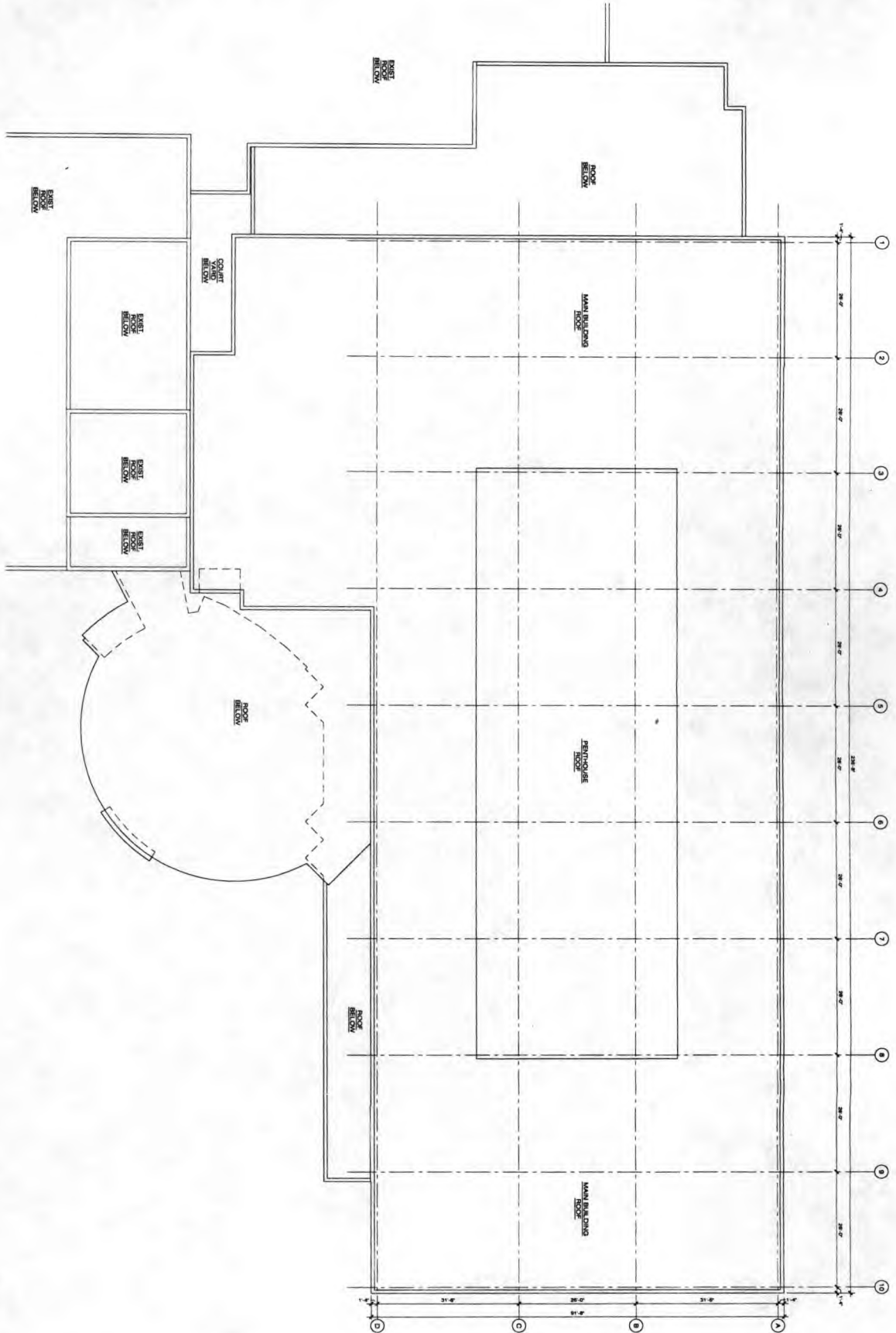
UHS	
SECOND AND THIRD FLOOR PLAN PROPOSED SURGERY / ICU BUILDING ADDITION VALLEY HOSPITAL M.C. 620 SHADOW LANE LAS VEGAS, NV 89106	
DATE: 04/12/05	DATE: 02/25/2005
DESIGNED BY: GCD	CHECKED BY: ALM
FP-2	



SDR-6197
04-14-05 PC



SDR-6197
04-14-05 PC



RP-0	DATE: 02/28/2005 BY: [Signature] CHECKED: [Signature] SCALE: 1/8" = 1'-0"	PROJECT: PROPOSED SURGERY / ICU BUILDING ADDITION CLIENT: VALLEY HOSPITAL M.C. ADDRESS: 620 SHADOW LANE, LAS VEGAS, NV 89105	ARCHITECT: NICHOLAS J. NOWICKI, LTD. 1000 S. LAS VEGAS AVENUE, SUITE 200, LAS VEGAS, NV 89101 TEL: (702) 735-1111 FAX: (702) 735-1112	UHS
	ROOF PLAN			
	UHS			
	UHS			

Architectural drawing of the West Exterior Elevation of the National Center for Human Genome Research. The drawing shows a long, multi-story building with a series of windows and a central entrance. A scale bar at the bottom indicates 0 to 100 feet. A north arrow is located in the top right corner.

WEST EXTERIOR ELEVATION

NORTH EXTERIOR ELEVATION

0 5 10 20 30 40 50 60 70 80 90 100

NORTH EXTERIOR ELEVATION

EAST EXTERIOR ELEVATION

Architectural drawing showing the East Exterior Elevation of the University of California, San Diego Administration Building. The drawing includes a scale bar (0 to 100 feet) and a north arrow. The building features a central entrance, a large glass facade on the left, and a series of windows on the right. The drawing is labeled 'EAST EXTERIOR ELEVATION' at the bottom.

EAST EXTERIOR ELEVATION

Architectural drawing of the South Exterior Elevation of the building. The drawing shows a long, rectangular structure with a flat roof. The elevation is divided into several horizontal sections: a top section with a flat roof and a small overhang, a middle section with a series of windows, and a bottom section with a series of windows. The drawing includes a scale bar at the bottom, indicating a total length of 100 feet. The drawing is labeled "SOUTH EXTERIOR ELEVATION" at the bottom.

SOUTH EXTERIOR ELEVATION

SDR-6197
04-14-05 PC

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1 2 3 4 5 6 7 8 9 10 11 12
 13 14 15 16 17 18 19 20 21 22 23 24
 25 26 27 28 29 30 31 32 33 34 35 36
 37 38 39 40 41 42 43 44 45 46 47 48
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 85 86 87 88 89 90 91 92 93 94 95 96
 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1

ADVISOR(S)



EXTERIOR ELEVATIONS

PROPOSED SURGERY / ICU
BUILDING ADDITION
VALLEY HOSPITAL M.C.
625 S. VALLEY BLVD.
LAS VEGAS, NV 89106

JOB NO.	D412A
DATE	02/25/2005
DRAWN BY	GCD
CHECKED BY	NJN

EL-0

HOWARD, MEIER & FINE, LLC

ATTORNEYS AT LAW
2300 W. SAHARA AVENUE, SUITE 430, MAILBOX 11
LAS VEGAS, NEVADA 89102

PRESTON B. HOWARD
GLENN F. MEIER
MARILYN FINE

TEL : (702) 673-1000
FAX : (702) 673-1001
PHoward@hmfnevada.com

March 1, 2005

Via Hand Delivery

City of Las Vegas
Planning and Development
731 South 4th Street
Las Vegas, NV 89101

Re: Site Development Plan Review - Justification Letter
Valley Hospital - OR Building Addition
Assessor's Parcel No: 139-33-303-024

Ladies and Gentlemen:

This letter will constitute the requisite justification letter with respect to the filing of the application of Valley Health System, LLC for a Site Development Plan Review for the construction of a four-story addition to the operating room area at its Valley Hospital facility at 620 Shadow Lane, Las Vegas, NV. The actual building addition will total approximately 104,000 square feet of additional floor space and will be located at the northwest corner of the existing main hospital building in the area bounded by Pinto Lane to the north and the former Kingsbury Way to the west. The project will also improve and upgrade a total of four parking areas (shown on the plans) of the overall hospital site bringing them into compliance with the Medical District Plan.

Two minor deviations from the Medical District Plan standards are requested in connection with the requested approval. The first is a waiver of sidewalk width along the west perimeter of the proposed building addition along what is the vacated Kingsbury Way alignment. The area will be a limited access service driveway with no public access to the sidewalk area. Secondly, a waiver is requested to allow five (5) feet of landscaping where ten (10) feet is required along the northern side lot line of the vacated Valerie Street. This area abuts the new UMC parking area constructed by Clark County on adjacent property to the north which has twenty (20) feet of potential green space along its southern alignment. This waiver will, in turn, permit the incorporation of a corresponding eight (8) foot green way along the southern boundary of the adjoining private street which will serve as an enhancement to the site.

The remainder of the site development contemplated by the proposed addition is consistent with present zoning, the Medical District Plan and the Valley Hospital Master Plan. The overall project will serve as an enhancement to the community, and does not conflict with, nor have any negative impacts on neighboring properties.

SDR-4197

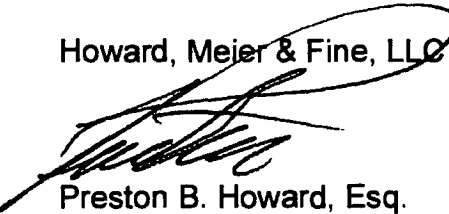
City of Las Vegas
Planning and Development
Re: Site Development Plan Review - Justification Letter
Valley Hospital - OR Building Addition
March 1, 2005
Page 2

My clients look forward to the development of this project which will bring needed additional hospital services to Valley Hospital.

Should you have any questions, comments, or require any further information, please do not hesitate to contact me at your convenience. Thank you for your assistance.

Sincerely,

Howard, Meier & Fine, LLC

A handwritten signature in black ink, appearing to read "Preston B. Howard", is written over the text "Howard, Meier & Fine, LLC". The signature is fluid and cursive, with a large loop at the end.

Preston B. Howard, Esq.

encls. as required