

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: • M. MARGO WHEELER

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

REQUIRED TWO YEAR REVIEW

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

MOTION:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused and MACK abstaining because his company, Mack Consulting, does negotiations for clients affiliated with billboard advertising space

NOTE: COUNCILMAN MACK made a comment unrelated to this item commending the applicant's mother, ESTHER CARTER, for her involvement with the Centennial celebration.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ROD CARTER, 2880 Meade Avenue, requested approval.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(2:55 - 2:57)

4-938

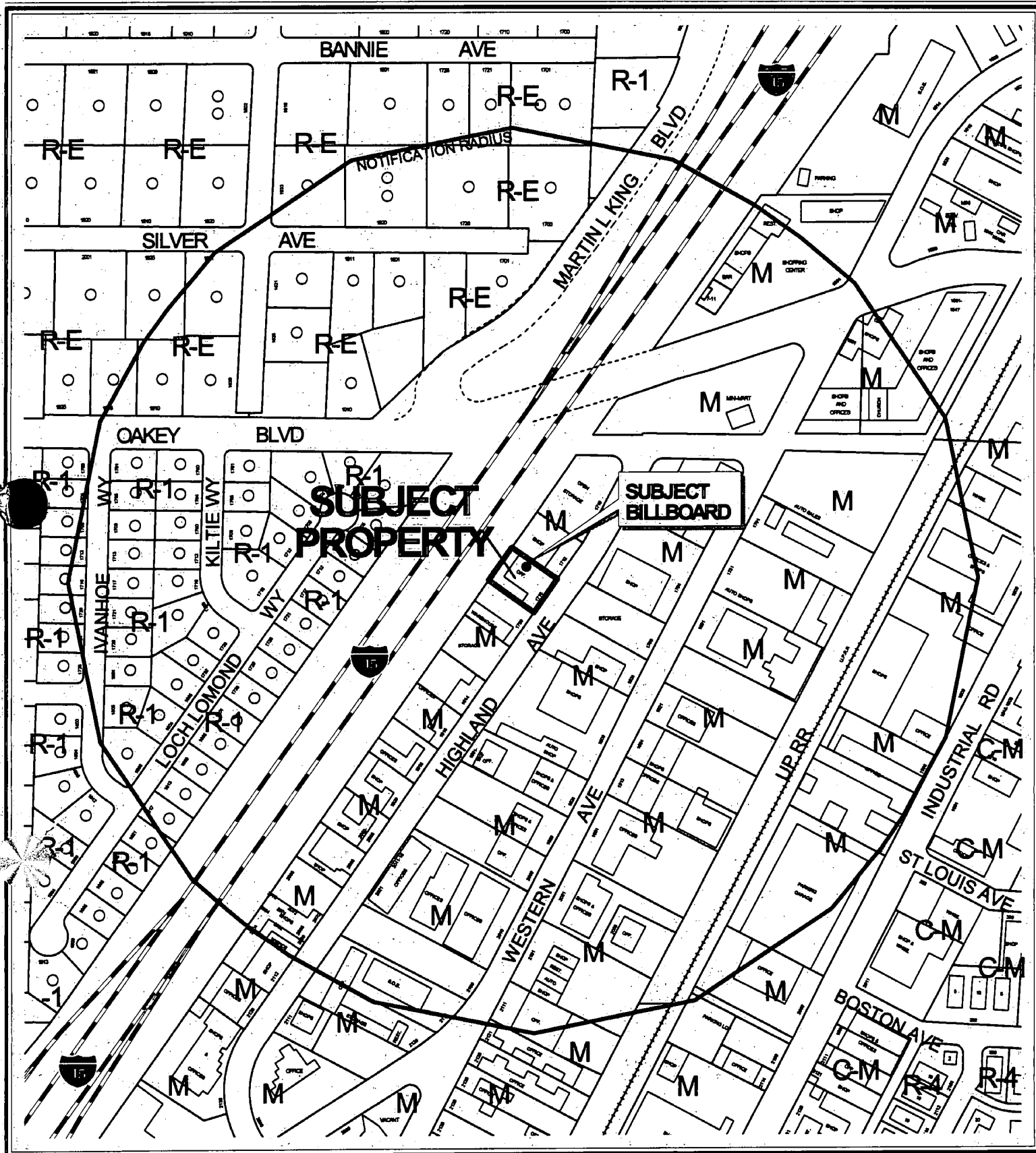
CONDITIONS:

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

Planning and Development

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



CASE: **RQR-6152**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet

101





CASE: RQR-6152

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

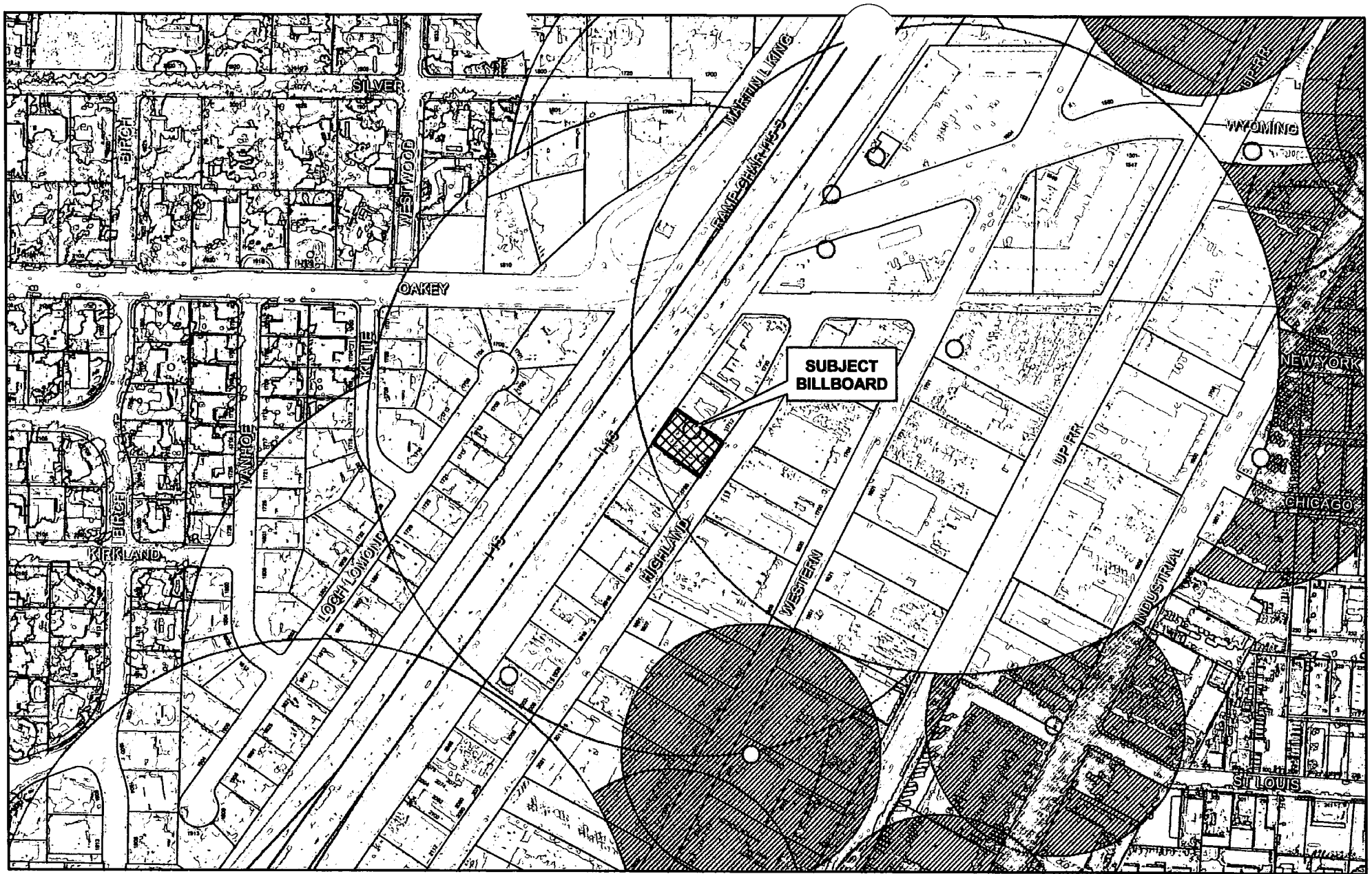
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RQR-6152

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: O'ROURKE FAMILY, LP

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

Required Two Year Review of an approved two year review (RQR-1708) of an approved Variance (V-0024-88) which allowed a 14-Foot X 48-Foot Off-Premise Advertising (Billboard) Sign at a height of 65 feet, where 40 feet is the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising (billboard) sign where 750 feet is the minimum distance separation required at 1716 Highland Avenue.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

- 06/15/88 The City Council approved a Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended denial on 05/26/88.
- 07/21/93 The City Council approved a Required Review [V-0024-88(1)] of an approved Variance which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on 06/22/03.
- 07/27/98 The City Council approved a Required Review [V-0024-88(2)] of an approved Variance which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Board of Zoning Adjustment recommended approval on 07/07/98.
- 04/16/03 The City Council approved a Required Review (RQR-1708) of an approved Variance (V-0024-88) which allowed a 65-foot high, 14-foot x 48-foot off-premise advertising (billboard) sign where 40-feet was the maximum height allowed and to allow the sign to be 730 feet from another off-premise advertising sign on this site, subject to a five-year review. The Planning Commission recommended approval on 02/27/03. Staff recommendation was for denial.

04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/mp).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.30

B) Existing Land Use

Subject Property: Industrial Shop

North: Industrial Shop

South: Warehouse

East: Industrial shops and Storage

West: Interstate 15 and Single Family Residences (on the west side of Interstate 15)

C) Planned Land Use

Subject Property: LI/R (Light Industry/Research)

North: LI/R (Light Industry/Research)

South: LI/R (Light Industry/Research)

East: LI/R (Light Industry/Research)

West: L (Low Density Residential) and ROW (Right-of-Way)

D) Existing Zoning

Subject Property: M (Industrial)

North: M (Industrial)

South: M (Industrial)

East: M (Industrial)

West: R-1 (Single Family Residential)

E) General Plan Compliance

This site is designated as LI/R (Light Industry/Research) on the Southeast Sector of the General Plan. The existing M (Industrial) zoning is compatible with this land use designation.

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

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

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.14, off-premise advertising signs (billboards) shall not be allowed within 300 feet from the nearest property line of a lot in any "R" (Residential) zoning district. The subject off-premise advertising (billboard) sign is located approximately 267 feet from R-1 (Single-Family Residential) zoned property to the west. When the original Variance was approved this separation requirement did not exist.

B) General Analysis and Discussion

Title 19.14 of the Las Vegas Municipal Code allows the removal of an off-premise advertising (billboard) sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards established in Title 19.18.060(L). The continued use of the off-premise advertising (billboard) sign on the subject site is appropriate, in that the area has not changed significantly in the past two years. Therefore, the recommendation for this request is approval subject to another two-year review.

On March 17, 2005 a site inspection was conducted and photos were taken. The inspection revealed the sign is in good condition and free of graffiti. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The City Council found in approving the original Variance evidence of a unique or extraordinary circumstance existed and the billboard was acceptable at this location.

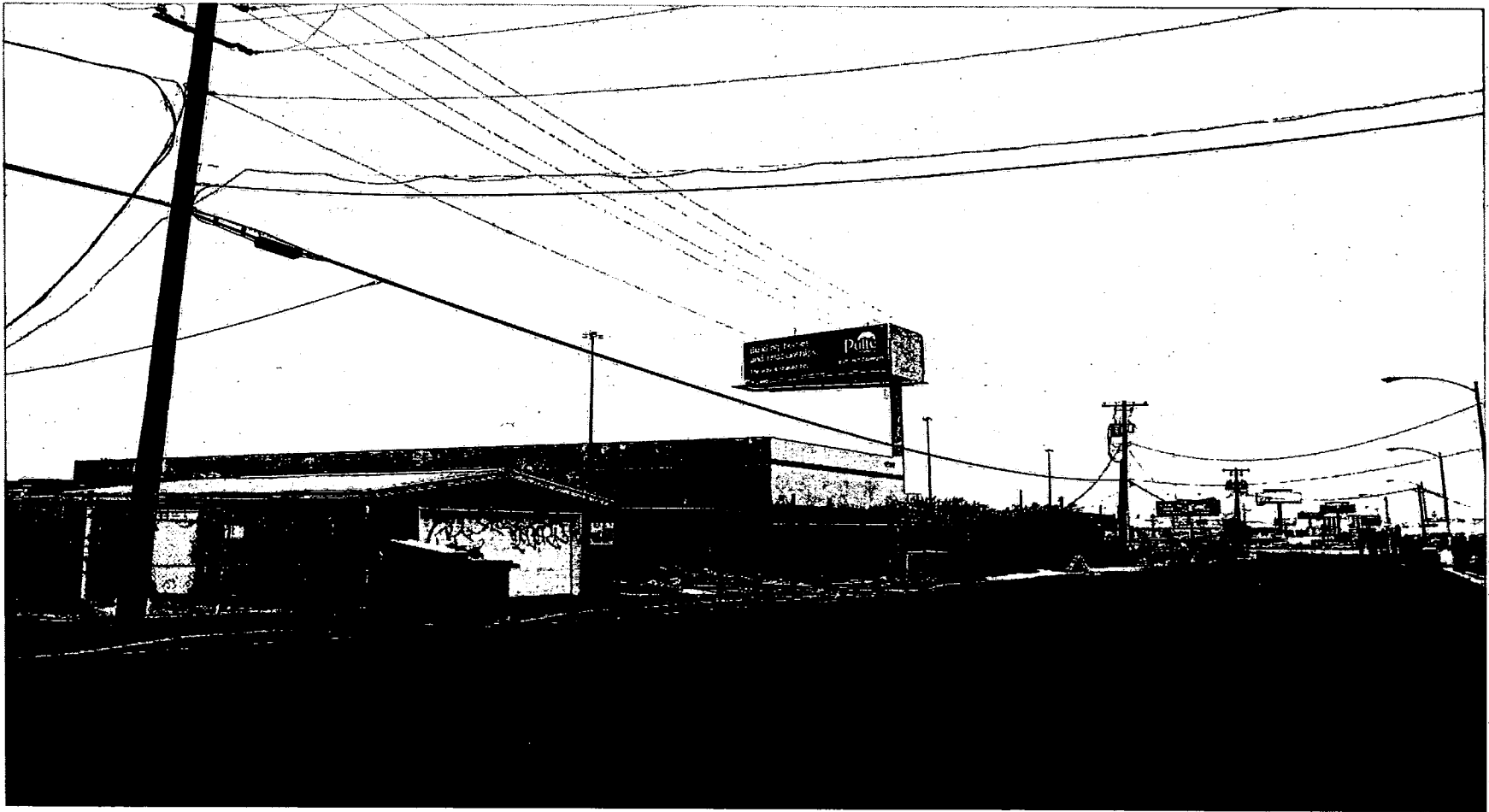
NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

NOTICES MAILED 111 by City Clerk

APPROVALS 0

PROTESTS 0



RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP
1716 SOUTH HIGHLAND AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



RQR-6152 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: O'ROURKE FAMILY, LP
1716 SOUTH HIGHLAND AVENUE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



February 9, 2004

Planning and Development
City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

RE: Justification Letter for **RQR-1708**

APN# 162-04-301-002

Clear Channel Outdoor is requesting the above said **Required Review -1708** to be approved at the scheduled Planning Commission Meeting on May 26, 2005 and for Final Approval at City Council on a latter date. This location meets all of the requirements set forth by Title 19A which governs all Off-Premise Advertising "Billboard" Sign. Therefore we humbly request your approval for the continuation of our Special Use Permit.

Sincerely,
Clear Channel Outdoor

A handwritten signature in black ink, appearing to read 'Rod Carter', with a stylized, cursive script.

Rod Carter
Senior Real Estate Representative

RQR-6152

702	382 " 5020 Tel
	382 " 7088 Fax



MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

June 23, 2003

Ms. Mary O'Rourke
O'Rourke Family, Limited Partnership
1716 South Highland Drive
Las Vegas, Nevada 89102

RE: RQR-1708 - REQUIRED FIVE YEAR REVIEW
CITY COUNCIL MEETING OF APRIL 16, 2003

Dear Ms. O'Rourke:

The City Council at a regular meeting held April 16, 2003 APPROVED the Required Five Year Review of an approved Variance [V-0024-88(2)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 65 FEET, WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW THE SIGN TO BE 730 FEET FROM ANOTHER OFF-PREMISE ADVERTISING (BILLBOARD) SIGN WHERE 750 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at 1716 South Highland Avenue (APN: 162-04-301-002), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 17, 2003. This approval is subject to:

Planning and Development

1. The Variance shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.

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

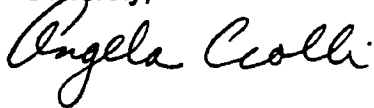
VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-6152

Ms. Mary O'Rourke
RQR-1708 – Page Two
June 23, 2003

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

Sincerely,



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

Sincerely,



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

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

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

Frank Martin

3030 South Highland Drive • Las Vegas, Nevada 89109
(702) 385-5257



RECEIVED
CITY CLERK

2005 MAY 12 A 10:28

May 11, 2005

City Clerk
1st Floor, City Hall
400 Stewart Avenue
Las Vegas, NV 89101

RE: RQR-6152

To Whom It May Concern:

MH Properties, LLC is in support of this request referenced above.

Sincerely,

MH Properties, LLC

Frank Martin

Support

Submitted after final agenda

Date 5/12/05 Item #101

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-5761 - RESCIND PREVIOUS ACTION - PUBLIC HEARING - APPLICANT/OWNER: HIRMIS B. HARON - Request by the City Council to Rescind the Previous Action of Denial of a request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING GROCERY STORE AND A WAIVER OF THE 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE at 2021 East Stewart Avenue (APN 139-35-611-086 and 087), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff has no recommendation on the request to Rescind the Previous Action

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff has no recommendation on the request to Rescind the Previous Action.

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

REESE - APPROVED the Rescission - UNANIMOUS with GOODMAN and WEEKLY excused and MACK not voting

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 102 [SUP-5761-Recission] and Item 103 [SUP-5761].

DAVE EDER, Nevada Gaming Application Consultant, appeared on behalf of the applicant to request a modification. There is currently a sign that has been reduced to nearly one foot and the applicant would like to keep that sign with no additional advertising for check cashing. MAYOR PRO TEM REESE questioned if there could be a flat rate charged for any checks cashed at the facility, but HIRMIS HARON, Owner, stated it would be best to keep the rate a set percentage of the check because the amounts of the checks will vary. MAYOR PRO TEM REESE included the condition to limit the check cashing fee to one percent of the check being cashed. He also requested to have a tasteful sign design and not to have any banners nor paintings for signs.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 102 [SUP-5761-Recission] and Item 103 [SUP-5761].

(2:57 - 3:00)

4-990

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RESCIND PREVIOUS ACTION - SUP-5761 -

APPLICANT/OWNER: HIRMIS B. HARON

**** CONDITIONS ****

Staff has no recommendation on the Request to Rescind the Previous Action.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request by the City Council to Rescind the Previous Action of Denial of request for a Special Use Permit for a Financial Institution, Specified within an existing grocery store and for a Waiver of the 200-foot minimum separation distance from a residential use at 2021 East Stewart Avenue.

B) *Applicant's Justification*

The applicant has included a letter of justification with the application that reads as follows:

"The Stewart Market has been cashing checks for its customers since the 1960's. Over the past few years the amount of bad checks being cashed at the Stewart Market has increased to the point that it is causing a financial hardship for the market. The only way for the market to recover any of the losses is to charge a small percentage for those who are not making purchases...The applicant is also requesting a waiver of the requirements that the check cashing facility be located more than 200 feet away from residential use. The justification is that this service has been available to its customers since 1960's...Granting a Special Use Permit for Check cashing will allow the Stewart Market to continue this valuable service for its customers and will help the market with its operating costs."

BACKGROUND INFORMATION

A) *Previous Actions*

- | | |
|----------|---|
| 05/06/92 | The City Council denied a request to Rezone (Z-0017-92) the subject property from an R-3 (Medium Density Residential) Zone to a C-1 (Limited Commercial) Zone for a food market. The Planning Commission and staff recommended denial of the request on 04/09/92. |
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01/27/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #74/dds).

The grocery store was originally constructed in the 1960's as a meat market. In 1992, the subsequent owner of the market applied for a change in zoning to permit the erection of an Off-Premise (Billboard) Sign.

B) Pre-Application Meeting

12/02/04 The staff met with the prospective applicant to review the provisions for a Financial Institution, Specified in conjunction with a food store at the subject location. It was explained that such a use could not be located within 200 feet of a parcel with a residential use. Since the property is surrounded by residential development, it was noted that a Waiver of the separation requirement would be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.42

B) Existing Land Use

Subject Property: Grocery store
North: Single-family residences and two-family residence
South: Single-family residence
East: Single-family residence
West: Apartment building

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-2 (Medium-Low Density Residential)
South: R-1 (Single-Family Residential)
East: R-3 (Medium Density Residential)
West: R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan in an SC (Service Commercial) land use category. The existing C-1 (Limited Commercial) Zone is consistent with the SC (Service Commercial) land use category, and the proposed Financial Institution, Specified is permitted in the C-1 (Limited Commercial) Zone with the approval of a Special Use Permit, subject to meeting the base conditions for the Special Use.

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

The subject property is also located in the Neighborhood Revitalization Area of "The City of Las Vegas 2020 Master Plan." The Neighborhood Revitalization Area consists of those neighborhoods that are to be stabilized and improved by protecting them from the intrusion of non-residential land uses and to integrate such uses into the neighborhoods in a sensitive manner. In particular, Policy 2.2.1 (page 43) states: "That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition (emphasis added), or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts."

One of the base requirements of a Special Use for a Financial Institution, Specified is that such uses be located at least 200 feet from any parcel used or zoned for residential use. The subject property is surrounded by residential uses that abut or are across the street from the subject property. Any use that fails to meet the separation requirement in the Neighborhood Revitalization Area is inconsistent with the stated policy that specifies that appropriate transition be provided in the juxtaposition of incompatible uses. For this reason, it is recommended that the application be denied.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	Floor Area (sq.ft.)	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified		1 space per 200 sq. ft.				
Grocery Store	5,324	1 space per 175 sq. ft.	28	2	24	0

The existing grocery store is deficient in the required number of parking spaces, as 30 spaces are required and 24 are provided. According to Title 19.10.010, the grocery store is a "parking-impaired development," i.e. the use does not conform to the present parking standards of the Zoning Code. Furthermore, the grocery store is not to be considered a "nonconforming" use. The parking requirement for a grocery store is more restrictive than for a Financial Institution, Specified. Since the Financial Institution, Specified is to be located within the existing grocery store, no additional parking spaces are required.

A2) Minimum Distance Separation Requirement

No Financial Institution, Specified may be located within 200 feet from any parcel zoned for residential use. Because the subject property is surrounded by residential uses that abut or are across the street from the subject property, the proposed use cannot meet the minimum distance separation requirement. The applicant has requested a Waiver in this separation requirement; however, for the reasons discussed above, it is recommended that the Waiver not be approved.

B) General Analysis and Discussion

- Zoning**

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use**

A Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

The proposed Financial Institution, Specified would be located within the existing grocery store located on the property, and the use is expected to displace very little space within the grocery store. The use may be a convenience to patrons who frequent the store, but it may also be a draw to persons outside the immediate area who find the business convenient for cashing checks and for other financial transactions. It is this influx of persons from outside the area that is a cause for concern, particularly for residents that abut or are across the street from the subject property. For this reason, it is recommended that this application be denied.

- Conditions

The following are the minimum conditions from Title 19.04.050 for a Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not cover more than twenty percent (20%) of the area of all exterior windows.
5. Window signs shall not include flashing lights or neon lighting (adopted 03/31/04).
6. Window signs shall not include any text other than text that indicates the hours of operation and whether the business is open or closed (adopted 03/31/04).
7. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
8. The building or portion thereof that is dedicated to the use shall have a minimum size of 1,000 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks) (adopted 03/31/04).
9. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1,000 feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles (adopted 03/31/04).

The proposed use does not comply with the conditions specified above, as the use does not have the required 200-foot separation from a residential use. For this reason, it is recommended that the application be denied.

FINDINGS

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

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

The subject property is completely surrounded by existing residential development that abuts or is across the street from the proposed Financial Institution, Specified. One of the base conditions for this Special Use is that it be separated from residential development by a distance of 200 feet. Because it will have no separation from residential development, it is rendered incompatible with existing surrounding land uses. For this reason, it is recommended the application be denied.

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

The proposed Financial Institution, Specified is to be located within an existing grocery store. Although the present site is a “parking-impaired development” that does not have sufficient parking, the proposed use does not exacerbate this deficiency. All other on-site requirements would be met. Therefore, the subject site is physically suitable for the proposed use.

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

The proposed use will be located within an existing grocery store with access to Stewart Avenue, a Primary (100-foot wide) Arterial street on the Master Plan of Streets and Highways. The street facilities are adequate in size for the proposed use.

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

The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare. As discussed above, the Financial Institution, Specified cannot meet the requirement that it be separated a distance of 200 feet from a parcel on which a residential use exists or is permitted. Therefore, the use is not in conformance with the “The City of Las Vegas Master Plan 2020.” For this reason, it is recommended that the application be denied.

PLANNING COMMISSION ACTION

The Planning Commission heard one speaker in favor of check cashing only. The Planning Commission added Conditions #5 and 6.

• NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 222 by Planning Department

APPROVALS 1

PROTESTS 2

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-5761 - RECONSIDER - PUBLIC HEARING - APPLICANT/OWNER: HIRMIS B. HARON - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED WITHIN AN EXISTING GROCERY STORE AND A WAIVER OF THE 200-FOOT MINIMUM DISTANCE SEPARATION FROM A RESIDENTIAL USE at 2021 East Stewart Avenue (APN 139-35-611-086 and 087), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

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

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

REESE - APPROVED subject to conditions, deleting Condition 6 and adding the following condition:

- Check cashing fee shall be limited to one percent of the amount of the check being cashed.
- **UNANIMOUS** with GOODMAN and WEEKLY excused and MACK abstaining because his company, Mack Consulting, does negotiations for clients affiliated with billboard advertising space

MINUTES:

NOTE: See Item 102 [SUP-5761-Recission] for all related discussion.

(2:57 - 3:00)

4-990

CONDITIONS:

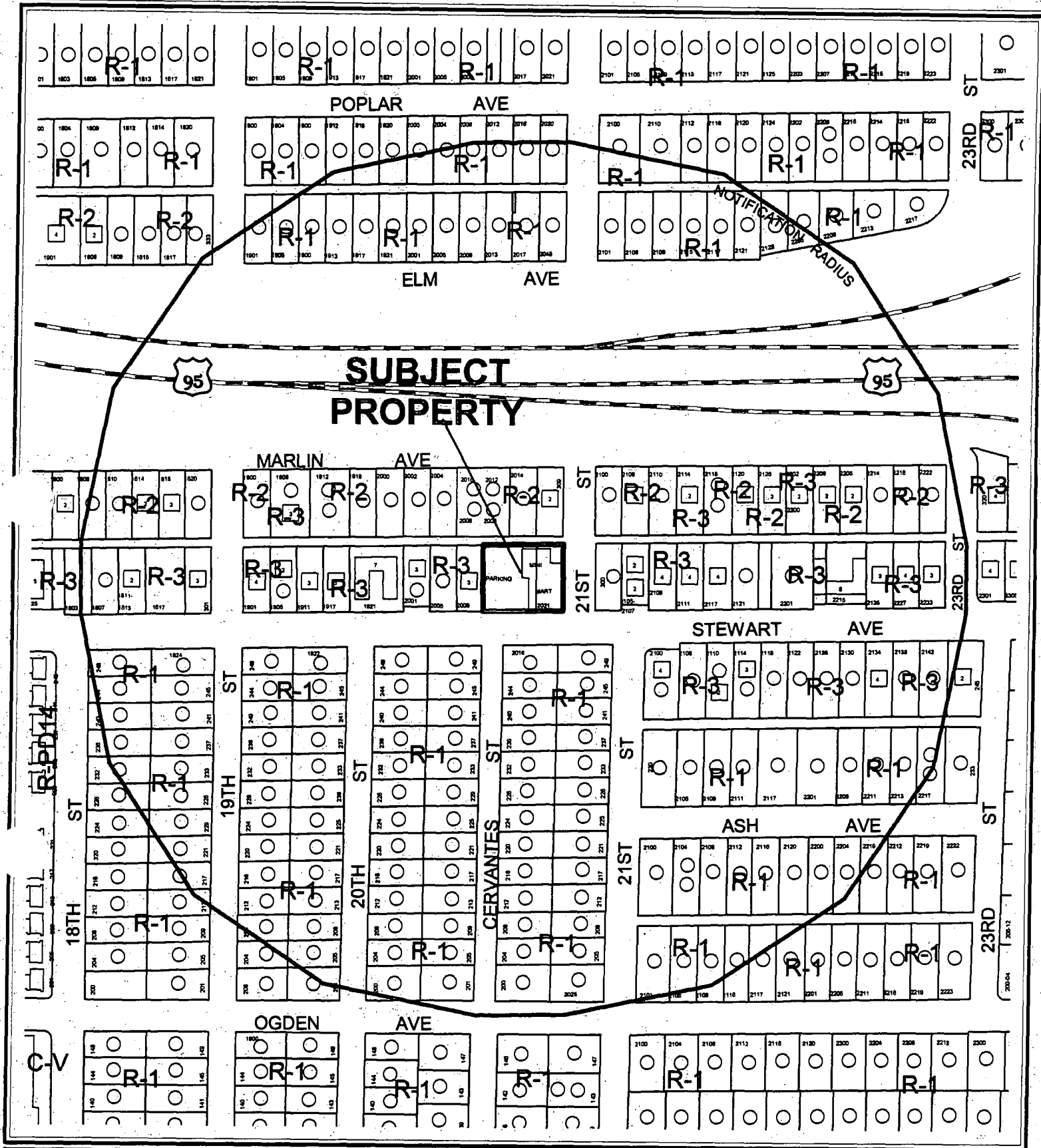
Planning and Development

1. A Waiver of the separation requirement of a Financial Institution, Specified from a residential use.
2. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

4. Compliance with all City code requirements and design standards of all City departments.
5. This permit shall be limited to check cashing only; there shall be no payday loan operations permitted on the site.
6. There shall be no external signage advertising the check cashing service.

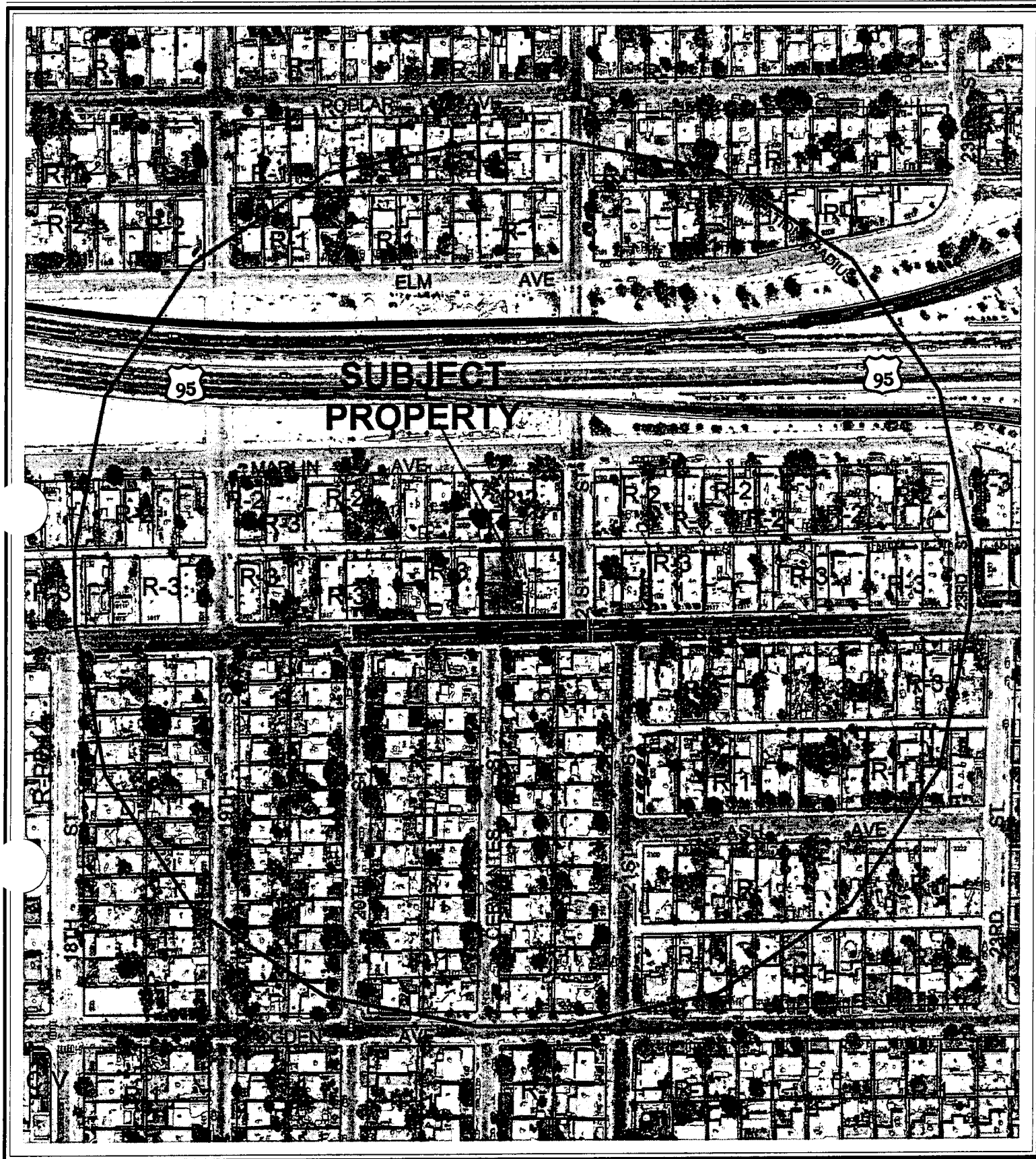


CASE: SUP-5761

RADIUS: 750 FT

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

0 200 400 Feet



CASE: SUP-5761

RADIUS: 750 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: May 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RECONSIDER - SUP-5761 - APPLICANT/OWNER: HIRMIS B. HARON

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A Waiver of the separation requirement of a Financial Institution, Specified from a residential use.
2. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.
5. This permit shall be limited to check cashing only; there shall be no payday loan operations permitted on the site.
6. There shall be no external signage advertising the check cashing service.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This request is for a Special Use Permit for a Financial Institution, Specified within an existing grocery store and for a Waiver of the 200-foot minimum separation distance from a residential use at 2021 East Stewart Avenue.

B) *Applicant's Justification*

The applicant has included a letter of justification with the application that reads as follows:

"The Stewart Market has been cashing checks for its customers since the 1960's. Over the past few years the amount of bad checks being cashed at the Stewart Market has increased to the point that it is causing a financial hardship for the market. The only way for the market to recover any of the losses is to charge a small percentage for those who are not making purchases...The applicant is also requesting a waiver of the requirements that the check cashing facility be located more than 200 feet away from residential use. The justification is that this service has been available to its customers since 1960's...Granting a Special Use Permit for Check cashing will allow the Stewart Market to continue this valuable service for its customers and will help the market with its operating costs."

BACKGROUND INFORMATION

A) *Previous Actions*

- | | |
|----------|---|
| 05/06/92 | The City Council denied a request to Rezone (Z-0017-92) the subject property from an R-3 (Medium Density Residential) Zone to a C-1 (Limited Commercial) Zone for a food market. The Planning Commission and staff recommended denial of the request on 04/09/92. |
| 12/16/92 | The City Council approved a Variance (V-0096-92) to allow an Off-Premise (Billboard) Sign to a height of 65 feet on the subject property. The Board of Zoning Adjustment denied a Variance to allow an Off-Premise (Billboard) Sign to a height of 85 feet on the subject property on 07/28/92. |
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01/27/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #74/dds).

03/02/05 The City Council voted to DENY the application.

The grocery store was originally constructed in the 1960's as a meat market. In 1992, the subsequent owner of the market applied for a change in zoning to permit the erection of an Off-Premise (Billboard) Sign.

B) Pre-Application Meeting

12/02/04 The staff met with the prospective applicant to review the provisions for a Financial Institution, Specified in conjunction with a food store at the subject location. It was explained that such a use could not be located within 200 feet of a parcel with a residential use. Since the property is surrounded by residential development, it was noted that a Waiver of the separation requirement would be required.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 0.42

B) Existing Land Use

Subject Property: Grocery store

North: Single-family residences and two-family residence

South: Single-family residence

East: Single-family residence

West: Apartment building

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: M (Medium Density Residential)

South: L (Low Density Residential)

East: M (Medium Density Residential)

West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)

North: R-2 (Medium-Low Density Residential)

South: R-1 (Single-Family Residential)

East: R-3 (Medium Density Residential)

West: R-3 (Medium Density Residential)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan in an SC (Service Commercial) land use category. The existing C-1 (Limited Commercial) Zone is consistent with the SC (Service Commercial) land use category, and the proposed Financial Institution, Specified is permitted in the C-1 (Limited Commercial) Zone with the approval of a Special Use Permit, subject to meeting the base conditions for the Special Use.

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

The subject property is also located in the Neighborhood Revitalization Area of "The City of Las Vegas 2020 Master Plan." The Neighborhood Revitalization Area consists of those neighborhoods that are to be stabilized and improved by protecting them from the intrusion of non-residential land uses and to integrate such uses into the neighborhoods in a sensitive manner. In particular, Policy 2.2.1 (page 43) states: "That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition (emphasis added), or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts."

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ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	Floor Area (sq.ft.)	Required			Provided	
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The existing grocery store is deficient in the required number of parking spaces, as 30 spaces are required and 24 are provided. According to Title 19.10.010, the grocery store is a "parking-impaired development," i.e. the use does not conform to the present parking standards of the Zoning Code. Furthermore, the grocery store is not to be considered a "nonconforming" use. The parking requirement for a grocery store is more restrictive than for a Financial Institution, Specified. Since the Financial Institution, Specified is to be located within the existing grocery store, no additional parking spaces are required.

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B) General Analysis and Discussion

- **Zoning**

The proposed Financial Institution, Specified is within the realm of permitted uses in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- **Use**

A Financial Institution, Specified is defined by Title 19 as any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances.

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- Conditions

The following are the minimum conditions from Title 19.04.050 for a Financial Institution, Specified:

1. The use shall comply with all applicable requirements of LVMC Title 6.
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7. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 8:00 p.m.
8. The building or portion thereof that is dedicated to the use shall have a minimum size of 1,000 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks) (adopted 03/31/04).
9. No specified financial institution use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than 1,000 feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles (adopted 03/31/04).

The proposed use does not comply with the conditions specified above, as the use does not have the required 200-foot separation from a residential use. For this reason, it is recommended that the application be denied.

FINDINGS

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

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

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

The proposed Financial Institution, Specified is to be located within an existing grocery store. Although the present site is a "parking-impaired development" that does not have sufficient parking, the proposed use does not exacerbate this deficiency. All other on-site requirements would be met. Therefore, the subject site is physically suitable for the proposed use.

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The proposed use will be located within an existing grocery store with access to Stewart Avenue, a Primary (100-foot wide) Arterial street on the Master Plan of Streets and Highways. The street facilities are adequate in size for the proposed use.

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The proposed development will be subject to inspections and permitting, and therefore will not compromise the public health, safety or welfare. As discussed above, the Financial Institution, Specified cannot meet the requirement that it be separated a distance of 200 feet from a parcel on which a residential use exists or is permitted. Therefore, the use is not in conformance with the "The City of Las Vegas Master Plan 2020." For this reason, it is recommended that the application be denied.

PLANNING COMMISSION ACTION

The Planning Commission heard one speaker in favor of check cashing only. The Planning Commission added Conditions #5 and 6.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 222 by Planning Department

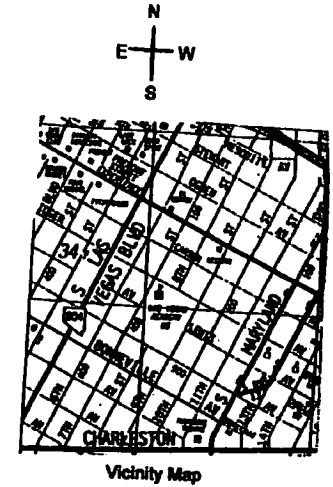
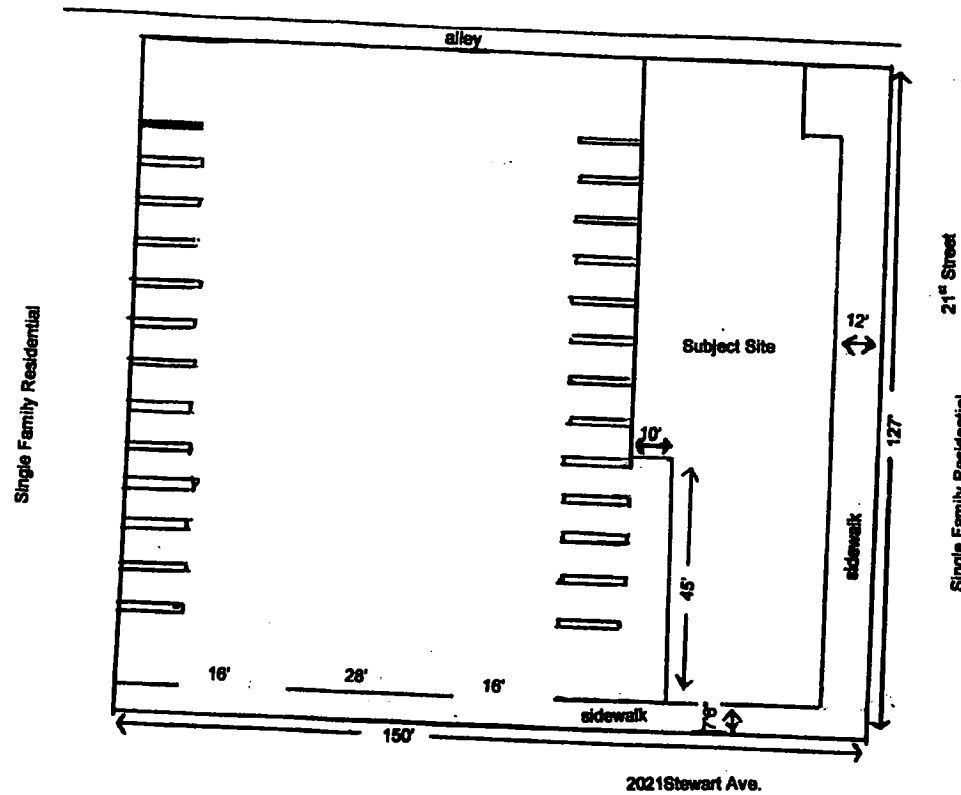
APPROVALS 1

PROTESTS 2



 **NOTARY PUBLIC**
STATE OF NEVADA
County of Clark
DAVID R. EDER
Appt. No. 82-1574-1
My Appt. Expires Aug. 25, 2008

(Multi - Family And Single Family Residential)



Scale 1" = 25'

24 parking spaces 9' X 16'

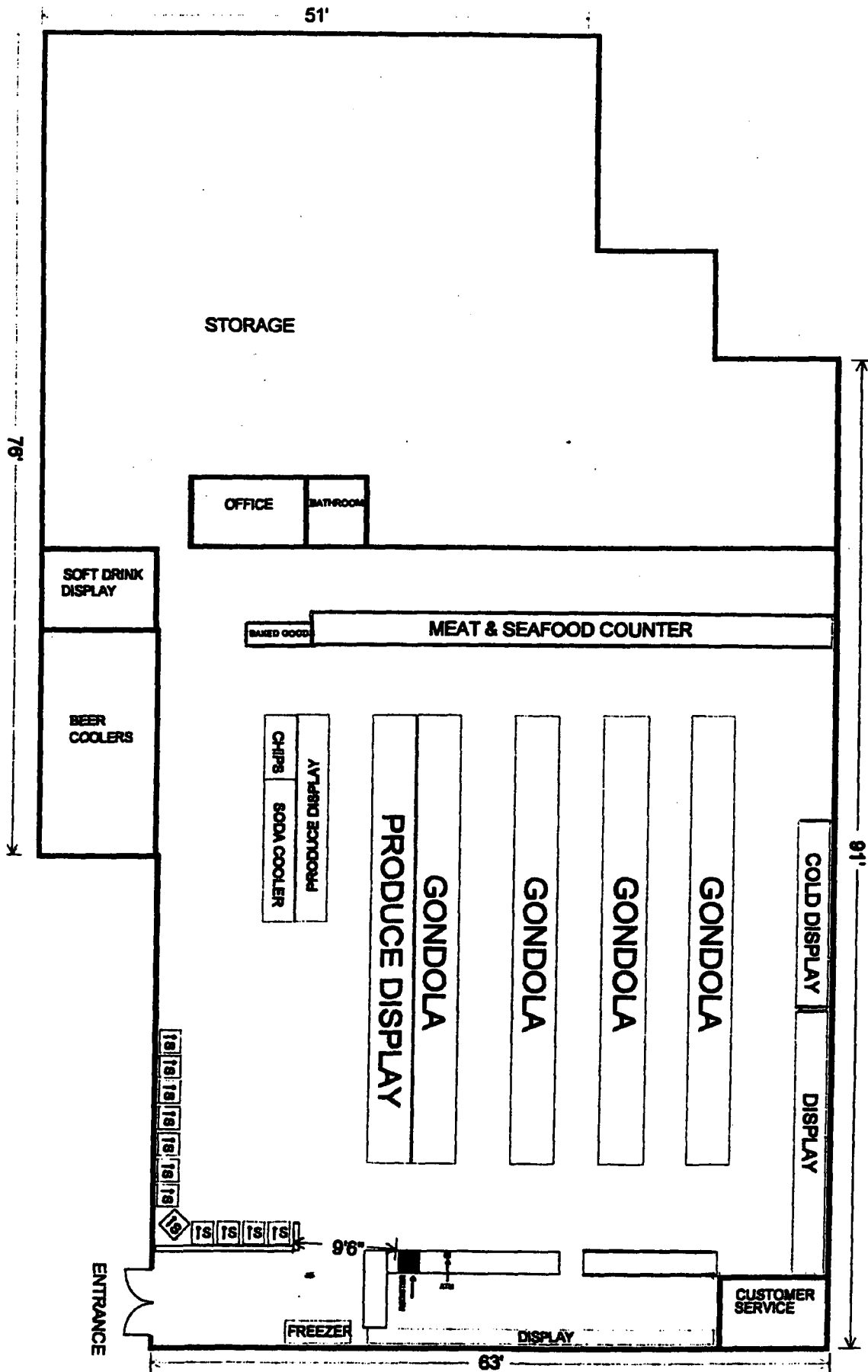
Lot Size 150' X 127' = 19,050 Sq Ft

Building Sq Ft 121' X 44' = 5,324 Sq Ft

APN # 139-35-611-057

SUP-5761
01/27/05 PC

RECEIVED
DEC 13 2004

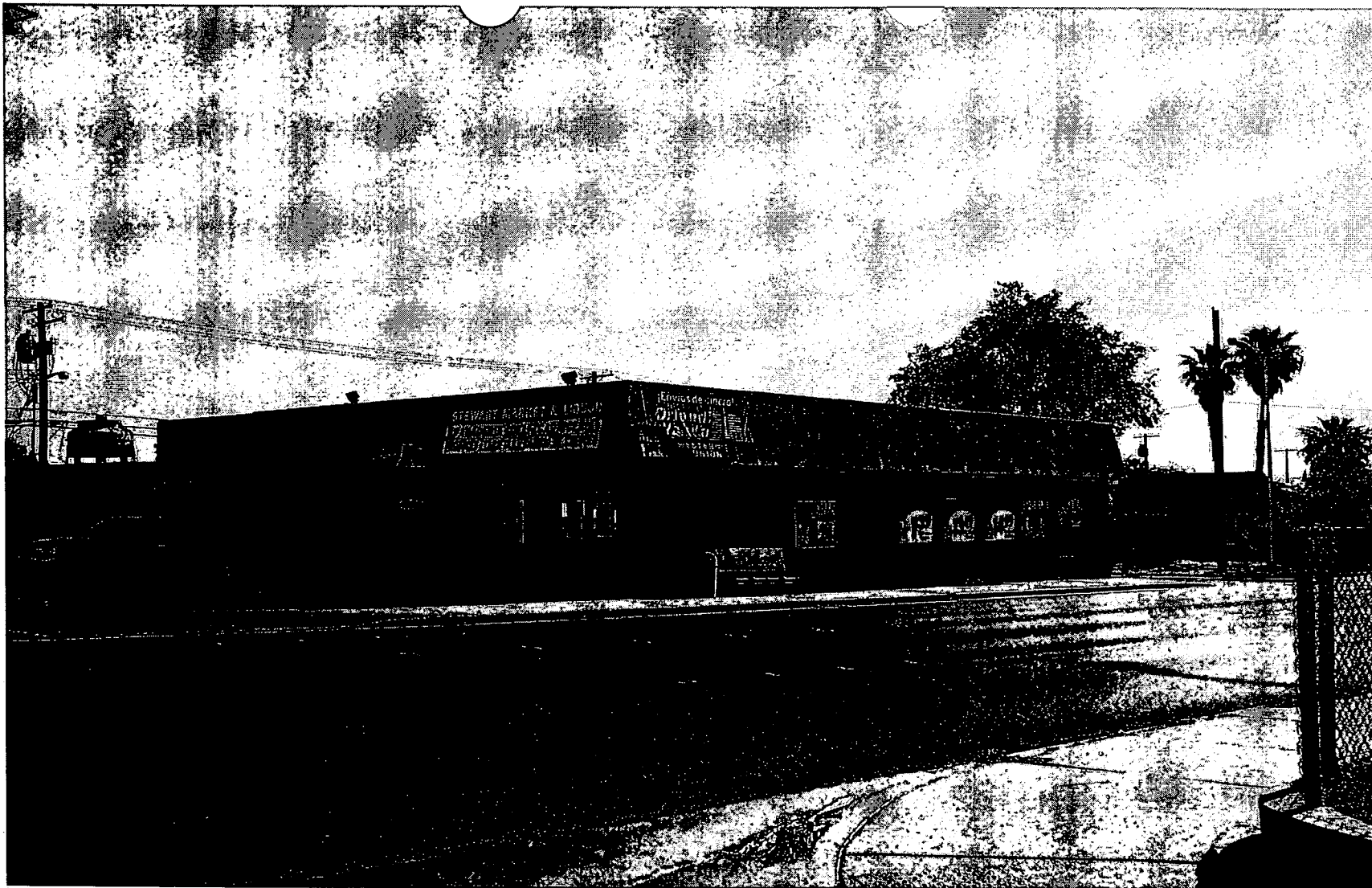


STEWART MARKET
2021 STEWART AVE.
LAS VEGAS NV 89101

DATE PREPARED: 5/12/03
TOTAL FOOTAGE: 7,740 SQ. FT.
CUSTOMER AREA: 3,510 SQ. FT.

SUP-5761
01/27/05 PC

RECEIVED
DEC 13 2004



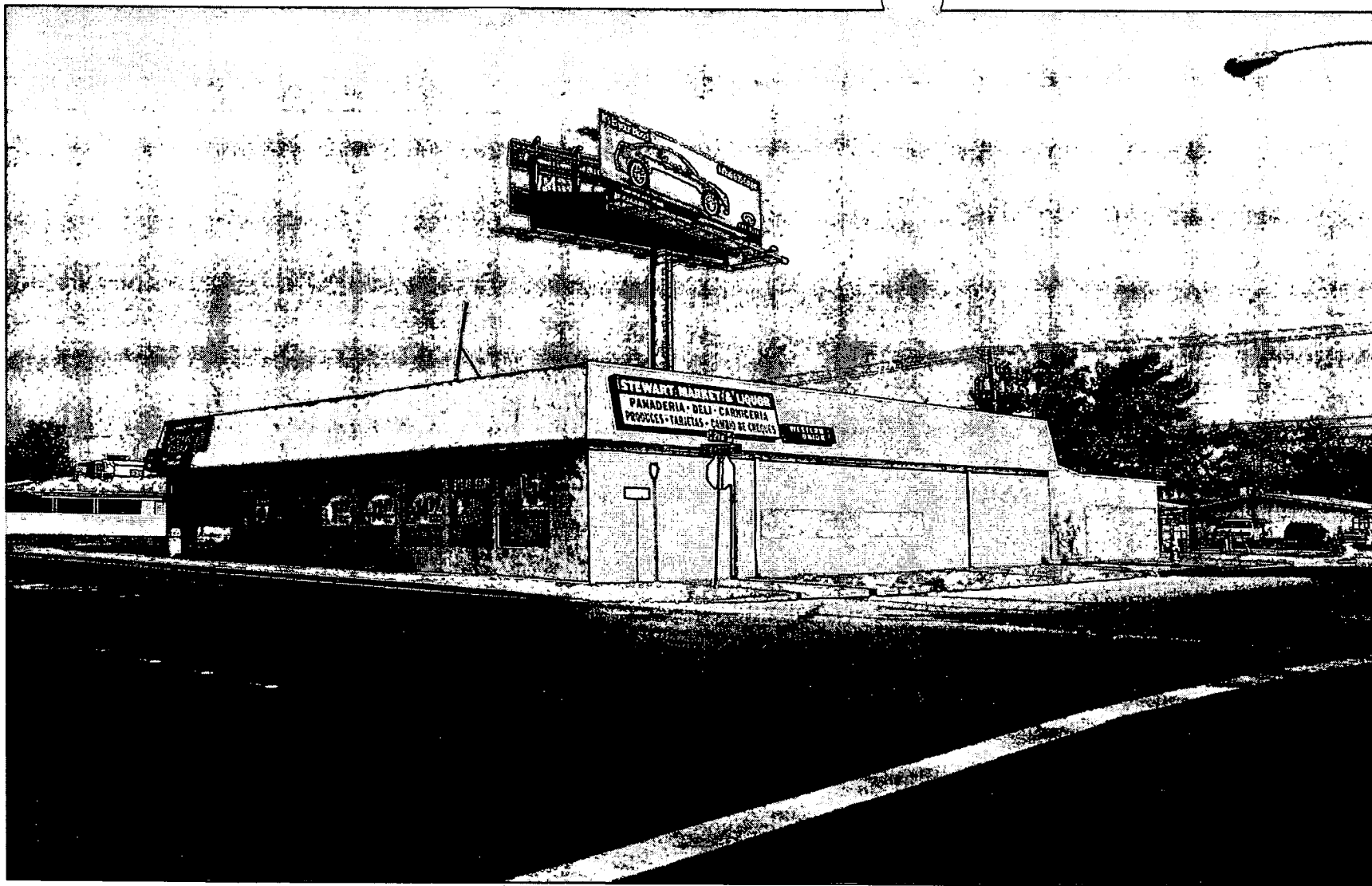
SUP-5761 - APPLICANT/OWNER: HIRMIS B. HARON
2021 East Stewart Avenue
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 05/03/05



SUP-5761 - APPLICANT/OWNER: HIRMIS B. HARON
2021 East Stewart Avenue
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 05/03/05



SUP-5761 - APPLICANT/OWNER: HIRMIS B. HARON
2021 East Stewart Avenue
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 05/03/05



SUP-5761 - APPLICANT/OWNER: HIRMIS B. HARON
2021 East Stewart Avenue
MAY 18, 2005 CITY COUNCIL MEETING

Picture taken 05/03/05

**Justification Letter
Stewart Market**

The Stewart Market has been cashing checks for its customers since the 1960's. Over the past few years the amount of bad checks being cashed at the Stewart Market has increased to the point that it is causing a financial hardship for the market. The only way for the market to recover any of the losses is to charge a small percentage for those who are not making purchases.

Mr. Haron has been an excellent neighbor and takes pride in his business and in the down town area, as can be seen by the remodel of the Stewart Market. Mr. Haron is asking that he be allowed to continue this valuable service for his customers.

The applicant is also requesting a waiver of the requirement that the check cashing facility be located more than 200 feet away from residential use. The justification is that this service has been available to its customers since 1960's

Granting a Special Use Permit for Check Cashing will allow the Stewart Market to continue this valuable service for its customers. And will help The Market with its operating cost.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

SUP-6160 - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP - Appeal filed by the Applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION SPECIFIED AND A WAIVER OF THE 200 FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****3****City Council Meeting****32****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Justification letter
6. Protest petition submitted by Joe Boro representing 28 signatures

MOTION:

MACK - ABEYANCE to 6/15/2005 - UNANIMOUS with GOODMAN and WEEKLY excused

NOTE: Pictures were shown but not submitted

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared with LUCY STEWART, 856 East Sahara. ATTORNEY BROWN stated the waiver requested is compatible with other uses in the parcel, and will not hinder or have any adverse affects in this area. ATTORNEY BROWN indicated they would agree to close at 10:00 p.m., which is the same time as the adjacent Walgreen's. There is a block wall separating the residents from the location in question that is more than 200 feet. MS. STEWART detailed the layout of the building and stated the look of the structure resembles the appearance of the bank.

VICTOR GALLEGOS, 8541 Blowing Pines Drive, lives behind the location in question and addressed concern for the wall because it is not very tall. He is opposed to a facility that would be open until 10:00 p.m. and suggested a commercial facility that would have normal business hours and be closed on the weekends. This would better suit the area because the parcel abuts residential properties.

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

COUNCILMAN MACK stated he is aware of the current wall height and, upon approval, would impose a condition to have an eight-foot wall.

JOSEPH and SHIRLEY BORO, 8585 Blowing Pines Drive, displayed pictures of other Check City locations located in a business plaza as opposed to this parcel. MR. BORO believes the project will negatively affect property values. MRS. BORO is unsatisfied with the closeness of the facility to their property.

BILL SAMATULSKI, 8580 Blowing Pines Drive, concurred with the previous speakers' comments. He referenced a petition with nearly 30 signatures opposing the project and noted the Planning Commission voted against the project as well.

TOM McGOWAN, Las Vegas resident, though not part of this neighborhood, agreed with the arguments made by the residents.

MS. STEWART pointed out the retail area is zoned for neighborhood commercial. The pictures the residents showed were from a previous prototype and clarified the current plans mirror what is at the Rainbow Boulevard and Charleston Boulevard locations having only signage and no awnings. This location will not have a drive-thru window and all business will be transacted inside, similar to a bank.

MS. BORO rebutted that a new location 1.8 miles from the Target shopping center has awnings. MS. STEWART offered to have a condition restricting awnings.

COUNCILWOMAN TARKANIAN acknowledged the neighbors' concerns with the type of commercial being a payday loan facility. The legislature is looking into aspects of the payday loans because of the residents' concerns. The difference between this item and those previously heard is the amount of protests received and the strong recommendation of denial from the Planning Commission and staff.

COUNCILMAN WOLFSON noted there is a raised pad concerning the brick wall and questioned if it is possible to raise the wall higher. If raised another three or four feet, it would still allow the adjacent homeowners to look directly at the commercial property.

BART ANDERSON, Public Works, stated that if a wall is able to be raised it is preferred but most perimeter screen walls are not built with a foundation that allows them to be raised. A second wall would need to be constructed adjacent to the first wall in order to have a higher wall. The wall height authorized by Code without a variance is eight feet, and is measured from the side with the greatest exposure. With the wall at its current height, it would only be raised two feet to reach the maximum eight feet and the wall would probably still not be high enough to completely block the view. Second walls are discouraged next to existing walls because of the intervening space in between.

MAYOR PRO TEM REESE stated that when homes are adjacent to vacant lots there is a possibility of strip-type malls. It is very difficult when neighbors are opposed to one type of service from the commercial development. He does have reserves for the hours of operation but does feel there is need for this service. MAYOR PRO TEM REESE also stated he thought the origination of the 200-foot separation code for these types of facilities was to prevent homes from converting to businesses similar

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

to what has occurred on Jones Boulevard. There are going to be several other uses at the strip mall and this use may be one of the least intrusive of the neighborhood.

COUNCILMAN MACK acknowledged all comments by the neighbors and his colleagues and requested to hold this item in abeyance to the 6/15/2005 City Council Meeting. During that time he addressed the need to meet with the neighborhood to discuss alternatives. Other uses will accommodate this site without the need to appear before Council; therefore it will be crucial to meet with the neighbors to ensure understanding. In his experience as a pawnbroker, this service is for many that do not possess traditional banking ties. Check City has invested a great deal in other sites to provide the type of service, and plans to do the same at this location.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:04 - 3:24)

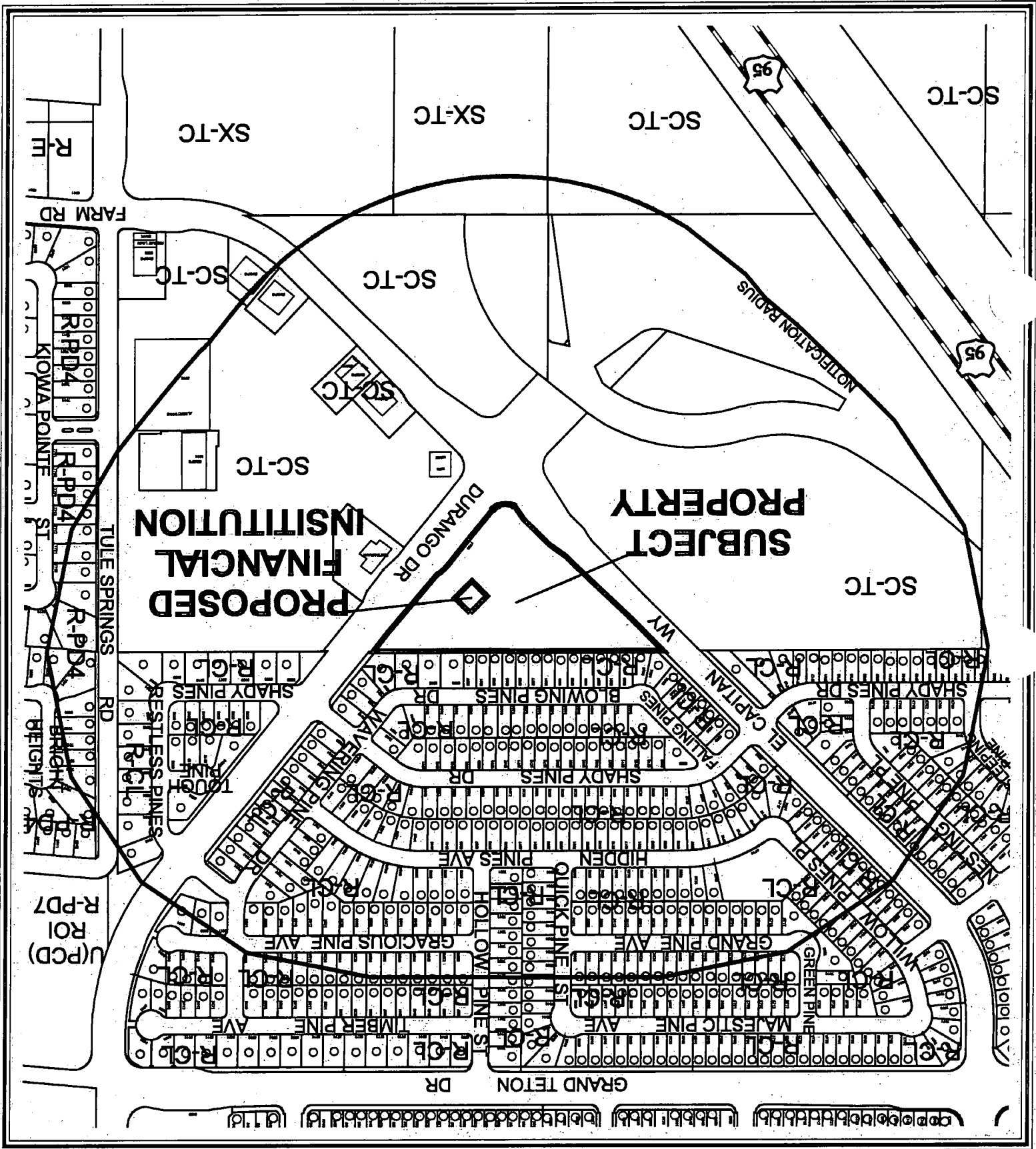
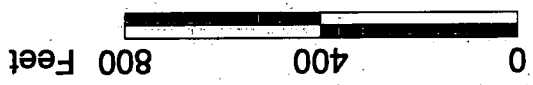
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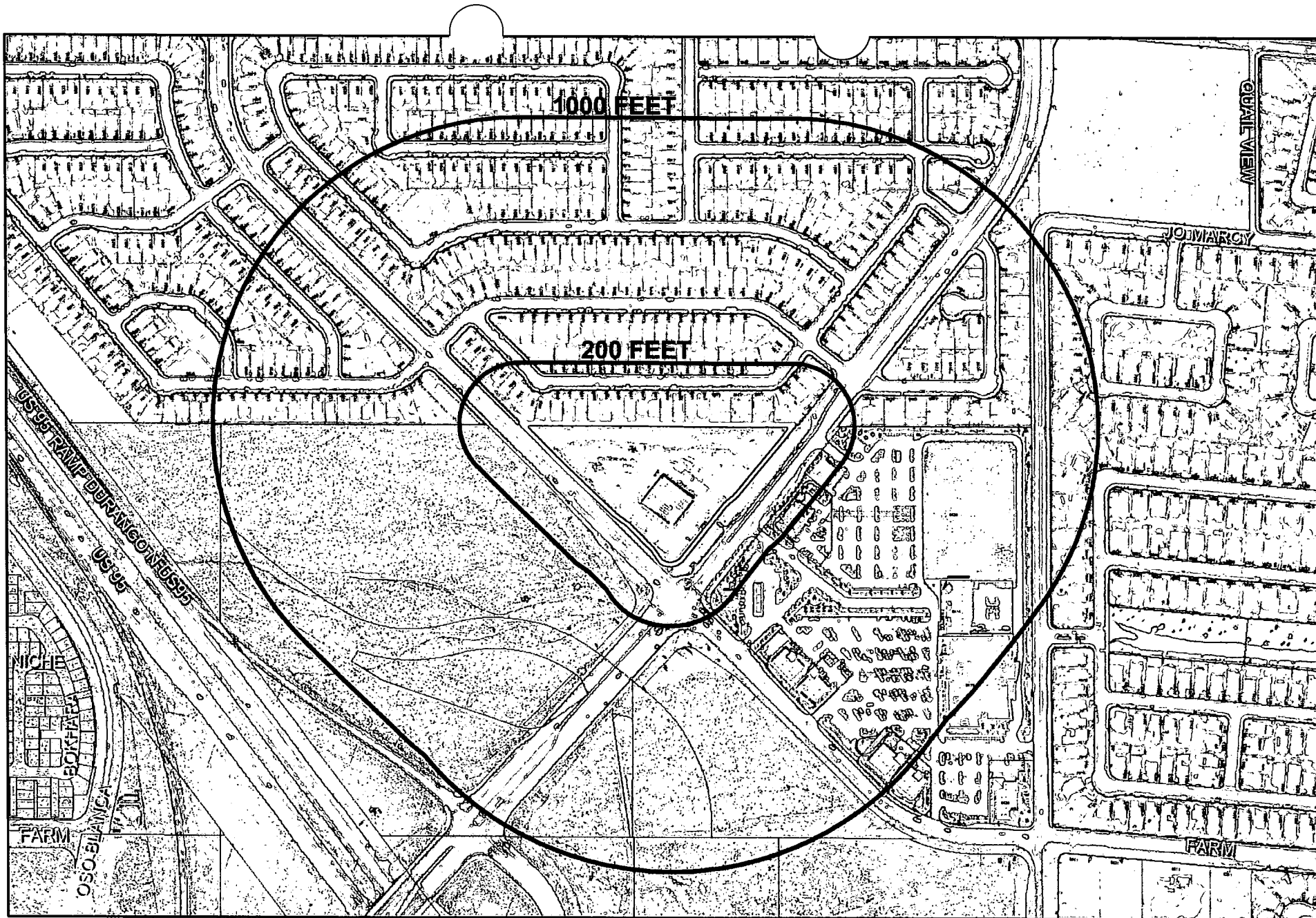
104

ZONING OF SUBJECT PROPERTY:
T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL
LAND USE DESIGNATION]

CASE: SUP-6160
RADIUS: 1000 FT







SUP-6160

Financial Business Locations

- Finance Company
- Automobile Title Loan
- Auto Pawn
- Financial Institution, Specified
(Check Cashing Service)
- Financial Institution, Specified
(Check Cashing Service with Gross)

- Subject Property
- Residential Property

- Buffer

0 245 490 980 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all minimum requirements under Title 19.04.050 for a Financial Institution, Specified, except for the separation requirement of a Financial Institution, Specified from a residential use.
2. The Waiver request for the 200-foot separation requirement shall be granted.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. Compliance with all City code requirements and design standards of all City departments.
5. The use shall comply with all applicable requirements of LVMC Title 6.
6. The building design and color scheme shall be subject to review by the Planning and Development Department to ensure that it will be harmonious and compatible with the surrounding area.
7. No temporary signs (as described in LVMC Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
8. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 10:00 p.m.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is an Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit to allow a Financial Institution Specified and Waiver of the 200-foot minimum distance requirement from any residential parcel or zone located on property at the northwest corner of Durango Drive and El Capitan Way (APN 125-17-601-011).

B) *Applicant's Justification*

The applicant's Justification Letter indicates that the proposed payday loan business (Financial Institution, Specified) is compatible with the uses within the same parcel and surrounding area and that the proposed use will not have a substantial adverse effect on public facilities or services in the area. The surrounding area is developed with major grocery stores, numerous restaurants, including drive-through and delivery, as well as a host of other service related industries including banks, cleaners and retail. In addition, the applicant relates to other previously approved Financial Institution, Specified uses that have been approved less than 200 feet from a residential parcel or zone. Finally, that the intensity of the proposed use is consistent with those uses within the service commercial zone.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 12/07/98 | The City Council approved the rezoning of the Town Center plan area (Z-0076-98) including this parcel. The Planning Commission recommended approval. |
| 11/07/01 | The City Council approved the current version Town Center Development Standards (TCDS) Manual through Bill No. 2001-100. The TCDS details the uses permitted within Town Center and the development standards that will accomplish the vision of Town Center. |
| 10/23/03 | The Planning Commission abeyed, SDR #3191, the original site plan to its 12/04/03 meeting in order to include the full commercial development site in the application. This request was noticed to include the full site in the application. |
| 01/07/04 | The City Council approved Site Development Plan Review (SDR 3191) and a Waiver of build-to-street standards of the Town Center Development Standards for a 29,120 square foot commercial building(s), subject to conditions. Planning Commission and staff recommended denial. |

- 01/22/04 The Planning Commission voted 7-0 to approve TMP #3272 for a two lot commercial subdivision on 4.91 acres of land. Final Action.
- 12/03/04 Planning Staff administratively approved a Minor Amendment to Site Development Plan Review (SDR 3191) to allow 29,315 square foot commercial building(s).
- 01/13/05 The Planning Commission denied a Special Use Permit (SUP-5684) and a Site Development Plan Review (SDR-5681) for a proposed restaurant with drive-through (Jack in the Box).
- 01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice Special Use Permit (SUP-5740) for a proposed liquor establishment (tavern) and a waiver of the 50-acre minimum site area requirement.
- 04/14/05 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #53).

B) Pre-Application Meeting

- 02/15/05 A pre-application meeting was held and the following comment was made:
1. Applicant will be required to ask for a waiver from the minimum distance separation from residential (L.V.M.C. § §19.04-040).
 2. A special use permit shall be required for the proposed Financial Institution Specified (Town Center Development Standards Manual).

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.91 Acres
Net Acres: 3.21 Acres and 1.70 Acres (Walgreens Site)

B) Existing Land Use

Subject Site: Vacant
North: Single Family Homes
South: Retail Commercial (14,820 sq.ft. Walgreens)
East: Retail Commercial
West: Vacant

C) Planned Land Use

Subject Property: SC-TC (Service Commercial- Town Center)
North: PCD (Planned Community Development)
South: SC-TC (Service Commercial- Town Center)
East: SC-TC (Service Commercial- Town Center)
West: SC-TC (Service Commercial- Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: R-CL (Residential –Compact Lot)
South: T-C (Town Center)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

- a. Centennial Hills General Plan: The development of the subject parcels supports-
- Policy A2, which encourages the use of vacant land near development to efficiently use existing infrastructure.
 - Policy B4, which calls for a balance in the amount and location of commercial and office uses that will serve the projected population.

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

TOWN CENTER

The development of the proposed use will be subject to the requirements of the Town Center Development Standards.

TRAILS

The Town Center Arterial trail along El Capitan Way, the Town Center Parkway Trail along Durango Drive and the Bike Trail on Durango Drive are all located in the rights-of-way of El Capitan Way and Durango Drive. The applicant shall incorporate these trails in the improvements of these streets as part of the previous overall SDR #3191.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed not to be a “Project of Regional Significance.”

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required Ratio	Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Walgreens Site	14,820 SF.	1 stall/175 GFA	85			
Pad B/Retail	8,000 SF.		46			
Pad C/Retail	3,975 SF		23			
Pad C/Financial Institution Specified	2,500 SF	1 stall/200	13			
Total	29,295 SF.		167	6	244	7

On January 7, 2004, the site plan was originally approved to incorporate a total of two additional retail/restaurant pads. On December 3, 2004, the Planning and Development Department approved a minor amendment to the original site plan. The five separate commercial retail pads were combined into three (3) retail pads and one (1) for a proposed drive-through restaurant. On January 13, 2005, the Planning Commission denied the proposed drive-through restaurant. The applicant then decided to withdraw the proposed drive-through restaurant for this site. On March 21, 2005, the site plan was submitted to the Planning and Development Department (P&DD) for consideration of a second minor amendment. On March 23, 2005, the P&DD concluded that the proposed revisions warranted approval of a minor amendment. The final site plan includes a total of two retail pads (one of which is partially proposed to be taken by the proposed financial institution) and the Walgreens Site.

On January 22, 2005, the Planning Commission approved a Tentative Map for a two lot commercial subdivision. The subdivision created a separate lot for the Walgreens site consisting of approximately 1.70 acres in area. The Final Map is almost completed and is going through its final approval stages. All cross easements for access and parking have been provided.

A2) Minimum Distance Separation Requirements

A Financial Institution, Specified may not be located within 200 feet of any parcel used or property zoned for residential use or within 1000-feet of another Financial Institution, Specified (L.V.M.C. § § 19-04.04). The subject site abuts a parcel used for single family residential purposes and is also zoned for residential use. The applicant is requesting a waiver of the 200 feet requirement. There are no other Financial Institution, Specified uses within a 1000 feet of the subject site.

Pursuant to Title 19.04.050, the following Standards apply to the subject proposal:

- (1) The use shall comply with all applicable requirements of LVMC Title 6.

- (2) The building design and color scheme shall be subject to review by the department to ensure that it will be harmonious and compatible with the surrounding area.
- (3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
- (4) Window signs shall not:
 - (a) Cover more than twenty percent of the area of all exterior windows;
 - (b) Include flashing lights or neon lighting; or
 - (c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.
- (5) The hours of operation shall not extend beyond the hours of eight a.m. to eleven p.m.
- (6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
- (7) No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

B) *General Analysis and Discussion*

- **Zoning**

The proposed Financial Institution, Specified is permitted within the T-C zone subject to approval of a Special Use Permit. There are seven specific main standards that need to be met in order to establish the proposed use. The applicant's representatives have submitted a request for waiver in order for the Planning Commission to consider a request to allow 0 separation instead of 200 feet between the subject site and a residential uses/zone.

- Use

On April 21, 2005, the City Council adopted an ordinance, Ordinance No. 5862, establishing the separation standards and other requirements for Financial Institution, Specified. This Code Requirement was established by the City Council, Ordinance 5682, on April 21, 2004. The Zoning Ordinance defines the proposed use as follows:

“Financial *Institution, Specified*” means any business whose primary function is to lend money; to cash checks or other negotiable instruments for a fee, service charge or other consideration; or to provide funds in exchange for the acceptance of a check on a post-dated or deferred-deposit basis. The term includes without limitation a check cashing service, paycheck advance service, and any business primarily providing cash loans, installment loans or cash advances, but does not include a pawn shop (L.V.M.C. § 19-20).

There has been approximately 13 application submittals for a special use permit that have been reviewed by the Planning Commission since the April 21, 2005 ordinance was adopted. There are four (4) recently submitted applications that are more recent application submittals that will be reviewed by the Planning Commission in the next upcoming months. Of the 13 submittals each case was reviewed by the Commission based on its own compliance with code and specific reasons for approval or denial.

There was a Financial Institution, Specified approved a little over 1000 feet along Farm Road over one year ago (SUP-3332). This application has expired and the business never opened. The site where the Financial Institution, Specified was going to be located is presently being occupied by other commercial uses. The nearest Financial Institution, Specified from this area is approximately 2 miles southeast from the subject site (6510 Buffalo Road SUP-3117).

- Waiver Request

The reason for the 200 feet requirement is to establish a reasonable distance between residential properties and a use. The City's experience with Financial Institution, Specified uses is that they are often not compatible to surrounding residential uses. They have bright signage and operate at late hours of the evening thereby disturbing the adjacent residential neighborhood. The late hours in close proximity to a residential neighborhood also creates traffic and possible loitering issues within a shopping center that would normally be closed for operation at late hours of the evening.

The code requires that all the standards be met, unless it can be shown by convincing evidence by the applicant that any waiver of these requirements will not compromise the objectives of the City in safeguarding the interests of the citizens of the City (L.V.M.C. 19.04.050A.). The applicant has provided a Justification Letter for the waiver request.

The applicant's Justification Letter indicates that the proposed payday loan business is compatible to the surrounding commercial uses (Walgreens, restaurants, banks, cleaners, etc) and within the subject site. The intensity of the proposed use will not be any different than that of the existing commercial uses. The existing Walgreens hours of operation are from 7:00 am to 10:00 pm, seven days a week within the subject shopping center location. Financial Institution, Specified are allowed to operate from 8:00 a.m. to 11:00 p.m., seven days a week. If the

Planning Commission decides to approve this request, staff recommends that the hours of operation be restricted to close at 10:00 p.m. instead of 11:00 p.m. to be in conformance with the immediately surrounding commercial use (Condition #7).

The letter indicates that the proposed use will not have an adverse effect on public facilities and services since the area is currently developed with similar commercial uses. Staff doesn't disagree with this statement, but please note that issues related to impacts on public facilities and services was not the reason behind the separation distance requirement. The issues related to the separation requirement relate to the manner in which the operation of the business is going to be conducted and compliance with the sign requirements and advertising. The applicant's representative has provided photographs of a similar type of use that currently exists within another shopping center for the Planning Commission to review.

In addition, the Justification Letter mentions a previously approved Check Cashing/Payday Loan business approved in a nearby location within 200 feet of a residential neighborhood. However, this use was approved (1/21/04) prior to the new text amendment being approved with the new distance requirements. The applicant's Justification Letter also lists a number of other Financial Institutions, Specified as a precedent. The fact that a Special User Permit for the same or similar use has been granted previously for the subject property or nearby property is a factor, but is not determinative (L.V.M.C. § §19-18.060 H.). In other words, previous approvals do not have final over all final barring on the Planning Commission's decision. The Commission may deny the proposal if it does not find that there is adequate justification related to waiving the 200 feet separation distance requirement.

- Status of Proposed Building Construction

As of this date, the Walgreens is almost completed. However, no plans have been submitted to the Building Department for construction of the proposed commercial building in which the proposed Financial Institution, Specified is proposed to occupy. Attached is a copy of the approved building elevations for the proposed commercial buildings.

- Conditions

If the Planning Commission decides that the project is appropriate and makes positive findings to recommend approval, a list of recommended conditions has been included as part of this staff report for the Commission to consider. Condition #7 is recommended requiring the proposed use to operate between the hours of 8:00 am to 10:00 pm in order to be in conformance with the existing commercial site business hours of operation. The conditions are included in the front of this Staff Report.

FINDINGS

In order to approve a Special Use Permit (SUP) application, per Title 19.18.060 the Planning Commission and City Council must affirm positive findings for a SUP. After review of the proposed Justification Letter and review of the project details, Staff cannot make positive findings and recommends denial of the proposed use subject to the following:

1. The proposed land use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan, in that the proposed project directly abuts a residential use to the north and will be operating at late hours of the evening. The proposed use will be incompatible with the abutting residential uses to the north of the subject site.
2. The subject site is not physically suitable for the type and intensity of land use proposed, in that there are other commercial areas within the surrounding community (provide a specific location) to establish a proposed Financial Institution, Specified.
3. Approval of the Special Use Permit at the site in question will be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan, in that the proposed Financial Institution, Specified is not compatible and too close to the residential neighborhood located zero (0) feet to the north of the subject site. The proposed use is inconsistent with Objective C of Subsection 2.3 of the City's Land Use Element stating for future land uses to "achieve a compatible balance of land uses throughout the City by providing appropriate and compatible character."

PLANNING COMMISSION ACTION

There were 3 speakers protesting this application at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED 379 by City Clerk

APPROVALS 1

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6160 APN: 125-17-601-011

Name of Property Owner: PPLand Limited Partnership

Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: *James A. Peterson*

Print Name: James A. Peterson, by Power of Attorney for PPLand Limited Partnership

Subscribed and sworn before me

This 17th day of November, 2004

Kyle P. Connally
Notary Public in and for said County and State



Jeff
Architect

2570 E. SOUTHERN AVE.
TAMPE, ARIZONA 85282
PHONE: 480-730-1178
FAX: 480-968-8571

THIS PROJECT IS AN INTEGRAL PART OF THE DEVELOPMENT OF THE TOWN CENTER AT EL CAPITAN WAY AND IS NOT TO BE CONSIDERED IN ISOLATION. THE PROJECT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE ARIZONA DEPARTMENT OF TRANSPORTATION AND THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY. THE PROJECT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE ARIZONA DEPARTMENT OF TRANSPORTATION AND THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY.

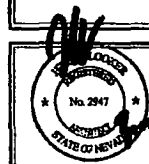
NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

REVISED
10/22/12

OVERALL SITE PLAN

REVISIONS

RECEIVED
MAR 8 9 2005



PERMITS DATE

MARCH 18, 2005

NO. 101 15 - 300

SD-1

SITE DATA

APN: ASSOCIATES PARCEL NUMBER: APN 125-178-010-11
PROJECT DESCRIPTION: NEW RETAIL CENTER
SITE DATA:
ZONING: DORM
OVERALL SITE AREA: 212,141.84 S.F. = 4.8 ACRES
PARCEL & LOT SIZE:
TOTAL = 4.8 ACRES
WALGREENS = 1.70 ACRES
REMAINING = 3.11 ACRES
DEVELOPER: MBA ASSOCIATES
2570 E. SOUTHERN AVE., TAMPE, ARIZONA 85282
PHONE: 480-730-1178
FAX: 480-968-8571
BUILDING HEIGHT: 22'-0" MAXIMUM

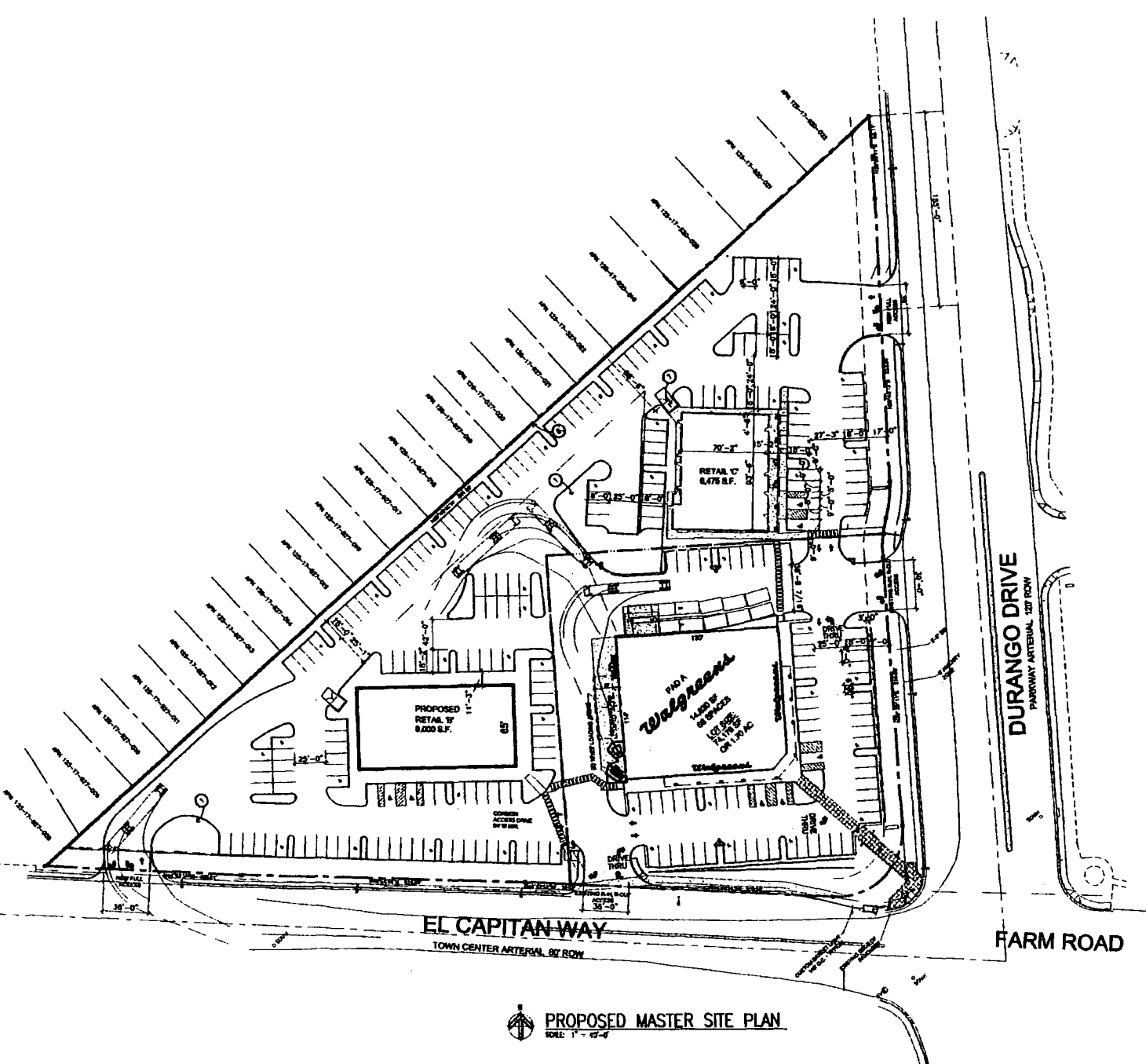
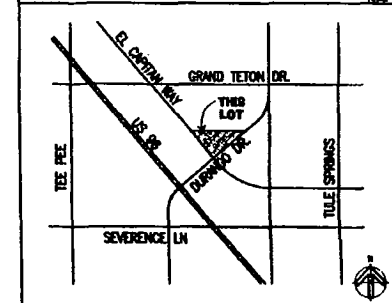
UPDATED SITE PLAN DATA
APPROVED BUILDING AREA:
RETAIL 'C' = 8,475 S.F.
WALGREENS = 14,830 S.F.
JUCE = 2,800 S.F.
RESTAURANT: 2,800 S.F.
PROPOSED BANK = 2,400 S.F.
TOTAL S.F. OF ORIGINALLY APPROVED SITE PLAN = 28,330 S.F.
ORIGINALLY APPROVED PARKING:
PER 508-3191, JAN. 7, 2004
TOTAL PARKING APPROVED = 192

APPROVED BUILDING AREA:
RETAIL 'C' = 8,475 S.F.
WALGREENS = 14,830 S.F.
JUCE = 2,800 S.F.
RESTAURANT: 2,800 S.F.
PROPOSED BANK = 2,400 S.F.
TOTAL S.F. OF ORIGINALLY APPROVED SITE PLAN = 28,330 S.F.
ORIGINALLY APPROVED PARKING:
PER 508-3191, JAN. 7, 2004
TOTAL PARKING APPROVED = 192

KEY NOTES

- 1 LANDSCAPE AREA, SEE LANDSCAPE PLANS
- 2 NEW CONCRETE SIDEWALK
- 3 ADA-COMPLIANT ACCESSIBLE PAVEMENT OF TUNNEL
- 4 4' PAVED PARKING STRIPS
- 5 NEW ASPHALT PAVING, PER CIVIL PLANS
- 6 NEW CONCRETE CURB, GUTTER, AND SIDEWALK, PER CIVIL PLANS
- 7 NEW HIGH ENDOLOGUE
- 8 NEW COURTEOUS 4'-0" HIGH MASONRY WALL

VICINITY PLAN

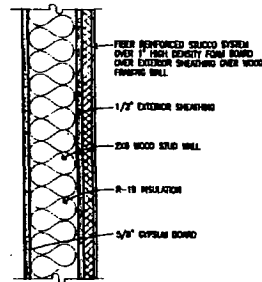


PROPOSED MASTER SITE PLAN
SCALE: 1" = 40'-0"

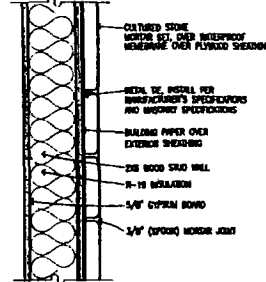
SUP-6160
04-14-05 PC

03-18-2005

WALL TYPES DETAIL



① WALL TYPE - 1
SCALE: 1/2" = 1'-0"



② WALL TYPE - 2
SCALE: 1/2" = 1'-0"

GENERAL NOTES

1. EXTERIOR DIMENSIONS ARE TO FACE OF STUDS AND FACE OF MASONRY UNLESS NOTED OTHERWISE. INTERIOR PARTITIONS ARE DIMENSIONED TO CENTERLINES OF STUDS OR FACE CENTERLINES OF STUDS OR FACE OF GYPSUM BOARD UNLESS NOTED OTHERWISE.
2. REFER TO SHEET FOR --- FOR FINISHING TYPES.
3. REFER TO SHEET --- FOR WINDOW, DOOR, AND ROOM FINISH SCHEDULES.
4. FLOOR SIDE DIMENSION SHALL BE 4" FROM WALL TO DOOR FRAME G.L.D.
5. PROVIDE A MINIMUM OF 2x4 WOOD STUDS AT ALL DOOR, WINDOW, AND OTHER OPENING JAMBS. PROVIDE BRACING AT ALL DOUBLE STUDS, CORNERS, AND AT A MINIMUM OF 4'-0" OC TO THE ROOF STRUCTURE ABOVE. REFERENCE DETAIL 9/21-8-0 AND STRUCTURAL DOCUMENTS.
6. COORDINATE THE PLACEMENT OF ALL TERMINAL DEVICES REQUIRED FOR POWER, LIGHTING, SOUND SYSTEM, AND FIRE ALARM INSTALLATIONS WITH ROOMING MECHANISMS AND LOCATIONS SHOWN ON SPECIFIED IN ARCHITECTURAL DOCUMENTS, AS REQUIRED BY SPECIFIC ITEMS OF EQUIPMENT, AND AS REQUIRED BY THE LOCAL BUILDING AND FIRE DEPARTMENTS.

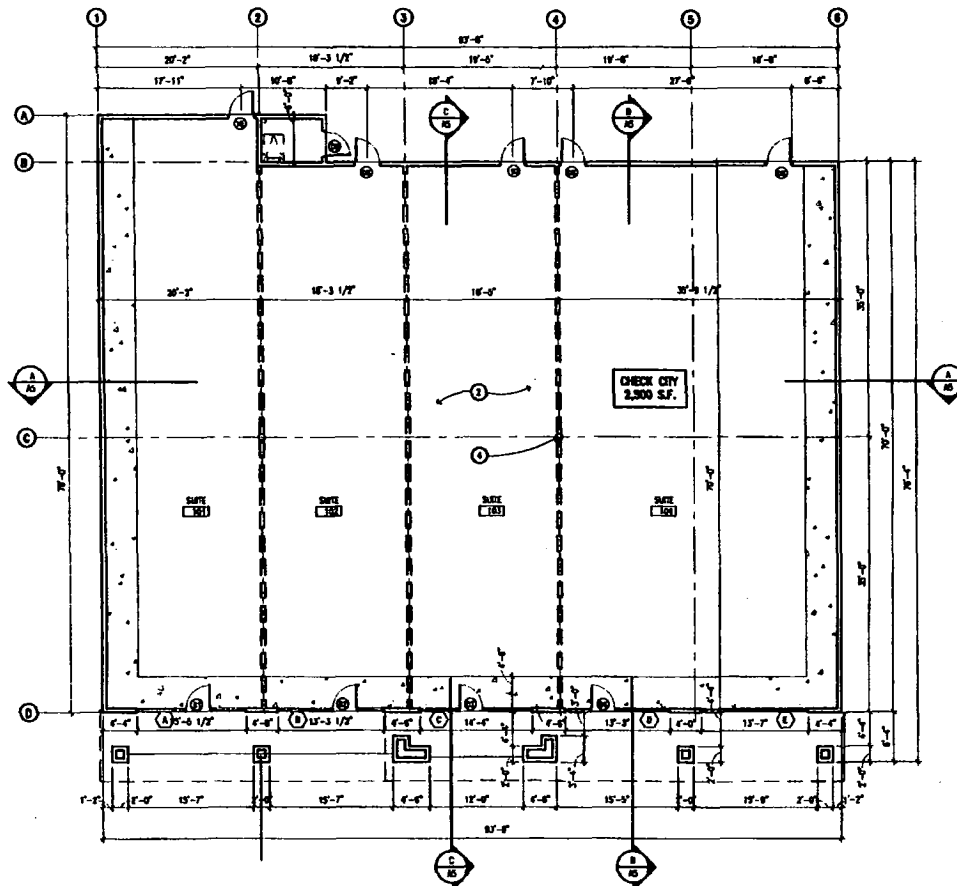
Jeff
looker
Architect

2070 E. SOUTHVIEW AVE.
TEMPE, ARIZONA 85282
PHONE: 480-730-1776
FAX: 480-848-8571

THIS DRAWING IS A REPRESENTATION OF THE
DESIGN AND SHALL NOT BE USED FOR CONSTRUCTION
OF ANY STRUCTURE WITHOUT THE WRITTEN
CONSENT OF THE ARCHITECT. THE ARCHITECT
IS NOT RESPONSIBLE FOR THE ACCURACY OF THE
DIMENSIONS OR THE COMPLETION OF THE PROJECT
UNLESS THE ARCHITECT IS SPECIFICALLY
NOTED OTHERWISE.

KEY NOTES

- ① WOOD FRAMED WALL, ALSO SEE STRUCTURAL DRAWING
- ② COMPACTED BASE LAYER TO RECEIVE FUTURE CONCRETE SLAB
- ③ LINE INDICATES CENTERLINE OF FUTURE INTERIOR DEMISING WALL
- ④ STEEL COLUMN PER STRUCTURAL DRAWINGS
- ⑤ EDGE OF METAL INSULATION ABOVE
- ⑥ RISER PIPE AT RISER ROOM
- ⑦ METAL LADDER TO ROOF, PAINT TO MATCH BLDG FIELD COLOR
- ⑧ EPS OVER EXTERIOR SHEATHING OVER WOOD FRAMED WALL TYP. ALSO SEE ELEVATIONS
- ⑨ EDGE OF EPS SOFFIT ABOVE
- ⑩ CONCRETE SLAB PER STRUCTURAL DRAWINGS



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

SUP-6160

04-14-05 PC

NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST C. OF DURANGO DR. AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

REVISED
10/2/2004

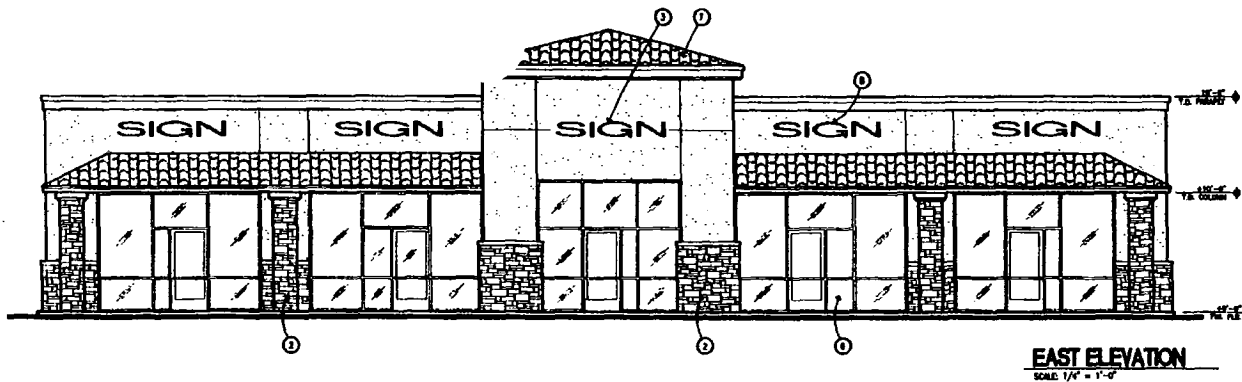
BUDG "C"
FLOOR PLAN

RECEIVED
MAR 3 1 2005



ISSUE DATE
OCT 26, 2004
JOB NO.: LC - 382

A-2.0

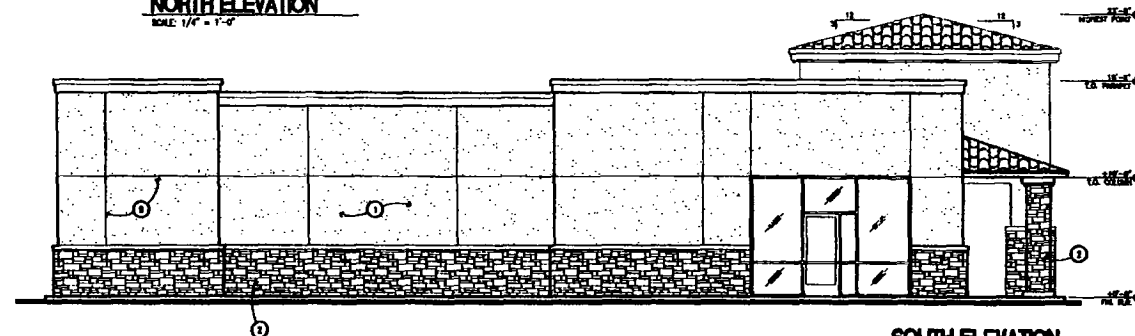
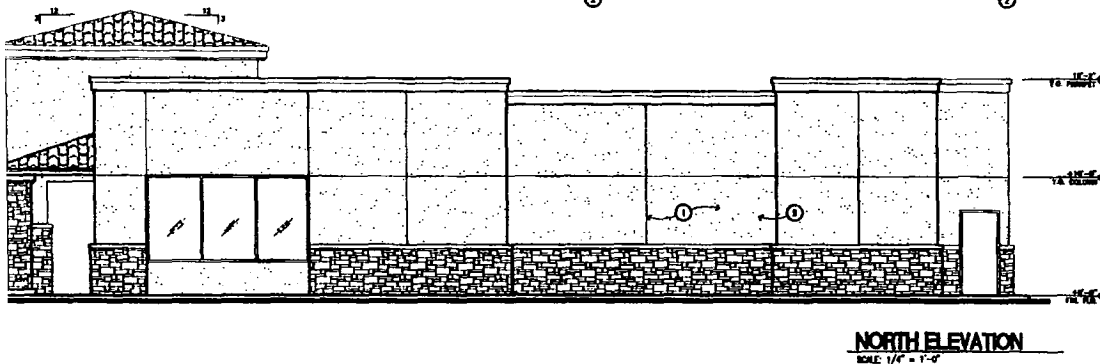


GENERAL NOTES

1. MECHANICAL EQUIPMENT, AIR-DRYING DEVICES, (IF APPLICABLE) SHOULD BE FULLY SCREENED FULLY FROM VIEW BY THE BUILDING PURPOSES.
2. BUILDING SIGNAGE IS ON A SEPARATE PERMIT

KEY NOTES

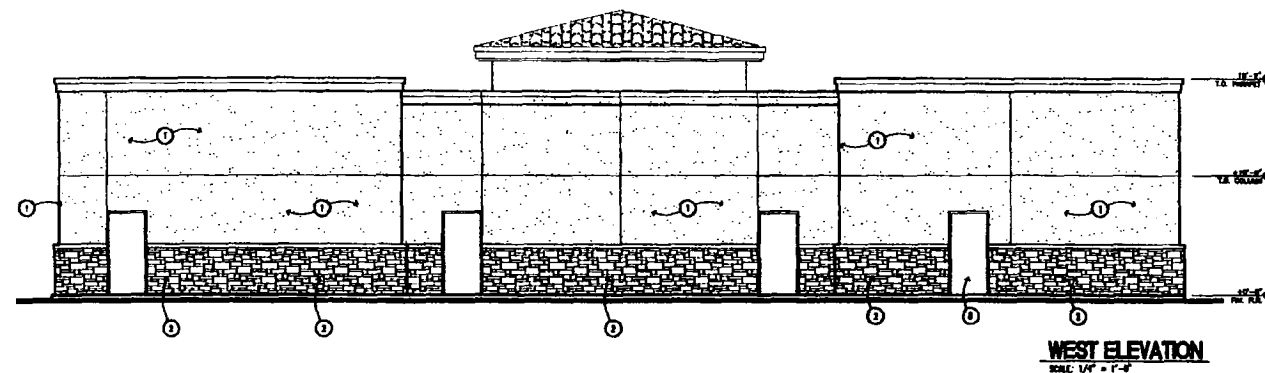
- ① STUCCO SYSTEM OVER EXTERIOR SHEATHING OVER WOOD FRAMED WALLS
- ② TEXTURED STONE VENEER
- ③ INDICATE LOCATION OF FLUKE SIGN - UNDER SEPARATE PERMIT
- ④ METAL CHIP OVER FORM CONCRETE, PAINT TO MATCH
- ⑤ LINE INDICATES CONTROL JOINT
- ⑥ STOREFRONT SYSTEM, REFER TO SHEET AS FOR WINDOW TYPES
- ⑦ FLAT CONCRETE ROOF TILT, PER SPECS
- ⑧ MASONRY METAL DOOR - PAINT TO MATCH STOREFRONT FRAME COLOR
- ⑨ CHALKED STONE OVER PLYWOOD OVER WOOD FRAMED PLASTER



MATERIAL / COLOR SCHEDULE

- ◆
- ◆
- ◆
- ◆

ALL COLORS AND MATERIALS TO MATCH ADJACENT WALGREENS



SUP-6160
04-14-05 PC

Jeff Looks Architect

2570 E. SOUTHERN AVE.
SUITE, ANCHORAGE, ALASKA
PHONE: 480-730-1779
FAX: 480-949-8071

THIS DRAWING IS AN INSTRUMENT OF SERVICE AND IS THE PROPERTY OF JEFF LOOKS ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JEFF LOOKS ARCHITECT.

NEW RETAIL CENTER
FOR MBA ASSOCIATES
NORTH WEST C. OF DURANGO DR. AND EL CAPITAN WAY
LAS VEGAS / CLARK COUNTY, NEVADA

REVISED
12-2007

BLDG C
EXTERIOR ELEVATION

• REVISIONS •

RECEIVED
MAR 8 1 2005



• ISSUE DATE •
MARCH 15, 2005

JLB NO.: LC - 382

A-4.0



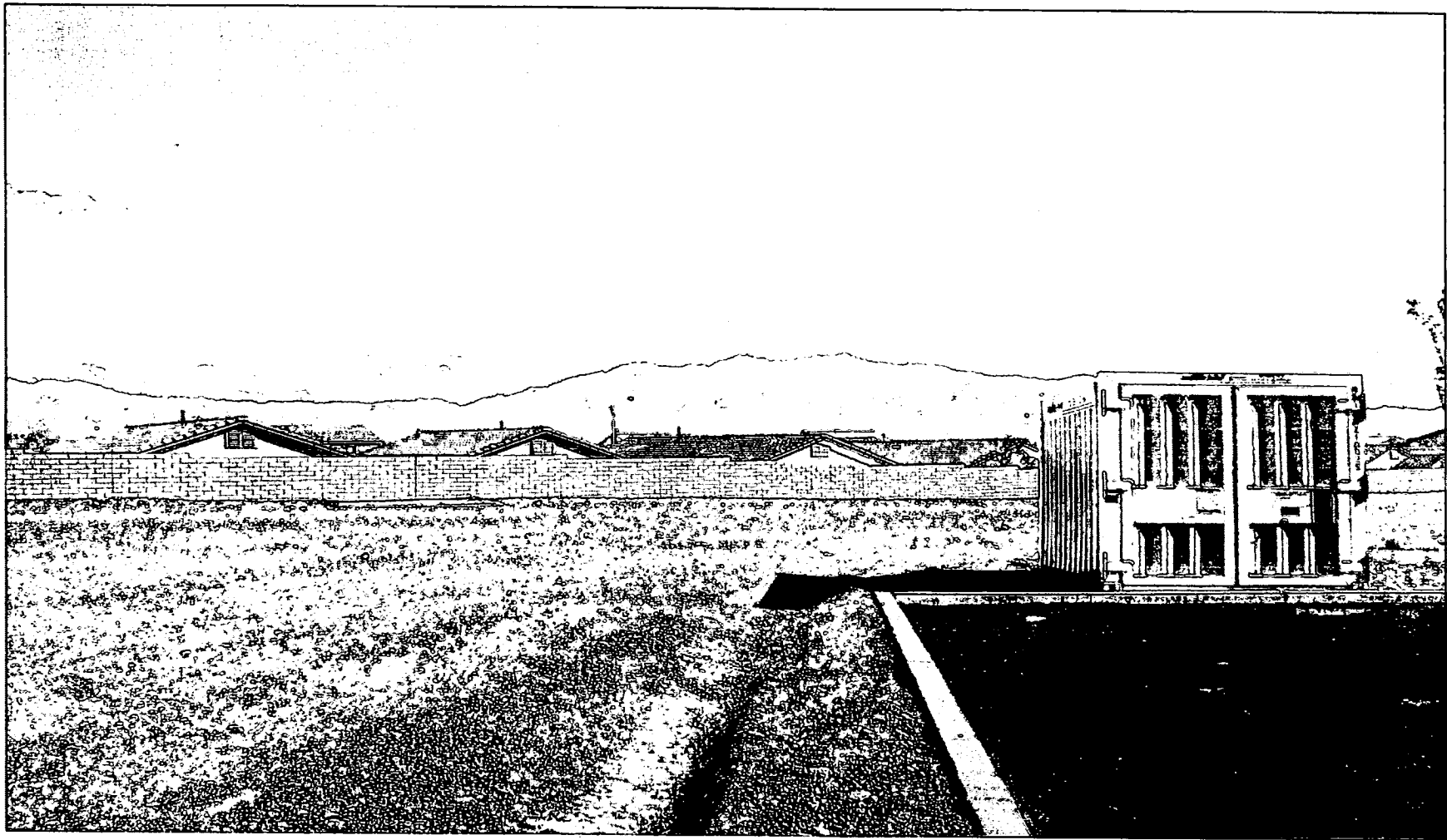
SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



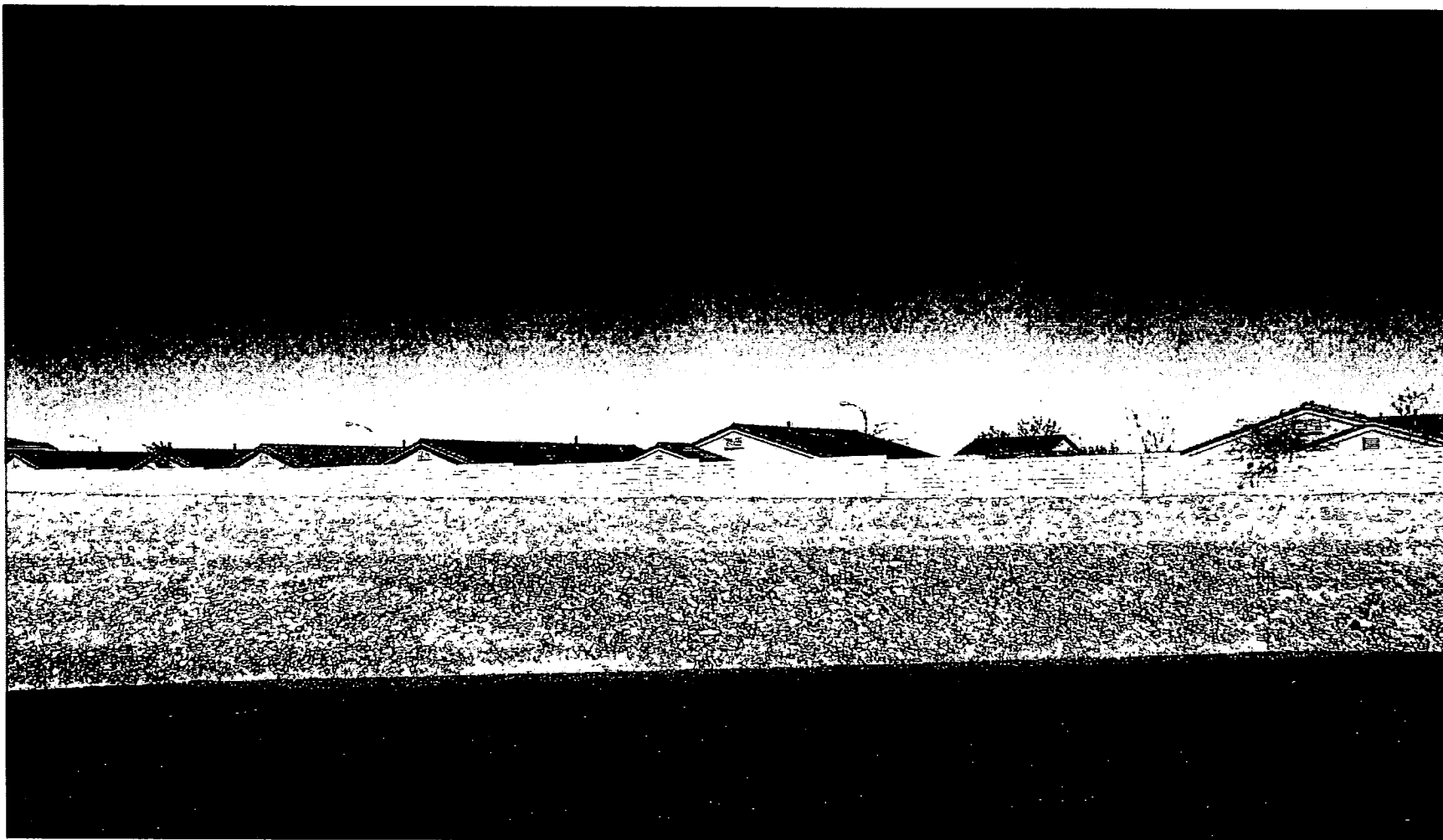
SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



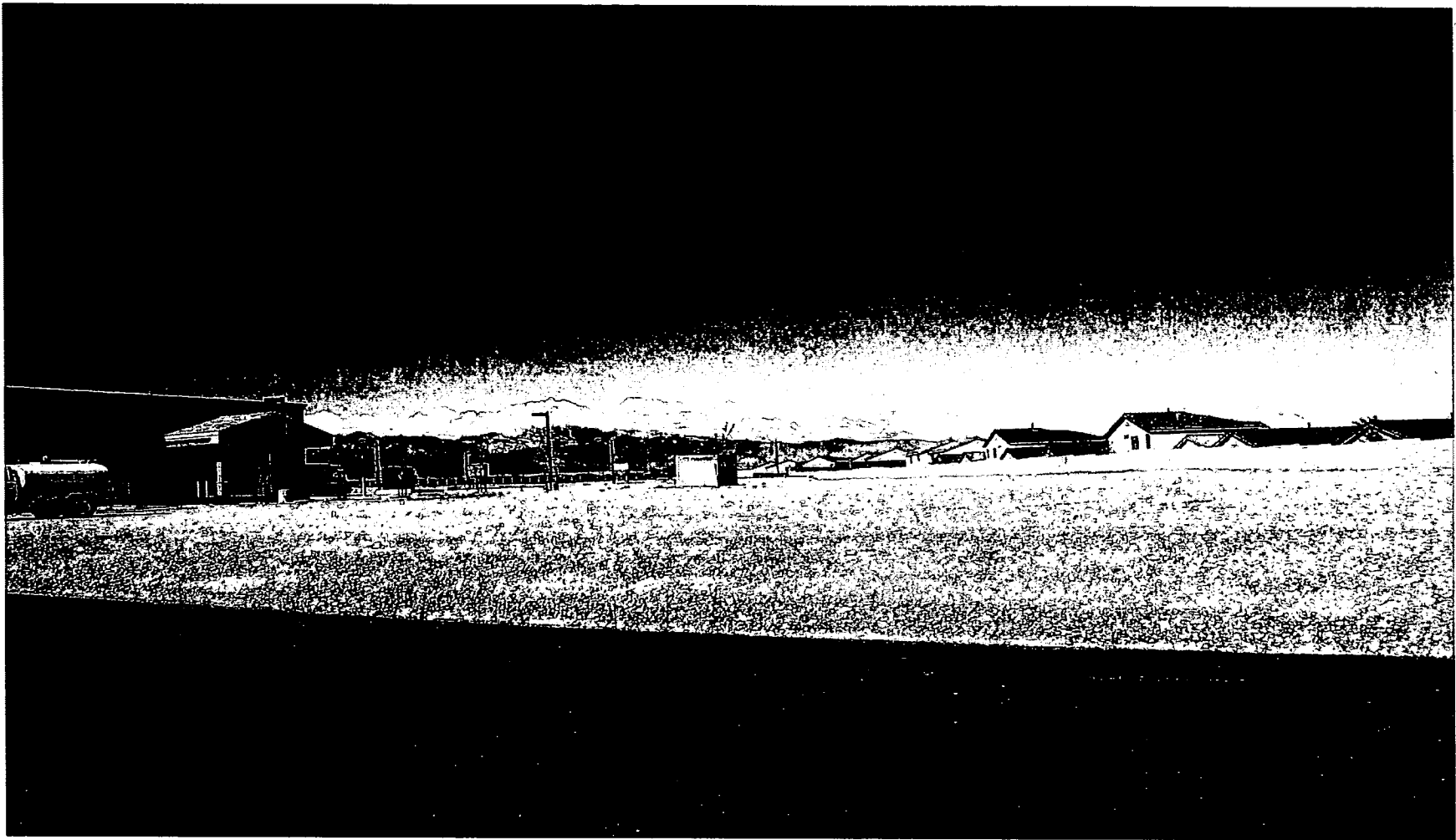
SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6160 - APPLICANT: CHECK CITY - OWNER: PPLAND LIMITED PARTNERSHIP
NORTHWEST CORNER OF DURANGO DRIVE AND EL CAPITAN WAY
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

LAS Consulting, Inc.
856 E. Sahara #A
Las Vegas, NV 89104
(702) 889-2879-office
(702) 889-3122-fax

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CITY CLERK

2005 APR 18 A 7 59

April 17, 2005

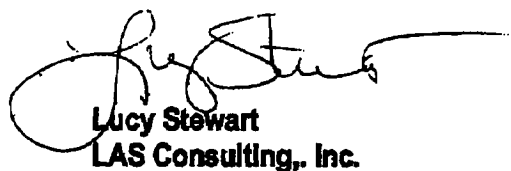
Ms. Roni Ronemus, City Clerk, First Floor
400 Stewart Avenue
Las Vegas, NV 89101
Phone: (702) 229-6311
Fax: (702) 382-4803

RE: Appeal from the 4/14/05 Planning Commission Meeting
No. 53 SUP-6160

Dear Ms. Ronemus:

Please accept this letter as a request appeal the Planning Commission's denial of item No. 53 SUP-6160. This item was denied at the April 14, 2005 Planning Commission Meeting. I would like to appeal these special use permits to the City Council. I understand that should be the May 18th City Council meeting. Please advise me if that is a different date. Thank you for your consideration in this matter.

Yours truly,



Lucy Stewart
LAS Consulting, Inc.

Cc.
Jay Brown, 385-1023
Jim Marchesi, Check City, fax 880-7779

***LAS Consulting Inc.
856 E. Sahara #201
Las Vegas, NV. 89104
(702) 889-2879-office
(702) 889-3122-fax***

March 18, 2005

Mario Suarez, Assistant Director
Development Services Center
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

**RE: Justification Letter for SUP-6160
Parcel 125-17-601-011 (revised)**

Dear Mr. Suarez:

This letter is to provide general justification for a use-permit to allow a payday loan business, Check City, within the site generally located at the Northwest corner of Durango and El Capitan. This proposal does not establish an undesirable precedent because it does not negatively impact the surrounding neighborhood. This special use permit is compatible with uses located on the same parcel and in the surrounding area. Under the Centennial Hills Town Center Land Use, this property is designated as Service Commercial (TC-SC). This proposed use would be located within the 6,475 square foot retail designated building adjacent to an already approved Walgreen's and an additional 8,000 square foot retail facility.

The site located directly south of the proposed project, at the intersection of El Capitan (Farm) and Durango, is an already established SC development, which consists of a major grocery store, numerous restaurants, including drive-through and delivery, as well as a host of other service related industries including banks, cleaners, and retail. In addition, SC is the zoning designation for the parcels located directly northeast and southwest.

There will not be any substantial adverse effect on public facilities or services. As this area is already zoned service commercial and development currently exists, there will not be any additional negative impacts for police, fire services for public works. The intensity of the proposed project is consistent with those uses applicable to service commercial. In addition, there was a proposed Check Cashing/Payday Loan business approved in the Albertson's shopping center at this intersection. This business was approved within 200 feet of residential but was never built and the lease space is now occupied by a tobacco store. There has been precedent set for approving a similar business within 200 feet of residential in the intersection.

Check City is a well established business with several locations in Las Vegas and various states across the country. See below for the locations in the Las Vegas Valley along with the store hours.

Nevada

Store Code: N100

Check City Lake Mead Blvd ([View Map](#))
6382 West Lake Mead Blvd
Las Vegas, Nevada 89115-2722

Phone: (702)636-2888

Fax: (702)647-2376

Store Hours:

7am-11pm PST Monday thru Saturday

10am-7pm PST Sunday

Store Code: N200

Check City Flamingo ([View Map](#))
6020 West Flamingo Road, Suite B1
Las Vegas, Nevada 89103-2376

Phone: (702)367-7800

Fax: (702)367-0465

Store Hours:

7am-11pm PST Monday thru Saturday

9am-9pm PST Sunday

Store Code: N300

Check City East Tropicana ([View Map](#))
4455 East Tropicana Ave
Las Vegas, Nevada 89121-6759

Phone: (702)215-4300

Fax: (702)547-3696

Store Hours:

7am-9pm PST Monday thru Saturday

10am-6pm PST Sunday

Store Code: N400

Check City Craig ([View Map](#))
5861 West Craig Road
Las Vegas, Nevada 89130-2547

Phone: (702)215-4444

Fax: (702)215-4448

Store Hours:

7am-11pm PST Monday thru Saturday

10am-8pm PST Sunday

Store Code: N500

Check City Jones ([View Map](#))
2475 South Jones Blvd, Suite 2
Las Vegas, Nevada 89146-3176

Phone: (702)876-8822

Fax: (702)215-4448

Store Hours:

8am-8pm PST Monday thru Saturday

10am-6pm PST Sunday

Store Code: N600

Check City Nellis Blvd ([View Map](#))
631 North Nellis Blvd
Las Vegas, Nevada 89110-5383

Phone: (702)215-4400

Fax: (702)215-4405

Store Hours:

7am-11pm PST Monday thru Saturday

8am-9pm PST Sunday

Store Code: N700

Check City Paradise ([View Map](#))
4080 South Paradise Road
Las Vegas, Nevada 89109-4834

Phone: (702)893-0700

Fax: (702)893-0417

Store Hours:

8am-11pm PST Monday thru Saturday

9am-7pm PST Sunday

Store Code: N800

Check City Charleston ([View Map](#))
6820 West Charleston Blvd
Las Vegas, Nevada 89117-1634

Phone: (702)880-5300

Fax: (702)880-7612

Store Hours:

7am-9pm PST Monday thru Saturday

Store Code: N900
Check City West Tropicana ([View Map](#))
9425 West Tropicana Ave
Las Vegas, Nevada 89147-5280

Store Code: N910
Check City Henderson ([View Map](#))
617 Mall Ring Circle, Suite 100
Henderson, Nevada 89014-6619

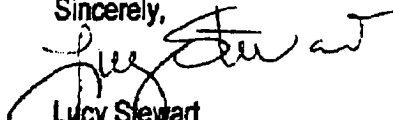
Store Code: N920
Check City Green Valley ([View Map](#))
4325 East Sunset Rd
Henderson, Nevada 89014-2238

Store Code: N930
Check City Centennial ([View Map](#))
6510 North Buffalo Dr
Las Vegas, Nevada 89131-4042

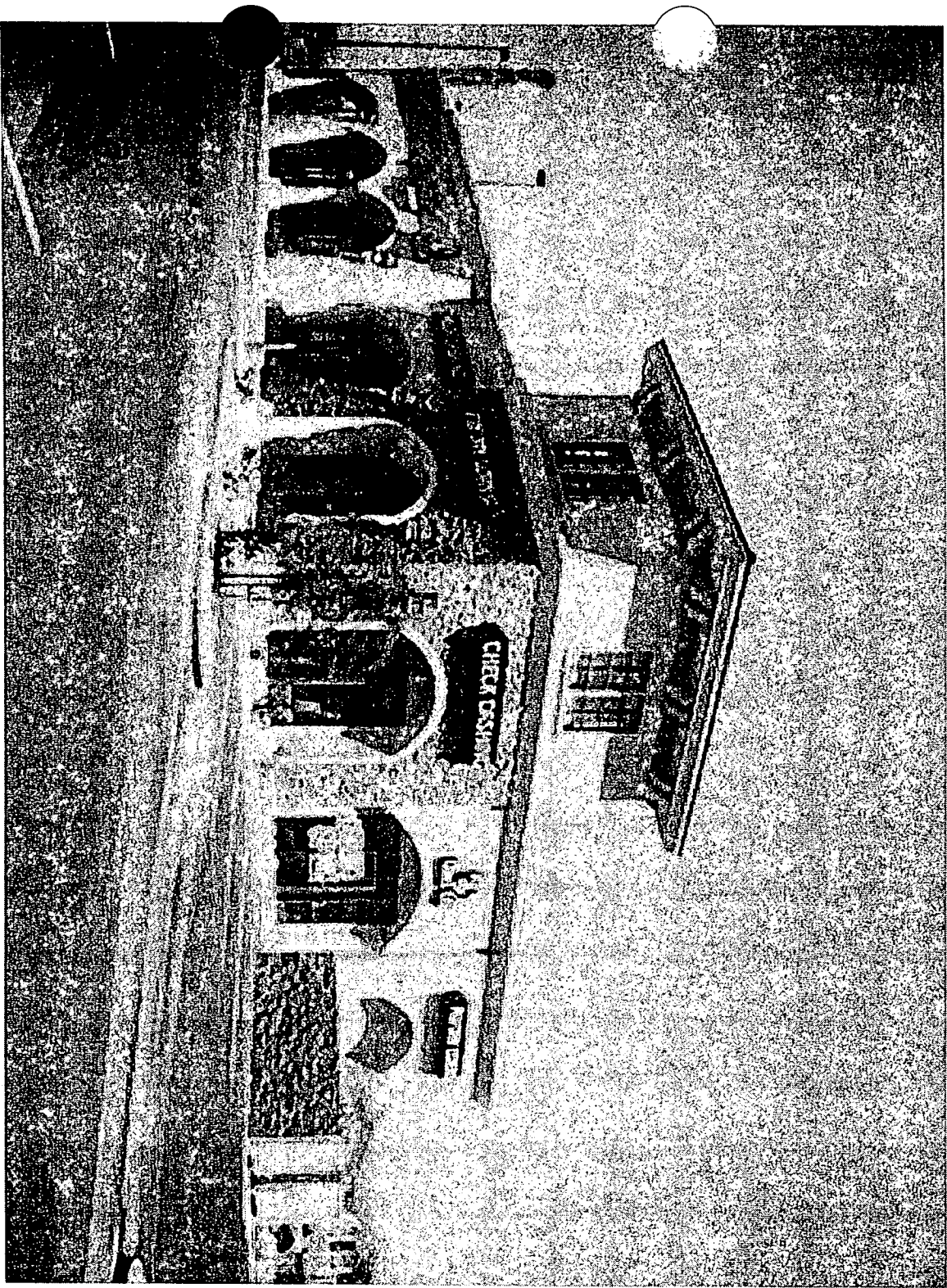
9am-7pm PST Sunday
Phone: (702)562-2200
Fax: (702)562-0356
Store Hours:
8am-9pm PST Monday thru Saturday
10am-6pm PST Sunday
Phone: (702)458-4300
Fax: (702)454-9060
Store Hours:
7am-11pm PST Monday thru Saturday
8am-9pm PST Sunday
Phone: (702)258-2800
Fax: (702)258-4354
Store Hours:
9am-7pm PST Monday thru Saturday
10am-6pm PST Sunday
Phone: (702)360-8800
Fax: (702)360-9306
Store Hours:
9am-7pm PST Monday thru Saturday
10am-6pm PST Sunday

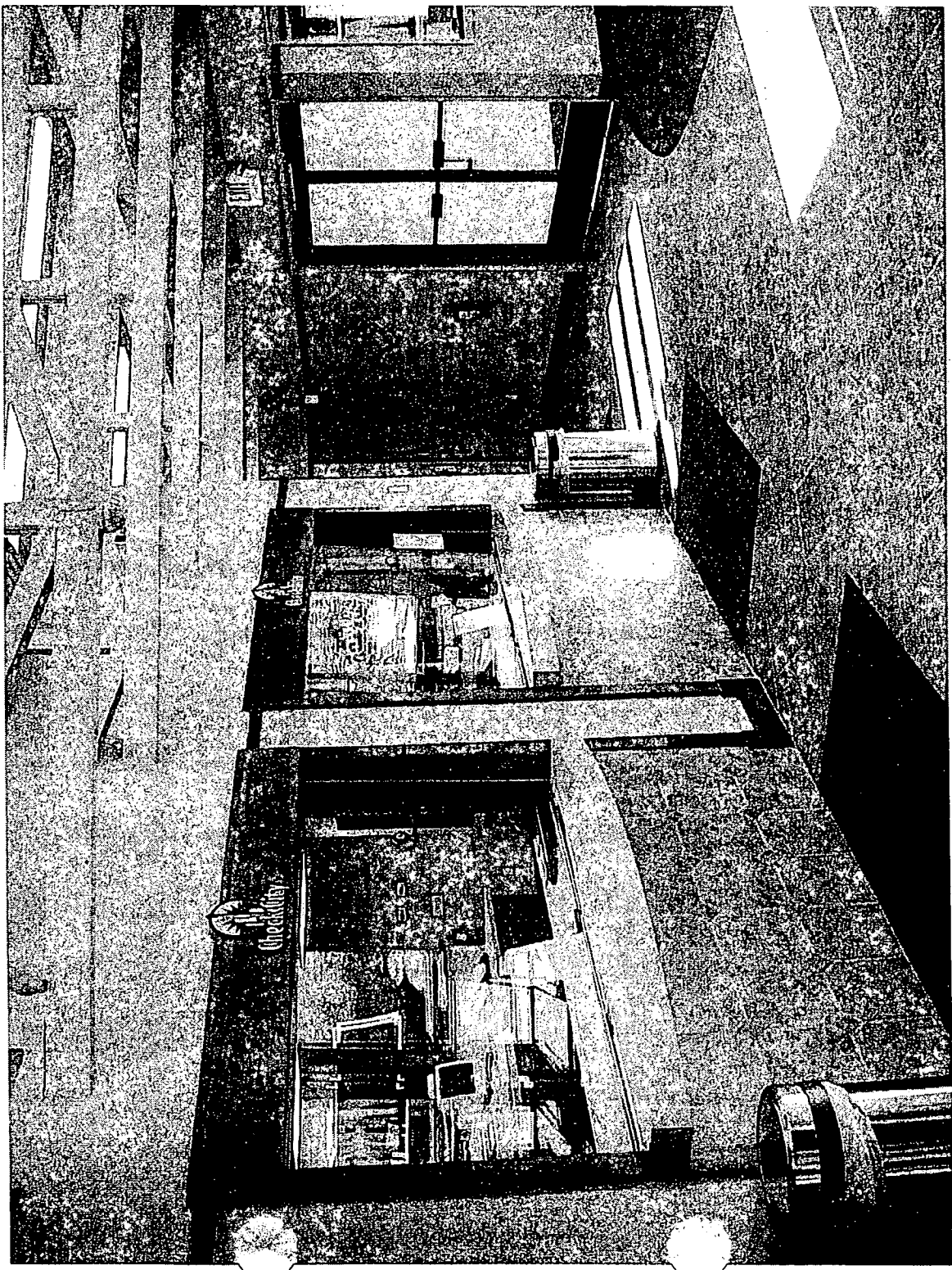
In addition, I've attached three pictures of our locations to give you an idea of the appearance of our stores. Thank you for your consideration in the above matter. Please contact me if you need additional information.

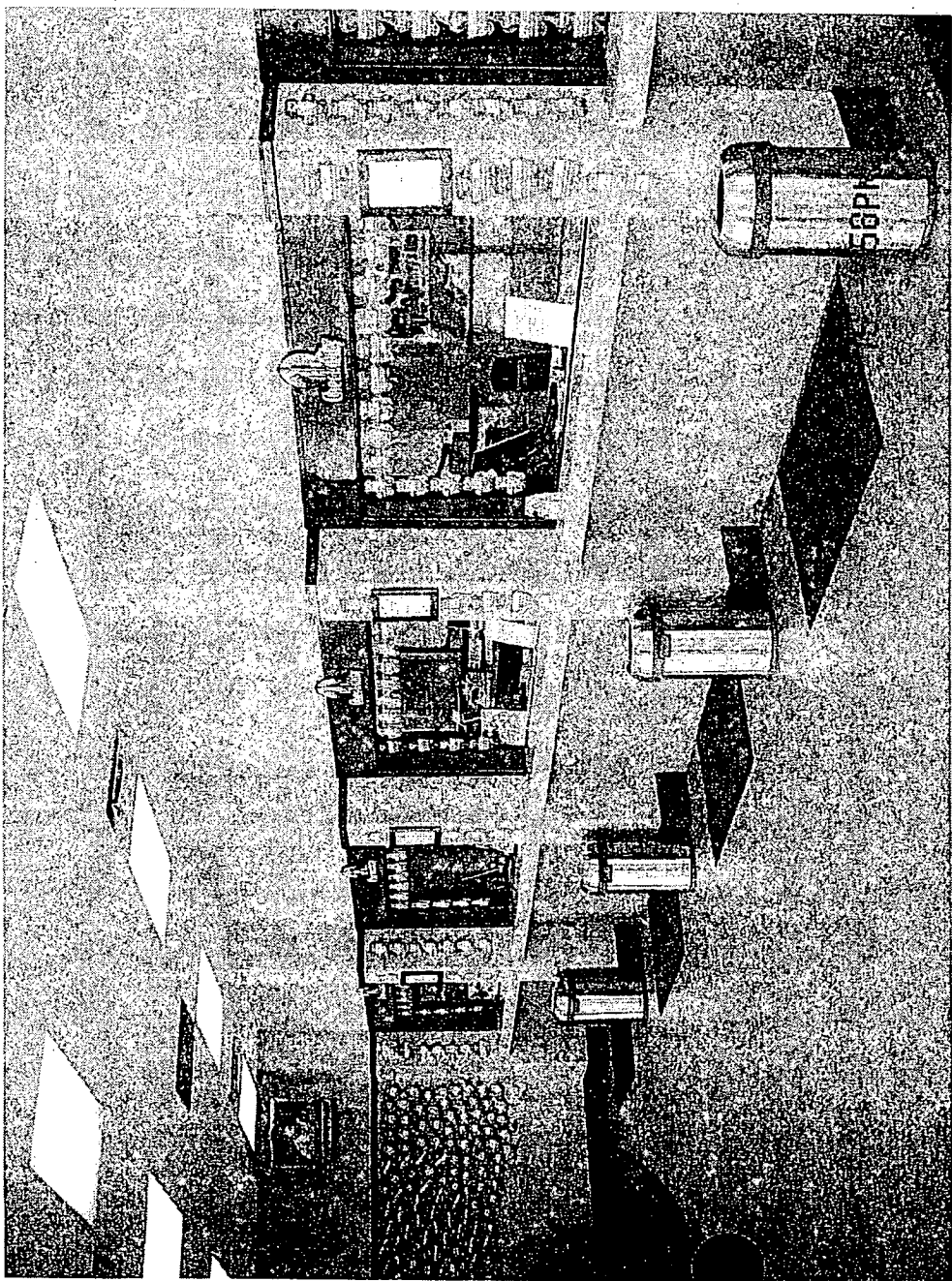
Sincerely,



Lucy Stewart
(702) 499-6469







Petition for Denial of SUP-6160:

Name:

Shirley Boro

Jorge Boro

Ther Bockew

David Myer

Jenn Myer

Janet L. Rowe

Thomas S. Rowe

Ronald Williams

Address:

8585 Blowing Pines

8585 Blowing Pines Dr.

8584 Blowing Pines Dr.

8576 Blowing Pine Dr

8576 Blowing Pine Dr

8544 Blowing Pines Dr.

8544 Blowing Pines Dr.

8877 Blowing Pines Dr

RECEIVED
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2005 MAY -9 A 11:22

Petition for Denial of SUP-6160:

Name:

FRANK Aiello

Rue + Rome Samatulski

HERMAN. Blomert

Christopher Williams

NICHOLAS DEVEREAUX

Carolyn James

John Amato

Ward Warden

Debra Hoskins

GERALD KELLOGG

Dineen Bergling

Sam Collins

Kathy Collins

Daniel Barber

Paula

Mel McCall

William Gurnett

Bimi C. Ejidakinro

Carol Livingston

Susy Balaz

Bob

Address:

8569 Blowing Pines Dr

8580 Blowing Pines Dr.

8588 Blowing Pines Dr.

8549 Blowing Pines Dr.

8548 Blowing Pines Dr.

7800 Winding Pine Drive

7805 Winding Pine Dr.

8528 Shady Pines Dr.

8540 Shady Pines Dr.

8540 SHADY PINES DR.

8548 Shady Pines Dr.

8545 Shady Pines Dr.

8545 Shady Pines Dr.

8567 Shady Pines Dr.

8563 SHADY PINES DR

8580 Shady Pines Dr.

8587 Shady Pines Ave.

8605 Blowing Dr. Lv

8597 Blowing Pines Dr.

8592 Blowing Pines Dr.

8589 Blowing Pines Dr.

8588 Blowing Pines Dr.

2005 MAY -9 A 11:21

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CITY CLERK

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

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

MOTION:

WOLFSON - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

The applicant was not present.

COUNCILMAN WOLFSON questioned if the applicant receives a copy or is made aware of any protests that is made part of the package. MARGO WHEELER, Director of Planning and Development, stated the applicant only receives the letter if it comes after the Planning Commission Meeting, but they do not necessarily receive any protest letters prior to a Council meeting. COUNCILMAN WOLFSON commented that it would be prudent for the applicant to receive these documents. The protest contains pertinent information and the applicant should be able to view these comments prior to the Council meeting so they may respond and exercise good business practices. MS. WHEELER stated her staff will work with the City Clerk's Office to accommodate immediate notifications. CITY CLERK BARBARA JO RONEMUS stated oftentimes protest will arrive at the very last minute. The applicant, upon request, always has the opportunity to see any backup prior to the Council meetings. Nevertheless, the City Clerk and Planning staff will compromise on some arrangement to help assure the applicant is notified of any protests.

No one appeared in opposition.

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

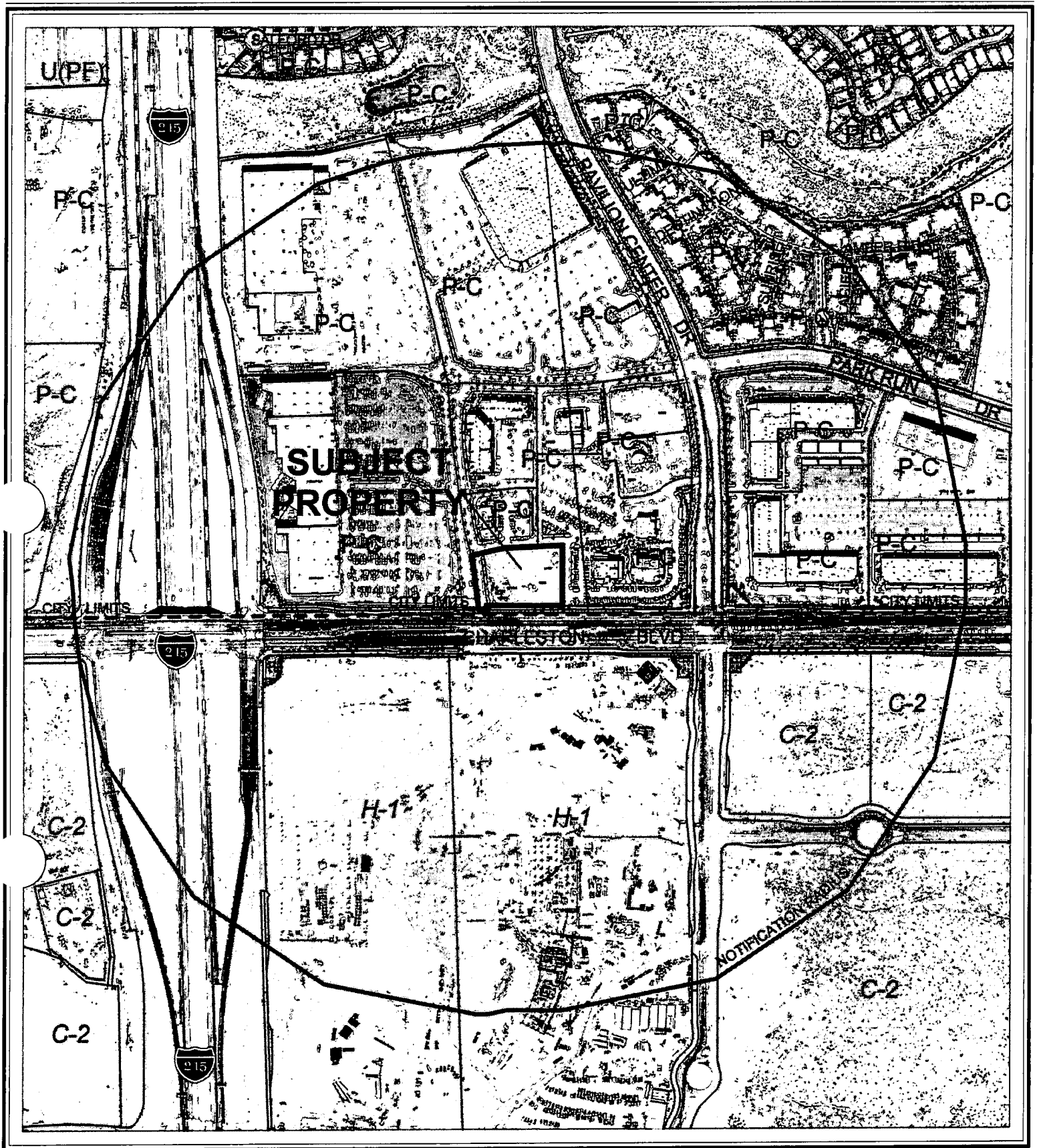
(3:24 - 3:28)

4-2055

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



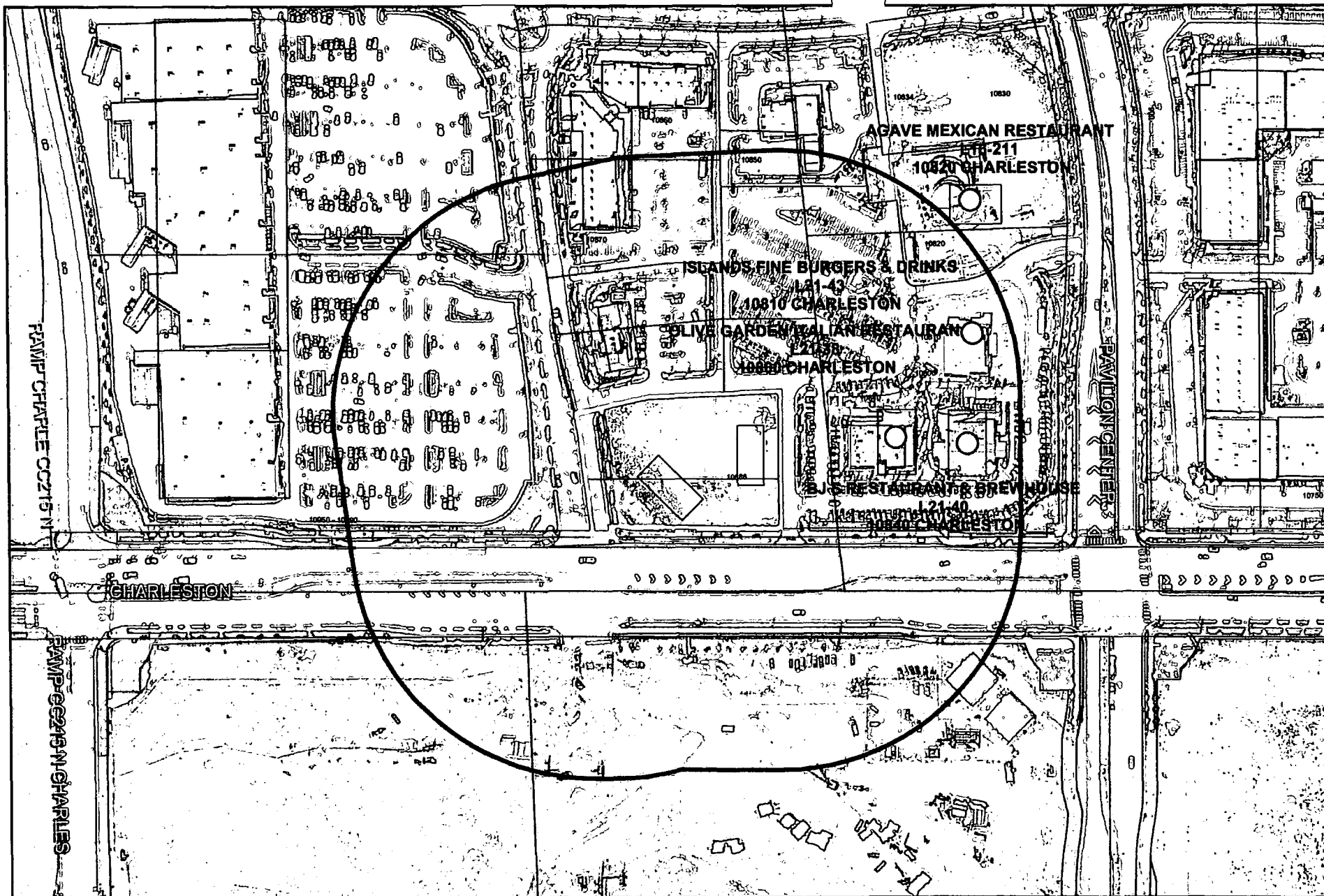
CASE: SUP-6194

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 500 1000 Feet





SUP-6194
Package Liquor Sales

Business Licenses

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

- RELIGIOUS
- PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6194 - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
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5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for a Liquor Establishment (Off-Premise Consumption, Beer and Wine) on 1.62 acres adjacent to the north side of Charleston Boulevard, approximately 660 feet west of Pavilion Center Drive.

B) *Applicant's Justification*

The project will conform to all necessary governing regulations for these types of facilities. The project also conforms to all Summerlin Design Review committee requirements.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 10/28/93 | The Planning Commission approved annexation A-0019-93. The effective date of the annexation was 3/11/94. |
| 02/16/94 | The City Council approved a request for Reclassification of Property (Z-0135-93) located west of Hualapai Way, between Cheyenne Avenue and Charleston Boulevard, From: N-U (Non-Urban), To: P-C (Planned Community). |
| 11/29/00 | The City Referral Group approved a request for a City Referral Group Summerlin Site Development Plan (SV-0022-00) for a proposed 148,663 square foot wholesale grocery store, on property located on the northwest corner of Charleston Blvd and Pavilion Center Drive. |
| 12/20/00 | The City Council approve a request for a Special Use Permit (U-0170-00) for gasoline sales in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center. The Planning Commission and Staff recommended approval. |
| 12/20/00 | The City Council approve a request for a Special Use Permit (U-0171-00) for a Special Use Permit for the sale of packaged liquor in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive. The Planning Commission and Staff recommended approval. |
| 12/20/00 | The City Council approve a request for a Special Use Permit (U-0172-00) Request for a Special Use Permit for minor auto repair in conjunction with a proposed wholesale store on 16.95 acres at the northwest corner of the intersection of Charleston Boulevard and Pavilion Center Drive. The Planning Commission and Staff recommended approval. |

- 12/26/01 The City Referral Group approved a Request for a Summerlin Site Development Plan Review (SV-0024-01) for a 167,500 square foot commercial center, located on the northwest corner of Charleston Boulevard and Pavilion Center Drive, within the Canyon Pointe at Summerlin Center.
- 02/20/02 Request for a City Referral Group - Summerlin Site Development Review (SV-0001-02) for a proposed commercial center on the northwest corner of Charleston Boulevard and Pavilion Center Drive, at Canyon Pointe at Summerlin Centre - Parcel 4.
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #54).

There is no previous business license activity that pertains to the subject request.

B) Pre-Application Meeting

- 01/07/05 At a pre-application conference with the applicant the following was discussed.
- The standard conditions for this use apply
 - Provide information about existing uses that would effected by the use.
 - This is a project of regional significance because of the corporate boundary to the south.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 1.62 acres

B) Existing Land Use

Subject Property: Retail/ Commercial
North: Retail/ Commercial
South: Undeveloped
East: Retail/ Commercial
West: Retail/ Commercial

C) Planned Land Use

Subject Property: PC (Planned Community)
North: PC (Planned Community)
South: PC (Planned Community)
East: PC (Planned Community)
West: PC (Planned Community)

D) Existing Zoning

Subject Property: P-C (Planned Community)
North: P-C (Planned Community)
South: Clark County
East: P-C (Planned Community)
West: P-C (Planned Community)

E) General Plan Compliance

The subject property is designated with the PC (Planned Community) land use on the Southwest Sector Map of the General Plan. A Liquor Establishment (Off Premise Consumption) is a permitted use within the P-C (Planned Community) zoning district, the zoning equivalent of PC, with approval of a Special Use Permit, and therefore is consistent with the PC (Planned Community) General Plan designation.

<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	

No special districts, zones, or studies are related to the subject site.

INTERAGENCY ISSUES

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

1) Any Special Use Permit within 500' of a corporate boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures, will be prepared as the comments are received. The following are the comments received thus far.

- Flood Control has no comment. Flood Control has already approved a drainage study for this project (DS3638).
- The Regional Transportation Commission has no comment.

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided
Liquor Establishment (Off Premise Consumption)	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Liquor Establishment (Off Premise Consumption) use.

B) *General Analysis and Discussion*

- Zoning

The subject site is zoned P-C (Planned Community). A Liquor Establishment (Off Premise Consumption) is a permitted use within this zoning district with the approval of a Special Use Permit.

- Use

The use, in conjunction with the proposed convenience store, is an appropriate use at this location and one that can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

- Conditions

The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

- * 1. Except as otherwise provided in this Chapter, no liquor establishment (on-sale/off-sale/on-off-sale) use (hereinafter "liquor establishment") shall be located within four hundred feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or city park.
- * 2. Except as otherwise provided in Subsection (3) below, the distances referred to in Subsection 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed liquor

establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed liquor establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

- a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.
- * 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
- a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.
- * 4. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

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

FINDINGS

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

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

The proposed use will be an accessory use to a convenience store. It will be surrounded by other commercial and retail businesses of a similar physical character that are permitted in the P-C (Planned Community) zoning district and is compatible with the General Plan in this area.

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

The existing parking area and site area are adequate to accommodate the proposed Liquor Establishment (Off Premise Consumption) use.

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

The use in conjunction with the proposed Costco wholesale store will have access to Charleston Boulevard and Pavilion Center Drive, both primary (100-foot) arterials on the Master Plan of Streets and Highways, and therefore will not negatively affect the surrounding roadways.

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

The public health, safety, and welfare and the objectives of the General Plan will not be compromised as a result of the approval of a Special Use Permit because the proposed use will be subject to inspections for a Certificate of Occupancy.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

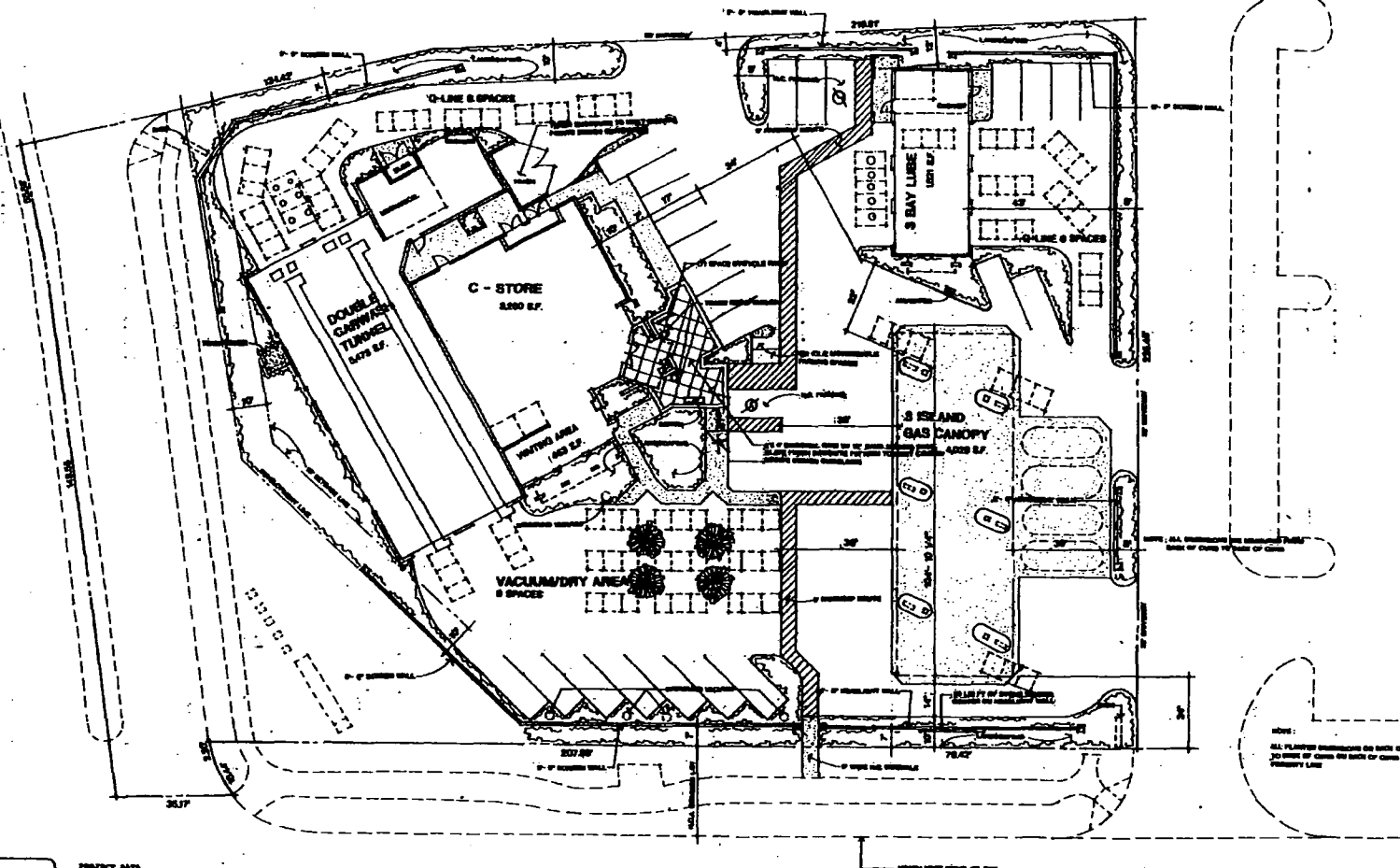
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NOTICES MAILED 248 by City Clerk

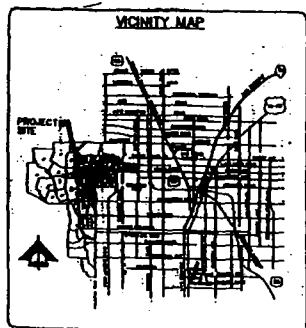
APPROVALS 0

PROTESTS 0





NOTE:
ALL PLANTING INDICATED ON BACK OF SHEET
30 FEET OF GRASS ON BACK OF CURB TO
PROPERTY LINE



PROJECT AREA
TOTAL BUILDING AREA 9,260 S.F.
MAINT. 400 S.F.
DOUBLE CARWASH 540 S.F.
C-STORE 2,800 S.F.
3 BAY LUBE 1,000 S.F.
3 ISLAND GAS CANOPY 4,000 S.F.
TOTAL 9,260 S.F.

ACREAGE
DEVELOPMENT SITE 1.8 ACRES

PERCENTAGE OF SITE COVERAGE
BUILDING 48.1%
PARKING 1.1%

CHARLESTON

PARKING RECAP:

C-STORE	12 SPACES	1 SPACE PER 200 S.F.
LUBE	2 SPACES	1 SPACE PER EACH EMPLOYEE, 1 SPACE PER BUS, PLUS 2 SPACES IN STORAGE LANE PER BAY
CARWASH	12 SPACES	1 SPACE PER EVERY 50-SQ-FT EMPLOYEE, PLUS 1 SPACE PER BAY
SPACES REQUIRED	27 SPACES	
SPACES PROVIDED	46 SPACES	

BOULEVARD

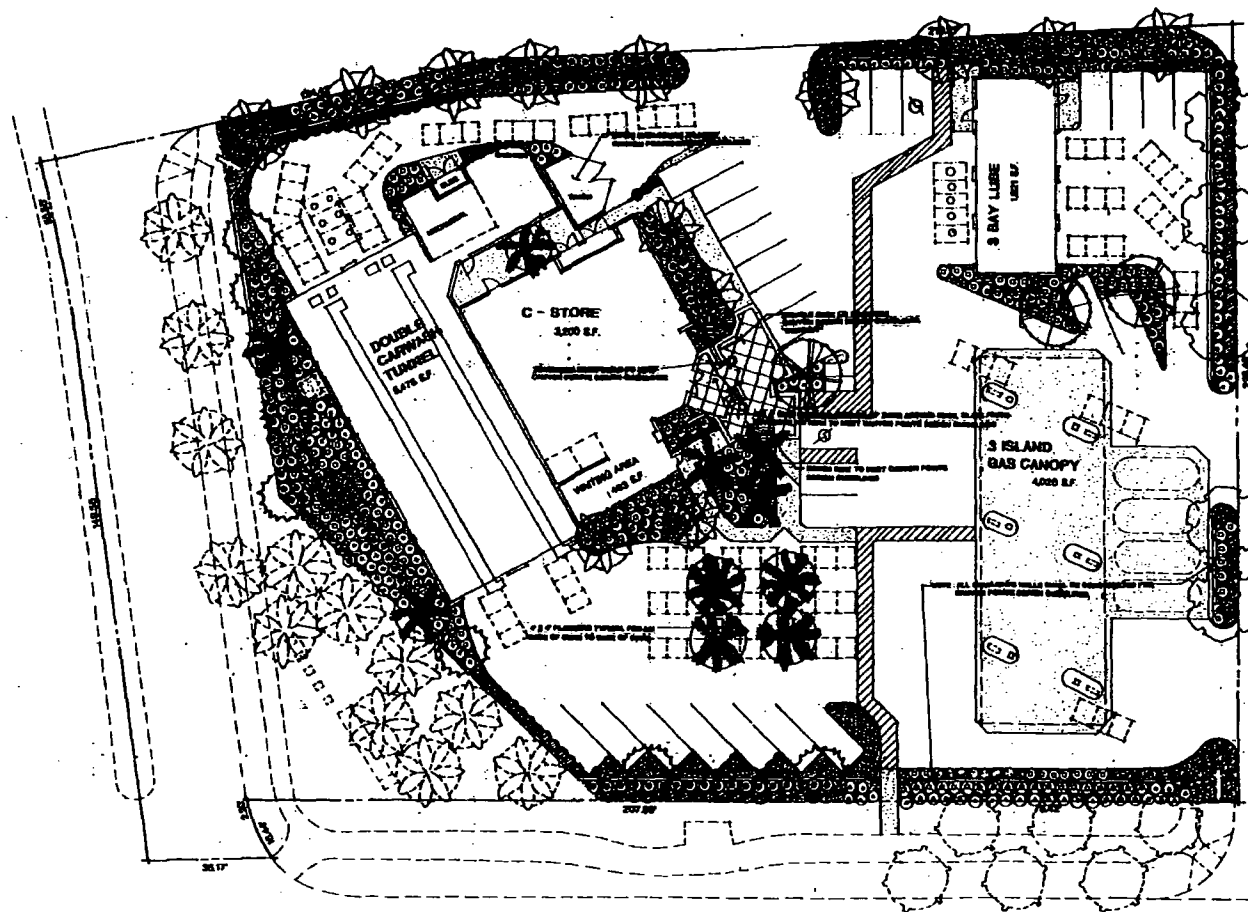
SITE PLAN SCALE 1/16" = 1' - 0"



HERBST OIL COMPANY
800 LAS VEGAS BLVD. SOUTH LAS VEGAS, NV 89101

PROJECT: Oilfield, industrial LOCATION: Eastern portion of Bannockburn, IL, Illinois
DESIGN: HERBST OIL COMPANY
ARCHITECT: J. J. ARCHITECT, LTD. 1114 W. WASHINGTON ST. CHICAGO, IL 60604
TEL: 773 666-1114 FAX: 773 666-1114 DATE: 4/28/04

SUP-6194
04-14-05 PC



PLANT PALETTE

SYMBOL	TYPE	SIZE	SPACING	REMARKS
1	SHRUB	24" DIA.	6' X 6'	PLANTING
2	SHRUB	24" DIA.	6' X 6'	PLANTING
3	SHRUB	24" DIA.	6' X 6'	PLANTING
4	SHRUB	24" DIA.	6' X 6'	PLANTING
5	SHRUB	24" DIA.	6' X 6'	PLANTING
6	SHRUB	24" DIA.	6' X 6'	PLANTING
7	SHRUB	24" DIA.	6' X 6'	PLANTING
8	SHRUB	24" DIA.	6' X 6'	PLANTING
9	SHRUB	24" DIA.	6' X 6'	PLANTING
10	SHRUB	24" DIA.	6' X 6'	PLANTING
11	SHRUB	24" DIA.	6' X 6'	PLANTING
12	SHRUB	24" DIA.	6' X 6'	PLANTING
13	SHRUB	24" DIA.	6' X 6'	PLANTING
14	SHRUB	24" DIA.	6' X 6'	PLANTING
15	SHRUB	24" DIA.	6' X 6'	PLANTING
16	SHRUB	24" DIA.	6' X 6'	PLANTING
17	SHRUB	24" DIA.	6' X 6'	PLANTING
18	SHRUB	24" DIA.	6' X 6'	PLANTING
19	SHRUB	24" DIA.	6' X 6'	PLANTING
20	SHRUB	24" DIA.	6' X 6'	PLANTING

CHARLESTON

BOULEVARD

ROCK MULCH

SYMBOL	DESCRIPTION	REMARKS
1	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
2	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
3	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
4	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
5	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
6	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
7	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
8	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
9	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
10	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
11	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
12	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
13	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
14	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
15	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
16	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
17	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
18	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
19	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
20	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH

ROCK MULCH LEGEND

SYMBOL	DESCRIPTION	REMARKS
1	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
2	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
3	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
4	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
5	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
6	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
7	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
8	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
9	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
10	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
11	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
12	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
13	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
14	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
15	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
16	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
17	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
18	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
19	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH
20	2" THICK PINK, RED ROCK MULCH	2" THICK PINK, RED ROCK MULCH

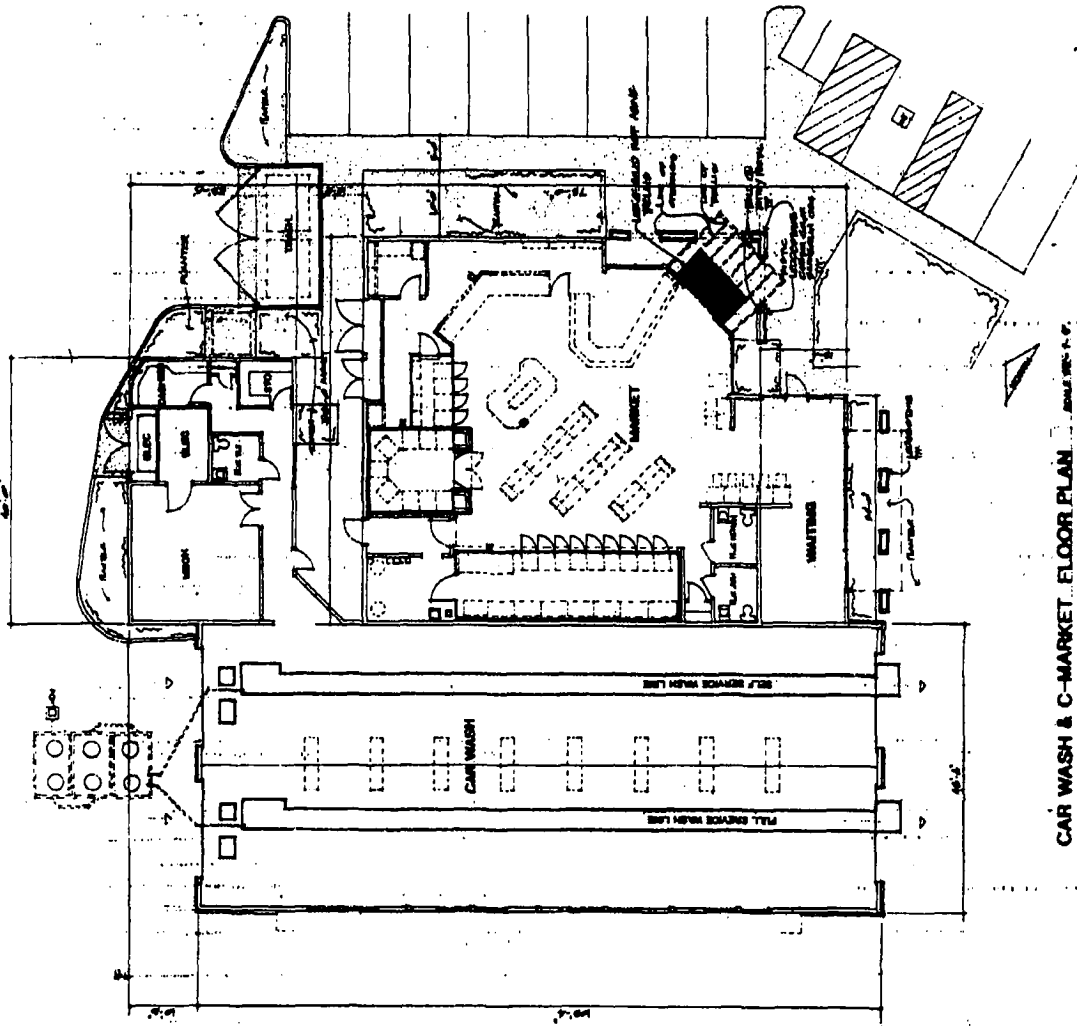
LANDSCAPING PLAN SCALE 1/8" = 1'-0"



HERBST OIL COMPANY
1400 LAMAR BLVD. SUITE 100
HOUSTON, TEXAS 77002

PROJECT: LAMAR BLVD. LOCATION: HOUSTON, TEXAS
ARCHITECT: LAMAR BLVD. ARCHITECT, LTD.
DATE: 04-14-05

SUP-6194
04-14-05 PC



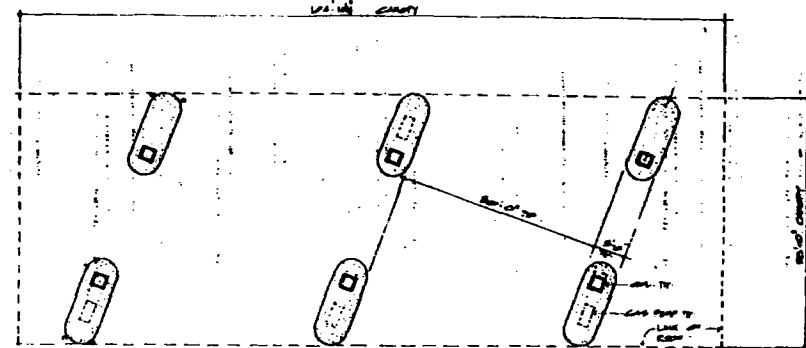
CAR WASH & C-MARKET FLOOR PLAN

HERBST OIL COMPANY
 1000 East 10th Street
 Tulsa, Oklahoma 74103
 Phone: (918) 438-1111
 Telex: 154441
 Cable: 154441

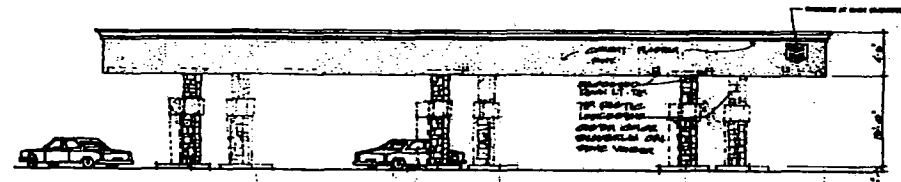
PROPERTY **ADDRESS** **LOCATION** **DATE** **BY**

ARCHITECT: **ARCHITECT, LTD.**

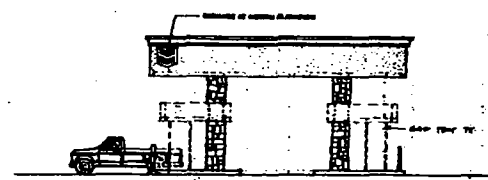
SUP-6194
04-14-05 PC



3 ISLAND GAS CANOPY FLOOR PLAN SCALE 1/4" = 1'-0"



SIDE



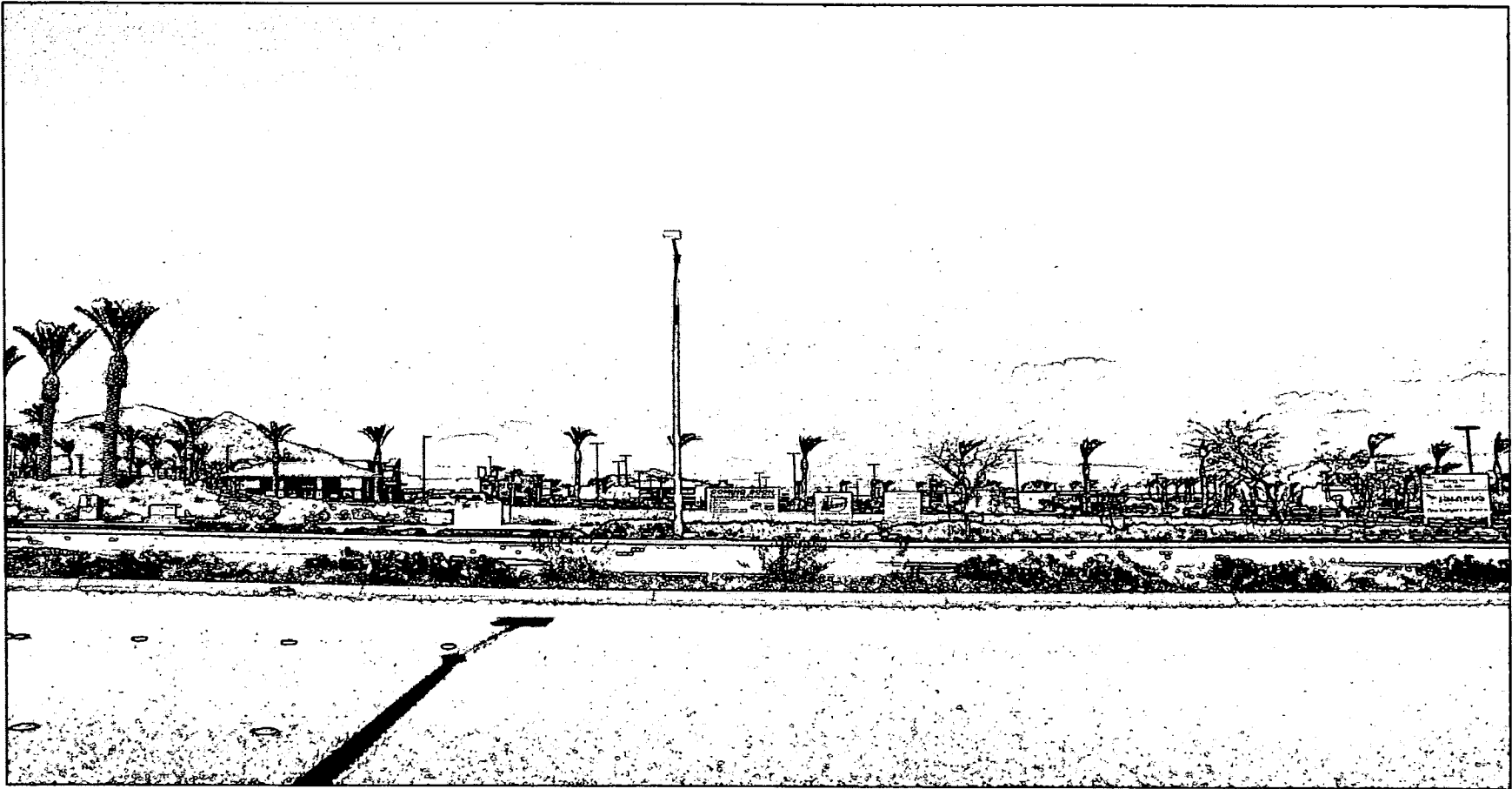
END

EXTERIOR ELEVATIONS SCALE 1/4" = 1'-0"

SUP-6194
04-14-05 PC

HERBST OIL COMPANY
 1000 LUG TOWER BLVD. SUITE 100
 LUG TOWER, ILL. 60140
 PROJECT: HERBST OIL COMPANY LOCATION: CHICAGO, ILL.
 ARCHITECT: HERBST OIL COMPANY DATE: 04-14-05
 SCALE: 1/4" = 1'-0"

HERBST OIL COMPANY
 1000 LUG TOWER BLVD. SUITE 100
 LUG TOWER, ILL. 60140
 ARCHITECT, LTD.



SUP-6194 - APPLICANT/OWNER: TERRIBLE HERBST OIL CO.
NORTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 660 FEET WEST OF PAVILION CENTER
DRIVE
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



P.O. BOX 93417 • LAS VEGAS, NEVADA 89193-3417 • PHONE (702) 798-6400 • FAX (702) 736-0819

Terrible Herbst Oil Company, Inc.
Terrible's # 245, 246 & 247
Charleston & 215

This project consists of a convenience store, carwash and lube. This project will conform to all necessary governing regulations for these types of facilities. This project also conforms to all Summerlin Design Review committee requirements.

SUP-6194

Ralph and Lee Daveline
10711 Pappas Ln. #101
Las Vegas NV. 89144

RECEIVED
CITY CLERK

2005 MAY 13 A 10: 38

May 11, 2005

City Clerk
1st. Floor
City Hall
400 Stewart Ave.
Las Vegas, NV 89101

Subject: SUP 6194

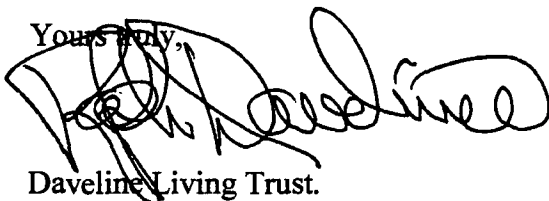
We strongly object to the issuance of a special use permit to Terrible Herbst Oil Co. for the use of selling liquor on the site in question for the following reasons:

1. With a new casino directly across the street and several restaurants selling liquor there is no need for another service station selling liquor.
2. Terrible Herbst already has two locations within 1.2 miles of this location on Charleston Blvd. that sell the same product.
3. Both of Terrible Herbst's current locations are dirty, unkept and constantly attract undesirable people. Our neighborhood does not need a third location by the same company to add to the confusion they already cause.

Granting this special use permit is not in the best interest of the neighborhood, Summerlin or the City of Las Vegas.

Please carefully look at the effect this will have on our neighborhood.

Yours truly,



Daveline Living Trust.
Ralph Daveline, trustee

Protest

Phone: (702) 562-9113 Fax: (702) 562-9114 E Mail: Ralph@Daveline.com

Submitted after final agenda

Date 5/13/05 Item # 105

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-6198 - PUBLIC HEARING - APPLICANT/OWNER: KENAVO, LLC - Request for a Special Use Permit FOR A LIVE/WORK UNIT WITHIN AN EXISTING BUILDING at 815 and 817 South Main Street (APN 139-34-410-001), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommends 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:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 106 [SUP-6198] and Item 107 [SDR-6200].

KEVIN GOUVEIA, Swisher & Hall, 7373 Peak Drive, requested approval.

TOM McGOWAN, Las Vegas resident, requested to meet in order to discuss the overall plans and the plans implementing the Arts' District.

COUNCILWOMAN TARKANIAN questioned if low cost housing would be considered. MR. GOUVEIA clarified they are converting the existing building into a showroom for commercial furniture. The live/work unit is an existing apartment dwelling that will be renovated primarily for the business owner's use.

MARGO WHEELER, Director of Planning and Development, confirmed this project is within the Downtown Centennial Plan area but not within the Arts' District. The requirements of the Arts' District do not apply.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 106 [SUP-6198] and Item 107

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

[SDR-6200].

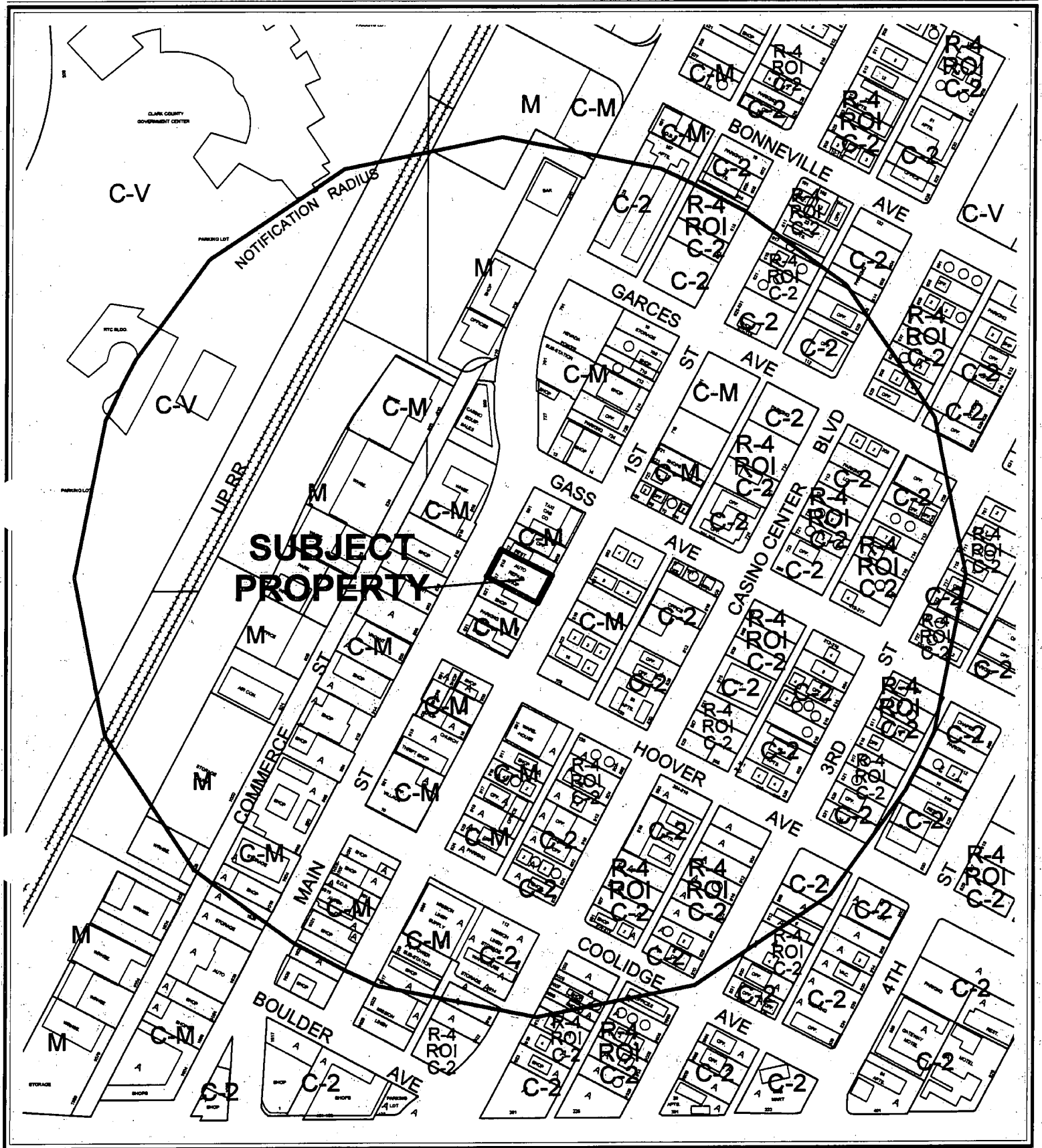
(3:28 - 3:33)

4-2228

CONDITIONS:

Planning and Development

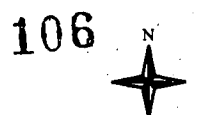
1. Conformance to all minimum requirements listed under Title 19.06.130 for the Live/Work use, including the provision of full kitchen facilities in the residential unit.
2. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-6200.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

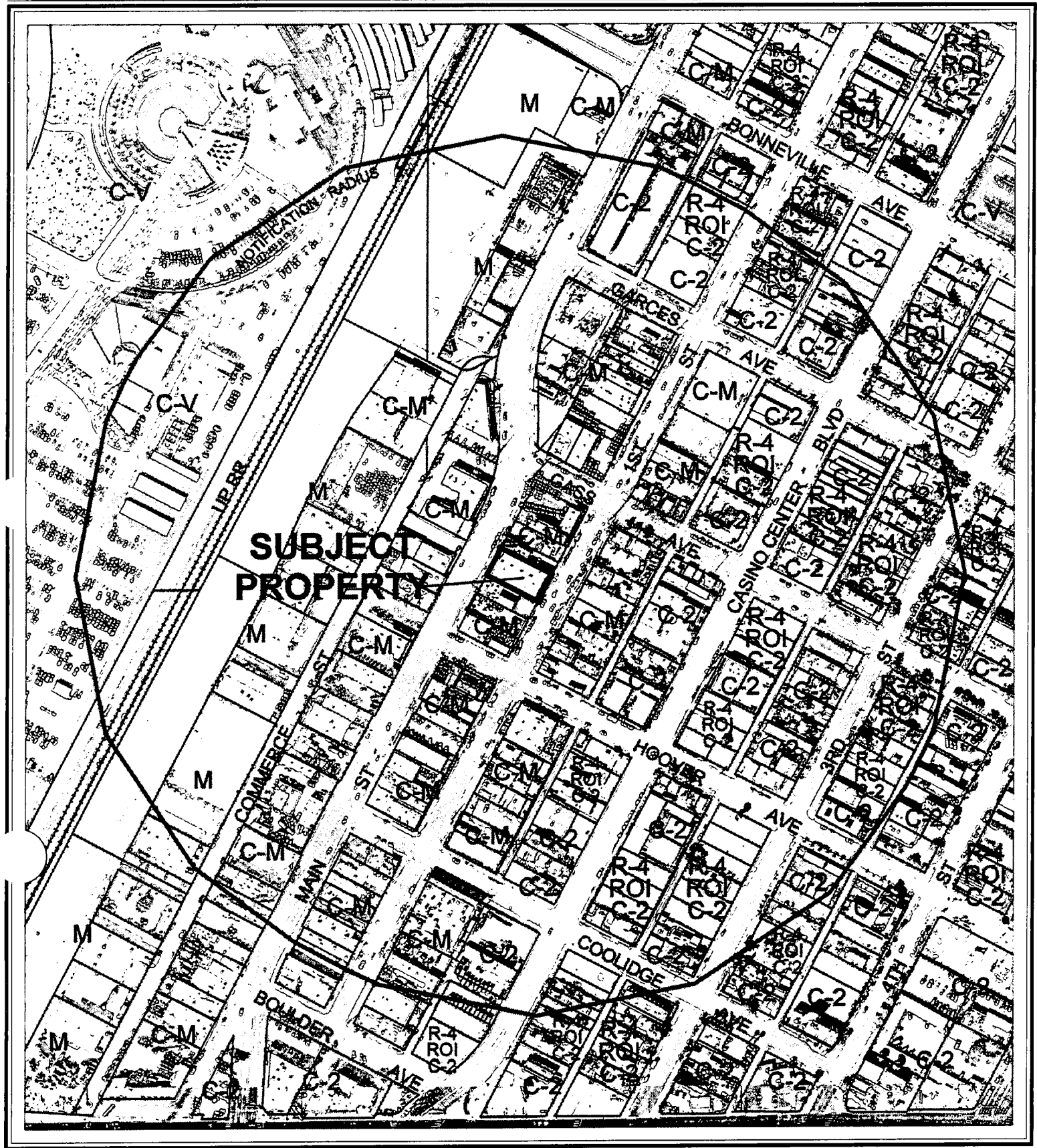


CASE: SUP-6198

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)





CASE: SUP-6198

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6198 - APPLICANT/OWNER: KENAVO, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all minimum requirements listed under Title 19.06.130 for the Live/Work use, including the provision of full kitchen facilities in the residential unit.
2. Approval of and conformance to the Conditions of Approval of Site Development Plan Review SDR-6200.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for a live/work unit within an existing building at 815 and 817 South Main Street. A Site Development Plan Review (SDR-6200) application has been submitted concurrently with this request.

B) *Applicant's Justification*

The applicant states that the project will revitalize an older part of the city of Las Vegas and is in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines.

BACKGROUND INFORMATION

A) *Related Actions*

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 04/14/05 The Planning Commission recommended approval of a Site Development Plan Review (SDR-6200) concurrently with the Special Use Permit application to allow the live/work use on the subject property.
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #49).

B) *Pre-Application Meeting*

- 02/14/05 At the pre-application conference, it was noted that the applicant would need to provide a parking analysis to address the lack of on-site parking spaces, and issues were discussed relative to the Centennial Plan streetscape requirements and the conditions of the existing right-of-way.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.24

B) *Existing Land Use*

Subject Property: Auto Repair Use
North: Restaurant Use
South: Retail Use
East: Undeveloped
West: Retail Use
Warehouse Use

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-M (Commercial/Industrial District)
North: C-M (Commercial/Industrial District)
South: C-M (Commercial/Industrial District)
East: C-M (Commercial/Industrial District)
West: C-M (Commercial/Industrial District)

E) *General Plan Compliance*

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The development is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Commercial	10,678		
Residential	1 Unit		
Total:		0	0

As the existing building covers almost all of the property, no parking can be provided on the site. The applicant has signed an agreement with the property owner at 818 Main Street, allowing the use of up to eight parking spaces for the proposed redevelopment of the subject property. In addition, the applicant has noted that there are on-street parking spaces immediately abutting the site, although they cannot be counted towards the parking requirement for the property.

Public Works has noted no major issues relative to traffic and circulation for the proposed development.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Live/Work use.

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

Standards	Required	Requested	Compliance
Zoning	C-1, C-2, C-M, M	C-M	Y
Nonresidential Uses	Office Desktop publishing Arts activities	Office	Y
Residential Uses	Limited to 50% of unit area	10% of unit area	Y
Minimum Residential Facilities	Sleeping space Cooking facilities Sanitary facilities	Bedroom(s) Kitchen Bathroom(s)	Y

The proposed development will comply with the zoning and use requirements specific to the Live/Work regulations. No kitchen facility for the residential unit is shown on the proposed floor plan; a kitchen will be required as a Condition of Approval.

B) General Analysis and Discussion

- Zoning

Live/work developments require the approval of a Special Use Permit and must be located within the boundaries of the Live/Work Overlay District as defined in Title 19.06. The subject property is located within the Overlay boundaries.

- Use

Live/Work units are intended to allow owners and operators of businesses to occupy joint living and work quarters in commercial and industrial areas where other types of residential uses are inappropriate. Allowing Live/Work units will contribute to the vitality of the immediate area, assist in reducing vehicular traffic, and allow for a greater spectrum of housing types within the city. The Live/Work ordinance requires all proposed Live/Work units located outside of the Arts District of the Centennial Plan area to obtain approval by means of a Special Use Permit.

- Conditions

1. Live/Work units may be located in the C-1, C-2, C-M, and M Zoning Districts only.

2. Permissible Non-residential uses:

Office uses (excluding medical office)

Desktop Publishing

Arts activities, excluding any activity that involves welding or open flame work; Art sales are permitted as an ancillary use.

3. The residential component of a Live/Work unit must contain sleeping space, cooking facilities, and complete sanitary facilities. No more than 50 percent of the total floor area shall be used for residential purposes.

4. Live/Work units shall be clearly identified by signage in order to facilitate access for emergency services. The amount of onsite parking shall be calculated in accordance with Chapter 19.10, based upon the gross square footage of the unit and the nonresidential uses occurring within.
5. Permissible signage shall be in accordance with the requirements and limitations of Chapter 19.14 and those that pertain to any other overlay district in which the property is located.

The proposal is generally in conformance with these base conditions of approval; no kitchen is shown on the floor plan of the residential unit, and will need to be provided in order to comply with the base conditions.

FINDINGS

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

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

The proposed live/work development will be compatible with the adjacent commercial and residential uses, and can be utilized in a manner that is harmonious and compatible with the existing surrounding land uses, and with future surrounding land uses as project by the General Plan.

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

The subject site is physically suitable for the type and intensity of the proposed live/work development.

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

The site will have pedestrian access from Main Street, and access for deliveries from First Street. Both streets are can adequately serve the traffic generated by the proposed development.

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

The development is in compliance with the objectives of the General Plan, and will be subject to ongoing inspections that will protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

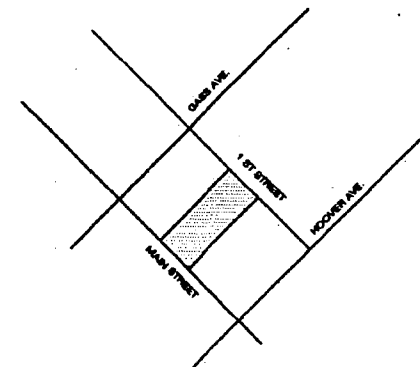
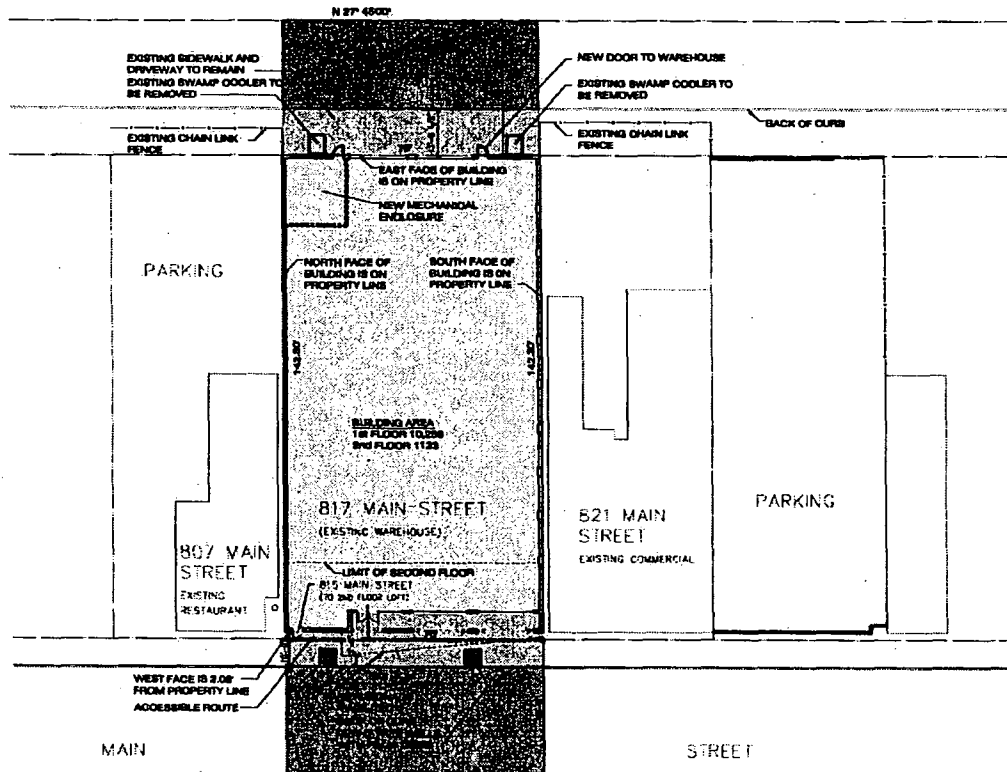
NOTICES MAILED 132 by City Clerk

APPROVALS 0

PROTESTS 0



WAREHOUSE CONVERSION FACILITEQ



SITE PLAN



208 N. 1st Street
FEBRUARY 12, 2004



SUP-6198
SDR-6200
04-14-05 PC



SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
7373 PEAK DRIVE, SUITE 350
LAS VEGAS, NEVADA 89128
TEL 702.382.0222 FAX 702.382.0868
www.swisherhall.com

WAREHOUSE CONVERSION FACILITEQ

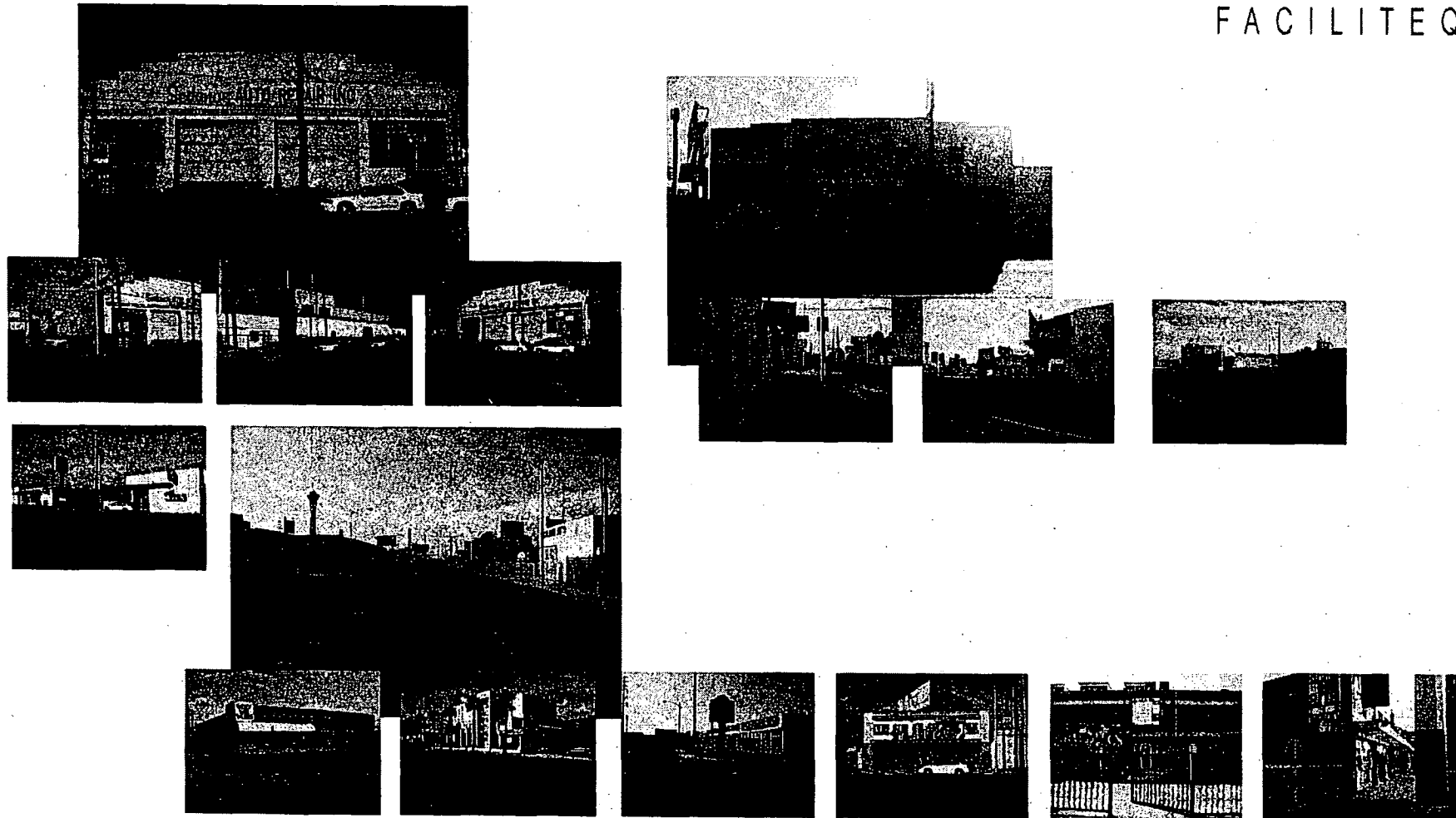


IMAGE BOARD

JOB NO. : 040974
FEBRUARY 19, 2008



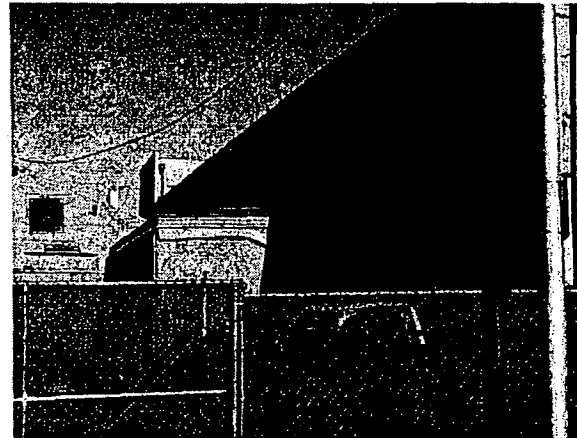
SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
7375 PEAK DRIVE, SUITE 150
LAS VEGAS, NEVADA 89129
TEL 702.593.9222 FAX 702.593.9488
WWW.SWISHERHALL.COM

**SUP-6198
SDR-6200
04-14-05 PC**

WAREHOUSE CONVERSION FACILITEQ



FIRST STREET FACADE



SOUTH ELEVATION



MAIN STREET FACADE



NORTH ELEVATION

BUILDING ELEVATIONS

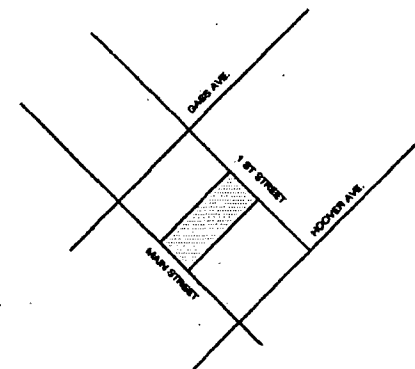
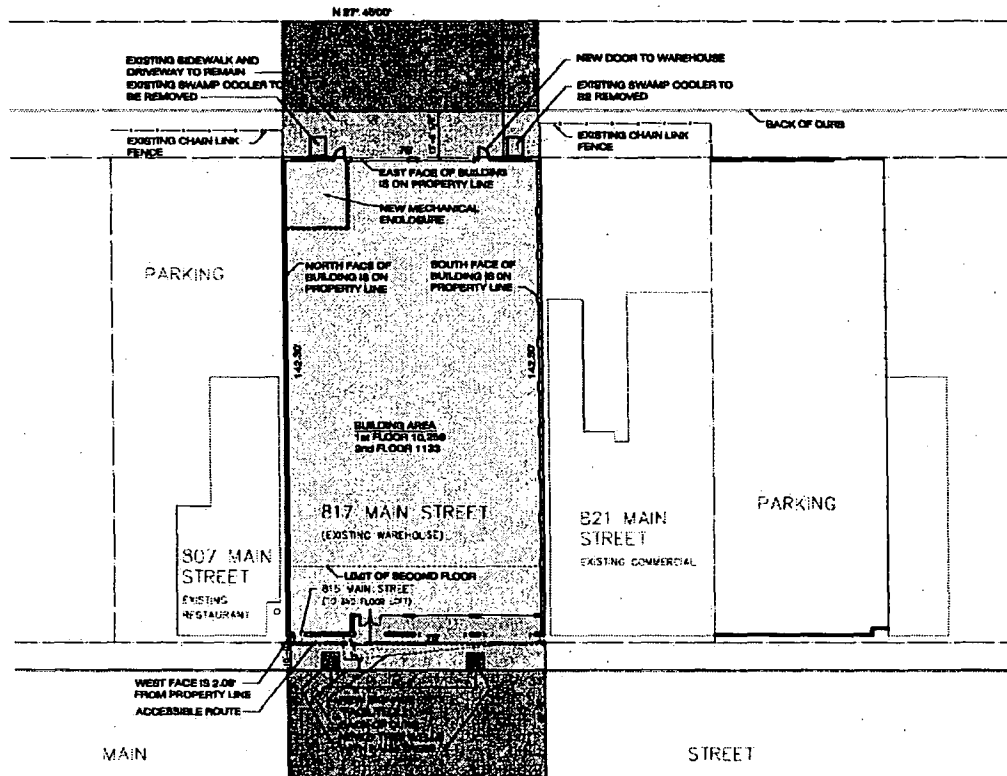
FOR NO. 184971
FEBRUARY 22, 2006

SUP-6198
SDR-6200
04-14-05 PC



SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
7373 PEAR DRIVE, SUITE 300
LAS VEGAS, NEVADA 89128
TEL 702.360.2272 FAX 702.360.6889
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WAREHOUSE CONVERSION FACILITEQ



SITE PLAN



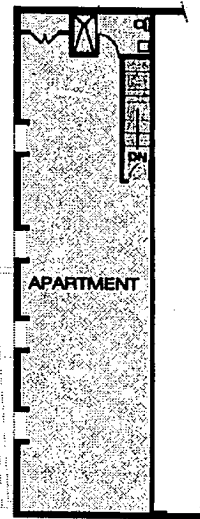
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FEBRUARY 14, 2004

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FEET

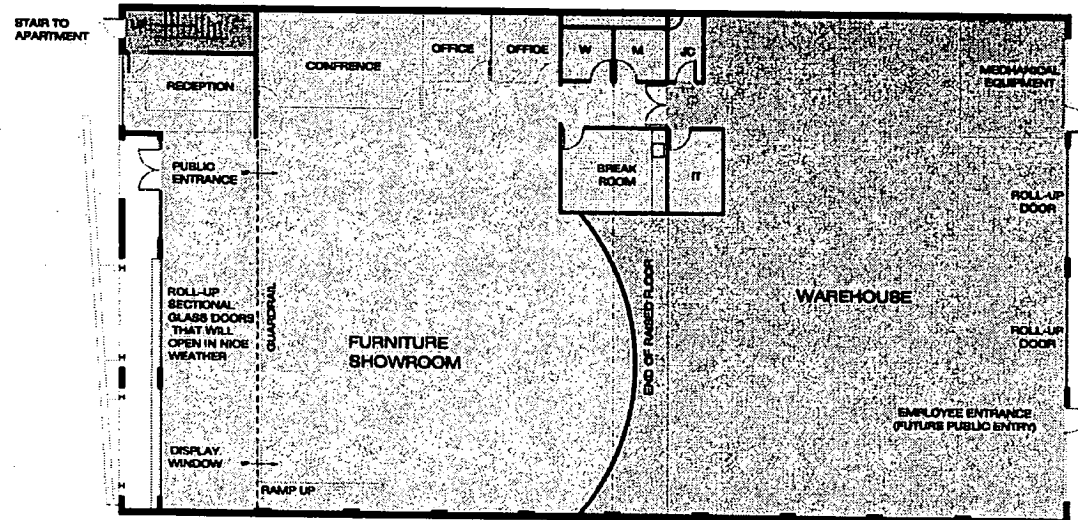
SUP-6198
SDR-6200
04-14-05 PC

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WAREHOUSE CONVERSION FACILITEQ



SECOND FLOOR



FIRST FLOOR

PLAN

JOB NO. 110474
FEBRUARY 12, 2004



SUP-6198
SDR-6200
04-14-05 PC



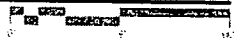
SWISHER & HALL AIA, LIMITED
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7373 PEAK DRIVE, SUITE 200
LAS VEGAS, NEVADA 89128
TEL 702.542.2222 FAX 702.542.0998
WWW.SWISHERHALL.COM

WAREHOUSE CONVERSION FACILITEQ



MAIN ST ELEVATION

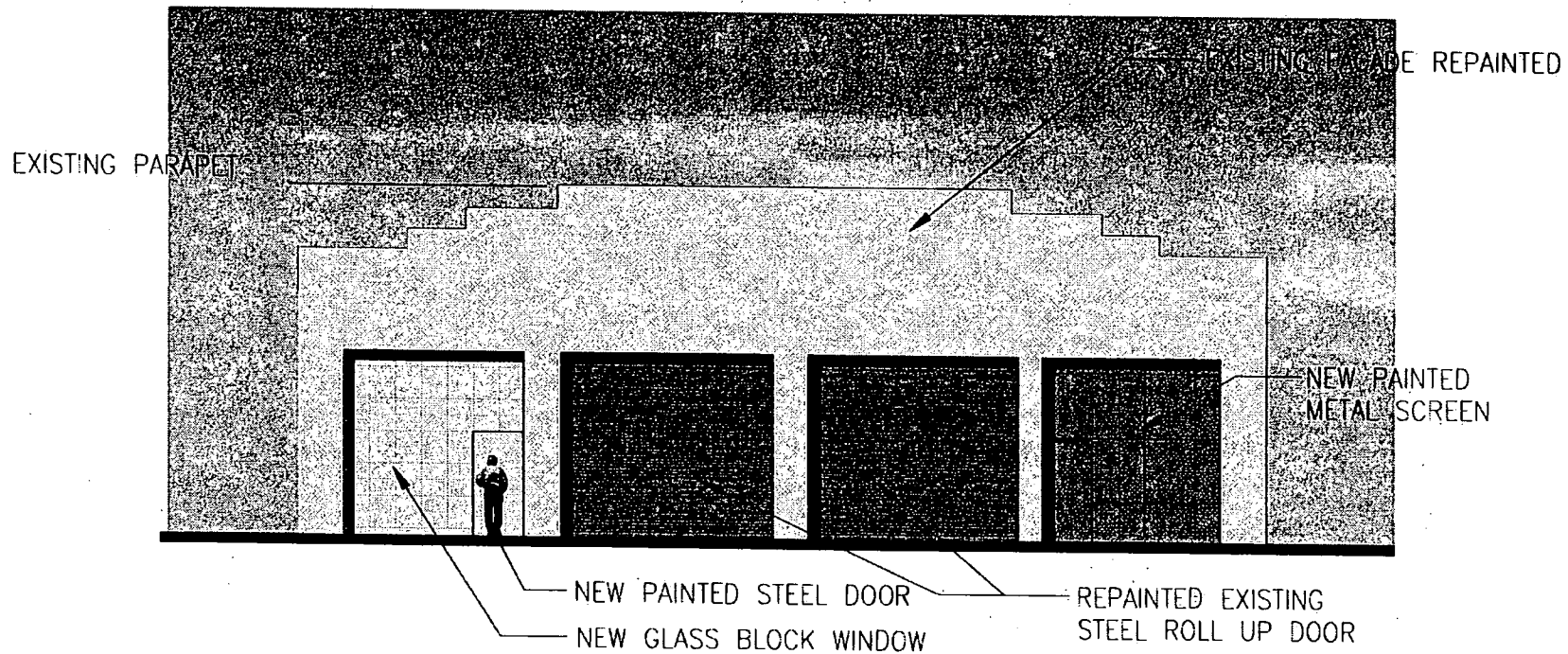
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FEBRUARY 14, 2004



SWISHER & HALL AIA, LIMITED
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7375 PEAR DRIVE, SUITE 750
LAS VEGAS, NEVADA 89120
TEL 702.383.3222 FAX 702.383.6000
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**SUP-6198
SDR-6200
04-14-05 PC**

WAREHOUSE CONVERSION FACILITEQ



1 ST ELEVATION

JOB NO. 040504
FEBRUARY 21, 2005

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SUP-6198
SDR-6200
04-14-05 PC

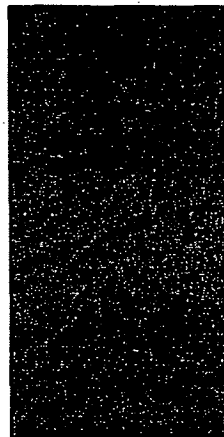


SWISHER & HALL AIA, LIMITED
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7375 PEAR DRIVE, SUITE 100
LAS VEGAS, NEVADA 89119
TEL 702.583.3322 FAX 702.583.6008
WWW.SWISHERHALL.COM

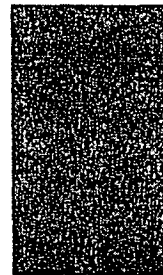
WAREHOUSE CONVERSION FACILITEQ



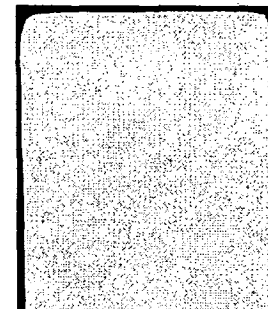
NEW EXTERIOR FACADE COLOR



EXTERIOR ACCENT COLOR



WINDOW AND DOOR FRAMES



WINDOW GLASS

COLORS AND MATERIALS

JOB NO.: 00000
REVISION: 00.0000

SUP-6198
SDR-6200
04-14-05 PC



SWISHER & HALL AIA, LIMITED
ARCHITECTURE AND PLANNING
7375 PEAK DRIVE, SUITE 250
LAS VEGAS, NEVADA 89128
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www.swisherhall.com

February. 25, 2005

Planning & Development Department
City of Las Vegas

Re: Justification Letter for **Special Use Permit**
FACILITEQ Showroom – Warehouse Conversion – Apartment Unit (Live-Work)
APN: 139-34-410-001

PROJECT NUMBER: 040074

To whom it may concern:

We are pleased to submit with our application for Special Use Permit this justification letter that describes the conversion of the old "Sedano Auto Repair" garage located at 817 South Main Street into the new showroom for FACILITEQ and renovate the existing apartment unit at 815 South Main Street (2nd floor). The project is located at approximately the middle of the 800 block on the East side on Main Street just a little South of Gass Avenue. This existing warehouse / garage was built in 1946 and is located in the City of Las Vegas Downtown Redevelopment Area.

ZONING: "The current zoning for the subject property is CM. The "General Plan" for this entire block and adjacent properties along Main Street and First Street is MXU = Mixed Use. Current zoning regulations allow a "LIVE – WORK" situation under the current CM zoning by application for a SUP=Special Use Permit." CLV staff concurred that the "Furniture Showroom" would be allowed. The Owner of FACILITEQ, who has offices in Phoenix and California, will be the primary user of this "Loft Space" apartment.

PARKING: The Parking Standards for this project falls under the "Downtown Centennial Plan" and is calculated at 1:500. However, since the existing building occupies the entire site ... no on-site parking is available. Based upon the 10,678 s.f. building the parking requirements would be 22 spaces. We thereby request a waiver to the parking standards based upon these existing site limitations. Since the new use for the facility will be a "Commercial Office Furniture Showroom and Warehouse", the Owner calculates that he will only need four parking spaces for employees. To assist with the parking requirements the Owner of FACILITEQ has made an agreement with the property Owner at 818 South Main Street (across the street) for the use of 8 existing parking spaces if needed. There are also 3 "On-Street" parking spaces on Main Street. One Parking space across the street will be allocated for the "Apartment Use".

We hope that you find our application for this project and our interest in revitalizing this older part of Las Vegas in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. If you have any questions regarding this application please contact me at my office below.

Sincerely,



Kevin Gouveia
Project Director

Swisher & Hall AIA, LTD.
7373 Peak Drive, Suite 250
Las Vegas, NV 89128
phone (702) 363-2222 x 261 fax (702) 363-6060 Email: kgouveia@swisherhall.com

Website: www.swisherhall.com

ARCHITECTURE AND PLANNING
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LAS VEGAS, NV. 89128
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SUP-6198

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6198

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

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 106 [SUP-6198] for all related discussion.

(3:28 - 3:33)

4-2228

CONDITIONS:

Planning and Development

1. A Special Use Permit (SUP-6198) to allow the live/work use approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, dated stamped 03/01/05, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, based on the existing conditions and constraints of the public rights-of-way abutting the property.
5. The required landscaping and a permanent underground sprinkler system for the landscape materials

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for legal action by the City of Las Vegas.

6. If required the applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.

7. The applicant shall enter into a parking agreement to provide off-street parking spaces on a nearby property, subject to review and approval by the Planning and Development Department, prior to the issuance of a building permit.

8. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.

10. Prior to the submittal of a building permit, the applicant shall meet with the Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

12. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.

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

Public Works

14. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to this site prior to the issuance of any permits. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents. This condition will not be enforced if it is proven that existing structures within the requested area are present and expected to remain within the requested area.

15. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other

CITY COUNCIL MEETING OF: MAY 18, 2005

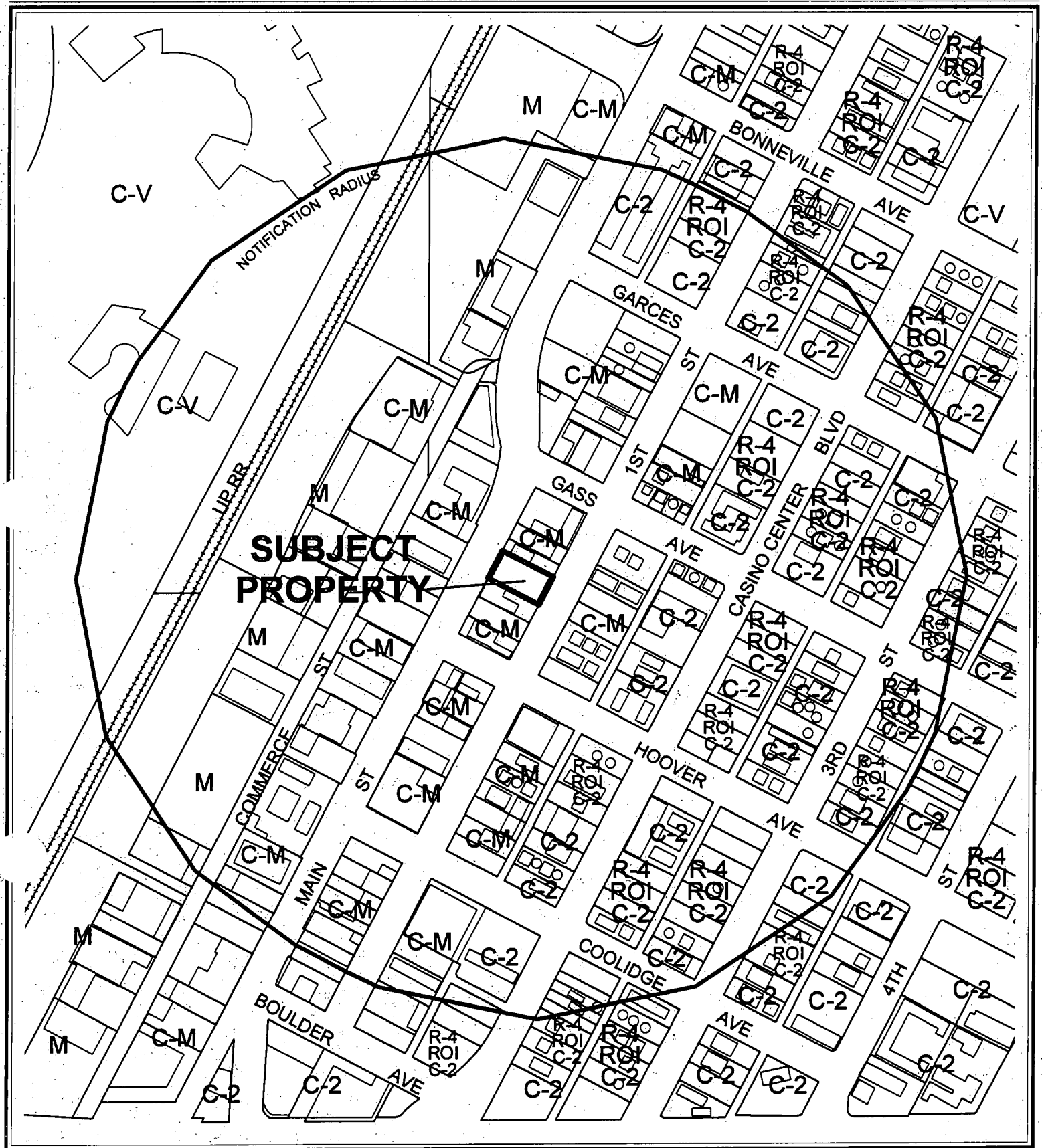
CONDITIONS - Continued:

mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Standards concurrent with development of this site.

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

18. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site. No awnings, signs, or billboards are allowed to encroach within or over the public rights-of-way.



CASE: SDR-6200

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

0 300 600 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6200 - APPLICANT/OWNER: KENAVO, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Special Use Permit (SUP-6198) to allow the live/work use approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, dated stamped 03/01/05, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, based on the existing conditions and constraints of the public rights-of-way abutting the property.
5. The required landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for legal action by the City of Las Vegas.
6. If required the applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
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8. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits (or the recordation of a Final Map for this site).

9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
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11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
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15. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Las Vegas Downtown Centennial Standards concurrent with development of this site.
17. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site. No awnings, signs, or billboards are allowed to encroach within or over the public rights-of-way.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a live/work development within an existing building, including one residential unit and 10,678 square feet of commercial space, with a Waiver of the Downtown Centennial Plan streetscape requirements at 815 and 817 South Main Street. An associated Special Use Permit (SUP-6198) to allow the live/work unit will be considered concurrently with this application.

B) *Applicant's Justification*

The applicant states that the project will revitalize an older part of the city of Las Vegas and is in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. It is also noted that the combination of on-street parking spaces and the agreement for off-site parking will accommodate the parking needs for the remodeling of the property.

BACKGROUND INFORMATION

A) *Previous Actions*

- 12/16/64 The City Council approved a Rezoning (Z-0100-64) to reclassify property in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
- 04/14/05 The Planning Commission recommended approval of a Special Use Permit (SUP-6198) concurrently with the Site Development Plan Review application to allow the live/work use on the subject property.
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #50/ff).

B) *Pre-Application Meeting*

- 02/14/05 At the pre-application conference, it was noted that the applicant would need to provide a parking analysis to address the lack of on-site parking spaces, and issues were discussed relative to the Centennial Plan streetscape requirements and the conditions of the existing right-of-way.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.24

B) *Existing Land Use*

Subject Property: Auto Repair Use
North: Restaurant Use
South: Retail Use
East: Undeveloped
West: Retail Use
Warehouse Use

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-M (Commercial/Industrial District)
North: C-M (Commercial/Industrial District)
South: C-M (Commercial/Industrial District)
East: C-M (Commercial/Industrial District)
West: C-M (Commercial/Industrial District)

E) *General Plan Compliance*

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

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

Redevelopment Plan Area

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Downtown South District. The district is intended to accommodate a wide variety of commercial and residential uses within a dense, urban environment. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

PROJECT DESCRIPTION

The proposed development will result in the remodeling of the existing structure, with a 10,678 square foot commercial space on the ground floor of the building, and a residential unit for the owner of the building on the second floor. The industrial character of the exterior of the building will be retained; new storefront window systems and roll-up doors will be installed in the existing openings, and a new canopy will be installed at the front of the building on Main Street to provide shading and visual interest. Palm trees will be installed in the Main Street right-of-way as required by the Downtown Centennial Plan, and the existing encroachments in the First Street right-of-way will be removed.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	0.24 Acres	N/A
Min. Lot Width	N/A	75 Feet	N/A
Min. Setbacks			
• Front (Main)	0 Feet	2 Feet	N
• Front (First)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100%	99%	Y
Max. Building Height	N/A	28 Feet	N/A
Trash Enclosure	Walled/roofed	Interior	Y
Loading Zone	1	Interior	Y
Mech. Equipment	Screened	Screened	Screened

The existing structure generally conforms with the zoning requirements of the Centennial Plan, with the exception of the setback along Main Street. As the placement of the building is an existing condition, no zoning action or Waiver is necessary.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. The following table details the parking figures for the development:

Uses	GFA	Provided Parking	
		Regular	Handicap
Commercial	10,678		
Residential	1 Unit		
Total:		0	0

As the existing building covers almost all of the property, no parking can be provided on the site. The applicant has signed an agreement with the property owner at 818 Main Street, allowing the use of up to eight parking spaces for the proposed redevelopment of the subject property. In addition, the applicant has noted that there are on-street parking spaces immediately abutting the site, although they cannot be counted towards the parking requirement for the property.

Public Works has noted no major issues relative to traffic and circulation for the proposed development.

A4) Landscape and Open Space Standards

The property is subject to the landscape and streetscape standards of the Downtown Centennial Plan as listed below:

Standards	Required		Provided
	Ratio	Trees	
North/South Street Main Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	2 Trees
North/South Street First Street	1 Palm Tree @ 35' o.c. max. (min. 25' height)	2 Trees	0 Trees
Sidewalk	11' Sidewalk		Main: 10' First: 13'

The required number of palm trees will be installed in the Main Street right-of-way adjacent to the building, but will exceed the maximum spacing stipulated by the Downtown Centennial Plan. The existing sidewalk does not conform to the minimum width specified in the Centennial Plan, and there is insufficient area for a landscape amenity zone. No trees are to be provided along the First Street frontage, as the existing driveway extends most of the width of the property and there are encroachments on the abutting properties that prevent the installation of the proper streetscape treatment.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Marquee Sign: Main Street Elevation		
Standards	Allowed	Provided
Maximum Number	1/Building elevation 2 total	1/Main Street 1 total
Maximum Area	20%/building elevation	3%/building elevation
Maximum Height	Shall not extend beyond top or sides of building	Does not extend beyond top or sides of building
Minimum Clearance	8'	13'
Maximum Projection	No more than 3' behind curb	3' behind curb
Illumination	Internal/External	Not indicated

The proposed marquee sign is consistent with the requirements of Title 19.14. Signage will be addressed under a separate permit.

B) General Analysis and Discussion

- **Zoning**

The proposed commercial use is permitted in the C-M (Commercial/Industrial) district by right; the residential unit is permitted upon approval of a Special Use Permit. A separate Special Use Permit application (SUP-6188) has been filed concurrently with this Site Development Plan Review application.

The structure generally conforms with the development standards of the Downtown Centennial Plan; as previously noted, the existing structure is not located directly on the front property line as required by the Centennial Plan.

- **Site Plan**

The existing building covers nearly all of the site, and no on-site parking will be available. The applicant has noted the availability of on-street parking and has signed an agreement with an adjacent property owner for the provision of off-street parking spaces. At a minimum, the applicant should obtain at least one off-site parking space for the residential unit that will be part of the development. Deliveries for the commercial use will be made from First Street; the existing driveway and parking bays will be retained along that frontage specifically to accommodate the delivery of materials. Existing mechanical equipment for the structure currently encroaches the First Street right-of-way, and will be removed as part of the remodeling of the property. Trash facilities for the use will be incorporated within the structure, as will any new mechanical equipment.

- **Waivers**

The applicant has requested a Waiver from the Downtown Centennial Plan requirement for streetscape requirements in order to allow a reduced sidewalk width and greater spacing of the street trees along the Main Street frontage, and to not require the installation of landscaping along the First Street frontage. Staff recommends approval of the Waiver request due to the constrained right-of-way along the Main Street frontage and condition of the First Street frontage. A requirement to provide the full streetscape treatment has been included in the Conditions of Approval should there be any changes to the right-of-way that would allow compliance with the streetscape standards.

- Landscape Plan

The landscape plan depicts the use of palm trees in the public right-of-way along Main Street in accordance with the Centennial Plan streetscape requirements. The number of trees conforms with the Centennial Plan requirements, but the spacing exceeds the requirement stipulated in the plan. The applicant has requested a Waiver from the spacing requirement, due to the configuration of the existing building and right-of-way. No landscaping materials will be provided along the First Street frontage due to the driveway location and right-of-way conditions on the abutting properties; the streetscape Waiver will also address this issue.

- Elevations

No significant changes are proposed to the exterior of the building; the façade will be repaired and repainted, and the existing windows and doors will be replaced. New storefront windows and a roll-up glass door will be installed in the existing openings fronting on Main Street, and on the First Street façade the existing roll-up doors will be repainted and new glass block will be installed in one of the existing openings. A canopy element will be added to the front of the building facing Main Street, which will provide shade and visual interest, and will also be utilized for signage. The proposed colors conform with the desert neutral color scheme stipulated by the Commercial Development Standards.

- Floor Plan

The interior of the building will be remodeled to provide showroom spaces and offices at the front of the building, with storage space at the rear of the building. Mechanical equipment and trash facilities will be incorporated within the storage space. All deliveries will be made to the storage space at the rear of the building, which will have direct access to First Street via the existing roll-up doors. A residential unit will be developed on the second floor of the building, and will have approximately 1,100 square feet of living area. The residential unit will have a separate entrance from Main Street, and will be occupied by the owner of the building.

FINDINGS

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

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

The proposed live/work use will be compatible with adjacent development and future uses planned for the area.

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

The proposed development is consistent with the General Plan, Title 19, and most elements of the Downtown Centennial Plan. A Waiver has been requested from the Centennial Plan streetscape requirements, due to right-of-way constraints and existing conditions.

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

The remodeling of the existing building will not change access patterns or negatively impact adjacent roadways or neighborhood traffic.

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

The materials to be used in the renovation of the building are consistent with the area and with City design standards; the proposed streetscape materials are consistent with the Downtown Centennial Plan.

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

The proposed modifications to the existing structure will preserve the industrial character of the building while improving the visual appearance. The renovation will set a standard for surrounding properties and stimulate improvements in the area.

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

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended Condition #6 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

NOTICES MAILED 137 by Planning Department

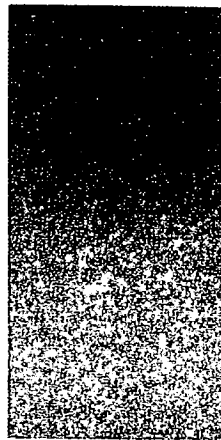
APPROVALS 0

PROTESTS 0



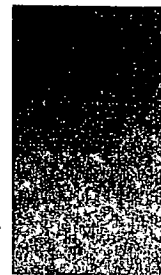
WAREHOUSE CONVERSION FACILITEQ

NEW EXTERIOR FACADE COLOR

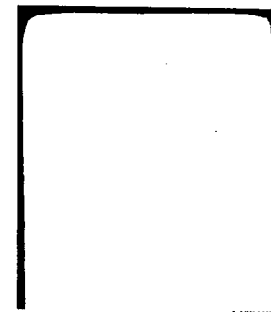


EXTERIOR ACCENT COLOR

WINDOW AND DOOR FRAMES



WINDOW GLASS



COLORS AND MATERIALS

JOB NO. 922971
FEBRUARY 23, 2005

SUP-6198
SDR-6200
04-14-05 PC



SWISHER & HALL AIA, LIMITED
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3223 PEAK DRIVE, SUITE 250
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TEL 702.363.2222 FAX 702.363.8080
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WAREHOUSE CONVERSION FACILITEQ



IMAGE BOARD

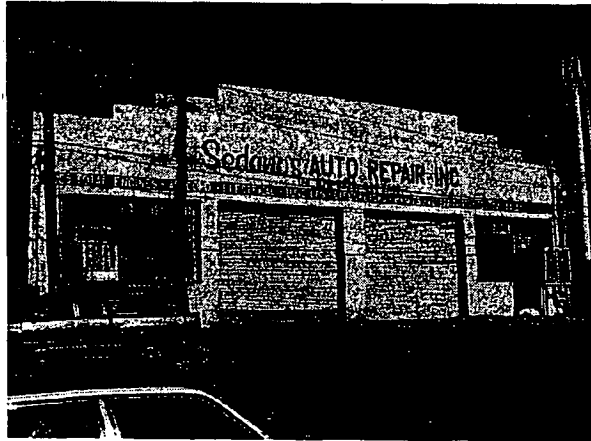
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FEBRUARY 26, 2005

SUP-6198
SDR-6200
04-14-05 PC

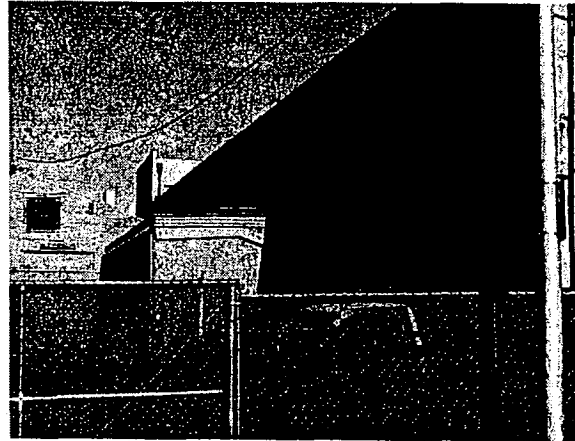


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7372 PEAR DRIVE, SUITE 800
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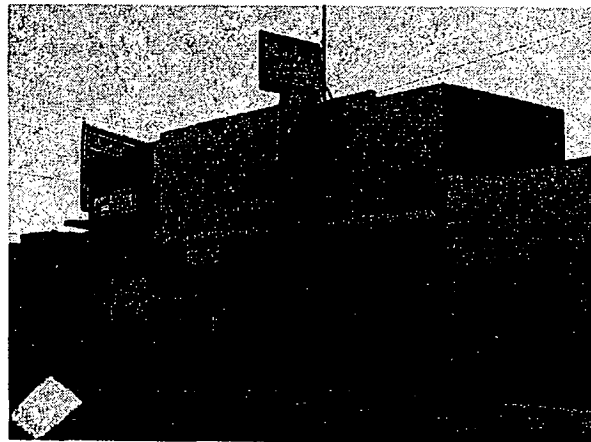
WAREHOUSE CONVERSION FACILITEQ



FIRST STREET FACADE



SOUTH ELEVATION



MAIN STREET FACADE



NORTH ELEVATION

BUILDING ELEVATIONS

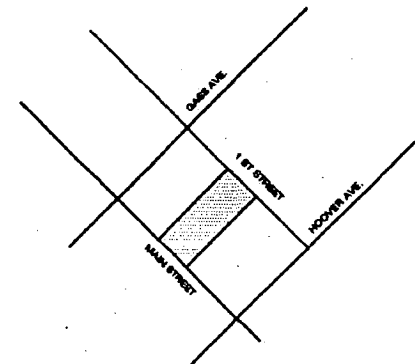
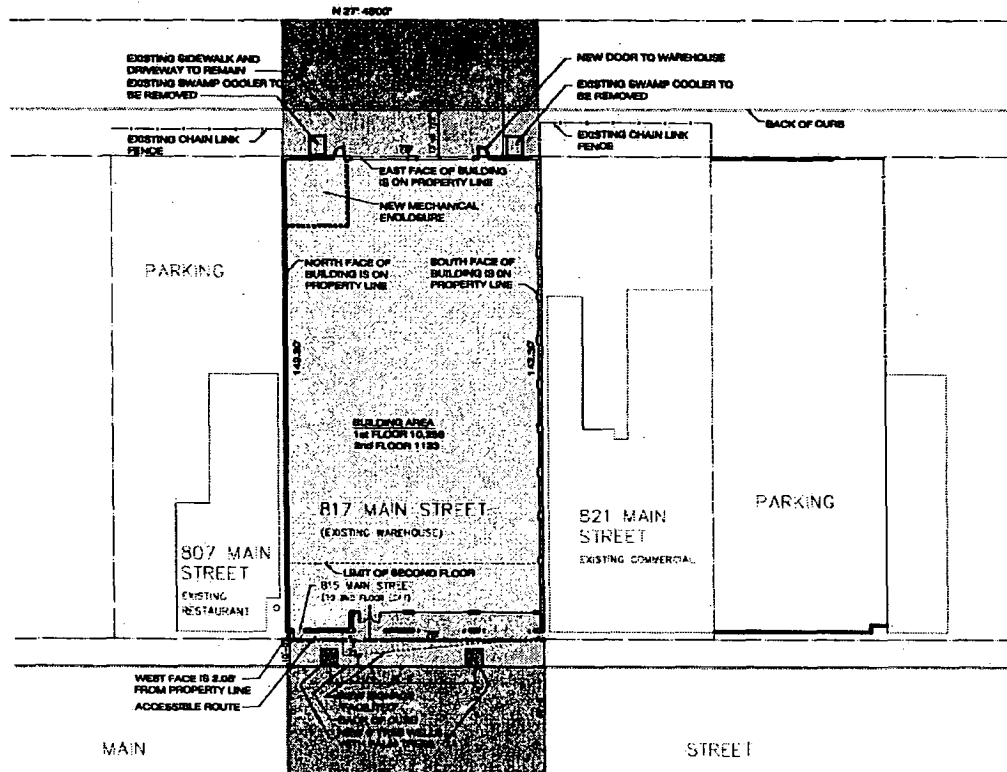
FOR NO. 243024
FEBRUARY 28, 2000

SUP-6198
SDR-6200
04-14-05 PC



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3375 PEAR DRIVE, SUITE 200
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WAREHOUSE CONVERSION FACILITEQ



SITE PLAN



205 HG 1 140076
FEBRUARY 21, 2005

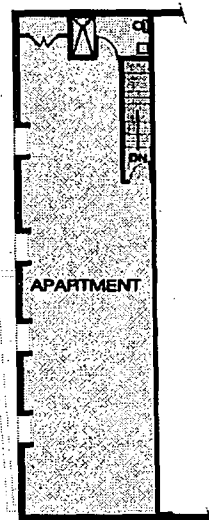
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FOOT

SUP-6198
SDR-6200
04-14-05 PC

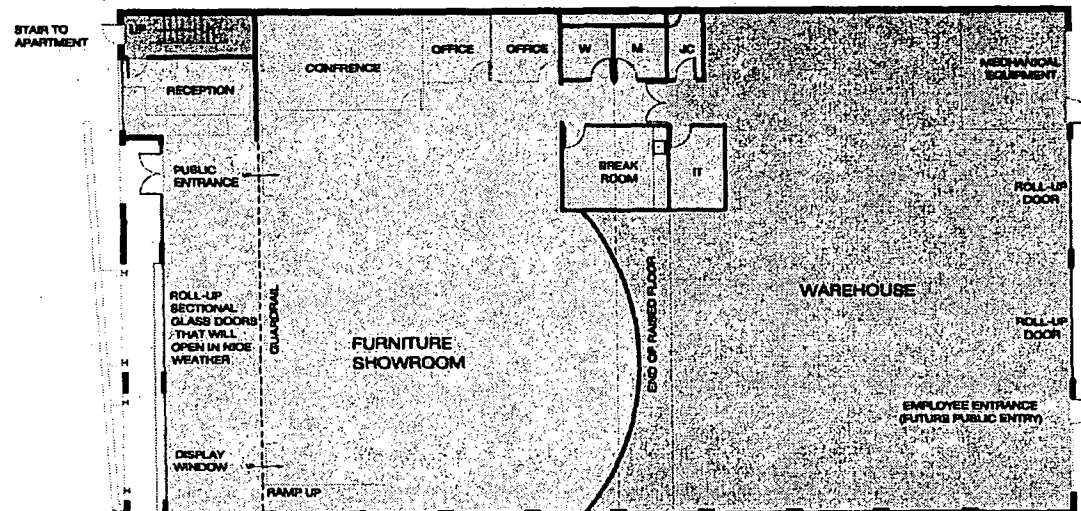


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WAREHOUSE CONVERSION FACILITEQ



SECOND FLOOR



FIRST FLOOR

P.L.A.N

JOB NO. 111571
FEBRUARY 26, 2001



SUP-6198
SDR-6200
04-14-05 PC



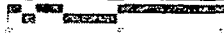
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7329 PEAR DRIVE, SUITE 250
LAS VEGAS, NEVADA 89128
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WAREHOUSE CONVERSION FACILITEQ



MAIN ST ELEVATION

JOB NO.: 240204
FEBRUARY 18, 2004

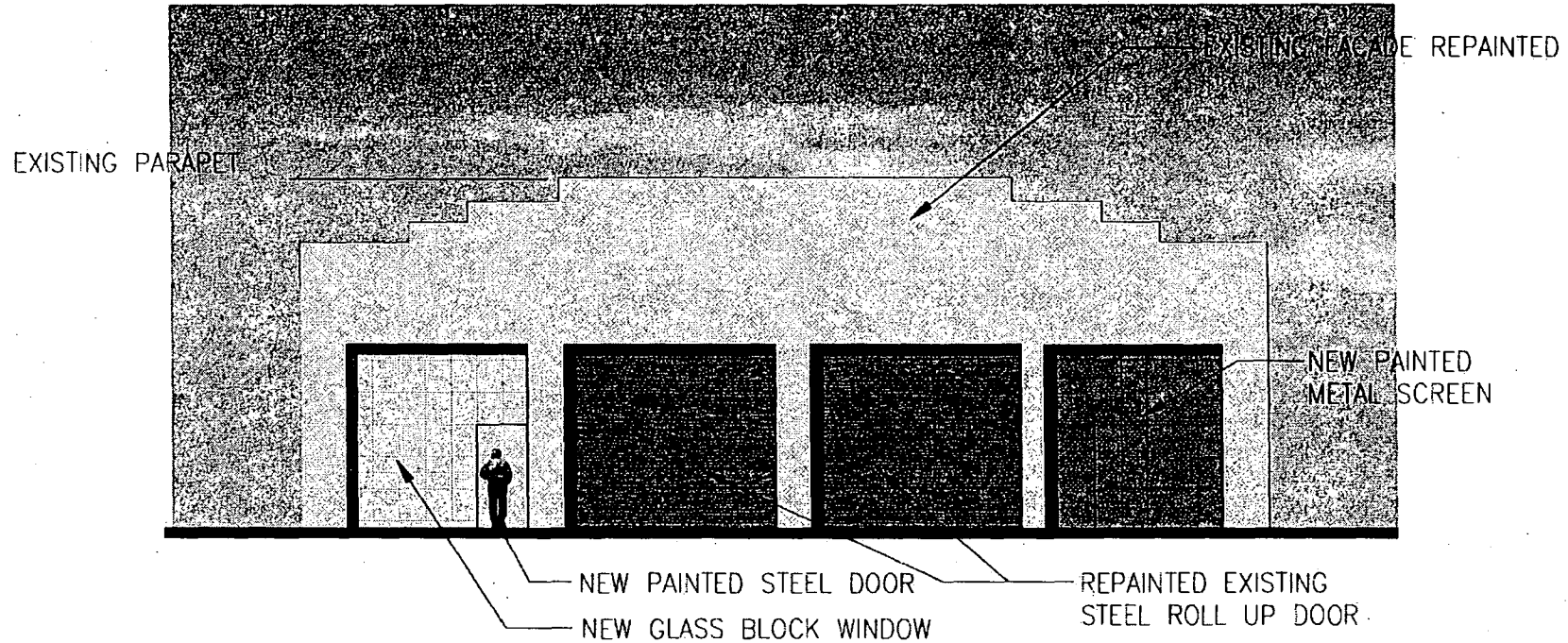


SUP-6198
SDR-6200
04-14-05 PC



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7275 PEAK DRIVE, SUITE 400
LAS VEGAS, NEVADA 89120
TEL 702.363.2522 FAX 702.363.8048
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WAREHOUSE CONVERSION FACILITEQ



1. ST. ELEVATION

JOB NO. 040674
FEBRUARY 04, 2006

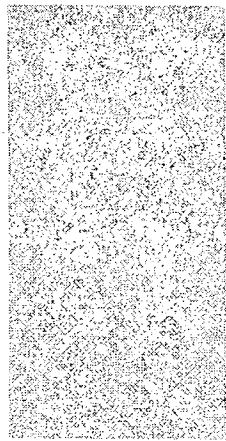
1" = 10'-0"

SUP-6198
SDR-6200
04-14-05 PC

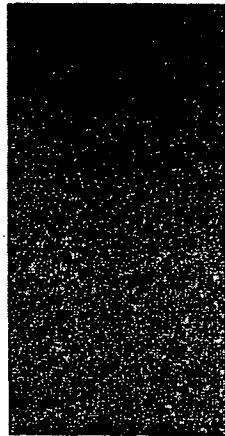


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WAREHOUSE CONVERSION FACILITEQ



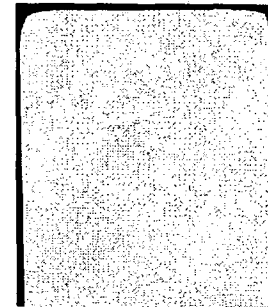
NEW EXTERIOR FACADE COLOR



EXTERIOR ACCENT COLOR



WINDOW AND DOOR FRAMES



WINDOW GLASS

COLORS AND MATERIALS

JOB NO.: 940011
FEBRUARY 20, 1994

SUP-6198
SDR-6200
04-14-05 PC



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7025 PEARL DRIVE, SUITE 200
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TEL 702.362.2122 FAX 702.362.9090
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SUP-6198 & SDR-6200 - APPLICANT/OWNER: KENAVO, LLC
815 AND 817 SOUTH MAIN STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05



SUP-6198 & SDR-6200 - APPLICANT/OWNER: KENAVO, LLC
815 AND 817 SOUTH MAIN STREET
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

February 25, 2005

Planning & Development Department
City of Las Vegas

Re: Justification Letter for Site Development Review
FACILITEQ Showroom - Warehouse Conversion
APN: 139-34-410-001

PROJECT NUMBER: 040074

To whom it May Concern:

We are pleased to submit with our application for Site Development Review this justification letter that describes the conversion of the old "Sedano Auto Repair" garage located at 817 South Main Street into the new furniture showroom for FACILITEQ. The project is located at approximately the middle of the 800 block on the East side on Main Street just a little South of Cass Avenue. This existing warehouse / garage was built in 1946 and is located in the City of Las Vegas Downtown Redevelopment Area.

FACILITEQ of Nevada: is a contract furniture company with history of providing office furniture to corporate clients in Southern Nevada for over ten years. Our corporate clients include Clark County, City of Las Vegas, Metro Police, MGM, Venetian Hotel, New York New York Hotel, Bechtel, CCSN and many other business in Southern Nevada. FACILITEQ currently maintains a staff of 20 employees, which include 7 office personnel and an operation staff of 13. Our 3 largest customers are Clark County, City of Las Vegas, and Bechtel, which are located within several miles of our new furniture showroom. FACILITEQ provides product solutions, design, installation, inventory management, and other services and products related to interior construction. FACILITEQ is the exclusive distributor of Haworth Inc, the 2nd largest manufacture of office furniture in the world.

ZONING: "The current zoning for the subject property is CM. The "General Plan" for this entire block and adjacent properties along Main Street and First Street is MXU = Mixed Use. Current zoning regulations allow a "LIVE - WORK" situation under the current CM zoning by application for a SUP=Special Use Permit." CLV staff concurred that the "Furniture Showroom" would be allowed. The Owner of FACILITEQ, who has offices in Phoenix and California, will be the primary user of this "Loft Space".

TRAFFIC: The project will be subject to the "Traffic Signal Impact Fee" ordinance."

PUBLIC WORKS: The project may require dedication of additional Right-Of-Way (unless the building is located within the area of the proposed dedication). The Owner will also be requested to remove and replace any substandard offsite improvements, i.e. sidewalks, curb & gutter, asphalt, etc. The mechanical enclosure currently located on the First Street side of the building is encroaching into the ROW. Public Works will not allow this. It was recommended by CLV Staff that we locate this equipment inside the building to prevent any problems with Public Works.

PARKING: The Parking Standards for this project falls under the "Downtown Centennial Plan" and is calculated at 1:500. However, since the existing building occupies the entire site ... no on-site parking is available. Based upon the 10,678 s.f. building the parking requirements would be 22 spaces. We thereby request a waiver to the parking standards based upon these existing site limitations. Since the new use for the facility will be a "Commercial Office Furniture Showroom and Warehouse", the Owner calculates that he will only need four parking spaces for employees. To assist with the parking requirements the Owner of FACILITEQ has made an agreement with the property Owner at 815 South Main Street (across the street) for the use of 8 existing parking spaces if needed. There are also 3 "On-Street" parking spaces on Main Street.

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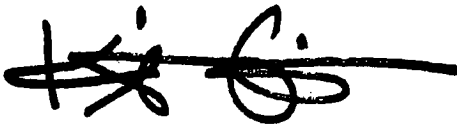
SDR-4200

STREETSCAPE TREATMENT: We request a waiver to the Streetscape Improvements. The ROW along Main Street and First Street is constrained and will not allow the space for full Streetscape Improvements. With the existing garage doors and entry's along Main Street we have located two palm trees with 5' tree wells spaced 43' apart in lieu of the 30' spacing as required. This spacing accommodates the existing conditions and future signage without significant impact to the intended Streetscape plans. The existing sidewalk, curb and gutter will be replaced. The existing asphalt paving on Main Street has already been replaced to the center of the street.

SIGNAGE: CLV Staff noted that the signage indicated on Main Street should not project any farther than 3' to the back of curb. The signage indicated on the plans complies with this requirement and a separate application will be made for the signage in the future.

We hope that you find our application for this project and our interest in revitalizing this older part of Las Vegas in keeping with the spirit and intention of the City of Las Vegas Redevelopment Area guidelines. If you have any questions regarding this application please contact me at my office below.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Gouveia', with a long horizontal line extending to the right.

Kevin Gouveia
Project Director

Swisher & Hall AIA, LTD.
7373 Peak Drive, Suite 250
Las Vegas, NV 89128
phone (702) 363-2222 x 261 fax (702) 363-6060

Email: kgouveia@swisherhall.com

Website: www.swisherhall.com

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT

SUP-6204 - PUBLIC HEARING - APPLICANT: MULVANNYG2 ARCHITECTURE - OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC - Request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION, PACKAGE LIQUOR) at 6555 North Decatur Boulevard (APN 125-24-802-001 through -004, 007, 010, and 011), C-1 (Limit Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

PETER CLEMENT, Costco Wholesale; 17300 Red Hill Boulevard, Irvine, California, agreed with the conditions and thanked Council for their indulgence in the project.

COUNCILMAN MACK expressed delight for all efforts to mirror the aesthetics of the Costco located in Summerlin, and opined that this location's aesthetics superseded all others. The Costco will benefit and serve the area well.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:33 - 3:35)

4-2424

CONDITIONS:

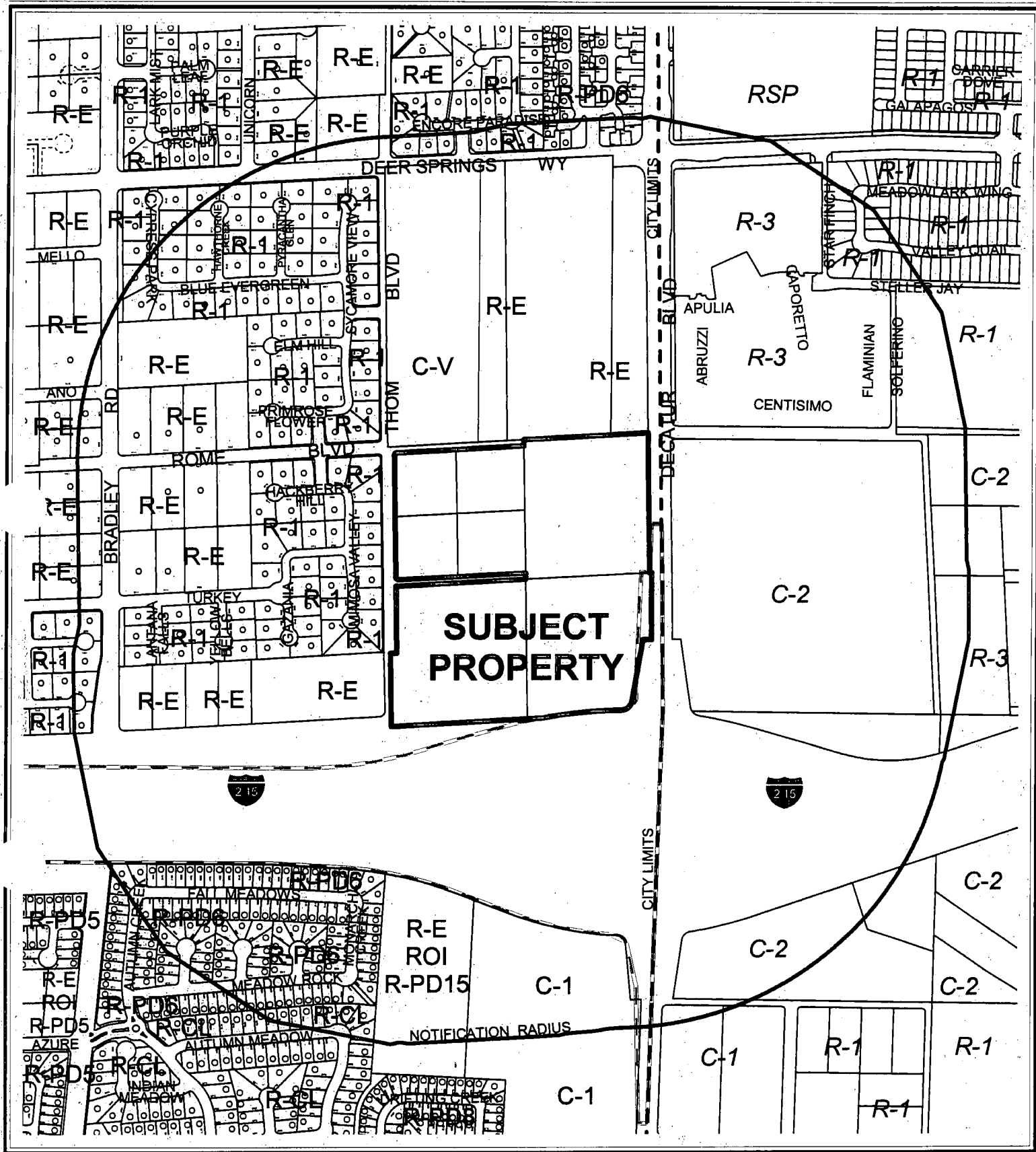
Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: **SUP-6204**

RADIUS: 1500 FT

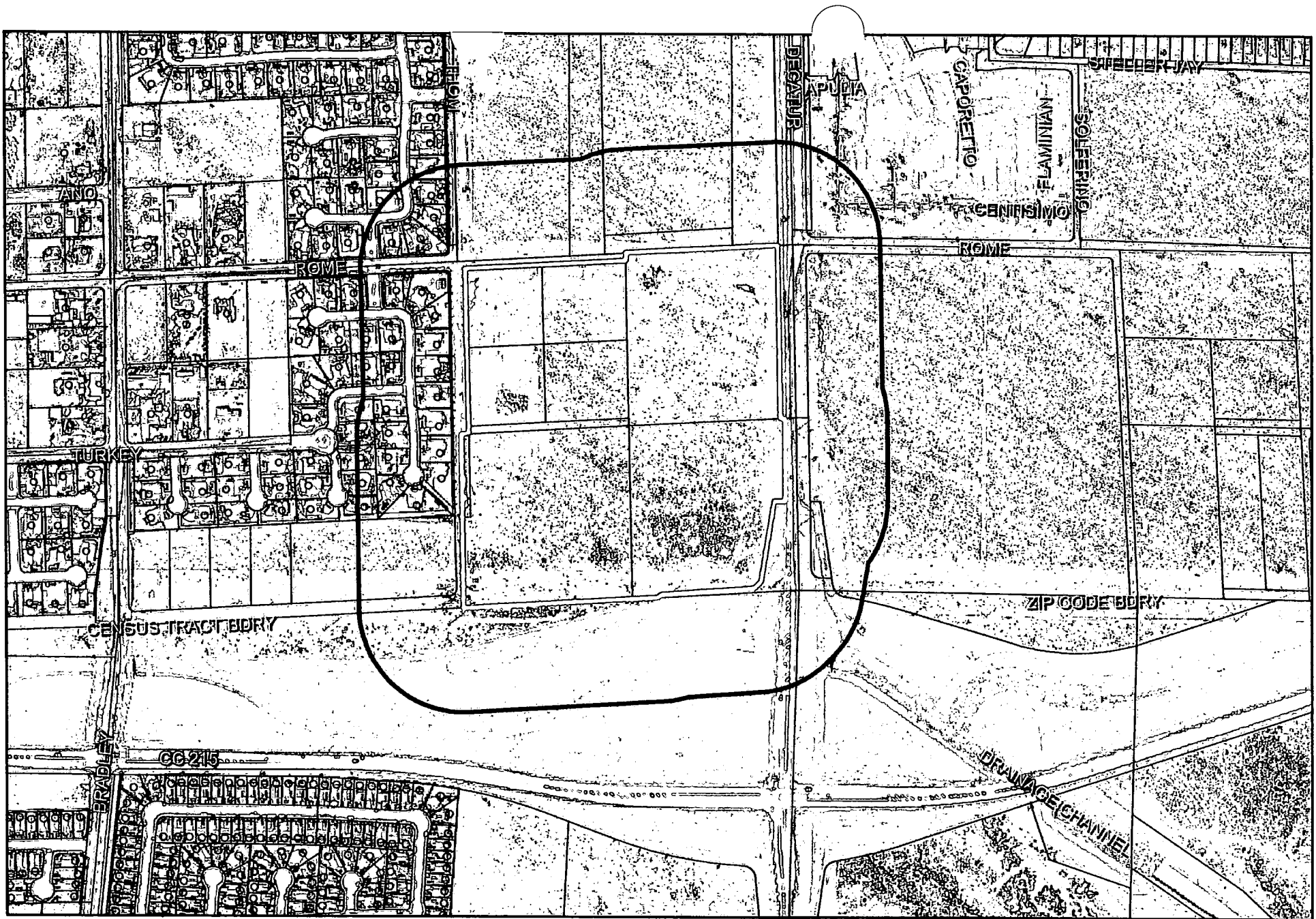
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 600 1200 Feet







SUP-6204
Package Liquor Sales

Business Licenses

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

- | |
|-------------|
| □ RELIGIOUS |
| □ PARKS |
| □ SCHOOLS |

- | |
|--------------------|
| □ Subject Property |
| ○ 400 foot buffer |



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6204 - APPLICANT: MULVANNYG2 ARCHITECTURE -
OWNER: SHADOW MOUNTAIN MARKETPLACE, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (Off Premise Consumption) use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for a Liquor Establishment (Off-Premise Consumption) at 6555 North Decatur Boulevard.

B) *Applicant's Justification*

The alcohol will be prepackaged and will not be consumed within the store. It will be on racks and pallets and will encompass approximately 1,000 square feet of the floor space.

BACKGROUND INFORMATION

A) *Related Actions*

- 08/25/97 The City Council approved a request to amend (GPA-0027-97) a portion of the Northwest Sector of the General Plan on property located on the northwest corner of Centennial Parkway and Decatur Boulevard- From: DR (Desert Rural Density Residential)- To: SC (Service Commercial).
- 08/25/97 The City Council approved a request for a rezoning (Z-0062-97) on property located on the northwest corner of Centennial Parkway and Decatur Boulevard, From: R-E (Residence Estates) Zone- To: C-1 (Limited Commercial) Zone.
- 06/20/01 The City Council approved a request for a rezoning (Z-0019-01), From: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), To: C-1 (Limited Commercial) on 31.7 acres on the northwest corner of the intersection of Centennial Parkway and Decatur Boulevard. The Planning Commission and Staff recommended approval.
- 07/16/03 The City Council approved a request for a Reinstatement and Extension of Time (EOT-2267) on an approved Rezoning (Z-0019-01), From: R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), To: C-1 (Limited Commercial) on 31.7 acres adjacent to the northwest corner of Centennial Parkway and Decatur Boulevard. The Planning Commission and Staff recommended approval.
- 11/04/03 The City Council approved a request for a for a Site Development Plan Review (SDR-5050) and waivers of building placement, foundation landscaping and building setback standards for a proposed 365,700 square-foot shopping center on 35.00 acres adjacent to the northwest corner of Decatur Boulevard and the Las Vegas Beltway. The Planning Commission and Staff recommended approval.

12/02/04 Planning Commission approved a request for a Tentative Map (TMP-5474) for a one lot commercial subdivision on 35.82 acres at the northwest corner of Decatur Boulevard and the 215 Beltway.

04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #55).

B) Pre-Application Meeting

02/14/05 The elements of a complete application for a special use permit were discussed with the applicant during a pre-application submittal conference.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit request.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 35.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Clark County 215
Undeveloped
East: Undeveloped
West: Single-Family Residences
Undeveloped

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: ML (Medium-Low Density Residential)
PF (Public Facilities)
South: ROW (Right-of-Way)
ML (Medium-Low Density Residential)
SC (Service Commercial)
East: City of North Las Vegas
West: ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North: R-E (Residence Estates)
C-V (Civic)
South: R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units per Acre)
C-1 (Limited Commercial)

East: City of North Las Vegas
West: R-1 (Single-Family Residential)
R-E (Residence Estates)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Interlocal Land use Plan of the Centennial Hills Sector Plan of the General Plan. The current zoning of C-1 (Limited Commercial) Zone is consistent with this land use designation.

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

No special districts, zones, or studies are related to the subject site.

INTERAGENCY ISSUES

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

- 1) Any Special Use Permit within 500 feet from a corporate boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures, will be prepared as the comments are received. As of the writing of this report there have not been any comments received.

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

ANALYSIS

A) Zoning Code Compliance

- A1) Minimum Distance Separation Requirements

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

Use	Code Requirement	Provided
Liquor Establishment (Off Premise Consumption)	400 feet from churches, synagogues, schools, childcare facilities, or city parks	No protected uses are known to be within the minimum separation distance.

The proposal meets the separation requirements of Title 19 for a Liquor Establishment (Off Premise Consumption) use.

B) General Analysis and Discussion

- **Zoning**

The subject site is zoned C-1 (Limited Commercial). A Liquor Establishment (Off Premise Consumption) is a permitted use within this zoning district with the approval of a Special Use Permit.

- **Use**

The use, in conjunction with the proposed wholesale store, is an appropriate use at this location and one that can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

- **Conditions**

The following conditions are stipulated for the Liquor Establishment (Off-Premise Consumption) use within a C-1 zoning district. The conditions with asterisks are non-waivable:

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

- b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection 1.
- * 3. In the case of a liquor establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the liquor establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed liquor establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the liquor establishment will be located, without regard to intervening obstacles.
- * 4. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

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

FINDINGS

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

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

The proposed use will be an accessory use to a grocery store. It will be surrounded by other commercial and retail businesses of a similar character that are permitted in the C-1 (Limited Commercial) zoning district and is compatible with the General Plan in this area.

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

The existing parking and site area are adequate to accommodate the proposed Liquor Establishment (Off Premise Consumption) use.

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

The use in conjunction with the proposed wholesale store will have access to Decatur Drive, a primary (100-foot) arterials on the Master Plan of Streets and Highways, and therefore will not negatively affect the surrounding roadways.

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

The public health, safety, and welfare and the objectives of the General Plan will not be compromised as a result of the approval of a Special Use Permit because the proposed use will be subject to inspections for a Certificate of Occupancy.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

NOTICES MAILED 289 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6204 APN: 125-24-802-001,002,003,004,007

Name of Property Owner: Shadow Mountain Marketplace LLC 010, 011

Name of Applicant: _____

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Mark D. Linehan

Subscribed and sworn before me

This 23 day of February, 2005

Santa Barbara, CA
Notary Public in and for said County and State

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Santa Barbara

} ss.

On 23 February 2005 before me, Deborah A. Wengler

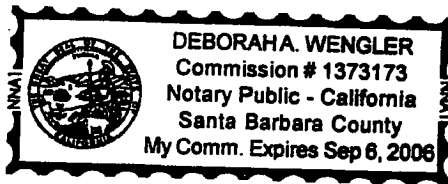
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Mark D. Linehan

Name(s) of Signer(s)

- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~^{they} executed the same in his/~~her~~^{their} authorized capacity(ies), and that by his/~~her~~^{their} signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

A handwritten signature in black ink, appearing to read "Deborah A. Wengler".
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

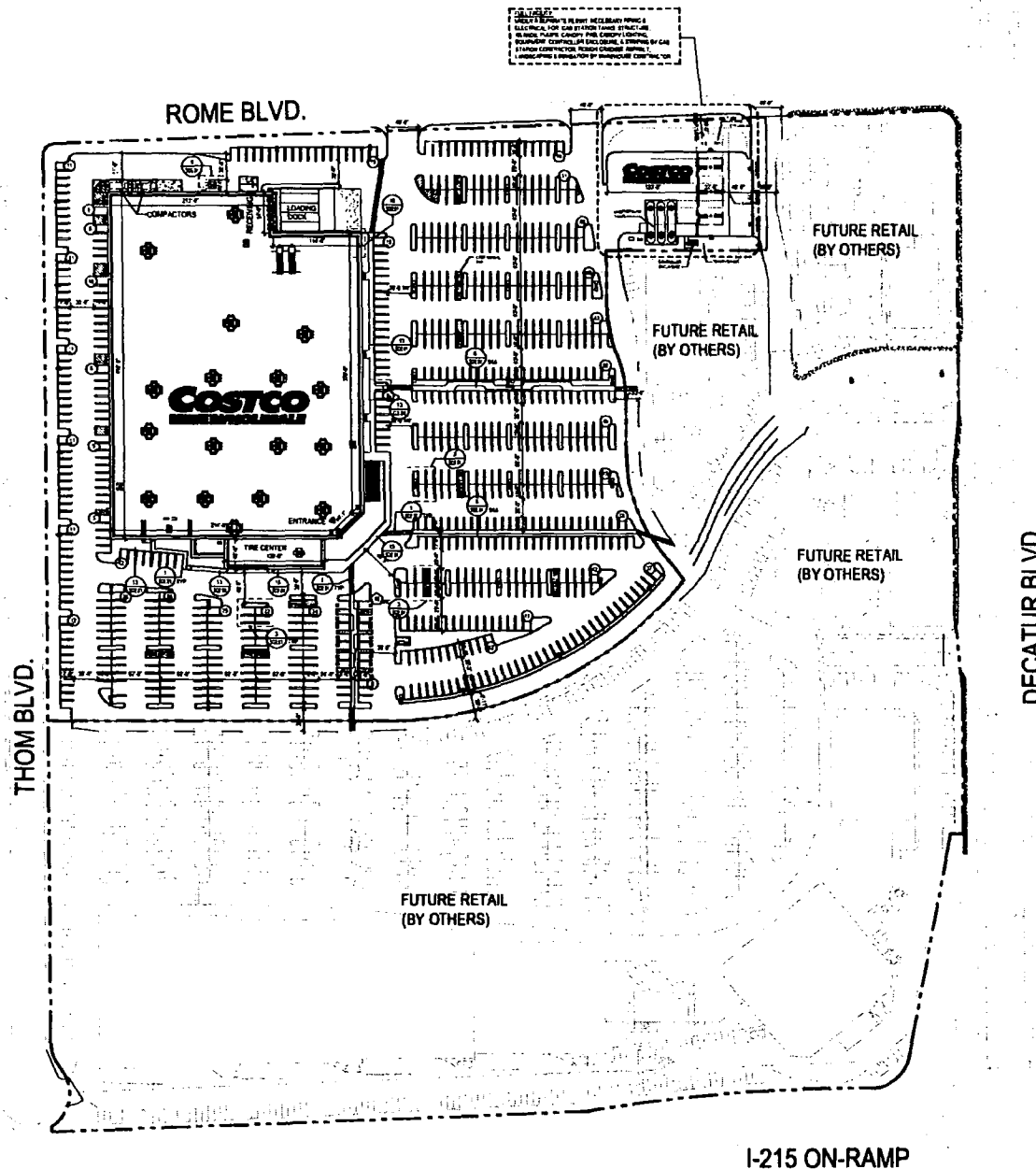
Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



SITE PLAN
SCALE: 1" = 80'

PROJECT DATA

CLIENT: COSTCO WHOLESALE
999 LAKE DRIVE
ISSAQUAH, WA 98027

PROJECT ADDRESS: INTERSECTION OF
I-215 & DECATUR BLVD NE
LAS VEGAS, NV

ZONING: C-1 LIMITED COMMERCIAL

TOTAL SITE AREA: 35.87 ACRES (1,553,848 S.F.)
COSTCO SITE AREA: 14.29 ACRES (622,898 S.F.)

JURISDICTION: LAS VEGAS, NV

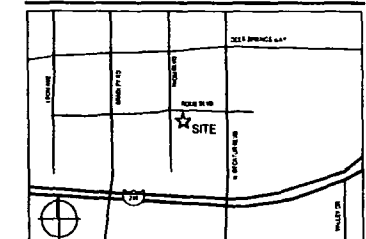
SETBACKS: FRONT: 20'-0"
SIDE: 10'-0"
REAR: 20'-0"

BOUNDARIES INFORMATION: THIS PLAN HAS BEEN
PREPARED BY USING A SITE
PLAN FROM GC WALLACE
COMPANIES DATED OCTOBER
22, 2004

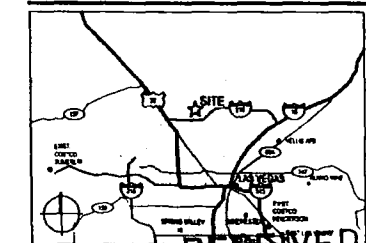
BUILDING DATA:	
BUILDING AREA	143,463 S.F.
TIRE CENTER	5,200 S.F.
TOTAL BUILDING	148,663 S.F.
PARKING DATA:	
PARKING PROVIDED:	
○ 10' WIDE STALLS	769 STALLS
○ HANDICAP STALLS	16 STALLS
TOTAL PARKING	785 STALLS
NO. OF STALLS PER 1000 SF OF BUILDING AREA:	5.39 STALLS
JURISDICTIONAL PARKING REQUIRED:	595 STALLS (4/1000)

NOTES:
EXISTING CONDITIONS TO BE FIELD VERIFIED.

VICINITY MAP



REGIONAL MAP



SUP-6204
04-14-05 PC

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COSTCO
WHOLESALE
LAS VEGAS, NV

I-215 & DECATUR BLVD NE
LAS VEGAS, NV

COSTCO
WHOLESALE
CORPORATION

999 LAKE DRIVE
ISSAQUAH, WA 98027
T: 425.313.8100
Costco.com

MULVANNY | G2

1148 11774 848 NE 34TH AVE
BELLEVUE, WA 98005
425.482.2800 FAX 425.482.2800

PERMIT
SET

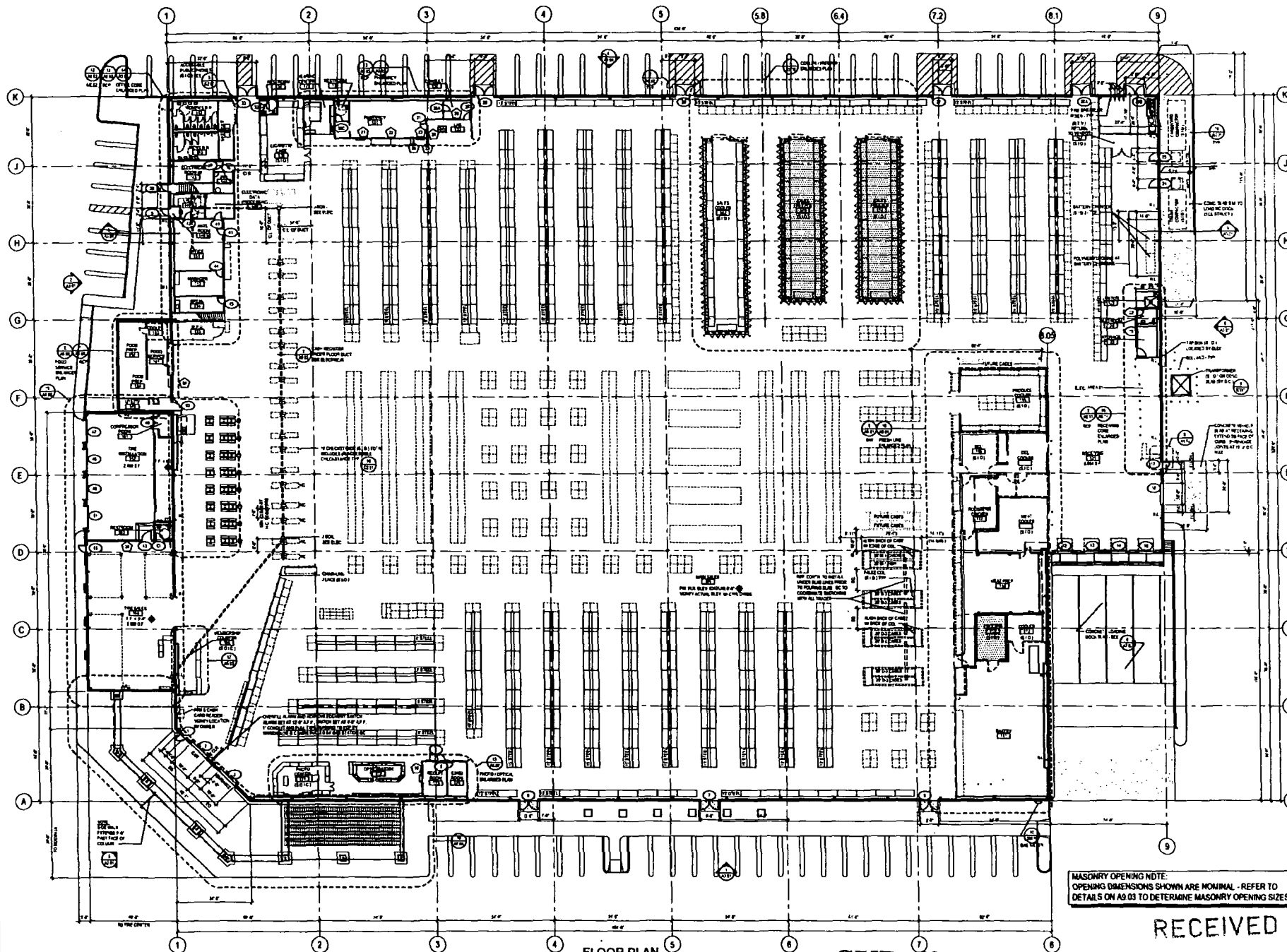


DATE	DESCRIPTION
1/14/05	ECO START UP
2/1/05	ISSUED SUBMITTALS

NO. 112048
FOR THE SUBMITTER
DRAWING NO. 04-14-05 PC
DATE: 4/14/05

SITE PLAN

SD1.01



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

SUP-6204
04-14-05 PC

MASONRY OPENING NOTE:
OPENING DIMENSIONS SHOWN ARE NOMINAL - REFER TO
DETAILS ON A9.03 TO DETERMINE MASONRY OPENING SIZES

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MAR 01 2005

COSTCO WHOLESALE
LAS VEGAS, NV

7315 S DECATUR BLVD NE
LAS VEGAS, NV

COSTCO WHOLESALE CORPORATION

700 LAKE DRIVE
HENDERSON, NV 89015
702.313.8100
COSTCO.COM

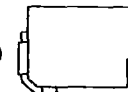
MULVANY, G2

1117 11TH AVE NE SUITE 200
BELLEVUE, WA 98005
(206) 463-3900 (206) 463-3901

MulvanyG2.com

PERMIT
SET

KEY PLAN



1" = 40'

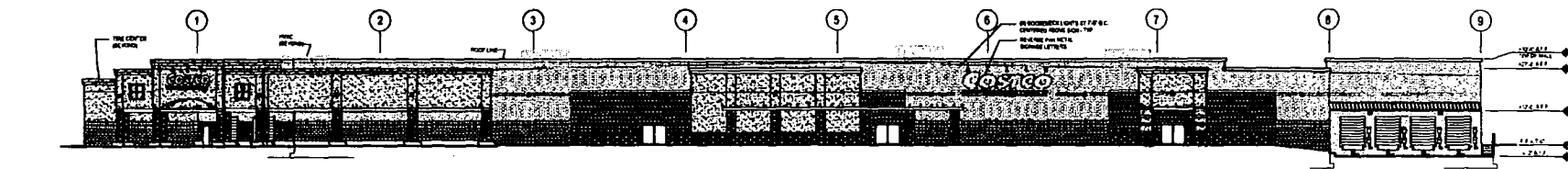
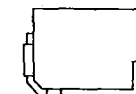
NOT TO SCALE

DATE	DESCRIPTION
11/01/04	FOR START-UP
11/01/04	FOR SUBMITTAL

11/1/04
FOR SUBMITTAL
COSTCO
MARC V. JOE

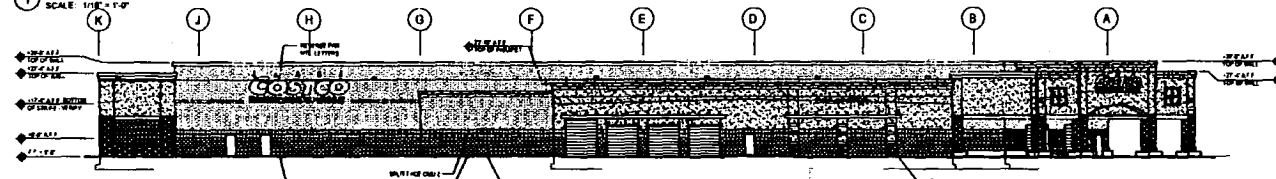
FLOOR PLAN

A1.01



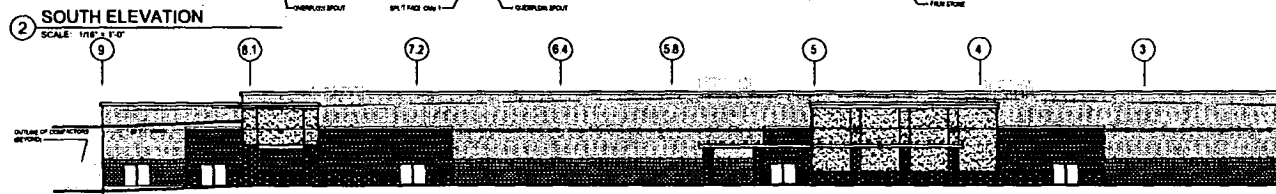
1 EAST ELEVATION

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



2 SOUTH ELEVATION

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

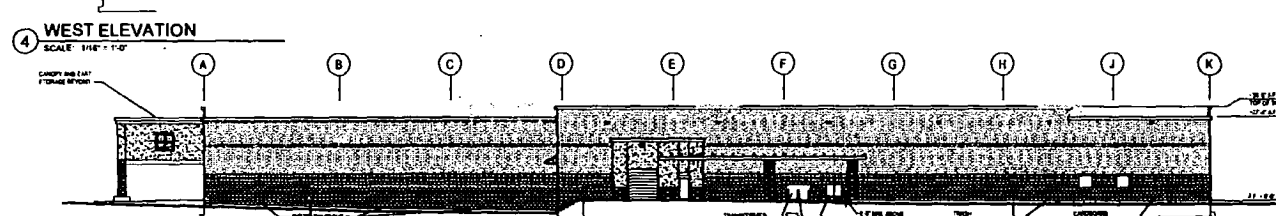


3 ENTRANCE ELEVATION

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

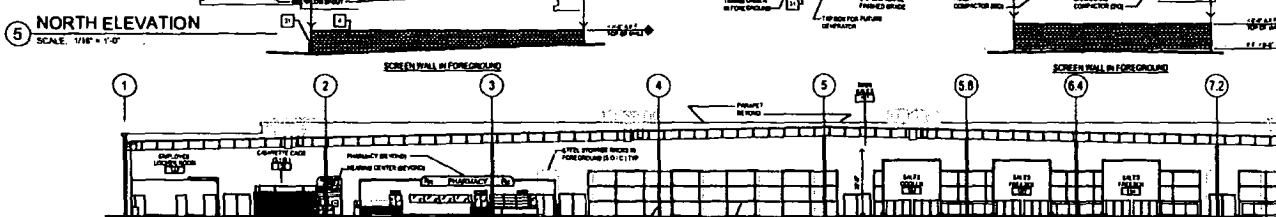
4 WEST ELEVATION

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



5 NORTH ELEVATION

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



6 BUILDING SECTION

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

NOTE:
DIMENSIONS AND NOTES APPLY TO ALL
ELEVATIONS UNLESS NOTED OTHERWISE

SUP-6204
04-14-05 PC

- TIRE INSTALLATION
- TIRE SALES
- RECEIVING

7 LOCATION SIGNAGE

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

8 ADDRESS

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

9 CANOPY SIGNAGE

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



10 BUILDING SIGNAGE

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

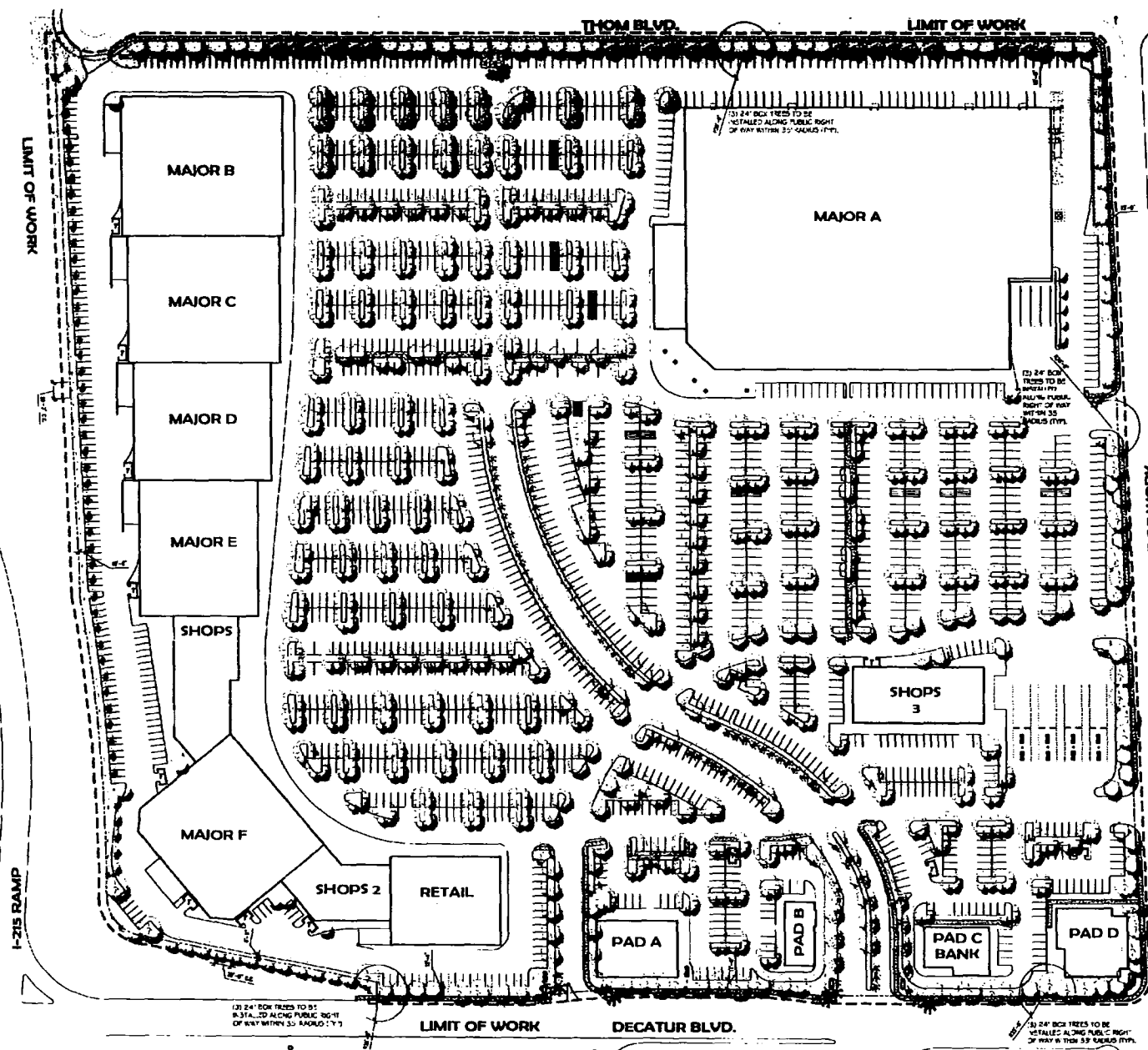
EXTERIOR FINISH SCHEDULE

ITEM	MATERIAL	FINISH	COLOR	MANUFACTURER/NOTES	ITEM	MATERIAL	FINISH	COLOR	MANUFACTURER/NOTES
1. ROOF	ASPH/FLT	ASPH/FLT	ASPH/FLT		11. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
2. EXTERIOR WALL	CONCRETE	PAINT	WHITE		12. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
3. EXTERIOR WALL	CONCRETE	PAINT	WHITE		13. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
4. EXTERIOR WALL	CONCRETE	PAINT	WHITE		14. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
5. EXTERIOR WALL	CONCRETE	PAINT	WHITE		15. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
6. EXTERIOR WALL	CONCRETE	PAINT	WHITE		16. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
7. EXTERIOR WALL	CONCRETE	PAINT	WHITE		17. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
8. EXTERIOR WALL	CONCRETE	PAINT	WHITE		18. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
9. EXTERIOR WALL	CONCRETE	PAINT	WHITE		19. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY
10. EXTERIOR WALL	CONCRETE	PAINT	WHITE		20. EXTERIOR WALL	CONCRETE	PAINT	WHITE	INTERIOR FINISH ONLY

RECEIVED

MAR 01 2005

A3.01



PLANTING LEGEND

SYMBOL	SCIENTIFIC NAME/COMMON NAME	SIZE	QTY.	SPACING
	PHILADELPHICUS REDIVIVUS "PINK"	24 "H"	40	20' O.C.
	ROSA x RUGOSA "PINK PLUS" RFG. PUSH CHINESE POSTAGE - STD	24 "H"	1	20' O.C.
	SALIX INTEGRA "AMAZONIC OREGON TREE - MULTI"	24 "H"	3	15' O.C.
	PRUNUS VERTICILLATA "ROSE GRANDE" "PINK-TEA" ASP. - STD	24 "H"	1	20' O.C.
	PRUNUS CISTEA "PINK PEARL" "BAYWOOD" ASP. - STD	24 "H"	17	20' O.C.
	CISTEA x TASHKENTENSIS "PINK DAWN" "PINK DAWN" CHALPA - STD	24 "H"	17	20' O.C.
	PHILUS ELVANDRA "MISTLE" PA. - STD	24 "H"	17	20' O.C.
	AGAVE x STROBILIFERA "2ND-STROBILIFERA" - STD	24 "H"		20' O.C.
	SOPHORA STROBILIFERA "MISCELLANEOUS" - MULTI	24 "H"	3	15' O.C.
	PHLOX x CACTYLEPERA "DATE PALM" - "DAVID" CUT	28 "H"	1	20' O.C.
	WASHINGTONIA ROBUSTA "MISCELLANEOUS" - "PINK" - "DAVID"	18 "H"	1	15' O.C.

SUGGESTED SHRUB LEGEND

SYMBOL	SCIENTIFIC NAME/COMMON NAME	SIZE	QTY.	SPACING
	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
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	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
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	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.	1	12' X 12'
	CHAMAECYPARIS NIVALIS WESTERN WHITE PINE	15 GA.		

NOTES:

- 1) DECONCRETE GRANITE (DGL) - INSTALL A 2\"/>

OWNER:

Shadow Mountain Marketplace LLC
5330 Debbie Road, Suite 100
Santa Barbara, CA 93111
805.967.6040

SOUTHWICK LANDSCAPE ARCHITECTS
6362 McLeod Drive
Suite 3
Las Vegas, NV 89120
Phone 702.977.3028
Fax 702.977.3077

CONSULTANT:

SHADOW MOUNTAIN MARKETPLACE
DECATUR AND ROME
LAS VEGAS, NEVADA

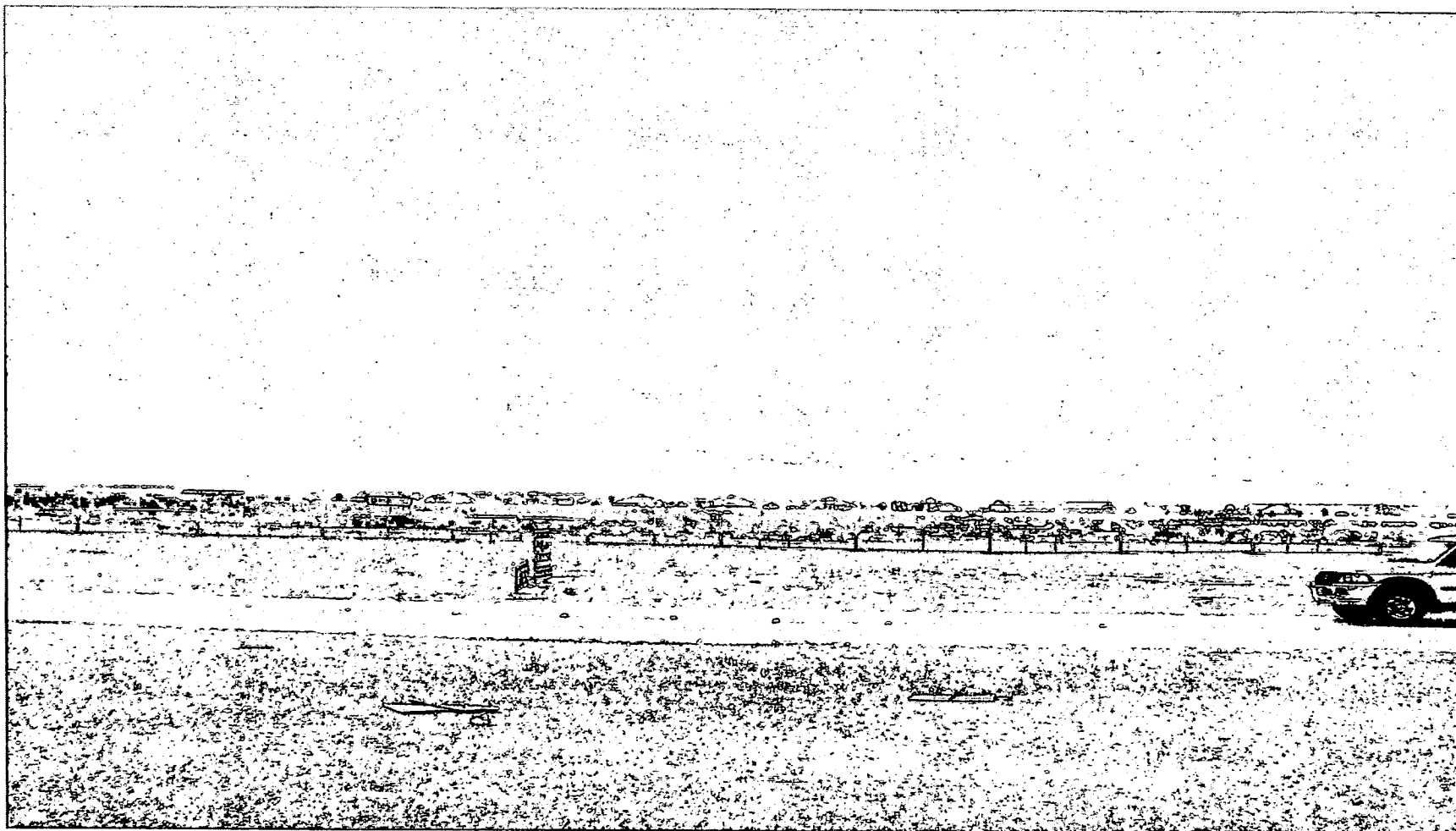
SHEET CONTENT:
PLANTING PLAN

DRAWN BY: JAB
REVIEWED BY: BBE
DATE: AUGUST 16, 2004
PROJECT NO: 04-000
SHEET

SUP-6204
04-14-05 PC

RECEIVED
MAR 01 2005
SCALE 1" = 60'

L1.00



SUP-6204 - APPLICANT: MULVANNY62 ARCHITECTURE - OWNER: SHADOW MOUNTAIN
MARKETPLACE, LLC
6555 NORTH DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

03/16/05

February 23, 2005

Mr. Flinn Fagg, AICP
City of Las Vegas
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

**Re: Costco - Las Vegas
6555 N. Decatur Blvd
Las Vegas, NV
Project Number: 04-1126-01**

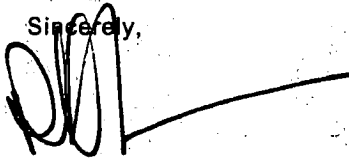
Subject: SUP justification letter for Alcohol Sales

Dear Mr. Fagg,

On behalf of the owner, Costco Wholesale, I am requesting approvals for our client to sell beer, wine and liquor within the warehouse. The alcohol will be prepackaged and will not be consumed within the store. It will be on racks and pallets and will encompass approximately 1,000 square feet of the floor space.

Should you require any additional information regarding this matter, please contact me at 425-463-1458

Sincerely,



Pat Nakamura
Senior Project Manager

pmn

c: Costco: Peter Clement

h:\costco\04\04-1126-01\02corresp\204jurisdiction\sup letter for alcohol.doc

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SPECIAL USE PERMIT**

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

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

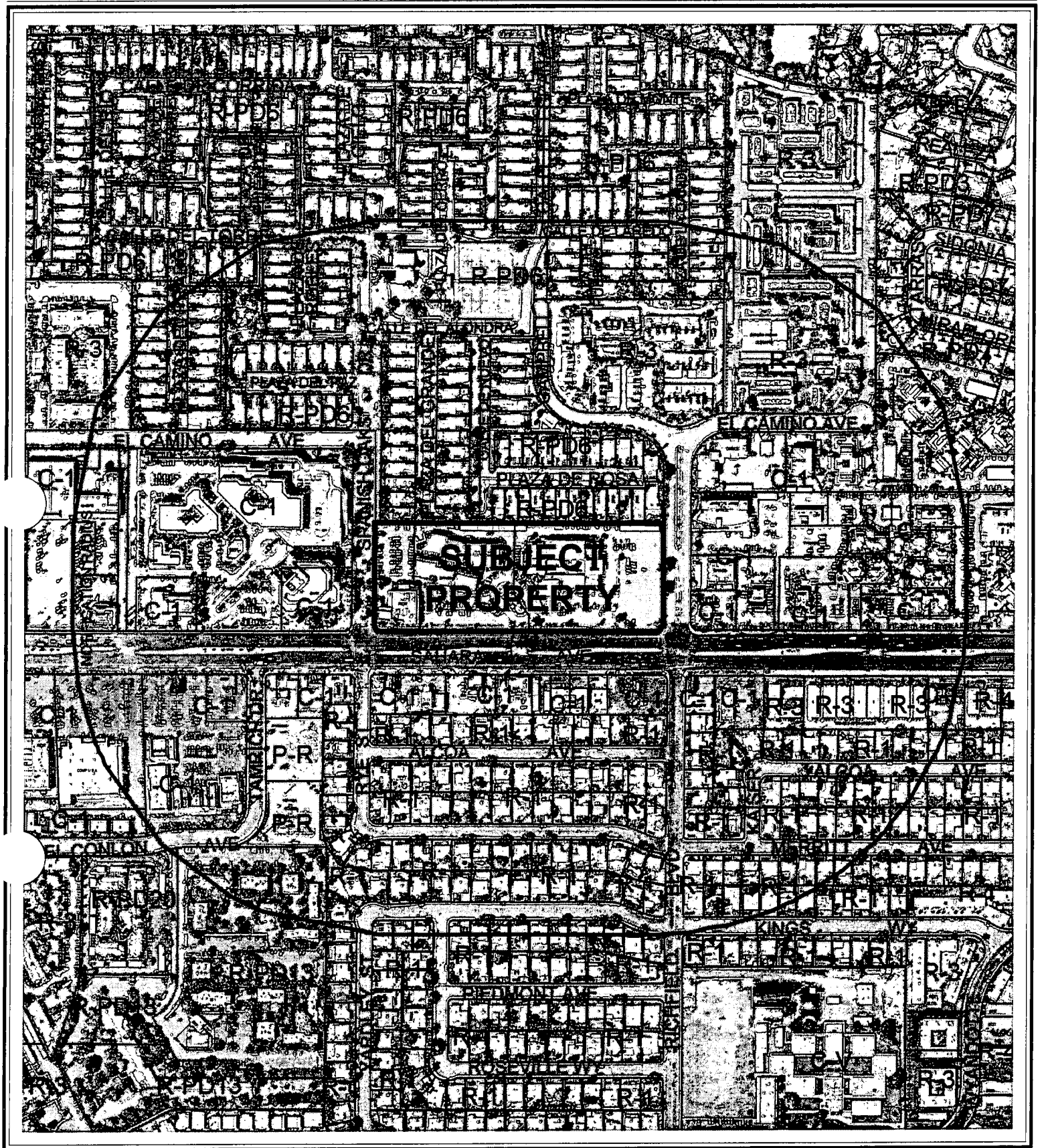
MINUTES:

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





CASE: SUP-6219

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-6219 - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use Development use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-6220).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Special Use Permit for a proposed Mixed Use Development located on the northeast corner of Sahara Avenue and Spanish Oaks Drive. The Mixed Use development will include 303 residential units and 20,250 square feet of office space.

B) *Applicant's Justification*

The applicant has justified this request by stating, "The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon Santa Barbara Mission style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development."

BACKGROUND INFORMATION

A) *Related Actions*

- 09/26/73 The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
- 09/27/84 The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.
- 12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

- 12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
- 01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.
- 04/14/05 The Planning Commission recommended approval of a related Site Development Plan Review (SDR-6220) for a 7-story Mixed Use development, which includes 303 residential units and 20,260 square feet of office space. Staff recommends approval.
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #51/da).

B) Pre-Application Meeting

A pre-application meeting was held on 11/19/04 for the original proposal to develop a mixed use project on this site. This application is an extension of the original proposal and thus the original pre-application conference will apply to this application.

C) Neighborhood Meetings

A neighborhood meeting was not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.80 Acres

B) Existing Land Use

Subject Property: Commercial/Office
North: Single Family Residential
South: Commercial
East: Commercial/Office
West: Commercial/Office

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD6 (Residential Planned Development – 6 units per acre)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office or other commercial uses, which primarily serve local patrons and do not include more intense general commercial characteristics. In the Neighborhood Revitalization Area the C-1 (Limited Commercial) zoning district may accommodate high-density residential uses, provided there is a non-residential component at the ground level. The existing C-1 (Limited Commercial) zoning district classification conforms to the SC (Service Commercial) designation.

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

This property is part of the Neighborhood Revitalization Area, identified by the Las Vegas Master Plan 2020 as neighborhoods where existing residential uses should be protected and proposed commercial development should be designed within the context of a walkable environment. Mixed-Use developments are permitted within these areas with the approval of a Special Use Permit.

The Airport Overlay District constitutes a planned area in which no structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District, which would violate the height limitations depicted in maps adopted by Title 19. All development within the airspace above the height of 35 feet above the surface of the land, lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, shall be subject to the height standards established on the Airport Overlay Maps. The proposed structures will stand approximately 90 feet tall, well under the 200-foot height restriction imposed by the McCarran Airport Overlay District map. No action is required on the part of the applicant.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	Units	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	Regular Handicap
<u>Condominiums</u>					
Studios	22	1.25/unit	27.5		
1-bedroom	49	1.25/unit	61.25		
2-bedroom	202	1.75/unit	353.5		
3-bedroom	30	2.00/unit	60		
Guest space	303	1/6 units	50.5		
Office	20,250 SF.	1/300 GFA	67.5	3	
Total			621	3	670 24

The proposed development will conform to all standards set forth in Title 19.10 for parking. The applicant is only proposing to have office space within the development, but if at a future date the office space was converted to retail or a restaurant there would still be sufficient parking to meet requirements for these types of uses.

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

Standards	Code Requirement	Provided
Mixed-Use	Residential uses may be permitted in commercial districts by means of a Special Use Permit	Y
	Non-residential use shall be located at the ground level fronting the primary public right-of-way	Y*
	The architecture shall highlight the difference in uses	Y

The design of the development conforms to the minimum requirements listed in Title 19.04 for Mixed-Use development.

*The Commercial District Development Standards (Title 19.08.045 further require that for mixed-use developments in C-1 (Limited Commercial) zoning districts, residential units must be located at or above the second story of the structure.

B) General Analysis and Discussion

- Zoning

The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development.

- Use

Within the Neighborhood Revitalization Area, as defined by the Las Vegas 2020 Master Plan, residential uses permitted by right in the R-3 (Medium Density Residential) and R-4 (High Density Residential) zoning districts are permitted in the C-1 (Limited Commercial) district by means of an approved Special Use Permit. Commercial uses are permitted by right in the C-1 (General Commercial) district. The development will include a total of 225 residential units and six commercial units containing approximately 17,000 square feet.

- Conditions

1. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.

The design of the structure conforms to the minimum Mixed-Use development requirements listed in Title 19.04.

FINDINGS

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

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

The proposed office use will be located along Sahara Avenue and will be sufficiently separated from the near by residents to the north by the onsite parking lot. The location of the offices along Sahara Avenue will tie into the surrounding sites to the west and east which are also currently office and commercial centers. The residential units will be located on the 2nd through 7th floors so as to be in compliance with Title 19. The units step back away from the north property line towards Sahara Avenue and comply with the residential adjacency requirements. This design will help move the future residential units back and away from existing residents and place the units closer to Sahara Avenue.

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

The proposed development will have an overall density of approximately 40 units per acre, which will be appropriate being adjacent to existing commercial uses along Sahara Avenue and other high-density apartment projects. The ground level parking and garages will provide ample parking for the current proposed uses and will allow for future commercial uses to locate on this site.

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

Richfield Boulevard, a 90-foot public right-of-way, and Sahara Avenue, a 150-foot Primary Arterial as indicated by the Master Plan of Streets and Highways, and Spanish Oaks Drive, a 70-foot private right-of-way, will provide adequate access to the site.

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

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

NOTICES MAILED 382 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4219 APN: 162-05-403-002 AND 003
Name of Property Owner: SID-BR Investments
Name of Applicant: JLM REALTY (HOWARD MANN)

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

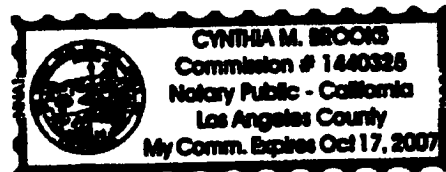
Signature of Property Owner:

Print Name: _____

Subscribed and sworn before me

This 8th day of March, 2005

Notary Public in and for said County and State







Case Number: SFP-6219 APN: 162-05-403-002 AND 003
Name of Property Owner: CREDIT UNION PLAZA (FORMERLY KNOWN AS
THE FULLER TOWERS)
Name of Applicant: JLM REALTY (HOWARD MANN)

Yes X No



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6219 APN: 162-05-403-001
Name of Property Owner: TLC Gaming, Inc (Terry Caudill)
Name of Applicant: JLM Realty, Inc.

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

 Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

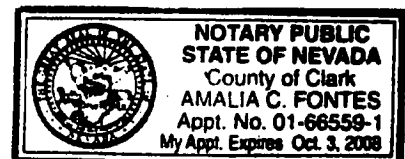
Signature of Property Owner: Serry Caudill, President

Print Name: TERRY CAUDILL

Subscribed and sworn before me

This 1ST day of MARCH, 2005

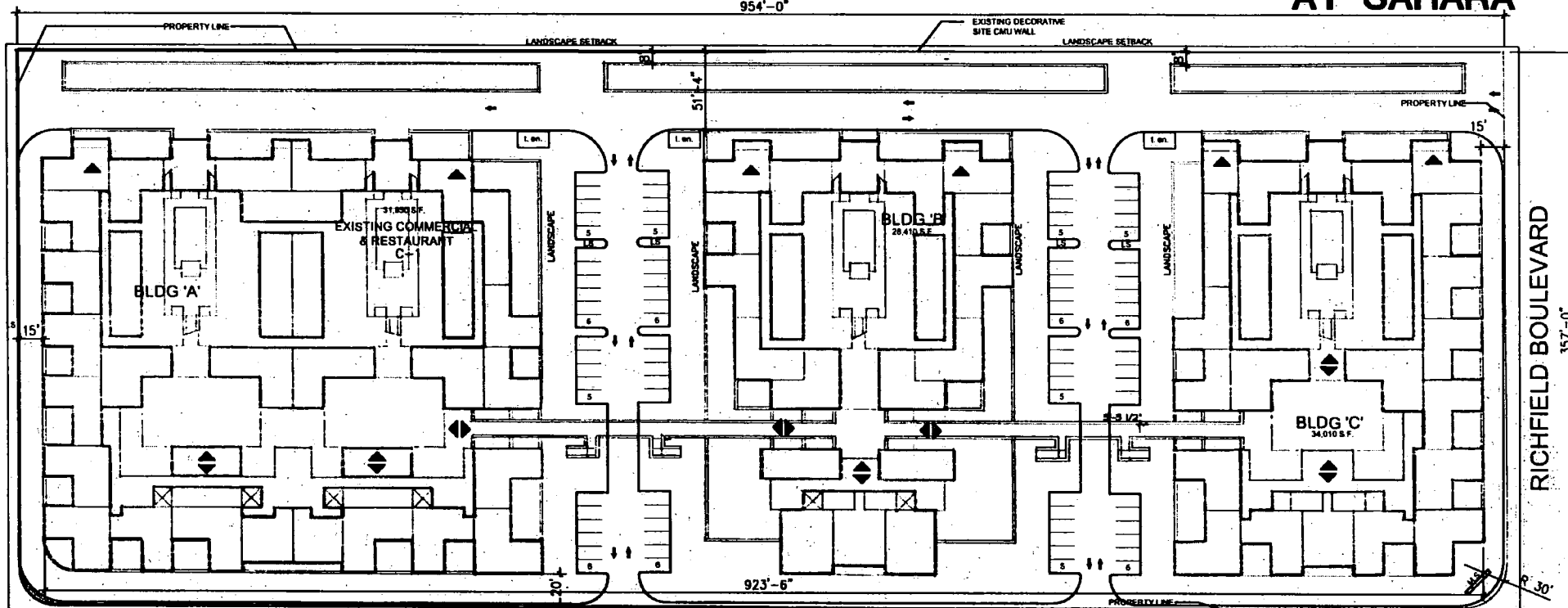
Umaria Q. Intus Clark
Notary Public in and for said County and State Nevada



SPANISH VILLAS AT SAHARA

EXISTING RESIDENTIAL (SINGLE FAMILY HOMES)
R-PD6

954'-0"



SAHARA AVENUE

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

- ◆ INGRESS / EGRESS
- ▲ EGRESS ONLY
- ▷ DIRECTIONAL SIGNAGE
- MONUMENT SIGN
- *** HANDICAP PATH OF TRAVEL

SITE
PARCELS - 16205403002,
16205403003,
16205403001
7.88 ACRES (334,541 S.F.)
SITE COVERAGE - 32.54%

SURFACE PARKING
24 HANDICAP STALLS (19x18')

APPROXIMATE UNIT COUNTS

BUILDING 'A'
STUDIOS - 8 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 18 UNITS @ 1.25 CARS = 22.5 CARS
2 BEDROOMS - 90 UNITS @ 1.75 CARS = 157.5 CARS
3 BEDROOMS - 14 UNITS @ 2.0 CARS = 28.0 CARS

BUILDING 'B'
STUDIOS - 4 UNITS @ 1.25 CARS = 5.0 CARS
1 BEDROOMS - 15 UNITS @ 1.25 CARS = 18.75 CARS
2 BEDROOMS - 45 UNITS @ 1.75 CARS = 78.75 CARS
3 BEDROOMS - 7 UNITS @ 2.0 CARS = 14.0 CARS

BUILDING 'C'
STUDIOS - 8 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 18 UNITS @ 1.25 CARS = 22.5 CARS
2 BEDROOMS - 58 UNITS @ 1.75 CARS = 101.5 CARS
3 BEDROOMS - 9 UNITS @ 2.0 CARS = 18.0 CARS

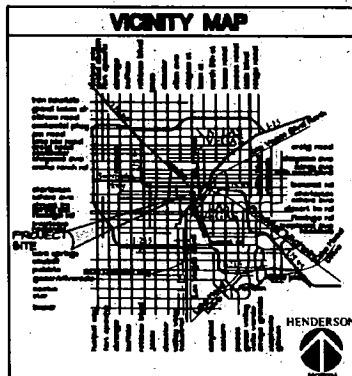
TOTAL REQUIRED RESIDENTIAL PARKING = 503 CARS

COMMERCIAL SPACE : 20,250 SQ.FT
@ 3.33 CARS/1000 SF OF COMMERCIAL SPACE
66 CARS REQUIRED

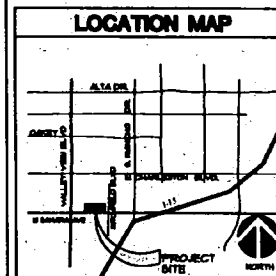
REQUIRED PARKING : RESIDENTIAL - 503 CARS
COMMERCIAL - 66 CARS
571 CARS

GUEST PARKING REQUIRED : 303 UNITS @ 1 PER 8 = 51
TOTAL CARS PARKED : 670
TOTAL CARS REQUIRED : 622 (RESIDENTIAL/COMMERCIAL)

VICINITY MAP



LOCATION MAP



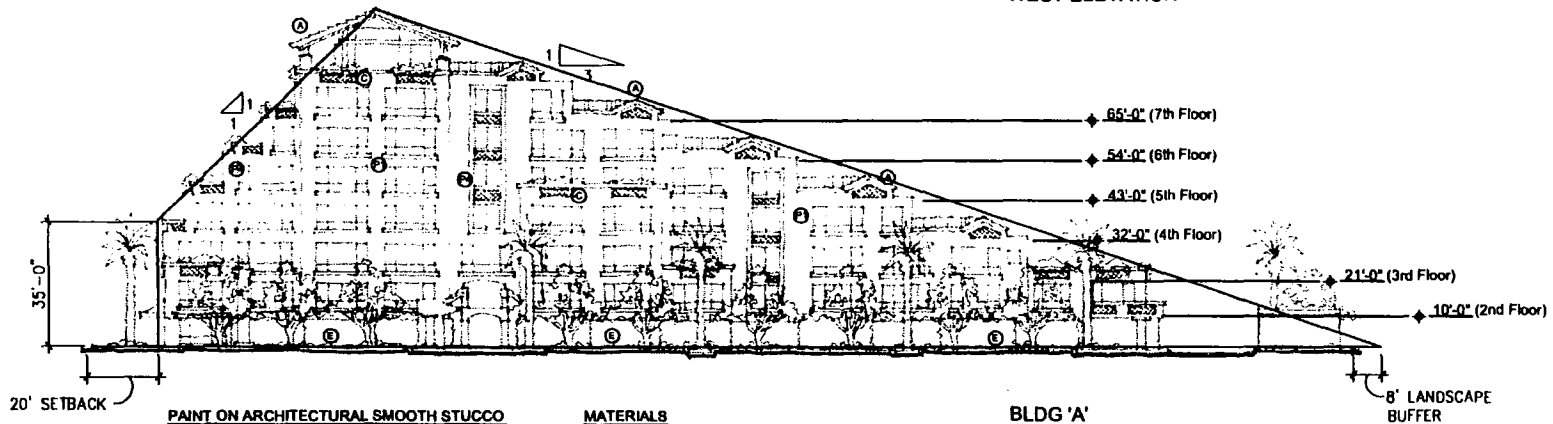
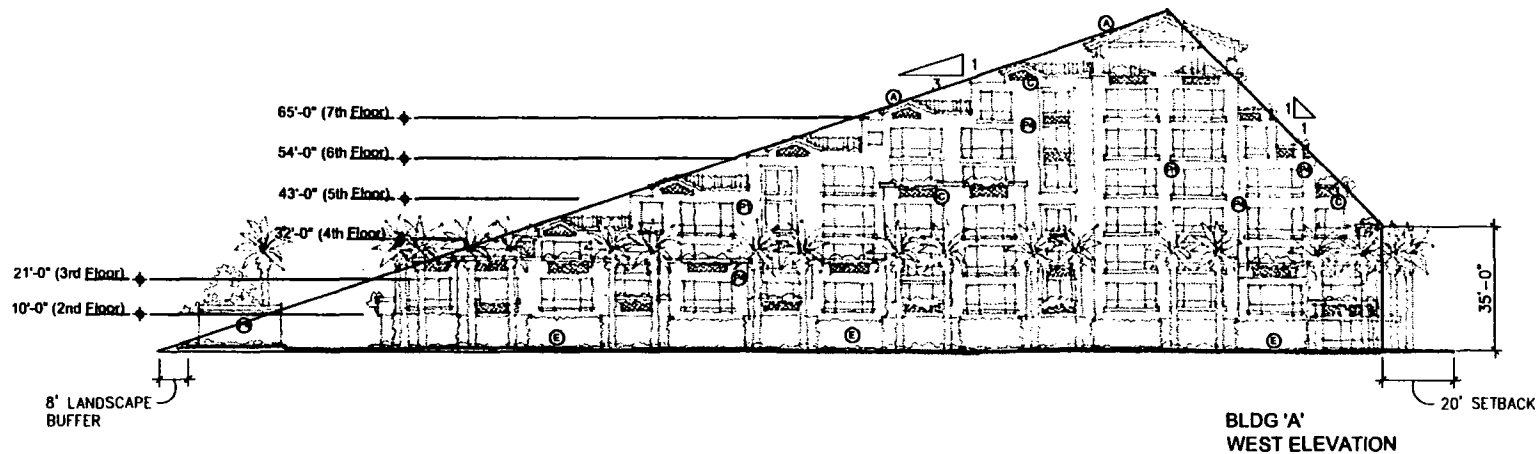
NEW CONDOMINIUMS
9100, 9180, & 9190 W. SAHARA AVENUE

ESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 BRIDGE AVENUE, SUITE 200, LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
www.wagnarchitects.com

SAHARA AVENUE
S.D.C. 16205403002 & 16205403003 PROJECT NUMBER: 0428 FILE NAME: 0428_Sahara Ave.dwg
DATE LAST MODIFIED BY: 04/14/05

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



PAIN ON ARCHITECTURAL SMOOTH STUCCO

- ① DE 6219 CRYSTAL HAZE
- ② DE 5324 FINE SAND
- ③ DE C777 MEADOW WOOD
- ④ DE 5181 GEORGIA CLAY
- ⑤ DE 5325 REGENCY CREAM
- ⑥ DE 5326 ROOT BEER FLOAT

MATERIALS

- ① DELANO CLAY TILE - SEVILLE MIXTURE
- ② STONE COMPOSITE ARCH SURROUND
- ③ STACKED CLAY TILE RAILING ACCENT
- ④ SUNBRELLA AWNING - FOREST GREEN
- ⑤ GREENSCREEN w/ FLOWER VINES

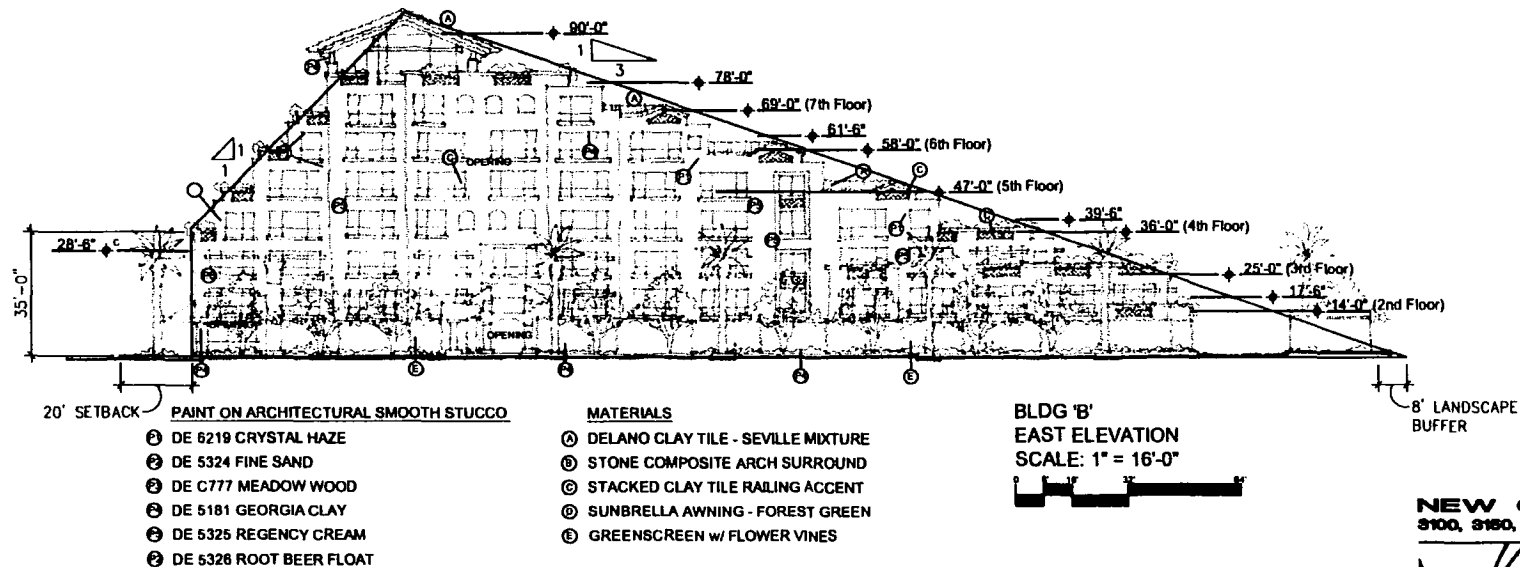
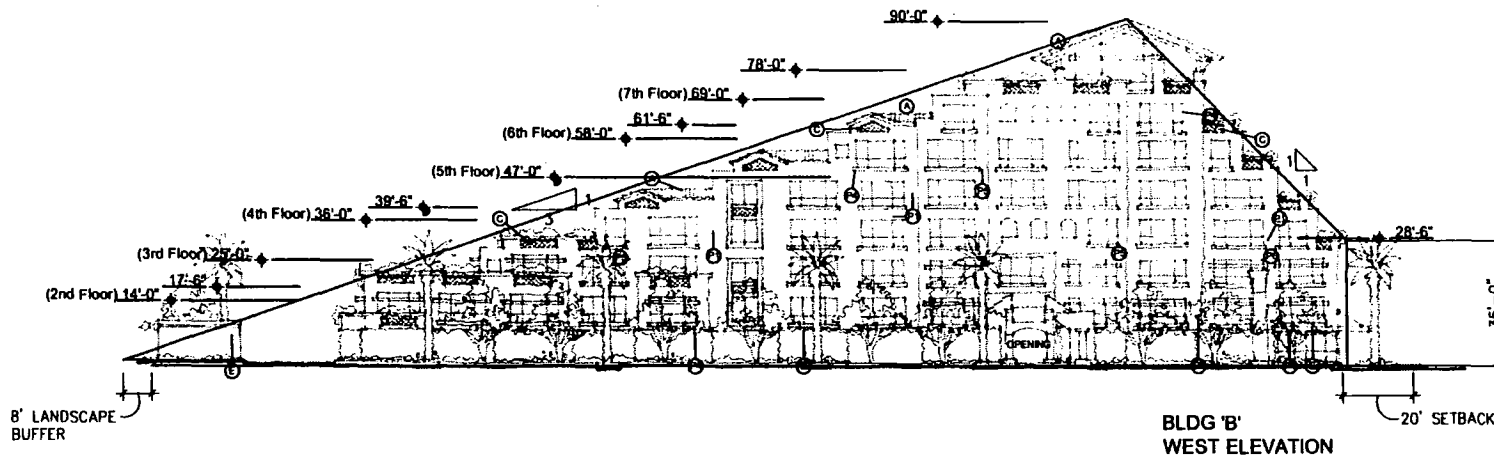
SUP-6219
SDR-6220
04-14-05 PC

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

WAGNER ARCHITECTS
ARCHITECTURE+PLANNING+INTERIOR DESIGN
701 BRIDGER AVENUE, SUITE 400, LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878 0000 FAX: (702) 878 8430
www.wagnerarchitects.com

DATE: March 14, 2005 at 4:12pm PROJECT NUMBER: 04120 FILE NAME: 04120LAS-0000000000.DWG
THIS LAST CHECKED BY: TESSIEBEN

SPANISH VILLAS AT SAHARA



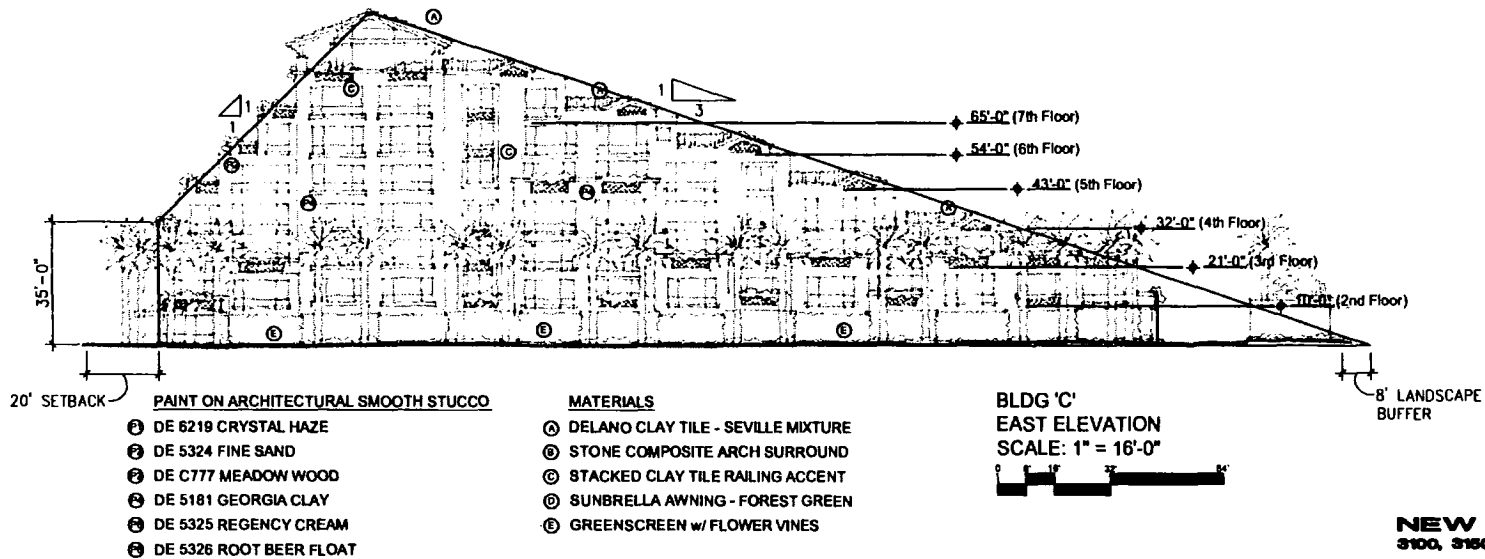
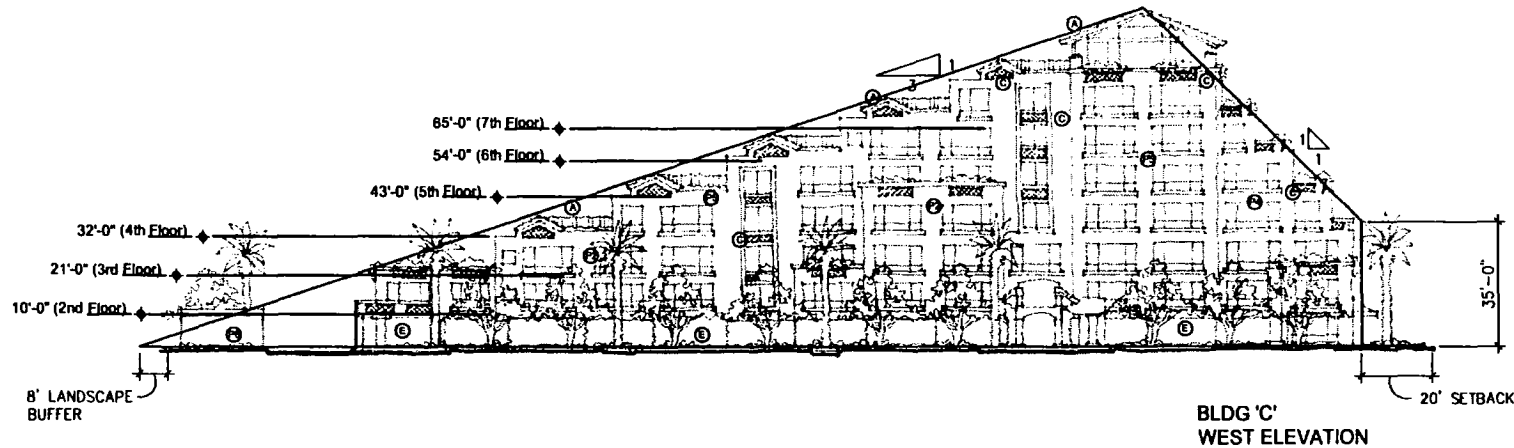
SUP-6219
SDR-6220
04-14-05 PC

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

WESTAR ARCHITECTS
 ARCHITECTURE • PLANNING • INTERIOR DESIGN
 701 BRIDGER AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
 TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
 www.westarchitects.com

DATE: March 21, 2005 at 9:25am PROJECT NUMBER: 04130 FILE NAME: 04130_sahara_elevation_3_21_05.dwg
 THE LAST MODIFIED BY TECHNICIAN: [signature]

SPANISH VILLAS AT SAHARA



SUP-6219
SDR-6220
04-14-05 PC

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

WESTAR ARCHITECTS
ARCHITECTURE • PLANNING • INTERIOR DESIGN
701 BRIDGES AVENUE SUITE 400 LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 878 0000 FAX: (702) 878 8430
www.westarchitects.com

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ESTAR
ARCHITECTS

March 1, 2005

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

RE: Condominiums @ Sahara and Spanish Oaks
3100, 3150 and 3190 West Sahara Avenue
APN: 162-05-403-001-002 & 003

To Whom It May Concern,

Please accept this letter as justification for the above referenced property.

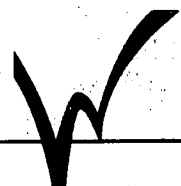
Our client is requesting a Site Development Plan Review with a Special Use Permit for a three building, seven story 415,000 square foot residential condominium complex with ground level, 20,250 square feet of non-residential commercial development (offices, retail, etc) facing Sahara Avenue. Our client is also requesting a waiver of the non-residential commercial requirement on the ground-level to allow for a residential development on the ground-level behind the non-residential commercial development. This project is providing 652 parking spaces, which is in compliance with zoning will be part of this project providing adequate parking for the project.

This project is located in The City of Las Vegas Revitalization Area at the Northwest corner of Sahara Avenue and Richfield Boulevard on 7.80 net acres. It is bounded by residential to the north (Spanish Oaks) and commercial to the east, south and west.

The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon a *Santa Barbara Mission* style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development.

To enhance the development of the site, the commercial component will be promoted as professional office units. In its current configuration, the interest in these units is seen coming from existing tenants in the building and neighboring office buildings, and the owners of the condominiums contained within the proposed development. To date, interest in this type of development, a lower density non-high-rise configuration, has been significant.

SP-4219



It is the concern of the Owner to present this project to the City of Las Vegas without variances. Accordingly the project, as currently designed, is within the envelope created by the Residential Adjacency Standards to the north, and the vertical setbacks from a major arterial to the south. The project meets or exceeds all required building setbacks as prescribed by the City Zoning Ordinances.

This project will be a benefit to the redevelopment of the West Sahara corridor. It is not only a positive contribution to this section of the City, but will enhance residential property values in the immediate area and serve as buffer for the existing Spanish Oaks community to the north. It will provide a transition in use and density that is not present at this time.

We have met with Ms. Margo Wheeler, Deputy Director, Planning and Development Department, to review this project as presented. At that time Ms. Wheeler verified her acceptance of the mix of the commercial office component with the residential component at the grade level. We are attaching her notes on the plan for reference.

We look forward to the injection of this exciting, new and relevant housing product to the Las Vegas market to the benefit of both the unit owners, Spanish Oaks community and the City of Las Vegas.

Thank you for your consideration in this matter.

Yours truly,
WESTAR Architects

A handwritten signature in black ink, appearing to read "Dee Frandsen", with a long horizontal flourish extending to the right.

Dee Frandsen
Project Manager

File: V/2004Projects/04128/Correspondence/SiteReviewComm

SP-6219

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-6219

SDR-6220 - PUBLIC HEARING - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC - Request for a Site Development Plan Review FOR A SEVEN-STORY MIXED USE DEVELOPMENT CONSISTING OF 303 RESIDENTIAL UNITS AND 20,250 SQUARE FEET OF OFFICE SPACE AND A WAIVER FROM THE REQUIRED MINIMUM 15 FOOT SETBACK TO THE REAR PROPERTY LINE on 7.80 acres at 3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

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:

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 MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-6220 - APPLICANT: JLM REALTY, INC - OWNER: TLC GAMING, INC

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. City Council approval of Special Use Permit (SUP-6219) to allow a Mixed Use Development.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 03/21/05, except as amended by conditions herein.
4. A new parking lot layout will be submitted to the Planning and Development Department for approval, showing the layout and location of the handicap parking stalls, prior to a Tentative Map being submitted.
5. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, to reflect a minimum of four (4) five-gallon shrubs for each 24-inch box tree within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
8. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
9. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops (Residential Development).
12. All trash enclosures will conform to City standards in which they will be designed to match the main buildings. Also each trash unit will be required to have a steel gate painted to match the building along with a roofed structure to compliment the architecture of the towers.
13. Parking lot lighting standards shall be no more than (20) feet in height and shall utilize a 'shoe-box' style fixture and be downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
15. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
20. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and all driveways accessing Sahara Avenue shall also receive approval from the Nevada Department of Transportation.
21. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

22. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
25. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
26. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a seven-story mixed use development including; 303 residential units, and 20,250 square-feet of office and a waiver of the 15 foot rear yard setback.

B) *Applicant's Justification*

The applicant has justified this request by stating, "The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon Santa Barbara Mission style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development."

BACKGROUND INFORMATION

A) *Previous Actions*

- 09/26/73 The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
- 09/27/84 The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.
- 12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

- 12/02/04 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
- 01/27/05 The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.
- 04/14/05 The Planning Commission recommended approval of a related item (SUP-6219).
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #52/da).

B) Pre-Application Meeting

A pre-application meeting was held on 11/19/04 for the original proposal to develop a mixed use project on this site. This application is an extension of the original proposal and thus the original pre-application conference will apply to this application.

C) Neighborhood Meetings

A neighborhood meeting was not required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.80 Acres

B) Existing Land Use

Subject Property: Commercial/Office
North: Single Family Residential
South: Commercial
East: Commercial/Office
West: Commercial/Office

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD6 (Residential Planned Development – 6 units per acre)
South: C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. The Service Commercial category allows low to medium intensity retail, office or other commercial uses, which primarily serve local patrons and do not include more intense general commercial characteristics. In the Neighborhood Revitalization Area the C-1 (Limited Commercial) zoning district may accommodate high-density residential uses, provided there is a non-residential component at the ground level. The existing C-1 (Limited Commercial) zoning district classification conforms to the SC (Service Commercial) designation.

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

PROJECT DESCRIPTION

The scope of this project will include the demolition of all existing structures and will provide for the construction of three 7-story buildings, which will have a mix of uses of 303 residential units and 20,250 square-feet of office space. The office space will be divided up between the three buildings with building "A" having approximately 10,250 square-feet, building "B" will have approximately 3,900 square-feet, and building "C" having approximately 6,100 square-feet. The office space will be located on the ground level adjacent to Sahara Avenue. No residential units will be located on the ground level. The remaining portion of the ground level will include all parking for the site. Under the three buildings will be the bulk of the parking which will be accessed from the 24 foot wide drive along the north of the property. Along the north property line there will be private garages, which will be used by the residential units.

The design of the buildings will be a Spanish mission-style, which will incorporate a Delano clay tile roof that is gabled. The exterior of the building will use several desert inspired color schemes to be painted over a smooth stucco façade. Each building has an opening for a walkway leading back behind the commercial portion into a courtyard area containing a fountain.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	339,768 S. F.	Y
Min. Lot Width	100 Feet	950 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	N/A	N/A
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	8 Feet	N
Max Building Height*	None	90 Feet	Y
Max. Lot Coverage	50 %	32.54 %	Y
Trash Enclosure	Walled, Gated, Roofed	Walled, Gated, Roofed	Y
Loading Zone	2 required	None	N
Mech. Equipment	Screened	Screened	Y

*Per Title 19.08.030.C, buildings may be constructed up to 35 feet in height at the front yard setback line along streets classified as collector or larger by the Master Plan of Streets and Highways. Any portion of a building over 35 feet in height shall be set back an additional one foot for each foot of height in excess of 35 feet. At the front setback line, the height of the building is 35 feet. A section drawing submitted by the applicant illustrates compliance with the 1:1 height to setback ratio.

The proposed mixed-use development does not meet the development standards applicable to the C-1 (Limited Commercial) zoning district. Pursuant to the residential adjacency standards the rear yard setback may be reduced down to 15 feet to mirror the setback to the residential properties to the north. The proposed rear yard setback to the garages is only 8 feet. The applicant is requesting a waiver of the rear yard setback standard to reduce the setback from the required 15 feet to 8 feet.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The buildings meet the 3:1 Proximity Slope requirement from the property line of protected single-family homes to the north, as their height is 21 feet at a setback of approximately 51 feet. Taller portions of the buildings are stepped back to meet the slope requirement.
- b) Building setback. The residential units for this project meet the required 15-foot rear yard setback that is required for residential adjacency. The accessory buildings on the site along the north property line do not comply with the minimum setback requirement. A waiver has been request to allow the accessory structures to encroach on the required 15 foot setback area and be allowed to be setback 8 feet from the north property line.

A3) Parking and Traffic Standards

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

Uses	Units	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
<u>Condominiums</u>					
Studios	22	1.25/unit	27.5		
1-bedroom	49	1.25/unit	61.25		
2-bedroom	202	1.75/unit	353.5		
3-bedroom	30	2.00/unit	60		
Guest space	303	1/6 units	50.5		
Office	20,250 SF.	1/300 GFA	67.5	3	
Total			621	3	670 24

The proposed development will conform to all standards set forth in Title 19.10 for parking. The applicant is only proposing to have office space within the development, but if at a future date the office spaces were converted to retail or a restaurant there would still be sufficient parking to meet requirements for these types of uses.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/6 uncovered spaces + half of all trees at end of rows	24 Trees	24 Trees
Buffer:			
• Min. Trees (Sahara/Richfield/Spanish Oaks)	1 – 24-in. Box Tree/20 Linear Feet	84 Trees	84 Trees
• Min. Trees (north PL)	1 – 24-in. Box Tree/30 Linear Feet	32 Trees	50 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

All proposed landscaping provided on the landscape plan will comply with the Title 19.12.

B) General Analysis and Discussion

• Zoning

The proposed commercial uses are permitted in the C-1 (Limited Commercial) zoning district by right; the residential component is permitted upon approval of a Special Use Permit for a Mixed-Use Development. A separate Special Use Permit application (SUP-6219) has been filed concurrently with this Site Development Plan Review application.

- Site Plan

The site plan shows an effective layout of the buildings and parking areas. Access to the site will be from two right-in, right-out entrances off of Sahara Avenue, which will provide safe ingress and egress to the site. The site will also have access off of Richfield Boulevard and Spanish Oaks Drive, which will allow patrons full-unrestricted access to the site. The lights at Richfield Boulevard and Spanish Oaks Drive will allow for eastbound traffic on Sahara Avenue a protected left hand turn. With the number of residential units and the amount of office space being proposed, Spanish Oaks Drive and Richfield Boulevard will see an increase in traffic, which may have an impact on those residents who live to the north of this development and use those respective streets to access their homes.

Along the north property line there will be 78 parking garage units, which will be provide to the residences of the site. The garages will be designed to match the main buildings. Also along the rear of each building will be 1 and 2 car garages, which will be available to the residences for their use.

There will be 3 trash receptacles on site, which will be placed on the driveway along the northern part of the property. The trash receptacles will need to conform to City standards in which they will be constructed and painted to match the main buildings. Also each trash unit will be required to have a steel gate painted to match the building along with a roofed structure to compliment the architecture of the towers.

- Waivers

A waiver has been request to reduce the rear yard setback for an accessory structure from the required 15 feet down to 8 feet from the north property line.

- Landscape Plan

The proposed landscaping for the site will consist of three types of 24 inch box trees. The type of tree to be used along the north property line within the buffer area will be an Arizona Cypress, which will provide dense screening for the neighbors to the north. Along Richfield Boulevard, Spanish Oaks Drive and Sahara Avenue there will be a mix of trees, which will include Date Palms and Arizona Ash's. This mix of trees will provide for a nice texture and look to these street frontages and help soften the exterior the building. Each tree will also include the required four 5-gallon shrubs per tree to provide sufficient ground cover.

- Elevation

Elevations and section drawings illustrate compliance with Residential Adjacency Standards and height restrictions along Sahara Avenue. The proposed materials and designs for this project are acceptable and appropriate for this area.

- Floor Plan

No floor plans were submitted with this application. However, the ground level will have 20,250 square feet of office space and the 670 parking spaces for the site. On floors 2 through 7 will be the residential units, which will provide the option of a studio, 1 bedroom, 2 bedrooms or 3-bedroom unit.

FINDINGS

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

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

The proposed mixed-use development is adjacent to commercial uses on the south, west and east and a single-family development on the north. The buildings are set back from the residential property sufficiently to mitigate any major negative effects they may have. The site's location along a major thoroughfare allows for easy access and reduces the conflicts associated with residential adjacency.

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

The proposed development will be consistent with the General Plan and with Title 19 and the Landscape, Wall and Buffer Standards with the implementation of conditions of approval of this review and the approval of a companion Special Use Permit for a Mixed-Use Development on the site.

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

This site will access Spanish Oaks Drive (75' Right-of-Way) and Richfield Boulevard (90' Right-of-Way) via a 24 foot wide drive. Spanish Oaks Drive and Richfield Boulevard provide the main access to the residential neighborhoods to the north and as such this project will increase traffic on these two roads. The site will also have two access points off of Sahara Avenue, which will be right-in and right-out only. These entrances will not have a negative impact to the traffic on Sahara Avenue or to the surrounding properties to the west or east.

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

The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements.

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

Elevations and section drawings illustrate compliance with Residential Adjacency Standards and height restrictions along Sahara Avenue. They create an aesthetically pleasing environment and are appropriate for this area.

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

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

NOTICES MAILED 381 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4220 APN: 162-05-403-001

Name of Property Owner: TLC Gaming, Inc. (Terry Caudill)

Name of Applicant: SLM Realty, Inc.

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

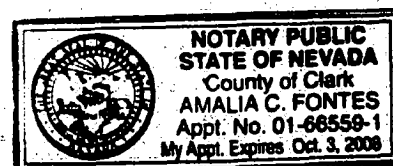
Signature of Property Owner: Serry Caudill, President

Print Name: TERRY CAUDILL

Subscribed and sworn before me

This 1st day of MARCH, 2005

Amalia C. Montes
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-12220 APN: 162-05-403-002 AND 003
Name of Property Owner: CREDIT UNION PLAZA (FORMERLY KNOWN AS THE FOTTER TOWER)
Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: ARTHUR V. ADAMS

Subscribed and sworn before me

This 12 day of March, 2005

Alice M. Larsen
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-107210 APN: 102-05-403-002 AND 003
Name of Property Owner: SPANISH OAKS PLAZA, LP
Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

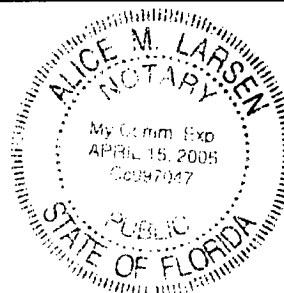
Signature of Property Owner: _____

Print Name: ARTHUR V. ADAMS

STATE OF FLORIDA - County of SARASOTA
Subscribed and sworn before me

This 8th day of MARCH, 20 05

ALICE M. LARSEN
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SPR-4220 APN: 162-05-403-002 AND 003
Name of Property Owner: SID-BRI INVESTMENT
Name of Applicant: JLM REALTY (HOWARD MANN)

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

_____ Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

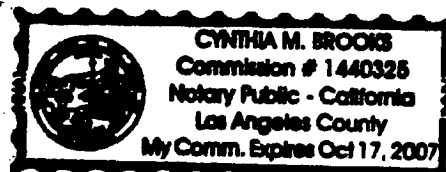
Print Name: BRIAN R. ADAMS, MANAGING MEMBER

SID-BRI INVESTMENTS, LLC

Subscribed and sworn before me

This 8th day of March, 2005

Cynthia M. Brooks
Notary Public in and for said County and State

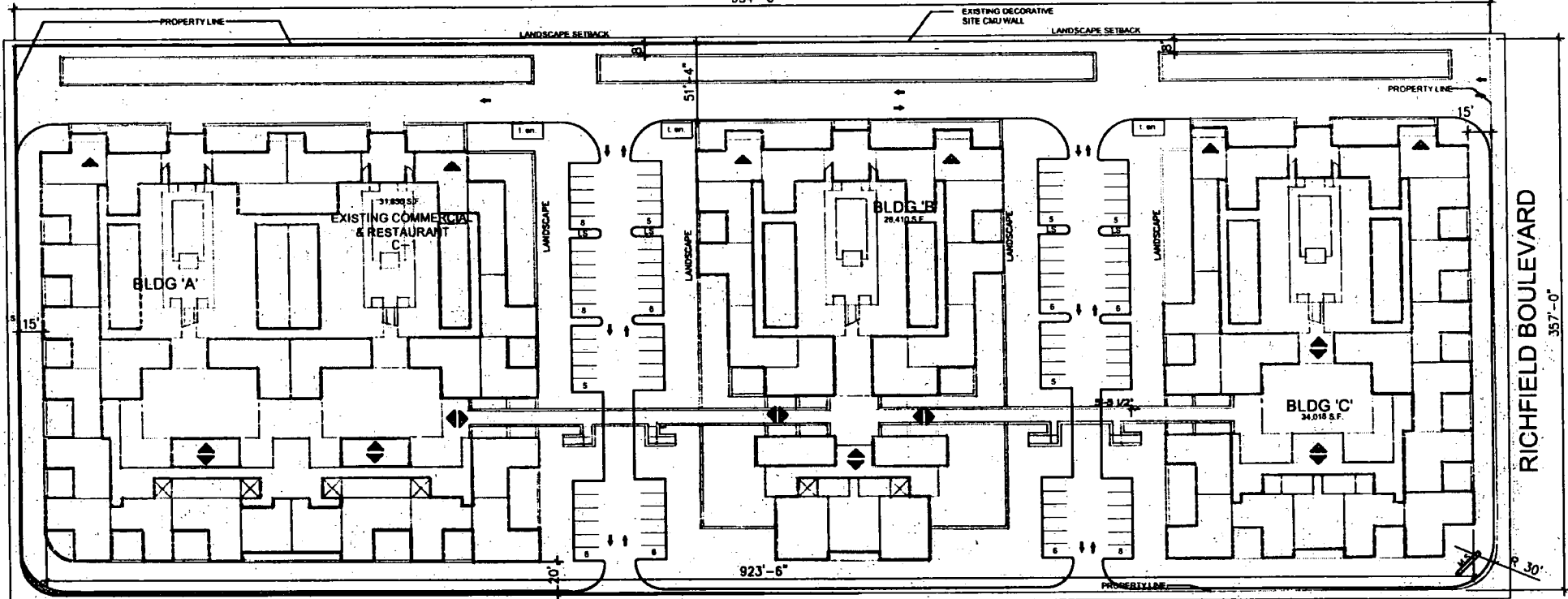


SPANISH OAKS DRIVE

EXISTING RESIDENTIAL (SINGLE FAMILY HOMES)
R-PDS

SPANISH VILLAS AT SAHARA

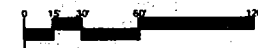
954'-0"



RICHFIELD BOULEVARD
357'-0"

SAHARA AVENUE

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



- ◆ INGRESS / EGRESS
- ▲ EGRESS ONLY
- ➔ DIRECTIONAL SIGNAGE
- MONUMENT SIGN
- *** HANDICAP PATH OF TRAVEL

SITE
PARCELS - 16205403002,
16205403003,
16205403001
7.68 ACRES (334,541 S.F.)
SITE COVERAGE - 32.54%

SURFACE PARKING
24 HANDICAP STALLS (19'x10')

APPROXIMATE UNIT COUNTS

BUILDING A
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 18 UNITS @ 1.25 CARS = 22.5 CARS
2 BEDROOMS - 99 UNITS @ 1.75 CARS = 173.25 CARS
3 BEDROOMS - 14 UNITS @ 2.0 CARS = 28.0 CARS

BUILDING B
STUDIOS - 4 UNITS @ 1.25 CARS = 5.0 CARS
1 BEDROOMS - 15 UNITS @ 1.25 CARS = 18.75 CARS
2 BEDROOMS - 45 UNITS @ 1.75 CARS = 78.75 CARS
3 BEDROOMS - 7 UNITS @ 2.0 CARS = 14.0 CARS

BUILDING C
STUDIOS - 9 UNITS @ 1.25 CARS = 11.25 CARS
1 BEDROOMS - 16 UNITS @ 1.25 CARS = 20.0 CARS
2 BEDROOMS - 58 UNITS @ 1.75 CARS = 101.5 CARS
3 BEDROOMS - 9 UNITS @ 2.0 CARS = 18.0 CARS

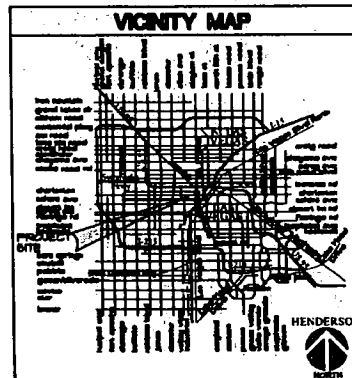
TOTAL REQUIRED RESIDENTIAL PARKING = 503 CARS

COMMERCIAL SPACE: 20,250 SQ. FT.
@ 3.33 CARS/1000 SF OF COMMERCIAL SPACE
68 CARS REQUIRED

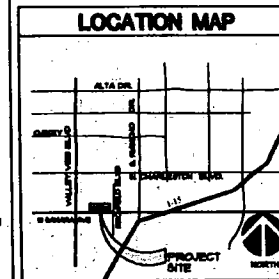
REQUIRED PARKING: RESIDENTIAL - 503 CARS
COMMERCIAL - 68 CARS
571 CARS

GUEST PARKING REQUIRED: 303 UNITS @ 1 PER 0 = 51
TOTAL CARS PARKED: 670
TOTAL CARS REQUIRED: 622 | RESIDENTIAL/COMMERCIAL

VICINITY MAP



LOCATION MAP



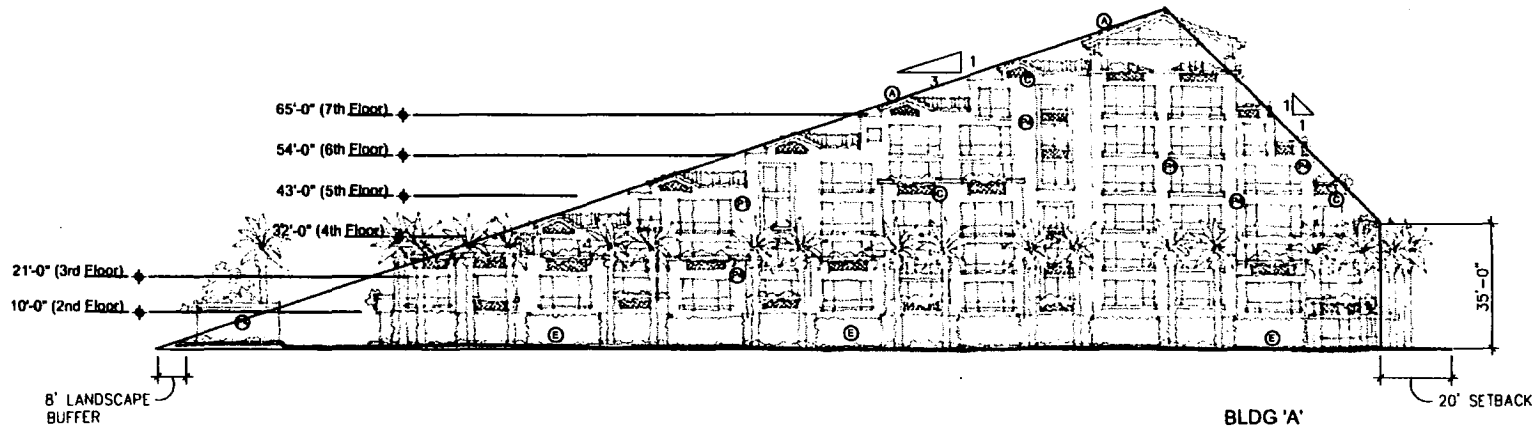
NEW CONDOMINIUMS
8100, 8150, & 8180 W. SAHARA AVENUE

WAGNER ARCHITECTS
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TELEPHONE: (702) 878-0000 FAX: (702) 878-8430
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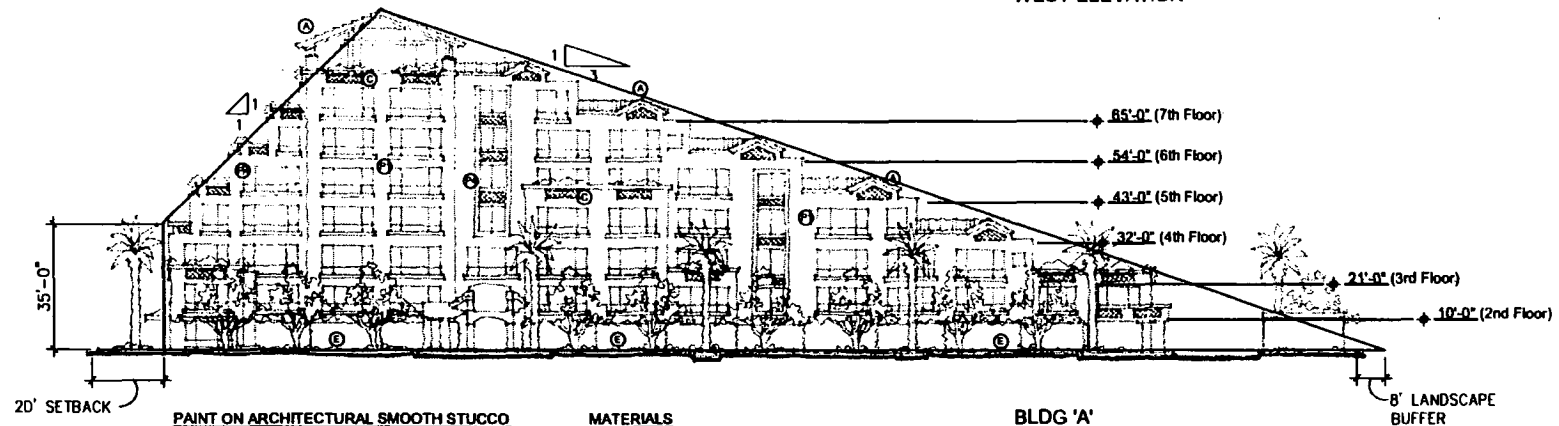
WAGNER ARCHITECTS
DATE: March 10, 2008 at 9:30am PROJECT NUMBER: 04180 FILE NAME: 04180_001.dwg
DESIGNED BY: TSCHECHNIG & ASSOCIATES

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



BLDG 'A'
WEST ELEVATION



BLDG 'A'
EAST ELEVATION
SCALE: 1" = 16'-0"



PAINT ON ARCHITECTURAL SMOOTH STUCCO

- ② DE 6219 CRYSTAL HAZE
- ② DE 5324 FINE SAND
- ② DE C777 MEADOW WOOD
- ② DE 5181 GEORGIA CLAY
- ② DE 5325 REGENCY CREAM
- ② DE 5326 ROOT BEER FLOAT

MATERIALS

- Ⓐ DELANO CLAY TILE - SEVILLE MIXTURE
- Ⓑ STONE COMPOSITE ARCH SURROUND
- Ⓒ STACKED CLAY TILE RAILING ACCENT
- Ⓓ SUNBRELLA AWNING - FOREST GREEN
- Ⓔ GREENSCREEN w/ FLOWER VINES

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

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SUP-6219
SDR-6220
04-14-05 PC

Architectural elevation drawing of BLDG 'B'. The drawing shows a multi-story building with a sloped roofline. Key dimensions and labels include:

- 90'-0" (Total height)
- 78'-0" (Height to 7th floor)
- (7th Floor) 69'-0"
- 61'-6" (Height to 6th floor)
- (6th Floor) 58'-0"
- (5th Floor) 47'-0"
- 39'-6" (Height to 4th floor)
- (4th Floor) 36'-0"
- (3rd Floor) 28'-0"
- 17'-6" (Height to 2nd floor)
- (2nd Floor) 14'-0"
- 28'-6" (Height to roofline)
- 35'-0" (Total height)
- 20' SETBACK
- LANDSCAPE BUFFER
- BLDG 'B'

Architectural Drawing: East Elevation of Building B

Dimensions and Features:

- 20' SETBACK
- 35'-0" (Total Height)
- 28'-6" (Terrace Width)
- 80'-0" (Roof Width)
- 78'-0" (Terrace Width)
- 69'-0" (7th Floor)
- 61'-6" (Terrace Width)
- 58'-0" (6th Floor)
- 47'-0" (5th Floor)
- 38'-6" (Terrace Width)
- 36'-0" (4th Floor)
- 25'-0" (3rd Floor)
- 17'-6" (Terrace Width)
- 14'-0" (2nd Floor)
- 8' LANDSCAPE BUFFER

PAINT ON ARCHITECTURAL SMOOTH STUCCO

- ① DE 6219 CRYSTAL HAZE
- ② DE 5324 FINE SAND
- ③ DE C777 MEADOW WOOD
- ④ DE 5181 GEORGIA CLAY
- ⑤ OE 5325 REGENCY CREAM
- ⑥ DE 5326 ROOT BEER FLOAT

MATERIALS

- ① DELANO CLAY TILE - SEVILLE MIXTURE
- ② STONE COMPOSITE ARCH SURROUND
- ③ STACKED CLAY TILE RAILING ACCENT
- ④ SUNBRELLA AWNING - FOREST GREEN
- ⑤ GREENSCREEN w/ FLOWER VINES

BLDG 'B' EAST ELEVATION
SCALE: 1" = 16'-0"

NEW
\$100, \$150,

BLDG 'B'
EAST ELEVATION
SCALE: 1" = 16'-0"

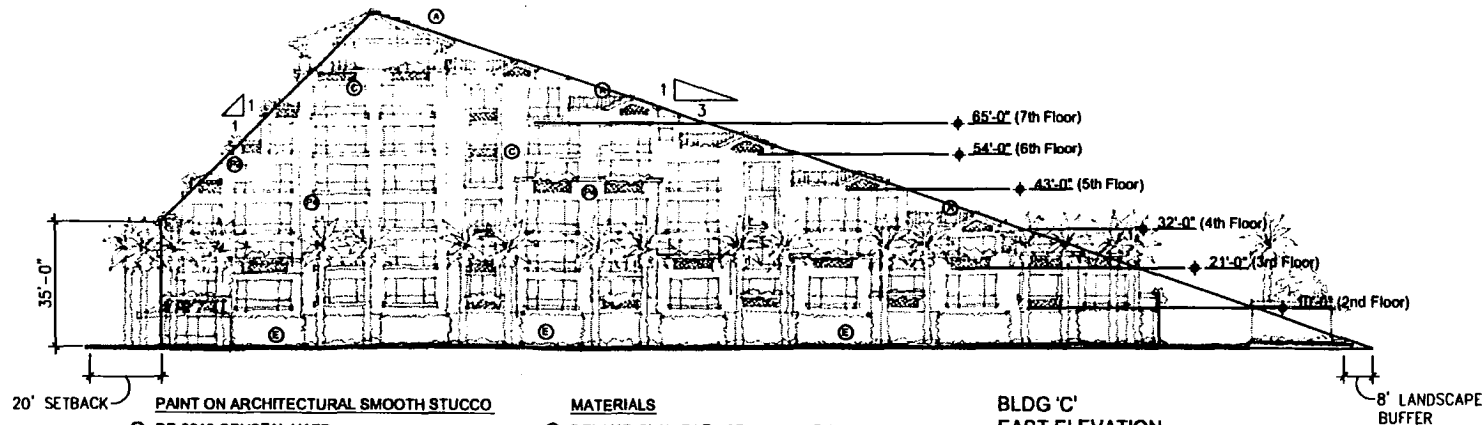
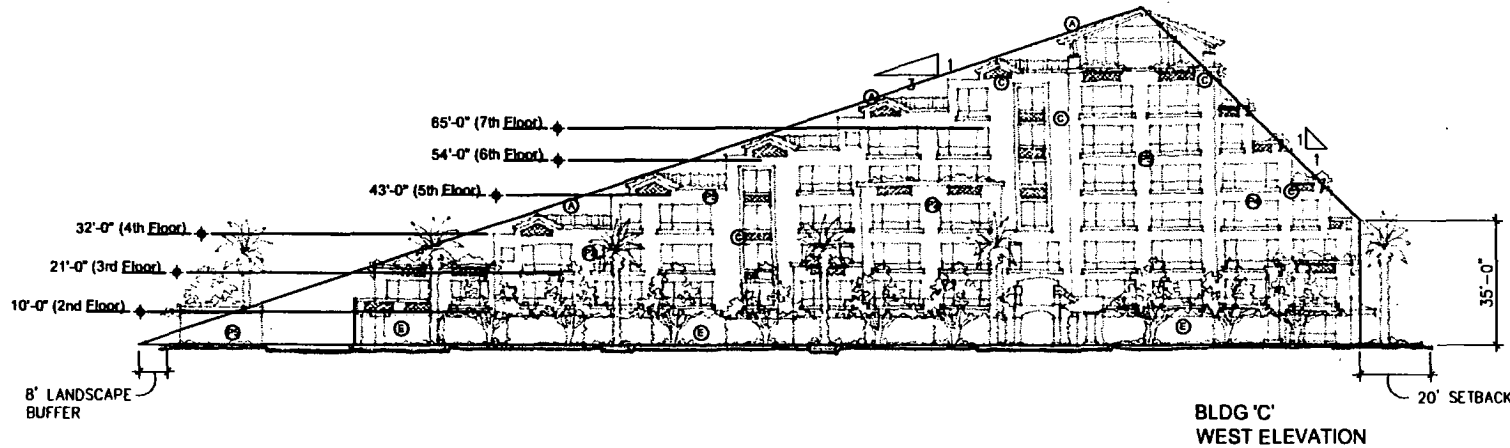


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DATE: March 24, 2008 at 8:22am PROJECT NUMBER: 04120 FILE NAME: 04120_sds.dwg
 WAS LAST MODIFIED BY TECHNICIAN: *chessman*

SUP-6219
SDR-6220
04-14-05 PC

SPANISH VILLAS AT SAHARA



PAIN ON ARCHITECTURAL SMOOTH STUCCO

- ① DE 6218 CRYSTAL HAZE
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MATERIALS

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- ⑨ STACKED CLAY TILE RAILING ACCENT
- ⑩ SUNBRELLA AWNING - FOREST GREEN
- ⑪ GREENSCREEN w/ FLOWER VINES

BLDG 'C'
EAST ELEVATION
SCALE: 1" = 16'-0"



SUP-6219
SDR-6220
04-14-05 PC

NEW CONDOMINIUMS
3100, 3150, & 3190 W. SAHARA AVENUE

WESTAR ARCHITECTS
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TELEPHONE: (702) 878 0000 FAX: (702) 878 8430
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WESTAR
ARCHITECTS

March 1, 2005

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

RE: Condominiums @ Sahara and Spanish Oaks
3100, 3150 and 3190 West Sahara Avenue
APN: 162-05-403-001-002 & 003

To Whom It May Concern,

Please accept this letter as justification for the above referenced property.

Our client is requesting a Site Development Plan Review with a Special Use Permit for a three building, seven story 415,000 square feet residential condominium complex with ground level, 20,250 square feet of non-residential commercial development (offices, retail, etc) facing Sahara Avenue. Our client is also requesting a waiver of the non-residential commercial requirement on the ground-level to allow for a residential development on the ground-level behind the non-residential commercial development. This project is providing 652 parking spaces, which is in compliance with zoning will be part of this project providing adequate parking for the project.

This project is located in The City of Las Vegas Revitalization Area at the Northwest corner of Sahara Avenue and Richfield Boulevard on 7.80 net acres. It is bounded by residential to the north (Spanish Oaks) and commercial to the east, south and west.

The project has been designed as a mixed-use development, to enhance the urban environment of the area. It calls upon a *Santa Barbara Mission* style architecture to provide unique flavor to the development. The architecture is both livable and identifiable, without the uncomfortable forms that are prevalent within the modern day urban context. This housing is livable and it will contribute to Las Vegas as a needed component in the housing market and the Las Vegas valley. It promotes the mid-rise, mid priced, condominium development.

To enhance the development of the site, the commercial component will be promoted as professional office units. In its current configuration, the interest in these units is seen coming from existing tenants in the building and neighboring office buildings, and the owners of the condominiums contained within the proposed development. To date, interest in this type of development, a lower density non-high-rise configuration, has been significant.

It is the concern of the Owner to present this project to the City of Las Vegas without variances. Accordingly the project, as currently designed, is within the envelope created by the Residential Adjacency Standards to the north, and the vertical setbacks from a major arterial to the south. The project meets or exceeds all required building setbacks as prescribed by the City Zoning Ordinances.

This project will be a benefit to the redevelopment of the West Sahara corridor. It is not only a positive contribution to this section of the City, but will enhance residential property values in the immediate area and serve as buffer for the existing Spanish Oaks community to the north. It will provide a transition in use and density that is not present at this time.

We have met with Ms. Margo Wheeler, Deputy Director, Planning and Development Department, to review this project as presented. At that time Ms. Wheeler verified her acceptance of the mix of the commercial office component with the residential component at the grade level. We are attaching her notes on the plan for reference.

We look forward to the injection of this exciting, new and relevant housing product to the Las Vegas market to the benefit of both the unit owners, Spanish Oaks community and the City of Las Vegas.

Thank you for your consideration in this matter.

Yours truly,
WESTAR Architects

A handwritten signature in black ink, appearing to read "Dee Frandsen", with a stylized flourish at the end.

Dee Frandsen
Project Manager

File: V/2004Projects/04128/Correspondence/SiteReviewComm

STR-4220

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING**

ZON-6116 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****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:

MACK- APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 111 [ZON-6116], Item 112 [WVR-6229] and Item 113 [SDR-6117].

ATTORNEY JON FIELD, 3800 Howard Hughes Parkway, noted that the subject site is master planned for medium-low density, which allows up to eight dwelling units per acre, but the developer is considerate of the existing density, and is only requesting 6.2 units per acre.

The site plan reflects the developer's attempt to fit into the surrounding neighborhood. The properties on the north will line up with the width of the existing homes, the lot in the northwest corner of the subdivision will be a single story home, and there will be larger lots along the south and the east sides of the project. The site design exceeds the open space requirement.

COUNCILMAN MACK thanked MARK LEFKOWITZ for generously considering the existing neighborhood and accommodating the use of the area so well.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 111 [ZON-6116], Item 112 [WVR-6229] and Item 113 [SDR-6117].

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

(3:35 - 3:40)

4-2527

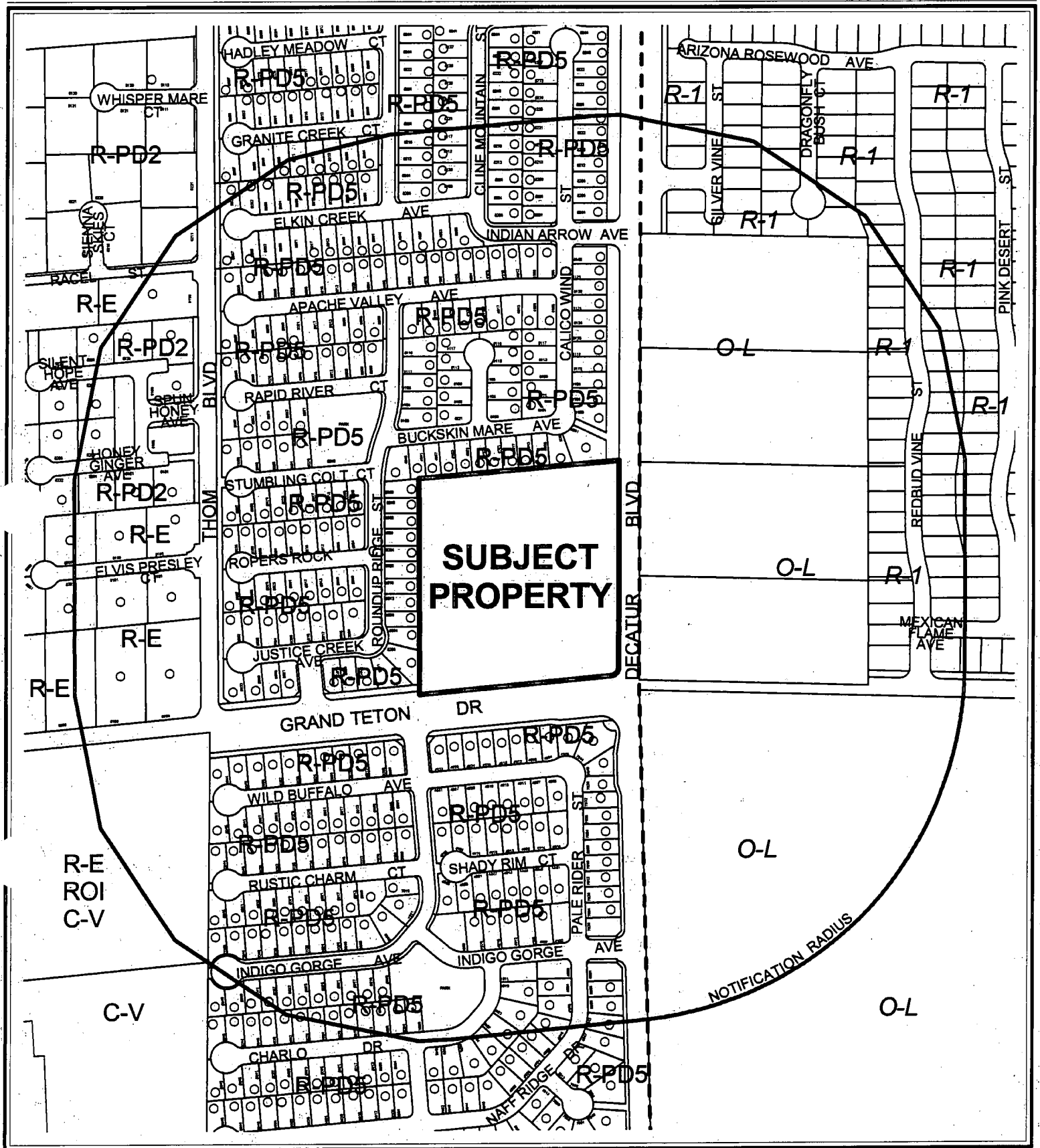
CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Waiver (WVR-6229) and a Site Development Plan Review (SDR-6117) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Grand Teton Drive and Decatur Boulevard. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided unless otherwise allowed by the City Traffic Engineer.
4. Construct all incomplete half-street improvements on Grand Teton Drive and half street improvements on Decatur Boulevard, including the full width of the median island and appropriate overpaving, adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: ZON-6116

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

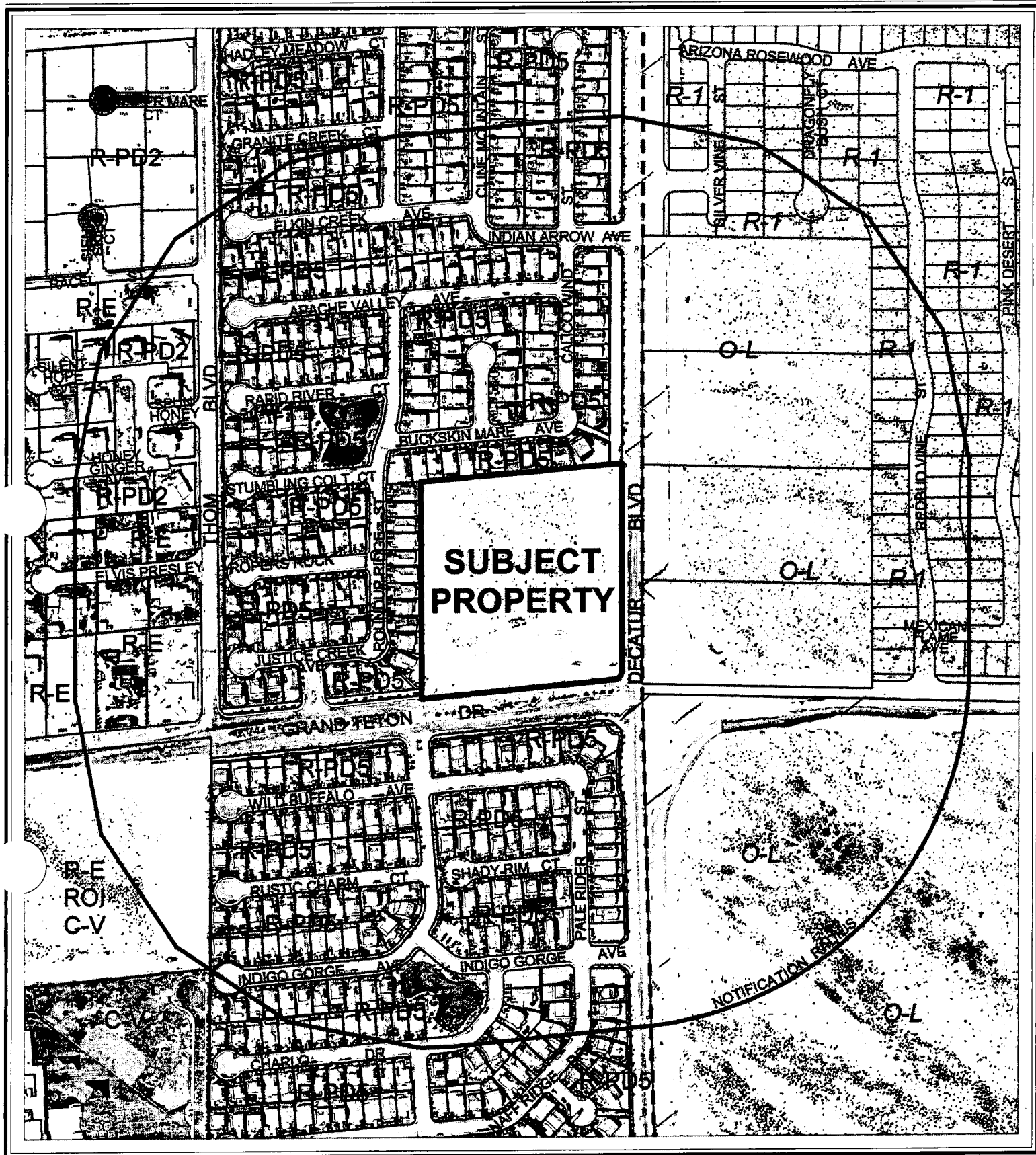
R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

111





CASE: ZON-6116

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6116 - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y, LIMITED PARTNERSHIP

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Waiver (WVR-6229) and a Site Development Plan Review (SDR-6117) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 60 feet on Grand Teton Drive adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Grand Teton Drive and Decatur Boulevard. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided unless otherwise allowed by the City Traffic Engineer.
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5. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the

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**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Rezoning from R-E (Residence Estates) to R-PD7 (Residential Planned Development - 7 units per acre) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) *Applicant's Justification*

A letter was submitted with the application to explain that the subject request is being made for a proposed 66-lot single-family residential development. It further states that the addition of single-family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

BACKGROUND INFORMATION

A) *Related Actions*

- 05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.
- 03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.
- 04/14/05 The Planning Commission recommended approval of accompanying applications for a Waiver (WVR-6229) of Title 18 requirements in the separation of off-setting intersections and for a Site Development Plan Review (SDR-6117) for a proposed single-family residential development on the subject property.
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #15/dds).

B) *Pre-Application Meeting*

- 01/26/05 The staff met with the prospective applicant on a proposed single-family residential development on the subject property. The staff discussed the various applications needed to develop the property as proposed.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Rezoning request, and one was not held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 9.91
Net Acres: 8.31

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 units per acre)
South: R-PD5 (Residential Planned Development – 5 units per acre)
East: North Las Vegas
West: R-PD5 (Residential Planned Development – 5 units per acre)

E) *General Plan Compliance*

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre, which is within the allowable density of the ML (Medium-Low Density Residential) land use classification.

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

The development standards are presented with the Site Development Plan Review (SDR-6117) that accompanies this application.

B) *General Analysis and Discussion*

This application is for a Rezoning from R-E (Residence Estates) to R-PD7 (Residential Planned Development - 7 units per acre) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. A total of 66 lots are proposed for an overall density of 6.66 dwelling units per acre. The subject property is located in the Centennial Hills Sector of the General Plan and is classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. Since the R-PD7 zoning district permits up to 7.49 dwelling units per acre, the proposed density is well within the maximum density allowed in the ML (Medium-Low Density Residential) land use classification.

In conjunction with this application, are applications for a Site Development Plan Review (SDR-6117) and a Waiver of a Title 18 standard (WVR-6229).

FINDINGS

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

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

The subject property is presently classified the ML (Medium Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 66 single-family lots on 9.91 acres generates a density of development of 6.66 dwelling units per acre and conforms to the General Plan.

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

Property adjacent to the subject property to the north, west and south are developed for single-family dwellings in a R-PD5 (Residential Planned Development – 5 Units per Acre) zoning district. The density of R-PD5 is compatible with a R-PD7 zoning district.

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

The subject property is an infill site that is surrounded on three sides by single-family development at slightly less density. The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Because of the expected volume of traffic on these streets, the subject property was designated for a higher density of single-family residential development than adjacent properties. The subject request for R-PD7 is appropriate for this higher density land use classification.

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

As mentioned above, the property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access is proposed to Grand Teton Drive, which is adequate to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

NOTICES MAILED 379 by Planning Department

APPROVALS 0

PROTESTS 1

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Pôwer Realty

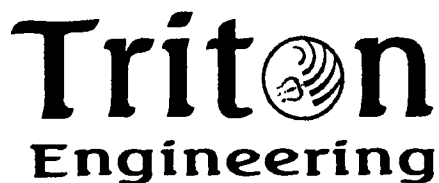
Yes _____ **x** **No**

APN: _____

Print Name: Raymond W Yin / ARNOLD A LEE

Dawn Grindmo
Notary Public in and for said County and State





February 8, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

Reference: **Re-zoning for a property located on the NWC of Decatur Blvd. and
Grand Teton Dr.
APN # 125-12-802-020**

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Re-zoning request for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting that this parcel be re-zoned from R-E to RPD-7 for a proposed 68 lot single-family residential development. Re-zoning to the RPD-7 district will provide for the development of these 68 lot single-family residential lots. We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 845-8099 (cell).

Sincerely,

A handwritten signature in black ink that reads "Stacey Medina". The signature is written in a cursive, flowing style.

Stacey Medina
Project Coordinator

ZDN-6116

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

WAIVER RELATED TO ZON-6116

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

NOTE: See Item 111 [ZON-6116] for all related discussion.

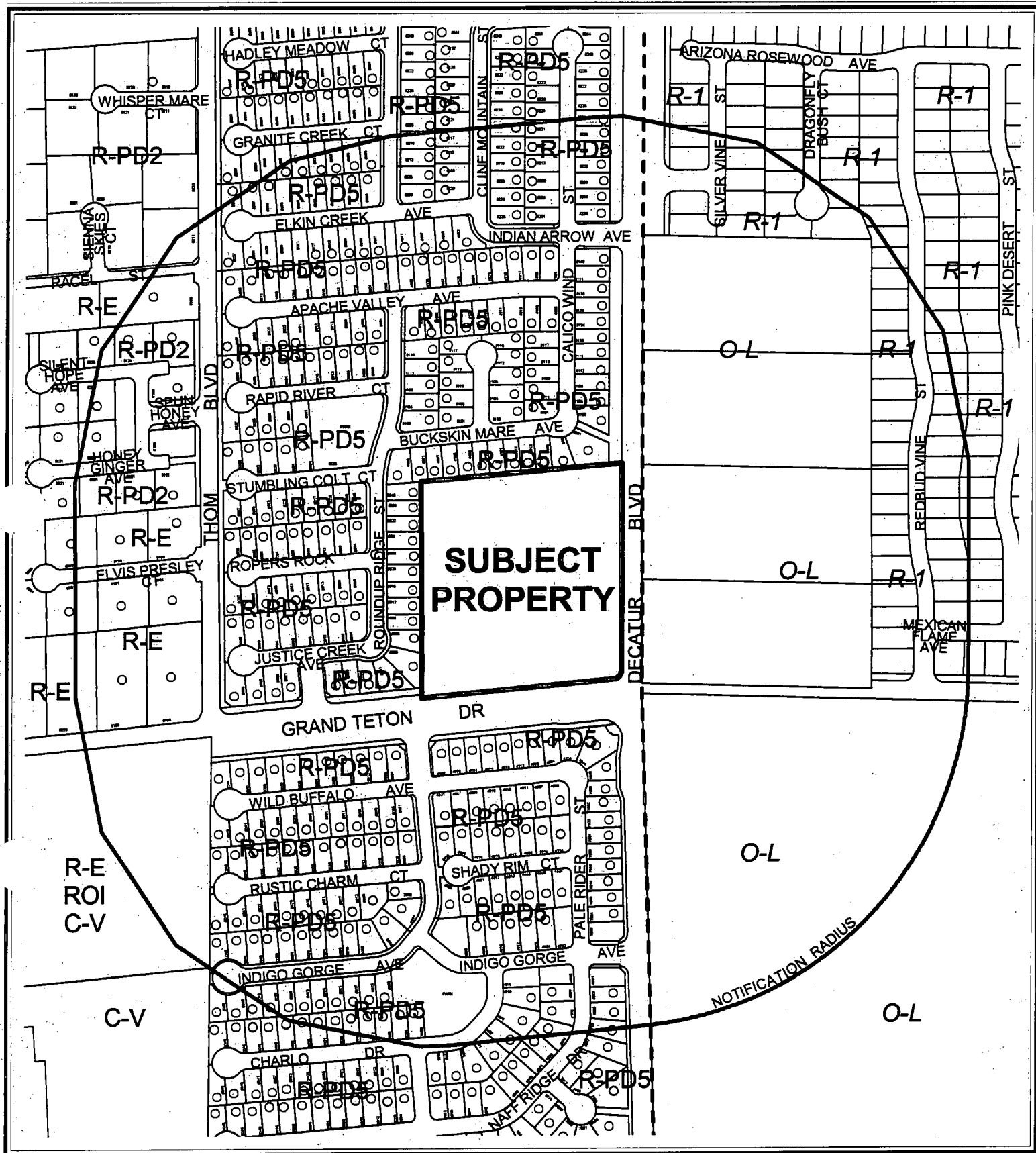
(3:35 - 3:40)

4-2527

CONDITIONS:

Planning and Development

1. Applications for Rezoning (ZON-6116) and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.
2. All City code requirements and all City departments design standards shall be met, other than those waived or varied through this and companion applications.
3. The Waiver of Title 18 Standards shall be granted to allow a 130 foot separation distance between intersecting streets.



CASE: WVR-6229

RADIUS: 1000 FT

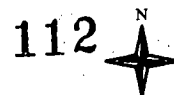
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6229 - APPLICANT: POWER REALTY - OWNER: LEE
ARNOLD AND R W Y LIMITED PARTNERSHIP

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Applications for Rezoning (ZON-6116) and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.
2. All City code requirements and all City departments design standards shall be met, other than those waived or varied through this and companion applications.
3. The Waiver of Title 18 Standards shall be granted to allow a 130 foot separation distance between intersecting streets.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a Request for a Waiver of Title 18.12.160 to allow approximately 130 feet between intersections where 220 feet is the minimum distance separation required for a single family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) *Applicant's Justification*

A letter was submitted with the application stating that a Waiver is requested in the 220 foot separation requirement between intersecting streets to allow a single-family residential development on the subject property. No other justification for the Waiver is indicated in the letter.

BACKGROUND INFORMATION

A) *Related Actions*

- 05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.
- 03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.
- 04/14/05 The Planning Commission recommended approval of accompanying applications for Rezoning (ZON-6116) and for a Site Development Plan Review (SDR-6117) for a proposed single-family residential development on the subject property.
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #16/dds).

B) *Pre-Application Meeting*

- 03/03/05 The staff met with the prospective applicant on a Waiver in Title 18 standards in the separation of street intersections. The staff discussed the application process and what is required for a Waiver.

C) *Neighborhood Meetings*

No neighborhood meeting was required or held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 9.91
Net Acres: 8.31

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 units per acre)
South: R-PD5 (Residential Planned Development – 5 units per acre)
East: North Las Vegas
West: R-PD5 (Residential Planned Development – 5 units per acre)

PROJECT DESCRIPTION

A 66 lot single-family residential subdivision is proposed on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access to the development is proposed from both arterial streets.

ANALYSIS

A) *Subdivision Code Compliance*

The applicant seeks to waive the requirement of Title 18.12.160 Subdivision Ordinance, which prescribes the minimum distance between intersections of streets providing internal access to subdivisions with other streets of 60 feet or more in width. This requirement states:

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

The proposed development was to initially have its principal access to Decatur Boulevard. However, a center median along Decatur Boulevard permits only right in and right out traffic movements. Consequently, the applicant is proposing to construct a second street access to the subdivision from Grand Teton Drive. It's alignment, however, is proposed to be 129 feet from an offsetting street intersection at Topaz Ravine Street and Grand Teton Drive. Grand Teton Drive also has a center median, but residents of the subdivision will have two options by which to gain access to the subdivision.

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. In conjunction with this application, are applications for Rezoning (ZON-6116) and a Site Development Plan Review (SDR-6117). It is recommended that this application be approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

NOTICES MAILED 379 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-6229** APN: **125-12-802-020**

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

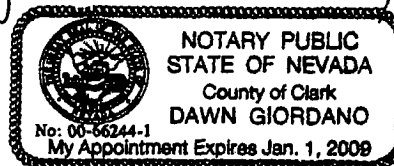
Signature of Property Owner:

Print Name:

Subscribed and sworn before me

This 12 day of an, 2005

Notary Public in and for said County and State



Triton

Engineering

March 3, 2005

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Waiver for a property located on the NWC of Decatur Blvd. and
Grand Teton Dr.
APN # 125-12-802-020**

To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Waiver for reduction of Title 18 Intersection Separation for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting a waiver to supply 129' feet of separation between Topaz Ravine Street and Sapphire Sea Street where 220' feet of separation is required within this RPD-7 development. This Single Family Residential Development will consist of 68 lots on 9.91 acres. The planned density will be 6.86 units per acre.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant
Project Coordinator

WVR-6229

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6116 AND WVR-6229**

SDR-6117 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 68 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL. [NOTE: The application has been revised to 66 units]

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:

MACK- APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 111 [ZON-6116] for all related discussion.

(3:35 - 3:40)

4-2527

CONDITIONS:

Planning and Development

1. Applications for Rezoning (ZON-6116), a Waiver (WVR-6229), and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 03/30/05 for a maximum of 66 single-family lots, with the northwestern most lot currently shown as Lot 16 shall be limited to a single story home with a five foot north side setback, except as amended by conditions herein.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

4. The standards for this development shall be established as follows:

Standards	Provided
Min. Lot Size	3,330 square feet
Min. Setbacks	
Front to building	10 feet
Front to garage	20 feet
Side	3 feet
Corner	8 feet
Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

5. The site plan shall be revised to reflect the conditions of approval for this report and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map.

6. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. The landscape plan shall be revised to reflect a minimum of four five-gallon shrubs for each tree within planters and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.

8. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.

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

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

11. Perimeter walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of nine feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. If a wall height of greater than nine feet is needed, the wall shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of nine feet.

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

13. All City code requirements and design standards of all City departments shall be satisfied.

14. No turf shall be placed in the non-recreational common areas such as medians and amenity zones in

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

this development.

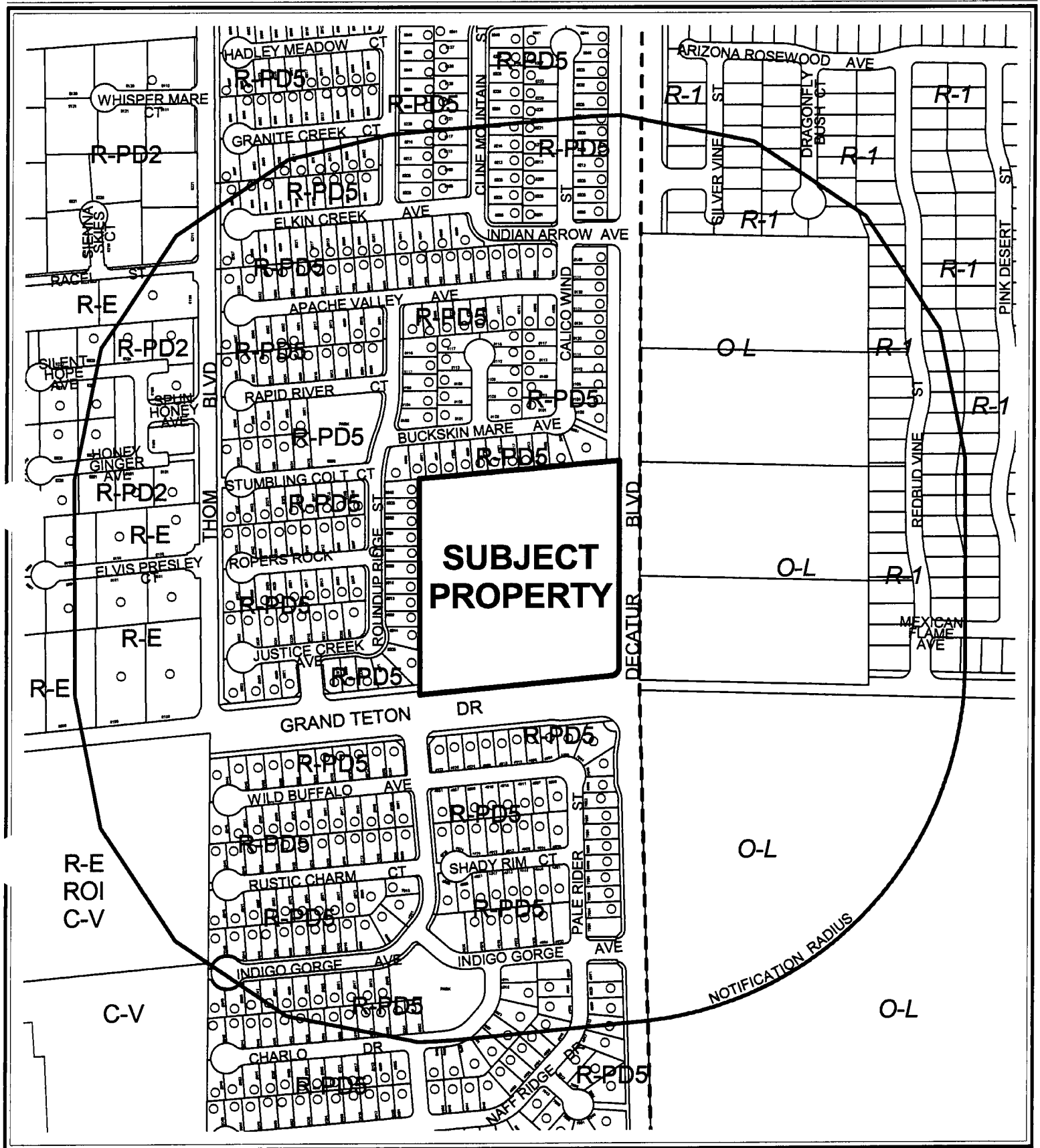
Public Works

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

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

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

18. Site development to comply with all applicable conditions of approval for ZON-6116 and all other subsequent site-related actions.



CASE: SDR-6117

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE)

0 400 800 Feet

113



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE
ARNOLD AND R W Y, LIMITED PARTNERSHIP**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Applications for Rezoning (ZON-6116), a Waiver (WVR-6229), and a Site Development Plan Review (SDR-6117) shall be approved by the City Council prior to issuance of any permits, any site grading, or any other development activity for the site.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 03/30/05 for a maximum of 66 single-family lots, with the northwestern most lot currently shown as Lot 16 shall be limited to a single story home with a five foot north side setback, except as amended by conditions herein.
4. The standards for this development shall be established as follows:

Standards	Provided
Min. Lot Size	3,330 square feet
Min. Setbacks	
• Front to building	10 feet
• Front to garage	20 feet
• Side	3 feet
• Corner	8 feet
• Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

5. The site plan shall be revised to reflect the conditions of approval for this report and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map.
6. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

7. The landscape plan shall be revised to reflect a minimum of four five-gallon shrubs for each tree within planters and approved by staff of the Planning and Development Department prior to the time application is made for a building permit.
8. Landscaping and a permanent underground sprinkler system shall be installed and shall be permanently maintained in a satisfactory manner.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Perimeter walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of nine feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. If a wall height of greater than nine feet is needed, the wall shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of nine feet.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and function prior to construction of any combustible structures.
13. All City code requirements and design standards of all City departments shall be satisfied.
14. No turf shall be placed in the non-recreational common areas such as medians and amenity zones in this development.

Public Works

15. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

18. Site development to comply with all applicable conditions of approval for ZON-6116 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Site Development Plan Review for a proposed 68-lot single-family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

B) *Applicant's Justification*

A letter was submitted with the application to explain that the subject request is being made for a proposed 66-lot single-family residential development. The letter requests approval of 37-foot wide private streets with a sidewalk on one side.

BACKGROUND INFORMATION

A) *Related Actions*

- 05/20/92 The City Council approved a request to Rezone (Z-0135-90) the subject property to an R-E (Residence Estates) Zone. The Planning Commission recommended approval.
- 03/24/05 The Planning Commission held this item in abeyance to the 04/14/05 Planning Commission Meeting to allow the applicant time to redesign the overall project to include additional open space.
- 04/14/05 The Planning Commission recommended approval of accompanying applications for Rezoning (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre) and for a Waiver (WVR-6229) of Title 18 requirements in the separation of offsetting intersections.
- 04/14/05 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #18/dds).

B) *Pre-Application Meeting*

- 01/26/05 The staff met with the prospective applicant on a proposed single-family residential development on the subject property. The staff discussed the various applications needed to develop the property as proposed.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for a Rezoning request, and one was not held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 9.91
Net Acres: 8.31

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-PD5 (Residential Planned Development – 5 units per acre)
South: R-PD5 (Residential Planned Development – 5 units per acre)
East: North Las Vegas
West: R-PD5 (Residential Planned Development – 5 units per acre)

E) *General Plan Compliance*

The subject property is located in the Centennial Hills Sector of the General Plan. The property is presently classified in the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre, which is within the allowable density of the ML (Medium-Low Density Residential) land use classification.

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

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

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 66 lot single-family residential development on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for the subject development are established with the Site Development Plan Review. Following are the Development Standards proposed:

Standards	Provided
Min. Lot Size	3,330 square feet
Min. Setbacks	
• Front to building	10 feet
• Front to garage	20 feet
• Side	3 feet
• Corner	8 feet
• Rear	15 feet
Min. Between buildings	6 feet
Max. Building Height	35 feet

These Development Standards are indicative of other similar developments. These Standards are established as a condition of approval.

A2) Landscape and Open Space Standards

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

Standards	Required			Provided
	Ratio	Linear feet	Trees	
Buffer:				
• Min. Trees	1 tree/30 linear feet	1,097	37 trees	38 trees
• Min. Zone Width	6 feet			6 feet
• Wall height				9 feet

The required number of trees is proposed for the development. Four five-gallon shrubs are to be provided for each tree; however only nine total shrubs are indicated. The landscape plan should be revised to reflect the correct number and location of shrubs. This deficiency is noted as a condition of approval in this report.

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

Total Acreage	Density (du/a)	Required			Provided	
		Ratio	Percent	Area	Percent	Area
9.91 acres	6.66	1.65	10.98	47,437 sq. ft.	10.99	47,460 sq. ft.

The proposal conforms to the open space standards pursuant Title 19.06 for a R-PD development.

B) General Analysis and Discussion

- **Zoning**

The present zoning of the site is R-E (Residence Estates). An application has been submitted to Rezone (ZON-6116) the subject property to R-PD7 (Residential Planned Development - 7 units per acre). The proposed development is consistent with the R-PD7 (Residential Planned Development - 7 units per acre) zoning district. The development is consistent with Title 19 regulations.

- **Site Plan**

The site plan illustrates 66 single-family lots on a 9.91 acre tract located adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard. The development would have access to both streets. The two access points connect to private streets proposed for the development. A 37-foot wide power easement is located along Decatur Boulevard. Open space is a centrally located common lot accessed from the two north/south interior streets. The lots are to be a minimum of 3,330 square feet in size.

- **Waivers**

No waivers are requested.

- **Landscape Plan**

A conceptual landscape plan has been submitted that shows compliance with the City Landscape, Wall, and Buffer Guidelines for perimeter landscaping. The required number of trees along the perimeter of the development has been provided. Plans with cross-sections have been submitted showing the location of proposed walls along Grand Teton Drive and Decatur Boulevard with cross-sections; however, there is no indication of the materials being used for the walls or their design. The wall is to be a decorative wall in compliance with Title 19 requirements, and a condition of approval addressing this requirement is included with this report. A retaining wall is proposed along Grand Teton Drive, and the total height of the "garden" wall and retaining wall is not expected to exceed a height of nine feet. Existing walls of concrete masonry units are located along the north and west sides of the property.

- Elevation

Elevations have been submitted for four two story home models proposed for the development. As single-family dwellings, the elevations are harmonious and compatible with development in the area.

- Floor Plan

As mentioned above, four home models are proposed. The floor plans indicate that the homes will range in size from 1,327 square feet to 1,803 square feet with each having either three or four bedrooms and 2 ½ baths. The homes are small in size but efficient in design characteristics.

FINDINGS

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

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

Property adjacent to the subject property to the north, west and south are developed for single-family dwellings in a R-PD5 (Residential Planned Development – 5 units per acre) Zone. Single-family development is proposed for the subject property at a slightly higher density in an R-PD7 (Residential Planned Development – 7 units per acre) zoning district. The R-PD5 (Residential Planned Development – 5 units per acre) zoning district permits a maximum of 5.49 dwelling units per acre; the density of the subject development is at 6.9 dwelling units per acre. The development would be compatible with adjacent development.

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

The subject property is presently classified the ML (Medium-Low Density Residential) land use category that permits up to eight dwelling units per acre. The proposed development of 68 single-family lots on 9.91 acres generates a density of development of 6.9 dwelling units per acre and conforms to the General Plan. The proposed development is consistent with other City plans, policies and standards.

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

The property fronts on two Parkway Arterial streets that, according to the Master Plan of Streets and Highways, are designed for a right-of-way width of 120 feet. Access is proposed from Grand Teton Drive and Decatur Boulevard, which are adequate to meet the requirements of the proposed zoning district. The relatively low traffic volume accessing the site should not impact the neighborhood traffic.

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

Building materials are addressed below. Landscape materials are to consist of Arizona Ash, Mondel Pine, and Live Oak trees along the streetscape. Shrubs are to consist of Barberry and Silery Cassia. The landscape materials are appropriate for the proposed development.

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

Four home models are proposed. All are two stories in height and range in size from 1,327 square feet to 1,803 square feet. The homes are small in size but efficient in design characteristics. Each home is to consist of a beige, tan or light brown stucco surface. Accent colors for the fascia and trim vary from off-white to dark brown. The homes would be harmonious and compatible with development in the area.

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission hearing. The Planning Commission amended Condition #3 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

NOTICES MAILED 379 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6117** APN: **125-12-802-020**

Name of Property Owner: Lee Arnold 10

Name of Applicant: Power Realty

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

Yes **x** **No**

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

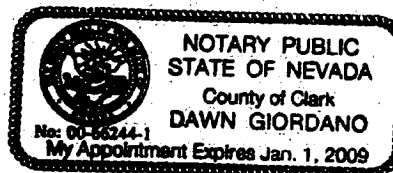
Print Name: Raymond W. Yin/ARNOLDA LEE

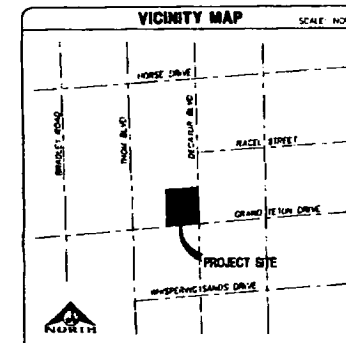
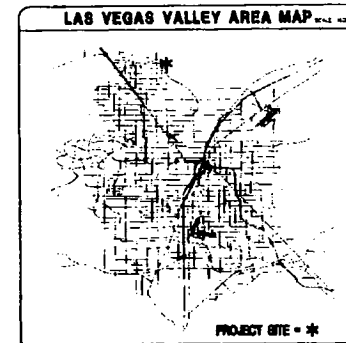
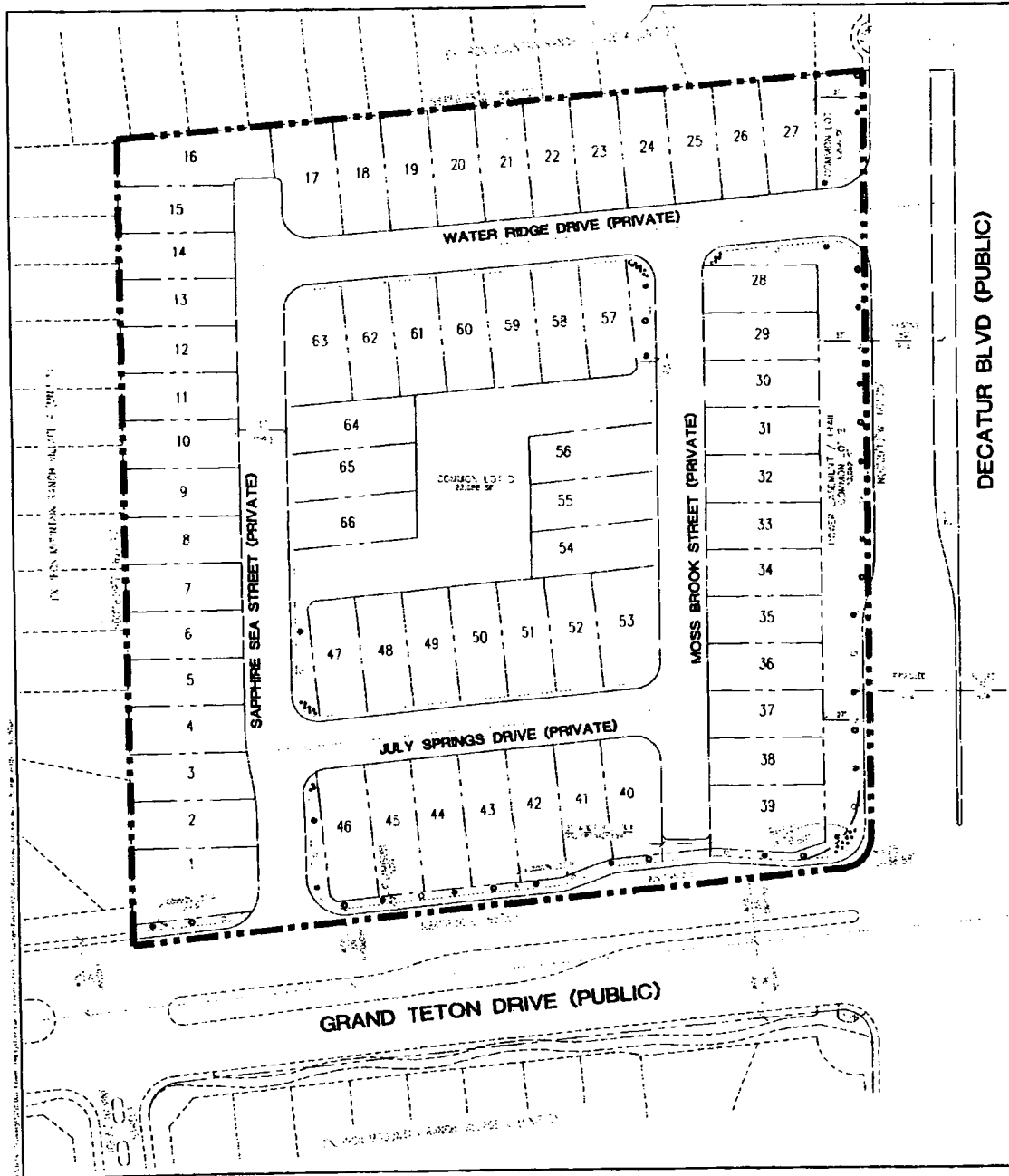
Subscribed and sworn before me

This 12 day of Jan, 2005

Lawrence G. Adams

Notary Public in and for said County and State





LEGEND

- 16 16,750 SF
- PROPERTY BOUNDARY
- PUBLIC/PRIVATE STREET CENTERLINE
- LOT LINE
- LOT NUMBER
- COMMON LOT SQUARE FOOTAGE



LANDSCAPE SCHEDULE

SYMBOL	QTY	SPECIES	COMMON NAME	SIZE	SPACING
11	11	FRAXINUS V. RAYNOLD	AMERICAN ASH	24" BOX	VARIES
22	22	QUERCUS V. BERRICHA	HOVELL PINE	24" BOX	VARIES
12	12	QUERCUS V. HERVILL	U.S. OAK	24" BOX	VARIES
13	13	BETULA V. BERRICHA	BAMBOO	3" DIA	RANDOM 5' TO 8'
14	14	CASIA V. BERRICHA	BERRY CUSHA	3" DIA	RANDOM 5' TO 8'

RECEIVED

04-14-05

ZON-6116
WVR-6229
VAR-6118
SDR-6117

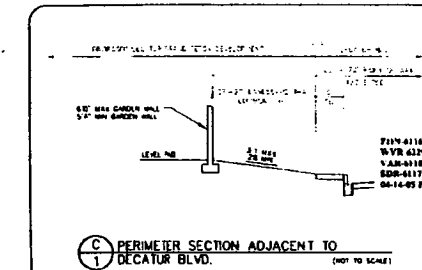
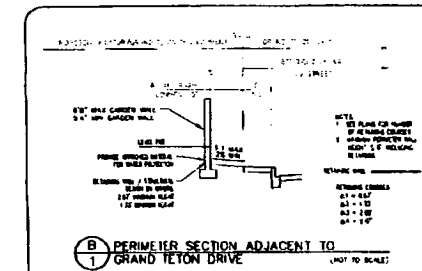
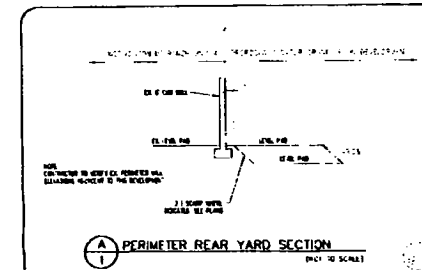
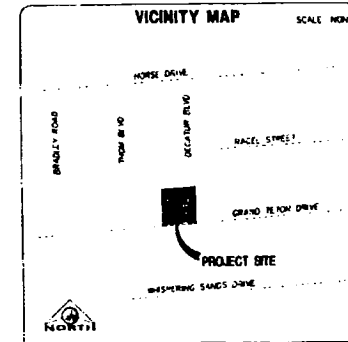
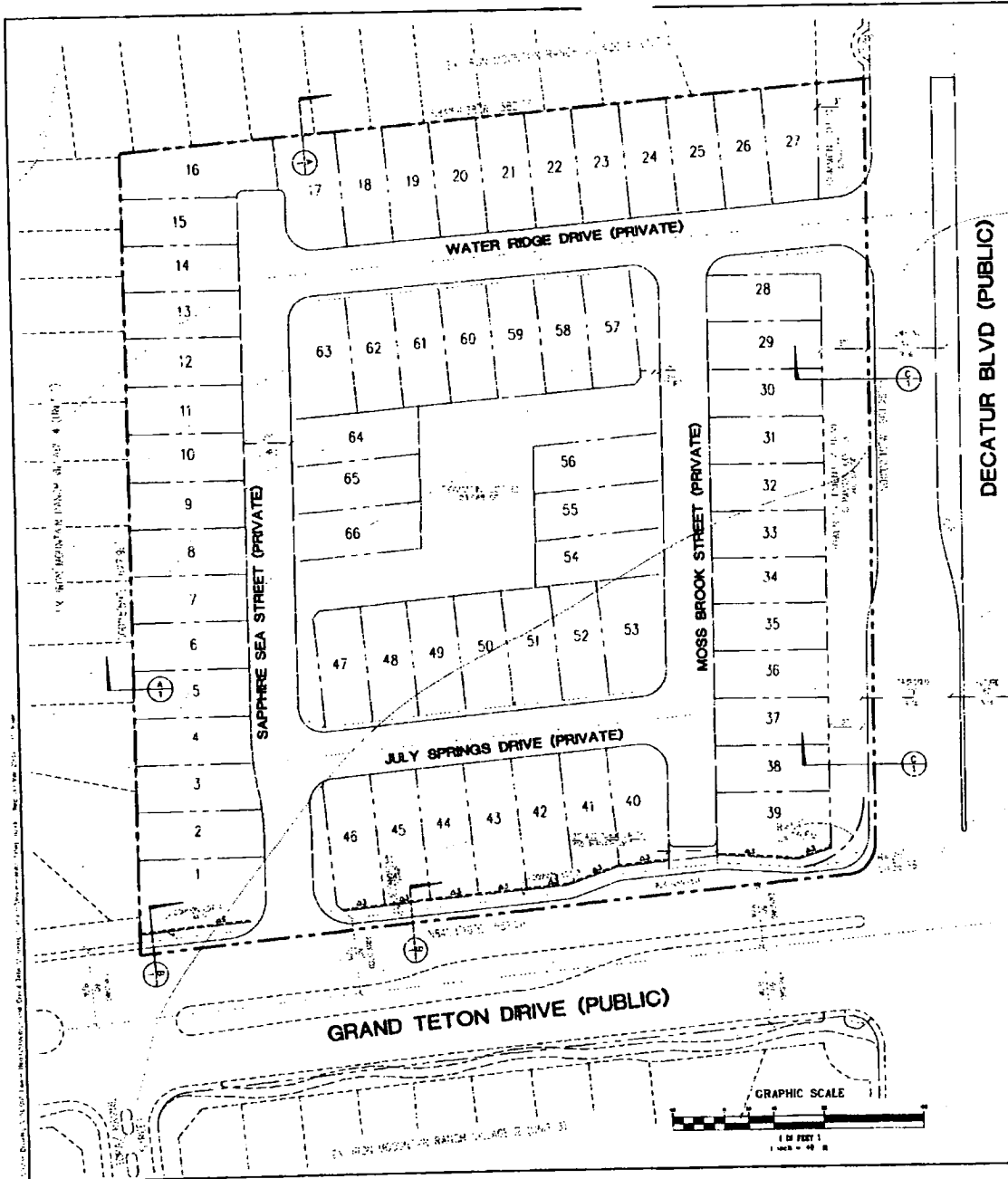
04-14-05 PC REVISED 03-30-05

Triton
Engineering



POWER REALTY
DECATUR / GRAND TETON
LANDSCAPE PLAN

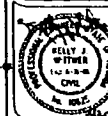
ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05



Triton Engineering



POWER REALTY
DECATUR / GRAND TETON
PERIMETER WALL PLAN



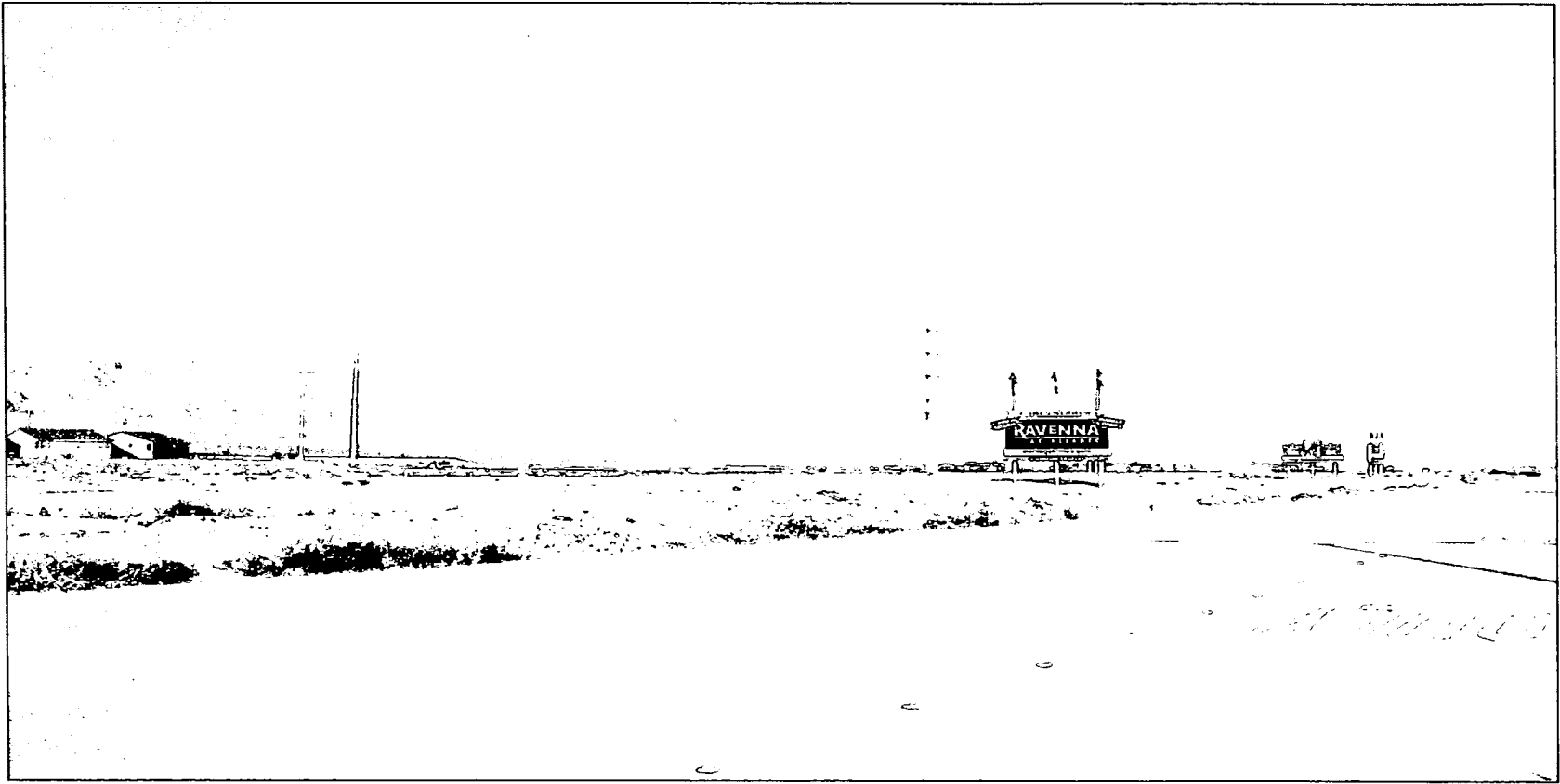
SHEET
1
OF 1

**ZON-6116
WVR-6229
VAR-6118
SDR-6117
04-14-05 PC REVISED 03-30-05**



ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE
ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION

3/3/05



**ZON-6116, WVR-6229, VAR-6118 AND SDR-6117 - APPLICANT: POWER REALTY - OWNER: LEE
ARNOLD, R W Y LIMITED PARTNERSHIP
NORTHWEST CORNER OF GRAND TETON DRIVE AND DECATUR BOULEVARD
APRIL 14, 2005 PLANNING COMMISSION**

3/3/05

Triton

Engineering

February 8, 2005

City of Las Vegas
Development Services Center
731 S. 4th Street
Las Vegas, Nevada 89102

**Re: Site Development Plan Review for a property located on the NWC of Decatur Blvd. and Grand Teton Dr.
APN: 125-12-802-020**

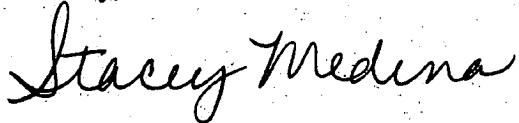
To Whom It May Concern:

On behalf of our client, Power Realty, we respectfully submit this letter of justification for a Site Development Plan Review for a proposed 68 lot single family project called Decatur and Grand Teton.

The applicant is requesting to develop 68 lots on 9.91 acres. The planned density will be 6.86 units per acre. The applicant seeks approval of a Site Development Plan Review for 68 lots with a minimum lot size of 3,330 sq. ft. The proposed front yard setbacks are 20 ft. to the Garage/10 ft. living area and 15 ft. rear yard; 8 ft. corner side yard; and 3 ft. interior side yard. The applicant is requesting 37 ft. private streets with 4 ft. sidewalk on one side.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 845-8099 (cell).

Sincerely,



Stacey Medina
Project Coordinator

SDR-6117

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****GENERAL PLAN AMENDMENT**

GPA-6191 - PUBLIC HEARING - APPLICANT: B & B ASSET MANAGEMENT LLC - OWNER: RONALD J. RICHARDSON - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 3.29 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street (APN 140-30-701-009 AND 140-30-701-010), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification letter

MOTION:

REESE - APPROVED - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 114 [GPA-6191], Item 115 [ZON-6192], and Item 116 [SDR-6193].

JORDIE and BRET PRIMACK, 1000 North Green Valley Parkway, Suite 440, Henderson, Nevada 89074, were present. MR. PRIMACK stated the project has been at work for six months. The vision changed the current commercial zoning from C-1 to R-3 creating a suitable buffer to the nearby residential. The four-plex style project will have a two-car garage. The intent is for the unit to resemble one large dwelling. The four-plex will be maintained by a homeowner's association and managed by the same leasing company. The buildings will be sold individually.

MAYOR PRO TEM REESE clarified that RONALD RICHARDSON is no longer affiliated with the property. He stated his delight with the outcome of the project and noted it will benefit the area as development has thrived in that area.

No one appeared in opposition.

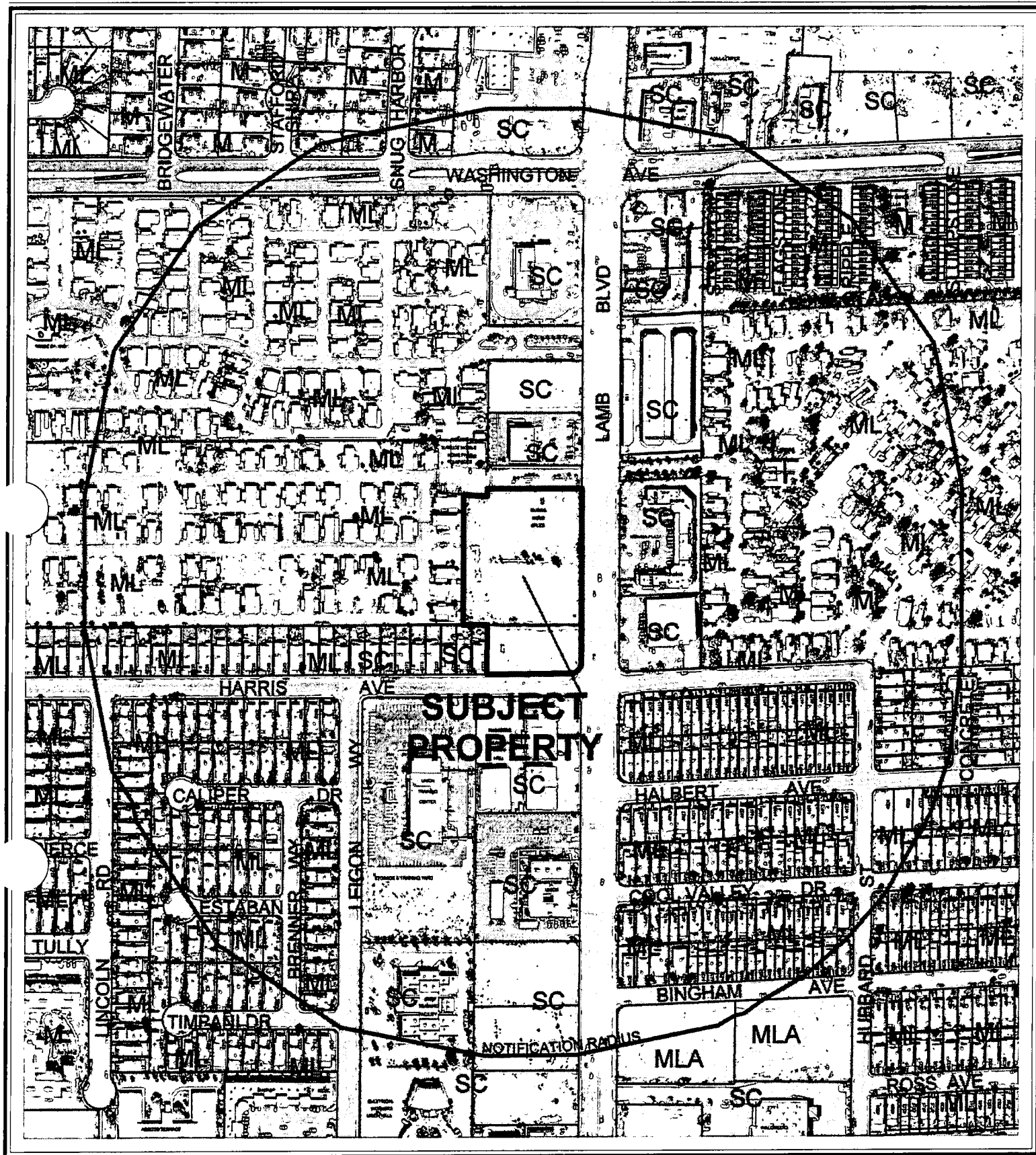
MAYOR PRO TEM REESE declared the Public Hearing closed for Item 114 [GPA-6191], Item 115 [ZON-6192], and Item 116 [SDR-6193].

(3:40 - 3:46)

CITY COUNCIL MEETING OF: MAY 18, 2005

MINUTES - Continued:

4-2798



CASE: GPA-6191

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-6191 - APPLICANT: B & B ASSET MANAGEMENT LLC -
OWNER: RONALD J. RICHARDSON**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

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

BACKGROUND DATA:

- 03/19/69 The City Council approved a request for a Rezoning (Z-0010-69) from: R-E (Residence Estates), R-T (Residential), and C-1 (Limited Commercial) to: C-1 (Limited Commercial), R-MHP (Residential Mobile/Manufactured Home Park) on the west side of Lamb Boulevard between Washington Avenue and Harris Avenue.
- 08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated as SC (Service Commercial/ Office).
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 08/18/99 The City Council approved GPA-0023-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
- 09/06/99 The City Council approved GPA-0010-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
- 04/14/05 The Planning Commission recommended approval of related items (ZON-6192 and SDR-6193).
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #33).

DETAILS OF APPLICATION REQUEST

Site Area: 4.07 Acres

Existing Land Use

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

Planned Land Use

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

Existing Zoning

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

	YES	NO
SPECIAL PLAN AREA		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

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

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

INTERAGENCY ISSUES

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

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED

1,163 by Planning Department

APPROVALS

0

PROTESTS

1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Ronald J. Richardson

Name of Applicant: B+B Asset Management, LLC

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

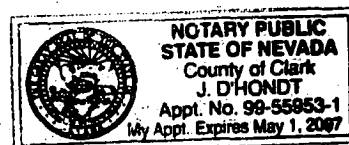
Signature of Property Owner:

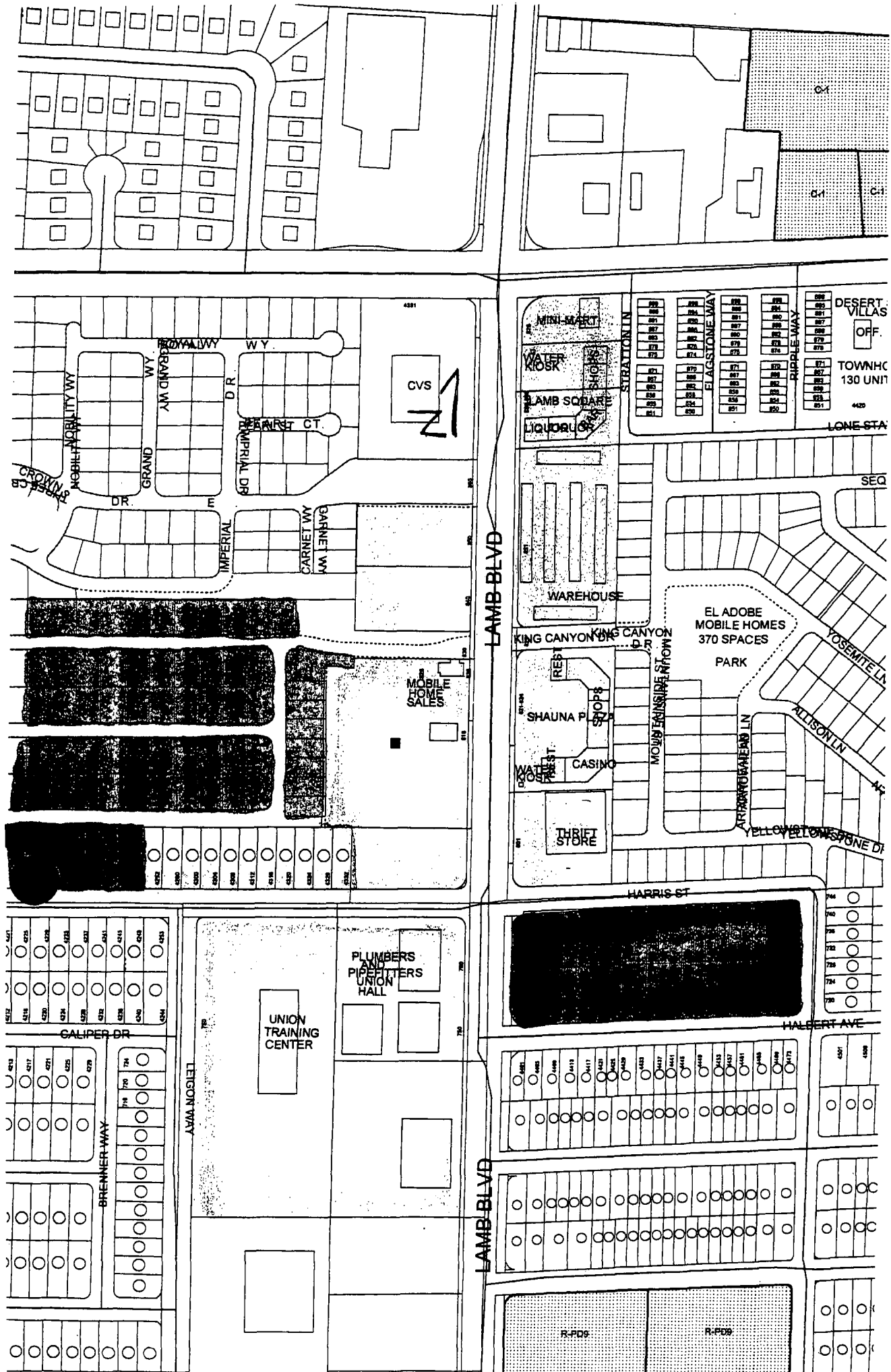
Print Name: Ronald J. Richardson

Subscribed and sworn before me

This 24th day of February, 2000

Notary Public in and for said County and State





GPA-6191
04-14-05 PC

B & B ASSET MANAGEMENT LLC

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

2.25.05

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

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

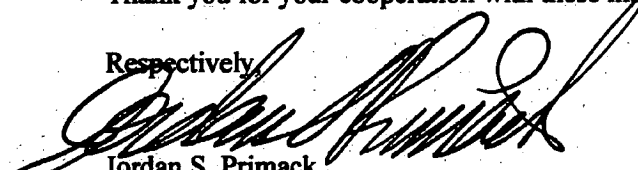
Applicant requests approval of a General Plan Amendment from Service Commercial (SC) to Medium12-25 d.u./acre (M) to allow a multi-family development of 4-Plex homes having a single family detached residential flavor on approximately 4.07 gross acres located at the Northwest corner of Lamb Blvd and Harris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

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

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

Thank you for your cooperation with these matters.

Respectively,



Jordan S. Primack

Owner/Manager

B & B Asset Management LLC

file: Harris Justification GPA Letter 2.25.05

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

GPA-6191

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING RELATED TO GPA-6191**

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

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 114 [GPA-6191] for all related discussion.

(3:40 - 3:46)

4-2798

CONDITIONS:

Planning and Development

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

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

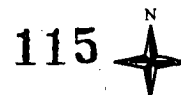
Public Works

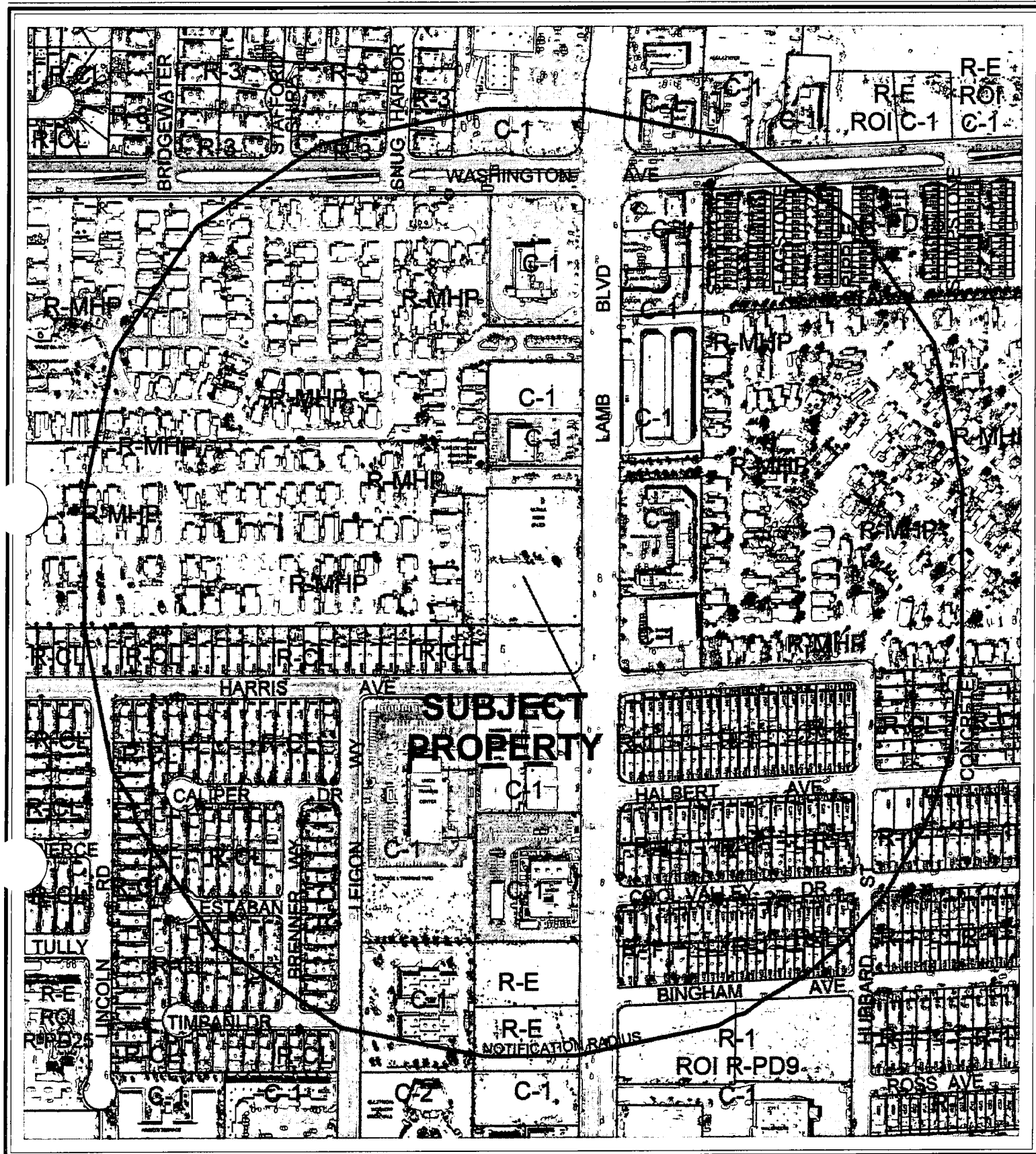
3. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

4. Construct all incomplete half-street improvements adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
7. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.





CASE: ZON-6192

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) AND C-1
(LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-6192 - APPLICANT: B & B ASSET MANAGEMENT LLC
- OWNER: RONALD J. RICHARDSON**

**** CONDITIONS ****

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

Planning and Development

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

Public Works

3. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
4. Construct all incomplete half-street improvements adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

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

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Related Actions*

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

04/14/05 The Planning Commission recommended approval of related items (GPA-6191 and SDR-6193).

04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #34/kcw).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

03/14/05 In accordance with city policy for a General Plan Amendment review a neighborhood meeting sponsored by the applicant. Nine persons attended, three

from the public and six for the development team. The following comments were made.

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 4.07

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

<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

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

F) General Analysis and Discussion

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED 1,163 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-692 APN: 140-30-701-009

Name of Property Owner: Ronald J. Richardson

Name of Applicant: B+B Asset Management

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

Yes ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

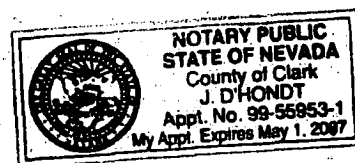
Signature of Property Owner:

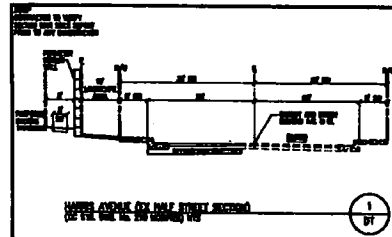
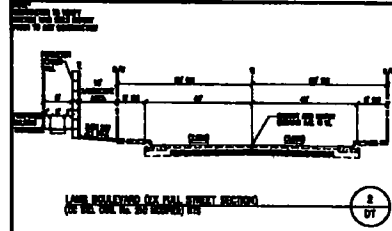
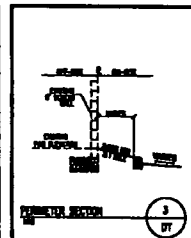
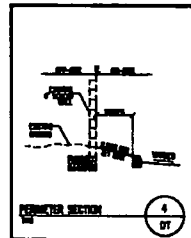
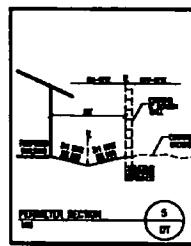
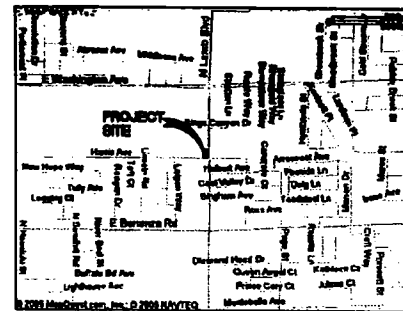
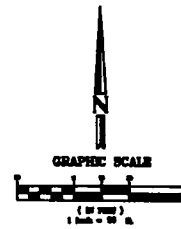
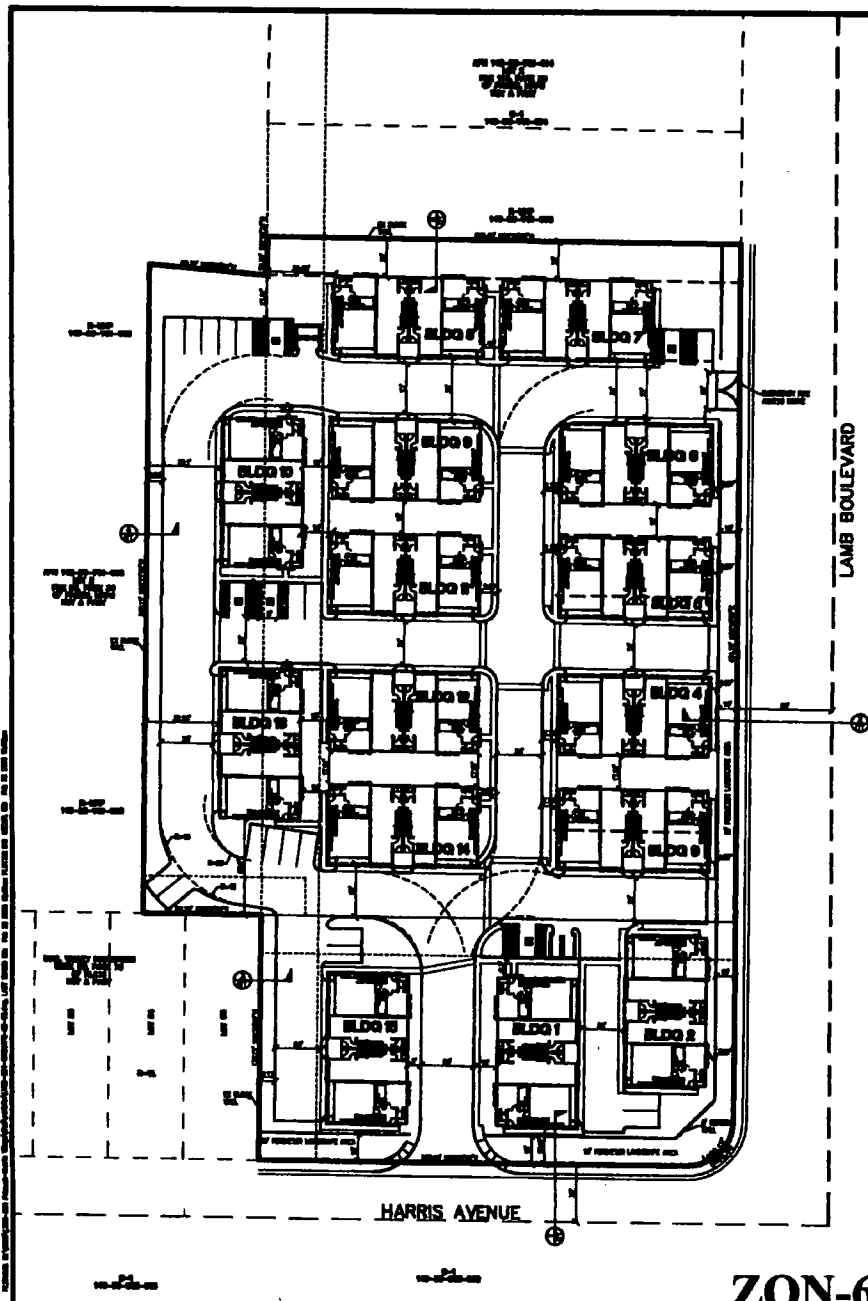
Print Name: Ronald J. Richardson

Subscribed and sworn before me

This 24th day of February, 2005

Notary Public in and for said County and State





LEGEND	
---	RIGHT-OF-WAY LINE
---	CENTERLINE
---	TOPO BOUNDARY
---	EXISTING BLOCK WALL
---	EXISTING FENCE
---	EXISTING CURB AND GUTTER
---	SECTIONAL LINE
---	FIRE TUNING RADIUS
---	FIRE TUNING RADIUS

SITE DATA	
CURRENT ZONING	C-1 / R-100
PROPOSED ZONING	R-1
ADDRESS	CITY OF LAS VEGAS

APRIS	
APRIS NO.	140-30-700-000
APRIS NO.	140-30-700-000
APRIS NO.	177,300 W. (APRIS NO.)
NUMBER OF LOTS / BUILDING	13
NUMBER OF UNITS	80
DENSITY	
CHD ON GROUND AREA	14.94 UNITS PER ACRE
TYPICAL BUILDING AREA	4,170 SF
TOTAL BUILDING AREA	54,210 SF
FLOOR AREA RATIO	24.7%

PARKING REQUIREMENTS	
CHD 1.0 MINIMUM LEVEL AT 1/4 STALLS / UNIT	80
CHD 1.0 MINIMUM LEVEL AT 1/4 STALLS / UNIT	80
CHD 1.0 MINIMUM LEVEL AT 1/4 STALLS / UNIT	80
CHD 1.0 MINIMUM LEVEL AT 1/4 STALLS / UNIT	80
TOTAL	320 STALLS

PARKING REQUIREMENTS	
CHD 1.0 MINIMUM LEVEL AT 1/4 STALLS / UNIT	80
STANDARD MINIMUM PARKING	10
STANDARD MINIMUM STALLS	2
STANDARD MINIMUM ACCESSIBLE STALLS	2
TOTAL	142

PARKING REQUIREMENTS	
STREET (MINIMUM) PARKING	20
STREET (MINIMUM) PARKING	20
STREET (MINIMUM) PARKING	20

CUSTOM HOMES BY CHATEAU
1000 N. GARDEN VALLEY PARKWAY, SUITE 100, LAS VEGAS, NV 89135
(702) 885-4000

HARRIS VILLAGE

SITE PLAN

PRELIMINARY PLAN FOR CONSTRUCTION

1

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

RECEIVED

B & B ASSET MANAGEMENT LLC

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

2.25.05

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

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

Applicant requests approval of Rezoning these parcels from Limited Commercial (C-1) to Medium Density Residential (R-3) to allow the multi-family development of (15) 4-Plex homes where each building is condominiumized into separate lots. Each building has single family detached residential flavor which has been proposed on approximately 4.07 gross acres located at the Northwest corner of Lamb Blvd and Harris Ave., Las Vegas, NV. 89110. The applicant intends that each of the 4-Plex totals over 4,100 finished square feet with each building containing (4) two car garages. The applicant is proposing a density of approximately 14.7 d.u./acre.

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

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

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

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

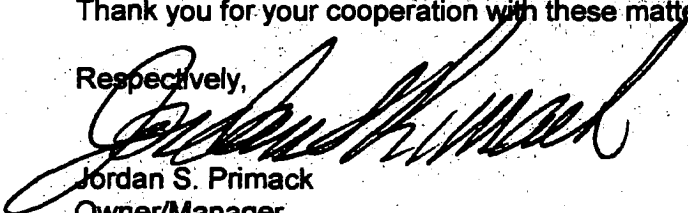
**PBM # 355 1000 N. Green Valley Parkway, Suite #440, Henderson, NV. 89074
Phone: 702.858.4052 Fax: 702.269.4654 email: bcvegas@yahoo.com**

20N-6192

B & B ASSET MANAGEMENT LLC

Thank you for your cooperation with these matters.

Respectively,



Jordan S. Primack

Owner/Manager

B & B Asset Management LLC

file: Harris Justification Rezoning Letter 2.25.05

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

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6191 AND ZON-6192

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

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 114 [GPA-6191] for all related discussion.
(3:40 - 3:46)
4-2798

CONDITIONS:

Planning and Development

1. Prior to issue of building permits a revised elevation plan shall be submitted to the Planning and Development Department depicting the use of balconies where feasible.
2. General Plan Amendment GPA-6191 and Rezoning ZON-6192 approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 2/28/05, except as amended by conditions herein.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

6. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

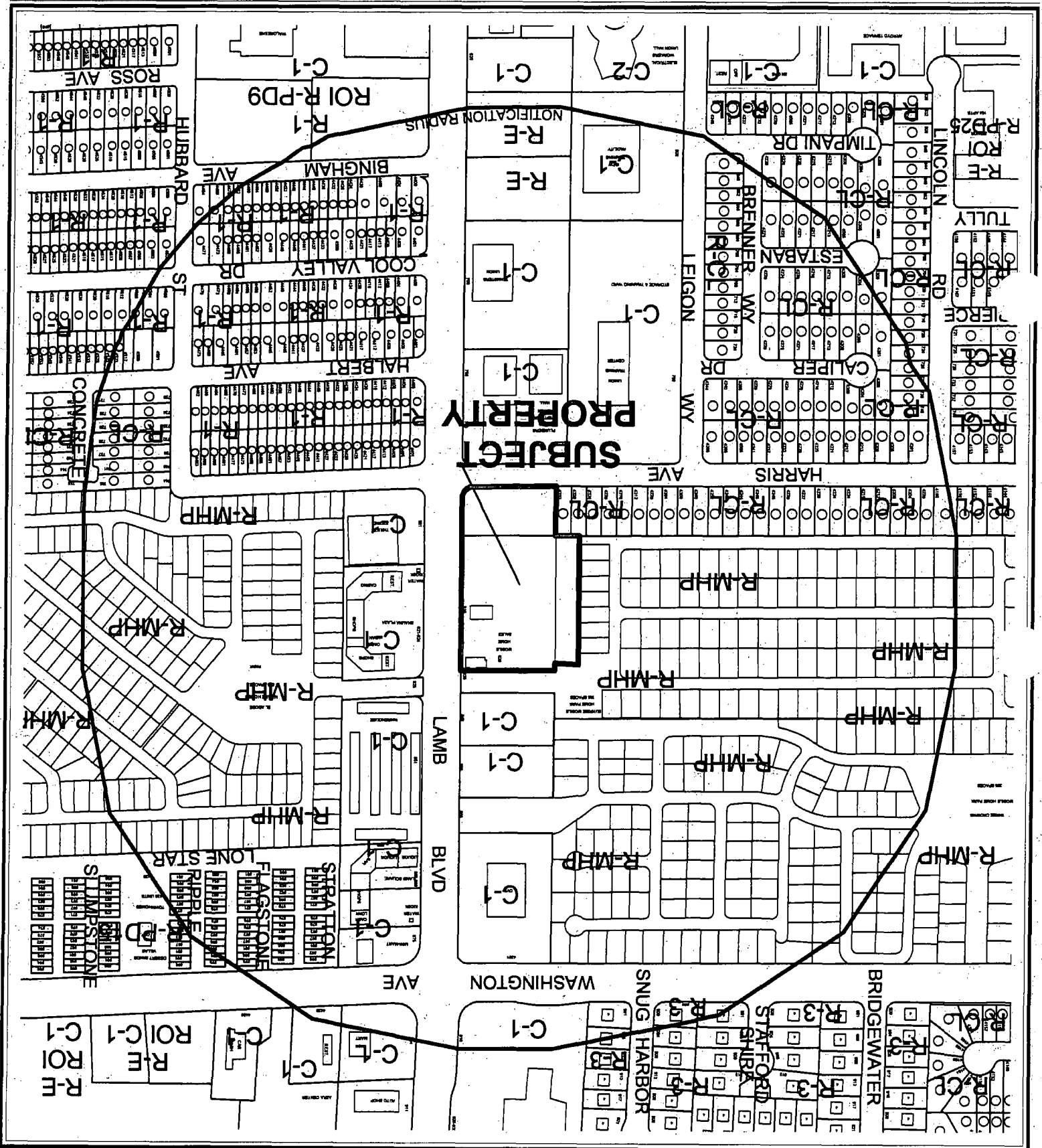
11. Gated access driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
12. No Structures shall be permitted within the existing 20-foot public drainage easement granted per, File 93, Page 38 of official records. A Drainage Plan/Study must be approved that provides an alternate design and allows for the vacation of said easements in conflict with this site plan. Submit a vacation application for the existing drainage easement, in conflict with this site plan, granted per, File 93, Page 38.
13. A Homeowner's Association or Property Owner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-6192 and all other applicable site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

ZONING OF SUBJECT PROPERTY:
R-MHP (RESIDENTIAL MOBILE/MANUFACTURE
(LIMITED COMMERCIAL)
PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)

RADIUS: 1000 FT

CASE: SDR-6193

0	300	600 Feet
---	-----	----------



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6193 - APPLICANT: B & B ASSET MANAGEMENT, LLC
- OWNER: RONALD J. RICHARDSON

**** CONDITIONS ****

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

Planning and Development

1. Prior to issue of building permits a revised elevation plan shall be submitted to the Planning and Development Department depicting the use of balconies where feasible.
2. General Plan Amendment GPA-6191 and Rezoning ZON-6192 approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, date stamped 2/28/05, except as amended by conditions herein.
5. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
6. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

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

12. No Structures shall be permitted within the existing 20-foot public drainage easement granted per, File 93, Page 38 of official records. A Drainage Plan/Study must be approved that provides an alternate design and allows for the vacation of said easements in conflict with this site plan. Submit a vacation application for the existing drainage easement, in conflict with this site plan, granted per, File 93, Page 38.
13. A Homeowner's Association or Property Owner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. Site development to comply with all applicable conditions of approval for ZON-6192 and all other applicable site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

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

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Previous Actions*

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

04/14/05 The Planning Commission recommended approval of related items (GPA-6191 and ZON-6192).

04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/kcw).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

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

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 4.07

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

<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

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

PROJECT DESCRIPTION

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

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

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

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

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

The proposal meets the development requirements of Title 19.

A2) Residential Adjacency Standards

The Residential Adjacency Standards pursuant to Title 19.08 do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

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

The proposal exceeds the requirements of Title 19 for parking.

A4) Landscape Standards

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

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

The proposal meets the landscaping requirements of Title 19.

B) General Analysis and Discussion

• Zoning

The site is currently zoned C-1 (Limited Commercial). A companion Rezoning request (ZON-6192) would, if approved, rezone the subject property to R-3 (Medium Density Residential) in order to allow residential where commercial is currently only allowed.

This designation would be compatible with the proposed M (Medium Density Residential) General Plan designation proposed for the site through GPA-6191, which would allow a density of up to 24 dwelling units per acre. These proposed new zoning and General Plan categories are compatible with adjacent medium low density residential and commercial development.

- Site Plan

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

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

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

- Elevation

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

- Floor Plan

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There was one speaker in protest at the Planning Commission hearing. The Planning Commission amended Condition #12 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED 1,163 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR 693 APN: 140-30-761-009.010

Name of Property Owner: Ronald J. Richardson

Name of Applicant: B+B Asset Management, LLC

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

Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

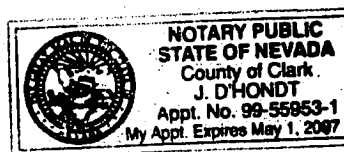
Signature of Property Owner:

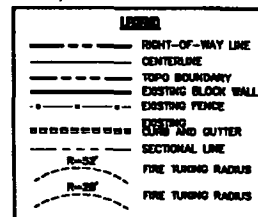
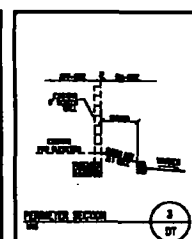
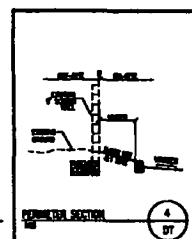
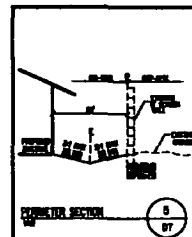
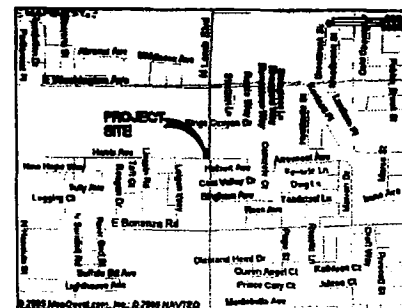
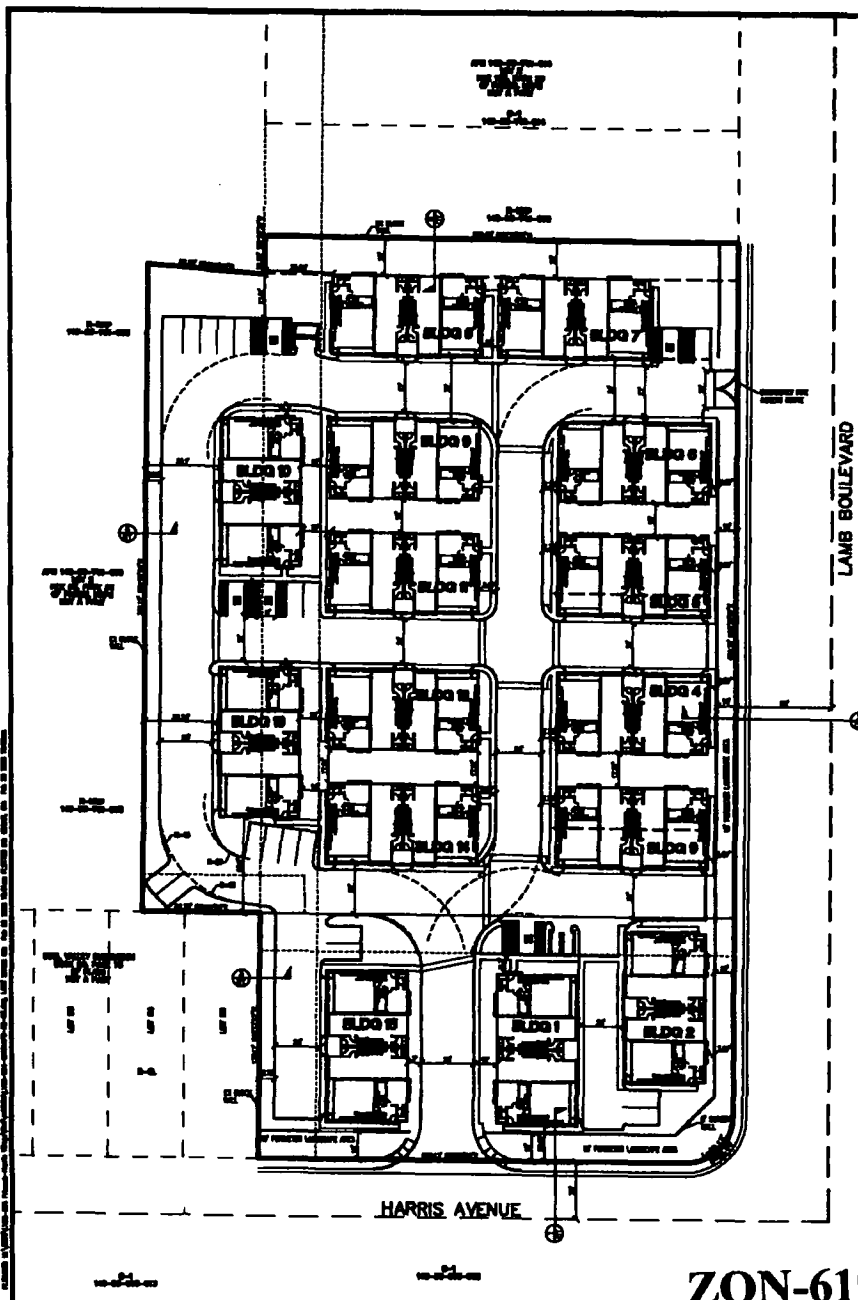
Print Name: RONALD J. RICHARDSON

Subscribed and sworn before me

This 24th day of February, 2005

Notary Public in and for said County and State





SITE DATA
 CURRENT ZONING: D-1 / R-2
 PROPOSED ZONING: R-3
 ADOPTION: CITY OF LOS ANGELES

AREAS
 NET AREA (ACRES): 177,000 SF (4.04 ACRES)
 NUMBER OF LOTS / BUILDING: 15
 NUMBER OF UNITS: 60
 DENSITY: 0.33 UNITS PER LOT
 GROUND COVER AREA: 14,250 SF
 TOTAL BUILDING AREA: 4,175 SF
 TOTAL PARKING AREA: 14,250 SF
 COVERED AREA: 14,250 SF

PARKING REQUIREMENTS
 TWO (2) STANDARD SPACES AT 1.75 SPACES / UNIT: 105
 TWO (2) STANDARD SPACES AT 1.75 SPACES / UNIT: 105
 ONE (1) STANDARD SPACE AT 1.75 SPACES / UNIT: 105
 ONE (1) STANDARD SPACE AT 1.75 SPACES / UNIT: 105
 ONE (1) STANDARD SPACE AT 1.75 SPACES / UNIT: 105
 TOTAL: 105 SPACES

REMARKS
 (NO) 2 CARPORT SPACES PER UNIT: 120
 STANDARD PARKING: 10
 STANDARD ACCESSIBLE SPACES: 2
 TOTAL: 132

CUSTOM HOMES BY CHATEAU
 100 N. GLEN WILLY PARKWAY, SUITE 100
 (714) 991-1111

DRG
 Development Services Consultants, Inc.
 100 N. GLEN WILLY PARKWAY, SUITE 100
 (714) 991-1111

HARRIS VILLAGE

SITE PLAN

1

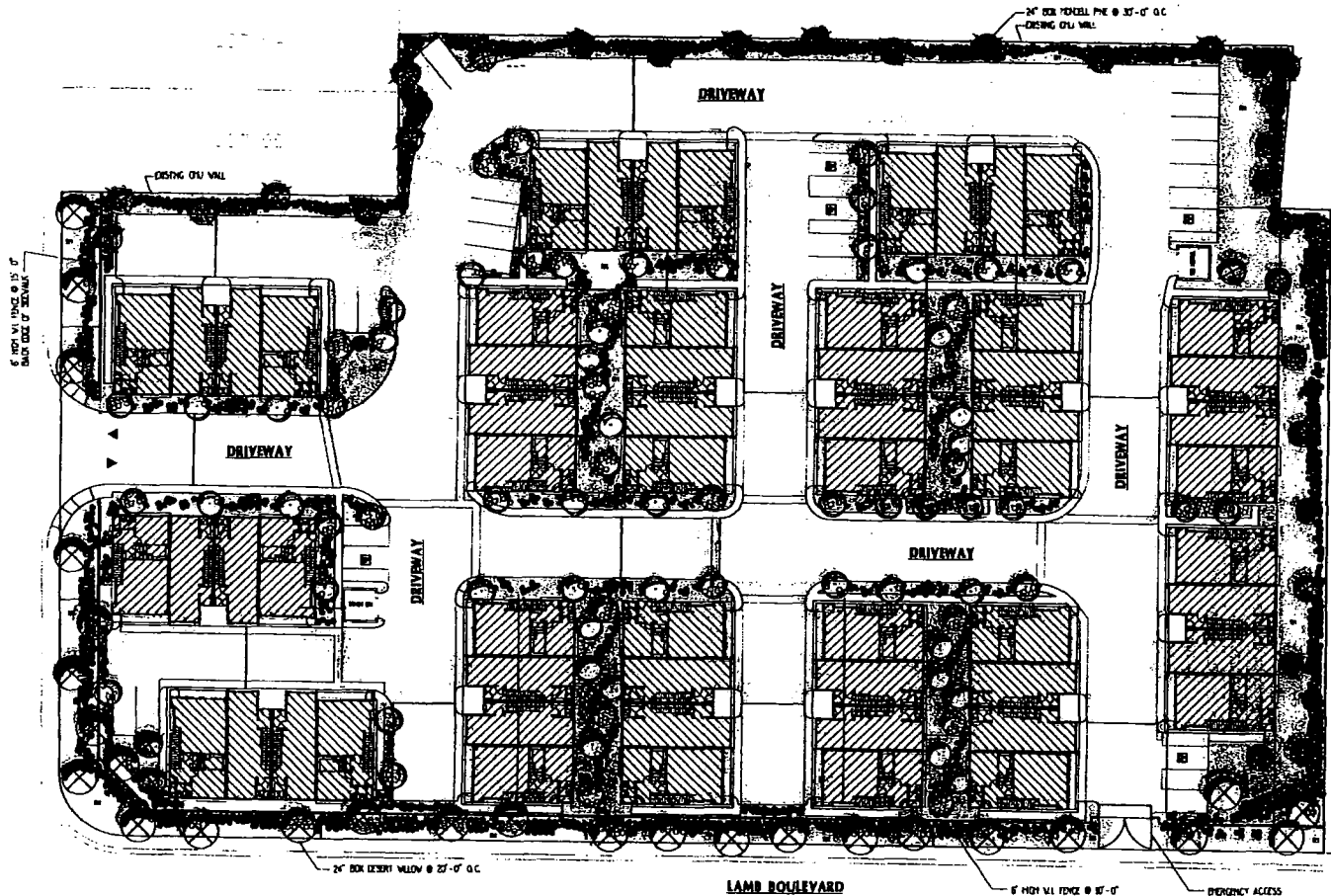
ZON-6192
SDR-6193
04-14-05 PC

RECEIVED

HARRIS AVENUE

LANDSCAPE PLAN HARRIS VILLAGE

B & B ASSET MANAGEMENT



LANDSCAPE LEGEND

- 24" BOX
MONTELL PINE
PINUS MONTELLI
- 24" BOX
HERITAGE OAK
QUERCUS VIRGINIANA "HERITAGE"
- 24" BOX
DESERT WILLOW
CHLOPSYS LINARIS
- 5 CAL @ 36" O.C.
TEXAS RANGER
LEUCOPHYLLUM FRUTESCENS HYBRID
- 5 CAL @ 36" O.C.
MEXICAN BIRD OF PARADISE
CAESALPINIA MEXICANA
- 5 CAL @ 36" O.C.
DEER GRASS
FLUXUS SPECIES
- 5 CAL @ 36" O.C.
ROSEMARY
ROSEMARINUS OFFICINALIS
- APACHE GOLD 3/4" PINUS
ROCK MULLOCH

NOTES

1. PERIMETER TREES AT 30'-0" O.C.
2. A LANDSCAPE BUFFER ZONE AND SCREENING WALL SHALL BE CONSIDERED AND MAINTAINED ON ALL MULTI-FAMILY, COMMERCIAL, AND INDUSTRIAL PROPERTIES WHICH SHOW COFFER PROPERTY LINES WITH SINGLE FAMILY, DUPLEX AND TWIN-FAMILY ZONING IN ACCORDANCE WITH TABLE 1 OR CHAPTER PAUL 12.100100.
3. ONE SHED SHALL BE PROVIDED FOR A LEAST FEET OF LANDSCAPE BUFFER. ALL LANDSCAPE PLANTING AREAS THAT ARE NOT DEDICATED TO TREES OR SHRUBS SHALL BE LANDSCAPED WITH GRASS, GROUND COVER, OR OTHER APPROPRIATE LANDSCAPE TREATMENT.



VICINITY MAP



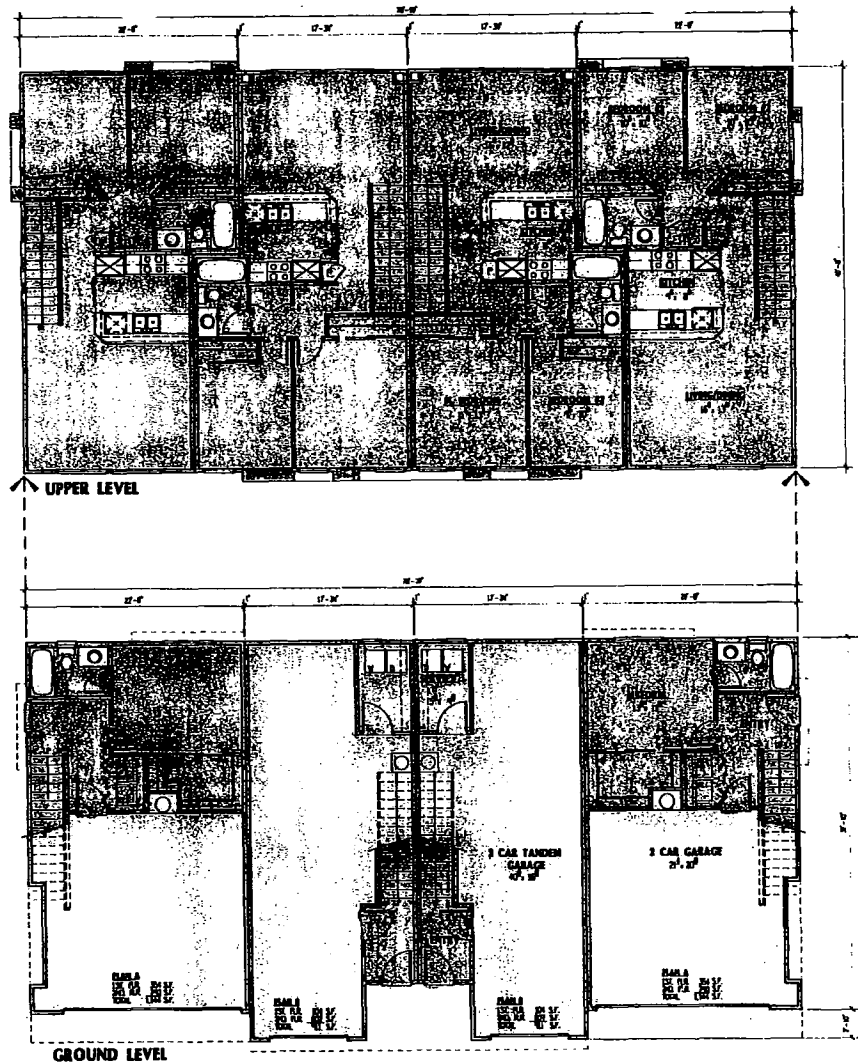
SCALE: 1" = 25'-0"
C2 NOV 04

MARC LEMOORE
ARCHITECTURE, LLC

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

RECEIVED

FEB 2 2010



FLOOR PLAN PROTOTYPE
HARRIS VILLAGE
 B & B ASSET MANAGEMENT

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



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

RECEIVED
 FEB 14 2006



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

03/16/05



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

03/16/05

B & B ASSET MANAGEMENT LLC

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

2.25.05

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

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

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

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

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

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

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

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

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

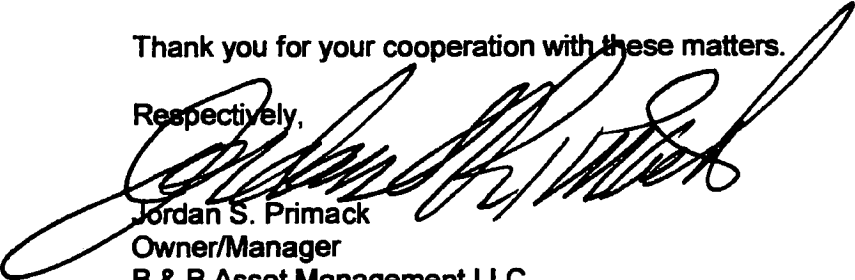
SDR-4193

B & B ASSET MANAGEMENT LLC

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

Thank you for your cooperation with these matters.

Respectively,



Jordan S. Primack

Owner/Manager

B & B Asset Management LLC

file: Harris Justification Letter Site Development Plan Review 2.25.05

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification letter

MOTION:

WOLFSON - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 117 [GPA-6199] and Item 118 [ZON-6222].

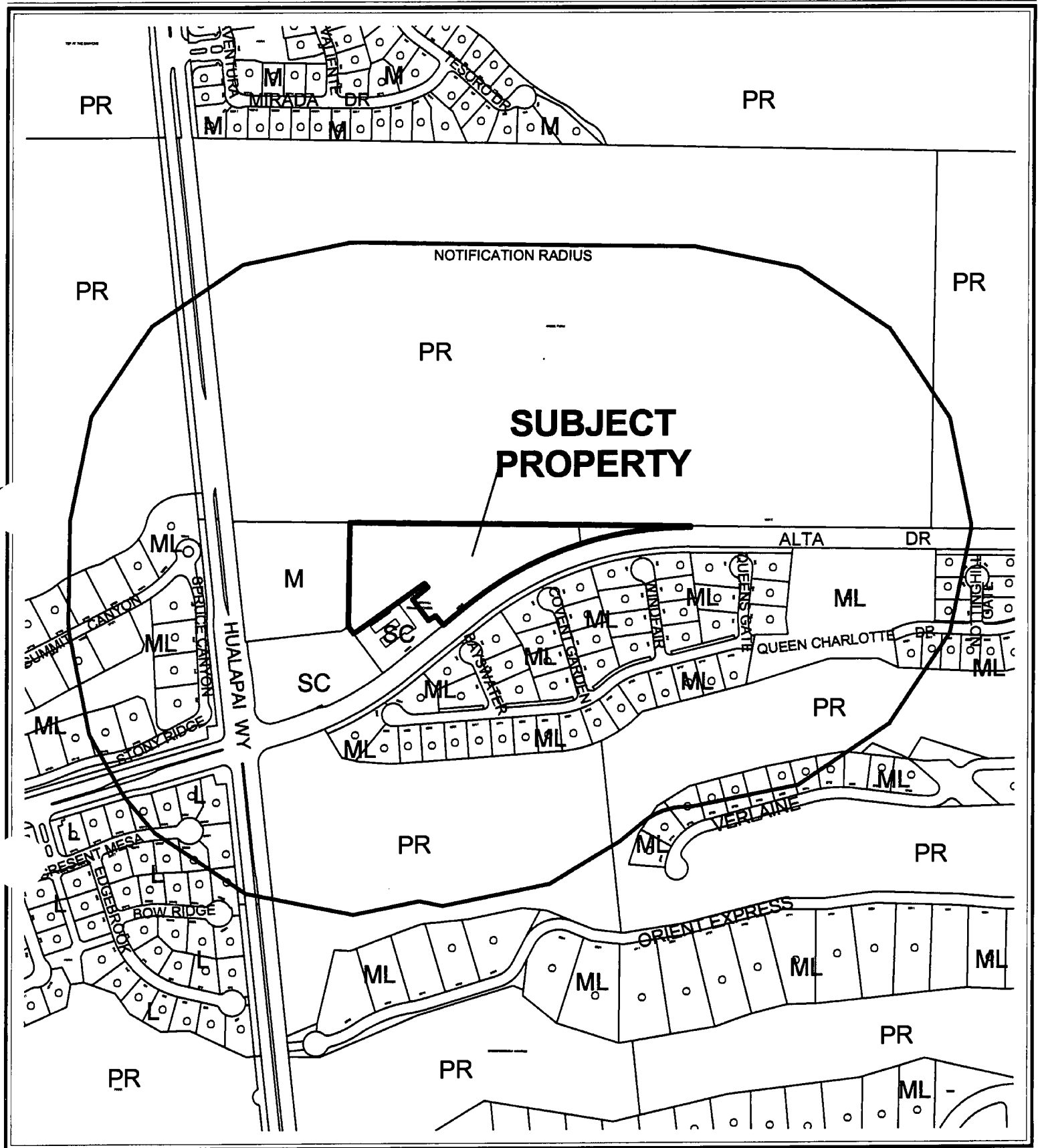
CLYDE SPITZE, 4670 South Fort Apache, appeared on behalf of the applicant and noted there have been neighborhood meetings with residents. There are two commercial buildings and a bank building, and at the appropriate time, they will return with a site development review to outline specifications.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 117 [GPA-6199] and Item 118 [ZON-6222].

(3:46 - 3:48)

4-3094



CASE: GPA-6199

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

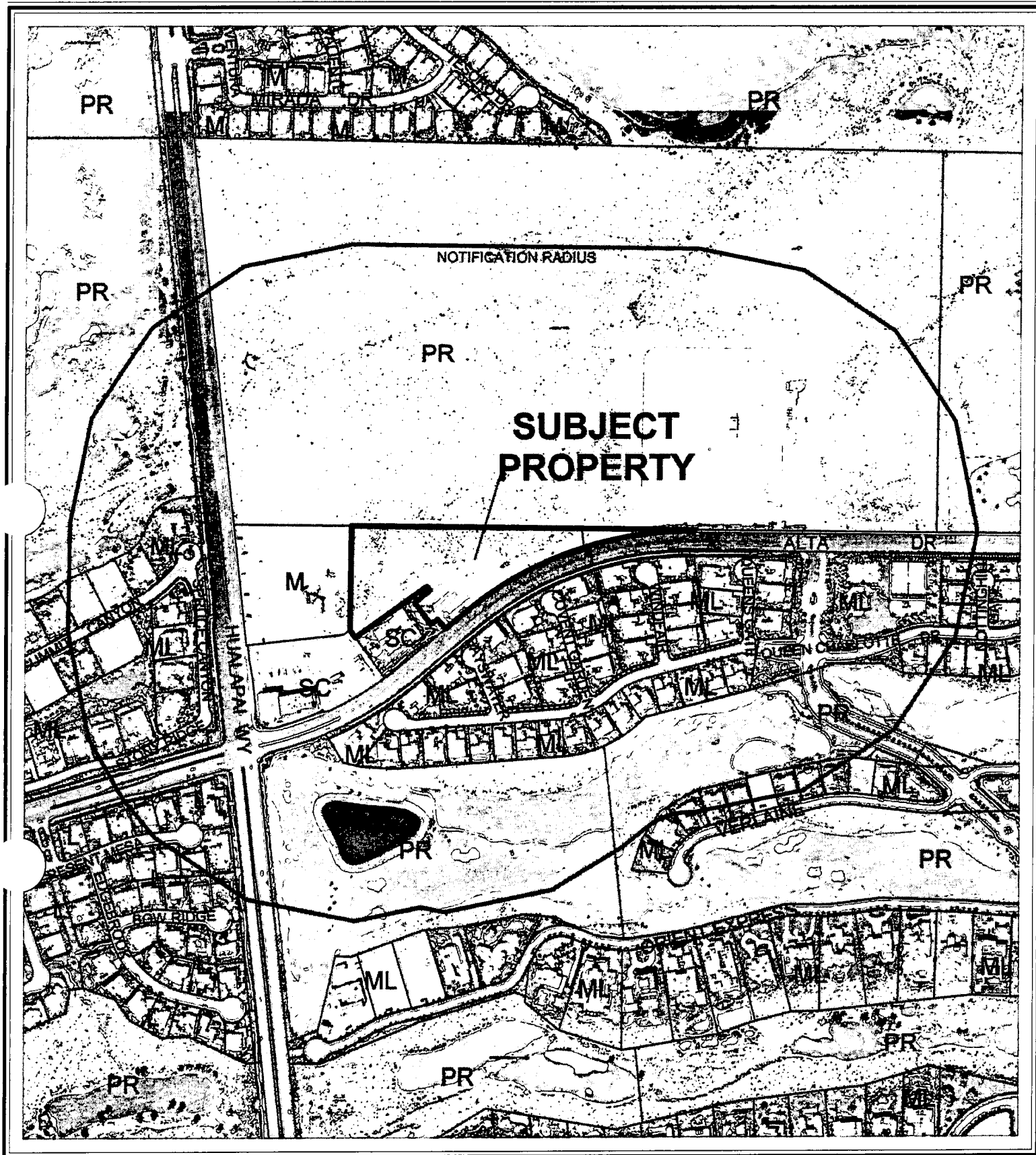
PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 500 1000 Feet





CASE: GPA-6199

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-6199 - APPLICANT: PECCOLE NEVADA CORP. -

OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

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

BACKGROUND DATA:

- | | |
|----------|---|
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre. |
| 08/18/99 | The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 04/14/05 | The Planning Commission recommended approval of a related item (ZON-6222). |
| 04/14/05 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #36/bts). |

DETAILS OF APPLICATION REQUEST

Site Area: 4.90 Acres

EXISTING LAND USE

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

PLANNED LAND USE

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

EXISTING ZONING

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

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

DEFINITIONS

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

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

ANALYSIS

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

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

FINDINGS

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

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

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

In regard to "2":

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

In regard to "3":

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

In regard to "4":

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

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

NOTICES MAILED 91 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: PECCOLE - 1991 TRUST

Name of Applicant: PEECOLE NEVADA CORP

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent:

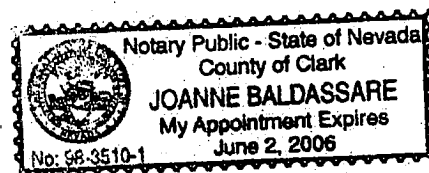
Print Name:

Subscribed and sworn before me

This 28th day of February, 2005

Joanne Baldassarre

Notary Public in and for said County and State



CONSTRUCTION NOTES

PR

PF

16
PF
(CHANGE TO SC)

15
M

ML

14
SC

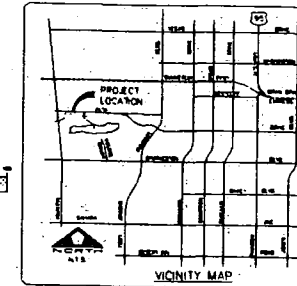
ML

10
Single-Family

10
Single-Family

GRAPHIC SCALE

1 inch = 40 ft.



MAR 1 2005

GPA-6199
04-14-05 PC

PECCOLE NEVADA CORPORATION



AMEC Infrastructure Inc.
1400 W. WILSON AVENUE, SUITE 200
LAS VEGAS, NEVADA 89102
PHONE (702) 876-3077 FAX (702) 876-3774

PROJECT:
GENERAL PLAN AMENDMENT
PECCOLE NEVADA CORPORATION

Drawn by: CDS

PRELIMINARY
NOT FOR
CONSTRUCTION
OR
RECORDING

JOB NO.
022001601

SHEET NO.

GP1



February 3, 2005

Job Number 02-2001-601

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

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

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

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

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

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

Sincerely,

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

Cc: Peccole

GPA-6199

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO GPA-6199

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

WOLFSON - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 117 [GPA-6199] for all related discussion.
(3:46 - 3:48)
4-3094

CONDITIONS:

Planning and Development

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

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

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

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

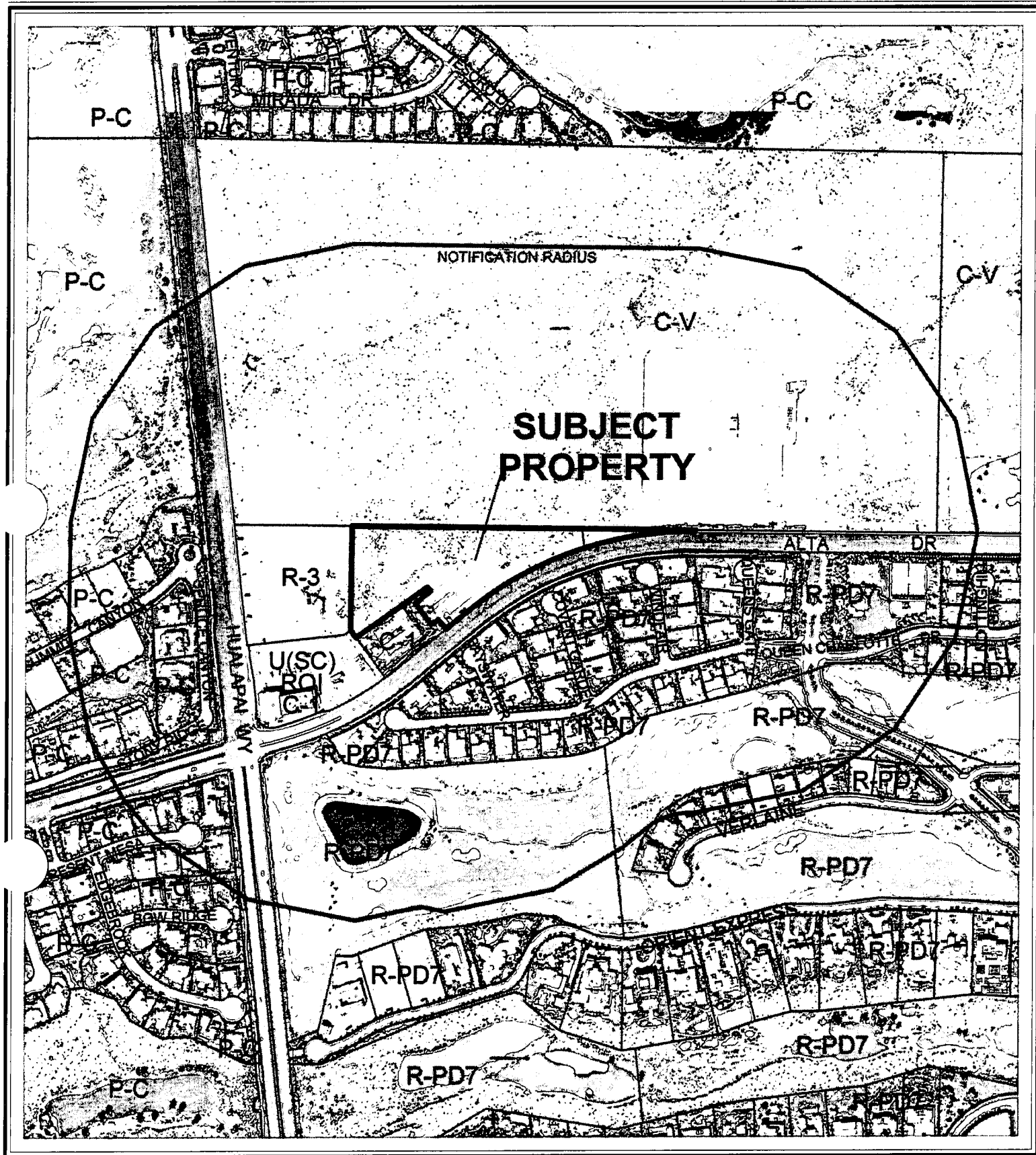
Public Works

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

CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

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



CASE: ZON-6222

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6222 - APPLICANT: PECCOLE NEVADA CORP. -
OWNER: WILLIAM PECCOLE AND WANDA PECCOLE 1991 TRUST

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-6199) to a SC (Service Commercial) land use designation approved by the City Council.
2. A reciprocal parking agreement is required between the subject site and the Merry Hills Private School, prior to the Finalization of Rezoning by Ordinance.
3. A Resolution of Intent within a two-year time limit.
4. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a rezoning from C-V (Civic) to C-1 (Limited Commercial) on 4.90 acres adjacent to the northeast corner of Hualapai way and Alta Drive.

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Related Actions*

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

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

04/14/05 The Planning Commission recommended approval of the related item (GPA-6199).

04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/bts).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 4.90

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

A) *Zoning Code Compliance*

A1) Development Standards

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

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

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

B) *General Analysis and Discussion*

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

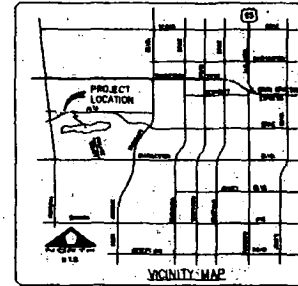
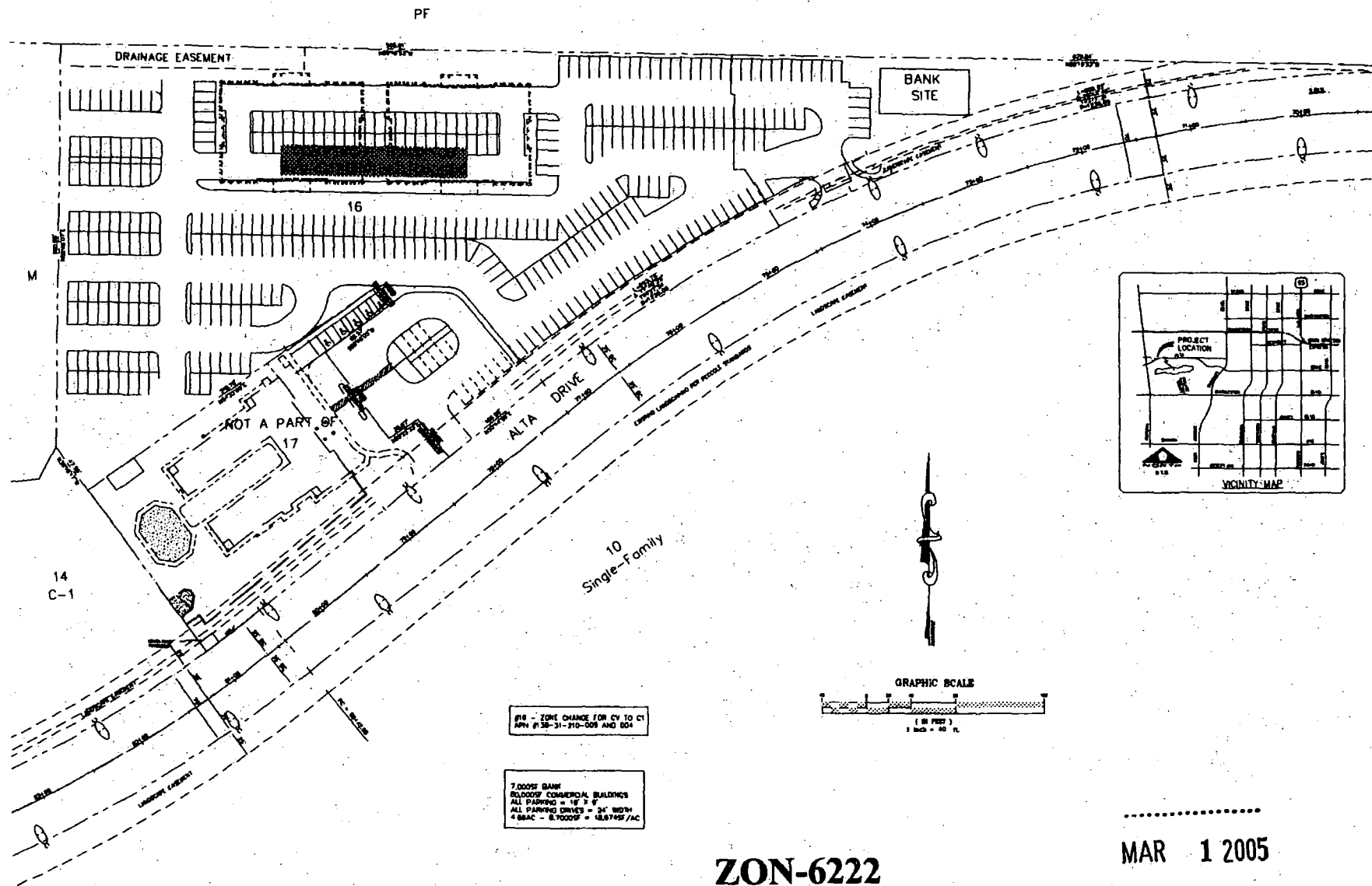
4

NOTICES MAILED 91 by Planning Department

APPROVALS 0

PROTESTS 0





10000 SF BANK
 10000 SF COMMERCIAL BUILDINGS
 ALL PARKING = 18' x 9'
 ALL PARKING DRIVES = 24' WIDE
 488 AC - 8.70000 SF = 488749 / AC

ZON-6222
04-14-05 PC

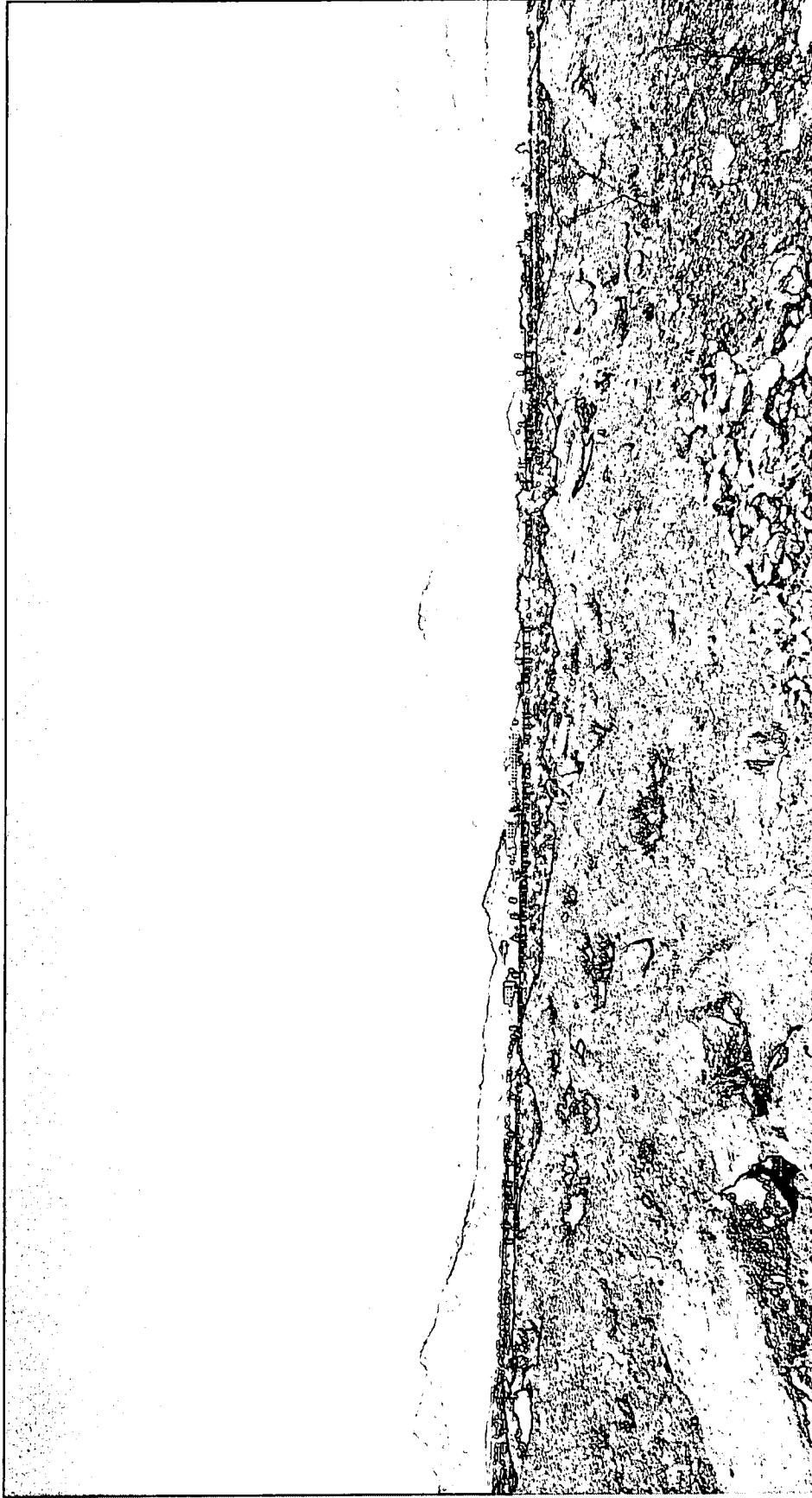
MAR 1 2005

PECOCLE NEVADA CORP. 10000 SF BANK 10000 SF COMMERCIAL BUILDINGS ALL PARKING = 18' x 9' ALL PARKING DRIVES = 24' WIDE 488 AC - 8.70000 SF = 488749 / AC	
amco AMCO International Inc. 10000 SF BANK 10000 SF COMMERCIAL BUILDINGS ALL PARKING = 18' x 9' ALL PARKING DRIVES = 24' WIDE 488 AC - 8.70000 SF = 488749 / AC	
ZONE CHANGE PECOCLE COMMERCIAL SITE ALTA DRIVE - EAST OF HUALAPAI WAY	
DESIGNER: LOA DRAWN BY: LOA	
PRELIMINARY NOT FOR CONSTRUCTION OR RECORDING	
JOB NO. 2001-508	
SHEET NO. C1 of 1	



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

03/16/05



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

03/16/05



March 2, 2005

Job Number 02-2001-601

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

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

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

We are asking for your approval on this request.

Sincerely,

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

Cc: Peccole

.....
MAR 1 2005

ZON-6222

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-6352 - PUBLIC HEARING - APPLICANT: ADVANCED ACCIDENT CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC - Request to amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL TO: O (OFFICE) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue (APN 162-02-410-071 and 072), Ward 3 (Reese). 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 - Not Applicable
3. Staff Report
4. Justification letter

MOTION:

REESE - APPROVED - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 119 [GPA-6352] and Item 120 [ZON-6353].

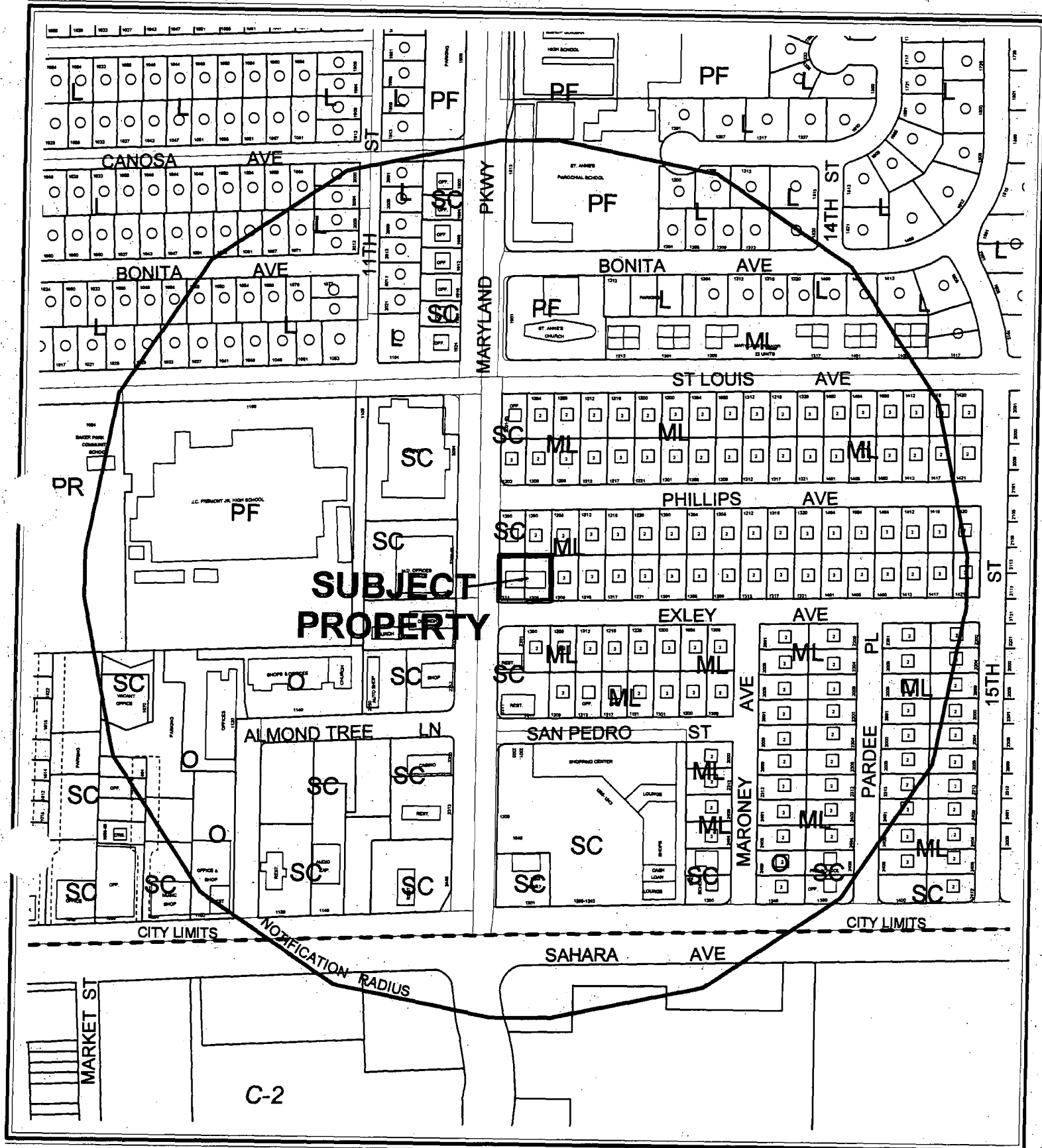
STEPHANIE PERRY, 7597 Hope Valley, appeared and requested approval. MAYOR PRO TEM REESE thanked the applicant for all cooperation recognizing the difficulty of the property. He welcomed the development and is thrilled to have this be part of his ward. MS. PERRY also thanked MAYOR PRO TEM REESE.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed for Item 119 [GPA-6352] and Item 120 [ZON-6353].

(3:48 - 3:50)

4-3198



CASE: GPA-6352

RADIUS: 1000 FT

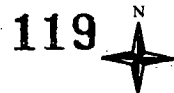
GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

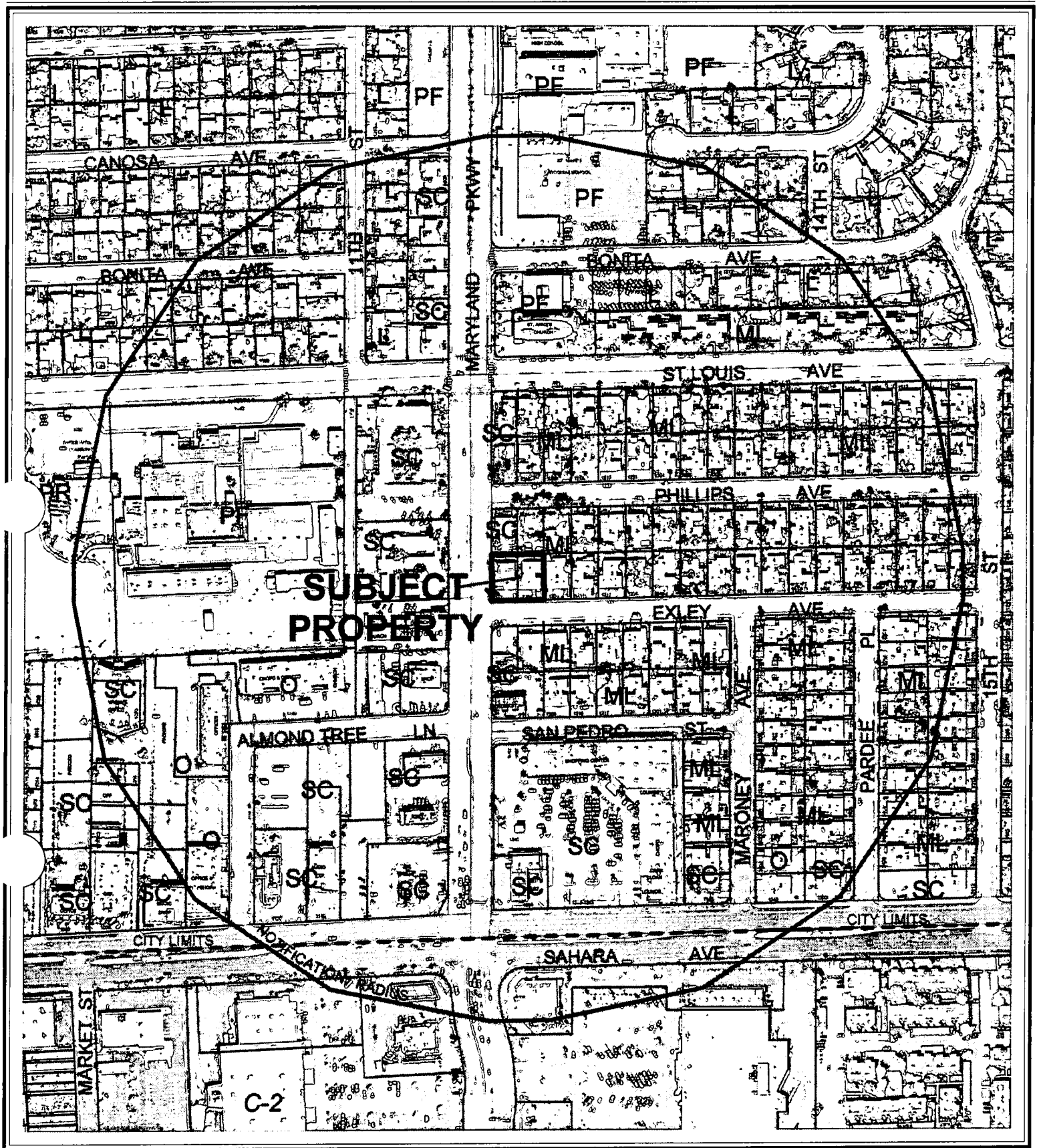
SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 300 600 Feet





CASE: GPA-6352

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL) AND ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6352 - APPLICANT: ADVANCED ACCIDENT
CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

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

BACKGROUND DATA:

- 10/09/69 The City Council approved a Rezoning (Z-0037-69) of the subject site to C-1 (Limited Commercial)
- 05/24/84 The Board of Zoning Adjustment approved a Variance (V-0057-84) to allow commercial storage and a ski repair shop on the adjacent property at 1205 Exley. The Zoning Code in effect at that time permitted this type of use variance. Because commercial use of this property ceased, this Variance has expired. The current zoning code does not permit the approval of a use variance.
- 11/06/02 The City Council tabled the following applications on the subject site: a request for a Special Use Permit to (U-0073-02) allow a Psychic Arts business; a request for a Variance (V-0037-02) to allow three parking spaces where the proposed uses require 14 parking spaces; and a request for a Variance (V-0038-02) on property adjacent to the subject site to allow an existing building zero feet from the side property line, where five feet is the minimum setback required. The Planning Commission and staff both recommended approval for U-0073-02 and V-0037-02, but the Planning Commission recommended Approval for V-0038-02, while staff recommended Denial.
- 04/14/05 The Planning Commission recommended approval of the related Rezoning (ZON-6353) case to change the zoning from C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential) to P-R (Professional Office and Parking). Staff recommended approval.
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #38/da).

DETAILS OF APPLICATION REQUEST

Site Area: .32 Acres

EXISTING LAND USE

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

PLANNED LAND USE

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

EXISTING ZONING

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

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

DEFINITIONS

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

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

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

INTERAGENCY ISSUES

SPECIAL PLAN AREA

This site is not within a Special Plan Area.

RURAL PRESERVATION NEIGHBORHOOD

This site is not within a Rural Preservation Neighborhood.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

This site is not within a Rural Preservation Neighborhood buffer.

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

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

ANALYSIS

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

FINDINGS

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

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

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

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

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

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

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED

222 by Planning Department

APPROVALS

1

PROTESTS

1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

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

Name of Applicant: ADVANCED ACCIDENT CHIROPRACTIC CARE
OBTEEN NASSIRE

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

 Yes xx No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: *S. Kyle Hamilton*

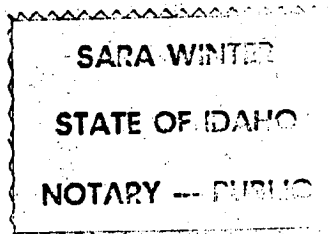
Print Name: Ivo Foldyna and S. Kyle Hamilton, Managing Members
I & K Holdings, LLC an Idaho Corp Registered in Nevada

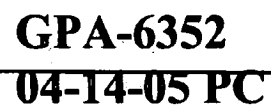
Subscribed and sworn before me

This 16 day of March, 2005

Sara Winter
Notary Public in and for said County and State

State of Idaho County of Ada
My Commission Expires 5/15/06
Revised 12-03-04







Prudential

Prudential Americana Group, REALTORS®

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Las Vegas, NV 89117

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March 17, 2005

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

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

To Whom It May Concern:

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

We propose the following:

2111 S. Maryland Pkwy - Parcel #162-02-410-072

GPA - Change from SC to O

Zoning - Change from C1 to PR

1205 Exley Ave. - Parcel #162-02-410-071

GPA - Change from ML to O

Zoning - Change from R2 to PR

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

With Respect,

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

GPA-6352

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 18, 2005**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****REZONING RELATED TO GPA-6352**

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

REESE - APPROVED subject to conditions - UNANIMOUS with GOODMAN and WEEKLY excused

MINUTES:

NOTE: See Item 119 [GPA-6352] for all related discussion.

(3:48 - 3:50)

4-3198

CONDITIONS:

Planning and Development

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

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

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

Public Works

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

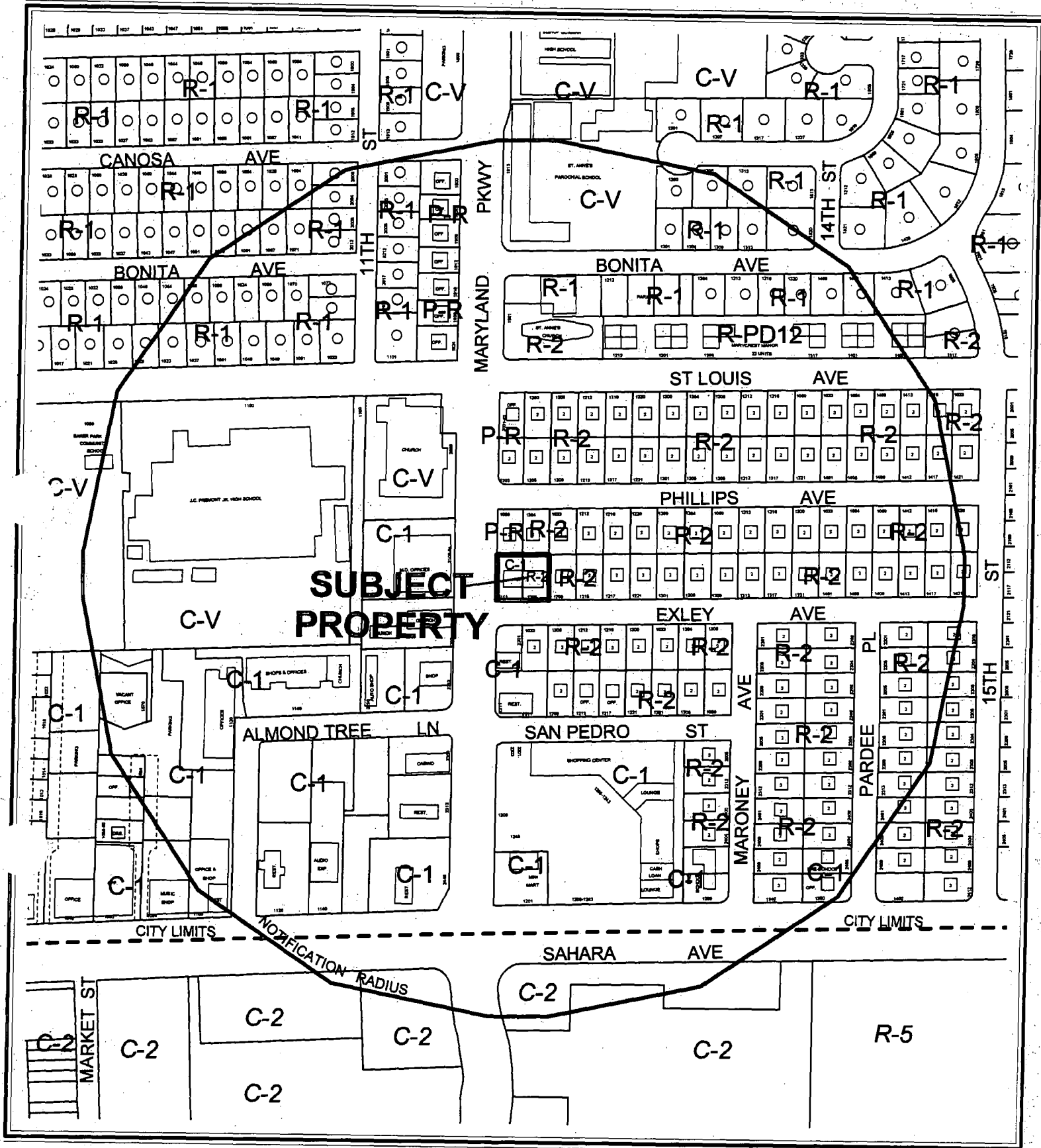
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if

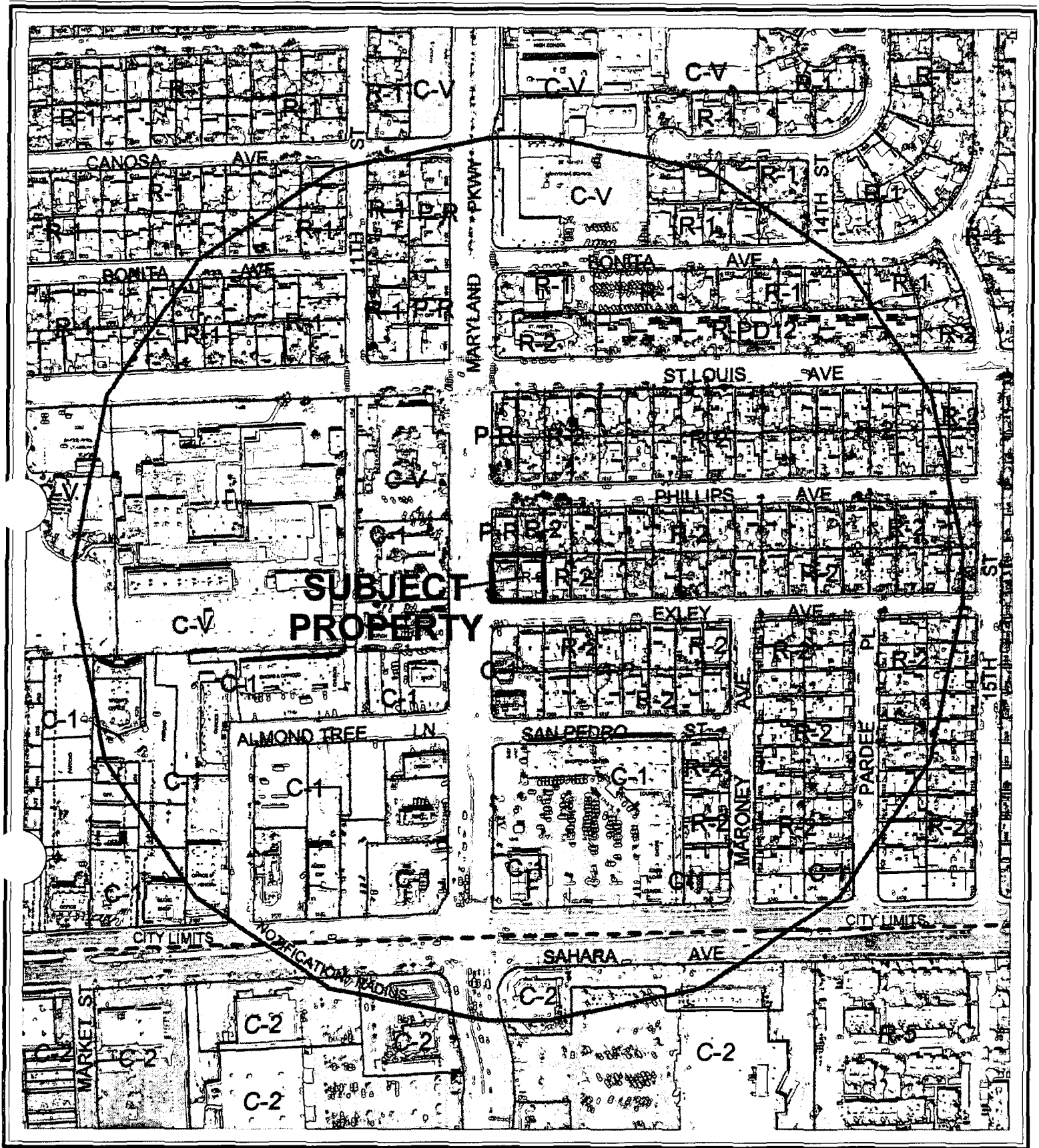
CITY COUNCIL MEETING OF: MAY 18, 2005

CONDITIONS - Continued:

any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.





CASE: ZON-6353

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 18, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6353 - APPLICANT: ADVANCED ACCIDENT
CHIROPRACTIC CARE - OWNER: I & K HOLDINGS, LLC

**** CONDITIONS ****

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

Planning and Development

1. General Plan Amendment (GPA-6352) to amend the land use of the site from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office), approved by the Planning Commission and City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 20 foot radius on the northeast corner of Maryland Parkway and Exley Avenue.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) *Action Requested*

This is a request for a Rezoning from: C-1 (Limited Commercial) and R-2 (Medium-Low Density Residential) to: P-R (Professional Office and Parking) on .32 acres at 2111 South Maryland Parkway and 1205 Exley Avenue.

B) *Applicant's Justification*

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

BACKGROUND INFORMATION

A) *Related Actions*

- 10/09/69 The City Council approved a rezoning (Z-0037-69) of the subject site to C-1 (Limited Commercial)
- 05/24/84 The Board of Zoning Adjustment approved a Variance (V-0057-84) to allow commercial storage and a ski repair shop on the adjacent property at 1205 Exley. The Zoning Code in effect at that time permitted this type of use variance. Because commercial use of this property ceased, this Variance has expired. The current zoning code does not permit the approval of a use variance.
- 11/06/02 The City Council tabled the following applications on the subject site: a request for a Special Use Permit to (U-0073-02) allow a Psychic Arts business; a request for a Variance (V-0037-02) to allow three parking spaces where the proposed uses require 14 parking spaces; and a request for a Variance (V-0038-02) on property adjacent to the subject site to allow an existing building zero feet from the side property line, where five feet is the minimum setback required. The Planning Commission and staff both recommended approval for U-0073-02 and V-0037-02, but The Planning Commission recommended Approval for V-0038-02, while staff recommended Denial.

- 04/14/05 The Planning Commission recommended approval of the related General Plan Amendment (GPA-6352) case to amend the Land Use from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office). Staff recommended approval.
- 04/14/05 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #39/da).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

No neighborhood meeting was required as part of this application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.32 Acres

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

<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

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

ANALYSIS

B) General Analysis and Discussion

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED 222 by Planning Department

APPROVALS 1

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

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

Name of Applicant: ADVANCED ACCIDENT CHIROPRACTIC CARE
OSTGEN NASSERI

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

 Yes

 XX No

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

City Official: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: [Signature]

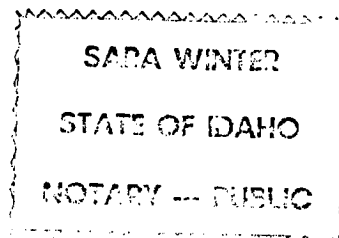
Print Name: Ivo Foldyna and S. Kyle Hamilton, Managing Members
I & K Holdings, LLC an Idaho Corp Registered in Nevada

Subscribed and sworn before me

This 16 day of March, 2005

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

Revised 12-03-04



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





ZONING

-  R-1
-  R-2
-  R-PD
-  C-V
-  C-1
-  P-R

-  SUBJECT PROPERTY
-  RESOLUTION OF INTENT



0 100 200 400 Feet

ZON-6353

04-14-05 PC



Printed: March 18, 2005

City of San Pedro, California
Planning Department
1000 West 10th Street, Suite 100
San Pedro, CA 90732
Tel: 310.336.1234





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March 17, 2005

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ZON-6353

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

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

MINUTES:

NL-305 Harrison Avenue, NL-608 Jackson Avenue, NL-620 Jackson Avenue, SUP-5877, SUP-6160, SUP-6194, SUP-6198, SUP-6204, SUP-6219, RQR-6148, RQR-6152, VAR-5878, VAR-5949, VAR-6355, VAC-6184, VAC-6196, VAC-6202, and VAC-6203 - 6/1/2005 AGENDA

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: MAY 18, 2005

CITIZENS PARTICIPATION:

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

MINUTES:

DOROTHY BARNES, Las Vegas resident, discussed issues she has faced maintaining her identity. She stated she informed Jackie Gaughan why his casinos are in trouble and spoke of obstacles she has faced to get in touch with her children. She expressed concern for public safety and questioned why police have been unable to assist.

(4:00 - 4:03)

5-138

TOM MCGOWAN, Las Vegas resident, submitted his written comments for the record.

(4:03- 4:06)

5-239

STEVEN "CAPTAIN TRUTH" DEMPSEY, Las Vegas resident, commended COUNCILMAN MACK for handling the concerns of the neighbors appropriately and COUNCILMAN WOLFSON for taking the initiative to see that the applicants receive proper notice of oppositions. He indicated that BUFFALO JIM is looking to train monkeys for See No Evil, Hear No Evil and Speak No Evil, similar to certain members of city staff and Council.

(4:06 - 4:09)

5-311

MEETING ADJOURNED AT 4:09 P.M.