

**THIS MEETING
CONTAINS SOME
PAGE(S) THAT ARE
ILLEGIBLE/POOR
QUALITY**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-12546 - PUBLIC HEARING - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN - Request for a Variance TO ALLOW NINE PARKING SPACES WHERE 16 IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED AND TO ALLOW NO LOADING SPACE WHERE ONE LOADING SPACE IS REQUIRED on 0.31 acres adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard (APN 138-36-406-008), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTIONS:

TARKANIAN - DENIED - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 144 [VAR-12546], Item 145 [VAR-12547], Item 146 [SUP-12807] and Item 147 [SDR-12545].

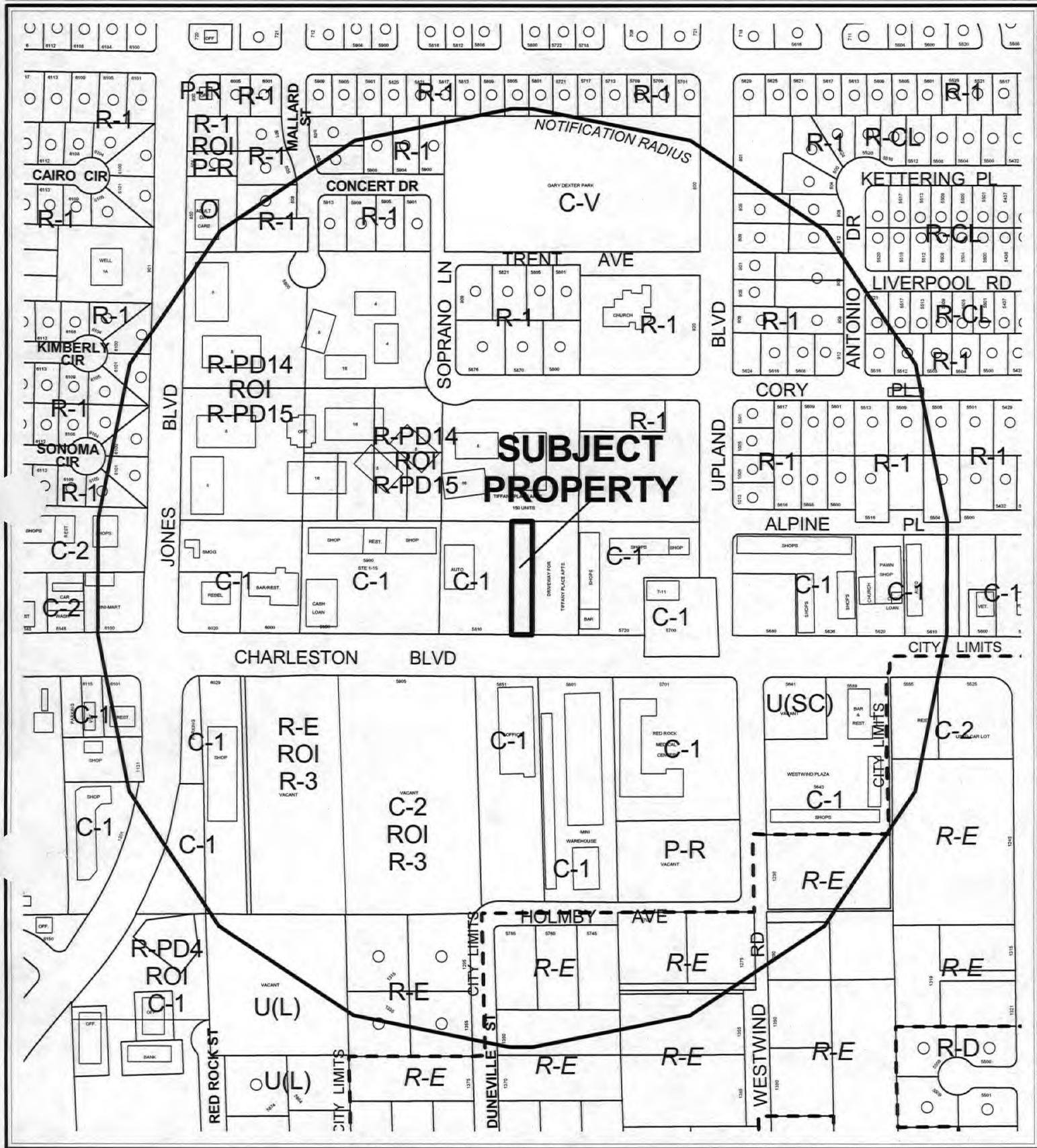
The applicant was not present.

TOM McGOWAN, Las Vegas resident, appeared in opposition.

MAYOR GOODMAN declared the Public Hearing open for Item 144 [VAR-12546], Item 145 [VAR-12547], Item 146 [SUP-12807] and Item 147 [SDR-12545].

(2:25 - 2:28)

4-2040



CASE: **VAR-12546**

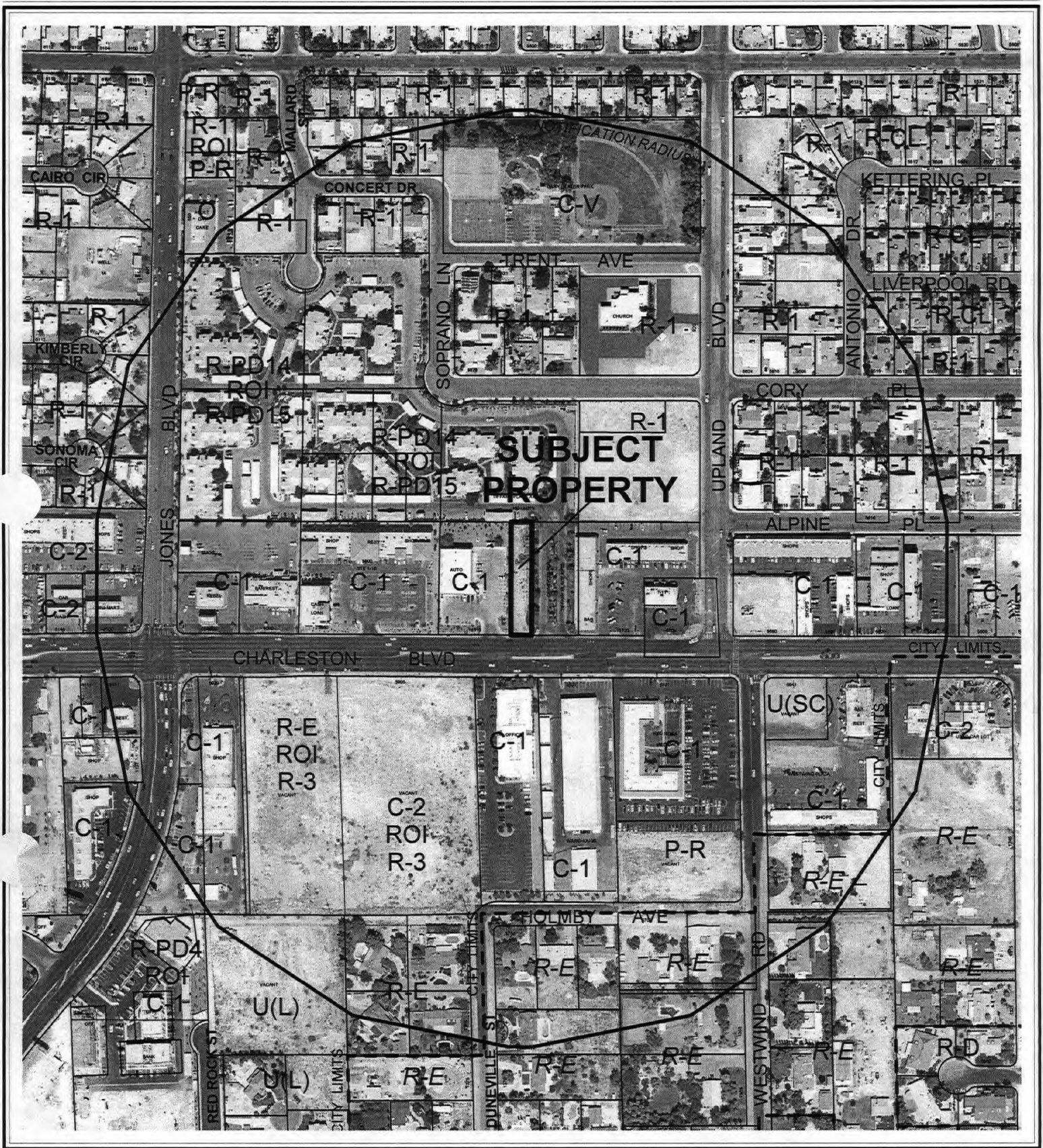
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)

0 300 600 Feet





CASE: **VAR-12546**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-12546 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-12547), Special Use Permit (SUP-12807) and Site Development Plan Review (SDR-12545) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Variance to allow nine parking spaces where 15 is the minimum number of parking spaces required and to allow no loading space where one loading space is required on 0.31 acres adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard.

EXECUTIVE SUMMARY

The proposed deviation from parking standards is self imposed and cannot be supported. There are alternative uses, such as a general office, that could be utilized on this site and would conform to the requirements of Title 19.10. The proposed Auto Repair Garage, Minor will need the required parking spaces for customers and employees. Due to inadequate parking there may be spill over into adjacent businesses.

BACKGROUND INFORMATION

A) Related Actions

- 03/02/66 The Board of City Commissioners approved a Reclassification of Property (Z-6-66) from R-1 (Single Family residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on property generally located between Charleston Boulevard and Alpine from Jones Boulevard to Decatur Boulevard and on the south side of Charleston Boulevard from Wilshire west to Mohawk. No time limit was placed on this Reclassification of Property so the property remains under Resolution of Intent to C-1 (Limited Commercial) until developed.
- 05/25/06 The Planning Commission recommended denial of companion items VAR-12547, SUP-12807 and SDR-12545 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #46/ng).

B) Pre-Application Meeting

- 03/07/06 A pre-application meeting was held and elements of a Site Development Plan Review and related items were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.31

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-Family Residential
South: Offices
East: Drive-Way to Multi-Family Residential
West: Retail

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial)
North: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of lower intensity commercial uses including the proposed Auto Repair Garage, Minor; however all development standards must be met.

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

There are no special area districts/zones that affect the subject property.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Auto Repair Garage	2,080 SF.	Five spaces plus 1/200 SF	16	1	9	1
Total			16		9	

The applicant is providing less than the required number of parking spaces for the proposed development. The requested deviation is a seven space or 44 % deficiency from Code requirements. As the deviation from standards is self imposed denial of this request is recommended.

The Department of Public Works is concerned regarding the driveway access for this site and the narrow width of this parcel. Acceptable access will be determined by the Nevada Department of Transportation as Charleston Boulevard is within their jurisdiction.

The Department of Public Works supports present City Code parking requirements; therefore the Department cannot support the Variance request for property located on the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard to allow 9 parking spaces where 15 spaces are the minimum number of parking spaces required and to allow no loading space where 1 loading space is required.

B) *General Analysis and Discussion*

A use of a less intense nature could be located on this site and parked within the requirements of Title 19.10. This site could accommodate an office or general retail use or the same square-footage and park within the requirements of Title 19.10 without the need for a Variance. As the deviation from standards is self imposed denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through their choice of uses and design for the parcel. Alternative uses with less intense requirements would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 118 by City Clerk

APPROVALS 0

PROTESTS 0



Case Number: VAR-12546 APN: 138-36-406-008
Name of Property Owner: ALMARIO SATSATIN & ELVIRASATJATI
Name of Applicant: ALMARIO SATSATIN
ELVIRA SATSATIN

Yes

~~No~~

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: ALMARIO ELVIRA SATSATIN
Print Name: ALMARIO E. ELVIRA SATSATIN

This 17 day of March, 20 06

Notary Public in and for said County and State



Retail Center

APARTMENTS PRIVATE DRIVE

APARTMENTS PRIVATE DRIVE

KEY NOTES

- 1 EXIST'S LANDSCAPE BUFFER
- 2 NEW LANDSCAPE BUFFER
- 3 6" HIGH CHU SCREEN WALL
- 4 BUMPSTER
- 5 CONCRETE WALK
- 6 EXIST'S CHU PROPERTY WALL
- 7 EXIST'S LOW CHU WALL W/ BUILT-IN IRON
- 8 EXIST'S BERM
- 9 ASPHALT PAVING
- 10 CONCRETE CURB/SURF
- 11 0' LOT LINE (S. BLDG. & H.R. WALL)
- 12 ALUMINUM STOREFRONT OVERHEAD DOOR
- 13 CHU WALL W/ STUCCO FINISH
- 14 EXIST'S PARKING FROM AUTO ZONE
- 15 ADA REST ROOM
- 16 30' MAN DOOR
- 17 AREA SEPARATION WALL
- 18 ADA PARKING SPACE
- 19 ADA ACCESS ROUTE
- 20 SCREENED GATES

APARTMENTS

CHARLESTON AVENUE

Site Plan

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
fax 876-0248

Auto Zone Bldg.

PARKING ANALYSIS

2,000 SF ÷ 100 = 11 + 5 = 16 SPACES
PARKING PROVIDED = 9 SPACES

INDEX OF DRAWINGS

A-1 SITE PLAN
A-2 FLOOR PLAN
A-3 ELEVATIONS
A-4 ELEVATIONS

LANDSCAPE LEGEND

- 24" BOX SHADE TREE
- 24" BOX PALM TREE
- 24" BOX PALE VERDE

DATA

APR 11 2006
LOT 5412005, 0.251 ACRES
TERMS: PALMER BROTHERS
5 MILLIONS @ 84% AC

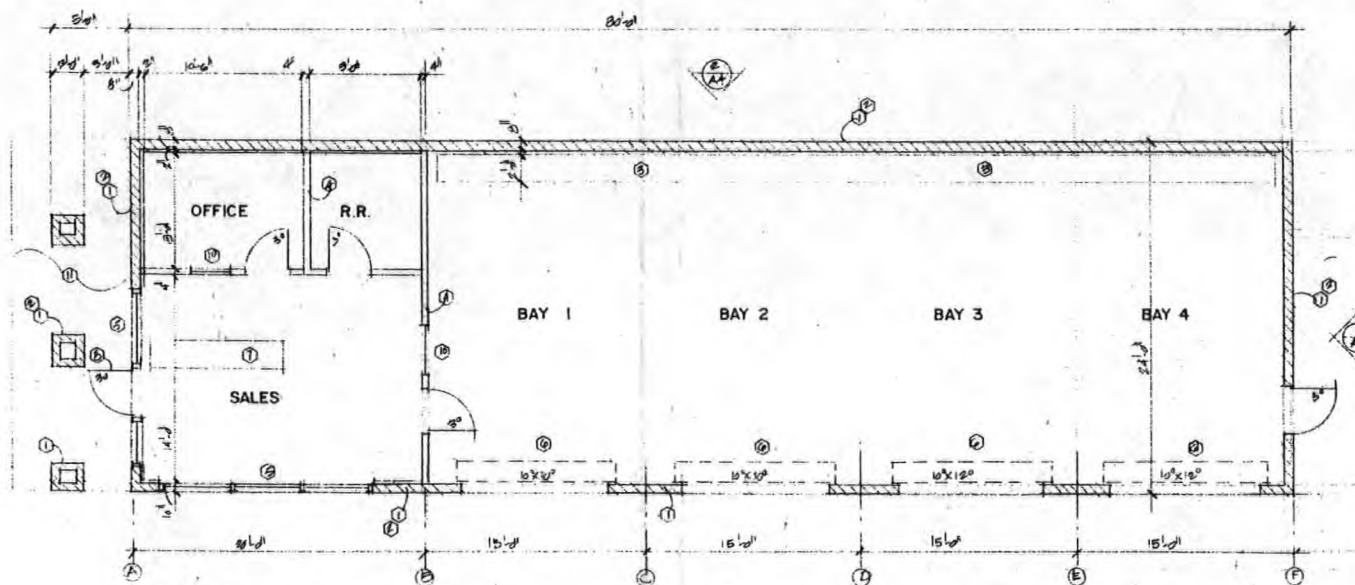
CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3543

REVISIONS	BY

DRAWN 3-22	CHECKED 1-22-04
SITE 3-22-04	SCALE
JOB NO.	SHEET
AI	OF SHEETS

VAR-12546 REVISED
05/25/06 PC



① Floor Plan
1/4" = 1'-0" (1990 ST)

KEY NOTES

- ① 2" CHU
- ② STUDO BRICK / CHU
- ③ WORK BENCH
- ④ 2x4 STUD WALL
- ⑤ ALUMIN. STAGE FRONT
- ⑥ SWAP HANG / PULL UP STEEL KICK
- ⑦ COUNTER / SALES
- ⑧ GLASS KICK / STAGE FRONT
- ⑨ ADA POST FRONT
- ⑩ WINDOW
- ⑪ CONCRETE WALK

REVISIONS	BY

OSCAR 876-3543
O'KEEFE ARCHITECT

CHARLESTON AUTO ACCESSORY SHOP

RECEIVED
MAR 22 2006

VAR-12546
05/25/06 PC

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
Fax 876-0248

DRAWN JMC
CHECKED
DATE 3-2-06
SCALE
JOB NO.
SHEET
A2
OF SHEETS

OSCAR O'KEEFE ARCHITECT

*3792 Falcon Springs Drive
Las Vegas , Nevada, 89147
702- 876-3543
fax 876-0248*

Date: March 21, 2006

To: **City of Las Vegas**

JUSTIFICATION LETTER

Project: Charleston auto Accessory Shop

The owner of this future Auto shop will provide light/ minor mechanic work , oil changes and auto accessory installations.

Due to the constraints of this small commercial lot width 54' , we are requesting the following waiver and variances.

#1 a variance of the loading zone 15'x 25' , simply no room for it.

#2 a variance for parking , we require 15 parking spaces , spaces provide are 9

#3 a variance of setbacks , the lot width leaves no other alternative but to use zero lot line .

#4 waiver for landscape fingers at rear parking area ,

We hope you can see our hardship in building this project in small lot.

We will appreciate your approval on these items.

Thank You

Oscar O'Keefe , Architect

**VAR-12546
05/25/06 PC**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO VAR-12546

VAR-12547 - PUBLIC HEARING - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN - Request for a Variance TO ALLOW NO SETBACK IN THE SIDE YARD AREA WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on 0.31 acres adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard (APN 138-36-406-008), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTIONS:

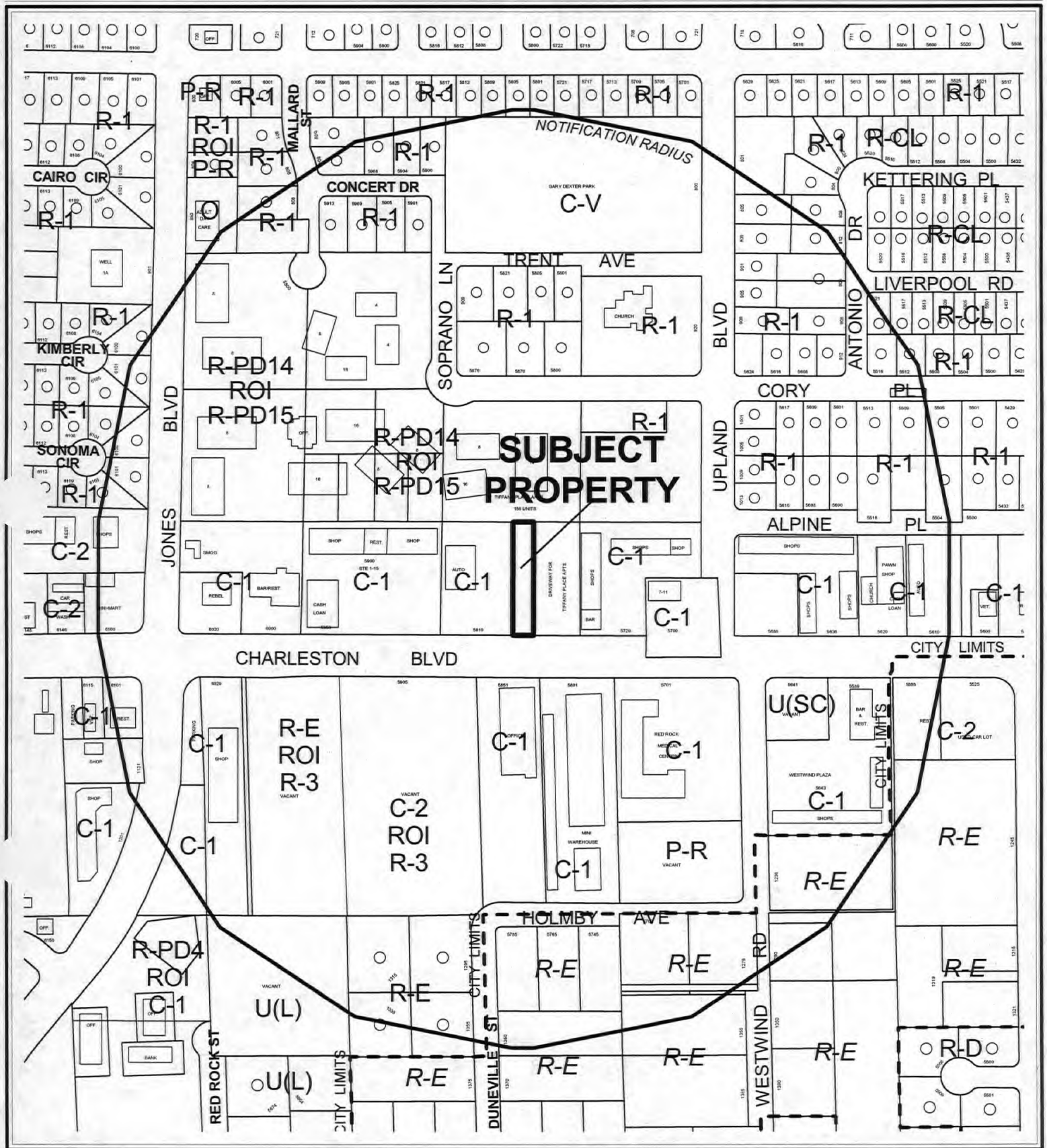
TARKANIAN - DENIED - UNANIMOUS

MINUTES:

NOTE: See Item 144 [VAR-12546] for all related discussion.

(2:25 - 2:28)

4-2040



CASE: VAR-12547

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

**R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)**

0 300 600 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-12547 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-12807), Variance (VAR-12546) and Site Development Plan Review (SDR-12545) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Variance to allow no setback in the side yard area where 10 feet is the minimum setback required on 0.31 acres adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard.

EXECUTIVE SUMMARY

This is a self imposed hardship, as the applicant design choices for the site do not comply with Code requirements. Alternative design and a less intense use would allow the site to meet standards. Given the proposed reduced side yard setback request and not meeting parking requirements the site is incompatible as an Auto Repair Garage, Minor. Denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

- 03/02/66 The Board of City Commissioners approved a Reclassification of Property (Z-6-66) from R-1 (Single Family residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on property generally located between Charleston Boulevard and Alpine from Jones Boulevard to Decatur Boulevard and on the south side of Charleston Boulevard from Wilshire west to Mohawk. No time limit was placed on this Reclassification of Property so the property remains under Resolution of Intent to C-1 (Limited Commercial) until developed.
- 05/25/06 The Planning Commission recommended denial of companion items VAR-12546, SUP-12807 and SDR-12545 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #47/ng).

B) Pre-Application Meeting

- 03/07/06 A pre-application meeting was held and elements of a Site Development Plan Review and related items were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.31

B) Existing Land Use

Subject Property: Undeveloped
North: Multi-Family Residential
South: Offices
East: Drive-Way to Multi-Family Residential
West: Retail

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial)
North: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of lower intensity commercial uses including the proposed Auto Repair Garage, Minor; however all development standards must be met.

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

There are no special area districts/zones that affect the subject property.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Width	100 Feet	50 Feet	N
Min. Setbacks			
• Front	20 Feet	51 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	78 Feet	Y
Max. Lot Coverage	50 %	15 %	Y
Trash Enclosure	1	1	Y
Loading Space	1	0	N

The minimum lot width does not meet current standards; however this site was originally approved for the C-1 District in 1966. This parcel met the standards of the time and as such is permitted deviate from current requirements.

The site is very narrow, only 50 feet in width. The project is seeking a zero lot line on the west side where a 10-foot setback is required. This Variance is intended to permit this deviation from requirements.

The proposed Auto Repair Garage, Minor requires a single loading space. The applicant is not proposing one as the narrow parcel does not contain adequate space for the required 15-foot by 25-foot area. A Variance (VAR-12546) has been requested to permit this deviation from requirements.

B) *General Analysis and Discussion*

Although the parcel is narrow and difficult to build on, a structure of the proposed size could be placed on the parcel in a manner that meets Code requirements. For example a building of the same size could be placed toward the rear of the parcel that meets setbacks and landscape buffer requirements. Parking would be provided in the front, and if used as a general office would meet Title 19.10 parking requirements. It is noted that if placed to meet standards the proposed use would not work as cars could not access the building. The building could be used for general offices; the building would then meet setback requirements, parking standards, and would not require a Special Use Permit. This is a self imposed hardship and denial of this request is recommended.

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;
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No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through the applicants design choices. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 118 by City Clerk

APPROVALS 0

PROTESTS 0



Case Number: VAR-12547 APN: 138-36-406-008
Name of Property Owner: ALMARIO SATSATINE ELVIRA SATSATINE
Name of Applicant: ALMARIO SATSATINE
ELVIRA SATSATINE

 Yes No

APN: _____

Print Name: ALMARIO E. ELNIRA SATSATIN

"OFFICIAL SEAL"
MANUEL J MOLINA
COMMISSION EXPIRES 06/13/07

Retail Center

APARTMENTS PRIVATE DRIVE

APARTMENTS PRIVATE DRIVE

KEY NOTES

- ① EXIST'G LANDSCAPE BUFFER
- ② NEW LANDSCAPE BUFFER
- ③ 6' HIGH CHU SCREEN WALL
- ④ DUMPSTER
- ⑤ CONCRETE WALK
- ⑥ EXIST'G CHU PROPERTY WALL
- ⑦ EXIST'G LOW CHU WALL W/ WROUGHT IRON
- ⑧ EXIST'G BERM
- ⑨ ASPHALT PAVING
- ⑩ CONCRETE CURB/SIDWALK
- ⑪ 0' LOT LINE (E BLDG & H.R. WALL)
- ⑫ ALUMINUM STOREFRONT
- ⑬ OVERHEAD DOOR
- ⑭ CHU WALL W/ STICKO FINISH
- ⑮ BRUSH PARKING FROM AUTO ZONE
- ⑯ ADA REST ROOM
- ⑰ 30' MAN DRAIN
- ⑱ AREA SEPARATION WALL
- ⑲ ADA PARKING SPACE
- ⑳ ADA ACCESS ROUTE
- ㉑ SCREENING GATES

APARTMENTS

CHARLESTON AVENUE

① Site Plan
1-20-04
3-20-06
1-20-06

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
fax 876-0248

Auto Zone Bldg.

PARKING ANALYSIS

2,280 SF ÷ 100 = 11.45 = 12 SPACES
PARKING PROVIDED = 12 SPACES

INDEX OF DRAWINGS

A-1 SITE PLAN
A-2 FLOOR PLAN
A-3 ELEVATIONS
A-4 ELEVATIONS

LANDSCAPE LEGEND

- ⊗ 24" BOX CHASTE TREE
- ⊗ 24" BOX PALM TREE
- ⊗ 24" BOX PALO VERDE

DATA

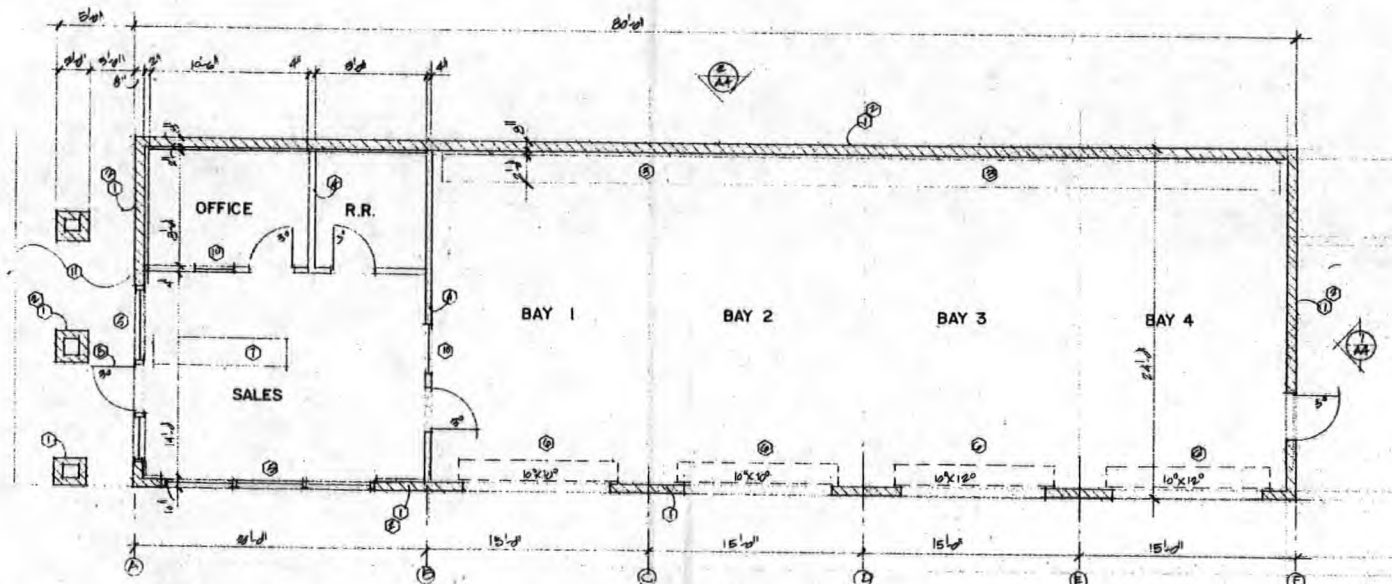
APR 18, 2006 - 2006-04-18
LOT 34X200, 1.293 ACRES
TEXAS PARTNER BUSINESSES
3 PARTNERS (2 24" BOX)

CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3543

DRAWN	3-20-06
CHECKED	1-20-04
SITE	3-20-06
SCALE	
JOB NO.	
SHEET	
AI	
OF	SHEETS

VAR-12547 REVISED
05/25/06 PC



1 Floor Plan
1/4" = 1'-0"
(1900 Gt)

VAR-12547
05/25/06 PC

RECEIVED
MAR 22 2006

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3343
Fax 876-0248

KEY NOTES

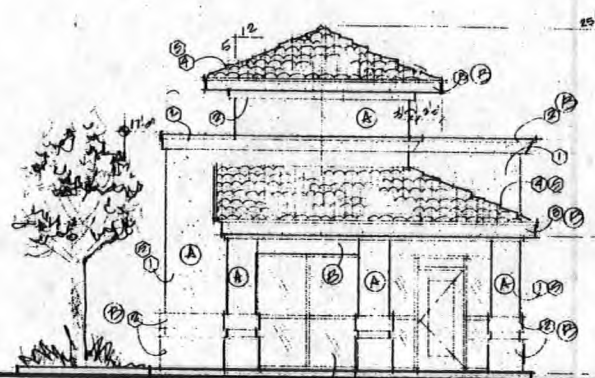
- ① 3" CHU
- ② STUCCO FINISH / CHU
- ③ WALK-BENCH
- ④ 2x4 STUD WALL
- ⑤ ALUMINUM STAIRFRONT
- ⑥ CARPENTRY FINISH / STEEL DOOR
- ⑦ COUNTER / SALES
- ⑧ GLASS DOOR / COUNTERFRONT
- ⑨ ALUM. FLOOR FRONT
- ⑩ WINDOW
- ⑪ CONCRETE WALK

REVISIONS	BY

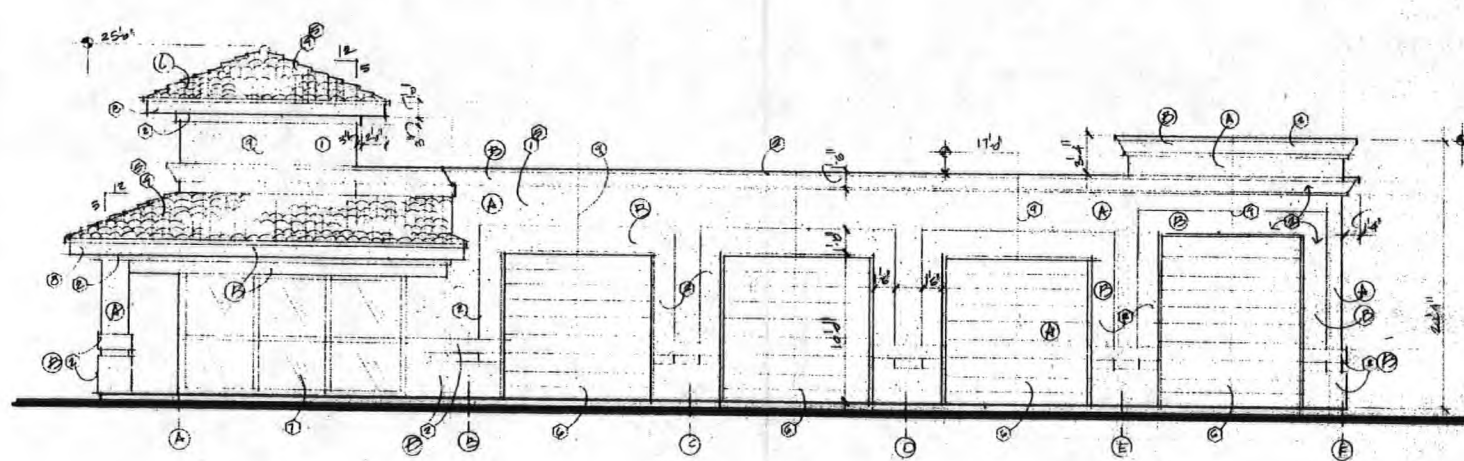
CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3343

DRAWN	ENC
CHECKED	
DATE	3-2-06
SCALE	
JOB NO.	
SHEET	
A2	
OF	SHEETS



① Charleston Elevation
1/4" = 1'-0"



① Right Elevation
1/4" = 1'-0"

KEY NOTES

- ① STUCCO FINISH
- ② STUCCO POP-OUTS
- ③ STUCCO CORNER TO MATCH ADJ.
- ④ CONCRETE TILE ROOF
- ⑤ COLOR TO MATCH ADJ. BUILDING
- ⑥ ROLL UP STEEL DOOR COLOR TO MATCH STUCCO
- ⑦ ALUMINUM SLIDE FRONT RAMPING
- ⑧ STUCCO PATCH
- ⑨ STUCCO JOINT

- ⑩ LIGHT BEIGE STUCCO CORNER
- ⑪ DARK PINK/ROSEH
- ⑫ CONCRETE TILE ROOF PINK/ROSEH

VAR-12547
05/25/06 PC

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MAR 22 2006

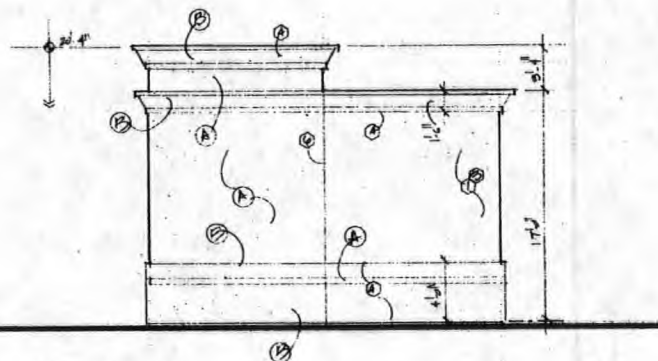
OSCAR O'KEEFE ARCHITECT
6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
Fax 876-8248

REVISIONS	BY

OSCAR O'KEEFE ARCHITECT
876-3543

CHARLESTON AUTO ACCESSORY SHOP

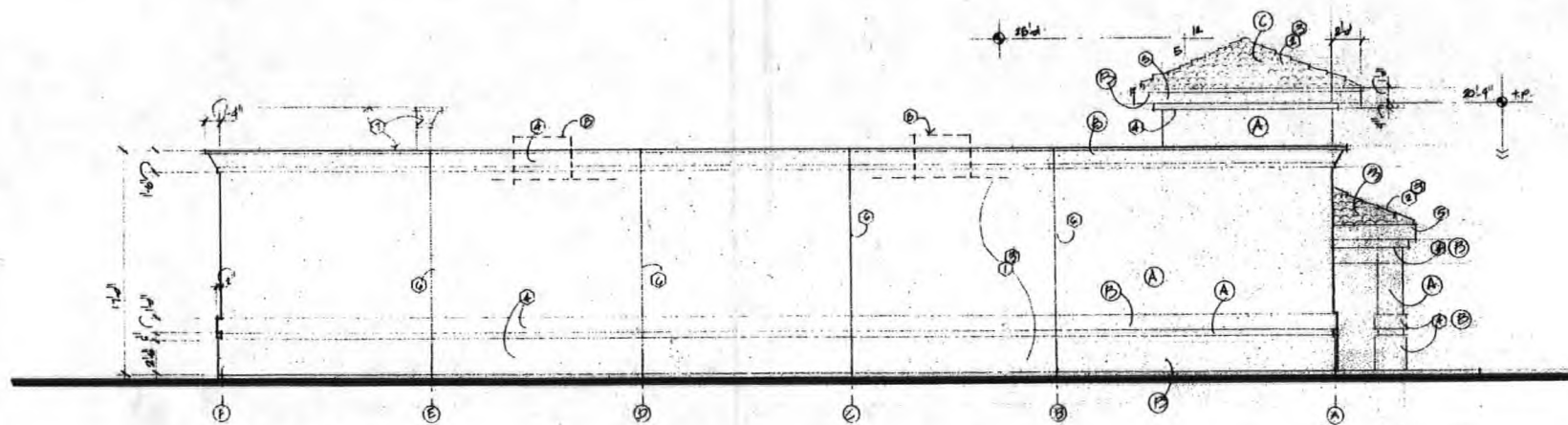
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DATE	5-7-06
SCALE	
JOB NO.	
SHEET	
A3	
SP	SHEETS



① Rear Elevation
1/4" = 1'-0"

- KEY NOTES**
- ① STUCCO FINISH
 - ② CONCRETE ROOF TILE
 - ③ MATCH COLOR OF ADJACENT WALLS
 - ④ STUCCO POP NITS
 - ⑤ STUCCO FASCIA
 - ⑥ CONTROL JOINT @ STUCCO
 - ⑦ PARAPET WALL BEYOND
 - ⑧ MECH./ELEC. ROOF TOP UNITS

- (A) LIGHT BEIGE STUCCO COLOR
- (B) DARK RED/BRN. EXTERIOR PAINT/STUCCO
- (C) CONCRETE ROOF TILE "PU" / "GREEN"



② Right Elevation
1/4" = 1'-0"

VAR-12547 SDR-12545
SUP-12807 VAR-12546
05/25/06 PC

RECEIVED
MAR 22 2006

OSCAR O'KEEFE ARCHITECT
 6480 West Spring Mountain Road, Suite 3
 Las Vegas, Nevada
 89146
 702-876-3543
 Fax 876-0248

REVISIONS	BY

CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
 876-3543

GRAPH
CHECKED
DATE
BY
SCALE
JOB NO.
SHEET
A4
OF SHEETS

OSCAR O'KEEFE ARCHITECT

*3792 Falcon Springs Drive
Las Vegas , Nevada, 89147
702- 876-3543
fax 876-0248*

Date: March 21, 2006

To: **City of Las Vegas**

JUSTIFICATION LETTER

Project: Charleston auto Accessory Shop

The owner of this future Auto shop will provide light/ minor mechanic work , oil changes and auto accessory installations.

Due to the constraints of this small commercial lot width 54' , we are requesting the following waiver and variances.

#1 a variance of the loading zone 15'x 25' , simply no room for it.

#2 a variance for parking , we require 15 parking spaces , spaces provided are 9

#3 a variance of setbacks , the lot width leaves no other alternative but to use zero lot line .

#4 waiver for landscape fingers at rear parking area ,

We hope you can see our hardship in building this project in small lot.

We will appreciate your approval on these items.

Thank You

Oscar O'Keefe , Architect

**VAR-12547
05/25/06 PC**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-12546 AND VAR-12547

SUP-12807 - PUBLIC HEARING - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN - Request for a Special Use Permit FOR AN AUTO REPAIR GARAGE, MINOR adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard (APN 138-36-406-008), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

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 DENIAL.

BACKUP DOCUMENTATION:

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

MOTIONS:

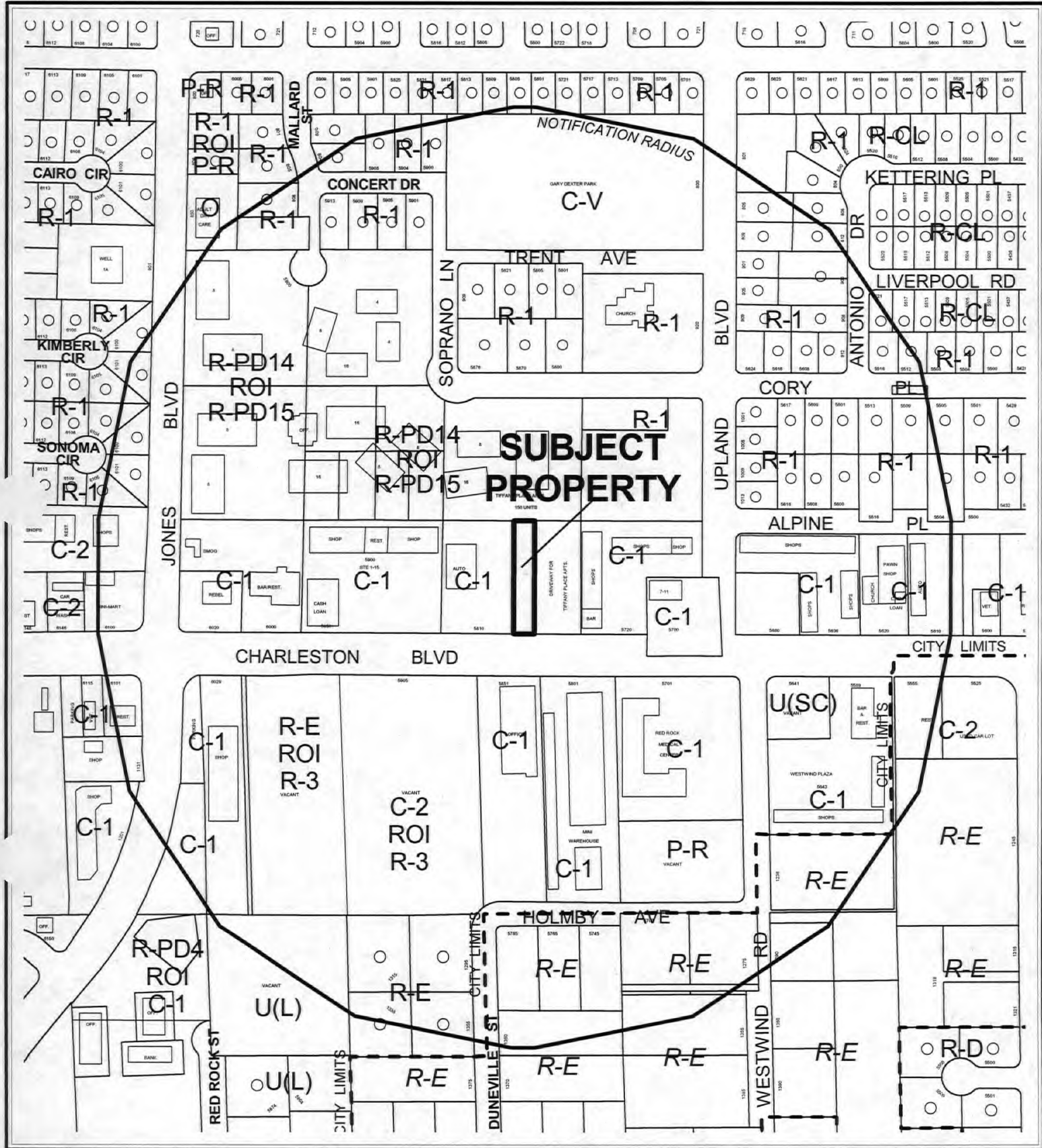
TARKANIAN - DENIED - UNANIMOUS

MINUTES:

NOTE: See Item 144 [VAR-12546] for all related discussion.

(2:25 - 2:28)

4-2040

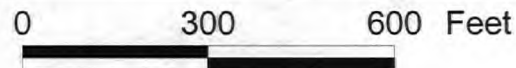


CASE: SUP-12807

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-12807 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN

**** 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 LVMC Title 19.04.050 for Auto Repair Garage, Minor use.
2. Approval of and conformance to the Conditions of Approval for Variances (VAR-12546 & VAR-12547) and Site Development Plan Review (SDR-12545) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for an Auto Repair Garage, Minor adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard.

EXECUTIVE SUMMARY

While the proposed Auto Repair Garage, Minor would be compatible with adjacent development if all Code requirements were met, the project calls for several deviations from standards; therefore the proposed development is incompatible with the surrounding area. These deviations are considered to be self imposed. Additionally as this is a small parcel development of a less intense nature is recommended. Alternative design and a less intense use would permit this site to comply with the majority of requirements. Denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

03/02/66 The Board of City Commissioners approved a Reclassification of Property (Z-6-66) from R-1 (Single Family residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on property generally located between Charleston Boulevard and Alpine from Jones Boulevard to Decatur Boulevard and on the south side of Charleston Boulevard from Wilshire west to Mohawk. No time limit was placed on this Reclassification of Property so the property remains under Resolution of Intent to C-1 (Limited Commercial) until developed.

05/25/06 The Planning Commission recommended denial of companion items VAR-12546, VAR-12547 and SDR-12545 concurrently with this application.

05/25/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #48/ng).

B) Pre-Application Meeting

03/07/06 A pre-application meeting was held and elements of a Site Development Plan Review and related items were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.31

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-Family Residential
South: Offices
East: Drive-Way to Multi-Family Residential
West: Retail

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial)
North: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of lower intensity commercial uses including the proposed Auto Repair Garage, Minor; however all development standards must be met.

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

There are no special area districts/zones that affect the subject property.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Auto Repair Garage	2,080 SF.	Five spaces plus 1/200 SF	16	1	9	1
Total			16		9	

The applicant is providing less than the required number of parking spaces for the proposed development. The requested deviation is a seven space or 44 % deficiency from Code requirements. This deviation is not supported. A use of a less intense nature could be located on this site and parked within the requirements of Title 19.10. This site could accommodate an office or general retail use or the same square-footage and park within the requirements of Title 19.10 without the need for a Variance.

The Department of Public Works is concerned regarding the driveway access for this site and the narrow width of this parcel. Acceptable access will be determined by the Nevada Department of Transportation as Charleston Boulevard is within their jurisdiction.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Auto Repair Garage, Minor use.

B) *General Analysis and Discussion*

- Zoning

The site is zoned R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial). The Resolution of Intent stems from a Reclassification of Property case (Z-6-66) from 1966 that did not have an expiration date. As this property is still undeveloped the Resolution of Intent is still in effect. The proposed use as an Auto Repair Garage, Minor is permitted in the C-1 (Limited Commercial) District with approval of a Special Use Permit.

- Use

Auto Repair Garage, Minor means "a facility for the performance of minor repairs and service on vehicles of ten thousand pounds gross vehicle weight or less; such repairs and service are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, other similar activities and repairing and installing other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excluding engine, transmission and differential repair or installation."

The proposed use is not considered appropriate for this site. The parcel is narrow and requires several deviations from standards in order to accommodate the proposed use. An alternative use, such as a general office would be able to be constructed to meet Code requirements. The use is not considered appropriate for the site as it is short of parking and auto related. This could result in a spill over of traffic into adjacent sites. With only nine on site spaces and more than likely over half of those spaces being taken by employees there will be little parking left over for customers.

- Conditions

AUTO REPAIR GARAGE, MINOR [C-2, C-M, M]

(1) All repair and service work shall be performed within a completely enclosed building.

(2) Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.

(3) No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.

(4) No outside storage of stock, equipment or residual used equipment shall be located in any open area outside of an enclosed building.

(5) All disabled vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets. Vehicles shall not be stored on the property longer than forty-five days.

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."**

While the proposed use is compatible with adjacent development the site plan requires several deviations from standards. These deviations could lead to potential problems that could have an effect on the surrounding uses and therefore cannot be supported. An example is that the site is under parked, this leads to congestion and on a parcel of this size with no room for overflow adjacent parcels may see overflow traffic.

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

While this is a difficult parcel to work with, with a less intense use and creative design the site would be able to meet the majority of requirements, only needing a landscape buffer width waiver. The deviations from standards are considered self imposed hardships and cannot be supported. Denial of this request is recommended in support of the related applications.

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 Department of Public Works is concerned regarding the driveway access for this site and the narrow width of this parcel. Acceptable access will be determined by the Nevada Department of Transportation as Charleston Boulevard is within their jurisdiction. Charleston Boulevard is a 100-foot Primary Arterial and is capable of handling traffic to and from the site with proper driveway access.

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 site would be subject to inspections and would not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 118 by City Clerk

APPROVALS 0

PROTESTS 0

Edmund Augustine Probst *Surveyor of Fiscal Income, dds*

SUP-12807 REVISED 05/25/06 PC

Retail Center

APARTMENTS PRIVATE DRIVE

APARTMENTS PRIVATE DRIVE

KEY NOTES

- 1 EXIST'G LANDSCAPE BUFFER
- 2 NEW LANDSCAPE BUFFER
- 3 6' HIGH CHU SCREEN WALL
- 4 DUMPSTER
- 5 CONCRETE WALK
- 6 EXIST'G CHU PROPERTY WALL
- 7 EXIST'G LOW CHU WALL W/ WROUGHT IRON
- 8 EXIST'G BERM
- 9 ASPHALT PAVING
- 10 CONCRETE CURB/GUTTER
- 11 0' LOT LINE 6' BLDG & HR. WALL
- 12 ALUMINUM STAIRFRONT
- 13 OVERHEAD DOOR
- 14 CHU WALL W/ STICKED FINISH
- 15 EXIST'G PARKING FROM AUTO ZONE
- 16 ADA REST ROOM
- 17 30' MAN DOOR
- 18 APEN SEPERATION WALL
- 19 ADA PARKING SPACE
- 20 ADA ACCESS ROUTE
- 21 SCREENED GATES

APARTMENTS

CHARLESTON AVENUE

1 Site Plan

1-20-04

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
fax 876-0248

Auto Zone Bldg

PARKING ANALYSIS

2280 SF ÷ 200 = 11.4 = 11 SPACES
PARKING PROVIDED = 9 SPACES

INDEX OF DRAWINGS

A1 SITE PLAN
A2 FLOOR PLAN
A3 ELEVATIONS
A4 ELEVATIONS

LANDSCAPE LEGEND

- 24" BOX SHADE TREE
- 24" BOX PALM TREE
- 24" BOX PALO VERDE

DATA

APR 19-20-06-008
LOT 34X225, 3.93 ACRES
TERMS: PARKING BUSHES
15 PLANTS @ 24" OC

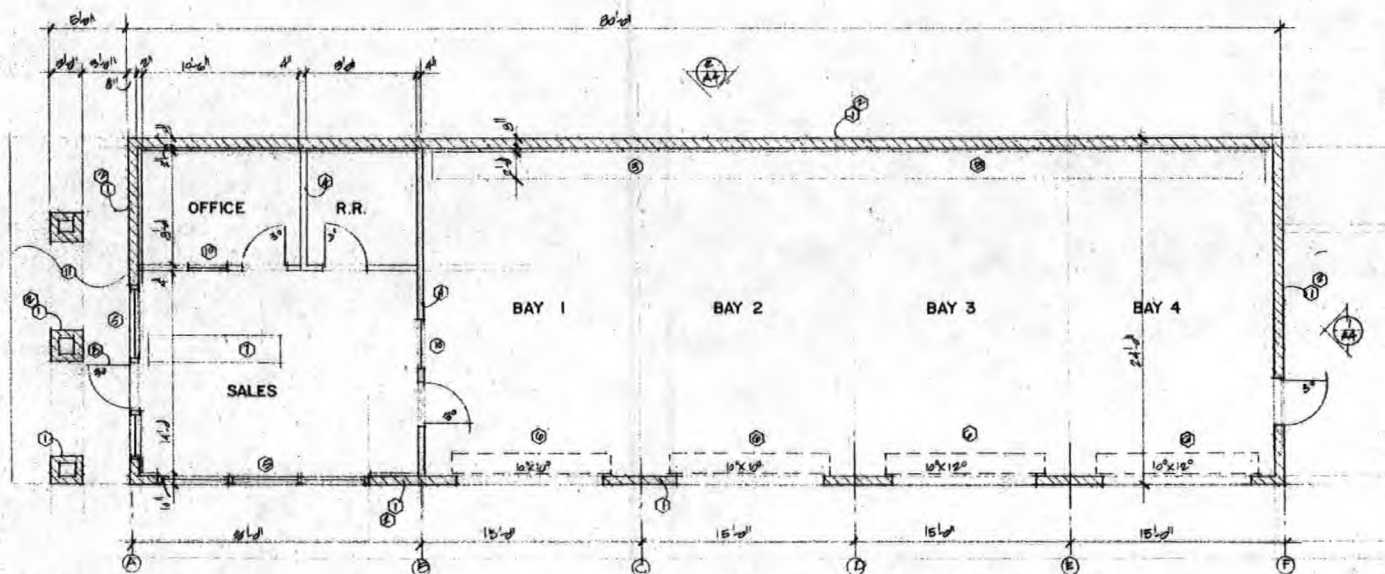
CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3543

REVISIONS	BY

DRAWN	CHECKED	DATE	SCALE	JOB NO.	SHEET
1-20-04	1-20-04	3-20-06			

AI



1 Floor Plan
1/4" = 1'-0"
(1900 GP)

KEY NOTES

- ① 5" CHU
- ② STUCCO FINISH @ CHU
- ③ WORK BENCH
- ④ 2x4 STUD WALL
- ⑤ ALUMIN. STAKE FRONT
- ⑥ ZAMP HINGED PICK UP STEEL KICK
- ⑦ COUNTER / SALES
- ⑧ GLASS KICK / STAKE FRONT
- ⑨ ALUM. PICK UP FRONT
- ⑩ WINDOW
- ⑪ CONCRETE WALK

REVISIONS	BY

OSCAR O'KEEFE ARCHITECT
876-3543

CHARLESTON AUTO ACCESSORY SHOP

RECEIVED
APR 04 2006

VAR-12547 SDR-12545
SUP-12807 VAR-12546
05/25/06 PC

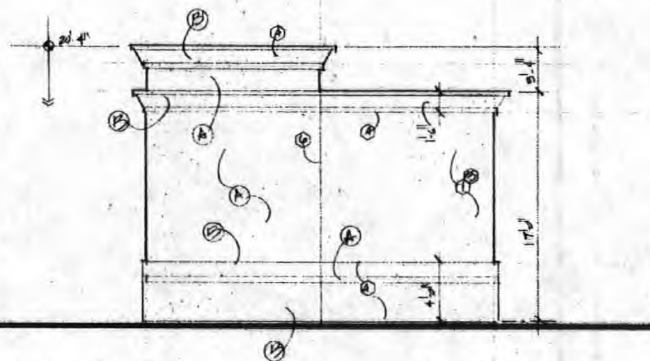
OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
Box 876-0248

DESIGN
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DATE
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JOB NO.
SHEET
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APR 04 2006

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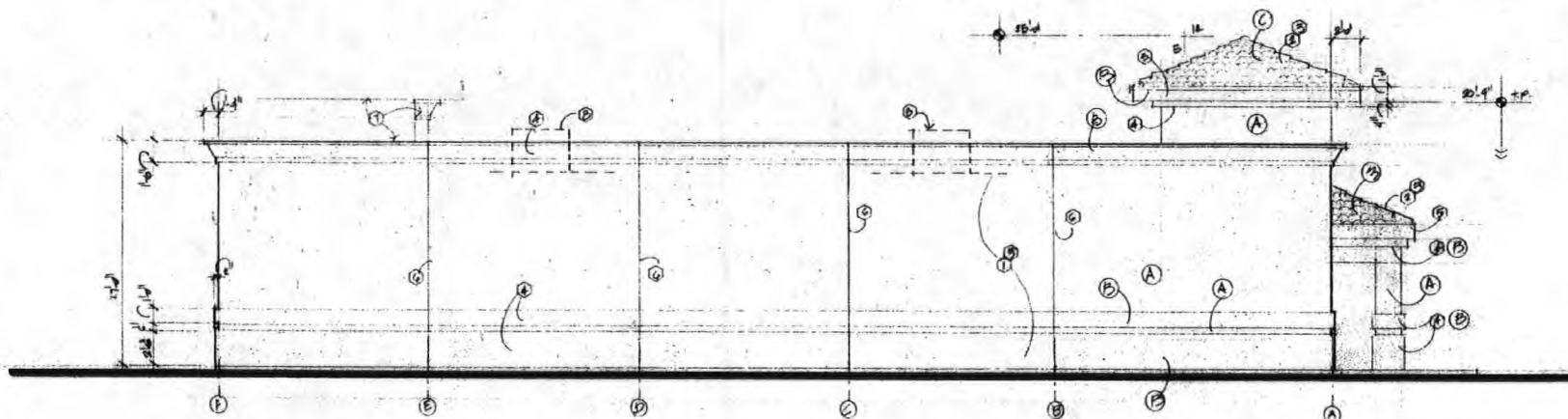


① Rear Elevation
1/4" = 1'-0"

KEY NOTES

- ① STUCCO FINISH
- ② CONCRETE ROOF TILE
- ③ MATCH COLOR OF ADJACENT WALLS
- ④ STUCCO ROOF JOISTS
- ⑤ STUCCO FASCIA
- ⑥ CARROLL LIGHT STUCCO
- ⑦ PARAPET WALL BEYOND
- ⑧ HIGH 1/4" ROOF TOP UNITS

- (A) LIGHT BEIGE STUCCO COLOR
- (B) DARK BROWN STUCCO COLOR
- (C) CONCRETE ROOF TILE "PVC/BRUSH"



② Right Elevation
1/4" = 1'-0"

VAR-12547 SDR-12545
SUP-12807 VAR-12546
05/25/06 PC

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 3
 Las Vegas, Nevada
 89146
 702-876-3543
 Fax 876-0248

REVISIONS	BY

CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
 876-3543

DESIGN	OK
CHECKED	
DATE	5/20/06
SCALE	
JOB NO.	
SHEET	
A4	
OF	SHEETS

OSCAR O'KEEFE ARCHITECT

*3792 Falcon Springs Drive
Las Vegas , Nevada, 89147
702- 876-3543
fax 876-0248*

Date: March 21, 2006

To: **City of Las Vegas**

JUSTIFICATION LETTER

Project: Charleston auto Accessory Shop

The owner of this future Auto shop will provide light/ minor mechanic work , oil changes and auto accessory installations.

Due to the constraints of this small commercial lot width 54' , we are requesting the following waiver and variances.

- #1 a variance of the loading zone 15'x 25' , simply no room for it.
 - #2 a variance for parking , we require 15 parking spaces , spaces provided are 9
 - #3 a variance of setbacks , the lot width leaves no other alternative but to use zero lot line .
 - #4 waiver for landscape fingers at rear parking area ,
- We hope you can see our hardship in building this project in small lot.

We will appreciate your approval on these items.

Thank You

Oscar O'Keefe , Architect

**SUP-12807
05/25/06 PC**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-12546, VAR-12547, AND SUP-12807

SDR-12545 - PUBLIC HEARING - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN - Request for a Site Development Plan Review FOR A PROPOSED 1,920 SQUARE-FOOT AUTO REPAIR GARAGE, MINOR AND A WAIVER OF PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS on 0.31 acres adjacent to the north side of Charleston Boulevard, approximately 425 feet west of Upland Boulevard (APN 138-36-406-008), R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

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 DENIAL.

BACKUP DOCUMENTATION:

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

MOTIONS:

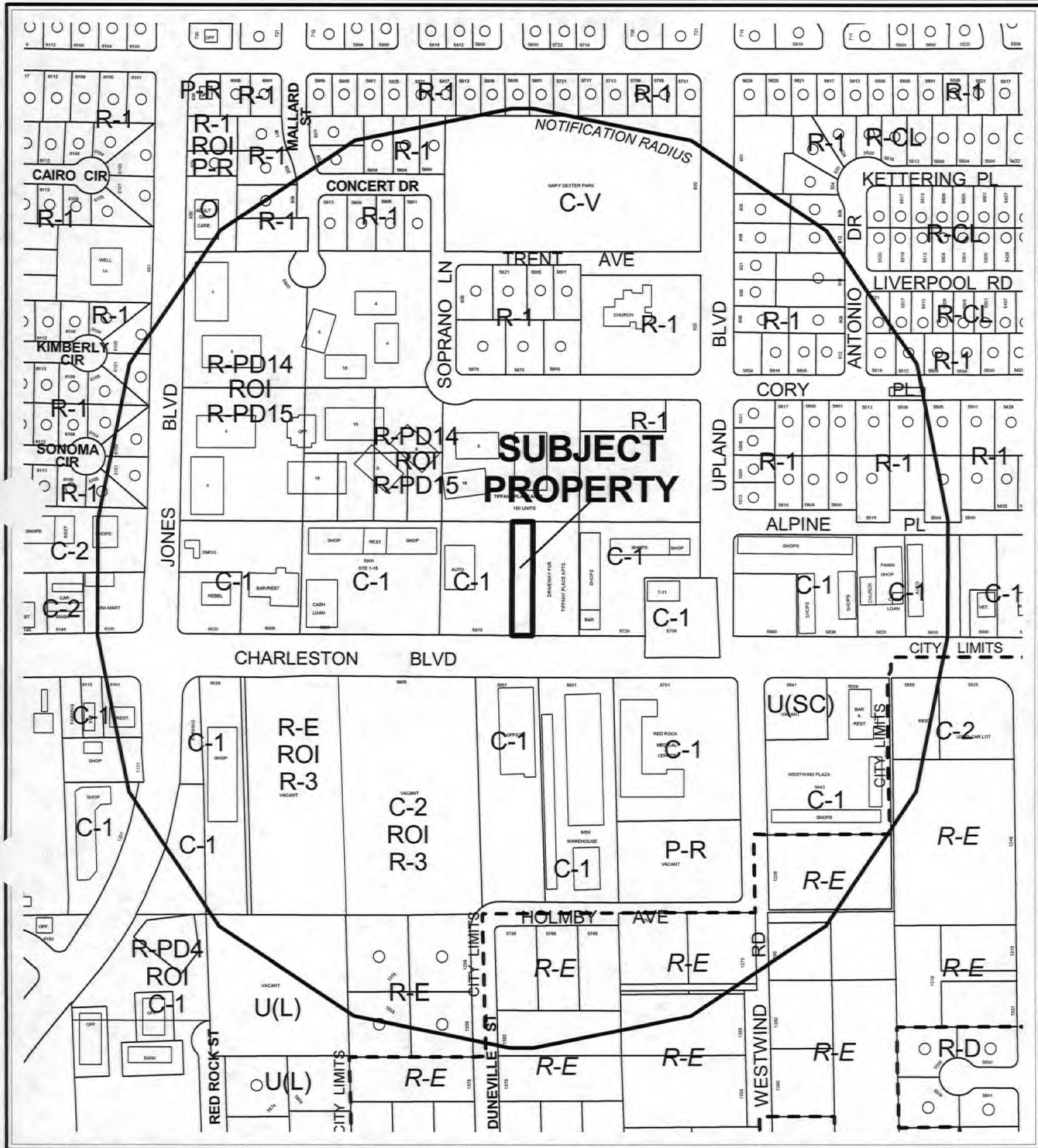
TARKANIAN - DENIED - UNANIMOUS

MINUTES:

NOTE: See Item 144 [VAR-12546] for all related discussion.

(2:25 - 2:28)

4-2040



CASE: SDR-12545

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-12545 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variances (VAR-12546 and VAR-12547) and Special Use Permit (SUP-12807) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan date stamped 04/25/06, and building elevations and floor plans, date stamped 03/22/06 except as amended by conditions herein.
4. A Waiver from perimeter landscape buffer width requirements is hereby approved, to allow landscape buffer widths to be less than required around the entire perimeter of the development.
5. A Waiver to allow less than the required number of trees is hereby approved, to allow a total of 10 trees where 30 trees is required.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. 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.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Construct all incomplete half-street improvements on Charleston Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. 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.
14. The proposed driveway accessing Charleston Boulevard shall be designed, located and constructed to meet the intent of Standard Drawing #222a and shall also receive approval from the Nevada Department of Transportation.
15. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits. All landscaping and private improvements installed with this project 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 Flood Control Section of the Department of Public Works for assistance with establishing finish floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 1,920 square-foot Auto Repair Garage, Minor and a waiver of perimeter landscape buffer width requirements on 0.31 acres adjacent to the north side of Charleston Boulevard approximately 425 feet west of Upland Boulevard.

EXECUTIVE SUMMARY

The proposed development requires several deviations from standards. Although the parcel is narrow and difficult to develop the number of deviations is too high and will have too great of an effect to be considered appropriate. The Lot is not suitable for the proposed development the parcel would be better utilized for development of a less intense nature that would result in meeting more requirements of Title 19. As the development is considered out of compliance with standards denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

- 03/02/66 The Board of City Commissioners approved a Reclassification of Property (Z-6-66) from R-1 (Single Family residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) on property generally located between Charleston Boulevard and Alpine from Jones Boulevard to Decatur Boulevard and on the south side of Charleston Boulevard from Wilshire west to Mohawk. No time limit was placed on this Reclassification of Property so the property remains under Resolution of Intent to C-1 (Limited Commercial) until developed.
- 05/25/06 The Planning Commission recommended denial of companion items VAR-12546, VAR-12547 and SUP-12807 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #49/ng).

B) Pre-Application Meeting

- 03/07/06 A pre-application meeting was held and elements of a Site Development Plan Review and related items were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.31

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-Family Residential
South: Offices
East: Drive-Way to Multi-Family Residential
West: Retail

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial)
North: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD14 (Residential Planned Development – 14 Units Per Acre) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of lower intensity commercial uses including the proposed Auto Repair Garage, Minor; however all development standards must be met.

PROJECT DESCRIPTION

The project intends to construct a 2,080 square-foot Auto Repair Garage, Minor on a very narrow parcel. Parking is in the rear and a Variance (VAR-12546) to allow less than the required number of parking spaces is required. The building is oriented to the east, away from the public

right-of-way as required. Due to the size and shape of the parcel less than the required amount of landscaping is provided. Additionally the building does not have a setback in the side yard area along the western boundary of the site. A Variance (VAR-12547) has been requested to permit this deviation from standards.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Width	100 Feet	50 Feet	N
Min. Setbacks			
• Front	20 Feet	51 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	78 Feet	Y
Max. Lot Coverage	50 %	15 %	Y
Trash Enclosure	1	1	Y
Loading Space	1	0	N

The minimum lot width does not meet current standards; however this site was originally approved for the C-1 District in 1966. This parcel met the standards of the time and as such is permitted deviate from current requirements.

The site is very narrow, only 50 feet in width. The project is seeking a zero lot line on the west side where a 10-foot setback is required. The applicant is requesting a Variance (VAR-12547) to permit this deviation from requirements.

The proposed Auto Repair Garage, Minor requires a single loading space. The applicant is not proposing one as the narrow parcel does not contain adequate space for the required 15-foot by 25-foot area. A Variance (VAR-12546) has been requested to permit this deviation from requirements.

A2) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Auto Repair Garage	2,080 SF.	Five spaces plus 1/200 SF	16	1	9	1
Total			16		9	

The applicant is providing less than the required number of parking spaces for the proposed development. The requested deviation is a seven space or 44 % deficiency from Code requirements. This deviation is not supported. A use of a less intense nature could be located on this site and parked within the requirements of Title 19.10. This site could accommodate an office or general retail use or the same square-footage and park within the requirements of Title 19.10 without the need for a Variance.

The Department of Public Works is concerned regarding the driveway access for this site and the narrow width of this parcel. Acceptable access will be determined by the Nevada Department of Transportation as Charleston Boulevard is within their jurisdiction.

A3) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	2 Trees	2 Trees
Buffer:	1 Tree/20 Linear Feet	17 Trees	3 Trees
• Min. Trees	1 Tree/30 Linear Feet	11 Trees	5 Trees
Min. Zone Width	8 Feet		2 Feet

The project requires a Waiver of landscaped buffer width standards around the entire perimeter of the site. Support of this request is able to be granted as the site is very narrow and providing the required landscape buffer widths would render the site unusable. Additionally the adjacent properties have large landscape buffer widths and provide adequate separation of uses. Additionally as the landscape buffer does not run the full perimeter of the site and is only two feet wide in certain areas, fewer than the required number of trees are provided.

A4) Sign Standards

This development shall be subject to the Sign Standards of Title 19.14.

B) General Analysis and Discussion

- Zoning

The site is zoned R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial). The Resolution of Intent stems from a Reclassification of Property case (Z-6-66) from 1966 that did not have an expiration date. As this property is still undeveloped the Resolution of Intent is still in effect. The proposed use as an Auto Repair Garage, Minor is permitted in the C-1 (Limited Commercial) District with approval of a Special Use Permit. The applicant has applied for a Special Use Permit (SUP-12807) for an Auto Repair Garage, Minor that will be heard concurrently with this item.

- Site Plan

The site plan shows a small rectangular shaped building along the west side of the parcel. No setback is proposed in the side yard area. The parking is primarily in the rear with only the handicapped space in the front yard area. The drive aisle is 24 feet in width; however the width of the driveway along Charleston is a concern and will require some modification to meet the requirements of the Nevada Department of Transportation. This has been addressed with a condition of approval.

- Waivers

A Waiver of landscape buffer width requirements around the perimeter of the development is requested. This Waiver is supported as the site is very narrow and providing the required landscape buffer widths would render the site unusable. Additionally there are large landscape buffers provided by the neighboring properties that assist in providing adequate separation of uses.

- Landscape Plan

The landscape plan for the site shows a two-foot buffer along the east side of the development, this will be planted with shrubs due to the narrow width. There is a 20-foot buffer with large trees adjacent to this buffer that provides a separation of uses. The perimeter buffer along the north and west sides are six feet in width and will be planted with 24 inch box trees. Although the overall quantity of landscaping and buffer widths are less than required the narrow parcel will require some leeway in order to be developed; therefore the requested landscaping waivers are supported.

- Elevation

Elevations depict a single story building with four garage bays. There is an office area in the area closest to Charleston Boulevard. The proposed colors will match those of the adjacent apartment complex. The majority of the building is 17 feet in height, there is a 20-foot portion for larger vehicles and a decorative feature over the office is 25 feet in height.

- Floor Plan

The floor plan features four service bay areas, a sales area, office, and restroom. The total floor area is 2,080 square feet.

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;"**

While the proposed use is compatible with adjacent development the site plan requires several deviations from standards. These deviations could lead to potential problems that could have an effect on the surrounding uses and therefore cannot be supported. An example is that the site is under parked, this leads to congestion and on a parcel of this size with no room for overflow adjacent parcels may see overflow traffic.

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 site has several deviations from standards. While this is a difficult parcel to work with, with a less intense use and creative design the site would be able to meet the majority of requirements, only needing a landscape buffer width waiver. The deviations from standards are considered self imposed hardships and cannot be supported. Denial of this request is recommended in support of the related applications.

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

The Department of Public Works is concerned regarding the driveway access for this site and the narrow width of this parcel. Acceptable access will be determined by the Nevada Department of Transportation as Charleston Boulevard is within their jurisdiction. Charleston Boulevard is a 100-foot Primary Arterial and is capable of handling traffic to and from the site with proper driveway access.

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

Building materials are appropriate for the area and the City of Las Vegas. Colors will match those of the adjacent apartment complex. Landscaping materials are appropriate for the area and the City of Las Vegas.

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 design characteristics are consistent with development in the City of Las Vegas. The structure will not be unsightly or obnoxious. The design of the development will be compatible with development in the area.

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

With an NDOT approved driveway entrance that does not create a traffic hazard the site will not endanger the public safety. If the problem with the entrance is not resolved there may be a potential hazard.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 115 by Planning Department

APPROVALS 0

PROTESTS 0

Fiduciary Application Product Statement of Financial Interest.doc

Retail Center

KEY NOTES

- 1 EXIST'G LANDSCAPE BUFFER
- 2 NEW LANDSCAPE BUFFER
- 3 6" HIGH CHU SCREEN WALL
- 4 DUMPSTER
- 5 CONCRETE WALK
- 6 EXIST'G CHU PROPERTY WALL
- 7 EXIST'G LOW CHU WALL W/ WROUGHT IRON
- 8 EXIST'G BERM
- 9 ASPHALT PAVING
- 10 CONCRETE CURB/GUTTER
- 11 10' LOT LINE (S. BLDG. & H.R. WALL)
- 12 ALUMINUM STOREFRONT
- 13 OVERHEAD DOOR
- 14 CHU WALL W/ STUCCO FINISH
- 15 BROWTH PARKING FROM AUTO ZONE
- 16 ADA REST ROOM
- 17 30' MAN DOOR
- 18 AREA SEPARATION WALL
- 19 ADA PARKING SPACE
- 20 ADA ACCESS ROUTE
- 21 SCREENED GATES

APARTMENTS PRIVATE DRIVE

APARTMENTS PRIVATE DRIVE

CHARLESTON AVENUE

APARTMENTS

1 Site Plan
1/21/04

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
fax 876-0248

Auto Zone Bldg

PARKING ANALYSIS

2700 SF - 200 = 1175 = 16 SPACES
PARKING PROVIDED = 9 SPACES

INDEX OF DRAWINGS

A1 SITE PLAN
A2 FLOOR PLAN
A3 ELEVATIONS
A4 ELEVATIONS

LANDSCAPE LEGEND

- 24" BOX CHASTE TREE
- 24" BOX PALM TREE
- 24" BOX PALM VESSE

DATA

APN # 130-26-420-028
LOT 24 X 200, 2.93 ACRES
TEXAS PALMER BUSHES
IS PLANTING @ 24" OC

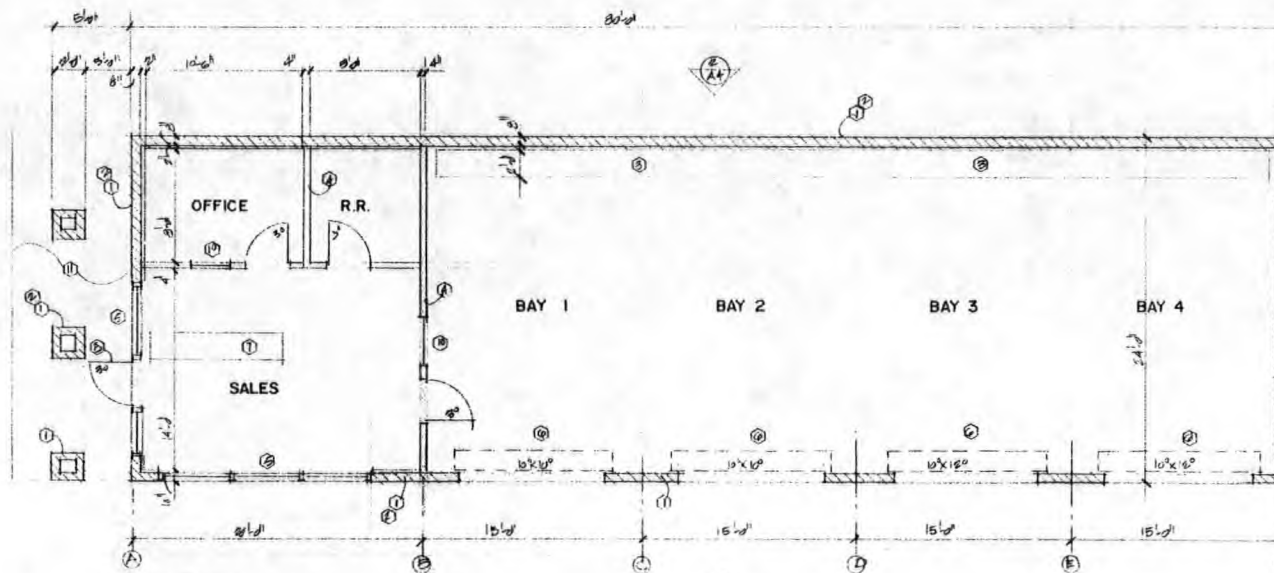
REVISIONS	BY

OSCAR O'KEEFE ARCHITECT
876-3543

CHARLESTON AUTO ACCESSORY SHOP

DRAWN	3/24
CHECKED	1-20-04
DATE	3-20-06
SCALE	
JOB NO.	
SHEET	
OF	SHEETS

SDR-12545 REVISED
05/25/06 PC



① Floor Plan
1/4" = 1'-0" (100 ST)

KEY NOTES

- ① 2" CHU
- ② STUCCO FINISH / CHU
- ③ WOOD BENCH
- ④ 2x4 STUD WALL
- ⑤ ALUMIN. STAKE FRONT
- ⑥ CARPENTERS POOL UP STEEL ROOF
- ⑦ COUNTER / SALES
- ⑧ GLASS ROOF / STAKE FRONT
- ⑨ ACRA POST FRONT
- ⑩ WINDOW
- ⑪ CONCRETE PAVK

SDR-12545
05/25/06 PC

RECEIVED
MAR 22 2006

OSCAR O'KEEFE ARCHITECT

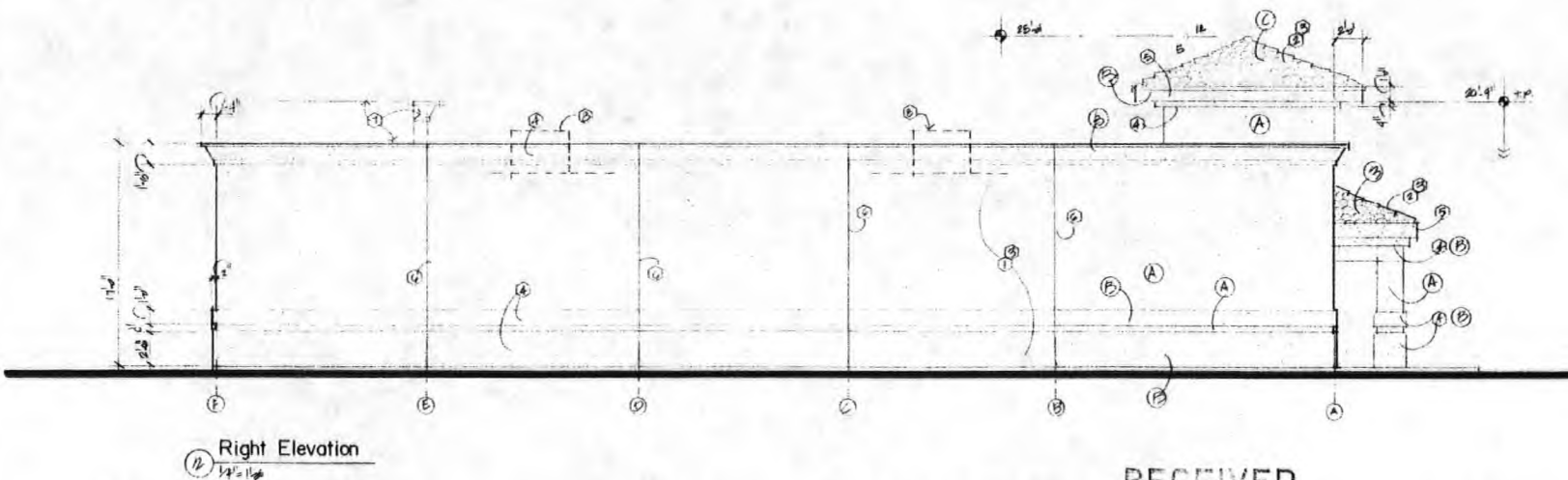
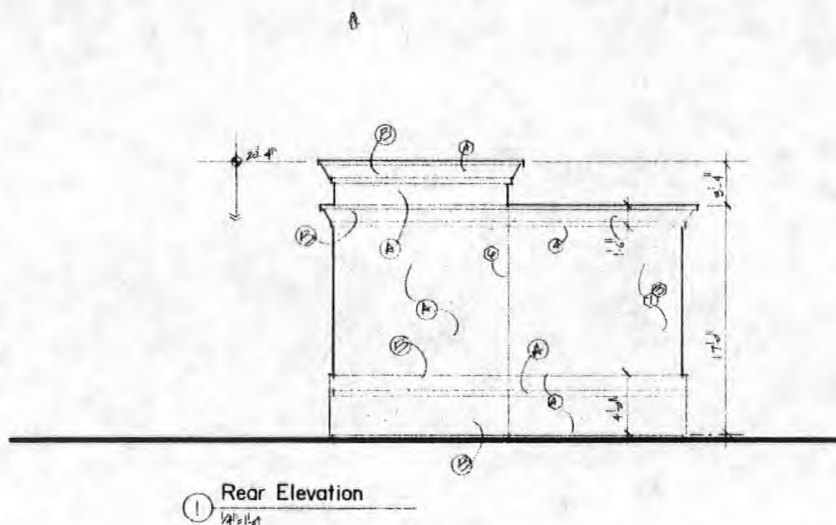
6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
Fax 876-0248

REVISIONS	BY

CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3543

DRAWN	
CHECKED	
DATE	3-2-06
SCALE	
JOB NO.	
SHEET	
A2	



KEY NOTES

- ① STUCCO FINISH
- ② CONCRETE ROOF TILE
- ③ MATCH COLOR OF APARTMENTS
- ④ STUCCO ROOF RISERS
- ⑤ STUCCO FASCIA
- ⑥ CONTROL LIGHT TO STUCCO
- ⑦ PARAPET WALL BEYOND
- ⑧ MECH./N/G ROOF TOP UNITS

- (A) LIGHT BEIGE STUCCO COLOR
(B) DARK BROWN STUCCO
(C) CONCRETE ROOF TILE "PUD/BRN"

SDR-12545
05/25/06 PC

RECEIVED
MAR 23 2006

OSCAR O'KEEFE ARCHITECT

6480 West Spring Mountain Road, Suite 5
Las Vegas, Nevada
89146
702-876-3543
fax 876-0248

REVISIONS	BY

CHARLESTON AUTO ACCESSORY SHOP

OSCAR O'KEEFE ARCHITECT
876-3543

DRAWN	201
CHECKED	
DATE	5-24
SCALE	
JOB NO.	
SHEET	
A4	
OF	SHEETS

SDR 12545				
Almario & Elvira Satsatin				
NS Charleston, W of Upland				
Proposed 4 bay auto repair & oil change business.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	QUICK LUBE SHOP [SERVICING POSITIONS]	4	40.00	160
AM Peak Hour			3.00	12
PM Peak Hour			5.19	21
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Charleston Boulevard				
Average Daily Traffic (ADT)	40,063			
PM Peak Hour	3205			
(heaviest 60 minutes)				
Jones Boulevard				
Average Daily Traffic (ADT)	33,521			
PM Peak Hour	2682			
(heaviest 60 minutes)				
Upland Boulevard				
Average Daily Traffic (ADT)	6,038			
PM Peak Hour	483			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Charleston Boulevard	49115			
Jones Boulevard	34300			
Upland Boulevard	3000			
This project will add approximately 160 trips per day on Charleston, Jones and Upland.				
This will increase expected volumes by less than 1 percent on Charleston and Jones and about 3 percent on Upland. Charleston is at about 82 percent of capacity, Jones is				
at about 98 percent of capacity and Upland is over capacity.				

Based on Peak Hour use, this development will add roughly 21 additional cars into the area; which works out to about one every three minute.				
Note that this report assumes all traffic from this development uses all named streets.				



VAR-12546, VAR-12547, SUP-12807 & SDR-12545 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN
NORTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 425 FEET WEST OF UPLAND BOULEVARD
MAY 25, 2006 PLANNING COMMISSION

05/04/06



VAR-12546, VAR-12547, SUP-12807 & SDR-12545 - APPLICANT/OWNER: ALMARIO AND ELVIRA SATSATIN

NORTH SIDE OF CHARLESTON BOULEVARD, APPROXIMATELY 425 FEET WEST OF UPLAND BOULEVARD
MAY 25, 2006 PLANNING COMMISSION

05/04/06

OSCAR O'KEEFE ARCHITECT

*3792 Falcon Springs Drive
Las Vegas , Nevada, 89147
702- 876-3543
fax 876-0248*

Date: March 21, 2006

To: **City of Las Vegas**

JUSTIFICATION LETTER

Project: Charleston auto Accessory Shop

The owner of this future Auto shop will provide light/ minor mechanic work , oil changes and auto accessory installations.

Due to the constraints of this small commercial lot width 54' , we are requesting the following waiver and variances.

#1 a variance of the loading zone 15' x 25' , simply no room for it.

#2 a variance for parking , we require 15 parking spaces , spaces provided are 9

#3 a variance of setbacks , the lot width leaves no other alternative but to use zero lot line .

#4 waiver for landscape fingers at rear parking area ,

We hope you can see our hardship in building this project in small lot.

We will appreciate your approval on these items.

Thank You

Oscar O'Keefe , Architect

**SDR-12545
05/25/06 PC**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-12784 - PUBLIC HEARING - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO - Request for a Variance TO ALLOW A ZERO FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, A ZERO FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, AND A RESIDENTIAL ADJACENCY SETBACK OF 46 FEET WHERE 72 FEET IS THE MINIMUM SETBACK REQUIRED on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard (APN 138-12-416-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTIONS:

ROSS - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN WOLFSON disclosed that his office building was designed by RICHARD THRELFALL but he does not owe him any money nor does MR. THRELFALL owe him any money; therefore, he would vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 148 [VAR-12784], Item 149 [VAR-13307] and Item 150 [SDR-12783].

RICHARD THRELFALL, 6512 West Diablo Drive, appeared on behalf of the applicant.

In response to COUNCILMAN WOLFSON'S inquiry regarding his ability to vote on these items, DEPUTY CITY ATTORNEY JAMES LEWIS explained that as long as COUNCILMAN WOLFSON and MR. THRELFALL did not owe each other money, COUNCILMAN WOLFSON was free to vote.

MR. THRELFALL informed COUNCILMAN ROSS that this project was to be a 7,000 square foot retail building and an addition to an existing Vons grocery store.

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 148 [VAR-12784], Item 149 [VAR-13307] and Item 150 [SDR-12783].

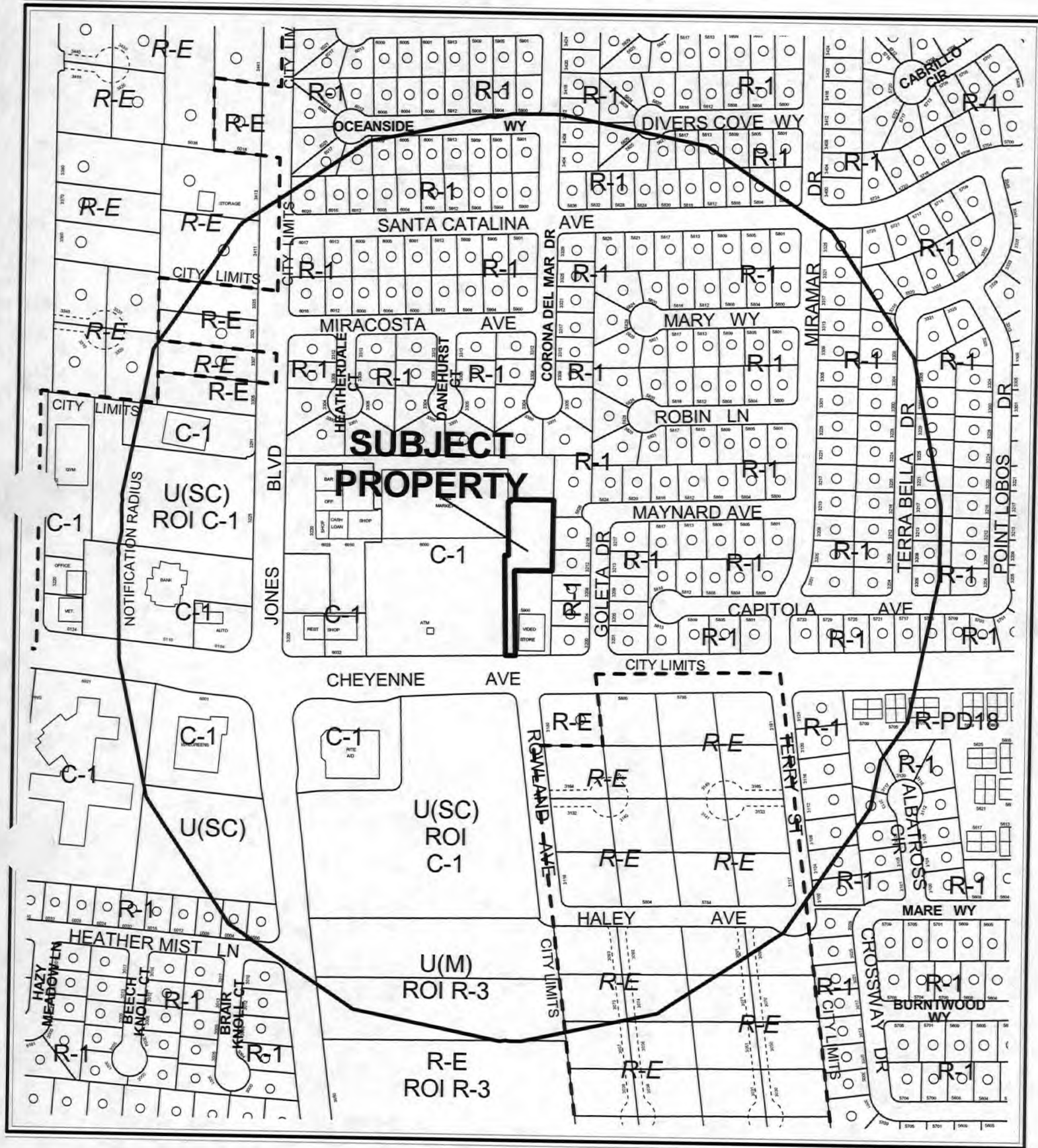
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3-2180

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-13307) and Site Development Plan Review (SDR-12783) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-12784**

RADIUS: 1000 FT

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

0 300 600 Feet



148





AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-12784 - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-13307) and Site Development Plan Review (SDR-12783) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Variance to allow a zero-foot side yard setback where 10 feet is the minimum setback required, a zero-foot rear yard setback where 20 feet is the minimum setback required, and a Residential Adjacency setback of 46 feet where 72 feet is the minimum setback required on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard.

EXECUTIVE SUMMARY

The subject site is located on a separate platted lot; therefore, the proposed retail development must meet all Title 19 C-1 (Limited Commercial) Zoning District standards, including setbacks. The Residential Adjacency standards and setbacks could be met given a smaller building design. The recommendation is for denial. Another alternative to downsizing the project is to remap the commercial subdivision as a single lot, so that all lot-related standards would apply to the overall site, rather than a single narrow lot.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 10/24/62 | The Board of City Commissioners approved a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residence) on the subject site as part of a larger request (Z-0107-62). The Planning Commission recommended approval. |
| 02/21/79 | The Board of City Commissioners approved a Rezoning (Z-0120-78) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended denial. |
| 09/05/79 | The Board of City Commissioners approved a Plot Plan Review (Z-0120-78) for a proposed shopping center on 8.2 acres at the northeast corner of Jones Boulevard and Cheyenne Avenue. The Planning Commission and staff recommended approval. |
| 05/28/91 | The Planning Commission approved a Tentative Map (TM-0035-91) for a seven-lot commercial subdivision at the northeast corner of Jones Boulevard and Cheyenne Avenue. Staff recommended approval. |
| 08/12/91 | A building permit (#91116118) was issued for expansion and remodeling of the existing Vons grocery store on the adjacent property. A final inspection was approved on 11/13/91. Plans for the shopping center indicated a maximum buildable area of 7,000 square feet on the subject site. |

- 11/13/91 A seven-lot commercial subdivision (Cheyenne Plaza) was recorded at the Office of the Clark County Recorder.
- 08/12/99 The Planning Commission approved a Site Development Plan Review [Z-0120-78(2)] for a proposed 5,500 square foot retail store on property to the south of the subject parcel. Staff recommended approval.
- 05/25/06 The Planning Commission recommended approval of companion items VAR-13307 and SDR-12783 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #52/ss).

B) Pre-Application Meeting

- 03/21/06 Application requirements were discussed for a Site Development Plan Review and a Variance for the Residential Adjacency setback. Parking must be provided at the 1:250 retail parking ratio. It was assumed at this time that the property had been included in a one-lot commercial subdivision. To this end, a cross-access and shared parking agreement was requested with the submittal. The applicant indicated that drainage curb along the east property line may prevent the provision of landscaping. The exterior of the proposed building will match that of the existing Vons building.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.62
Net Acres: 0.62

B) Existing Land Use

Subject Property: Undeveloped
Parking lot (with access to Cheyenne Avenue)
North: Parking lot and access
South: Parking lot
Retail Commercial
Undeveloped
East: Single-Family Dwellings
Retail Commercial
West: Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
U (Undeveloped) [SC (Service Commercial) Master Plan Designation]
under Resolution of Intent to C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Interlocal Land Use Plan Map of the Centennial Hills Sector Plan. This category allows low to medium intensity retail, office and other commercial uses that do not include more intense general commercial characteristics. Where appropriate, this category also allows mixed-use development with a residential component. The proposed retail use conforms with the SC (Service Commercial) designation. The proposed Variance does not have any effect on Master Plan land use policies.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District – 70 Feet	X	
Trails		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Airport Overlay District

The proposed development is located in the Airport Overlay District. The North Las Vegas Airport Overlay Map indicates that this use is located in an area restricting the height of structures to 70 feet. According to Title 19, a separate Special Use Permit is required for any use in this area exceeding the 70-foot height limitation. The proposed building is 24 feet tall; therefore, no action is necessary on the part of the applicant.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-1	Requested	Compliance
Min. Setbacks			
• Front	20 Feet	309 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	N/A	N/A	N/A
• Rear	20 Feet	0 Feet	N
Max. Building Height	None (subject to Residential Adjacency)	24 Feet	N

The development as proposed does not meet C-1 (Limited Commercial) zoning district standards for side and rear yard setbacks. The height of the proposed building extends above the required 3:1 Proximity Slope from protected single-family properties to the east.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The maximum height of the proposed building on the east side is 24 feet. The Proximity Slope component of the Residential Adjacency Standards require a 72-foot setback from protected single-family residential properties to the east. The site plan indicates that the setback will be 46 feet. The building does not therefore fall under the required 3:1 Proximity Slope. A Variance (VAR-12784) has been submitted for relief from the standard. The amount of deviation from the standard is 36 percent.
- b) Building setback. The Building Setback requirement of the Residential Adjacency Standards necessitates that the proposed building be set back at least 15 feet from the single-family properties to the east, matching the rear yard setback of those properties. The proposed building will be set back 46 feet, in compliance with this standard.

B) General Analysis and Discussion

Title 19.08.050.C defines the minimum standards for development in commercial and industrial zoning districts. The C-1 (Limited Commercial) District has minimum setback requirements to maximize safety and minimize conflicts with adjacent properties. The proposed retail building would be located at the north and west property lines to accommodate the maximum of 7,000 square feet allowed through an approved Plot Plan Review of the overall shopping center. However, the lot was mapped as a lot of record rather than through a record of survey; therefore, all C-1 (Limited Commercial) standards, including setbacks, must be enforced. Given the setback, landscaping and parking standards of the current code, compliance can be achieved with a smaller building design.

The building height is proposed to be 24 feet to match the height of the existing grocery store building that abuts the site. The recommendation is still for denial, as the proposed building could be constructed at a height of 15 feet to meet the standard without compromising the aesthetics of the overall project.

FINDINGS

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. A smaller building design would allow conformance to Title 19 parking requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 262 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-12784** APN: 138-12-416-003
Name of Property Owner: GLORIA CASIDO
Name of Applicant: GLORIA CASIDO

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: Gloria Casido

Print Name: GLORIA CASIDO

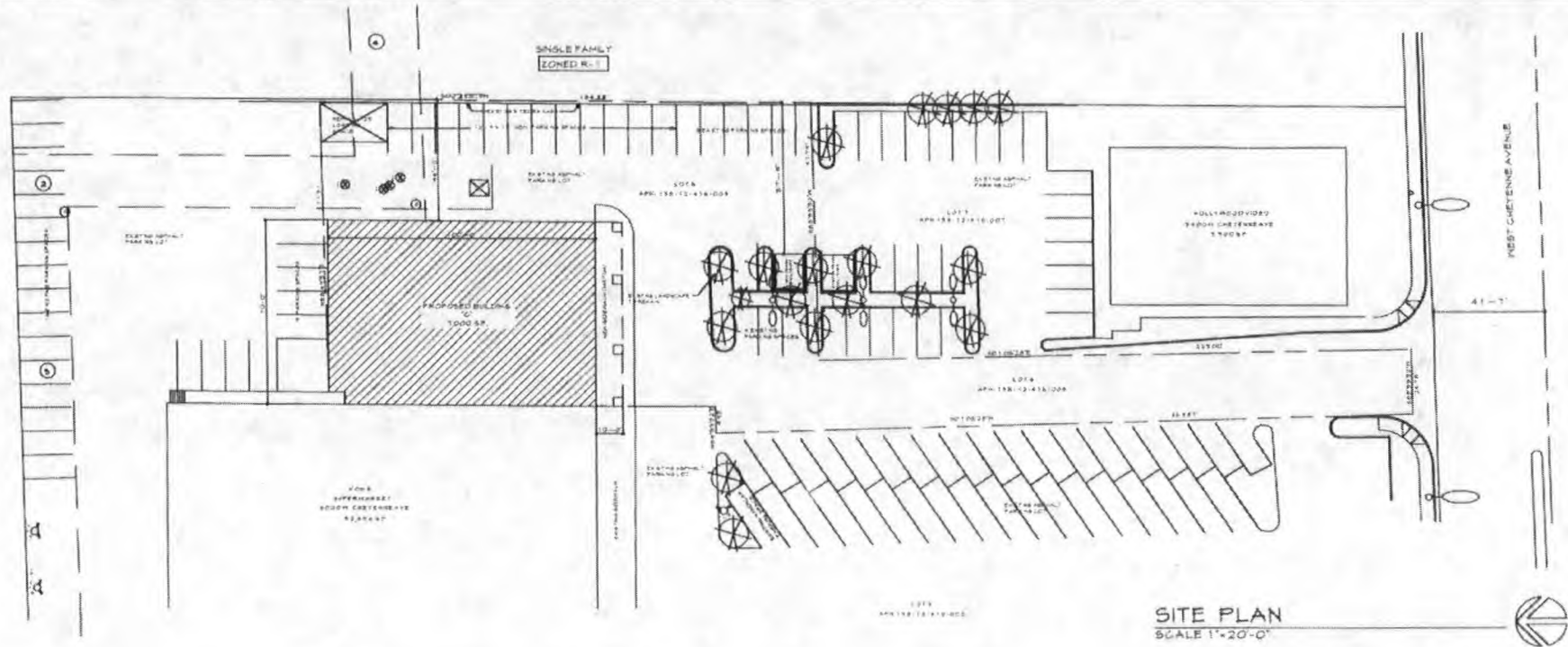
Subscribed and sworn before me ROMEO CASIDO

This 29th day of MARCH, 2004

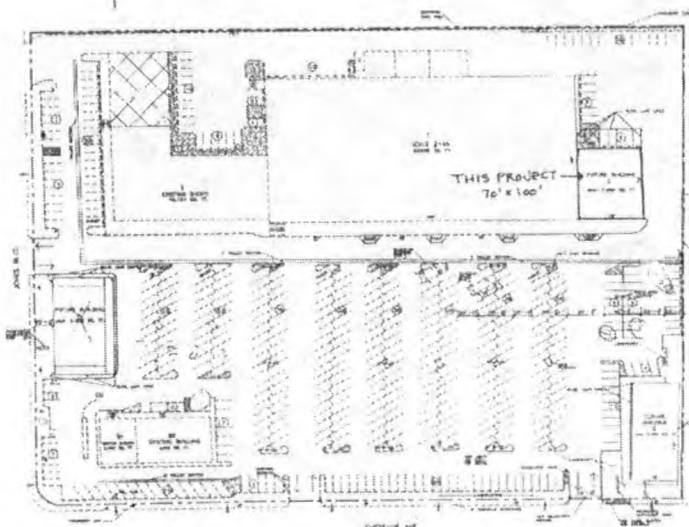
[Signature]
Notary Public in and for said County and State

CALIFORNIA, SANTA CLARA





SITE PLAN
SCALE 1"=20'-0"



FULL SITE PLAN

CODE SYNOPSIS

APN: 138-12-416-003

REQUESTED: DESIGN REVIEW

ZONED: C-1

LOT SIZE: (.62 ACRES)

BUILDING TYPE: V-B

SPRINKLED: YES

STORIES: 1

CODE REFERENCE: IBC 2003; ANSI 98

PARKING ANALYSIS (RETAIL)

PARKING REQUIRED: BASED ON 7,000 S.F.

7,000 S.F. / 4 PER 1000 = 28 SPACES

TOTAL REQUIRED = 28 SPACES

PARKING PROVIDED = 28 SPACES

PARKING ON SITE = 22 SPACES

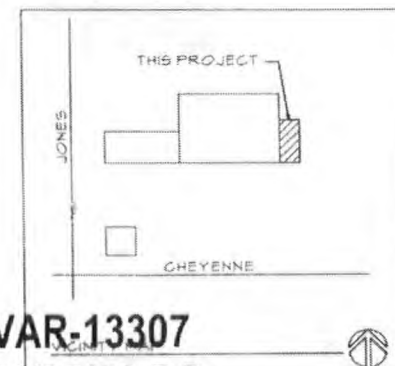
PARKING REQUIREMENTS

BUILDING A (FUTURE) = 5,000 S.F. / (4 PER 1000) = 20 SPACES
 BUILDING B1/B2 (EXISTING) = 8,000 S.F. / (4 PER 1000) = 24 SPACES
 BUILDING C (PROPOSED) = 7,000 S.F. / (4 PER 1000) = 28 SPACES
 BUILDING D (EXISTING) = 5,500 S.F. / (4 PER 1000) = 22 SPACES
 BUILDING E (EXISTING) = 19,104 S.F. / (4 PER 1000) = 77 SPACES
 BUILDING F (EXISTING) = 52,855 S.F. / (4 PER 1000) = 212 SPACES

343 SPACES REQUIRED
 435 SPACES PROVIDED

EASEMENTS

- 1. 10 FOOT NEVADA POWER CO. AND CENTRAL TELEPHONE CO. EASEMENT
- 2. 10 FOOT DRAINAGE AND SEWER EASEMENT
- 3. 10 FOOT DRAINAGE AND SEWER EASEMENT
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VAR-12784 VAR-13307
 SDR-12783 05/25/06 PC

REVISED

RECEIVED

MAY 04 2006

PROPOSED 7,000 S.F. RETAIL
 BUILDING @ JONES & CHEYENNE

REVISIONS

DATE

BY

NO.

DATE

BY

NO.

DATE

BY

NO.

DATE

BY

NO.

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NO.

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NO.

DATE

RICHARD P. THRELFALL ARCHITECT, INC.

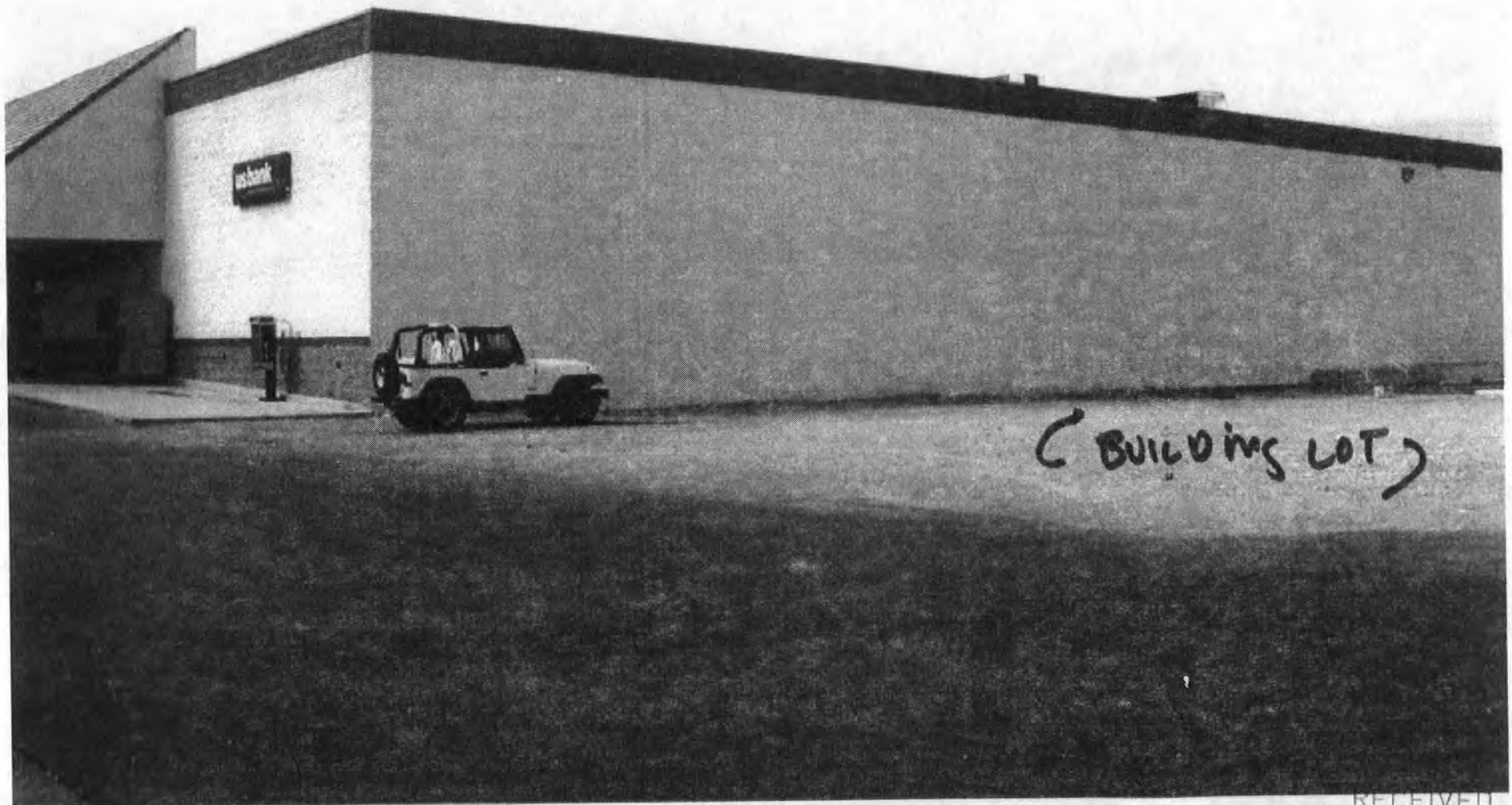
4512 WEST PABLO DRIVE
 LAS VEGAS, NEVADA 89109

(702) 188-0716 VOICE
 (702) 873-3717 FAX



A-1

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED

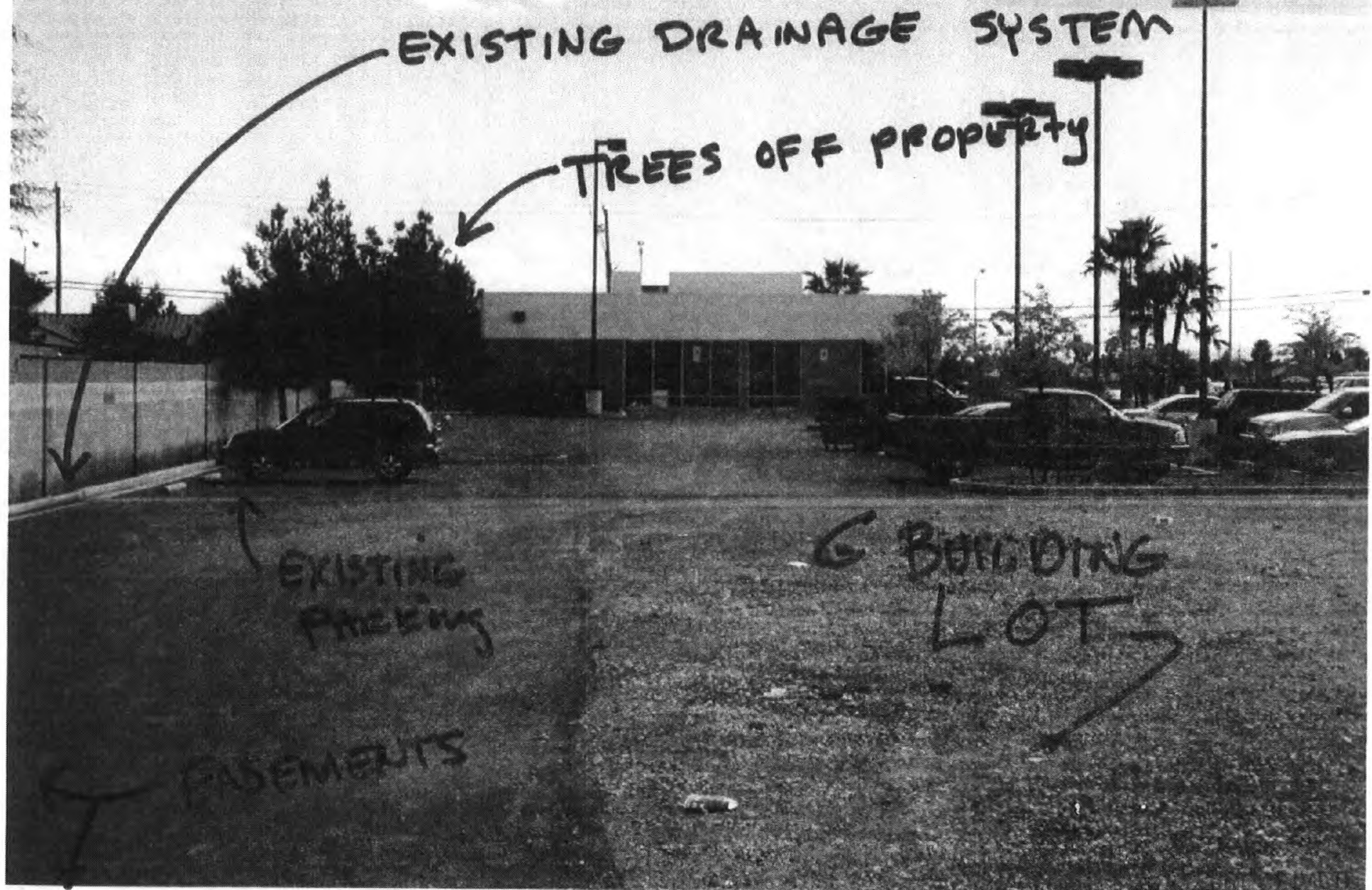


LOOK WEST

RECEIVED

MAY 10 4 0000

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED



LOOK SOUTH

MAY 01 2006

5/3/06

Justification letter

APN#: 138-124-16-003

To whom it may concern,

The proposed project is the addition of a 7,000 s.f. Retail structure (attached to the existing Von's market – East side) The original commercial development (build in the 1980's) had provided for this addition. There is adequate parking for this expansion currently provided.

On site additions have been made as follows:

10 new on-site parking spaces
New 15' x 25' loading space
New on-site trash enclosure

No landscaping has ever existed along the East property line associated with this property.

Due to an existing concrete culvert for site drainage and existing sewer / power easements

We would find it a hardship and request that landscape and landscape fingers to be required.

Thank You



Richard Threlfall Architect Inc
388-0716

**VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED**

3/29/06

Justification letter

APN#: 138-124-16-003

To whom it may concern,

The proposed project is the addition of a 7,000 s.f. Retail structure (attached to the existing Von's market – East side) The original commercial development (build in the 1980's) had provided for this addition. There is adequate parking for this expansion currently provided.

The elevations and exterior materials to be used are to match the existing retails center.

Existing landscaping within the development meets the landscaping requirement. The site design doesn't allow for additional landscaping due to the existing drainage along the East property line.

A variance is required for residential adjacency for the structure height. The intention is to match the existing building height.

We think that this is a correct use for this property, and the structure will have no negative impact to the neighborhood or development.

Thank You



Richard Threlfall Architect Inc
388-0716

VAR-12784
05/25/06 PC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE RELATED TO VAR-12784

VAR-13307 - PUBLIC HEARING - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO - Request for a Variance TO ALLOW 19 PARKING SPACES WHERE 28 SPACES IS THE MINIMUM NUMBER OF SPACES REQUIRED FOR AN EXISTING COMMERCIAL DEVELOPMENT on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard (APN 138-12-416-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTIONS:

ROSS - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN WOLFSON disclosed that his office building was designed by RICHARD THRELFALL but he does not owe him any money nor does MR. THRELFALL owe him any money; therefore, he would vote on the item.

MINUTES:

NOTE: See Item 148 [VAR-12784] for all related discussion.

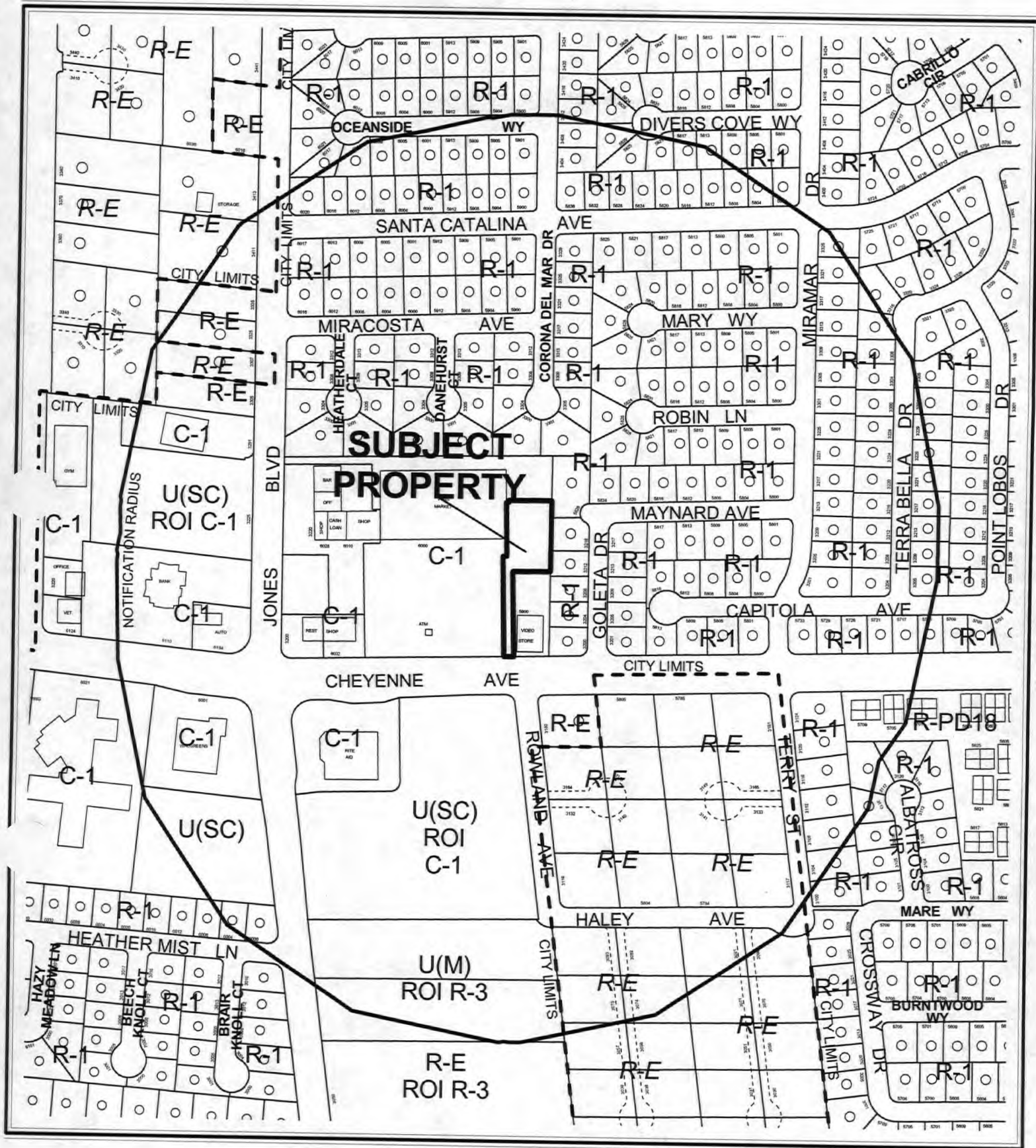
(2:28 - 2:33)

3-2180

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-12784) and Site Development Plan Review (SDR-12783) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-13307**

RADIUS: 1000 FT

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

0 300 600 Feet



149



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-13307 - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-12784) and Site Development Plan Review (SDR-12783) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Request for a Variance to allow 19 parking spaces where 28 spaces is the minimum number of spaces required on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard.

EXECUTIVE SUMMARY

As it is located on a separate platted lot, the related retail development must provide full on-site parking in accordance with Title 19 requirements. The site contains 11 existing spaces. A new trash enclosure will remove two of these spaces; however, 10 additional spaces will be provided along the east property line. The site cannot meet the parking requirement in part because the proposed retail building is too large. The hardship is self-imposed; therefore, the recommendation is for denial.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 10/24/62 | The Board of City Commissioners approved a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residence) on the subject site as part of a larger request (Z-0107-62). The Planning Commission recommended approval. |
| 02/21/79 | The Board of City Commissioners approved a Rezoning (Z-0120-78) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended denial. |
| 09/05/79 | The Board of City Commissioners approved a Plot Plan Review (Z-0120-78) for a proposed shopping center on 8.2 acres at the northeast corner of Jones Boulevard and Cheyenne Avenue. The Planning Commission and staff recommended approval. |
| 05/28/91 | The Planning Commission approved a Tentative Map (TM-0035-91) for a seven-lot commercial subdivision at the northeast corner of Jones Boulevard and Cheyenne Avenue. Staff recommended approval. |
| 11/13/91 | A seven-lot commercial subdivision (Cheyenne Plaza) was recorded at the Office of the Clark County Recorder. |

- 08/12/99 The Planning Commission approved a Site Development Plan Review [Z-0120-78(2)] for a proposed 5,500 square foot retail store on property to the south of the subject parcel. Staff recommended approval.
- 05/25/06 The Planning Commission recommended approval of companion items VAR-12784 and SDR-12783 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #53/ss).

B) Pre-Application Meeting

- 03/21/06 Application requirements were discussed for a Site Development Plan Review and a Variance for the Residential Adjacency setback. Parking must be provided at the 1:250 retail parking ratio. It was assumed at this time that the property had been included in a one-lot commercial subdivision. To this end, a cross-access and shared parking agreement was requested with the submittal. The applicant indicated that drainage curb along the east property line may prevent the provision of landscaping. The exterior of the proposed building will match that of the existing Vons building.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.62
Net Acres: 0.62

B) Existing Land Use

Subject Property: Undeveloped
Parking lot (with access to Cheyenne Avenue)

North: Parking lot access
South: Parking lot
Retail Commercial
Undeveloped

East: Single-Family Dwellings
Retail Commercial

West: Retail Commercial

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
U (Undeveloped) [SC (Service Commercial) Master Plan Designation]
under Resolution of Intent to C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Interlocal Land Use Plan Map of the Centennial Hills Sector Plan. This category allows low to medium intensity retail, office and other commercial uses that do not include more intense general commercial characteristics. Where appropriate, this category also allows mixed-use development with a residential component. The proposed retail use conforms with the SC (Service Commercial) designation. The proposed Variance does not have any effect on Master Plan land use policies.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District – 70 Feet	X	
Trails		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Airport Overlay District

The proposed development is located in the Airport Overlay District. The North Las Vegas Airport Overlay Map indicates that this use is located in an area restricting the height of structures to 70 feet. According to Title 19, a separate Special Use Permit is required for any use in this area exceeding the 70-foot height limitation. The proposed building is 24 feet tall; therefore, no action is necessary on the part of the applicant.

ANALYSIS

A) *Zoning Code Compliance*

Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail – Multi-Tenant Center Greater than 25,000 SF	7,000 SF	1/250 GFA	26	2	17	2
TOTAL			28		19	

As it is located on a separate, legal lot, the proposed development must provide enough parking to accommodate the uses on that lot. In this case, the retail uses require a minimum of 28 parking spaces. The applicant will provide 19 spaces, including two handicapped spaces that are not shown on the site plan. A Variance (VAR-13307) has been submitted to allow the reduced number of parking spaces. The deviation is 32 percent from the minimum requirement. Handicap-accessible spaces will be required as a condition of approval of the related Site Development Plan Review.

B) *General Analysis and Discussion*

The property is located within a commercial subdivision (Cheyenne Plaza) that platted seven individual lots. Each lot is required to meet commercial development, parking and landscaping standards. The proposed retail uses on the property require a minimum of 28 parking spaces; there are 11 existing spaces on the subject property. The applicant proposes to add 10 additional spaces, a loading space and a trash enclosure through the related Site Development Plan Review (SDR-12783). Additional parking is provided on adjacent properties under separate ownership throughout the connected shopping center; however, these spaces cannot be used to satisfy the parking requirement on the subject property. Two of the existing spaces will be covered by the new trash enclosure.

The hardship is self-imposed by the applicant, as the site would allow compliance with the parking requirements if the proposed building were smaller. In order to construct the 7,000 square-foot building, a separate Variance (VAR-12784) and Waiver of perimeter landscaping requirements must be approved. In addition, the minimum parking requirements apply only to retail or less intense uses. More intense uses such as beauty salons or restaurants would require an additional variance to further reduce parking requirements. For these reasons, denial is recommended for this Variance request.

FINDINGS

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

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

Additionally, Title 19.18.070(L) states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. A smaller building design would allow conformance to Title 19 parking requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT

1

SENATE DISTRICT 4

NOTICES MAILED 268 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-13307** APN: 163-12-416-003

Name of Property Owner: GLORIA CASIDO

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: Gloria Casido

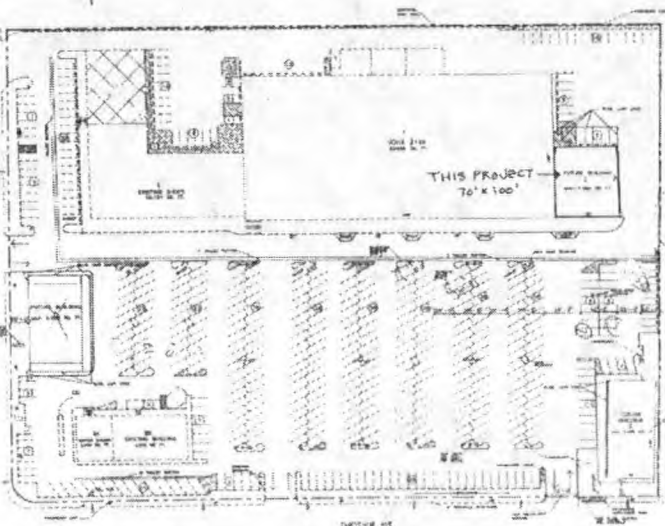
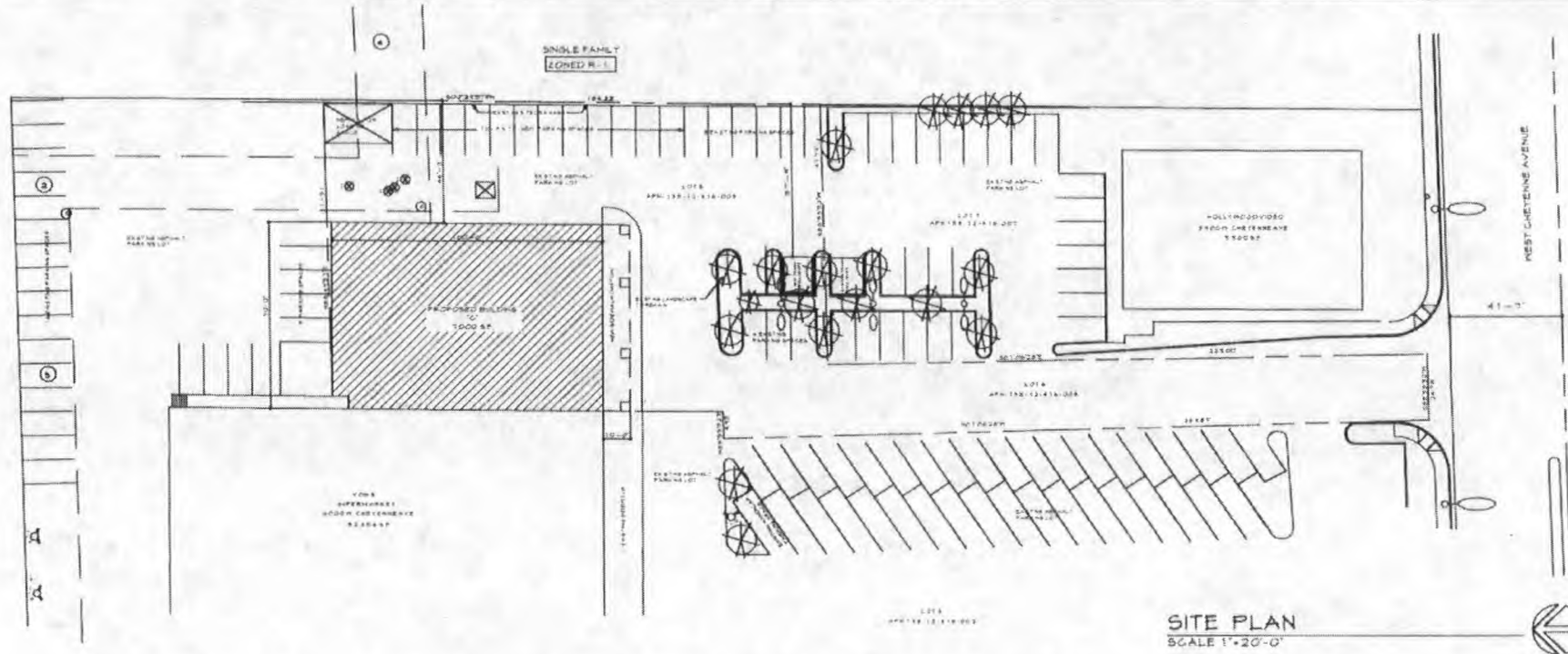
Print Name: GLORIA CASIDO

Subscribed and sworn before me

This 25th day of APRIL, 2006

Romeo Casido
Notary Public in and for said County and State
STATE OF CALIFORNIA
COUNTY OF SANTA CLARA





FULL SITE PLAN

CODE SYNOPSIS

APN: 138-12-416-003

REQUESTED: DESIGN REVIEW

ZONED: C-1

LOT SIZE: (1.62 ACRES)

BUILDING TYPE: V-B

SPRINKLED: YES

STORIES: 1

CODE REFERENCE: IBC 2003, ANSI 98

PARKING ANALYSIS (RETAIL)

PARKING REQUIRED BASED ON 7,000 S.F.

7,000 S.F. / 4 PER 1000 = 28 SPACES

TOTAL REQUIRED = 28 SPACES

PARKING PROVIDED = 28 SPACES

PARKING ON SITE = 22 SPACES

PARKING REQUIREMENTS

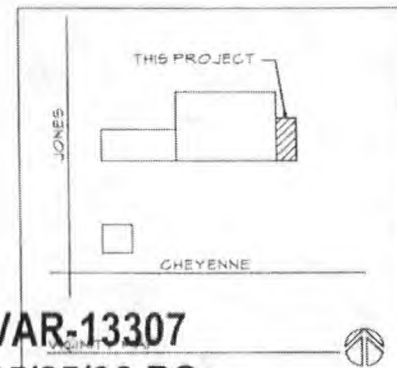
BUILDING A (FUTURE) = 5,000 S.F. / (4 PER 1000) = 20 SPACES
 BUILDING B1 / B2 (EXISTING) = 6,000 S.F. / (4 PER 1000) = 24 SPACES
 BUILDING C (PROPOSED) = 7,000 S.F. / (4 PER 1000) = 28 SPACES
 BUILDING D (EXISTING) = 5,500 S.F. / (4 PER 1000) = 22 SPACES
 BUILDING E (EXISTING) = 19,104 S.F. / (4 PER 1000) = 77 SPACES
 BUILDING F (EXISTING) = 52,855 S.F. / (4 PER 1000) = 212 SPACES

343 SPACES REQUIRED
 435 SPACES PROVIDED

SITE PLAN
 SCALE 1"=20'-0"

EASEMENTS

- 1. 10' FOOT NEVADA POWER CO. AND CENTRAL TELEPHONE CO. EASEMENT
- 2. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 3. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 4. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 5. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 6. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 7. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 8. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 9. 10' FOOT DRAINAGE AND SEWER EASEMENT
- 10. 10' FOOT DRAINAGE AND SEWER EASEMENT



VAR-12784 VAR-13307
 SDR-12783 05/25/06 PC

REVISED

RECEIVED

MAY 04 2006

PROPOSED 7,000 S.F. RETAIL
 BUILDING @ JONES & CHEYENNE

SITE PLAN

REVISIONS

1. 10' FOOT DRAINAGE AND SEWER EASEMENT

2. 10' FOOT DRAINAGE AND SEWER EASEMENT

3. 10' FOOT DRAINAGE AND SEWER EASEMENT

4. 10' FOOT DRAINAGE AND SEWER EASEMENT

5. 10' FOOT DRAINAGE AND SEWER EASEMENT

6. 10' FOOT DRAINAGE AND SEWER EASEMENT

7. 10' FOOT DRAINAGE AND SEWER EASEMENT

8. 10' FOOT DRAINAGE AND SEWER EASEMENT

9. 10' FOOT DRAINAGE AND SEWER EASEMENT

10. 10' FOOT DRAINAGE AND SEWER EASEMENT

RICHARD P. THRELFALL ARCHITECT, INC.
 4012 WEST PANGLOSS DRIVE
 LAS VEGAS, NEVADA 89108

(702) 188-0716 VOICE
 (702) 873-3717 FAX



A-1

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED

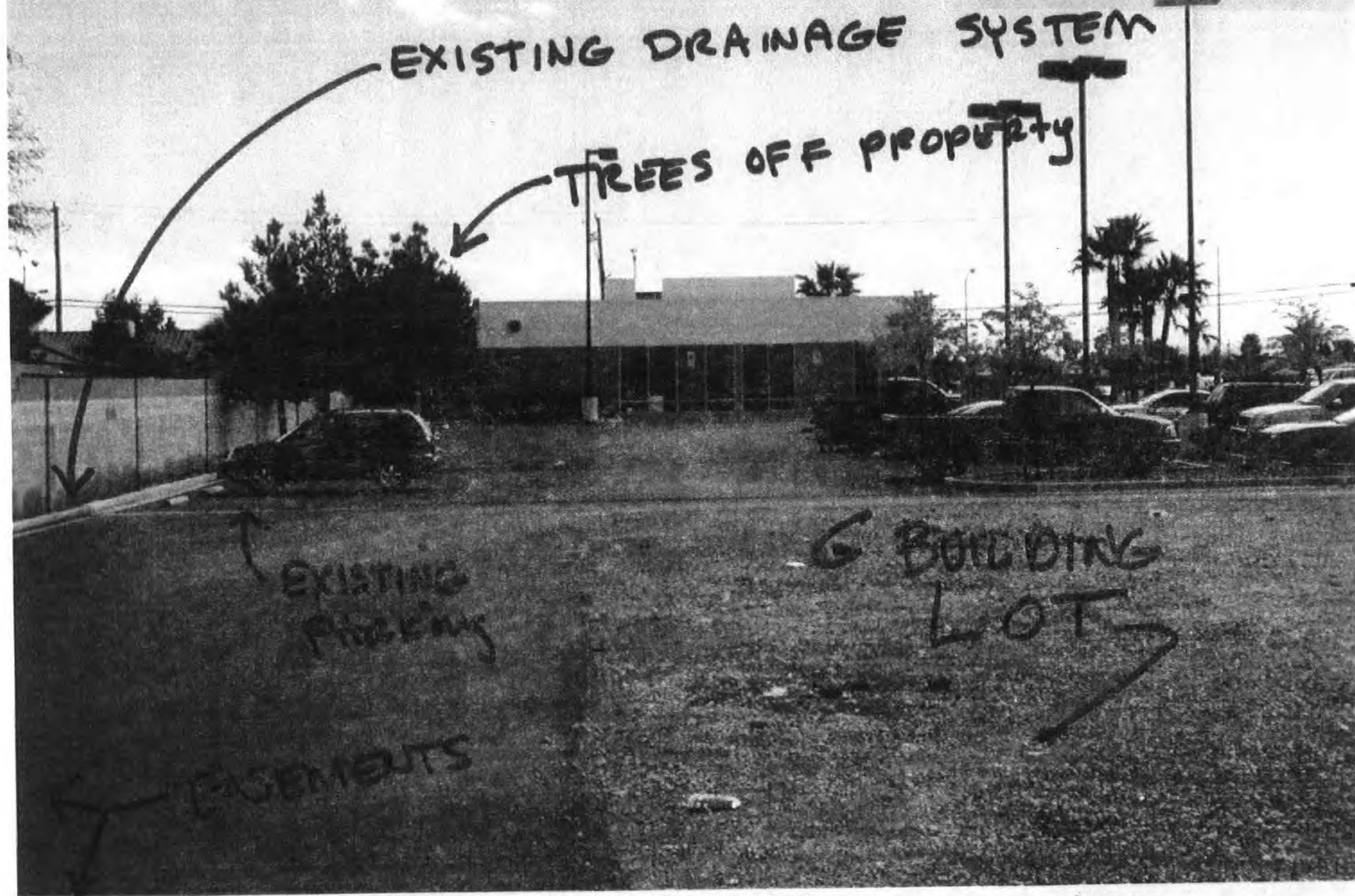


LOOK WEST

RECEIVED

MAY 24 2006

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED



LOOK SOUTH

MAY 04 2006

5/3/06

Justification letter

APN#: 138-124-16-003

To whom it may concern,

The proposed project is the addition of a 7,000 s.f. Retail structure (attached to the existing Von's market – East side) The original commercial development (build in the 1980's) had provided for this addition. There is adequate parking for this expansion currently provided.

On site additions have been made as follows:

10 new on-site parking spaces
New 15' x 25' loading space
New on-site trash enclosure

No landscaping has ever existed along the East property line associated with this property.

Due to an existing concrete culvert for site drainage and existing sewer / power easements

We would find it a hardship and request that landscape and landscape fingers to be required.

Thank You



Richard Threlfall Architect Inc
388-0716

**VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-12784 AND VAR-13307

SDR-12783 - PUBLIC HEARING - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO - Request for a Site Development Plan Review FOR A PROPOSED 7,000 SQUARE-FOOT ADDITION TO AN EXISTING COMMERCIAL DEVELOPMENT on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard (APN 138-12-416-003), C-1 (Limited Commercial) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTIONS:

ROSS - APPROVED subject to conditions - UNANIMOUS

NOTE: COUNCILMAN WOLFSON disclosed that his office building was designed by RICHARD THRELFALL but he does not owe him any money nor does MR. THRELFALL owe him any money; therefore, he would vote on the item.

MINUTES:

NOTE: See Item 148 [VAR-12784] for all related discussion.

(2:28 - 2:33)

3-2180

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for related Variances (VAR 12784 and VAR-13307) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site and landscape plan date stamped 05/04/06 and building elevations date stamped 04/03/06, except as amended by conditions herein.

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

4. A Waiver from Title 19.12.040.A is hereby approved, to allow no perimeter buffers or landscaping along the north, west and east property lines.
5. An Exception from Title 19.10.010.J(11) is hereby approved, to allow no additional landscape islands or landscaping within the parking area.
6. Only retail uses shall be permitted.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to provide two handicap-accessible spaces. One of the spaces shall be van-accessible.
8. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect features and materials that show visual interest on the east elevation. These features must match those of the south elevation.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. Prior to the submittal of a building permit application, 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements, if any, on Cheyenne Avenue adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. No building or structures shall be allowed to encroach within the existing sanitary sewer and

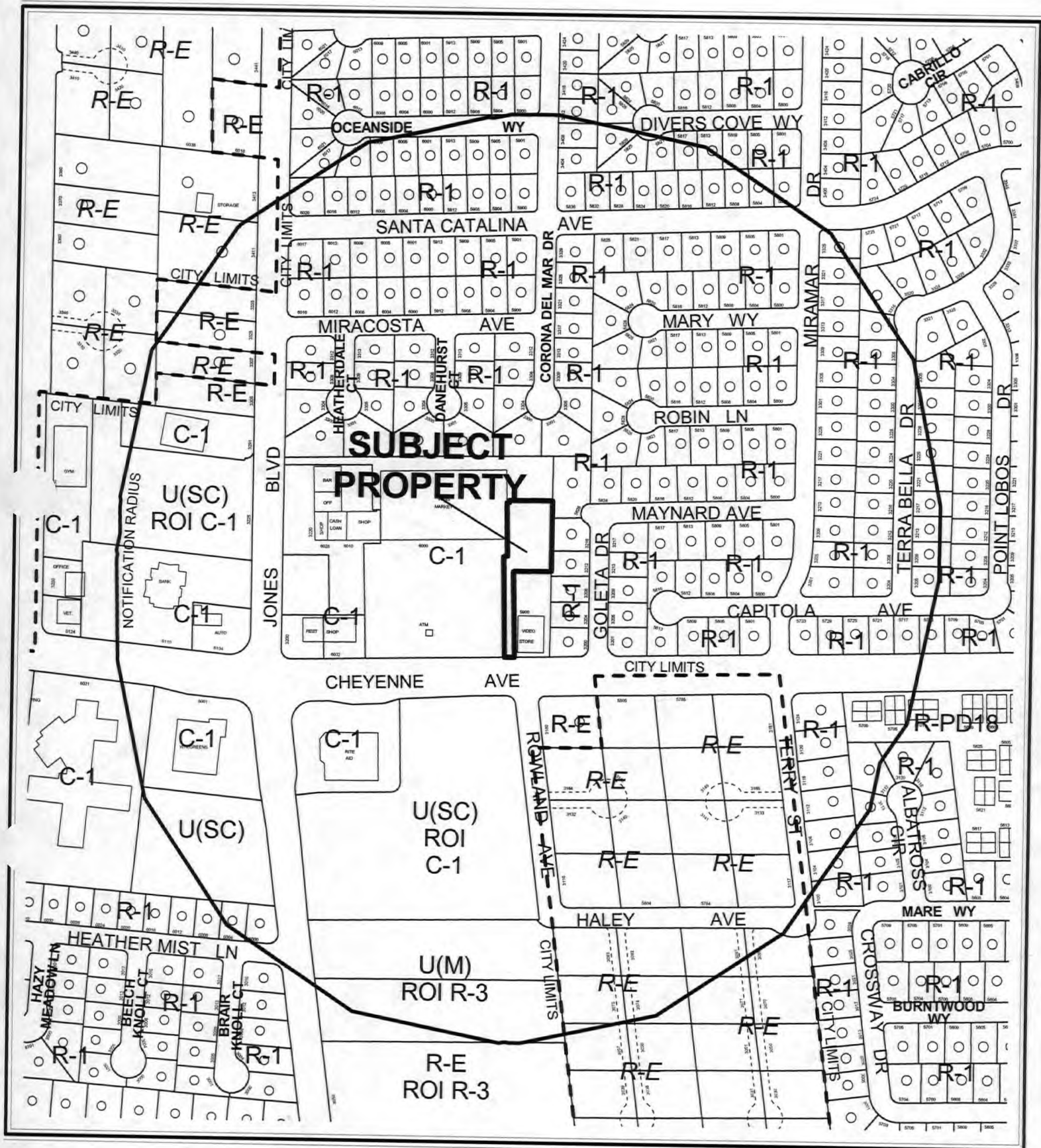
CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

drainage easements (Documents No. 1402:1361692 and No. 1402:1361693) located at the northeast corner of this site.

17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable conditions of approval for Z 120 78, the Cheyenne Plaza (Commercial Subdivision) and all other site related actions as required by the Department of Public Works.



CASE: **SDR-12783**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-12783 - APPLICANT/OWNER: FERDINAND AND GLORIA CASIDO

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for related Variances (VAR-12784 and VAR-13307) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site and landscape plan date stamped 05/04/06 and building elevations date stamped 04/03/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040.A is hereby approved, to allow no perimeter buffers or landscaping along the north, west and east property lines.
5. An Exception from Title 19.10.010.J(11) is hereby approved, to allow no additional landscape islands or landscaping within the parking area.
6. Only retail uses shall be permitted.
7. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to provide two handicap-accessible spaces. One of the spaces shall be van-accessible.
8. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect features and materials that show visual interest on the east elevation. These features must match those of the south elevation.

9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. Prior to the submittal of a building permit application, 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements, if any, on Cheyenne Avenue adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. No building or structures shall be allowed to encroach within the existing sanitary sewer and drainage easements (Documents No. 1402:1361692 and No. 1402:1361693) located at the northeast corner of this site.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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, whichever may occur first, if allowed by the City Engineer.

18. Site development to comply with all applicable conditions of approval for Z 120 78, the Cheyenne Plaza (Commercial Subdivision) and all other site related actions as required by the Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 7,000 square-foot addition to an existing commercial development and a waiver of perimeter landscaping requirements on 0.62 acres adjacent to the north side of Cheyenne Avenue, approximately 580 feet east of Jones Boulevard. Two related Variance requests (VAR-12784 and VAR-13307) will be heard with this item.

EXECUTIVE SUMMARY

The proposed retail development would be located on an undeveloped pad in an existing shopping center, and is similar to other multi-tenant structures within the center. However, the development would be built too close to single-family residential properties to the east to meet the Residential Adjacency Standards and is therefore not compatible with the adjacent development. Furthermore, the size and placement of the building require Variances of setback and parking requirements and a Waiver of perimeter landscape requirements. Denial is therefore recommended. Conditions have been added requiring provision of handicap spaces and a revised elevation plan showing greater visual interest on the east side of the building that faces existing residential development.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 10/24/62 | The Board of City Commissioners approved a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residence) on the subject site as part of a larger request (Z-0107-62). The Planning Commission recommended approval. |
| 02/21/79 | The Board of City Commissioners approved a Rezoning (Z-0120-78) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended denial. |
| 09/05/79 | The Board of City Commissioners approved a Plot Plan Review (Z-0120-78) for a proposed shopping center on 8.2 acres at the northeast corner of Jones Boulevard and Cheyenne Avenue. The Planning Commission and staff recommended approval. |
| 05/28/91 | The Planning Commission approved a Tentative Map (TM-0035-91) for a seven-lot commercial subdivision at the northeast corner of Jones Boulevard and Cheyenne Avenue. Staff recommended approval. |

- 08/12/91 A building permit (#91116118) was issued for expansion and remodeling of the existing Vons grocery store on the adjacent property. A final inspection was approved on 11/13/91.
- 11/13/91 A seven-lot commercial subdivision (Cheyenne Plaza) was recorded at the Office of the Clark County Recorder.
- 08/12/99 The Planning Commission approved a Site Development Plan Review [Z-0120-78(2)] for a proposed 5,500 square foot retail store on property to the south of the subject parcel. Staff recommended approval.
- 05/25/06 The Planning Commission recommended approval of companion items VAR-13307 and VAR-12784 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #54/ss).

B) Pre-Application Meeting

- 03/21/06 Application requirements were discussed for a Site Development Plan Review and a Variance for the Residential Adjacency setback. Parking must be provided at the 1:250 retail parking ratio. It was assumed at this time that the property had been included in a one-lot commercial subdivision. To this end, a cross-access and shared parking agreement was requested with the submittal. The applicant indicated that drainage curb along the east property line may prevent the provision of landscaping. The exterior of the proposed building will match that of the existing Vons building.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.62
Net Acres: 0.62

B) Existing Land Use

Subject Property: Undeveloped, Parking lot (with access to Cheyenne Avenue)
North: Parking lot and access
South: Parking lot
Retail Commercial
Undeveloped

East: Single-Family Dwellings
Retail Commercial
West: Retail Commercial

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-1 (Limited Commercial)
U (Undeveloped) [SC (Service Commercial) Master Plan Designation]
under Resolution of Intent to C-1 (Limited Commercial)
East: R-1 (Single Family Residential)
C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject site is designated SC (Service Commercial) on the Interlocal Land Use Plan Map of the Centennial Hills Sector Plan. This category allows low to medium intensity retail, office and other commercial uses that do not include more intense general commercial characteristics. Where appropriate, this category also allows mixed-use development with a residential component. The proposed retail use conforms with the SC (Service Commercial) designation.

PROJECT DESCRIPTION

The proposed expansion will occur on a pad site to the east of the existing Vons grocery store on the northeast portion of an existing shopping center at the northeast corner of Jones Boulevard and Cheyenne Avenue. The subject property is a legal lot (Lot 6) mapped separately within an existing commercial subdivision. Access to Cheyenne Avenue is provided through the parking area of the shopping center. Other than the pad, the site is paved and contains 11 existing parking spaces. An additional 10 spaces and a loading space will be provided. A new trash enclosure will occupy two of the existing spaces. A variance is required to reduce the number of spaces required for this parcel, as well as to allow narrower setbacks than are required by Residential Adjacency Standards and the C-1 (Limited Commercial) zoning district. The building will be located along the north and west property lines so that it can be attached to the existing grocery store building.

Landscaping is limited to existing planter islands in the parking area to the south of the proposed building site. The applicant is requesting a waiver of the perimeter landscape standards along the east and north property lines, as that part of the site is already built out.

Elevations indicate that the building is designed to match the existing grocery store to the west. The maximum height is 24 feet from grade. The storefronts are shaded by an arcade with four columns and a 10-foot sidewalk. Materials include split-face and fluted block and painted stucco for the exterior and concrete tile for the roof. The east side of the building is a flat wall consisting of standard painted block.

Three entrances are shown on the floor plan, indicating that the building could be divided into three possible suites in the future.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Size	N/A	0.62 acre	N/A
Min. Lot Width	100 Feet	104 Feet	Y
Min. Setbacks			
• Front	20 Feet	309 Feet	Y
• Side	10 Feet	0 Feet	N
• Corner	N/A	N/A	N/A
• Rear	20 Feet	0 Feet	N
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	Subject to Residential Adjacency Standards	24 Feet	N
Trash Enclosure	Screened, gated, roofed	Screened, gated, roofed	Y
Loading Zone	1 – 15' x 25' space	1 – 15' x 25' space	Y
Mech. Equipment	Screened	Screened	Y

The development as proposed does not meet several C-1 (Limited Commercial) zoning district standards, including side and rear yard setbacks. The height of the proposed building extends above the required 3:1 Proximity Slope from protected single-family properties to the east. Variances (VAR-12784 and VAR-13307) have been submitted to allow the setback and parking reductions.

Waivers have been requested for the following characteristics of the development:

Waiver	Code Requirement	Proposed	Recommendation
19.12.040.A	Perimeter buffers not along a public right-of-way in commercial districts shall have a minimum width of 8 feet.	The applicant does not propose a perimeter buffer, as the area to the north and east is already paved and has a curb that provides surface drainage for the eastern boundary of the project.	Approval. The perimeter is already developed, contains underground utilities, and would allow for additional parking spaces.

A Waiver is required to allow no perimeter buffer along the west, east and north property lines. The requirements are a result of the hard lot lines created through a previous mapping process. The portion of the site around the building pad is already developed and can be used for additional parking spaces, as the current site is deficient. For these reasons approval of the Waiver is justified.

The east elevation of the building features a flat, plain painted CMU wall where patterns and materials that provide visual interest must be provided. A Waiver of the building design standards to allow this was not requested.

The following Code standards are not met by the proposal and require administrative exceptions:

Exception	Code Requirement	Proposed	Recommendation
19.10.010.J(11)	Landscape islands shall be provided at a ratio of one island per six provided parking spaces. They shall have a width of five feet and contain at least one 24" box shade tree.	No islands provided.	Approval. Underground utilities are existing at the proposed island locations, as well as a curb for drainage of the existing site.

The applicant is not providing landscaped islands in the parking area. This is acceptable, as there are existing utilities and a drainage curb adjacent to the property line that would interfere with the islands.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The maximum height of the proposed building on the east side is 24 feet. The Proximity Slope component of the Residential Adjacency Standards require a 72-foot setback from protected single-family residential properties to the east. The site plan indicates that the setback will be 46 feet. A Variance (VAR-12784) has been submitted for relief from the standard.
- b) Building setback. The Building Setback requirement of the Residential Adjacency Standards necessitates that the proposed building be set back at least 15 feet from the single-family properties to the east, matching the rear yard setback of those properties. The proposed building will be set back 46 feet, in compliance with this standard.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail – Multi-Tenant Center Greater than 25,000 SF	7,000 SF	1/250 GFA	26	2	17	2
TOTAL			28		19	

As it is located on a separate, legal lot, the proposed development must provide enough parking to accommodate the uses on that lot. In this case, the retail uses require a minimum of 28 parking spaces. The applicant will provide 19 spaces, including two handicapped spaces that are not shown on the site plan. A Variance (VAR-13307) has been submitted to allow the reduced number of parking spaces. A more intense use, such as a restaurant, may not comply with parking requirements; therefore, if this item is approved, uses other than retail shall not be permitted.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 – 24" Box Tree/6 Spaces	4 Trees	4 Trees
Buffer:			
• Min. Trees (east side)	1 – 24" Box Tree/20 Linear Feet	9 Trees	0 Trees
• Min. Trees (west/north sides)	1 – 24" Box Tree/30 Linear Feet	18 Trees	0 Trees
• Min. Zone Width	8 Feet		0 Feet
• Wall height	Min. 6 Feet		6 Feet

Four trees are existing within the parking area; however, they are located within the same planter area on the south edge of the property. Additional islands with trees are required along the east property line. No new landscape islands or trees are proposed. An exception from the Commercial Development Standards is required to allow this arrangement. A Waiver has been separately requested to allow no perimeter buffer landscaping.

A5) Sign Standards

All signage on the proposed development must comply with Title 19.14 standards applicable to the C-1 (Limited Commercial) zoning district.

B) General Analysis and Discussion

• Zoning

The subject site is zoned C-1 (Limited Commercial). General retail uses are permitted in this district as of right. Certain other uses may require approval of a Special Use Permit prior to licensing and operation.

• Site Plan

The overall shopping center approval in 1979 allowed for a maximum 7,000 square foot pad on the subject site. This property was mapped in 1991 as a separate legal lot (a "lot of record"). All future development on this lot must comply with commercial development standards and parking requirements exclusive of other projects on adjacent lots within the overall commercial site. The site as proposed does not meet the current zoning standards for the C-1 (Limited Commercial) District; a smaller building would allow conformance to these standards.

A revised site plan was received 05/04/06 showing additional parking spaces and a loading space along the east property line, and a trash enclosure occupying two of the existing parking spaces. These changes will lessen the severity of the related parking

Variance request and meet other standards that would otherwise require additional variances or waivers. The proposal still requires a Residential Adjacency and building setback Variance. It may be possible to eliminate the variances if the proposed building were smaller.

- Waivers

A Waiver of the perimeter landscape requirements has been requested for the proposed project. Although the proposed building could have been smaller, allowing for landscaping along the north and west sides, providing the landscaping is not practical, given the concept of a developed shopping center with attached storefronts and existing parking. Additionally, the east property line would not be able to support a large enough planter to provide trees, the proposed parking and a conforming drive aisle. Currently, this area is paved and contains several underground utilities and a drainage curb leading to a culvert at the south end of the property. It is therefore recommended that the Waiver be approved.

- Landscape Plan

A separate landscape plan was not submitted, as no new landscaping is proposed. The site plan does show existing trees within an existing planter perpendicular to the parking spaces. The planter is shared with the property to the south. An extensive Waiver of the perimeter buffering standards is necessary.

- Elevation

The east elevation indicates a plain, flat wall consisting of painted CMU block. Title 19.08.050 does not allow such walls. A condition of approval will require the continuation of elements of interest from the south elevation along this wall. This could include using split face block, variation in color, and incorporation of the fluted block banding from the front of the building.

- Floor Plan

Three entrances along the south side of the building indicate as many as three suites could be developed. As the building is proposed to be located along the rear property line, the rear wall will need an increased fire rating and the door may need to be recessed to meet building codes.

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 retail uses proposed would be similar to those within the existing shopping center where the undeveloped pad is located. However, the proposed retail development would be built too close to single-family residential properties to meet the Residential Adjacency Standards and is therefore not compatible with the 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 development as proposed requires a Variance to allow reduced building setbacks and a reduced Residential Adjacency setback, a Variance to allow fewer parking spaces than required by Title 19, a Waiver of perimeter landscaping requirements, and exceptions to parking lot landscaping requirements.

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

Access to the property is from Cheyenne Avenue, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways. Vehicles must travel on a drive aisle between parking spaces located on adjacent properties to reach the proposed building. Vehicles may have to turn around north of the property on a separate property. However, traffic should not be negatively affected by the access or circulation.

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

The proposed building and existing landscape materials are appropriate for the area. They are not, however, provided in accordance 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;"**

The building elevations require additional features to enhance visual interest and to maintain a consistent appearance. It is recommended that the architectural elements proposed for the front elevation be continued onto the east elevation to avoid a flat, plain wall (and to conform to Title 19 design standards).

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 256 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-12783** APN: 138 124 16 003
Name of Property Owner: GLORIA CASIDO
Name of Applicant: SAME

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

☐ Yes

☒ 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: Gloria J. Casido

Print Name: GLORIA CASIDO

Subscribed and sworn before me ROMEO CASIDO, NOTARY PUBLIC

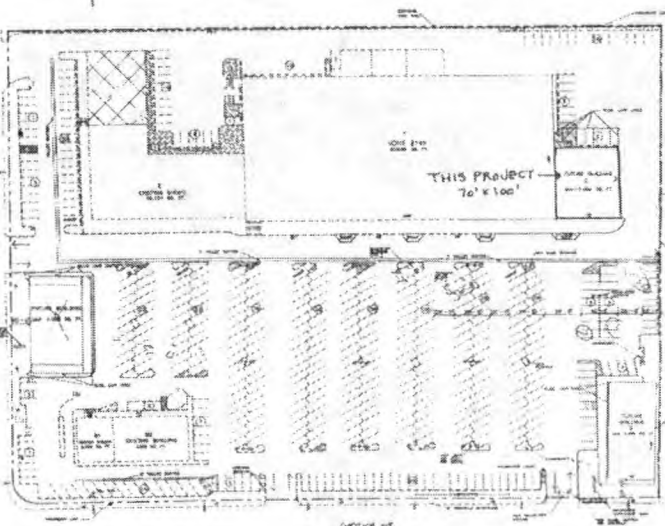
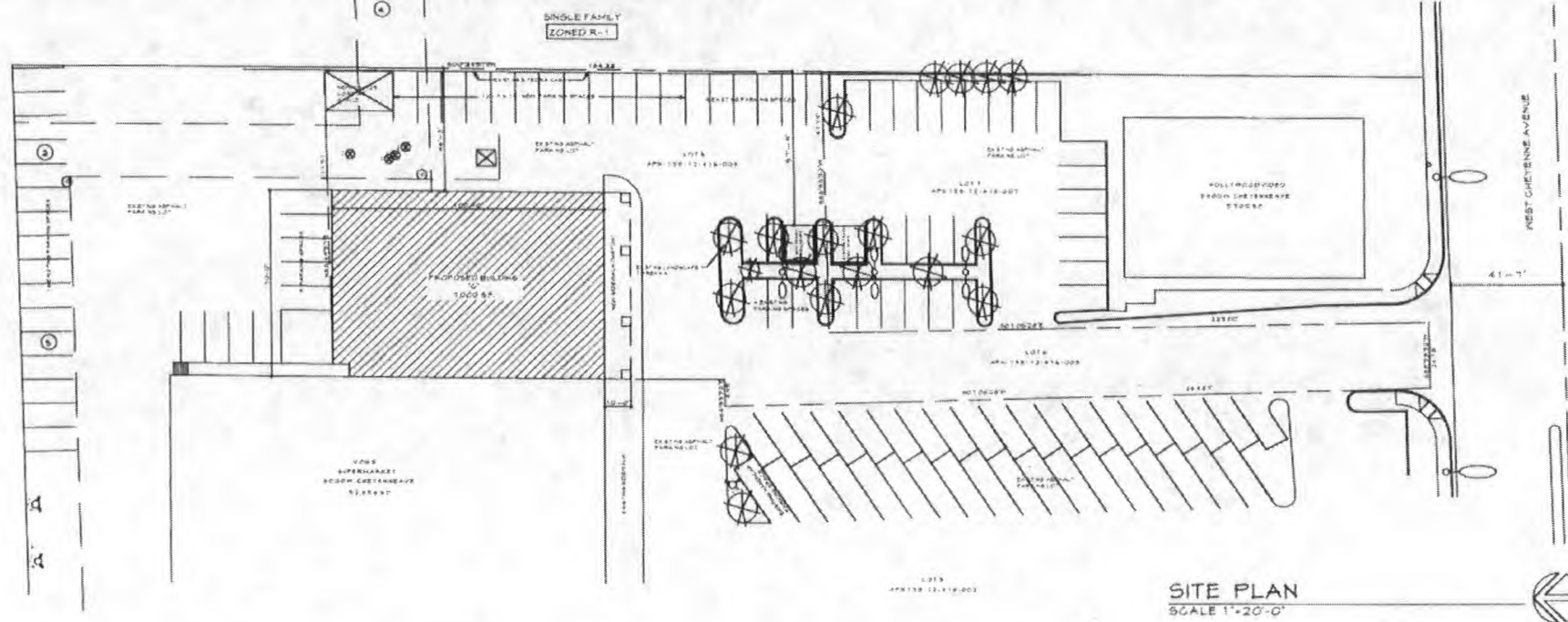
This 17th day of JANUARY, 2006

CALIFORNIA, SANTA CLARA COUNTY

Notary Public in and for said County and State

Romeo Casido





FULL SITE PLAN

CODE SYNOPSIS

APN: 138-12-416-003

REQUESTED: DESIGN REVIEW

ZONED: C-1

LOT SIZE: (.62 ACRES)

BUILDING TYPE: V-B

SPRINKLED: YES

STORIES: 1

CODE REFERENCE: IBC 2003; ANSI 98

PARKING ANALYSIS (RETAIL)

PARKING REQUIRED, BASED ON 7,000 S.F.
7,000 S.F. / 4 PER 1000 = 28 SPACES

TOTAL REQUIRED = 28 SPACES

PARKING PROVIDED = 28 SPACES

PARKING ON SITE = 22 SPACES

PARKING REQUIREMENTS

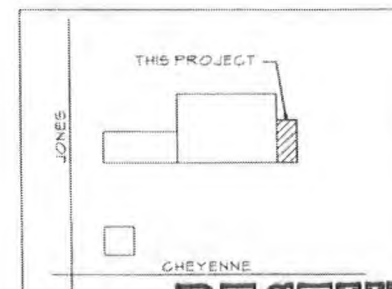
BUILDING A (FUTURE) = 5,000 S.F. / (4 PER 1000) = 20 SPACES
BUILDING B1/B2 (EXISTING) = 8,000 S.F. / (4 PER 1000) = 24 SPACES
BUILDING C (PROPOSED) = 7,000 S.F. / (4 PER 1000) = 28 SPACES
BUILDING D (EXISTING) = 5,500 S.F. / (4 PER 1000) = 22 SPACES
BUILDING E (EXISTING) = 19,104 S.F. / (4 PER 1000) = 77 SPACES
BUILDING F (EXISTING) = 52,855 S.F. / (4 PER 1000) = 215 SPACES

383 SPACES REQUIRED
435 SPACES PROVIDED

SITE PLAN
SCALE 1"=20'-0"

EASEMENTS

1. 5 FOOT NEVADA POWER CO. AND CENTRAL TELEPHONE CO.
BK. 307, DCC. 288 149
2. 25 FOOT DRAINAGE AND SEWER
BK. 1402, DCC. 136 183
3. 30 FOOT LVVAD
BK. 1392, DCC. 135 1294
4. 25 FOOT DRAINAGE AND SEWER
BK. 1402, DCC. 136 183



RICHARD P. THRELFALL ARCHITECT, INC.

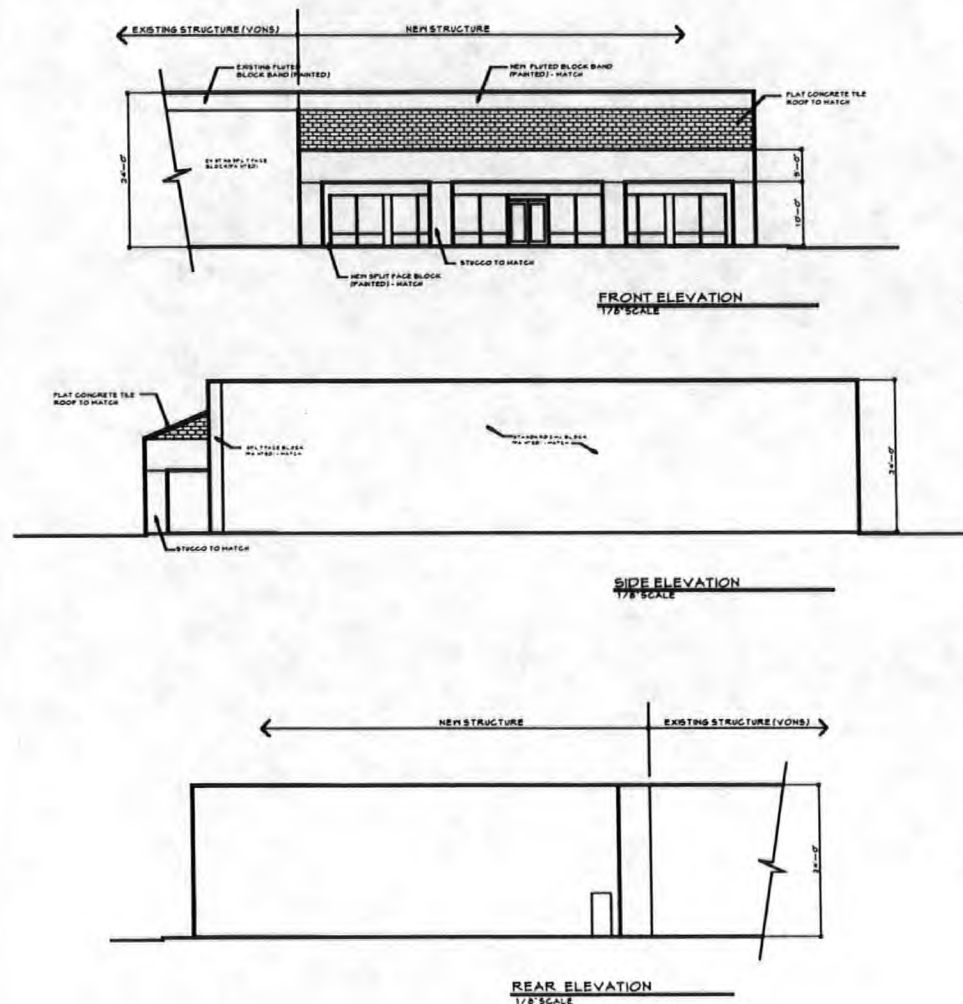
4812 WEST DIAMOND DRIVE
LAS VEGAS, NEVADA 89148

(702) 368-0716 VOICE
(702) 873-3717 FAX



VAR-12784 VAR-13307
SDR-12783 05/25/06 PC MAY 04 2006

REVISED



PROPOSED 7,000 S.F. RETAIL
BUILDING @ JONES & CHEYENNE

FLOOR PLAN / ELEVATIONS

REVISIONS



RICHARD P. THRELFALL ARCHITECT, INC.
1415 WEST DURANGO DRIVE
LAS VEGAS, NEVADA 89108
(702) 388-0714 VOICE
(702) 873-3717 FAX



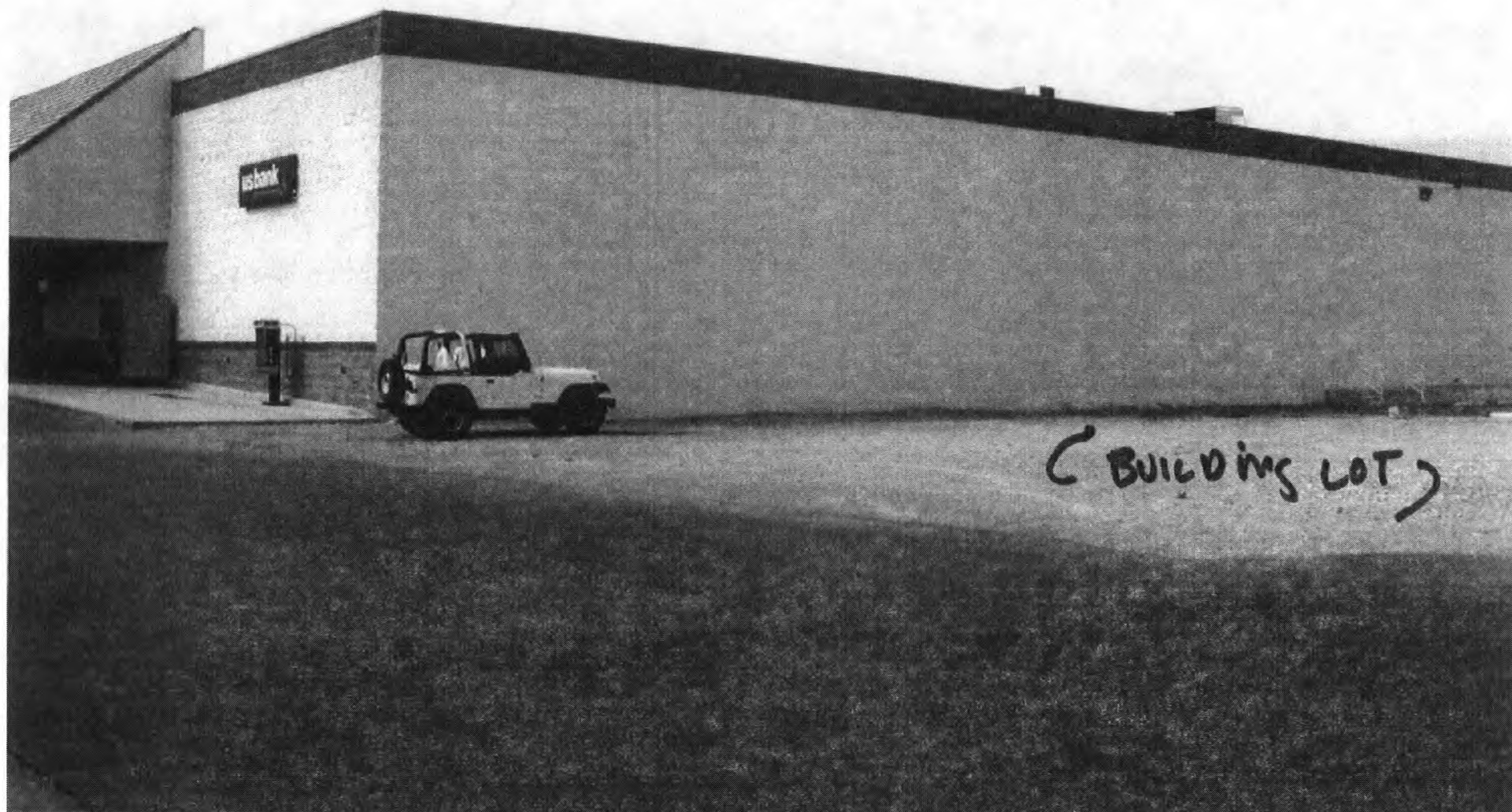
A-2

SDR-12783
05/25/06 PC



SDR 12783				
Ferdinand & Gloria Casido				
5900 W Cheyenne				
Proposed 7 thousand square foot retail expansion.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	7	42.94	301
AM Peak Hour			1.03	7
PM Peak Hour			3.75	26
<i>(heaviest 60 minutes)</i>				
Existing traffic on all nearby streets:				
Cheyenne Avenue				
Average Daily Traffic (ADT)	40,462			
PM Peak Hour	3237			
<i>(heaviest 60 minutes)</i>				
Jones Boulevard				
Average Daily Traffic (ADT)	18,123			
PM Peak Hour	1450			
<i>(heaviest 60 minutes)</i>				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Cheyenne Avenue	51700			
Jones Boulevard	34300			
This project will add approximately 301 trips per day on Cheyenne and Jones. This will increase expected volumes by less than 1 percent on Cheyenne and about 2 percent on Jones. Cheyenne is at about 78 percent of capacity and Jones is at about 53 percent of capacity.				
Based on Peak Hour use, this development will add roughly 26 additional cars into the area; which works out to about one every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED



LOOK WEST

RECEIVED

MAY 24 2006

VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED

EXISTING DRAINAGE SYSTEM

TREES OFF PROPERTY

EXISTING
PARKING

BUILDING
LOT

ASBESTOS

LOOK SOUTH

MAY 04 2006

5/3/06

Justification letter

APN#: 138-124-16-003

To whom it may concern,

The proposed project is the addition of a 7,000 s.f. Retail structure (attached to the existing Von's market – East side) The original commercial development (build in the 1980's) had provided for this addition. There is adequate parking for this expansion currently provided.

On site additions have been made as follows:

10 new on-site parking spaces
New 15' x 25' loading space
New on-site trash enclosure

No landscaping has ever existed along the East property line associated with this property.

Due to an existing concrete culvert for site drainage and existing sewer / power easements

We would find it a hardship and request that landscape and landscape fingers to be required.

Thank You



Richard Threlfall Architect Inc
388-0716

**VAR-12784 VAR-13307
SDR-12783 05/25/06 PC
REVISED**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-13249 - PUBLIC HEARING - APPLICANT/OWNER: PECOS PARTNERS, LLC - Request for a Variance TO ALLOW A PROPOSED 20-FOOT TALL BUILDING 40 FEET FROM THE REAR (SOUTH) PROPERTY LINE WHERE 60 FEET IS THE MINIMUM SETBACK REQUIRED; TO ALLOW A SECOND PROPOSED 20-FOOT TALL BUILDING 26 FEET FROM THE REAR (SOUTH) PROPERTY LINE WHERE 60 FEET IS THE MINIMUM SETBACK REQUIRED; AND TO ALLOW A THIRD PROPOSED 20-FOOT TALL BUILDING 10 FEET FROM THE SIDE (WEST) PROPERTY LINE WHERE 60 FEET IS THE MINIMUM SETBACK REQUIRED on 3.02 acres approximately 300 feet west of Pecos Road on Owens Avenue (APN 139-25-516-002), 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

MOTIONS:

REESE - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 151 [VAR-13249] and Item 152 [SDR-20497].

SUE GREY, Pearlman Design Group, 2230 Corporate Circle, Henderson, appeared on behalf of the applicant and requested approval. She explained this proposed shopping center is designed to be consistent with the existing SavOn Drug store and the neighborhood. She emphasized that all mechanical equipment would be fully screened by a full parapet. If the applicant had only partially screened the equipment, the ordinance would have been met but the design would have been incompatible with the neighborhood.

TOM McGOWAN, Las Vegas resident, appeared in support. He suggested the Planning Commission be dissolved because it serves no useful purpose.

COUNCILMAN REESE expressed his support, stating he had not received any protest from the

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

neighbors.

MAYOR GOODMAN declared the Public Hearing open for Item 151 [VAR-13249] and Item 152 [SDR-20497].

(2:33 - 2:38)

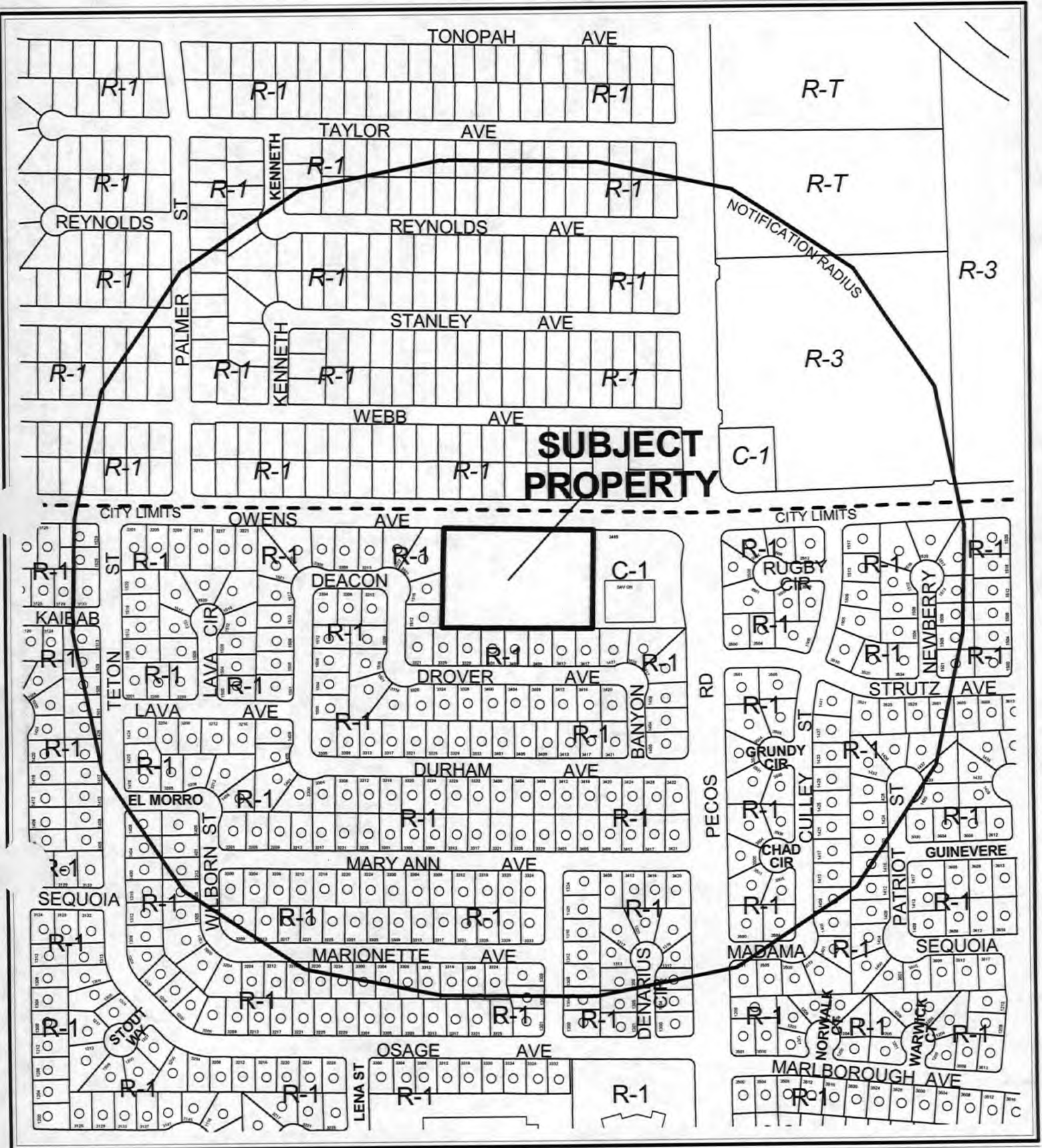
3-2391

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-10497) shall be required.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

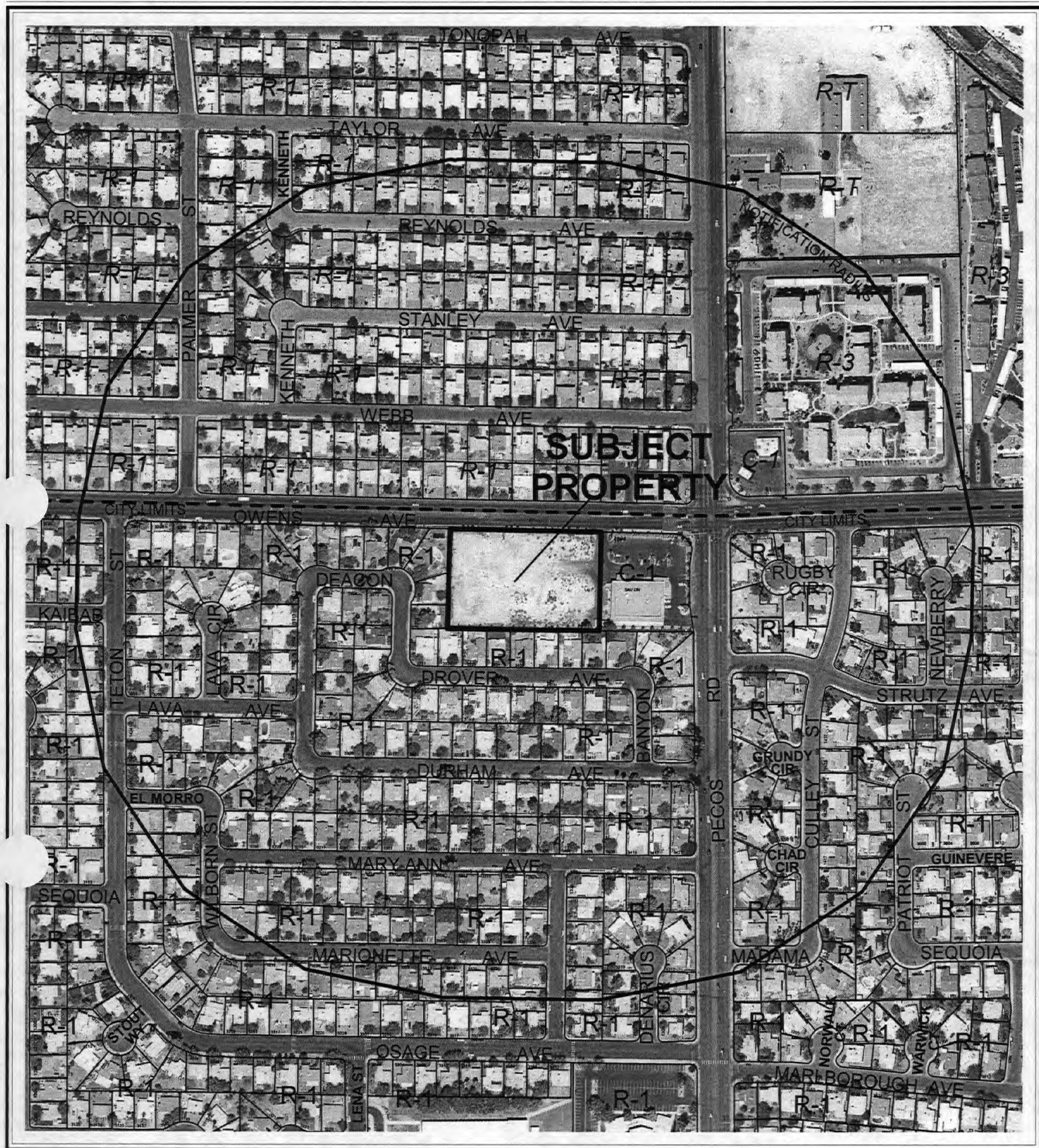


CASE: **VAR-13249**

RADIUS: 1000 FT

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





CASE: **VAR-13249**

RADIUS: 1000 FT

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

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-13249 - APPLICANT/OWNER: PECOS PARTNERS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-10497) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a variance to allow a proposed 20-foot tall building to be 40 feet from the rear (south) property line where 60 feet is the minimum setback required; to allow a second proposed 20-foot tall building to be 26 feet from the rear (south) property line where 60 feet is the minimum setback required; and to allow a third proposed 20-foot tall building to be 15 feet from the side (west) property line where 60 feet is the minimum setback required.

A related Site Development Plan Review (SDR-10497) for a proposed 24,000 square-foot commercial development will be considered concurrently.

EXECUTIVE SUMMARY

The land use is appropriate for the area; however, the development as proposed is too intense in the context of single-family development adjacent to the south and west of the subject property. Twenty foot tall structures are proposed that do not comply with the Residential Adjacency Standards and are not compatible with the adjacent R-1 (Single Family Residential) development.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 03/22/61 | The Board of City Commissioners approved a rezoning (Z-0007-61) of this site to C-1 (Limited Commercial). |
| 04/19/00 | The City Council approved a Variance (V-0101-99) for the east portion of this parcel to allow one building to have a 20 foot side yard setback where residential adjacency standards require a minimum 69 foot side yard setback, and to allow another building to have a 20 foot rear yard setback where residential adjacency standards require a minimum 60 foot rear yard setback |
| 04/19/00 | The City Council approved a Special Use Permit (U-0151-99) to allow the off-premise sale of packaged liquor in conjunction with the Sav-On drug store located in the east portion of this parcel and a Site Development Plan Review [Z-0007-61(1)] for a proposed 29,647 square foot retail shopping center. The existing Sav-On drug store was the only structure constructed under this approval. |

- 05/25/06 The Planning Commission recommended approval of companion item SDR-10497 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/ar).

B) Pre-Application Meeting

- 11/01/05 At the pre-application meeting, staff explained the landscaping and setback standards of the Zoning Code. Staff also expressed concern regarding the parking requirement for this site, which the applicant chose to calculate based entirely on retail uses. Staff informed the applicant that a condition of approval would be included within the staff report which prohibited any use more parking-intense than retail.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance application, and was not held. However, the applicant did have a meeting with representative of the shopping center to the east to discuss design issues. The applicant indicates that these issues have been resolved.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.02 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Owens Avenue
South: Single Family Dwellings
East: Sav-On Drug Store
West: Single Family Dwellings

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: Right-of-way
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located in the Southeast Sector of the General Plan. Within that Sector, it has a land use designation of SC (Service Commercial). This designation allows for a variety of low to medium intensity retail uses that serve primarily local area patrons. The proposed development is permitted within that designation.

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	3.02 Acres	Y
Min. Lot Width	100 Feet	400 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	60 Feet	15 Feet	N*
• Rear	60 Feet	26 Feet	N**
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	N/A	27 Feet 6 Inches	Y
Trash Enclosure	50 Feet From Residential	51 Feet	Y
Loading Zone	2 Spaces	2 Spaces	Y

*The site plan depicts a building 15 feet from the side (west) property line. Based on the buildings height of 20 feet, the Residential Adjacency Standards require a setback of 60 feet.

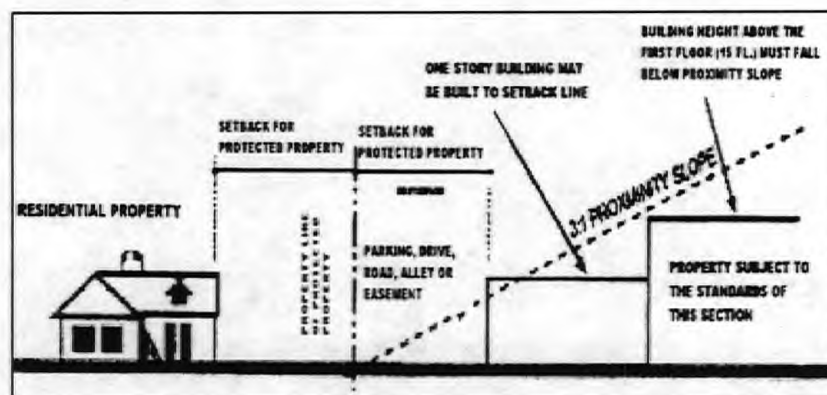
**The site plan depicts a building 26 feet from the rear (south) property line. Based on the buildings height of 20 feet, the Residential Adjacency Standards require a setback of 60 feet.

A2) Residential Adjacency Standards

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

1) Proximity Slope.

- (a) Except as otherwise provided in this Subsection (B), no building subject to the standards of this Section exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Section (see figure below). For example, a one hundred foot high building must be set back three hundred feet from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Section are at the same elevation. The Proximity Slope limitation contained in this Subparagraph (a) applies to architectural projections above roof lines.
- (b) The Proximity Slope limitation contained in Subparagraph (a) does not apply when non-residential buildings, such as schools and churches, are built on the protected property.
- (c) Notwithstanding the Proximity Slope limitation contained in Subparagraph (a), a one story building up to fifteen feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Section is located or which is established by Paragraph (4) of Subsection (B).



Changes in Grade. Notwithstanding the Proximity Slope limitation contained in Subparagraph (1)(a) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

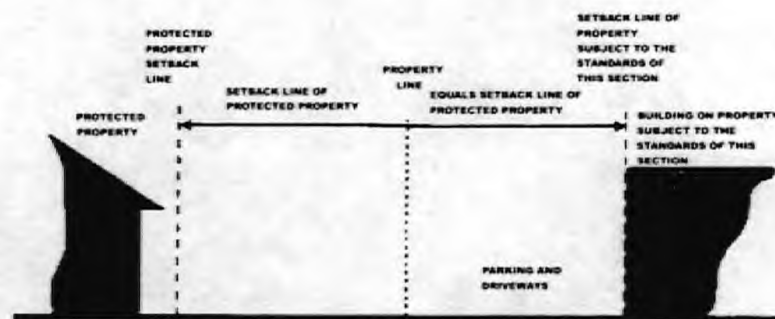
Exceptions.

- (a) The following structures may project a maximum of twelve feet above the Proximity Slope:
 - (i) Chimney and vent stacks.
 - (ii) Roof structures for the use of elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.
 - (iii) Visual screens which surround mounted mechanical equipment.
 - (iv) Skylights.
 - (v) Whip and mounted antennas.
- (b) Church steeples, utility transmission lines and towers, and municipal utility facilities such as water towers are exempt from the maximum height provisions.

The applicant has prepared an elevation drawing which indicates that there are roof parapets which exceed the height permitted by the Residential Adjacency Standards. The applicant contends that the roof parapets are intended to screen mechanical equipment and thus are exempt from the Proximity Slope standards. Staff does not support this contention and has required the applicant to submit a variance to address this issue.

(2) Building Setback

In addition to the required building setback line, no building setback on property subject to the standards of this Section shall be less than the required building setback for the protected property (see figure below).



The subject property is adjacent to the rear yards of R-1 (Single Family Residential) lots, which requires a minimum setback of 15 feet from the south and west property lines. However, the three-to-one proximity slope requires a setback of 60 feet, which is reflected in the public hearing notice for this application.

The applicant has prepared an elevation drawing which indicates that there are roof parapets which exceed the height permitted by the Residential Adjacency Standards. The applicant contends that the roof parapets are intended to screen mechanical equipment and thus are exempt from the standards. Staff does not support this contention and has required the applicant to submit a variance to address this issue.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	24,000 SF.	1/250 GFA	96	5 of 96 required	116	7 of 116 provided

The site plan conforms to the parking requirements of Title 19.

A4) Landscape and Open Space Standards

The perimeter landscaping for this project was provided when the first phase of this shopping center was constructed and is in conformance with the conditions of approval associated with the Site Development Plan Review [Z-0007-61(1)], which authorized construction of the first phase.

Based on the standards of the Zoning Code, 20 trees are required within the parking lot. The landscaping plan indicates that 26 spaces are provided.

B) General Analysis and Discussion

a. Zoning

The proposed deviation from Residential Adjacency requirements is self imposed through the applicants design choices. An alternative layout or buildings with less height would permit compliance from standards. As the development is not compatible with the area and the hardship is self imposed, denial of this request is recommended.

b. Site Plan

The proposed site plan does not comply with the Residential Adjacency Standards. This issue is being addressed within the subject variance.

c. Waivers

The applicant had initially requested a waiver to allow a reduction in the amount of parking lot landscaping. However, revisions to the development proposal have resulted in a landscape plan that complies with the landscaping standards of the Zoning Code, and a waiver is no longer required.

d. Landscape Plan

The perimeter landscaping for this project was provided when the first phase of this shopping center was constructed and are in compliance with current city requirements.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing 20 foot tall buildings that do not meet height and Residential Adjacency standards. Redesigning the buildings as 15-foot buildings or moving the proposed buildings further away from existing residential property lines would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 463 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-13249** APN: 139-25-516-002

Name of Property Owner: Pecos Partners LLC

Name of Applicant: Pecos Partners LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

Print Name: FREEMAN YOUSSEFZADEH, PRESIDENT
OF ITS MANAGE

Subscribed and sworn before me

This 25th day of April 2006

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



A-1

Site Plan

SITE INFORMATION

ZONING:

C-1 Neighborhood Commercial
APN: 139-25-516-002

AREA: (Approximate, to be Verified)

Gross Area: 131,807 sf 3.02 acres
Net Area: 111,820 sf 2.57 acres

BUILDING AREA:

Retail - B1 11,500 gsf
Pad - B2 3,500 gsf
Pad - A 3,500 gsf
Pad - C 5,500 gsf

Total Building Area 24,000 gsf

PARKING REQUIREMENTS

Retail - B1 Retail - 1 / 250 sf 11,500 / 250 = 46
Pad - B2 Retail - 1 / 250 sf 3,500 / 250 = 14
Pad - A Retail - 1 / 250 sf 3,500 / 250 = 14
Pad - C Retail - 1 / 250 sf 5,500 / 250 = 22

Parking Required: 96

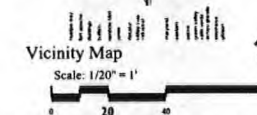
Parking Provided: 116

Parking Ratio: 4.02 per 1000 1 per 248

PARKING PROVIDED

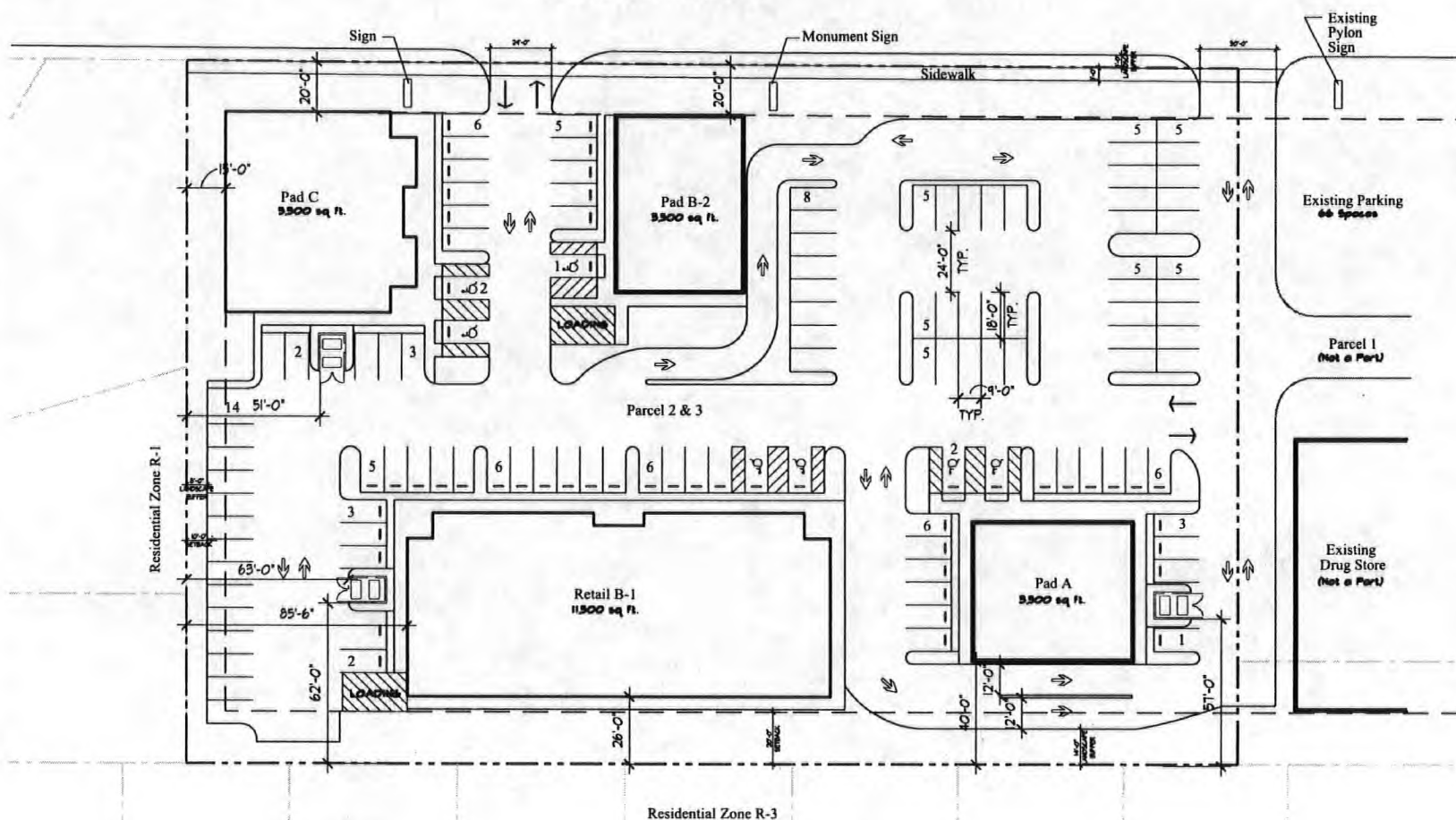
Parcel 1 (Existing) 66
Parcel 2 & 3 (New) 120

Parking Provided
Parcels 1, 2, & 3 186



PROJECT No 105158 April 25, 2006

Owens Street



Site Plan

© Copyright 2005, Perlman Design Group, Inc.
This Plan is Copyrighted in Name and no Subsequent All Rights are Reserved. The Owner/Builder reserves the right to make design modifications without notice. All Labels, Dimensions, Sizes and Architectural Features are Conceptual and subject to Change.

PECOS PARTNERS LLC

Pecos and Owens
Las Vegas, Nevada

VAR-13249
05/25/06 PC

Perlman

April 28, 2006

Andy Reed, Senior Planner
City of Las Vegas
731 S. Fourth St.
Las Vegas, NV 89101

VARIANCE FOR - SDR- 10497- PECOS AND OWENS

Dear Mr. Reed,

Please accept this application for a variance for Pecos and Owens Commercial Center. The property is located on the south side of Owens Ave., west of Pecos Rd.

The project consists of 24,000 square feet of retail, Retail B-1 is 11,500 square feet, Pad B- 2 is 3,500 square feet, Pad C is 5,500 square feet and Pad A is 3,500 square feet. The site is located adjacent to existing single family homes on both the south and west sides of the site. Therefore the site is subject to the residential proximity slope per Section 19.08. B. Staff has made a determination that Retail B-1 and Pad C do not meet the residential proximity slope and a variance is required.

A variance can be approved by the Planning Commission with the finding that "extraordinary and exceptional situation or condition of the piece of property, that the strict application of any zoning regulation would result in a peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from the strict application may be granted so as to relieve the difficulties or hardship." This site is a portion of a larger commercial site subject to Declaration of Restrictions and Easements, this declaration limits the size and location of buildings on this site and the adjacent property owner has the right to review and approve the site layout for this project. The site plan as currently designed meets the requirements of the declaration for building size and location. The adjacent owner, Vieira Enterprises has reviewed and approved the site as currently shown. Revising the site plan or the building elevations will not meet the restrictions nor meet with the adjacent property owner's approval.

We believe based upon the restrictions on the property that a finding for approval can be made. Additionally we feel that the buildings as designed meet the required residential proximity slope due to the exception allowed by Section 19.08.B. 3.a. 2 and 3. This exception allows a structure to project a maximum of 12 feet above the proximity slope for:

- 1) Roof structures for the use of elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.
- 2) Visual screens which surround mounted mechanical equipment.

The buildings as designed projects 4 feet 2 inches into the slope. The projection is for necessary roof mounted mechanical equipment such as air conditioning units. Figure 29 of Title 19 requires "mechanical and electrical equipment mounted on flat roofs shall be screened from view by a parapet wall or architectural feature that goes around all sides of the building. The buildings as designed meet this requirement.

VAR-13249
05/25/06 PC

RECEIVED
APR 28 2006

Based upon the facts as outlined in the justification letter we believe that the necessary findings can be made to approve this variance request. Thank you for your time and support in reviewing the variance for the Pecos and Owens Commercial Center.

Sincerely,

A handwritten signature in black ink, appearing to read "Sue Gray", written in a cursive style.

Sue Gray, AICP
Entitlements Manager

VAR-13249
05/25/06 PC

RECEIVED
APR 28 2006

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-13249

SDR-10497 - PUBLIC HEARING - APPLICANT/OWNER: PECOS PARTNERS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 29,800 SQUARE FOOT COMMERCIAL DEVELOPMENT AND WAIVERS OF THE PARKING LOT AND FOUNDATION LANDSCAPING REQUIREMENTS on 3.02 acres approximately 300 feet west of Pecos Road on Owens Avenue (APN 139-25-516-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). NOTE: AMENDED APPLICATION IS FROM A PROPOSED 29,800 SQUARE FOOT COMMERCIAL DEVELOPMENT TO A 24,000 SQUARE FOOT COMMERCIAL DEVELOPMENT WITH WAIVERS OF THE BUILDING PLACEMENT STANDARDS. 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

MOTIONS:

REESE - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

MINUTES:

NOTE: See Item 151 [VAR-13249] for all related discussion.

(2:33 - 2:38)

3-2391

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 04/28/06 except as amended by conditions herein.
3. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. A 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.
11. All City Code requirements and design standards of all City departments must be satisfied.

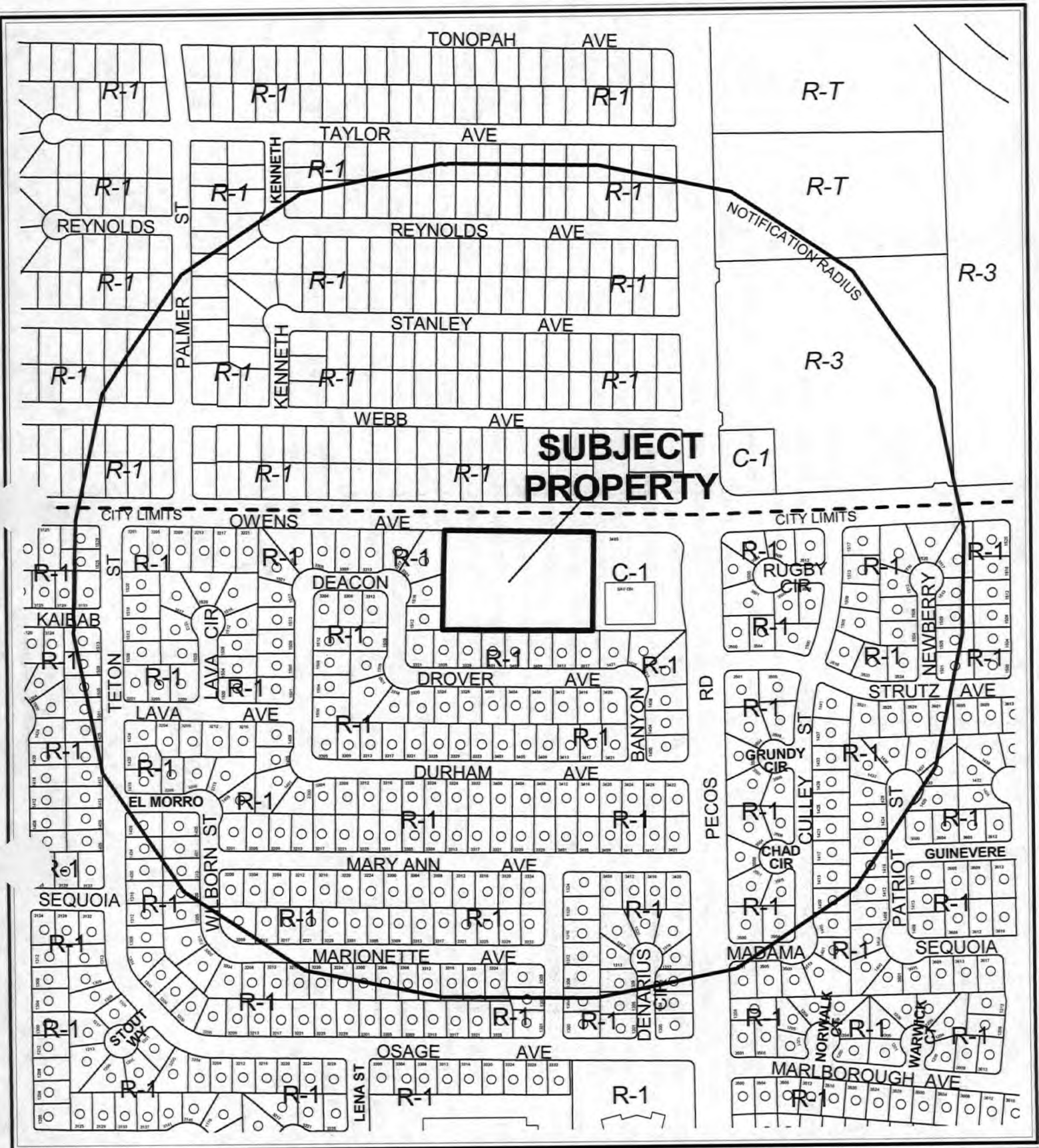
Public Works

12. 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.
13. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
14. 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

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

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: SDR-10497

RADIUS: 1000 FT

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



CASE: **SDR-10497**

RADIUS: 1000 FT

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

0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-10497 - APPLICANT/OWNER: PECOS PARTNERS, LLC

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 04/28/06 except as amended by conditions herein.
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Public Works

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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 24,000 square-foot commercial development and waivers of the parking lot landscaping requirements on 3.02 acres approximately 300 feet west of Pecos Road on Owens Avenue.

A related Variance (VAR-13249) to allow a proposed 20-foot tall building to be 40 feet from the rear (south) property line where 60 feet is the minimum setback required; to allow a second proposed 20-foot tall building to be 26 feet from the rear (south) property line where 60 feet is the minimum setback required; and to allow a third proposed 20-foot tall building to be 15 feet from the side (west) property line where 60 feet is the minimum setback will be considered concurrently.

EXECUTIVE SUMMARY

The applicant had initially requested a waiver to allow a reduction in the amount of parking lot landscaping. However, revisions to the development proposal have resulted in a landscape plan that complies with the landscaping standards of the Zoning Code, and a waiver is no longer required.

This item has been held in abeyance three times to allow the applicant to discuss design issues with the shopping center to the east. The applicant indicates that these issues have been resolved.

The land use is appropriate for the area; however, the development as proposed is too intense in the context of single-family development adjacent to the south and west of the subject property. Twenty-foot tall structures are proposed that do not comply with the Residential Adjacency Standards and are not compatible with the adjacent R-1 (Single Family Residential) development.

BACKGROUND INFORMATION

A) Related Actions

03/22/61 The Board of City Commissioners approved a rezoning (Z-0007-61) of this site to C-1 (Limited Commercial).

- 04/19/00 The City Council approved a Variance (V-0101-99) for the east portion of this parcel to allow one building to have a 20-foot side yard setback where residential adjacency standards require a minimum 69 foot side yard setback, and to allow another building to have a 20-foot rear yard setback where residential adjacency standards require a minimum 60-foot rear yard setback.
- 04/19/00 The City Council approved a Special Use Permit (U-0151-99) to allow the off-premise sale of packaged liquor in conjunction with the Sav-On drug store located in the east portion of this parcel and a Site Development Plan Review [Z-0007-61(1)] for a proposed 29,647 square-foot retail shopping center. The existing Sav-On drug store was the only structure constructed under this approval.
- 01/12/06 The Planning Commission held this item in abeyance to the 02/09/06 Planning Commission meeting to allow the applicant time to meet with the adjacent property owners.
- 02/09/06 The Planning Commission held this item in abeyance to the 03/09/06 Planning Commission meeting to allow the applicant time to continue to work with the adjacent property owners.
- 03/09/06 The Planning Commission accepted the applicants request to table this item to allow the applicant to redesign the project.
- 05/25/06 The Planning Commission recommended approval of companion item VAR-13249 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #34/ar).

B) Pre-Application Meeting

- 11/01/05 At the pre-application meeting, staff explained the landscaping and setback standards of the Zoning Code.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, and was not held. However, the applicant did have a meeting with representative of the shopping center to the east to discuss design issues. The applicant indicates that these issues have been resolved.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 3.02 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Owens Avenue
South: Single Family Dwellings
East: Sav-On Drug Store
West: Single Family Dwellings

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: Right-of-way
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is located in the Southeast Sector of the General Plan. Within that Sector, it has a land use designation of SC (Service Commercial). This designation allows for a variety of low to medium intensity retail uses that serve primarily local area patrons. The proposed development is permitted within that designation.

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

PROJECT DESCRIPTION

The site plan depicts a 11,500 square foot building in the southwest portion of the site, a 3,500-square-foot building in the southeast, a 5,500-square foot building in the northwest, and a 3,500-square-foot building in the northeast. Access to the Owens Avenue is provided by one 24-foot wide driveway and one 30-foot driveway. A total of 116 parking spaces are shown.

Twenty foot wide landscape planters with a mixture of 24-inch box Japanese Privet and Mexican Fan Palm trees spaced at 30 feet on center, shrubs and ground cover are shown along the north and south property lines. A 12-foot wide planter is depicted along the west property line. Planter islands with 26 Japanese Privet trees, shrubs and ground cover are shown in the parking lot.

The elevations indicate the new buildings will have a stucco exterior, storefront window system and a concrete tile roof that is similar in appearance to the existing Sav-On Drug Store.

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	3.02 Acres	Y
Min. Lot Width	100 Feet	400 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	60 Feet	15 Feet	N*
• Rear	60 Feet	26 Feet	N**
Max. Lot Coverage	50 %	26 %	Y
Max. Building Height	N/A	27 Feet 6 Inches	Y
Trash Enclosure	50 Feet From Residential	51 Feet	Y
Loading Zone	2 Spaces	2 Spaces	Y

*The site plan depicts a building 15 feet from the side (west) property line. Based on the buildings height of 20 feet, the Residential Adjacency Standards require a setback of 60 feet.

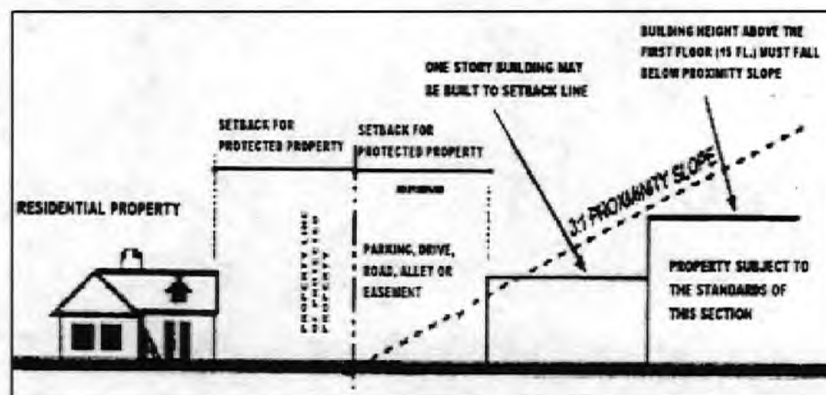
**The site plan depicts a building 26 feet from the rear (south) property line. Based on the buildings height of 20 feet, the Residential Adjacency Standards require a setback of 60 feet.

A2) Residential Adjacency Standards

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

1) Proximity Slope.

- (a) Except as otherwise provided in this Subsection (B), no building subject to the standards of this Section exceed the height of a line drawn from the property line of a protected property at a 3:1 slope directly into the property subject to the standards of this Section (see figure below). For example, a one hundred foot high building must be set back three hundred feet from the property line of the protected property, if both the property line of that property and the grade of the building subject to the standards of this Section are at the same elevation. The Proximity Slope limitation contained in this Subparagraph (a) applies to architectural projections above roof lines.
- (b) The Proximity Slope limitation contained in Subparagraph (a) does not apply when non-residential buildings, such as schools and churches, are built on the protected property.
- (c) Notwithstanding the Proximity Slope limitation contained in Subparagraph (a), a one story building up to fifteen feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Section is located or which is established by Paragraph (4) of Subsection (B).



Changes in Grade. Notwithstanding the Proximity Slope limitation contained in Subparagraph (1)(a) above, if the natural slope of the ground rises or falls from the point of origin of the slope line, the actual building height may be greater or lesser by the difference in grade.

Exceptions.

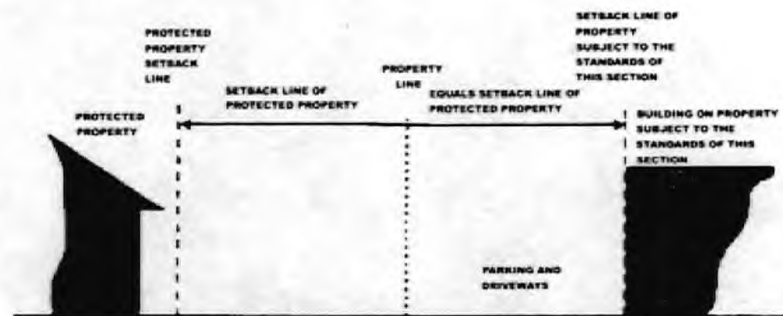
- (a) The following structures may project a maximum of twelve feet above the Proximity Slope:

- (i) Chimney and vent stacks.
 - (ii) Roof structures for the use of elevators, stairs, tanks, ventilation and similar necessary mechanical equipment.
 - (iii) Visual screens which surround mounted mechanical equipment.
 - (iv) Skylights.
 - (v) Whip and mounted antennas.
- (b) Church steeples, utility transmission lines and towers, and municipal utility facilities such as water towers are exempt from the maximum height provisions.

The applicant has prepared an elevation drawing which indicates that there are roof parapets which exceed the height permitted by the Residential Adjacency Standards. The applicant contends that the roof parapets are intended to screen mechanical equipment and thus are exempt from the Proximity Slope standards. Staff does not support this contention and has required the applicant to submit a variance to address this issue.

(2) Building Setback

In addition to the required building setback line, no building setback on property subject to the standards of this Section shall be less than the required building setback for the protected property (see figure below).



The subject property is adjacent to the rear yards of R-1 (Single Family Residential) lots, which requires a minimum setback of 15 feet from the south and west property lines. However, the three-to-one proximity slope requires a setback of 60 feet, which is reflected in the public hearing notice for the related variance application.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	24,000 SF.	1/250 GFA	96	5 of 96 required	116	7 of 116 required

The site plan conforms to the parking requirements of Title 19.

A4) Landscape and Open Space Standards

The perimeter landscaping for this project was provided when the first phase of this shopping center was constructed and is in conformance with the conditions of approval associated with the Site Development Plan Review [Z-0007-61 (1)], which authorized construction of the first phase.

Based on the standards of the Zoning Code, 20 trees are required within the parking lot. The landscaping plan indicates that 26 spaces are provided.

B) General Analysis and Discussion

a. Zoning

The proposed retail uses are permitted in the C-1 (Limited Commercial) zoning district. The proposed site plan does not comply with the Residential Adjacency Standards. This issue is being addressed within a related variance (VAR-13249).

b. Site Plan

The proposed site plan does not comply with the Residential Adjacency Standards. This issue is being addressed within a related variance (VAR-13249).

c. Waivers

The applicant had initially requested a waiver to allow a reduction in the amount of parking lot landscaping. However, revisions to the development proposal have resulted in a landscape plan that complies with the landscaping standards of the Zoning Code, and a waiver is no longer required.

d. Landscape Plan

The perimeter landscaping for this project was provided when the first phase of this shopping center was constructed and are in compliance with current city requirements.

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 land use is appropriate for the area; however, the development as proposed is too intense in the context of single-family development adjacent to the south and west of the subject property. Twenty-foot tall structures are proposed that do not comply with the Residential Adjacency Standards and are not compatible with the adjacent R-1 (Single Family Residential) development.

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

The proposed apartment development requires approval of a Variance to allow a reduced Residential Adjacency setback.

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

Owens Avenue is a 100-foot wide Primary Arterial that will not be negatively impacted by the proposed development.

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

The proposed building materials and landscape materials are appropriate for the area and for the City.

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

Elevations and section drawings do not illustrate compliance with Residential Adjacency Standards along the south and west property lines. Therefore, they are not compatible with existing single-family development in the area.

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

The project will be subject to permit review and inspections; therefore, appropriate measures will be taken to protect public health, safety and general welfare.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 457 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-10497**

APN: 139-25-516-002

Name of Property Owner: PECOS PARTNERS, LLC

Name of Applicant: _____

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

☐ Yes

☒ 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: Faramarz Yousefzadeh, President of Its Manager

Subscribed and sworn before me

This 23RD day of NOV, 2005

Katalin Langianese
Notary Public in and for said County and State



A-1 Site Plan

SITE INFORMATION

ZONING:
C-1 Neighborhood Commercial
APN: 139-25-516-002

AREA: (Approximate, to be Verified)

Gross Area: 131,807 sq ft 3.02 acres
Net Area: 111,820 sq ft 2.57 acres

BUILDING AREA:

Retail - B1 11,500 gsf
Pad - B2 3,500 gsf
Pad - A 3,500 gsf
Pad - C 5,500 gsf

Total Building Area 24,000 gsf

PARKING REQUIREMENTS

Retail - B1 Retail - 1 / 250 sf 11,500 / 250 = 46
Pad - B2 Retail - 1 / 250 sf 3,500 / 250 = 14
Pad - A Retail - 1 / 250 sf 3,500 / 250 = 14
Pad - C Retail - 1 / 250 sf 5,500 / 250 = 22

Parking Required: 96

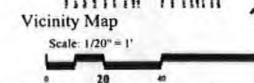
Parking Provided: 116

Parking Ratio: 4.02 per 1000 1 per 248

PARKING PROVIDED

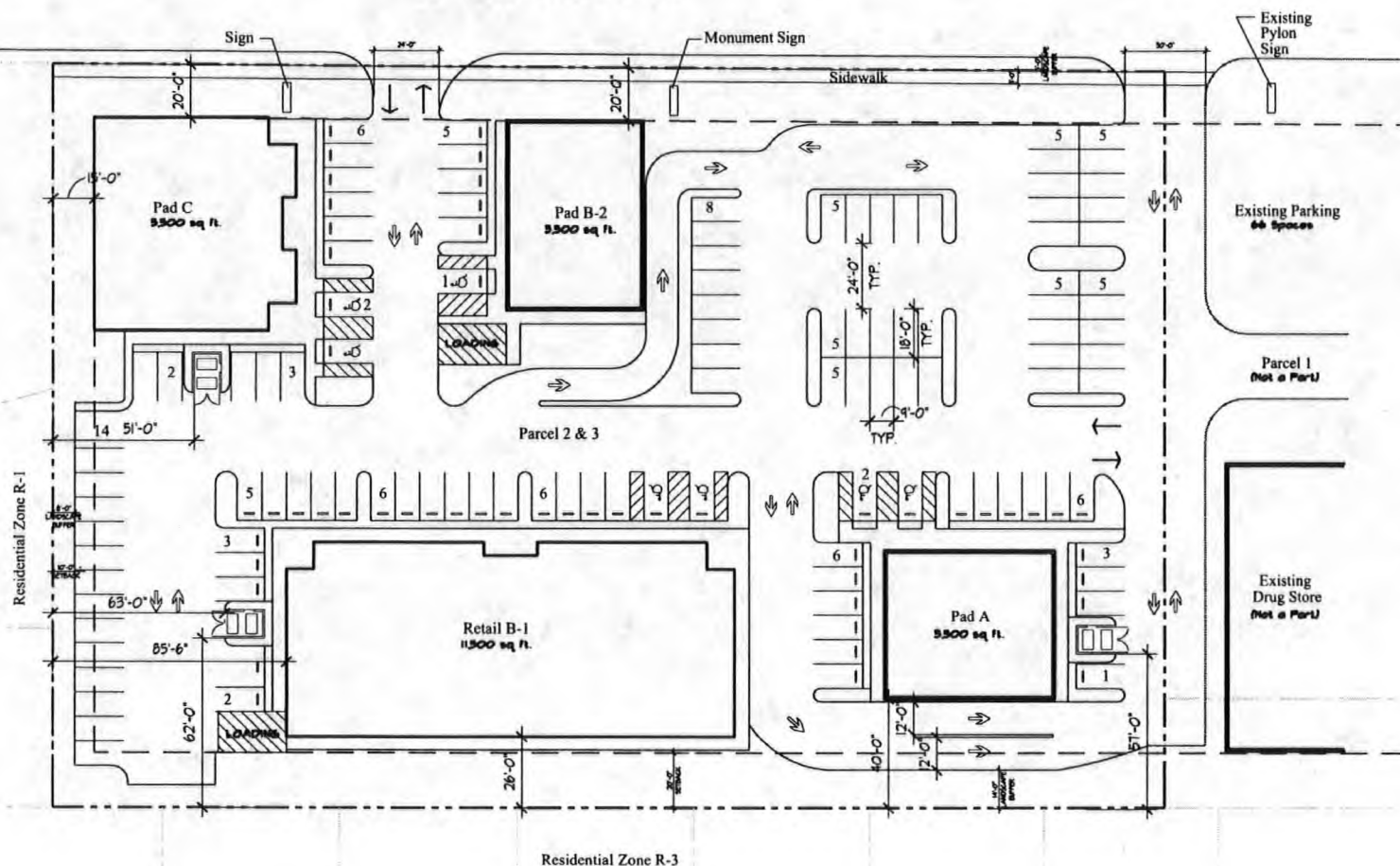
Parcel 1 (Existing) 66
Parcel 2 & 3 (New) 120

Parking Provided
Parcels 1, 2, & 3 186



PROJECT No 105158 April 25, 2006

Owens Street



Site Plan

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PECOS PARTNERS LLC

Pecos and Owens
Las Vegas, Nevada

SDR-10497
REVISED
05/25/06 PC

Perlman

A-1 Site Plan

SITE INFORMATION

ZONING:
C-1 Neighborhood Commercial
APN: 139-25-516-002

AREA: (Approximate, to be Verified)

Gross Area: 131,807 sf 3.02 acres
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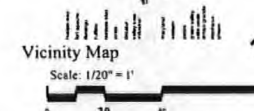
Parking Provided: 116

Parking Ratio: 4.02 per 1000 1 per 248

PARKING PROVIDED

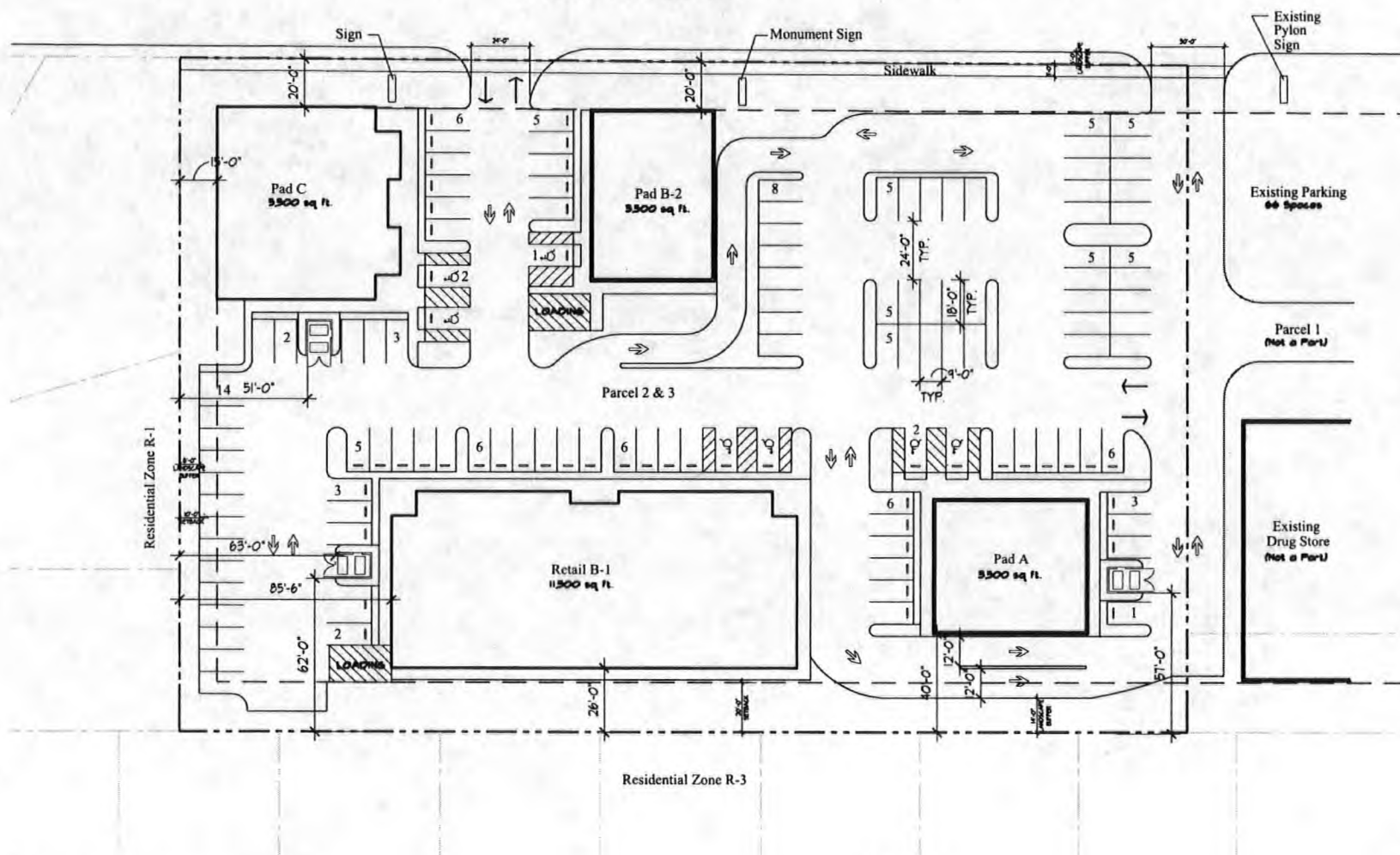
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Parcel 2 & 3 (New) 120

Parking Provided
Parcels 1, 2, & 3 186



Project No 105158 April 25, 2006

Owens Street



Site Plan

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PECOS PARTNERS LLC

Pecos and Owens
Las Vegas, Nevada

SDR-10497
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05/25/06 PC

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APR 28 2006



Vicinity Map

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

0 16' 32'

PROJECT No 105158 April 25, 2006

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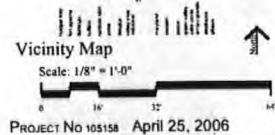
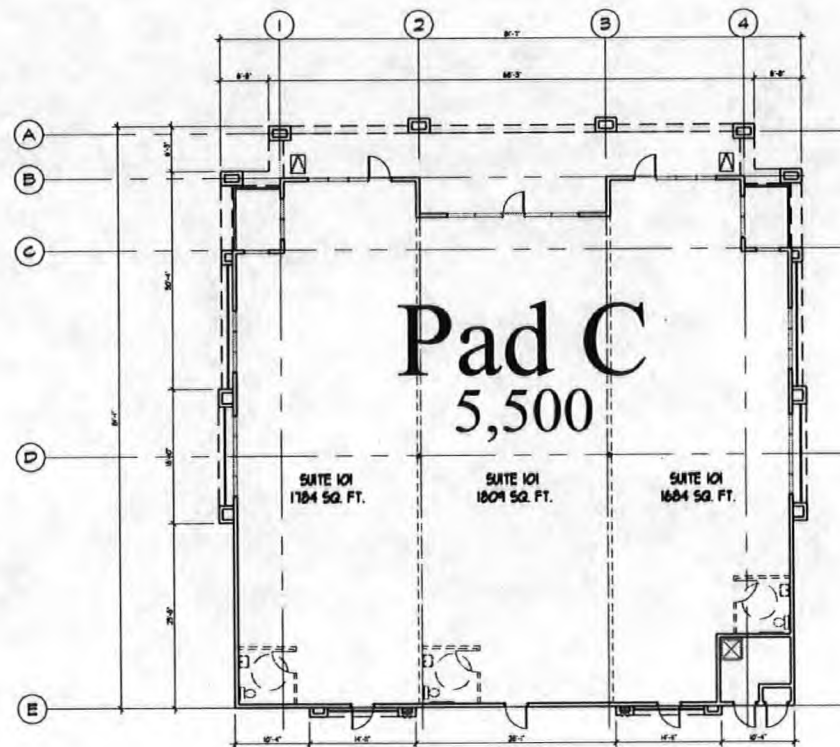
Pecos and Owens

Las Vegas, Nevada

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APR 28 2006

A-4

Floor Plan



Pad C - Floor Plan

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PECOS PARTNERS LLC

Pecos and Owens
Las Vegas, Nevada

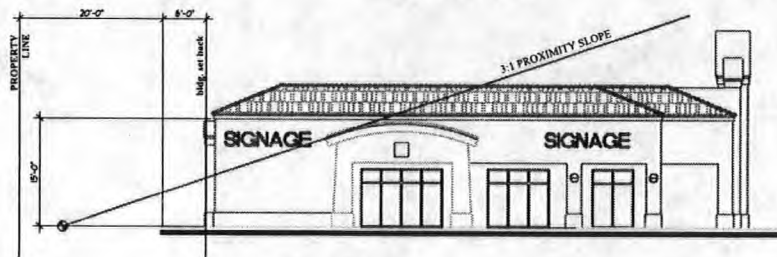
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APR 28 2006



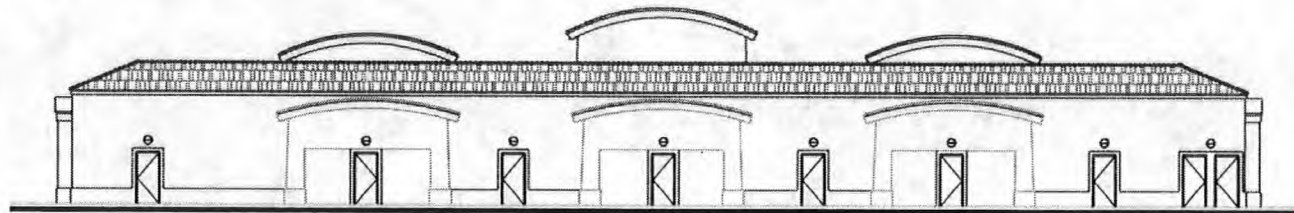
NORTH, BUILDING 1



EAST, BUILDING 1



WEST, BUILDING 1



SOUTH, BUILDING 1

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Exterior Elevations - Retail Building B-1



Scale: 1" = 20'
Project No 105158 April 25, 2006

Pecos Partners, LLC

Pecos and Owens
Las Vegas, Nevada

SDR-10497
REVISED
05/25/06 PC

Perlman
RECEIVED
APR 28 2006



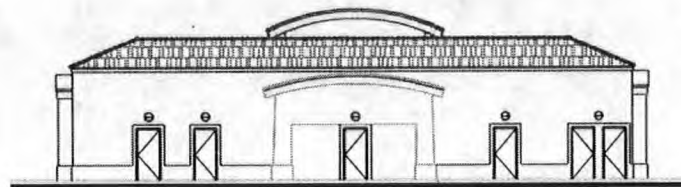
EAST, PAD C



SOUTH, PAD C



NORTH, PAD C



WEST, PAD C

Exterior Elevations - Pad C

Pecos and Owens
Las Vegas, Nevada

SDR-10497
REVISED
05/25/06 PC



Scale: 1" = 20'
0 20 40 60
PROJECT No 105158 April 25, 2006

Perlman
RECEIVED
APR 28 2006

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Pecos Partners, LLC

SDR 10497				
Pecos Partners, LLC				
SS Owens, W of Pecos				
Proposed 29.8 thousand square foot retail development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	29.8	42.94	1,280
AM Peak Hour			1.03	31
PM Peak Hour			3.75	112
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Owens Avenue				
Average Daily Traffic (ADT)	22,286			
PM Peak Hour	1783			
(heaviest 60 minutes)				
Pecos Road				
Average Daily Traffic (ADT)	28,245			
PM Peak Hour	2260			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Owens Avenue	32585			
Pecos Road	49115			
This project will add approximately 1,280 trips per day on Owens and Pecos. This will increase expected volumes by about 6 percent on Owens and 5 percent on Pecos.				
Owens is at about 68 percent of capacity and Pecos is about 58 of capacity.				
Based on Peak Hour use, this development will add roughly 112 additional cars into the area; which works out to about two every minute.				
Note that this report assumes all traffic from this development uses all named streets.				

April 25, 2006

Andy Reed, Planner
City of Las Vegas
731 S. Fourth St.
Las Vegas, NV 89101

SECOND REVISED LETTER FOR PECOS AND OWENS-SDR-10497

Dear Mr. Reed,

Please accept this application for Site Development Plan Review for Pecos and Owens Commercial Center. The property is located on the south side of Owens Ave., west of Pecos Rd.

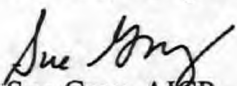
The project consists of 24,000 square feet of retail, Retail B-1 is 11,500 square feet, Pad B-2 is 3,500 square feet, Pad C is 5,500 square feet and Pad A is 3,500 square feet. The site is located adjacent to existing single family homes on both the south and west sides of the site. Therefore the site is subject to the residential setback and the residential proximity slope per Section 19.08.060. The buildings as designed meet the residential setback. The buildings as determined by staff do not meet the required residential proximity therefore a variance has been filed.

One waiver is being requested:

1. Section 19.08.045 C. 4 c. requires that individual pads associated with a larger commercial center to be located at the front of the site. Pad A is shown at the rear of the site; Pads B-2 and Pad C are both located adjacent to the front property line. This site is a portion of a larger commercial site subject to Declaration of Restrictions and Easements, this declaration limits the size and location of buildings on this site and the adjacent property owner has the right to review and approve the site layout for this project. The site plan as currently designed meets the requirements of the declaration for building size and location. The adjacent owner, Vieira Enterprises has reviewed and approved the site as currently shown. Revising the site plan to provide Pad A at the front of the site will not meet the restrictions nor meet with the adjacent property owner's approval.

Thank you for your time and support in reviewing the Site Development Plan Review for the Pecos and Owens Commercial Center.

Sincerely,
Perlman Design Group


Sue Gray, AICP
Entitlements Manager

**SDR-10497
REVISED
05/25/06 PC**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-12903 - PUBLIC HEARING - APPLICANT: PAUL ROBARTS - OWNER: SAHARA 2, LLC - Request for a Variance TO ALLOW 29 PARKING SPACES WHERE 34 SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR A PROPOSED BARBER SHOP WITHIN AN EXISTING RETAIL CENTER on 0.49 acres at 4011 West Sahara Avenue (APNs 162-07-511-010 and 011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). 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

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS with WOLFSON not voting

NOTE: COUNCILMAN REESE disclosed he is a licensed barber practicing from the same location for 43 years, but does not feel that the proposed project will impact him or his business in any way and will vote on this item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DEPUTY CITY ATTORNEY JAMES LEWIS informed MAYOR GOODMAN that COUNCILMAN REESE'S occupation as a barber would not conflict with his ability to vote on this item.

PAUL ROBARTS was present. He stated parking was more than sufficient and respectfully requested approval.

TOM MCGOWAN, Las Vegas resident, appeared in support and suggested an alternative name for the proposed barber shop.

COUNCILWOMAN TARKANIAN observed that the neighbors and existing business owners were in support of this barber shop.

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

MAYOR GOODMAN declared the Public Hearing closed.

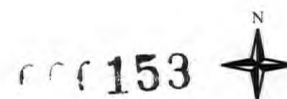
(2:38 - 2:41)

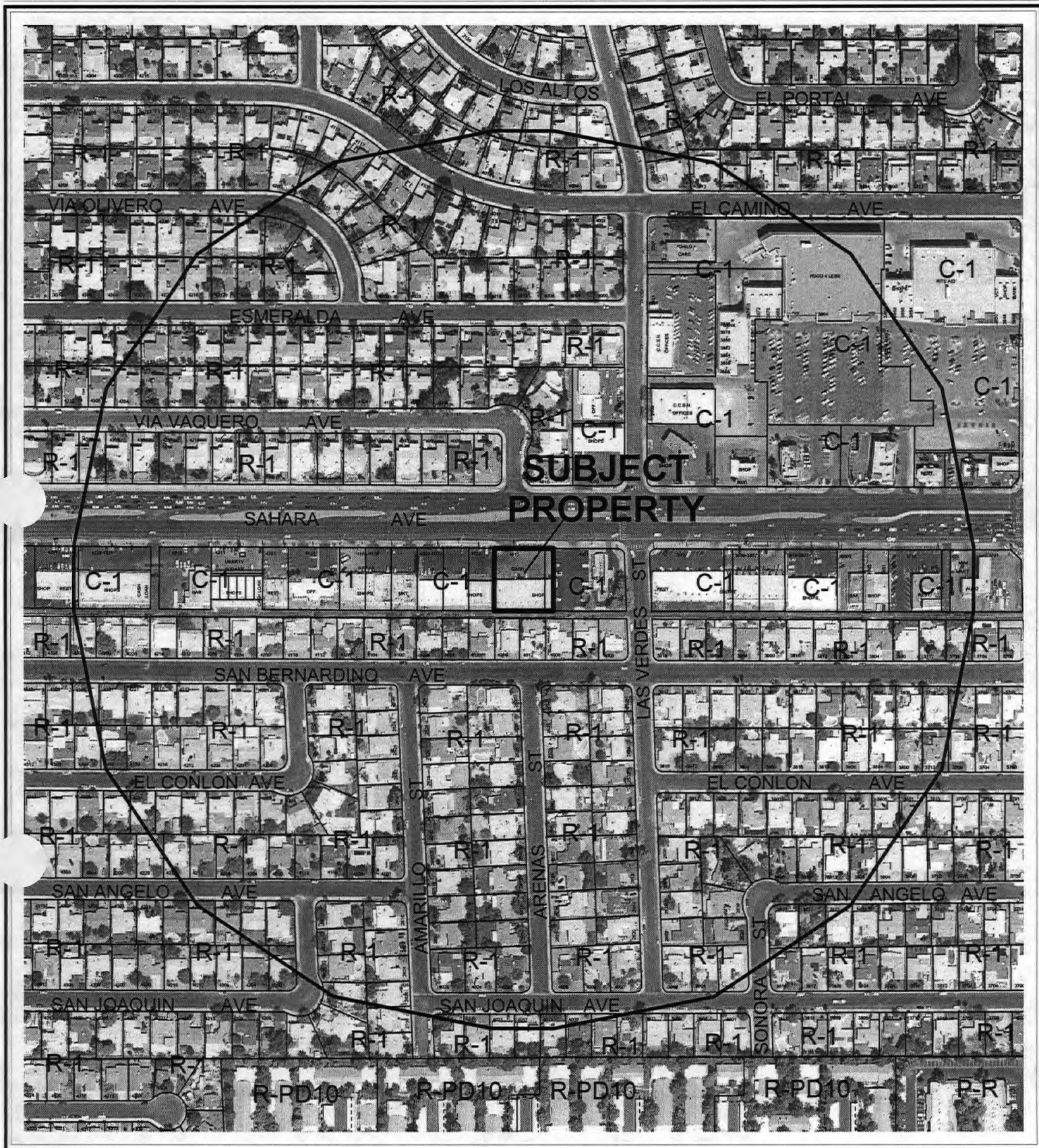
3-2641

CONDITIONS:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.





CASE: **VAR-12903**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-12903 - APPLICANT: PAUL ROBARTS - OWNER:
SAHARA 2, LLC**

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Variance to allow 29 parking spaces where 34 is the minimum number of parking spaces required on 0.49 acres at 4011 West Sahara Avenue.

EXECUTIVE SUMMARY

The applicant plans to add a Barber Shop as one of the eight tenants in this center. Based on the floor area to be used and the size of the remainder of the center, the project will be deficient five parking spaces. Denial is recommended as the applicant could secure a retail tenant in the same space that would require two fewer parking spaces. It should be noted that, even with all retail users, the site is already parking deficient by three spaces under today's Code requirements.

BACKGROUND INFORMATION

A) Related Actions

- 05/04/99 The Board of Zoning Adjustment approved a Variance (V-0030-99) to allow for a reduction in setbacks, trash enclosure location and to allow 29 parking spaces where 32 spaces are required. This action required a parking study in the future, should uses with a higher parking requirement be requested.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #55/gl).

B) Pre-Application Meeting

- 03/29/06 The applicant was advised of the submission requirements for this type of request.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	0.49
Net Acres:	0.49

B) Existing Land Use

Subject Property: Retail uses
North: Single-family dwellings
South: Single-family dwellings
East: Restaurant
West: Retail uses

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-1 (Single Family Residential)
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the Master Plan with an SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The existing C-1 (Limited Commercial) zoning district is consistent with the Master Plan, and the existing retail development is a permitted use within this zoning district. The Variance request is not directly affected by any specific Master Plan policies.

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

There are no special policies, plans or districts that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA / Units	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	6,875 SF.	1/250 GFA (per 1999 standards)	26 spaces		27 spaces	
Barber Shop	982 SF (3 chairs)	2 spaces per chair	6 spaces			
Subtotal			32 spaces	2 spaces	27 spaces	2 spaces
Total			34 spaces		29 spaces	

The proposal provides 29 parking spaces where 34 parking spaces are required (based on the parking standards in place for the remainder of the center that applies to seven of the eight commercial retail units, and based on approved Variance V-0030-99), which is the subject of this Variance request. The requested deviation is 14.7%.

The applicant has met the condition of approval from V-0030-99 that required a parking study to justify any future use on the site that exceeded retail parking demand; however, the parking study as submitted merely quantifies the request and provides little justification for a further reduction of the standards.

The Department of Public Works has indicated that it supports present City Code parking requirements, and therefore cannot support the Variance request.

B) General Analysis and Discussion

The applicant is requesting relief from the parking provisions of the Zoning Code to enable a Barber Shop to be allowed within one of the eight commercial retail units of this center. The site is already parking impaired, and is the subject of an approved Variance (V-0030-99) which allowed parking to be reduced from 32 to 29 spaces. This Variance also waived a number of setback and trash enclosure standards that are indicative of an overbuilding situation.

The current request seeks to increase the scope of this previously approved Variance by an additional two spaces, to provide 29 spaces where 34 would now be required. It should also be noted that the entire retail center, if evaluated under current Code parking standards, would be required to provide 45 spaces, not 32 spaces. The applicant has not met the burden of proof for the granting of this Variance, as there are no unusual site conditions, configuration or topography, and use of the site is not precluded in the absence of this Variance.

The applicant is attempting to place a use that usually generates a higher parking demand than retail uses on a site that is already parking-impaired. The applicant could lease the space in question to a retail operation that would not generate the need for another Variance. For these reasons, denial of the request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by attempting to lease the retail space in question for a use that generates a greater parking demand than standard retail uses, on a site that is already parking-impaired. Alternative selection of a retail lessee would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 8

SENATE DISTRICT 11

NOTICES MAILED 345 by City Clerk

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Jose Lainer

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

Yes	x	No
-----	---	----

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

City Official: _____

Partner(s): _____

APN:

Signature of Property Owner: [Signature]

Print Name: Paul Robarts, Manager

Sahara 2 LLC

Subscribed and sworn before me

This 6th day of April, 2006

Elaine L. Long

Notary Public in and for said County and State

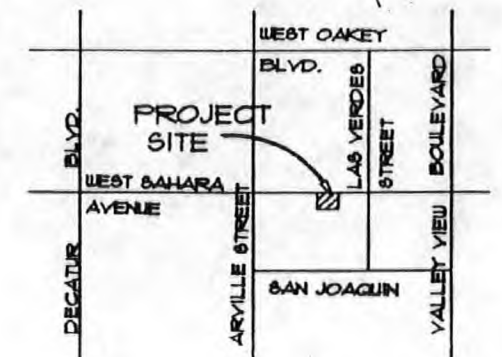
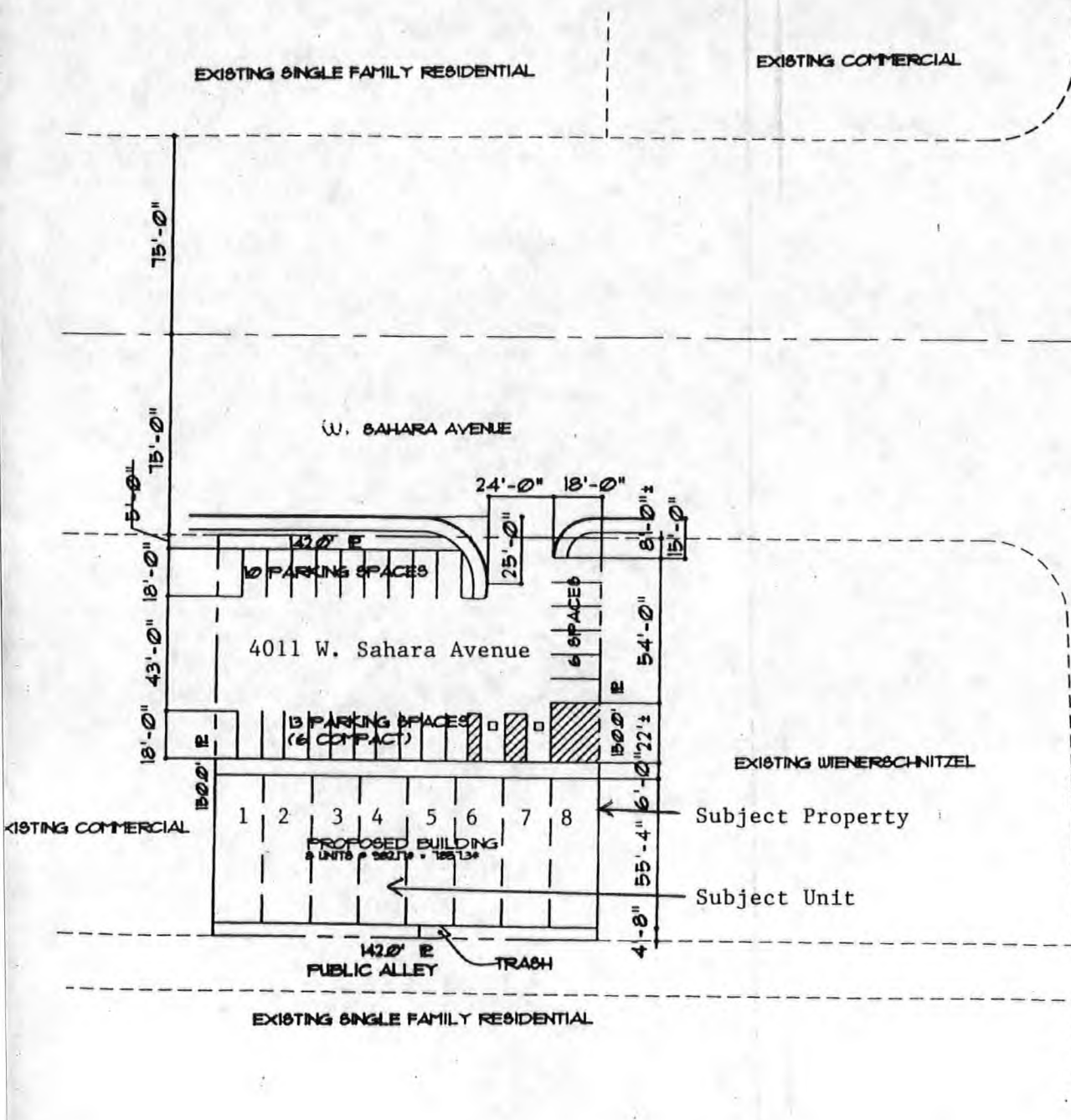
APR 10 2006

EXISTING SINGLE FAMILY RESIDENTIAL

EXISTING COMMERCIAL

PROJECT DATA

TOTAL BUILDING AREA	142'55"-4" = 12573*
PARKING REQUIRED	12573/250 = 32
PARKING PROVIDED 29 SPACES (6 COMPACT) REGULAR (TYP) 9'x12' / COMPACT (TYP) 8'x12'	
NET LOT AREA	21300* = .43 ACRE
GROSS LOT AREA	31,950* = .73 ACRE
FLOOR AREA RATIO	12573.33/21300* = 37.3%



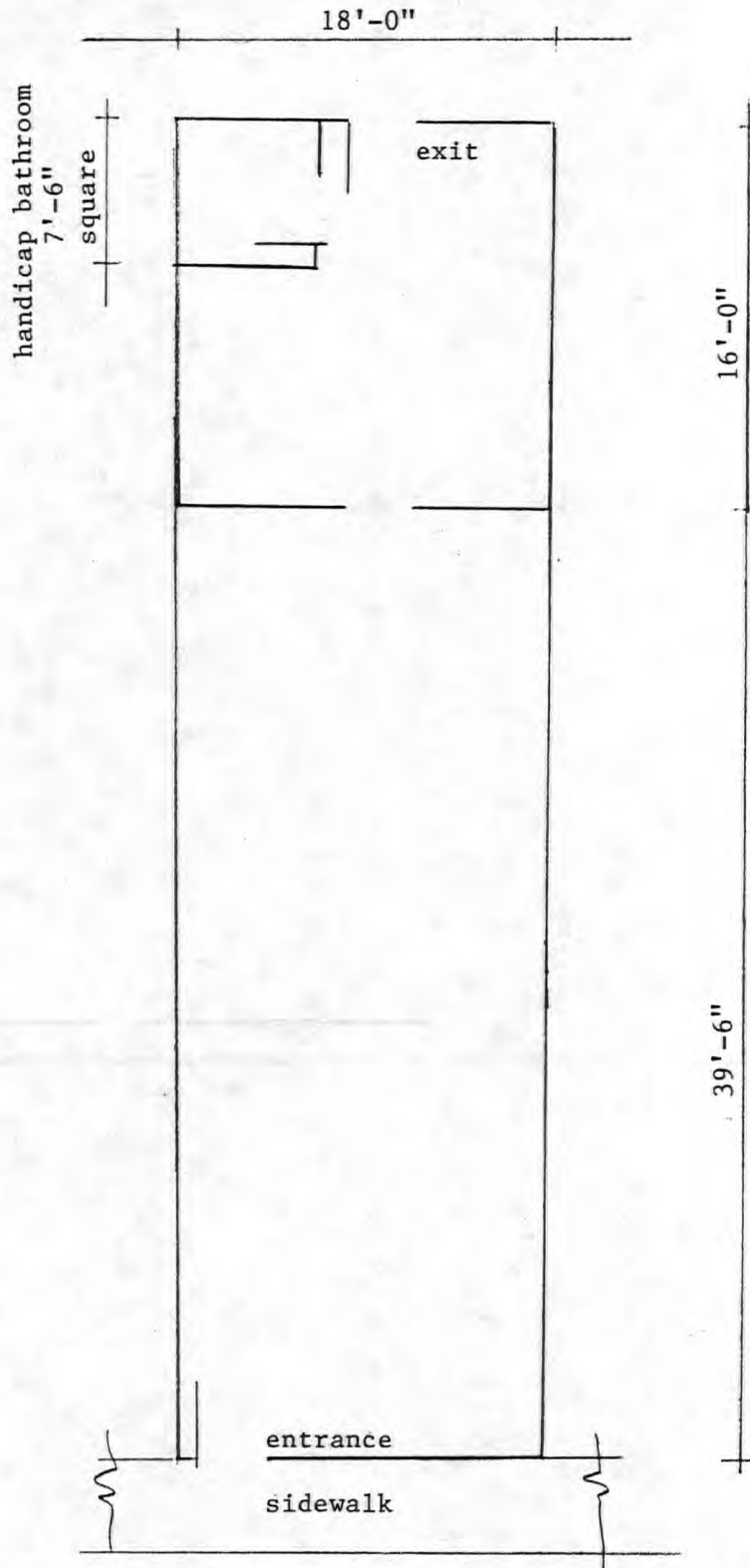
VICINITY MAP
NO SCALE

VAR-12903
05/25/06 PC

RECEIVED
APR 10 2006

RECEIVED
APR 10 2006

NORTH
↓



scale
1" = 8'

FLOOR PLAN
BARBER SHOP
4011 W. Sahara Avenue #4
Las Vegas, Nevada 89102

VAR-12903
05/25/06 PC

SUBJECT LOCATION (#4)



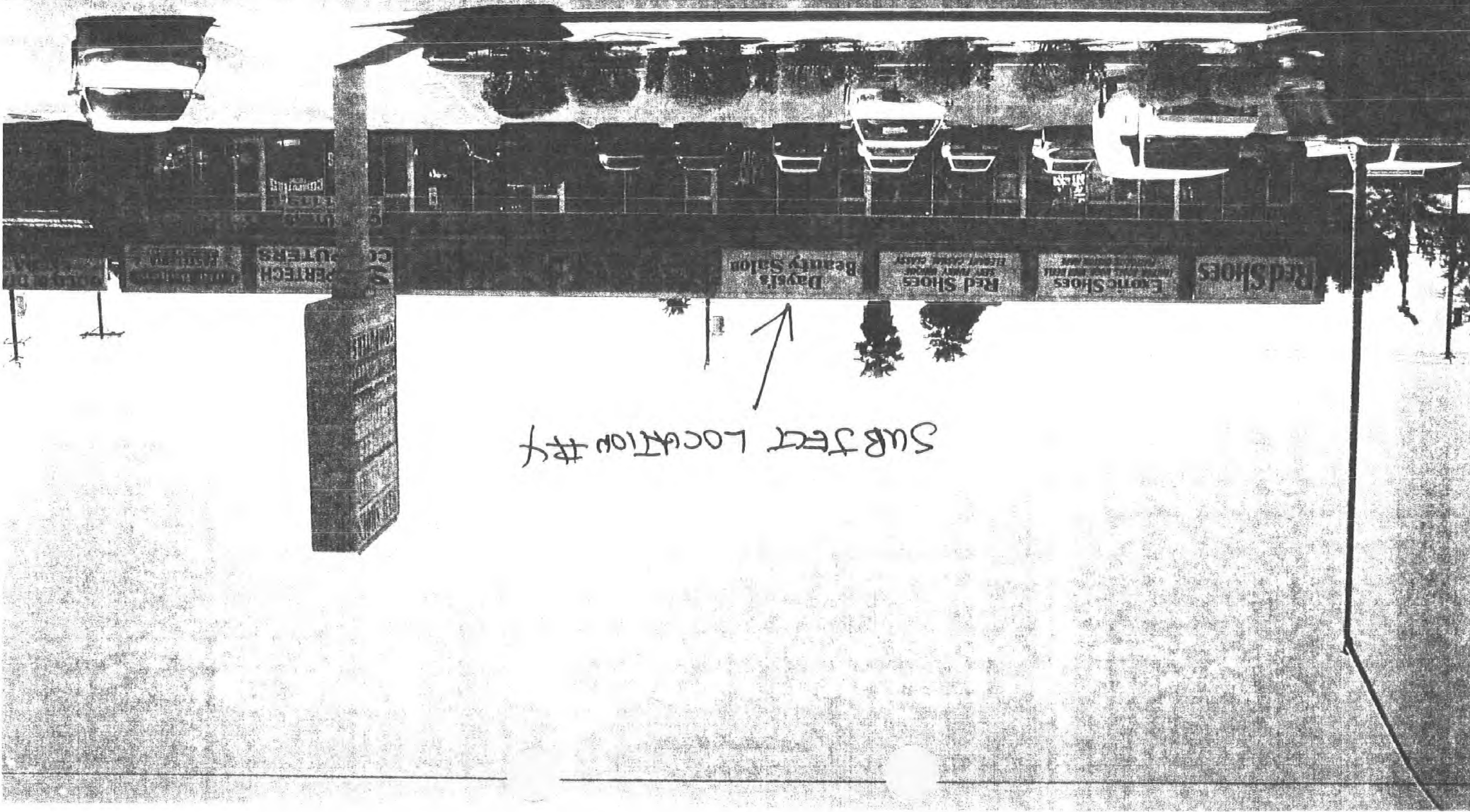
VAR-12903
05/25/06 PC

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05/25/06 PC

VAR-12903

RECEIVED



SUBJECT LOCATION #4

ALDORETTI



VAR-12903 - APPLICANT: PAUL ROBARTS - OWNER: SAHARA 2, LLC
4011 WEST SAHARA AVENUE
MAY 25, 2006 PLANNING COMMISSION

05/04/06



VAR-12903 - APPLICANT: PAUL ROBARTS - OWNER: SAHARA 2, LLC
4011 WEST SAHARA AVENUE
MAY 25, 2006 PLANNING COMMISSION

05/04/06



VAR-12903 - APPLICANT: PAUL ROBARTS - OWNER: SAHARA 2, LLC
4011 WEST SAHARA AVENUE
MAY 25, 2006 PLANNING COMMISSION

05/04/06



VAR-12903 - APPLICANT: PAUL ROBARTS - OWNER: SAHARA 2, LLC
4011 WEST SAHARA AVENUE
MAY 25, 2006 PLANNING COMMISSION

05/04/06

April 3, 2006

TO: City of Las Vegas
Planning and Development

FROM: Sahara 2 LLC
Paul Robarts, Manager
Owner and Representative of Applicant

SUBJECT: Justification Letter and Parking Analysis

JUSTIFICATION LETTER

The applicant's objective is to open a 3-chair barber shop. The property in which this barber shop will be located consists of eight units. The barber shop is one of the eight units (982 square feet). Each unit is of equal square footage. In order to open the barber shop a variance for parking must be obtained from the City of Las Vegas (City). The available parking is 29 spaces and the required parking is 33.5 spaces (see PARKING ANALYSIS below). The parking currently available should be more than sufficient to meet the needs of the entire property (including the barber shop). The parking availability at this location has historically never been used to capacity. In fact, it is a welcome addition to have the barber shop open at this location. Everyone is looking forward to the increase in traffic due to this business. I believe it is very important to allow small businesses to open in the older areas of Las Vegas. The opening of new small businesses is very important to the continued development and stabilization of neighborhoods. And it should be a priority of the City to allow these businesses to open if it is obvious that the intent of the City's requirements have been met. In this case, there is more than sufficient parking to support this addition of this business at this location. I believe it is the City's intent to ensure that sufficient on-site parking is available. To stop this small business from opening at this location solely because of a shortage of only a few parking spaces would be short sighted on the part of the City.

VAR-12903
05/25/06 PC

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APR 10 2006

PARKING ANALYSIS

STEP ONE

7,857 Total Building Area (sqft)
(982) less Area of Barber Shop (sqft)
6,875 Adjust Building Area (sqft)

STEP TWO

Adjusted Building Area / Required Parking in 1999 = Parking Required for Remaining Units (not including the Barber Shop); or
 $6,875 \text{ sqft} / 250 \text{ sqft} = 27.50$ Parking Spaces Required for Remaining Units.

STEP THREE

29 Total Parking Spaces Available for Property
27.50 less Parking Spaces Required for Remaining Units less Barber
1.5 Parking Spaces Available to Barber Shop

STEP FOUR

6 Total Parking Spaces Required by Barber Shop (2 x 3 chairs)
(1.5) Parking Spaces Available to Barber Shop
4.5 Additional Parking Spaces Required due to Barber Shop

STEP FIVE

29 Total Parking Spaces Available
4.5 Additional Parking Spaces Required due to Barber Shop
33.5 Total Parking Spaces Required if Barber Shop is Added to Center

SUMMARY

**Barber Shop needs a Variance for 29 Parking Spaces where 33.5
Parking Spaces are required.**

**VAR-12903
05/25/06 PC**

RECEIVED
APR 10 2006

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VARIANCE

VAR-12913 - PUBLIC HEARING - APPLICANT: THE ASTORIA CORPORATION - OWNER: ASTORIA ALEXANDER, LLC - Request for a Variance TO ALLOW ONE ENCLOSED OFF-STREET PARKING SPACE WHERE TWO ENCLOSED OFF-STREET SPACES IS THE MINIMUM REQUIRED FOR 371 LOTS on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway (APNs 137-12-101-004, 005, 006, 010, 012, 013, and 015), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [ML (Medium-Low Density Residential) Lone Mountain West Special Land Use Designation], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Protest letter by Patrick Meyler

MOTIONS:

BROWN - APPROVED subject to conditions - UNANIMOUS with TARKANIAN not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He explained this application was to change some of the product line from a two car garage to a one-car garage with the ability to park two cars. While the proposal met Title 19 requirements, it did not meet the Lone Mountain West requirement of two covered parking spaces.

COUNCILMAN BROWN clarified with ATTORNEY GRONAUER that parking would be provided for the second car within the 18 foot driveway.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:41 - 2:42)

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

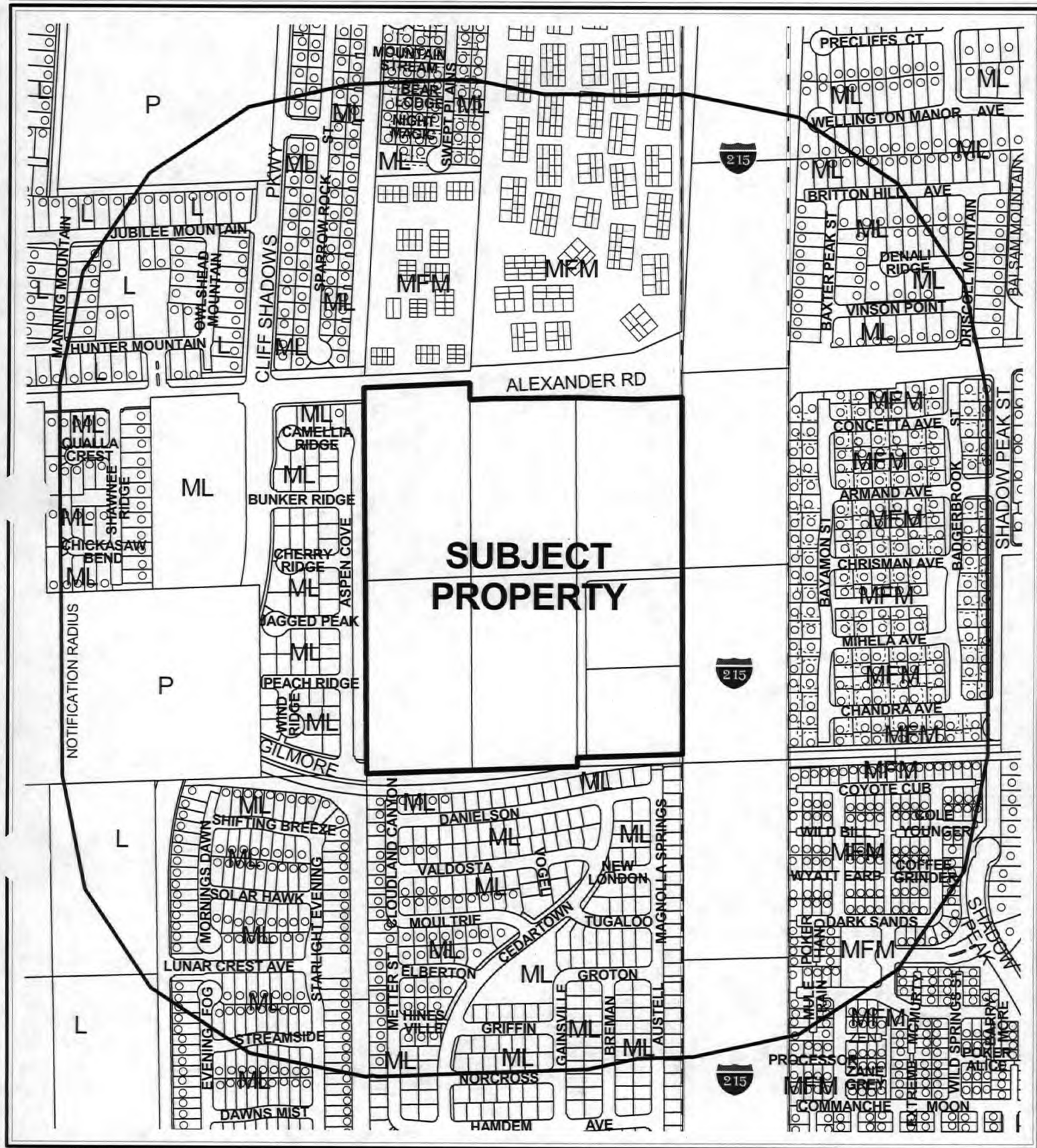
3-2745

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Major Modification (MOD-8637), Rezoning (Z-0024-99), Waiver (WVR-8638), Variances (VAR-8636, VAR-8692 and VAR-9903) and Site Development Plan Review (SDR-8635) shall be required.

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: VAR-12913

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) [ML (MEDIUM-LOW DENSITY RESIDENTIAL) LONE MOUNTAIN WEST SPECIAL LAND USE DESIGNATION]

0 400 800 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-12913 - APPLICANT: THE ASTORIA CORPORATION -
OWNER: ASTORIA ALEXANDER, LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/gt, se vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Major Modification (MOD-8637), Rezoning (Z-0024-99), Waiver (WVR-8638), Variances (VAR-8636, VAR-8692 and VAR-9903) and Site Development Plan Review (SDR-8635) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Request for a Variance to allow one enclosed off-street parking space per unit where two enclosed off-street spaces is the minimum required for 371 lots on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway.

EXECUTIVE SUMMARY

The applicant is proposing to change two of the single-family home models that were approved through SDR-8635, wherein these units were depicted with two-car garages in which the spaces were located side-by-side, with no driveway spaces. The applicant wants to design the garage to instead to have a single enclosed space, with two driveway spaces. This arrangement does not meet Title 19 Code requirements. By providing two side-by-side parking spaces in the driveway area; the design will satisfy Title 19 requirements; however, Section 6.2.3.c. of the Lone Mountain West Master Development Plan stipulates that required parking must be "enclosed".

The single garage space does not meet Lone Mountain West requirements and does not therefore meet the minimum parking requirement. The side-by-side driveway spaces meet Title 19 but do not satisfy the master development plan requirements. The Variance seeks relief from the master plan requirements. Denial is recommended as the previously approved versions of these models (SDR-8635) did meet both Code and Lone Mountain West requirements.

BACKGROUND INFORMATION

A) Related Actions

- 06/14/99 The City Council approved a Rezoning (Z-0024-99) on property located west of the proposed Beltway between Cheyenne Avenue and Lone Mountain Road, From: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation], to P-D (Planned Development) Zone. The Planning Commission and staff recommended approval.
- 11/02/05 The City Council approved a Major Modification (MOD-8637) to the Lone Mountain West Master Development Plan to amend Section 2.3.4 Medium-Low Density Residential to allow three-story dwellings where two stories is the maximum allowed; and to amend Tables 2, 3, and 4 to reflect the proposed changes in land use designations and to change the land use designation from: MFM (Multi-Family Medium Residential) to: ML (Medium-Low Density Residential); a Waiver (WVR-8638) of Title 18.12.130 to allow 770-foot and

180-foot length private drives where 150 feet is the maximum length allowed; a Site Development Plan Review (SDR-8635) for a proposed 371-lot single-family residential development; and a Waiver of Section 3.5.3 of the Lone Mountain West Master Development Plan to allow a 3.5 foot setback where a setback of less than two feet or more than ten feet is required; a Variance (VAR-8636) to allow 95,028 square feet of open space where 122,430 square feet of open space is required; and a Variance (VAR-8692) to allow 557 parking spaces where 742 parking spaces are required for a proposed 371-lot single family residential development. The Planning Commission recommended approval. Staff had recommended denial.

- 12/01/05 The Planning Commission approved requests for a Variance (VAR-9903) to allow retaining walls with a maximum of eight feet where six feet is the maximum height allowed and for a Tentative Map (TMP-9901) for a 371-lot single-family residential subdivision on 30.0 acres adjacent to the southwest corner of Alexander Road and the I-215 Beltway. Staff had recommended approval.
- 05/25/06 The Planning Commission voted 5-2/gt, se to recommend APPROVAL (PC Agenda Item #56/gl).

B) Pre-Application Meeting

- 04/05/06 The applicant was advised of the submission requirements for this type of application.

C) Neighborhood Meetings

- 09/20/05 A neighborhood meeting is not required for a Variance; however, a neighborhood meeting was held with regard to the previously approved Major Modification MOD-8637 on this date at 7:00 p.m. at the Durango Hills YMCA, 3521 North Durango Drive, Las Vegas, Nevada. Five members of the public and two members of the development team attended the meeting. The issues discussed were as follows:
- **How many houses in adjacent project:** should stick with two-story houses since that's what the Lone Mountain plan allows;
 - **Concern about single-car garages and tandem parking:** will create parking problem;
 - **Concern about elevations/appearance of houses:** three-story houses will block views despite the fact that the site is lower;
 - **Implied preference for larger lots and less density like the project to the south;**
 - **Concerns about private drive waivers and safety:** sprinklers on houses on non-conforming private streets and on all three-story houses;
 - **Concerns about lighting:** no street lighting - lighting will be on houses;
 - **Projected start date:** March 2006, completion of models by end of 2006;
 - **Concern about traffic on Alexander:** a traffic impact analysis will be required;

- **Concern about the impact to school population; and**
- **Question about how many houses would need to be removed to comply with open space: approximately six houses.**

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 30.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Multi-family residential
South: Undeveloped
East: Single-family residential
West: Undeveloped

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PCD (Planned Community Development)
East: PCD (Planned Community Development)
West: PCD (Planned Community Development)

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan land use designation] under Resolution of Intent to PD (Planned Development) Zone [ML (Medium-Low Density Residential) Lone Mountain West special land use designation])
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

E) *General Plan Compliance*

The subject property is located in the Centennial Hills Sector of the General Plan. The land use designation of the site is PCD (Planned Community Development), and it is located within the Lone Mountain West Master Development Plan area. The PCD designation is intended to promote a variety of residential uses that maintain a density of two to eight dwelling units per acre. The requested Variance is not affected by any specific Master Plan policies.

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

Lone Mountain West

The site is located within the Lone Mountain West Master Development Plan. Section 6.2.3. of the Plan states:

“Parking: Automobile parking and on-site circulation, if improperly treated, can degrade the visual quality and integrity of the neighborhood, therefore:...

c) Each single-family unit shall have a minimum of two enclosed off-street parking spaces;...”

This application seeks to develop at least two models in which this provision of the Master Development Plan is not met. There is no limitation on which lots within the development will contain these models; in theory, all 371 lots could be developed to contain these models. As a result, this request is to seek relief from this requirement with respect to all 371 lots in the project.

It should be noted that a Variance for parking within this project (VAR-8692) to allow 557 parking spaces where 742 parking spaces are required, which will allow development of two of the five proposed models with one-car garages, has already been approved. The models which received the relief under VAR-8692 are not the models which are the subject of this application. Approval of this Variance will allow most of the units in this project to be developed with single-car garages.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Section 6.2.3.c of the Lone Mountain West Master Development Plan, the following Parking Standards apply to the subject proposal:

Uses	Required	Provided
Single-family dwellings	Each single-family unit shall have a minimum of two enclosed off-street parking spaces	Many of the units (number is currently unspecified by the applicant) will have single-car garages

The project as proposed will require a Variance from the provision of Section 6.2.3. of the Lone Mountain West Master Development Plan. The applicant cannot specify the lots that may be affected at this time; in theory, all of the lots could be developed with these models. If so, the subject deviation would be 100%. A condition of approval of previously approved VAR-8962 limits the number of number of lots in the overall development allowed to have single-car garages to 50%. This would be the practical limit of the subject request.

The Department of Public Works has indicated that it supports present City Code parking requirements, and therefore cannot support the current Variance request.

B) General Analysis and Discussion

A previously approved Variance to this project reduced the on-site parking requirement by approximately 25%. A condition of that Variance limited the overall number of single-car garage units in the development to 50% of the total unit count. The requested Variance, if approved, will result in most of the models being single-car garage models. This situation will increase the likelihood that the 50% limit will be achieved. Even with two driveway spaces, single-car garage units will be more likely to have residents parking on the street. This creates a cluttered look to the neighborhood, and increases the danger level for pedestrians and motorists because of the lack of a sidewalk.

This request is also in conflict with Section 6.2.3 of the Lone Mountain West MDP, which states that "automobile parking and on-site circulation, if improperly treated, can degrade the visual quality and integrity of the neighborhood". The fact that this project has required a Major Modification to allow three-story units and increase the allowable density on the site, Waivers of private drive standards and building setbacks and three prior Variances to reduce open space, parking standards, and increase retaining wall heights, is strongly indicative of an overbuilding situation in which too much development is being crowded on to the site. For these reasons, and because the previously approved versions of these models (SDR-8635) did meet both Code and Lone Mountain West requirements, denial of the request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship as the applicant could elect to stay with the model layout as previously approved, which would allow conformance to the Lone Mountain West Master Development Plan. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 4

SENATE DISTRICT 9

NOTICES MAILED 1,106 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-12913** APN: 137-12-101-004,-005,-006,-010,-012,-013,-015

Name of Property Owner: Astoria Alexander, LLC

Name of Applicant: The Astoria Corporation

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: _____

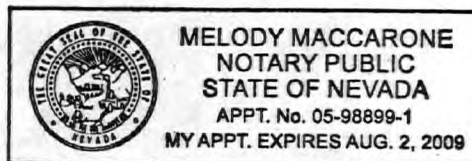
Print Name: T. R. Barron, V.P. The Astoria Corporation,

Managing Member

Subscribed and sworn before me

This 5th day of April, 2006

Melody MacCarone
Notary Public in and for said County and State





VAR-12913 - APPLICANT: THE ASTORIA CORPORATION - OWNER: ASTORIA ALEXANDER, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND THE I-215 BELTWAY
MAY 25, 2006 PLANNING COMMISSION

05/15/06



VAR-12913 - APPLICANT: THE ASTORIA CORPORATION - OWNER: ASTORIA ALEXANDER, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND THE I-215 BELTWAY
MAY 25, 2006 PLANNING COMMISSION

05/15/06



VAR-12913 - APPLICANT: THE ASTORIA CORPORATION - OWNER: ASTORIA ALEXANDER, LLC
SOUTHWEST CORNER OF ALEXANDER ROAD AND THE I-215 BELTWAY
MAY 25, 2006 PLANNING COMMISSION

05/15/06

City of Las Vegas - Planning Department
April 11, 2006
Page 1

April 11, 2006

City of Las Vegas
Planning Department
731 S. 4th Street
Las Vegas, Nevada 89101

Re: Astoria Homes at Alexander - Justification Letter
Variance of Section 6.3.2-C of the Lone Mountain West Master Development Plan and
Design Standards
APN# 137-12-101-004 thru -006, -010, -012, -013, & -015

To Whom It May Concern:

Astoria Homes, as owner of the above reference property, is submitting herewith an application for a Variance to allow one enclosed off-street parking space, where a minimum of two is required per the Lone Mountain West Design Guidelines. This application is requested in order to develop a residential subdivision to be called Astoria Homes at Alexander. The project, of 31.4± acres and 371 residential lots, is located north of Gilmore Avenue, south of Alexander Road, east of Cliff Shadows Parkway, and west of the I-215 Beltway.

Section 6.2.3-C of the Lone Mountain West Design Guidelines states:

"Each single-family unit shall have a minimum of two enclosed off-street parking spaces".

Astoria Homes is proposing to modify two floor plans (plan 825 & 830) that were approved as part of SDR #8635. These floor plans have one enclosed space, yet still meet the Title 19.10 parking requirements by providing two (2) unimpeded parking spaces in the homes' driveways. This request is necessary in order to conform to the Site Development Review Approval Condition #30 requiring a minimum driveway depth of 18-feet or maximum of 5-feet. The proposed plans provide a full 18-foot depth driveway and one enclosed parking space (three spaces total), whereas the original approved plans provided no parking in the driveway and two enclosed parking spaces.

VAR-12913
05/25/06 PC

City of Las Vegas - Planning Department

April 11, 2006

Page 2

Furthermore, there are two additional plans (536 and 558) that were previously approved per SDR #8635 that have one enclosed parking space and a single car driveway. These floor plans will also require a variance of Section 6.2.3-C. A variance of Title 19.10 was previously approved (VAR #8962), allowing for the "tandem" parking for this project.

Thank you for your help in this matter.

Respectfully,



Melody MacCarone
Senior Coordinator
Planning and Engineering
Astoria Homes

VAR-12913
05/25/06 PC

VARIANCE – 12913

I am writing to voice my objections to this variance. In my opinion the regulations regarding two parking spaces at the minimum should not be allowed to be reduced under any circumstances. These parking spaces will be needed by the residents and there is no logic whatsoever but greed in the builders desire to reduce these spaces.

Sincerely,
Patrick Meyler



4118 Sparrow Rock St
Las Vegas NV 89129

RECEIVED
CITY CLERK

2006 JUN 19 A 10:28

Protest

Submitted after final agenda

Date 6/19/06 Item #154

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

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

REQUIRED SIX MONTH REVIEW

RQR-12716 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH A. AND DONLEE SIMKINS - Required Six Month Review of an approved Special Use Permit (U-0171-89), WHICH ALLOWED A 40-FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN 162-03-110-088), C-M (Commercial/Industrial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for U-0171-89(3)
5. City Council Approval Letter for RQR-4271
6. City Council Approval Letter for RQR-8821
7. Backup referenced from the 05/25/06 Planning Commission meeting Item 62

MOTIONS:

TARKANIAN - APPROVED subject to conditions and amending Condition 1 as follows:

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within six months of approval by the City Council.

- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open

ROD CARTER, 2880 Mead Avenue, appeared on behalf of the applicant. He expressed difficulty in satisfying Condition 1 because it is a condition that was not required when the sign was built and the sign cannot meet current Code requirements. MR. CARTER requested assistance and direction for meeting that requirement and humbly requested approval.

COUNCILWOMAN TARKANIAN acknowledged the sign's challenges and suggested additional time to allow MR. CARTER to resolve the situation. She emphasized that building permits are a necessity and the applicant is required to obtain one for this sign.

MARGO WHEELER, Director of Planning and Development Department, stated that many billboards

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

had never recieved a final inspection. In the cases where staff discovers no final inspection occurred, it is required. At COUNCILWOMAN TARKANIAN'S request, MS. WHEELER modified Condition 1 to give the applicant six months to meet the condition.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

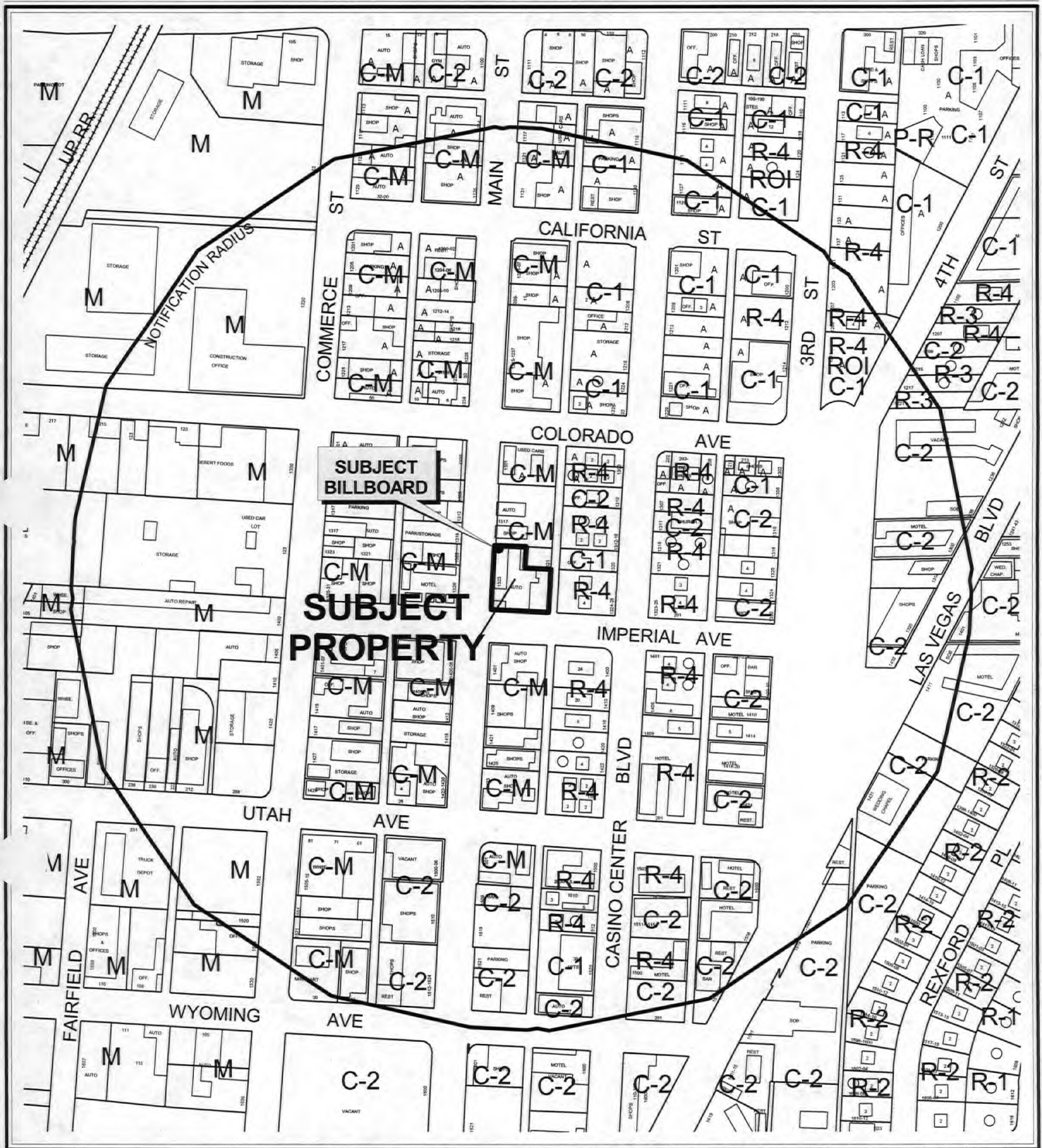
(2:42 - 2:48)

3-2841

CONDITIONS:

Planning and Development

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. This Special Use Permit shall be reviewed in two (2) years, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign 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 be removed.
3. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. 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.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 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 must be satisfied.



CASE: RQR-12716

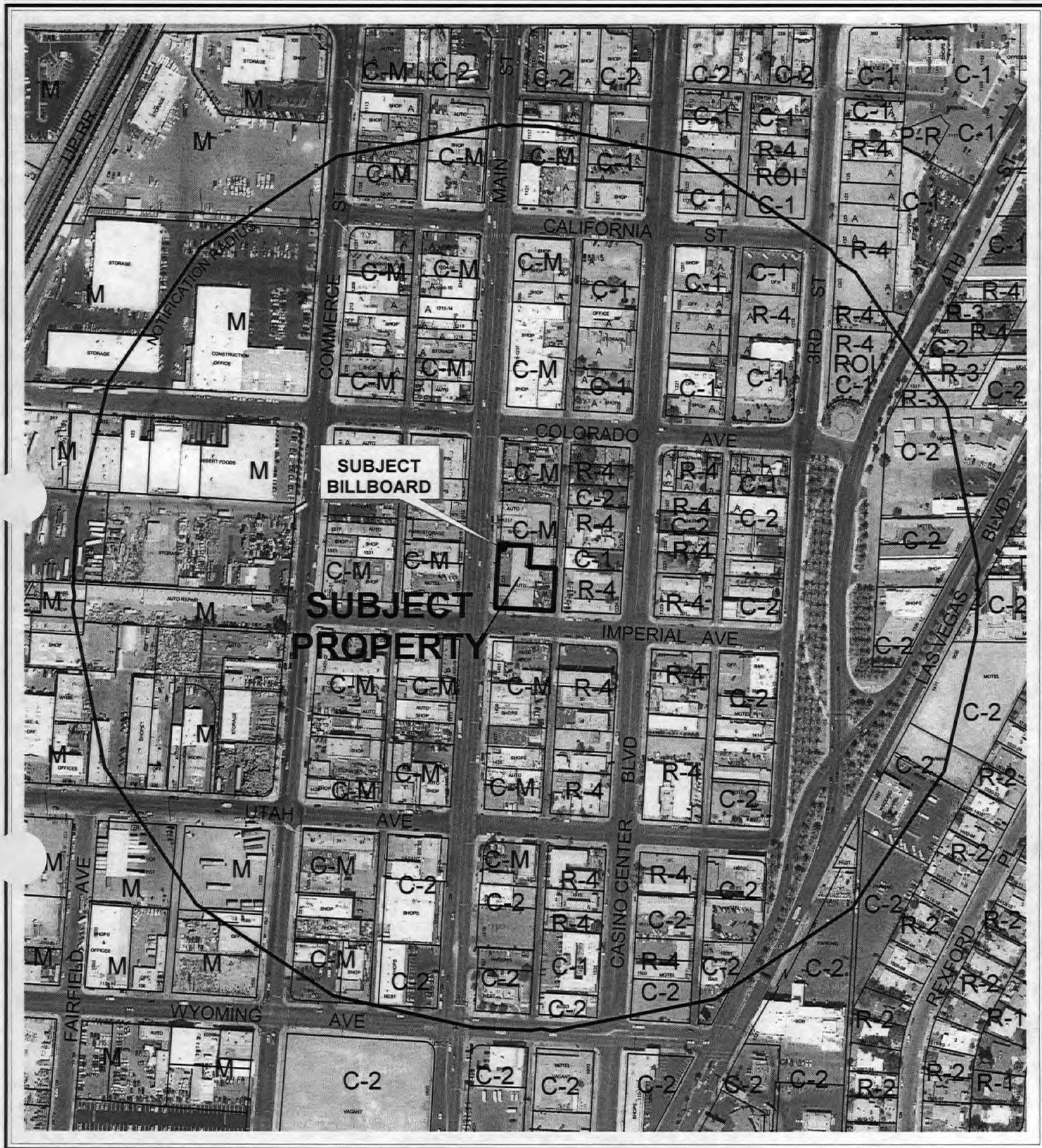
RADIUS: 1000 FT

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

0 300 600 Feet

155





CASE: **RQR-12716**

RADIUS: 1000 FT

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

0 300 600 Feet





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





City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-12716 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: KENNETH A. AND DONLEE SIMKINS**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. This Special Use Permit shall be reviewed in two (2) years, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign 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 be removed.
3. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. 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.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 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 must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Required Six Month Review of an approved Special Use Permit (U-0171-89), which allowed a 40 foot tall, 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign at 1323 South Main Street.

EXECUTIVE SUMMARY

This is the sixth review of an Off-Premise Advertising (Billboard) Sign that was permitted in 1990. A site inspection was conducted on 04/17/06 and revealed that the sign is in good condition. A final inspection was never completed on the subject sign. A condition of approval has been added, which requires a final inspection within thirty (30) days of approval by the City Council, if approved. The billboard fails to meet minimum separation requirements from an R-4 (High Density Residential) zoning district to the east. The existing billboard is located 150 feet where 300 feet are required from "R" zoning. Therefore, staff cannot support the continued use of the existing billboard and recommends denial of the subject application, as conditioned.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 12/20/89 | The City Council approved a Special Use Permit (U-0171-89) for a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on this site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval. |
| 01/18/95 | The City Council approved a Required Five Year Review [U-0171-89(1)] for one 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 12/27/94. |
| 04/05/00 | The City Council approved a Required Five Year Review [U-0171-89(2)], which allowed a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Planning Commission and staff recommended denial on 02/10/00. |
| 06/05/02 | The City Council approved a Required Two Year Review [U-0171-89(3)], which allowed a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Planning Commission and staff recommended approval on 04/25/02. |

- 07/07/04 The City Council approved a Required Two Year Review (RQR-4271), which allowed a 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a one-year review. The Planning Commission and staff recommended approval on 05/27/04.
- 11/16/05 The City Council approved a Required One Year Review (RQR-8821) of an approved Special Use Permit (U-0171-89), which allowed a 40 foot tall, 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign at 1323 South Main Street. The Planning Commission recommended approval, but staff recommended denial on 10/20/05
- 05/25/06 The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #62/bts).

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.41

B) Existing Land Use

Subject Property: Major Auto Repair Garage
North: Industrial / Commercial Uses
South: Automotive Garage
East: Multi-Family Residential
Office
West: Motel
Retail

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-M (Commercial/Industrial)
North: C-M (Commercial/Industrial)
South: C-M (Commercial/Industrial)
East: C-M (Commercial/Industrial)
R-4 (High Density Residential)
West: C-M (Commercial/Industrial)

E) Building Permit History

The building permit for the billboard was issued on 01/24/90. A final inspection was never completed. Therefore, a condition of approval has been added which requires a final inspection within thirty (30) days of approval.

F) Site Inspection

On 04/17/06 a site inspection was conducted and photos were taken. The inspection revealed that the sign is in good condition. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

G) General Plan Compliance

The site is designated C (Commercial) on the Downtown Redevelopment Area Land Use Map. This area allows for future office, service and general commercial uses. Off-Premise Advertising (Billboard) Signs and Major Auto Repair are permitted general commercial uses. However the current C-M (Commercial/Industrial) zoning does not currently conform to this designation, as industrial uses are not allowed.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Downtown Centennial Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Downtown Overlay District	X	
Airport Overlay District – 200 Feet	X	
Trails		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

This site is located in the Las Vegas Redevelopment Plan area and the Downtown South area of the Downtown Overlay District. Billboards are permitted uses within these planning areas; however, deteriorated or otherwise non-conforming signs do not promote the rehabilitation of the downtown area. There are no required trails adjacent to the site.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

The existing Off-Premise Advertising (Billboard) Sign is subject to a minimum 300-foot separation from other Off-Premise Advertising (Billboard) Signs. In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in the U (Undeveloped) Zoning District or any "R" Zoning District. The subject sign is located approximately 150 feet from property zoned R-4 (High Density Residential). It complies with the distance separation requirements in all other aspects.

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

Standards	Code Requirement	Existing Billboard	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Yes
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-M Zoning District	Yes
Off-premise sign area (max.)	672 Square Feet	288 SF	Yes
Separation distance from other off-premise sign (min.)	300 Feet	310 Feet	Yes
Separation distance from "U" or "R" zoning district	300 Feet	150 Feet from R-4 Zoning District	No
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Yes
Setbacks (min.)	50 Feet from nearest ROW intersection	147 feet	Yes

The subject sign is located approximately 150 feet from property zoned R-4 (High Density Residential). It complies with all other Off-Premise Advertising (Billboard) Sign standards.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-M (Commercial/Industrial). An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. It is outside the Off-Premise Sign Exclusionary Zone.

- Use

Title 19.14.010 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the Off-Premise Advertising (Billboard) Sign no longer meet the standards for approval of a Special Use Permit. The continued Off-Premise Advertising (Billboard) Sign use on the subject site is not appropriate since the billboard does not meet residential separation requirements. Therefore, the recommendation for this request is for denial subject to a review in two years.

- Conditions from Required Review (RQR-8821)

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign 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 be removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 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.

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

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 existing Off-Premise Advertising (Billboard) Sign is located less than 300 feet from residential zoned property to the east. The existing billboard is located 150 feet where 300 feet is required from property zoned R-4 (High Density Residential) to the east. Therefore, staff cannot support the continued use of the billboard at its present location.

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

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

This condition does not apply, as there are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

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."**

As long as all conditions of approval are implemented and follow-up inspections are conducted, the Off-Premise Advertising (Billboard) Sign will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 138 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-12716** APN: 162-03-110-088

Name of Property Owner: KENNETH SIMKINS

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: _____

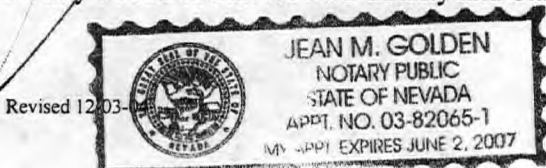
Signature of Property Owner: Kenneth Simkins / Rod Carter

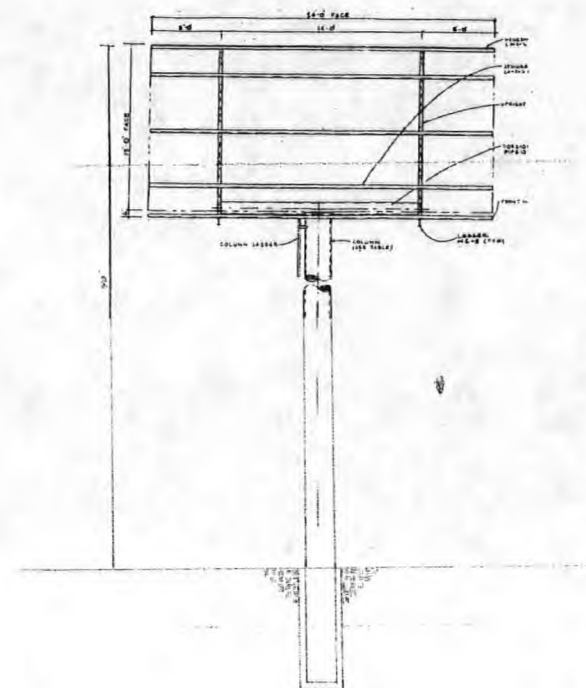
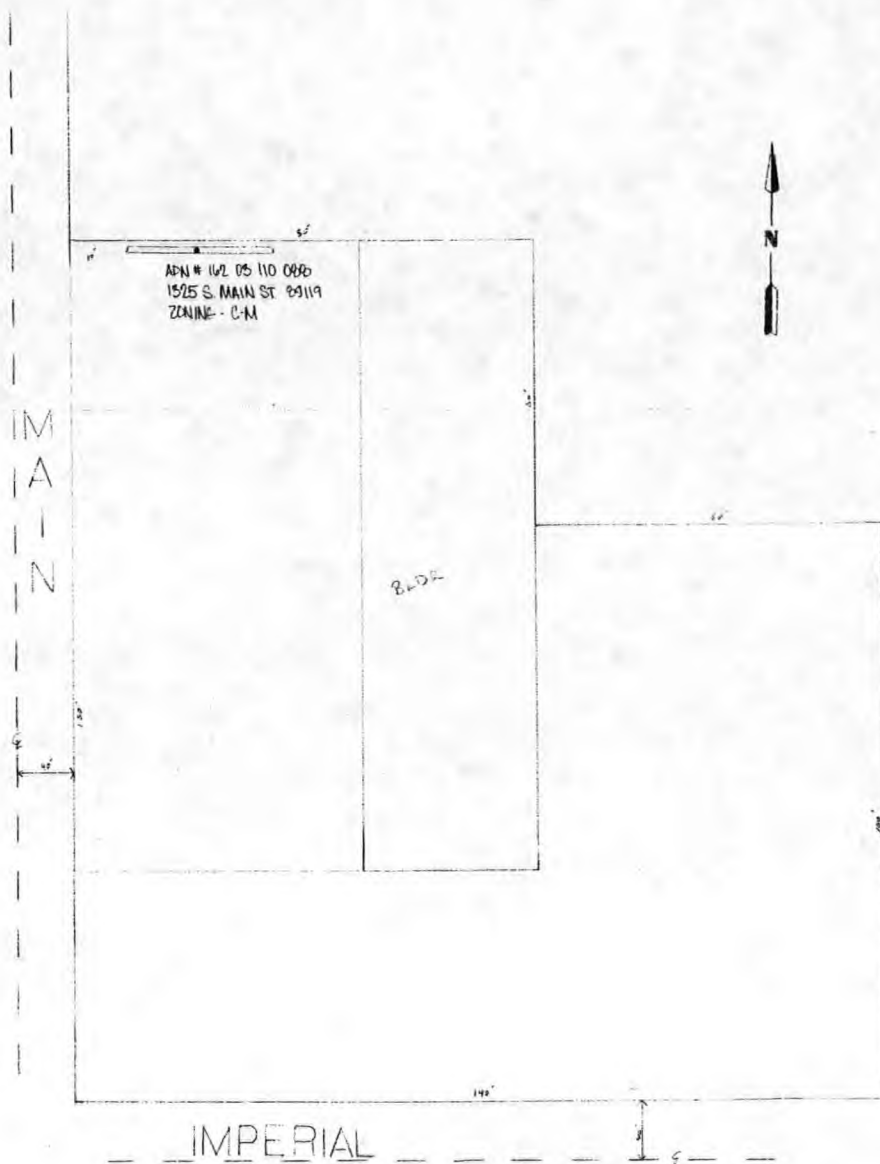
Print Name: KENNETH SIMKINS / ROD CARTER

Subscribed and sworn before me

This 27 day of March, 2006

Jean M. Golden
Notary Public in and for said County and State





RECEIVED

MAR 30 2006

RQR-12716
05/25/06 PC





RQR-12716 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH A. AND DONLEE SIMKIN
1323 SOUTH MAIN STREET
MAY 25, 2006 PLANNING COMMISSION

04/19/06



RQR-12716 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH A. AND DONLEE SIMKIN
1323 SOUTH MAIN STREET
MAY 25, 2006 PLANNING COMMISSION

04/19/06



RQR-12716 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH A. AND DONLEE SIMKIN
1323 SOUTH MAIN STREET
MAY 25, 2006 PLANNING COMMISSION

04/19/06



RQR-12716 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: KENNETH A. AND DONLEE SIMKIN
1323 SOUTH MAIN STREET
MAY 25, 2006 PLANNING COMMISSION

04/19/06



June 6, 2002

Mr. and Mrs. Kenneth Simkins
1325 South Main Street
Las Vegas, Nevada 89110

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
ETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

ACTING CITY MANAGER
DOUGLAS A. SELBY

RE: U-0171-89(3) - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JUNE 5, 2002

Dear Mr. and Mrs. Simkins:

The City Council at a regular meeting held June 5, 2002 APPROVED the Required Two Year Review on an approved Special Use Permit which allowed a 12 foot x 24 foot off-premise advertising (billboard) sign at 1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 6, 2002. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in two 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 Title 19 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.

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

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

RQR-12716
05/25/06 PC

Mr. and Mrs. Kenneth Simkins
U-0171-89(3) - Page Two
June 6, 2002

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

Sincerely,



DOREEN ARAUJO
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK

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

Ms. Debbie Torres
Clear Channel Outdoor
1211 West Bonanza Road
Las Vegas, Nevada 89106

RQR-12716
05/25/06 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
AWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

July 12, 2004

Mr. and Mrs. Kenneth Simkins
1325 South Main Street
Las Vegas, Nevada 89110

RE: RQR-4271 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JULY 7, 2004

Dear Mr. and Mrs. Simkins:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for Required Two Year Review of an approved Special Use Permit (U-0171-89) WHICH ALLOWED A 12 FOOT X 24 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN: 162-03-110-088), C-M (Commercial/Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year 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.
4. The applicant shall repair the sign face within the next sixty (60) days.
5. 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 Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation

RQR-12716
05/25/06 PC

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

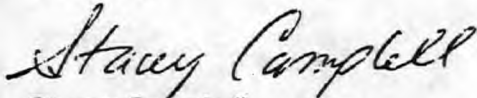
VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-604

Mr. and Mrs. Kenneth Simkins
RQR-4271 - Page Two
July 12, 2004

requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

Sincerely,



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

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

Mr. Rod Carter
Clear Channel Outdoor
2880-B Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RQR-12716
05/25/06 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

December 20, 2005

Mr. and Mrs. Kenneth Simkins
1325 South Main Street
Las Vegas, Nevada 89119

RE: RQR-8821 – REQUIRED REVIEW
CITY COUNCIL MEETING OF NOVEMBER 16, 2005

Dear Mr. and Mrs. Simkins:

The City Council at a regular meeting held November 16, 2005 APPROVED the Required One-Year Review of an approved Special Use Permit (U-0171-89), WHICH ALLOWED A 40 FOOT TALL, 12-FOOT BY 24-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1323 South Main Street (APN 162-03-110-088), C-M (Commercial/Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 17, 2005. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in six (6) months, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign 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 be removed.
2. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval by the City of Las Vegas. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

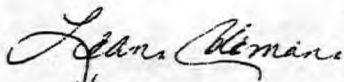
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CLV 7009

RQR-12716
05/25/06 PC

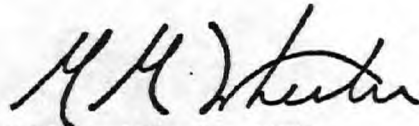
Mr. and Mrs. Kenneth Simkins
RQR-8821 – Page Two
December 20, 2005

5. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 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.
6. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,



Leán Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Rod Carter
Clear Channel Outdoor
2880 Meade Avenue, Suite #350
Las Vegas, Nevada 89102

RQR-12716
05/25/06 PC

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

Telephone Protest/ Approval Log

Meeting Date: 5/25/06

Case Number: NAR 12716

Date: 5/16/06
Name: Paul Avganin
Address: 1425 S. Main.
LV, NV 913
Phone: 818-609-7751 x204
☒ PROTEST ☐ APPROVE
want be able to make

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

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

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

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

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

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SPECIAL USE PERMIT

SUP-12279 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: ADAS, LLC - Request for a Special Use Permit FOR A PROPOSED 638-FOOT TALL BUILDING WITHIN THE McCARRAN AIRPORT OVERLAY DISTRICT at 2210 South Las Vegas Boulevard (APN 162-04-813-075), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 156 [SUP-12279], Item 157 [SUP-12280] and Item 158 [SDR-12278].

GREG BORGEL, 300 South Fourth Street, appeared on behalf of the applicant, agreed to all conditions and requested approval.

MR. BORGEL assured MAYOR GOODMAN that the applicant had genuine plans to construct the proposal. MAYOR GOODMAN expressed concern that so many outside developers were seeking entitlements and the City had no real assurances that these proposals would ever be built. He stated he would prefer the developers to appear before the Council to answer questions regarding the legitimacy of these projects. MR. BORGEL explained the developers are sincere, but financing depends on others outside of the developers' control. He also informed MAYOR GOODMAN that the developers indicated the project would be started within the two year approval period of the Special Use Permit. MAYOR GOODMAN acknowledged the lengthy process these proposals must undergo before they become a reality, but questioned if the two year timeframe is realistic and requested staff to further investigate. MAYOR GOODMAN encouraged the preservation of the existing International House of Pancakes, but MR. BORGEL was only able to confirm that a restaurant pad was provided within the project.

COUNCILWOMAN TARKANIAN echoed MAYOR GOODMAN'S concerns, but stated she would

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

support these applications based on MR. BORGEL'S assurances.

TOM McGOWAN seconded MAYOR GOODMAN'S concerns and pointed out the identities of the developers should be made public before any applications are approved.

MAYOR GOODMAN declared the Public Hearing closed for Item 156 [SUP-12279], Item 157 [SUP-12280] and Item 158 [SDR-12278].

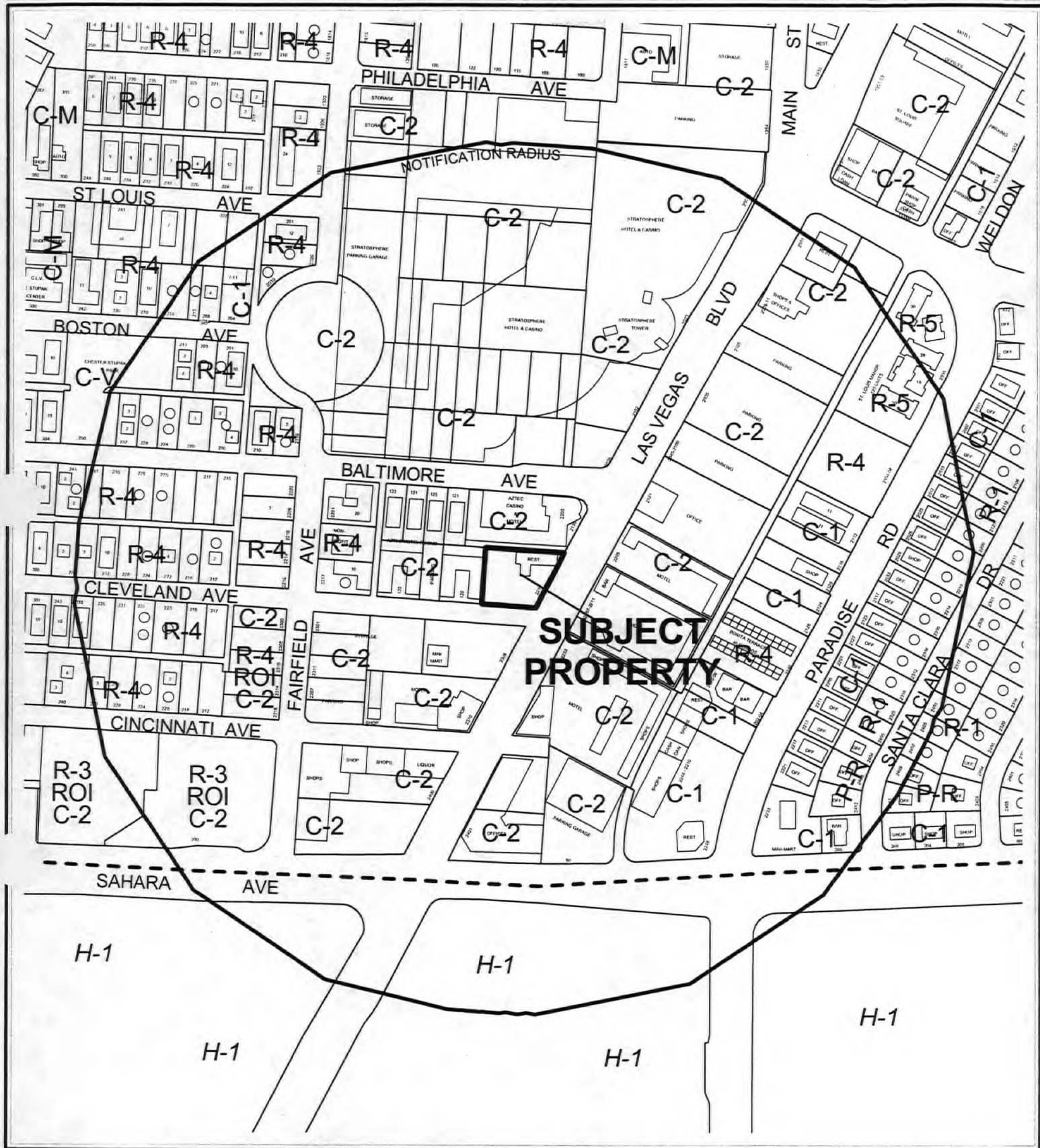
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3-3119

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP 12280), and Site Development Plan Review (SDR-12278).
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 of Las Vegas.
4. Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns.
5. All City Code requirements and design standards of all City departments must be satisfied.



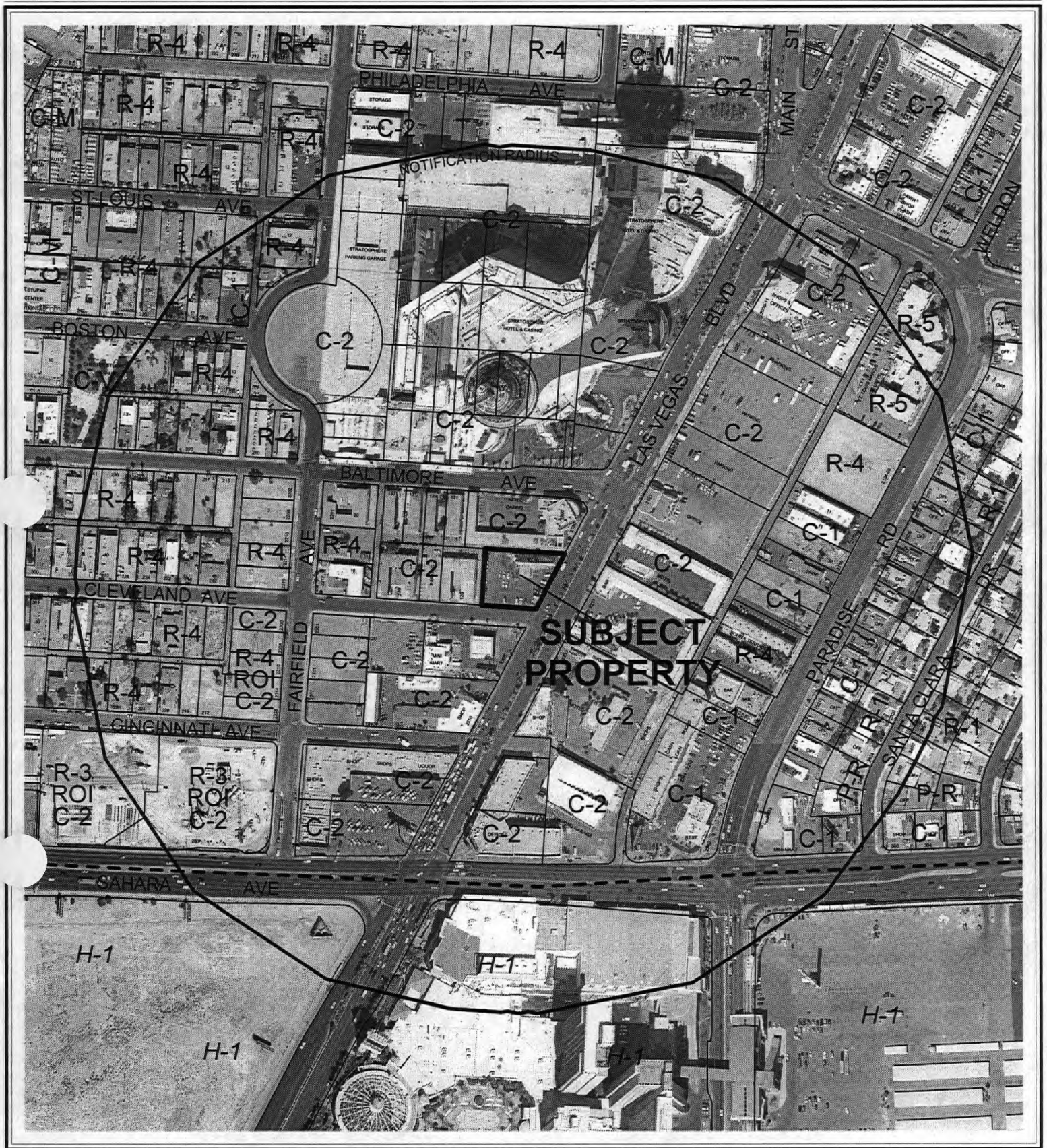
CASE: SUP-12279

RADIUS: 1000 FT

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

0 400 800 Feet





CASE: **SUP-12279**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-12279 - APPLICANT: JMA ARCHITECTURE STUDIOS -

OWNER: ADAS, LLC & VEGAS INVESTMENT PPTYS, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-12280), and Site Development Plan Review (SDR-12278).
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 of Las Vegas.
4. Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns.
5. All City Code requirements and design standards of all City departments must be satisfied.

****STAFF REPORT****

APPLICANT REQUEST

This is a request for a Special Use Permit for a 638-foot tall building where 200 feet is the maximum height allowed in the McCarran Airport Overlay District adjacent to the northwest corner of Cleveland Avenue and Las Vegas Boulevard. A related Site Development Plan Review (SDR-12278), and Special Use Permit (SUP-12280) will be considered concurrently.

EXECUTIVE SUMMARY

This proposed project is consistent with the goals and objectives of the Downtown Centennial Plan. The proposed 46-story mixed use high rise project is compatible with the surrounding neighborhood and will compliment the new high rise projects approved in the area. This tower features six levels of parking, an amenity floor and then the residential units on the upper levels. Recommended Condition #4 requires that Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns

BACKGROUND INFORMATION

A) Related Actions

- 04/05/06 There is no land use or zoning history on file for this parcel. Records show that the current zoning is C-2 (General Commercial).
- 04/27/06 The Planning Commission voted to hold this item in abeyance to allow the request and companion requests for a Special Use Permit (SUP-12280) and a Site Development Plan Review (SDR-12278) to be renotified advertising waivers of the Downtown Centennial Plan.
- 05/25/06 The Planning Commission recommended approval of companion items SUP-12280 and SDR-12278 concurrently with this application.
- 05/25/06 The Planning Commission voted 5-1-1 (sd/rt) to recommend APPROVAL (PC Agenda Item #31/yk).

B) Pre-Application Meeting

- 02/28/06 A pre-application meeting was held where it was discussed that a Site Development Plan Review and two Special Use Permits would be required to move this project forward.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.82 acre
Net Acres: 0.53 acre

B) *Existing Land Use*

Subject Property: Restaurant Use
North: Motel Casino
South: Mini-Market
East: Motel and Bar
West: Apartments

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The Las Vegas Redevelopment Plan designates the parcels C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable. This proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

This parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Trails

This development is not adjacent to any Transportation, Recreation, or Urban Trails.

Scenic Byway Overlay District

This project is within the Las Vegas Boulevard Scenic Byway Overlay District which requires all signage to have at least 75% exposed neon. No signage is being considered with this application.

ANALYSIS

A) Zoning Code Compliance

This project is being developed within the guidelines outlined within Title 19 and is generally in compliance.

B) General Analysis and Discussion

- **Zoning**

This project falls within Title 19.06.080 of the McCarran International Airport Overlay Map that requires the approval of any project over 35 feet high. The applicant has submitted a Site Development Plan Review (SDR-12278) and a Special Use Permit (SUP-12280) to allow the uses that are proposed for the site. The project generally complies with the development standards of the C-2 (General Commercial) zoning district.

- **Use**

Mixed-Uses are permitted in the C-2 (General Commercial) zoning district with a Special Use Permit. The development will include a total of 246 new residential units and 2,345 square feet of new commercial space.

The applicant has notified the FAA regional office and the Clark County Department of Aviation of this application in accordance with the requirements of the Airport Overlay District.

- Conditions

The development is subject to the following conditions:

19.06.080 A-O AIRPORT OVERLAY DISTRICT

A. Aviation Easement

The issuance of a building permit for construction on property within the Airport Overlay District may be conditioned upon the property owner's signing of an aviation easement.

B. Planning Commission Review and Approval

Except as provided in Section 19.06.080(E), any new construction or alteration of any existing structure on a parcel located within the Airport Overlay District must first be approved by the Planning Commission if such construction or alteration exceeds any of the following height standards:

- (1) Two hundred feet above the ground level at its site;

C. Special Use Permit

- (1) Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this Section may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Section 19.18.060, except that:
 - (a) The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and
 - (b) Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
- (2) Notwithstanding the preceding provisions of this Section, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Section or any amendment thereto.

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 design of this mixed-use tower will be a positive addition to the Northern Strip District of the Downtown Centennial Plan. The high density developments in the area allow this project to blend in without any negative effects to the surrounding area.

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

The location of this project on Las Vegas Boulevard is similar to other high-density projects being proposed along this roadway. It has access from two public rights-of-ways and is adequately separated from adjacent properties.

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."**

This project is located on Las Vegas Boulevard and has additional access off of Cleveland Avenue to adequately handle vehicular traffic. A fully development mass transit system along Las Vegas Boulevard will serve the project as well.

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 public health, safety, or welfare.

PLANNING COMMISSION ACTION

There were 2 speakers in favor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT

9

SENATE DISTRICT

10

NOTICES MAILED 91 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-12279** APN: **142-04-813-075**

Name of Property Owner: **HAAS LLC AND VERRAS INVESTMENTS PPTYS LLC**

Name of Applicant: **JMA Architecture studios**

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: N/A

Partner(s): N/A

APN: N/A

Signature of Property Owner: Nassim Bayat

Print Name: NASSIM BAYAT

Subscribed and sworn before me

This 8th day of March, 2006

Coral Suckow, orange, California
Notary Public in and for said County and State





SITE ACREAGE: 0.53 ACRES (NET)
0.82 ACRES (GROSS)

APN# #162-04-813-075

CURRENT ZONE:	C - 2
PROPOSED ZONE:	C - 2
FAR	13.7
PROPOSED DENSITY:	300 du/ac

NUMBER OF UNITS:	248
NUMBER OF STORIES:	46

1. TOTAL RESIDENTIAL FLOOR AREA: (BALCONY NOT INCL.)	339,826 S.F.
2. TOTAL PARKING AREA:	134,574 S.F.
3. LOBBY/ MEP/PUBLIC AREA:	5,838 S.F.
4. RESTAURANT AREA:	2,345 S.F.
5. AMENITIES:	7,000 S.F.
6. OUTDOOR PODIUM AREA:	15,429 S.F.

TOTAL GROSS AREA: 489,383 S.F.

1 AND 2 BEDROOM: 1 SPACE PER UNIT (246 UNITS)	246 SPACES
COMMERCIAL PARKING: 3:1,000 S.F. (2,345 S.F.)	8 SPACES
TOTAL PARKING REQUIRED:	254 SPACES

PARKING PROVIDED: 276 SPACES

REGULAR PARKING	216 SPACES
TANDEM PARKING	60 SPACES

SITE PLAN

CITY OF LAS VEGAS,
NEVADA

JMA ARCHITECTURE STUDIOS

JMA #200501176

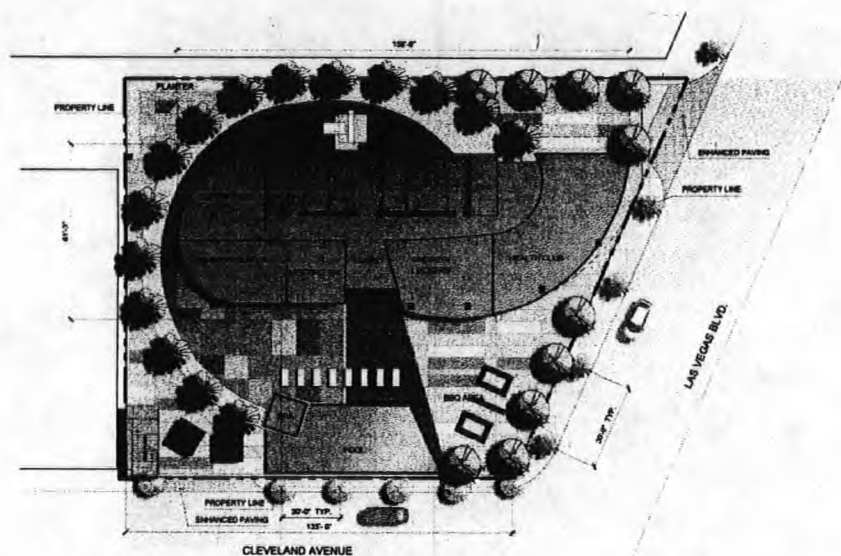
10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE (702) 791-2939
FAX (702) 791-2039
WWW.MARCH.COM

Date: MARCH 6, 2005

DR-00

SUP-12279
04/27/06 PC

0 25' 50'
SCALE 1"=25'
NORTH
10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 791-5533
FAX: (702) 791-5539
WWW.SUNARCH.COM
MAR 10 2006



LANDSCAPE LEGEND	SIZE	QUANTITY
MEXICAN SILVER OAK ONOCOPUS VIRGINIANA HERITAGE	24" BOX 2-12" C	20
WASHINGTON ROBUSTA MEXICAN FAN PALM	20" HIGH	20

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

LANDSCAPE PLAN

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

SCALE: 1" = 20'
NORTH

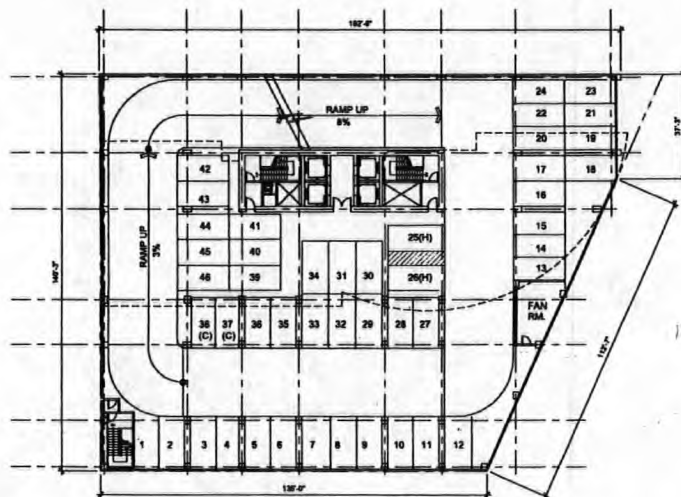
10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2333
FAX: (702) 731-2389
WWW.JMAARCH.COM

SUP-12279
04/27/06 PC

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MAR 10 2006

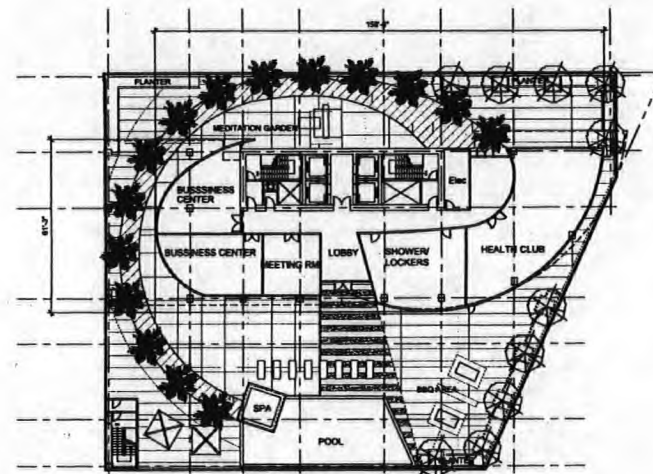
Date: MARCH 8, 2005

DR-01



LEVEL 2-7

TOTAL: 46 spaces/8 x 8 = 368 spaces



LEVEL 8 - PODIUM

LAS VEGAS BLVD / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176



10160 CONVENTION CENTER DRIVE
LAS VEGAS, NV 89164
PHONE: (702) 791-5000
FAX: (702) 791-5000
www.jmaarch.com

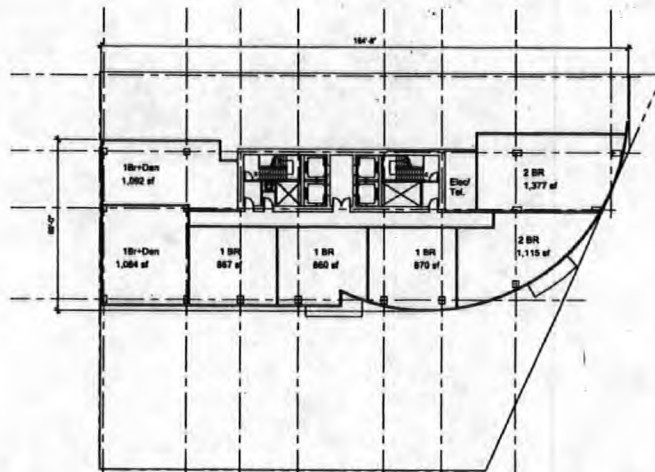
SUP-12279

04/27/06 PC

MAR 10 2006

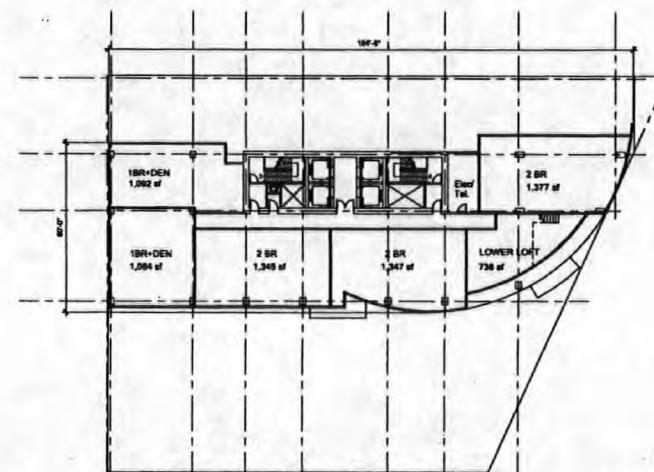
Date: MARCH 8, 2005

DR-02



LEVELS 9 - 32

7 units/ft X 24 = 168 units



LEVELS 33, 35, 37, 39

6 units/ft X 4 = 24 units

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

0" 20' 40'
SCALE: 1/4"=1'-0"
NORTH

10180 CONINGTON CROSS DRIVE
LAS VEGAS, NV 89149
PHONE: (702) 731-0000
FAX: (702) 731-0000
WWW.JMAARCH.COM

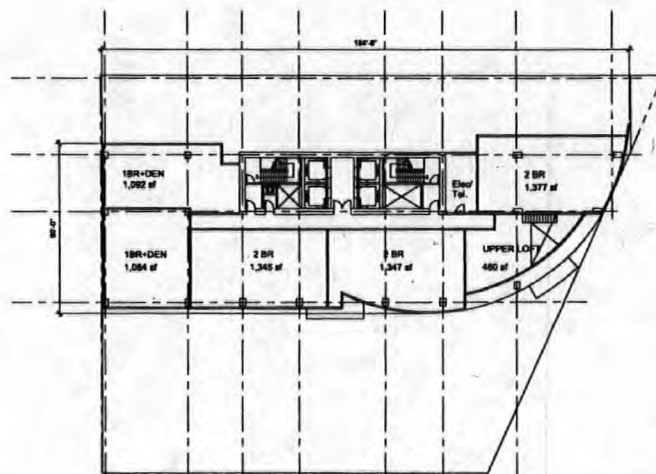
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04/27/06 PC

MAR 10 2006

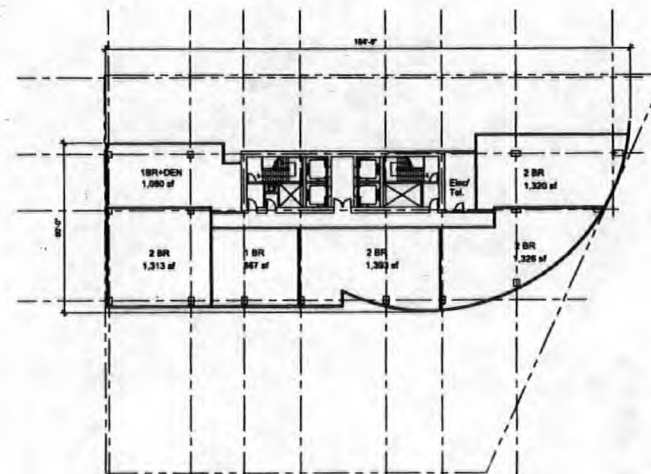
Date: MARCH 8, 2005

DR-03



LEVELS 34, 36, 38, 40

5 units/ft² X 4 = 20 units



LEVELS 41

8 units

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501178



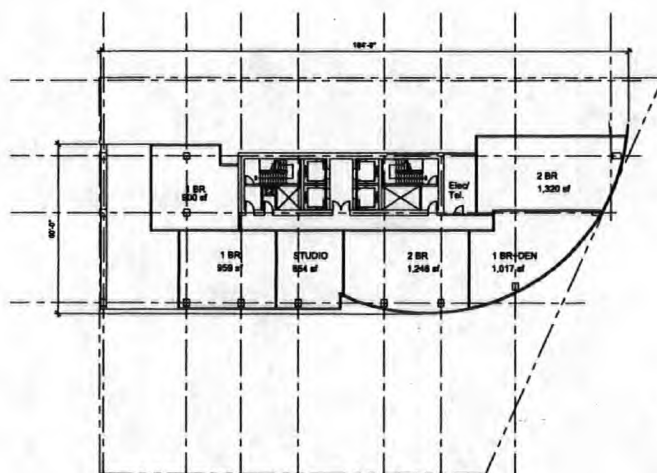
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LAS VEGAS, NV 89144
PHONE: (702) 731-2083
FAX: (702) 587-8889
WWW.JMAARCH.COM

SUP-12279
04/27/06 PC

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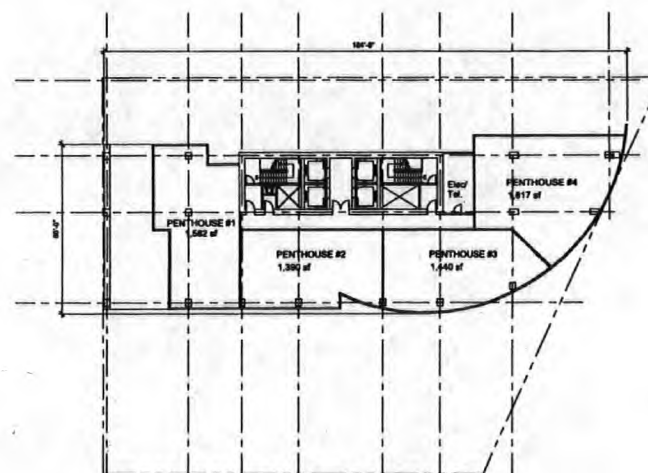
Date: MARCH 8, 2005

DR-04



LEVELS 42 - 45

8 units/Br X 4 Br = 24 units



LEVELS 46- PENTHOUSE

4 units

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

SCALE: 1" = 20'



10150 COWINGTON CROSS DRIVE
LAS VEGAS, NV 89149
PHONE: (702) 791-0399
FAX: (702) 781-4588
WWW.JMAARCH.COM

SUP-12279
04/27/06 PC

MAR 10 2006

Date: MARCH 8, 2005

04-05

CITY OF LAS VEGAS,
NEVADA

LAS VEGAS BLVD / CLEVELAND ALLIANT DEV.

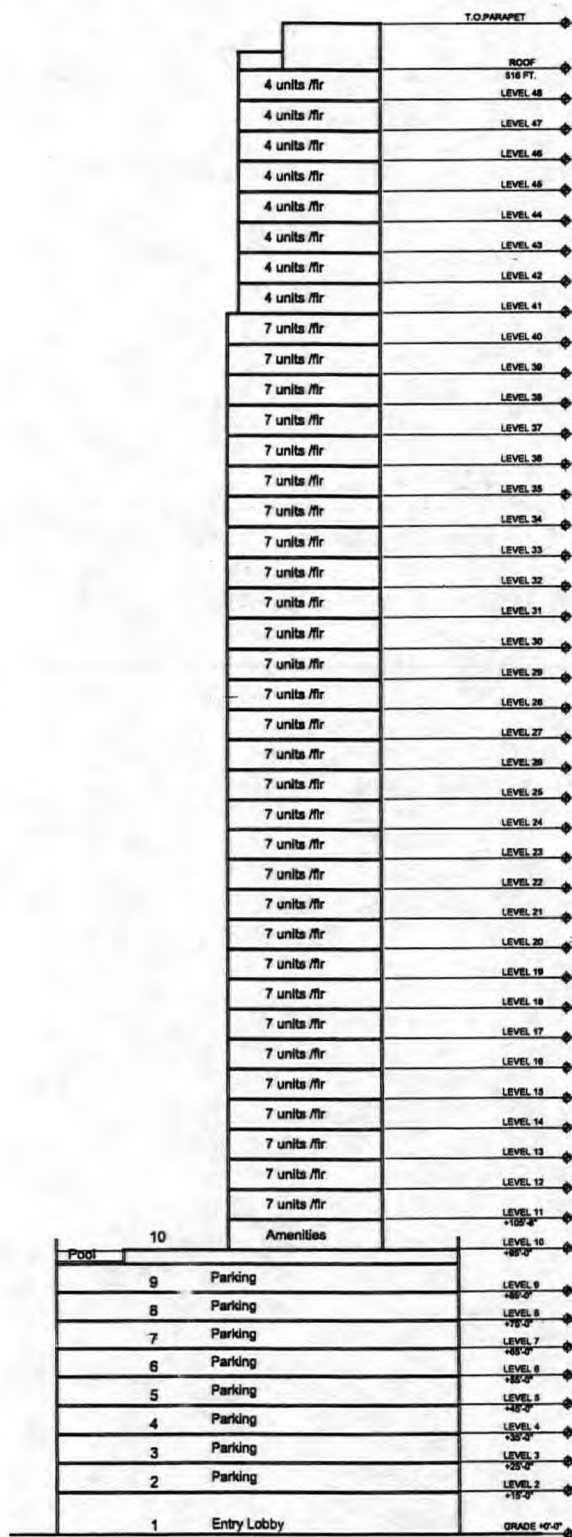
SDR-12278 04/27/06 PC
SUP-12279 SUP-12280



JMA 4200001176

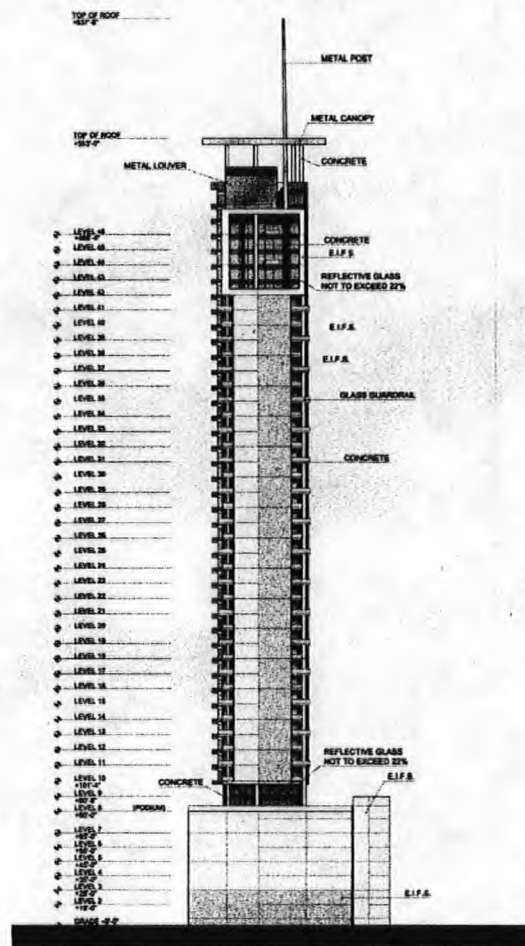
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DR-06

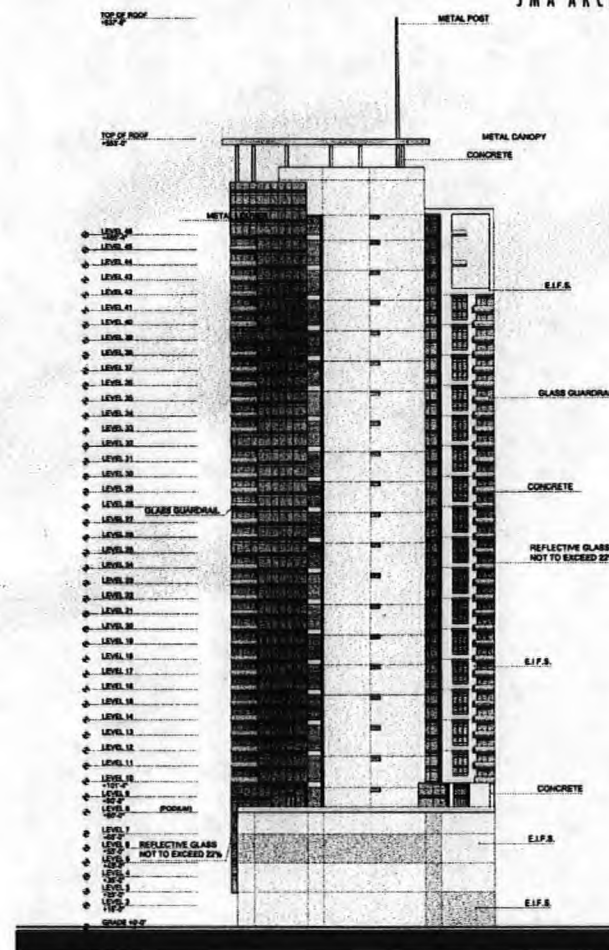


SECTION DIAGRAM

JMA ARCHITECTURE



WEST ELEVATION



NORTH ELEVATION

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

SCALE: 1"=40'

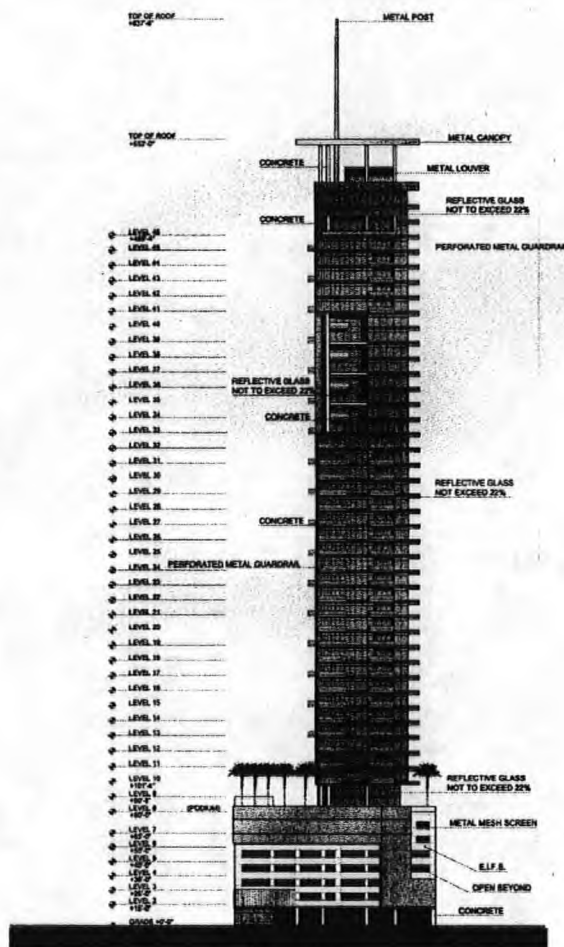
10150 CONVENTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2030
WWW.JMAARCH.COM

RECEIVED
MAR 10 2006

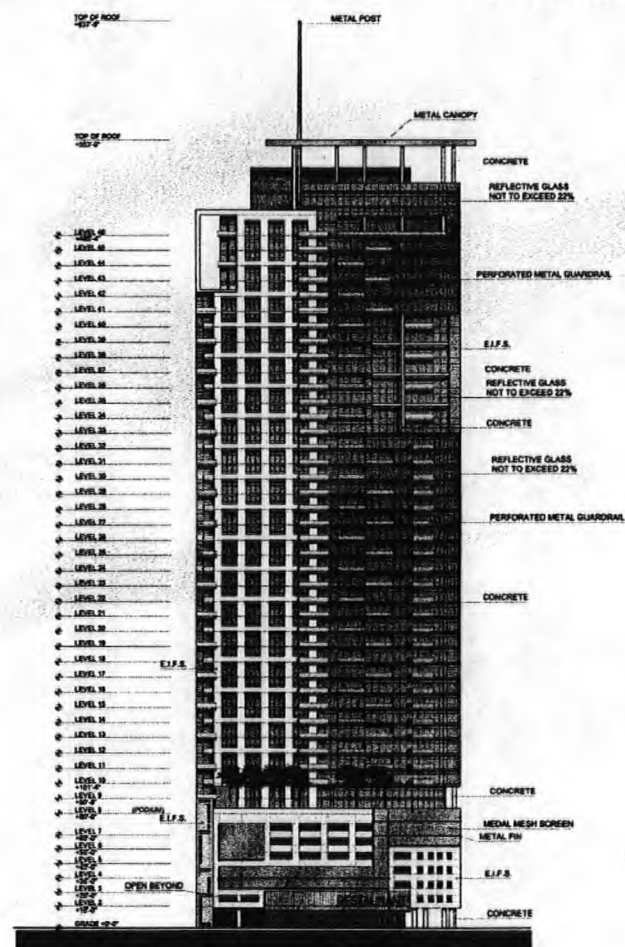
SUP-12279 SUP-12280
SDR-12278 04/27/06 PC

Date: MARCH 6, 2005

DR-07



EAST ELEVATION



SOUTH ELEVATION

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

SCALE: 1" = 40'

10150 COWINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2039
WWW.JMARCH.COM

MAR 10 2006

Date: MARCH 5, 2005

DR-08

SUP-12279 SUP-12280
SDR-12278 04/27/06 PC

March 10, 2006

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Las Vegas Boulevard and Cleveland
Justification Letter / Project Description
JMA No. #200501176

APN: 162-04-813-075

Dear Sir or Madam:

We are requesting a Site Development Plan Review, Special Use Permit and a Waiver of Design Standard for the development of a 46 story, 246-unit residential condominium project. The project also consists of 2,345 square feet of associated restaurant space, 7,000 square feet of associated amenity space and 276 parking spaces in a structured parking garage. This development will be located on the corner of Las Vegas Boulevard and Cleveland in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

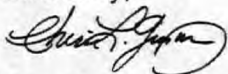
The Special Use permit is requested for mixed-use in a C-2 zone classification. The Waiver of Design Standard is requested for step back requirement, landscape and build-to line as described in the Las Vegas Downtown Centennial Plan. Because of the very small site and operational functions, we are unable to accommodate these requirements.

The proposed building does step back at the 9th level and the project is built to the property line on the north, west and south side. At ground level, on the east side of the project the building is not built to the property line to allow for pedestrian and vehicular access.

Contemporary materials are used on the building exterior, which include sandstone composite panels, terracotta perforated screen block, painted pre-cast concrete, painted E.I.F.S., brushed stainless steel and curtain wall system with low reflective glass not to exceed 22%.

If you should have any questions regarding this application, please do not hesitate to call our office. Thank you.

Sincerely,



Cherie L. Guzman
Senior Designer/
Entitlements Coordinator

SUP-12279
04/27/06 PC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-12279

SUP-12280 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: ADAS, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 2210 South Las Vegas Boulevard (APN 162-04-813-075), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 156 [SUP-12279] for all related discussion.

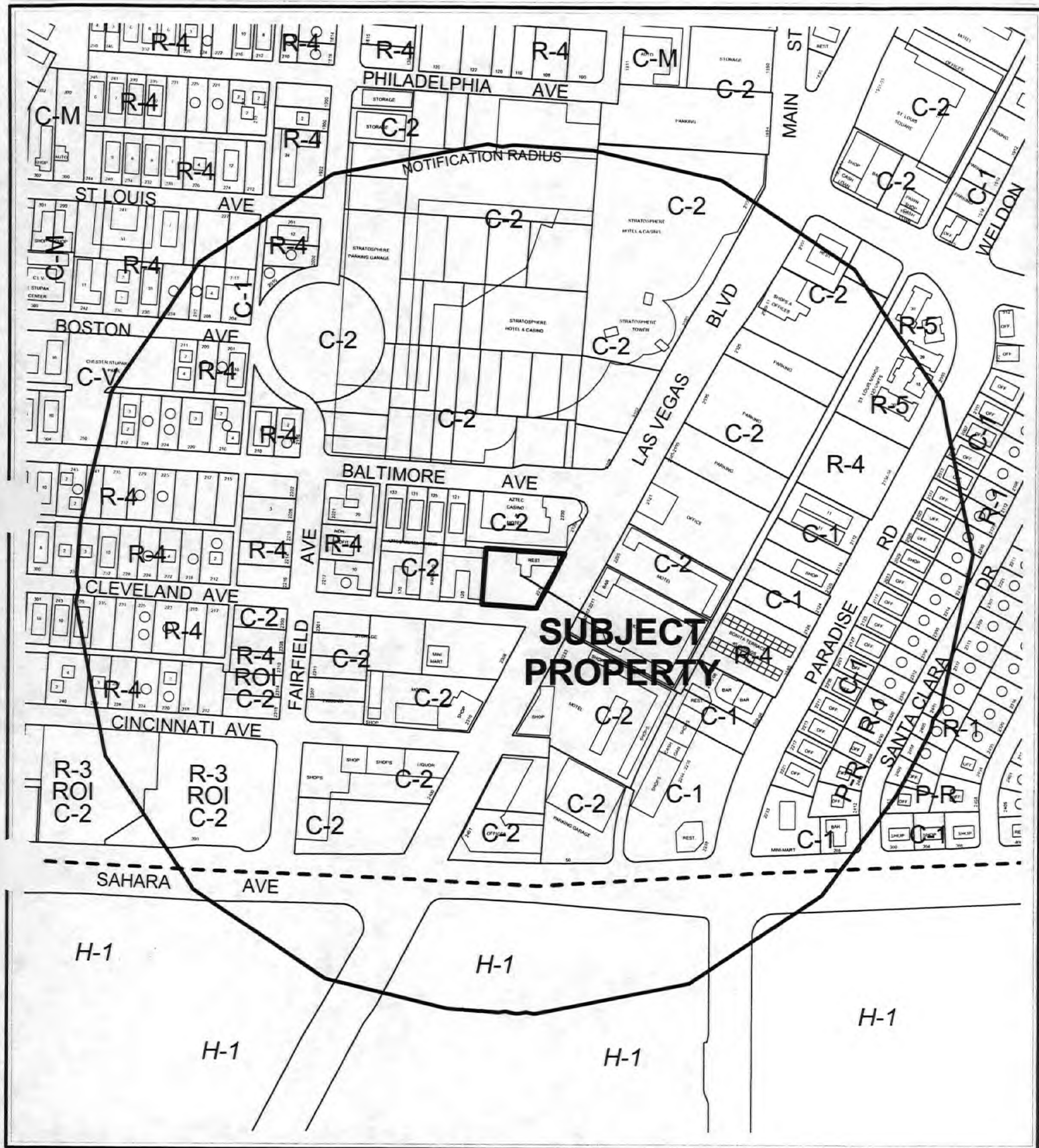
(2:48 - 2:56)

3-3119

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the mixed-use section.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-12278).
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 of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.



CASE: SUP-12280

RADIUS: 1000 FT

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



157



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-12280 - APPLICANT: JMA ARCHITECTURE STUDIOS -
OWNER: ADAS, LLC & VEGAS INVESTMENT PPTY, LLC.**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for the mixed-use section.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-12278).
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 of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

****STAFF REPORT****

APPLICANT REQUEST

This is a request for a Special Use Permit for a Mixed-Use development at 2210 South Las Vegas Boulevard.

EXECUTIVE SUMMARY

This proposed 46-story mixed-use tower features six levels of parking, an amenity floor and then the 246 residential units on the upper levels. The ground floor commercial is 2,345 square feet in area which will consist of a café restaurant use. The lobby sits nearly in the center of the building with a loading bay just to the west that has access off of Cleveland Avenue so as not to disrupt traffic along busy Las Vegas Boulevard.

BACKGROUND INFORMATION

A) Related Actions

- 04/05/06 No zoning history is on file for this parcel other than to indicate that it is zoned C-2 (General Commercial).
- 04/27/06 The Planning Commission voted to hold this item in abeyance to allow the request and companion requests for a Special Use Permit (SUP-12279) and a Site Development Plan Review (SDR-12278) to be renotified advertising waivers of the Downtown Centennial Plan.
- 05/25/06 The Planning Commission recommended approval of companion items SUP-12279 and SDR-12278 concurrently with this application.
- 05/25/06 The Planning Commission voted 5-1-1 (sd/rt) to recommend APPROVAL (PC Agenda Item #31/yk).

B) Pre-Application Meeting

- 02/28/06 A pre-application meeting was held where it was discussed that a Site Development Plan Review and two Special Use Permits would be required to move this project forward.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 0.82 acre

Net Acres: 0.53 acre

B) *Existing Land Use*

Subject Property: Restaurant Use

North: Motel Casino

South: Mini-Market

East: Motel and Bar

West: Apartments

C) *Planned Land Use*

Subject Property: C (Commercial Use)

North: C (Commercial Use)

South: C (Commercial Use)

East: C (Commercial Use)

West: C (Commercial Use)

D) *Existing Zoning*

Subject Property: C-2 (General Commercial)

North: C-2 (General Commercial)

South: C-2 (General Commercial)

East: C-2 (General Commercial)

West: C-2 (General Commercial)

E) *General Plan Compliance*

The Las Vegas Redevelopment Plan designates the parcels C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable. This proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

This parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Trails

This development is not adjacent to any Transportation, Recreation, or Urban Trails.

Scenic Byway Overlay District

This project is within the Las Vegas Boulevard Scenic Byway Overlay District which requires all signage to have at least 75% exposed neon. No signage is being considered with this application.

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:

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	.82 Acre	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (LVB)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner (Cleveland)	0 Feet	0 Feet	Y
• Rear	10 Feet	8 Feet	N
F.A.R.	N/A	13.7%	N/A
Max. Lot Coverage	Up to 100%	Not indicated	Y
Max. Building Height	N/A	638 Feet	N/A
Trash Enclosure	Walled/roofed	Yes	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Enclosed	Y

The proposed development will conform to the building placement requirements listed in the Centennial Plan, and will conform with most other site-related development standards.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to this project as it borders no residential zones and is located within the Las Vegas Downtown Centennial Plan boundaries.

B) General Analysis and Discussion

- Zoning

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The residential units are only permitted upon approval of a Special Use Permit; Special Use Permit (SUP-12280) has been filed as a companion case. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements. This project also requires a Special Use Permit for the McCarran Airport Overlay; Special Use Permit (SUP-12279) has been filed as a companion case.

- Site Plan

This project has a rather unique ground floor design in that the driveway snakes through the site off of Las Vegas Boulevard with the commercial space being completely separate from the lobby area of the structure on the southeast corner of the building. The lobby sits nearly in the center of the building with a loading bay just to the west that has access off of Cleveland Avenue so as not to disrupt traffic along busy Las Vegas Boulevard.

- Floor Plan

The ground level is designed with a private driveway snaking thru the site off of Las Vegas Boulevard that separates the lobby area from the café-sized restaurant located on the southeast corner of the project. A six-level parking garage is tucked between the ground level and the amenity level which is located on the eighth floor. The remaining levels are for individual residential units with penthouse units on the 46th level.

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 location of this project along Las Vegas Boulevard is within the Downtown Centennial Plan that encourages mixed-use commercial/residential projects. The surrounding area is expected to be redevelopment in the near future with similar type of high-intensity projects.

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

This downtown location is ideal for this type of mixed-use 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."**

Las Vegas Boulevard is a main entry street into downtown and provides excellent access to the project. The site also has excellent access to public transportation, which will assist in reducing the number of vehicle trips generated by the development.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 91 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-12280** APN: 163-04-813-075

Name of Property Owner: ADAS LLC AND VEGAS INVESTMENT PTYS LLC

Name of Applicant: JMA Architecture Studios

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: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner: Nassim Bayat - MA

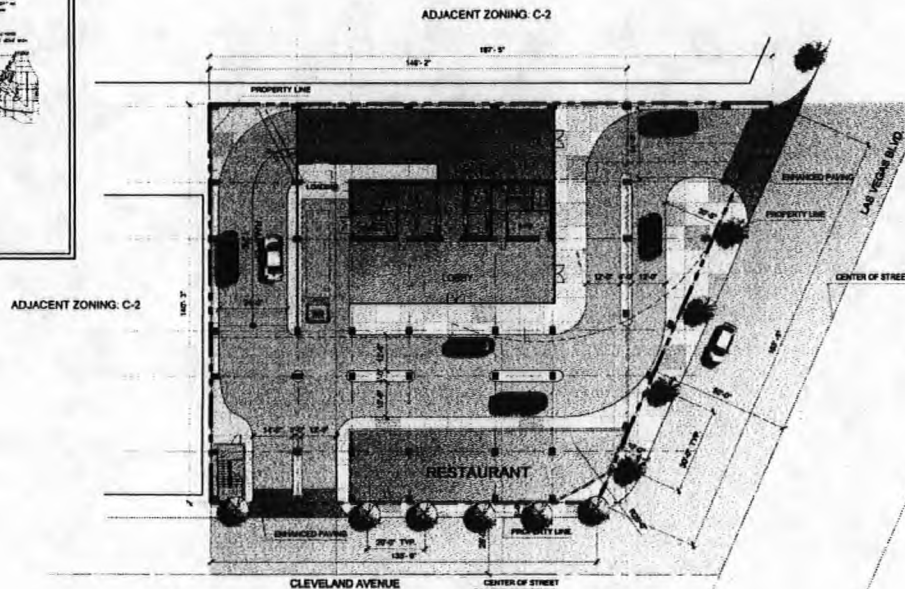
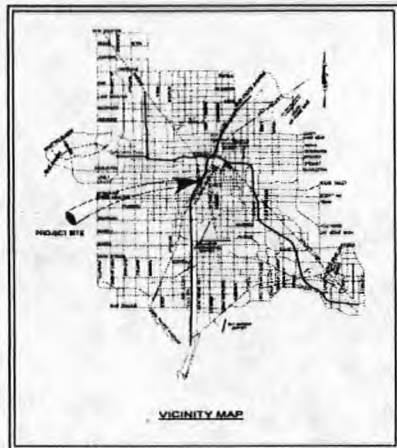
Print Name: NASSIM BAYAT

Subscribed and sworn before me

This 8th day of March, 2006

Coral Suckow Orange, California
Notary Public in and for said County and State





SITE DATA

SITE ACREAGE:	0.53 ACRES (NET) 0.82 ACRES (GROSS)
APN#:	#162-04-813-075
CURRENT ZONE:	C - 2
PROPOSED ZONE:	C - 2
FAR	13.7
PROPOSED DENSITY:	300 du/ac
NUMBER OF UNITS:	246
NUMBER OF STORIES:	46

FLOOR AREA

1. TOTAL RESIDENTIAL FLOOR AREA: (BALCONY NOT INCL.)	339,626 S.F.
2. TOTAL PARKING AREA:	134,574 S.F.
3. LOBBY/ MEP/PUBLIC AREA:	5,838 S.F.
4. RESTAURANT AREA:	2,345 S.F.
5. AMENITIES:	7,000 S.F.
6. OUTDOOR POOLIUM AREA:	15,429 S.F.

TOTAL GROSS AREA: 489,383 S.F.

PARKING ANALYSIS

1 AND 2 BEDROOM: 1 SPACE PER UNIT (246 UNITS)	246 SPACES
COMMERCIAL PARKING: 3:1,000 S.F. (2,345 S.F.)	8 SPACES
TOTAL PARKING REQUIRED:	254 SPACES

PARKING PROVIDED: 276 SPACES

REGULAR PARKING	216 SPACES
TANDEM PARKING	60 SPACES

LAS VEGAS BLVD / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

SITE PLAN

JMA ARCHITECTURE STUDIOS

JMA #200501176



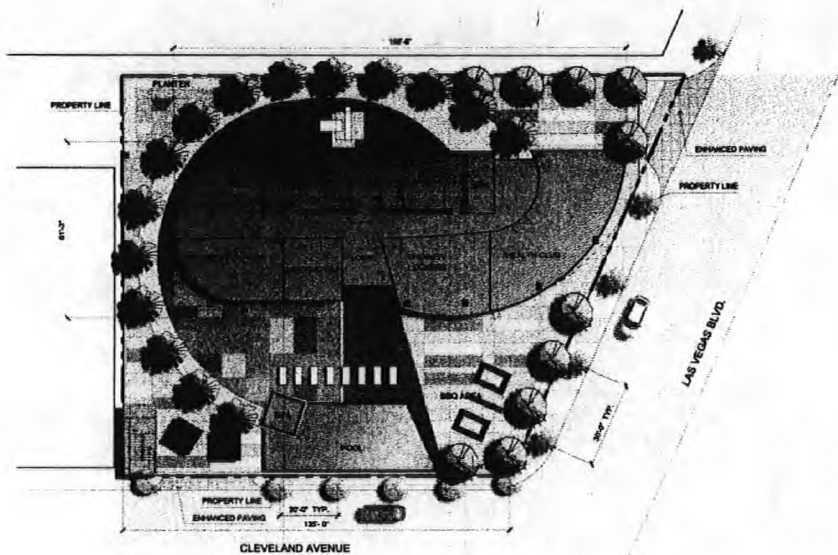
10150 CORNVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2036
WWW.JMAARCH.COM

SUP-12280
04/27/06 PC

RECEIVED
MAR 10 2006

Date: MARCH 6, 2005

DR-00



LANDSCAPE LEGEND	SIZE	QUANTITY
HERITAGE LIVE OAK QUERCUS VIRGINIANA HERITAGE	24" BOK 2-1/2" C	20
WASHINGTONIA ROBUSTA MEXICAN FAN PALM	30" HIGH	20

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

LANDSCAPE PLAN

CITY OF LAS VEGAS,
NEVADA

JMA #200501176



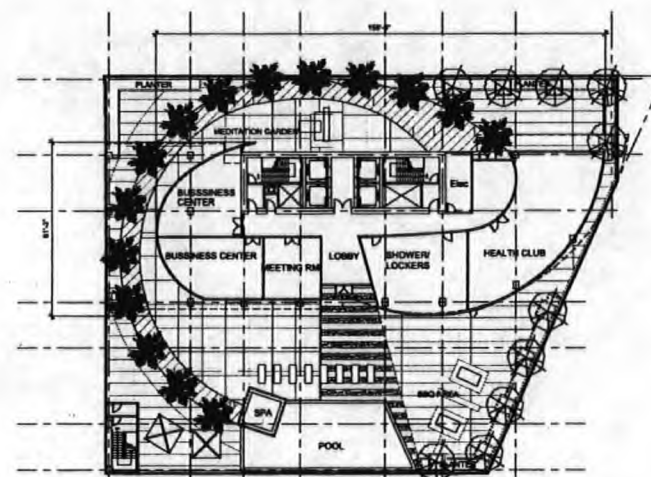
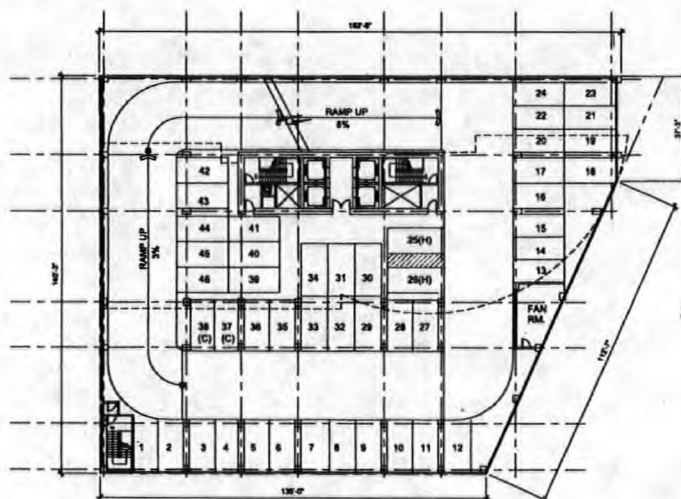
10100 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89148
PHONE: (702) 731-2333
FAX: (702) 731-2336
WWW.JMA-ARCH.COM

SUP-12280
04/27/06 PC

RECEIVED
MAR 10 2006

Date: MARCH 6, 2005

DR-01



LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

10185 CONINGTON CROSS DRIVE
LAS VEGAS, NV 89134
PHONE: (702) 791-0338
FAX: (702) 791-0338
WWW.JMAARCH.COM

SCALE: 1"=30'

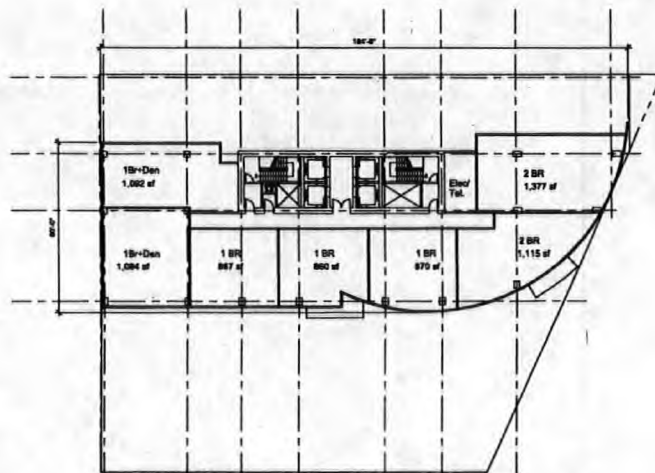


SUP-12280
04/27/06 PC

RECEIVED
MAR 10 2006

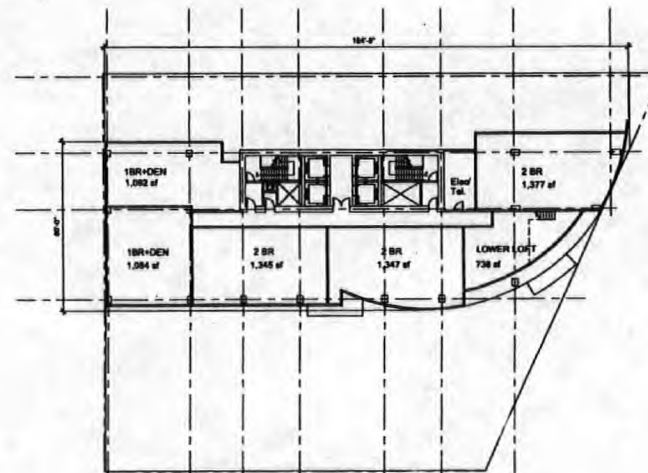
Date: MARCH 6, 2005

DR-02



LEVELS 9 - 32

7 units/ft X 24 = 168 units



LEVELS 33, 35, 37, 39

8 units/ft X 4 = 32 units

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

10180 CONINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 791-6884
FAX: (702) 791-6884
WWW.JMAARCH.COM

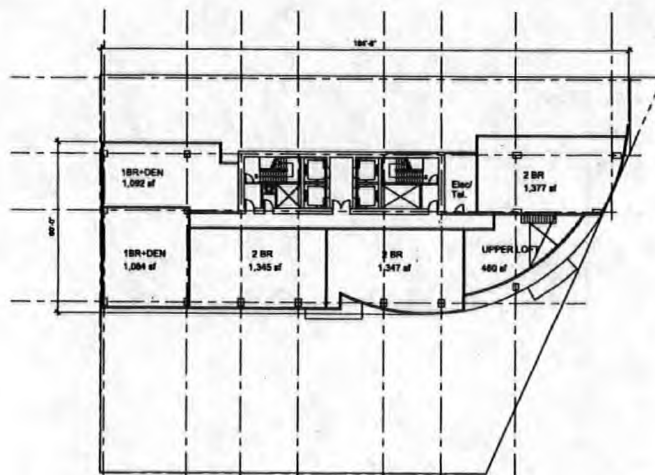


SUP-12280
04/27/06 PC

MAR 10 2006

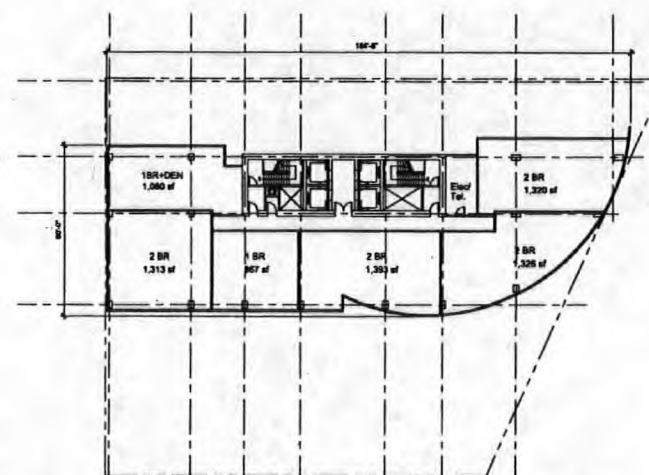
Date: MARCH 6, 2005

DR-03



LEVELS 34, 36, 38, 40

5 units/ft² X 4 = 20 units



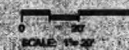
LEVELS 41

6 units

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176



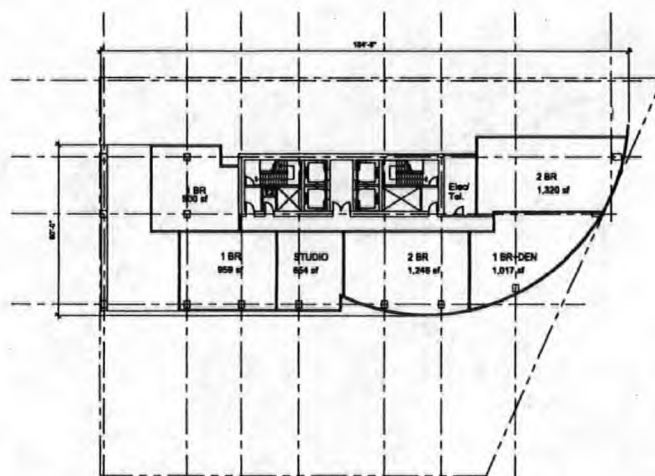
10180 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 791-0000
FAX: (702) 791-0000
WWW.JMARCH.COM

SUP-12280
04/27/06 PC

MAR 10 2006

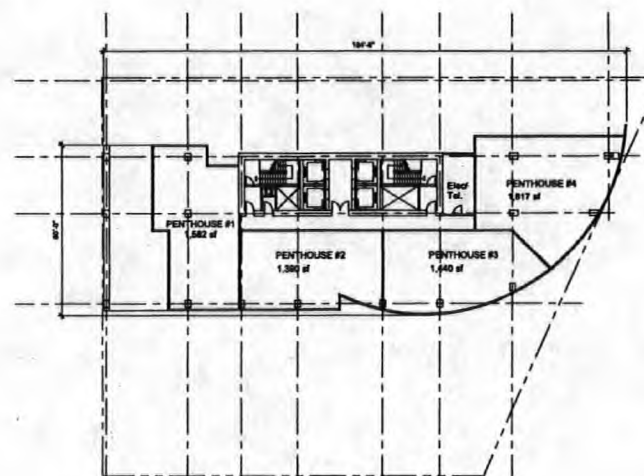
Date: MARCH 6, 2005

DR-04



LEVELS 42 - 45

8 units/2 X 4 ft = 24 units



LEVELS 46- PENTHOUSE

4 units

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

SCALE: 1" = 20'



12185 CONINGTON CROSS DRIVE
LAS VEGAS, NV 89148
PHONE: (702) 731-2000
FAX: (702) 731-0800
WWW.JMAARCH.COM

Date: MARCH 5, 2005

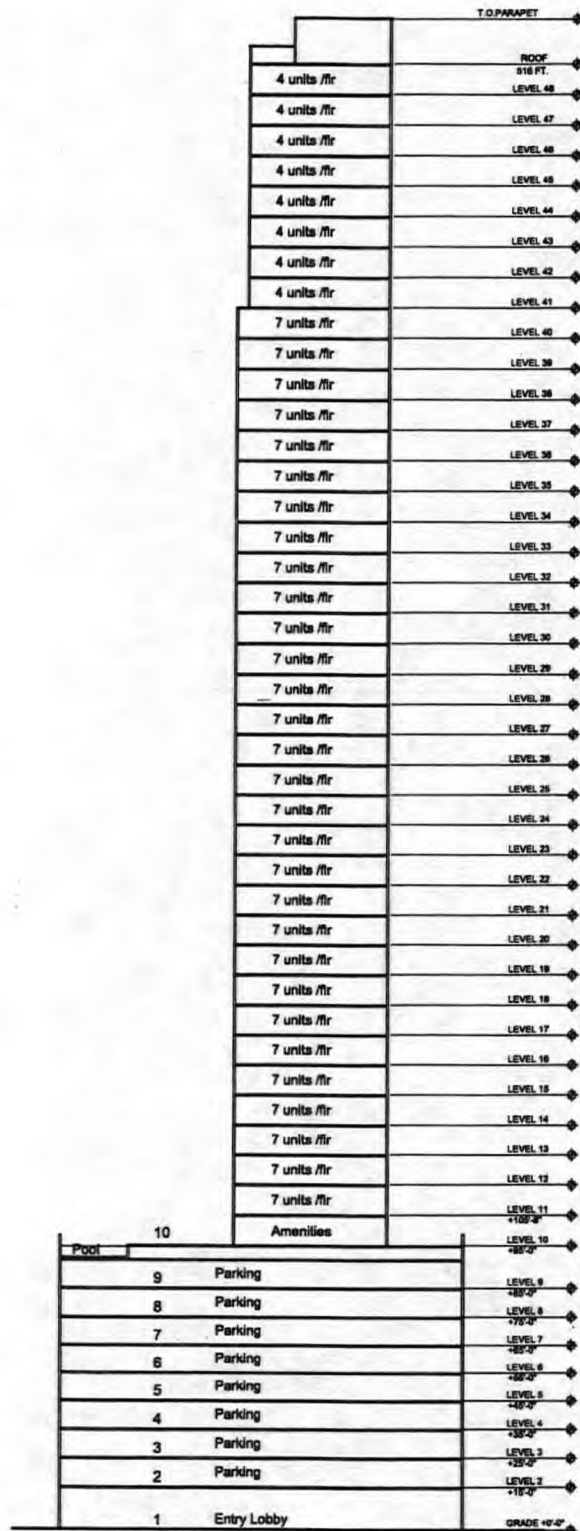
DR-05

SUP-12280
04/27/06 PC

MAR 10 2006

CITY OF LAS VEGAS,
NEVADA

LAS VEGAS BLVD / CLEVELAND ALLIANT DR.



SECTION DIAGRAM

JMA ARCHITECTURE

Date: MARCH 6, 2005

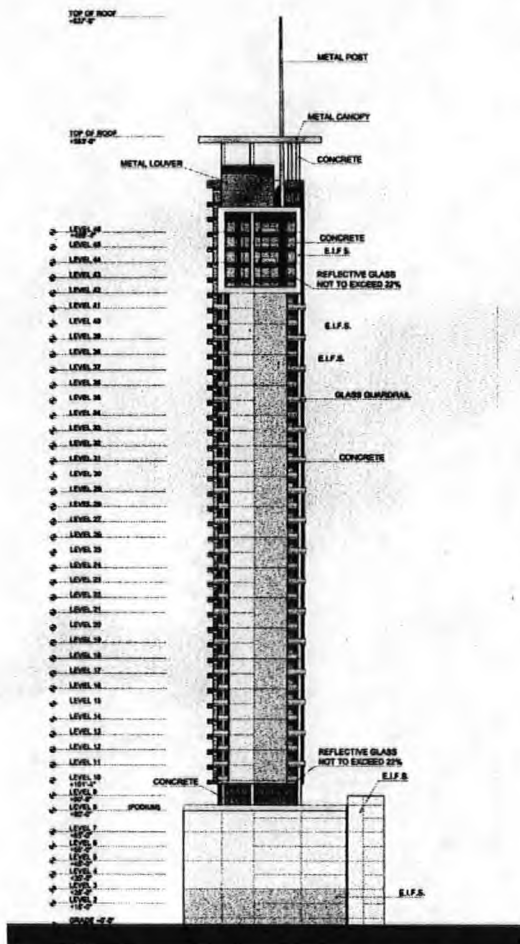
DR-06

04/27/06 PC
SUP-12280

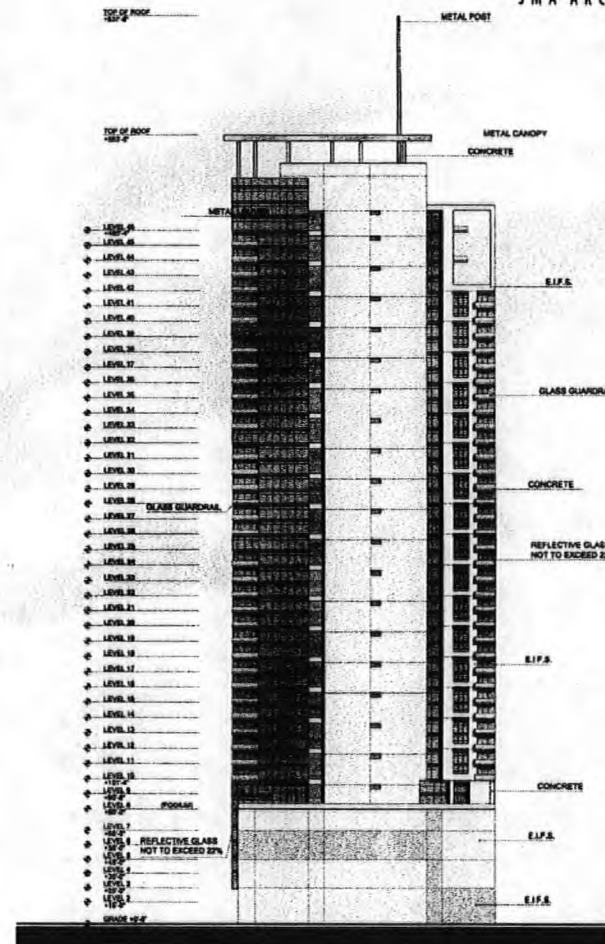
RECEIVED
MAR 10 2006

THIS DOCUMENT IS THE PROPERTY OF JMA ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT 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 JMA ARCHITECTURE.

JMA 42300501176



WEST ELEVATION



NORTH ELEVATION

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

JMA #200501176

0 40 80
SCALE: 1"=40'

10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89141
PHONE: (702) 731-2033
FAX: (702) 731-2030
WWW.JMAARCH.COM

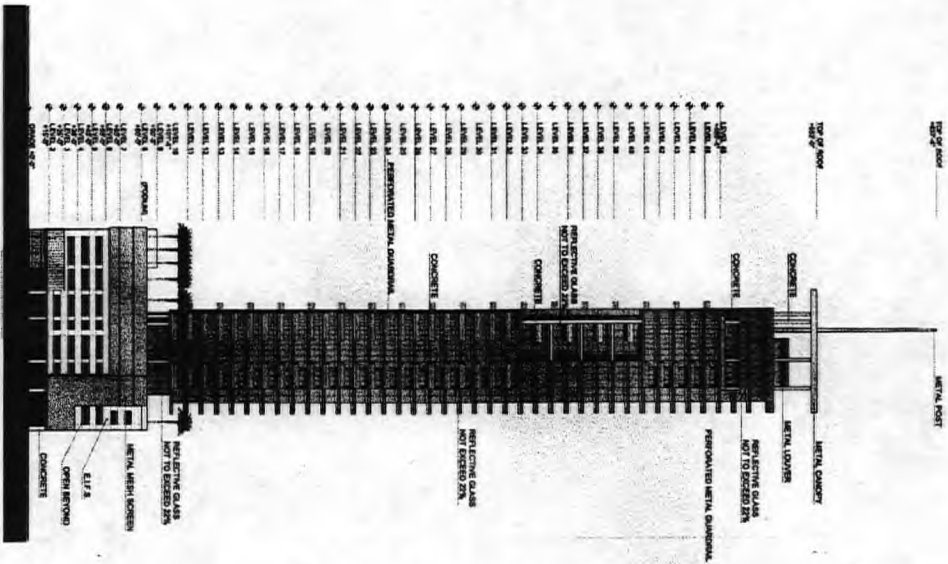
SUP-12280
04/27/06 PC

RECEIVED
MAR 10 2006

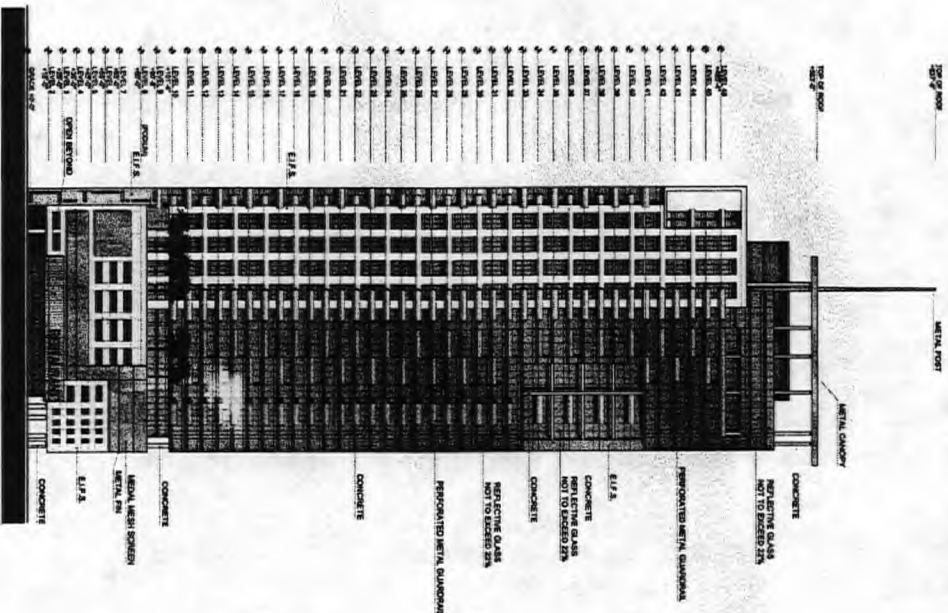
Date: MARCH 5, 2005

DR-07

EAST ELEVATION



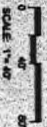
SOUTH ELEVATION



LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

SUP-12280
04/27/06 PC



1010 CONVENTION CENTER DRIVE
LAS VEGAS, NV 89144
PHONE (702) 791-2000
WWW.JMAARCH.COM

JMA #200501176

Date: MARCH 6, 2005

MAR 10 2006

DR-08

March 10, 2006

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Las Vegas Boulevard and Cleveland
Justification Letter / Project Description
JMA No. #200501176

APN: 162-04-813-075

Dear Sir or Madam:

We are requesting a Site Development Plan Review, Special Use Permit and a Waiver of Design Standard for the development of a 46 story, 246-unit residential condominium project. The project also consists of 2,345 square feet of associated restaurant space, 7,000 square feet of associated amenity space and 276 parking spaces in a structured parking garage. This development will be located on the corner of Las Vegas Boulevard and Cleveland in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

The Special Use permit is requested for mixed-use in a C-2 zone classification. The Waiver of Design Standard is requested for step back requirement, landscape and build-to line as described in the Las Vegas Downtown Centennial Plan. Because of the very small site and operational functions, we are unable to accommodate these requirements.

The proposed building does step back at the 9th level and the project is built to the property line on the north, west and south side. At ground level, on the east side of the project the building is not built to the property line to allow for pedestrian and vehicular access.

Contemporary materials are used on the building exterior, which include sandstone composite panels, terracotta perforated screen block, painted pre-cast concrete, painted E.I.F.S., brushed stainless steel and curtain wall system with low reflective glass not to exceed 22%.

If you should have any questions regarding this application, please do not hesitate to call our office. Thank you.

Sincerely,



Cherie L. Guzman
Senior Designer/
Entitlements Coordinator

SUP-12280
04/27/06 PC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-12279 AND SUP-12280

SDR-12278 - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: ADAS, LLC - Request for a Site Development Plan Review FOR A PROPOSED 46-STORY MIXED-USE DEVELOPMENT CONSISTING OF 246 RESIDENTIAL UNITS AND 2,345 SQUARE FEET OF COMMERCIAL SPACE on 0.53 acres at 2210 South Las Vegas Boulevard (APN 162-04-813-075), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). NOTE: APPLICATION IS BEING AMENDED TO INCLUDE WAIVERS OF THE STEPBACK, 70% FRONTAGE AND STREETScape REQUIREMENTS OF THE DOWNTOWN CENTENNIAL PLAN. The Planning Commission (5-1-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTIONS:

TARKANIAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 156 [SUP-12279] for all related discussion.

(2:48 - 2:56)

3-3119

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/10/06 except as amended by conditions herein.
4. The waiver from the Downtown Centennial Plan requirement for building setbacks is hereby approved, based on the level of façade articulation detailed in the submitted elevations.

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

5. The waiver from the 70% frontage requirement for building placement is hereby approved, based on the pedestrian amenity areas provided at the base of each building.
6. The waiver from the Downtown Centennial Plan requirement for 11' wide sidewalks and five foot wide amenity area along Las Vegas Boulevard and Cleveland Avenue.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. 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 comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

material staging area; and the location and design of parking for all construction workers.

17. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.

18. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.

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

20. All signage must meet the requirements of the Las Vegas Boulevard Scenic Byway Overlay District.

21. 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 service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

22. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

23. Dedicate a 25-foot radius on the northwest corner of Las Vegas Boulevard and Cleveland Avenue.

24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards concurrent with development of this site, except as amended by condition herein.

25. 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.

26. 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.

27. 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.

28. Coordinate with the Collection Systems Planning Section of the Department of Public Works for assistance with determining an appropriate sewer connection point to provide service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all

CITY COUNCIL MEETING OF: JUNE 21, 2006

CONDITIONS - continued:

required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

29. 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.

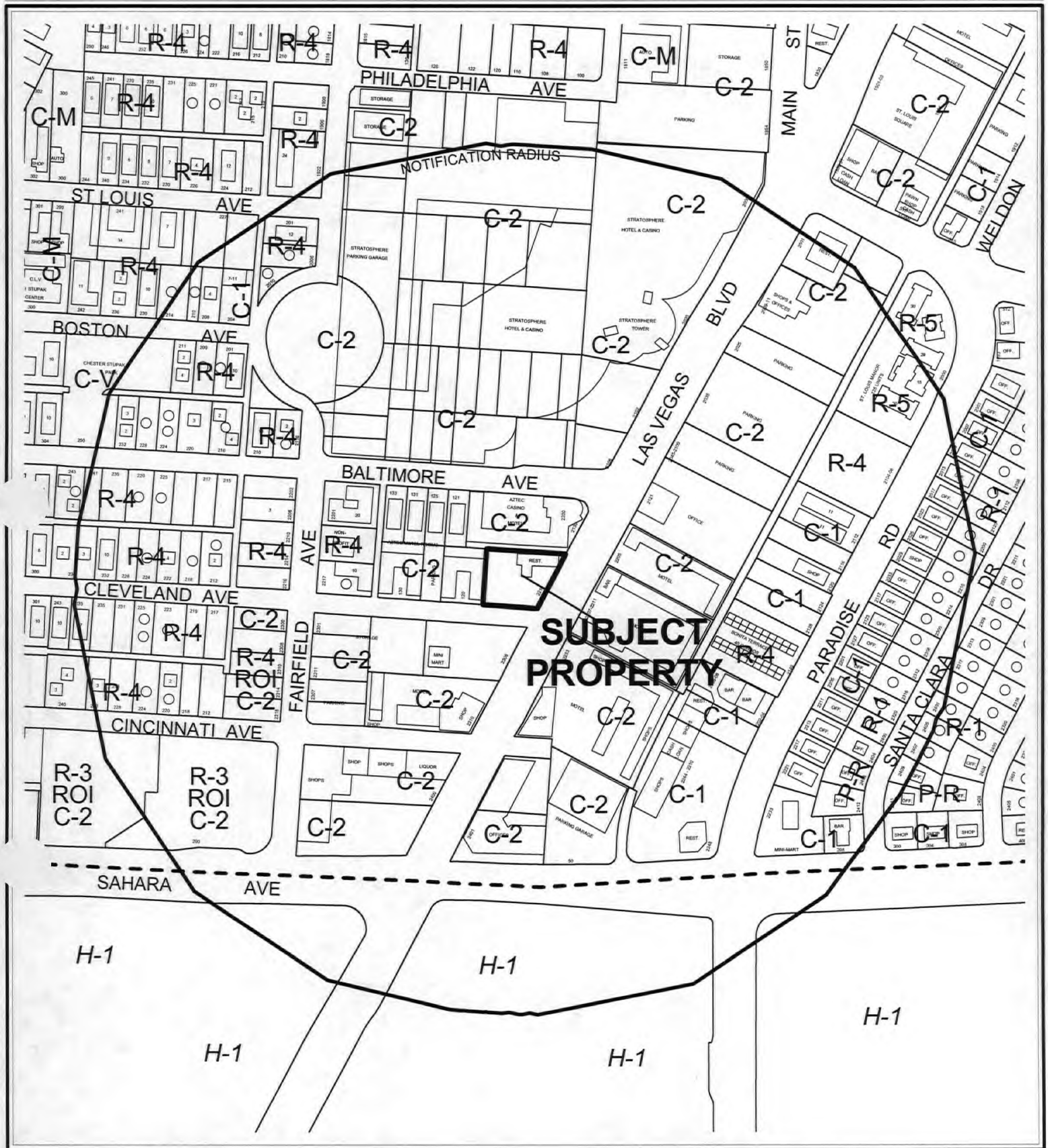
30. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

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

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

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

34. 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 public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-12278

RADIUS: 1000 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 21, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-12278 - APPLICANT/OWNER: ADAS, LLC AND VEGAS INVESTMENT PPYYS, LLC.

**** CONDITIONS ****

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

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All City Code requirements and design standards of all City departments must be satisfied.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/10/06 except as amended by conditions herein.
4. The waiver from the Downtown Centennial Plan requirement for building stepbacks is hereby approved, based on the level of façade articulation detailed in the submitted elevations.
5. The waiver from the 70% frontage requirement for building placement is hereby approved, based on the pedestrian amenity areas provided at the base of each building.
6. The waiver from the Downtown Centennial Plan requirement for 11' wide sidewalks and five foot wide amenity area along Las Vegas Boulevard and Cleveland Avenue.
7. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
9. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

10. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets except single-family residential development. Air conditioning units shall not be mounted on rooftops residential development.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. 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 comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of material staging area; and the location and design of parking for all construction workers.
17. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
18. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
19. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
20. All signage must meet the requirements of the Las Vegas Boulevard Scenic Byway Overlay District.

21. 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 service panel location. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.
22. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

23. Dedicate a 25-foot radius on the northwest corner of Las Vegas Boulevard and Cleveland Avenue.
24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards concurrent with development of this site, except as amended by condition herein.
25. 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.
26. 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.
27. 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.
28. Coordinate with the Collection Systems Planning Section of the Department of Public Works for assistance with determining an appropriate sewer connection point to provide service to this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
29. 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.

30. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
31. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
32. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
33. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
34. 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 public 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

This is a request for a Site Development Plan Review for a proposed 46-story mixed use development including; 246 residential units, 2,345 square feet of commercial space and waivers from Downtown Centennial Plan section DS5.1a to allow no wall alignment where 70 percent of the building street wall is require to align along the edge of the sidewalk or the median setback of existing buildings within the same block or street frontage, and from section DS5.1i to allow no building setbacks where building setbacks are required on the 4th, 11th, and 18th floors on 0.53 acre located at the northwest corner of Las Vegas Boulevard and Cleveland Avenue. Two companion Special Use Permit applications (SUP-12279) and (SUP-12280) will be heard with this item.

EXECUTIVE SUMMARY

The project entails the removal of the existing restaurant structure on the site, and the construction of one 46-story tower. The tower will front on Las Vegas Boulevard with the primary tower being located above an eight-story parking garage. A relatively small café-sized restaurant will be located on the ground level adjacent to the corner of Las Vegas Boulevard and Cleveland Avenue. The amenity deck is located on the 10th floor and features a spa, outside pool and deck, a business center and meeting rooms for residents use.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 04/05/06 | There is no land use or zoning history on file for this parcel. Records show that the current zoning is C-2 (General Commercial). |
| 04/27/06 | The Planning Commission voted to hold this item in abeyance to allow the request and companion requests for Special Use Permits (SUP-12279 and SUP-12280) to be renotified with this Site Development Plan Review, advertising waivers of the Downtown Centennial Plan. |
| 05/25/06 | The Planning Commission recommended approval of companion items SUP-12279 and SUP-12280 concurrently with this application. |
| 05/25/06 | The Planning Commission voted 5-1-1 (sd/rt) to recommend APPROVAL (PC Agenda Item #33/yk). |

B) Pre-Application Meeting

02/28/06 A pre-application meeting was held where it was discussed that a Site Development Plan Review and two Special Use Permits would be required to move this project forward.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.82 acre
Net Acres: 0.53 acre

B) Existing Land Use

Subject Property: Restaurant Use
North: Motel Casino
South: Mini-Market
East: Motel and Bar
West: Apartments

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The Las Vegas Redevelopment Plan designates the parcels C (Commercial), which permits office uses, limited commercial uses, and general commercial uses. The proposed mixed-use development is consistent with the land use designation.

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

Downtown Centennial Plan

The parcel is located within the Northern Strip district, which encourages major hotel-casino projects along Las Vegas Boulevard and Sahara Avenue. Height, setback, parking requirements and other development regulations are not automatically applied to properties within the Downtown Centennial Plan area; however, additional streetscape and architectural requirements are applicable. This proposed project is generally consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

This parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Commercial land use designation. The proposed uses are in conformance with the Redevelopment Plan.

Trails

This development is not adjacent to any Transportation, Recreation, or Urban Trails.

Scenic Byway Overlay District

This project is within the Las Vegas Boulevard Scenic Byway Overlay District which requires all signage to have at least 75% exposed neon. No signage is being considered with this application.

PROJECT DESCRIPTION

The project entails the removal of the existing restaurant structure on the site, and the construction of one 46-story tower. The general description of the project includes:

- Studio, 1-Bedroom, 2-Bedroom and Penthouse Units: Total 246 residential units
- 2,345 square feet of commercial space designed for a café restaurant use
- 7,000 square feet amenity area consisting of pool/spa, health club, meeting room, business center, BBQ areas and landscaping along the perimeter.
- 216 regular parking spaces and 60 tandem parking spaces located within a parking structure: Total 276 parking spaces

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	0.82 Acre	N/A
Min. Lot Width	N/A	140 Feet	N/A
Min. Setbacks			
• Front (LVB)	0 Feet	0 Feet	Y
• Side	N/A	0 Feet	N/A
• Corner (Cleveland)	0 Feet	0 Feet	Y
• Rear	10 Feet	8 Feet	N
F.A.R.	N/A	13.7%	N/A
Max. Lot Coverage	Up to 100%	Not indicated	Y
Max. Building Height	N/A	638 Feet	N/A
Trash Enclosure	Walled/roofed	Yes	Y
Loading Zone	1	1	Y
Mech. Equipment	Screened	Enclosed	Y

The front setback of the building on Sahara Avenue does not comply with the Downtown Centennial requirement for 70% frontage along the front property line, due to the design of the entry driveway. One loading space has been provided at the west side of the building with access off of Cleveland Avenue and meets the requirement based on the commercial square footage. A trash enclosure is shown near the center of the building with direct access to the loading area. The submitted plans would suggest that mechanical equipment will be screened; a condition has been included to establish compliance with the screening requirements contained in the Code.

A2) Residential Adjacency Standards

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of Residential Adjacency Standards. The site is located approximately 840 feet from the nearest single-family property.

A3) Parking and Traffic Standards

Pursuant to Title 19.06.06, properties within the Downtown Overlay District are exempt from the automatic application of the mandatory standard parking requirements. However, the exemption does not prohibit City staff, the Planning Commission, and the City Council from imposing limitations on the approval of a Site Development Plan.

Pursuant to Title 19.10, the following Parking Standards would apply to a similar proposal outside the Downtown Overlay District:

	Units/ GFA	Required			Provided	
		Spaces /Unit	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Dwelling Units						
• Studio	4	1.25	313			
• 1 bedroom	154	1.5	231			
• 2 Bedroom	84	1.75	147			
• Penthouse	4	2	8			
Total	246		699			
Restaurant Café	2,345 SF	1space/ 50 SF & 1space/ 200 SF	Min. of 10	1	246	
Guest Parking		1space/ 6 units	41		8	1
Subtotal			750		22	
Total			750		276	1

Title 19 would require 750 parking spaces (709 regular spaces + 41 guest spaces). This includes parking for approximately 2,345 square feet of retail commercial floor space. The applicant is asking for approval of 276 spaces for this development, which results in a ratio of three spaces per 1,000 square feet for the commercial space (8 spaces), one space for each residential unit (246 spaces), and 22 guest spaces.

The project is located close to public transportation readily available on Las Vegas Boulevard and close to existing and future shopping areas within the downtown, the proposed number of parking spaces is adequate.

Public Works has reviewed the submitted plans for traffic circulation issues, and has not noted any significant concerns.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
East/West Street Cleveland Avenue	1 Shade Tree @ 30' o.c. max. (min. 24" box)	5 Trees	6 Trees
North/South Street Las Vegas Boulevard	1 Palm Tree @ 35' o.c. max. (min. 25' height)	5 Trees	5 Trees
Sidewalk	11' Sidewalk		LVB 10' Cleveland 5'

The proposed streetscape for Las Vegas Boulevard does not include a five-foot amenity area nor is the sidewalk the required width and thus the need for a waiver of these conditions. A waiver is also needed for the Cleveland Avenue frontage as it has only a five-foot wide sidewalk and no amenity area. However, these conditions are mitigated by the unique ground level footprint which includes additional sidewalk wrapping around the restaurant and the additional sidewalk around the lobby area and along the driveway. Staff believes the intent is provided with this layout.

A5) Sign Standards

No information has been submitted relative to proposed signage for the development. Signage shall be reviewed under a separate application, subject to conformance with the requirements of Title 19.06.140 the Las Vegas Boulevard Scenic Byway Overlay District.

B) General Analysis and Discussion

- Zoning

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The residential units are only permitted upon approval of a Special Use Permit; Special Use Permit (SUP-12280) has been filed as a companion case. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements. This project also requires a Special Use Permit for the McCarran Airport Overlay; Special Use Permit (SUP-12279) has been filed as a companion case.

- Site Plan

This project has a rather unique ground floor design in that the driveway snakes through the site off of Las Vegas Boulevard with the commercial space being completely separate from the lobby area of the structure on the southeast corner of the building. The lobby sits nearly in the center of the building with a loading bay just to the west that has access off of Cleveland Avenue so as not to disrupt traffic along busy Las Vegas Boulevard.

- Waivers

The development requires waivers from the Downtown Centennial Plan requirement for building stepbacks, and streetscape treatments. A building stepback is provided at the 9th story of the building, but no additional stepbacks are provided as required on the 11th and 18th floors. The configuration of the building and the modern sleek façade provides sufficient variation to the appearance of the building, and is consistent with the design goals of the Centennial Plan. Finally, the applicant has requested a waiver from the streetscape requirements due to the reduced width of the sidewalks along both Cleveland Avenue and Las Vegas Boulevard. Although a five-foot wide amenity area is not included, the required amount of trees is being installed along both street frontages as required.

- Elevation

Contemporary materials are used on the building exterior, which include sandstone composite panels, terracotta perforated screen block, painted pre-cast concrete, painted E.I.F.S., brushed stainless steel and curtain wall system with low reflective glass not exceeding 22%. There is significant variation in the façade on the lower nine levels that clearly indicates where the commercial and garage levels end and the residential units begin. However, there is enough vertical articulation that extends down to the foundation to unite the building as one entity.

- Floor Plan

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation with the structures. The amenities for the residential units will be located atop the parking structure.

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 compatible with adjacent development, and will assist in improving the jobs/housing balance in the area.

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

The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements.

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

The traffic circulation for the site has been designed so as to reduce impacts to Las Vegas Boulevard and the surrounding neighborhood with the unique driveway that snakes through the project. This allows plenty of stacking room for high-traffic times.

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

The proposed landscape materials are appropriate for the area and conforms closely to the Downtown Centennial Plan requirements. The proposed building materials are appropriate for the area and 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;"**

Adequate care has been exercised in detailing the building facades in order to create an orderly and harmonious appearance between the tower and the attached parking structure. At the same time there are vertical architectural elements that unite the structure as a whole.

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

The development will be subject to ongoing inspections and therefore will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 95 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-12278** APN: 142-04-813-075

Name of Property Owner: ADAS LLC and VIKAS INVESTMENT PTYS LLC

Name of Applicant: JMA Architecture studios

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: N/A

Partner(s): N/A

APN: N/A

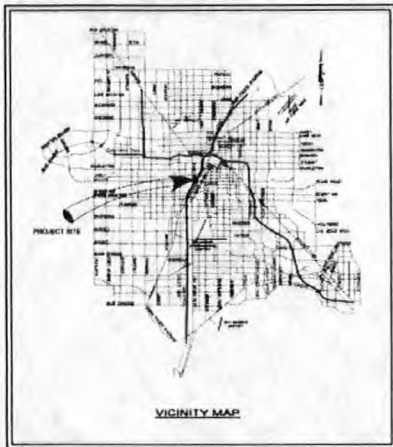
Signature of Property Owner: NASSIM BAYAT

Print Name: NASSIM BAYAT

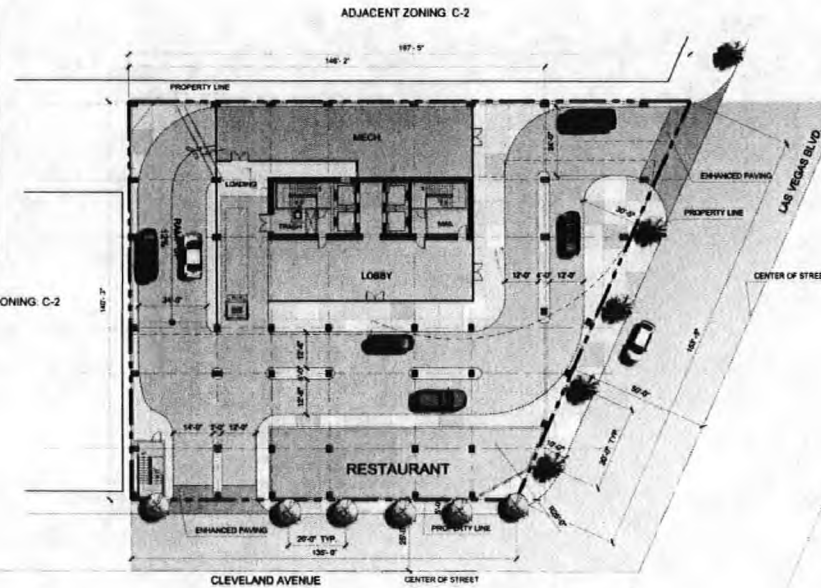
Subscribed and sworn before me

This 8th day of March, 2006
Coral Suckow, Orange, California
Notary Public in and for said County and State





ADJACENT ZONING: C-2



SITE DATA

SITE ACREAGE:	0.53 ACRES (NET) 0.82 ACRES (GROSS)
APN#:	#162-04-813-075
CURRENT ZONE:	C - 2
PROPOSED ZONE:	C - 2
FAR	13.7
PROPOSED DENSITY:	300 du/ac

NUMBER OF UNITS:	246
NUMBER OF STORIES:	46

FLOOR AREA

1. TOTAL RESIDENTIAL FLOOR AREA: (BALCONY NOT INCLD.)	339,626 S.F.
2. TOTAL PARKING AREA:	134,574 S.F.
3. LOBBY/MEP/PUBLIC AREA:	5,836 S.F.
4. RESTAURANT AREA:	2,345 S.F.
5. AMENITIES:	7,000 S.F.
6. OUTDOOR PODIUM AREA:	15,429 S.F.

TOTAL GROSS AREA:	489,383 S.F.
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PARKING ANALYSIS

1 AND 2 BEDROOM: 1 SPACE PER UNIT (246 UNITS)	246 SPACES
COMMERCIAL PARKING: 3:1,000 S.F. (2,345 S.F.)	8 SPACES
TOTAL PARKING REQUIRED:	254 SPACES

PARKING PROVIDED:	276 SPACES
-------------------	------------

REGULAR PARKING	216 SPACES
TANDEM PARKING	60 SPACES

RECEIVED
MAR 10 2006

JMA ARCHITECTURE STUDIOS

JMA #200501176

0 20' 40'
SCALE: 1" = 20'



10150 DOVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2030
WWW.JMAARCH.COM

Date: MARCH 6, 2005

DR-00

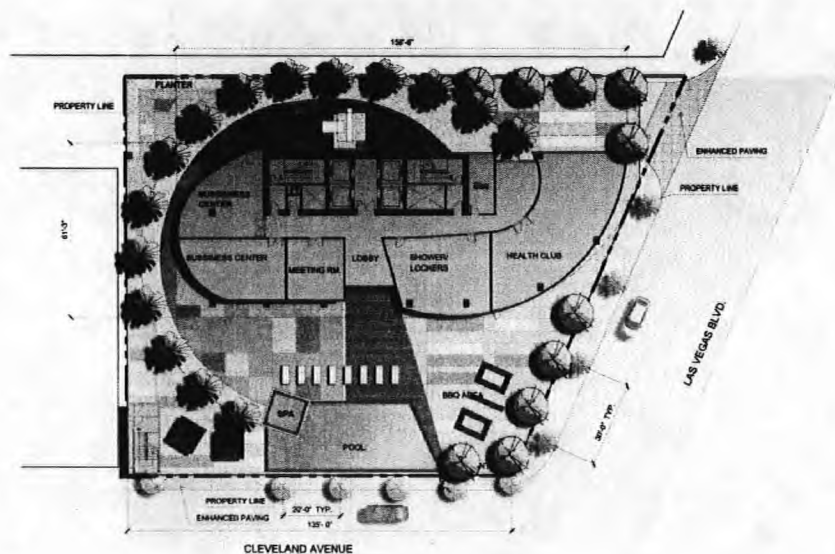
LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

SITE PLAN

SDR-12278

04/27/06 PC



LANDSCAPE LEGEND	SIZE	QUANTITY
HERITAGE LIVE OAK QUERCUS VIREGIANA HERITAGE	24" BOX 2-1/2"C	20
WASHINGTONIA ROBUSTA MEXICAN FAN PALM	30" HIGH	20

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

LANDSCAPE PLAN

CITY OF LAS VEGAS,
NEVADA

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MAR 10 2006

JMA #200501176

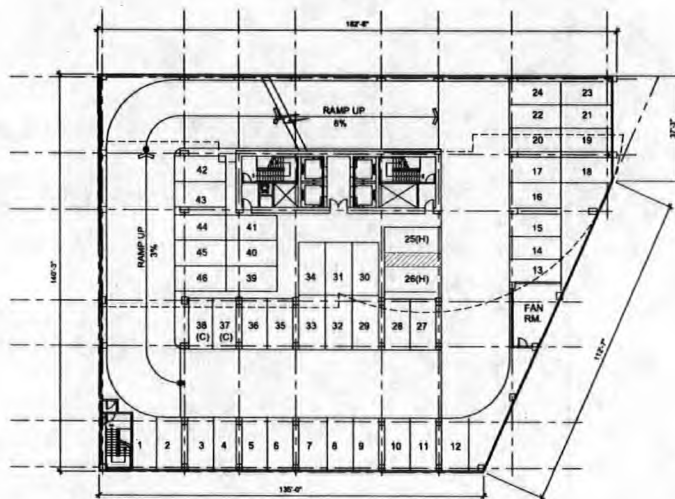
SCALE: 1"= 20'
NORTH

10150-BOWLING GREEN DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2039
WWW.JMAARCH.COM

SDR-12278
04/27/06 PC

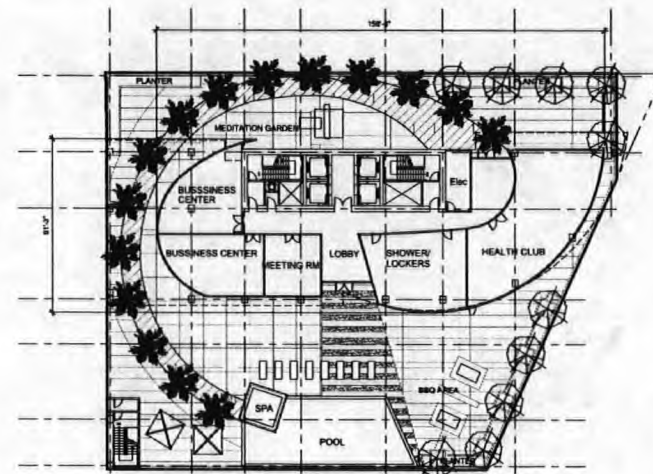
Date: MARCH 6, 2005

DR-01



LEVEL 2-7

TOTAL: 48 spaces/9 X 8 = 368 spaces



LEVEL 8 - PODIUM

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

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MAR 10 2006

JMA #200503176

SCALE: 1" = 20'

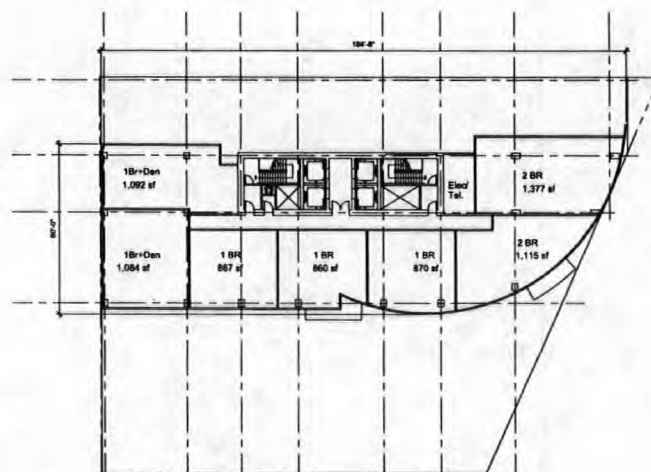


10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89146
PHONE: (702) 791-2003
FAX: (702) 791-2008
WWW.JMAARCH.COM

Date: MARCH 6, 2005

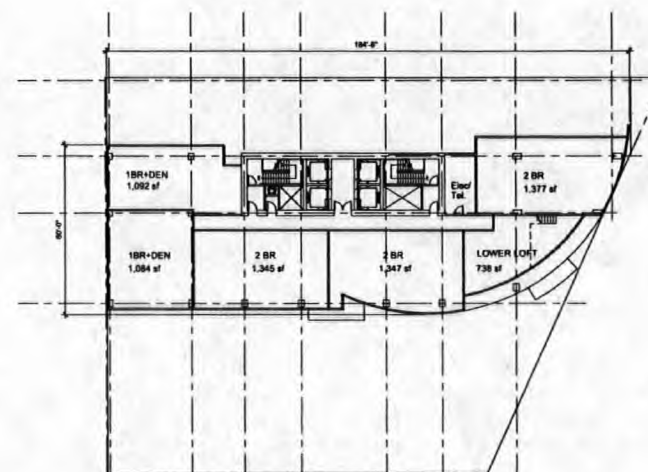
DR-02

SDR-12278
04/27/06 PC



LEVELS 9 - 32

7 units/ft X 24 = 168 units



LEVELS 33, 35, 37, 39

8 units/ft X 4 = 24 units

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

RECEIVED
MAR 10 2006

Date: MARCH 6, 2005

JMA #200501176

SCALE: 1" = 20'

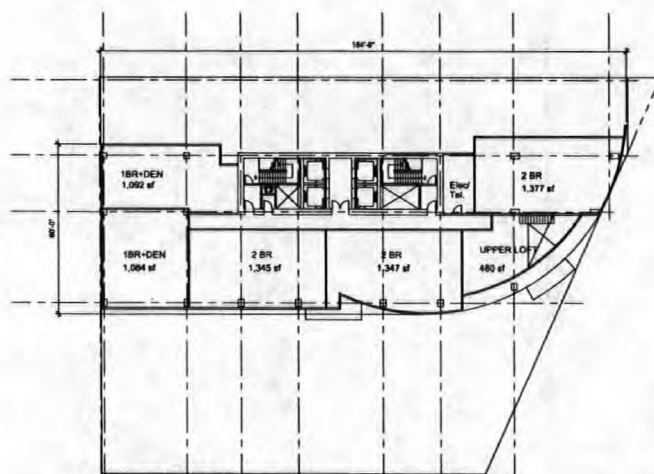


10150 COWBOY CREEK DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-8233
FAX: (702) 731-8238
WWW.JMAARCH.COM

SDR-12278

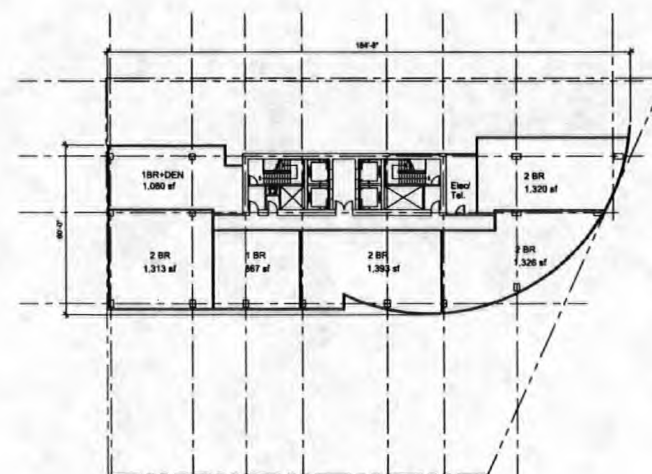
04/27/06 PC

DR-03



LEVELS 34, 36, 38, 40

5 units/ft X 4 = 20 units



LEVELS 41

6 units

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

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MAR 10 2006

JMA #200501176

SCALE: 1" = 20'
NORTH

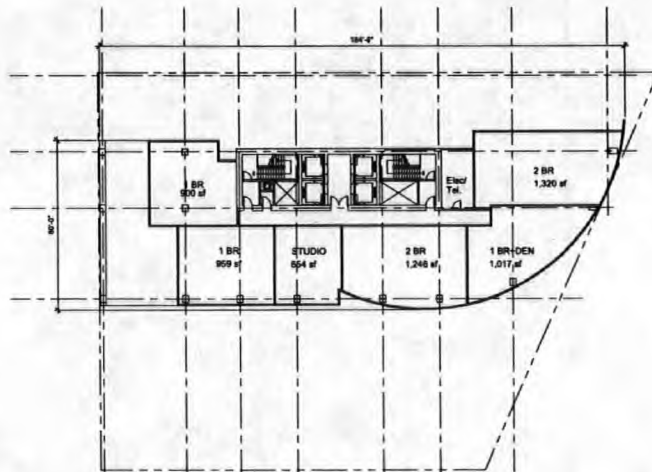
10155 CONVENTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2038
WWW.JMA-ARCH.COM

SDR-12278

04/27/06 PC

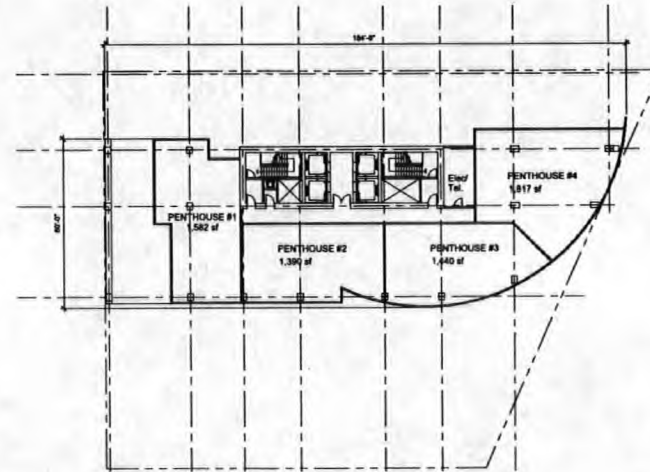
Date: MARCH 6, 2005

DR-04



LEVELS 42 - 45

8 units/br X 4 br = 24 units



LEVELS 46- PENTHOUSE

4 units

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

RECEIVED
MAR 10 2006

Date: MARCH 6, 2005

JMA #200501176

0 20 40
SCALE: 1" = 20'
NORTH

10130 COWHOLLOW DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-0553
FAX: (702) 731-0558
WWW.JMAARCH.COM

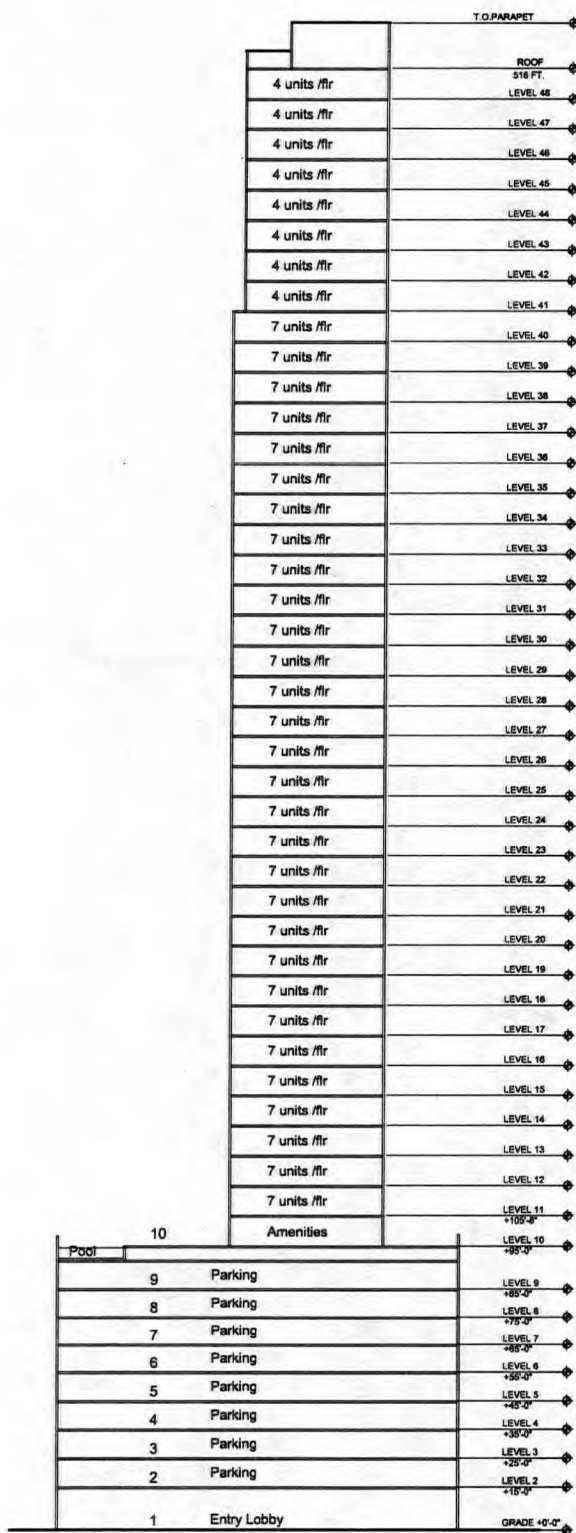
SDR-12278

04/27/06 PC

DR-05

CITY OF LAS VEGAS,
NEVADA

LAS VEGAS BLVD. / CLEVELAND ALLIANT DEV.



SECTION DIAGRAM

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MAR 10 2006

10100 CONVENTION CROSS DRIVE
LAS VEGAS, NV 89168
FAX: (702) 731-0080
WWW.JMAARCH.COM

JMA #200601176

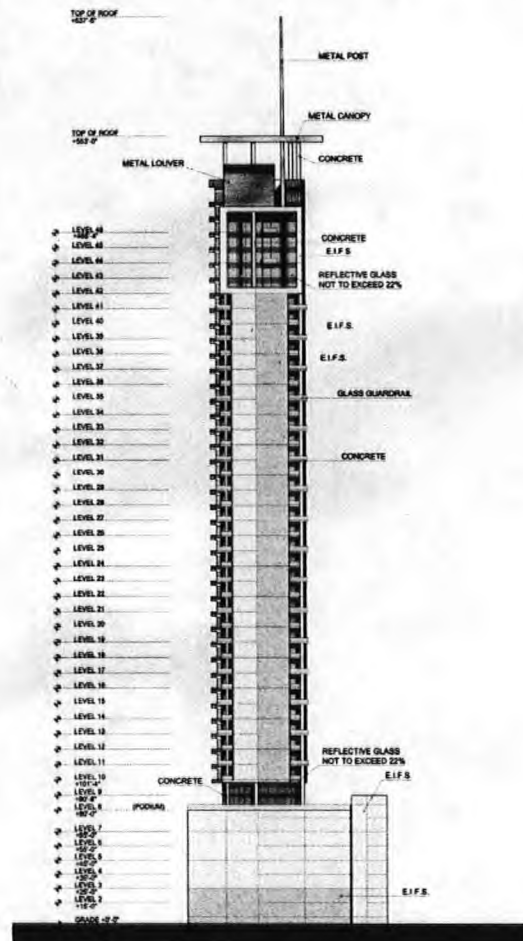
Date: MARCH 6, 2005

DR-06

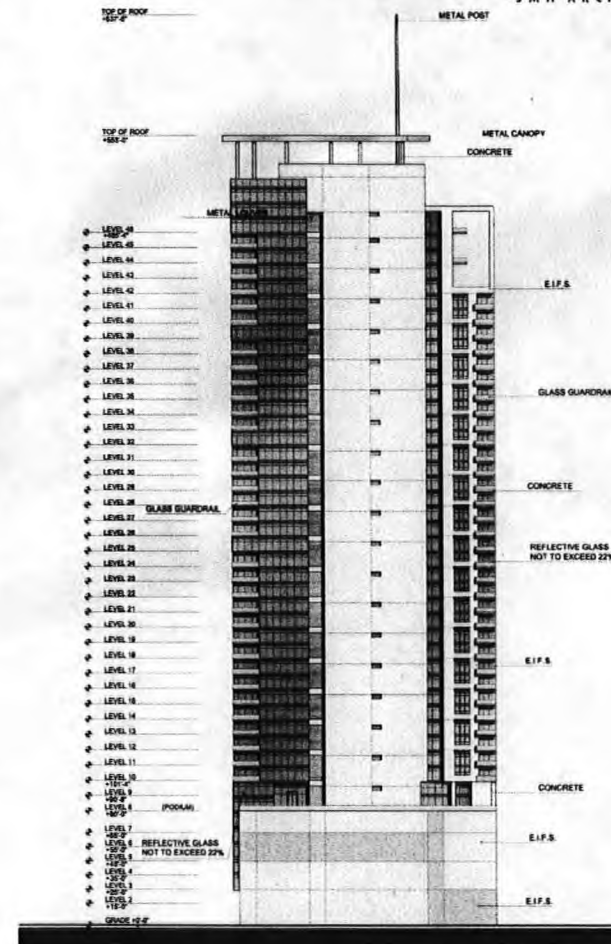
JMA ARCHITECTURE STUDIOS

SDR-12278

04/27/06 PC



WEST ELEVATION



NORTH ELEVATION

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

0 40 80
SCALE: 1"=40'

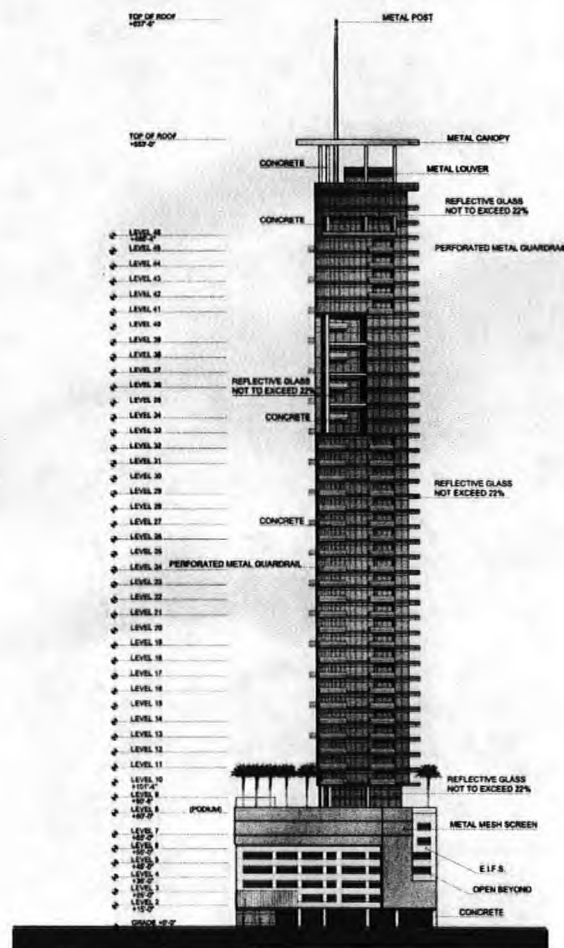
JMA #200501176

10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2039
WWW.JMAARCH.COM

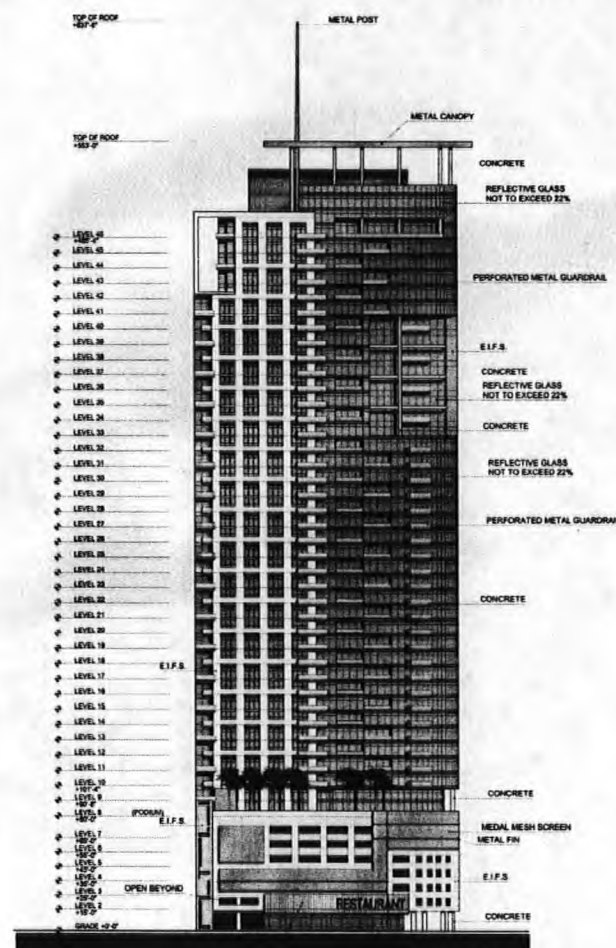
SDR-12278
04/27/06 PC

Date: MARCH 6, 2005

DR-07



EAST ELEVATION



SOUTH ELEVATION

LAS VEGAS BLVD./ CLEVELAND ALLIANT DEV.

CITY OF LAS VEGAS,
NEVADA

0 40 80
SCALE: 1"=40'

SDR-12278

04/27/06 PC

10150 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2033
FAX: (702) 731-2036
WWW.JMAARCH.COM

Date: MARCH 6, 2005

DR-08

SDR 12278				
JMA Architecture Studios				
2210 South Las Vegas Boulevard				
Proposed 246 multi-family dwelling unit development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	246	5.86	1,442
AM Peak Hour			0.44	108
PM Peak Hour			0.52	128
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Cleveland Avenue				
Average Daily Traffic (ADT)	763			
PM Peak Hour	61			
(heaviest 60 minutes)				
Las Vegas Boulevard				
Average Daily Traffic (ADT)	25,950			
PM Peak Hour	2076			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Cleveland Avenue	15300			
Las Vegas Boulevard	32600			
This project will add approximately 1,442 trips per day on Cleveland and Las Vegas. This will increase expected volumes by about 189 percent on Cleveland and about 6 percent Las Vegas. Cleveland is at about 5 percent of capacity and Las Vegas is at about 80 percent of capacity. Note that the restaurant is an existing use, expected to remain.				
Based on Peak Hour use, this development will add roughly 128 additional cars into the area; which works out to about twenty-four every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-12279, SUP-12280 & SDR-12278 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: ADAS, LLC
2210 SOUTH LAS VEGAS BOULEVARD
MAY 25, 2006 PLANNING COMMISSION

04/10/06



SUP-12279, SUP-12280 & SDR-12278 - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: ADAS, LLC
2210 SOUTH LAS VEGAS BOULEVARD
MAY 25, 2006 PLANNING COMMISSION

04/10/06

SDR 12278				
JMA Architecture Studios				
2210 South Las Vegas Boulevard				
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	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
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(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Cleveland Avenue				
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Las Vegas Boulevard				
Average Daily Traffic (ADT)	25,950			
PM Peak Hour	2076			
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Adjacent street ADT				
Capacity				
Cleveland Avenue	15300			
Las Vegas Boulevard	32600			
This project will add approximately 1,442 trips per day on Cleveland and Las Vegas. This will increase expected volumes by about 189 percent on Cleveland and about 6 percent Las Vegas. Cleveland is at about 5 percent of capacity and Las Vegas is at about 80 percent of capacity. Note that the restaurant is an existing use, expected to remain.				
Based on Peak Hour use, this development will add roughly 128 additional cars into the area; which works out to about two every minute.				
Note that this report assumes all traffic from this development uses all named streets.				

March 10, 2006

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

RE: Las Vegas Boulevard and Cleveland
Justification Letter / Project Description
JMA No. #200501176

APN: 162-04-813-075

Dear Sir or Madam:

We are requesting a Site Development Plan Review, Special Use Permit and a Waiver of Design Standard for the development of a 46 story, 246-unit residential condominium project. The project also consists of 2,345 square feet of associated restaurant space, 7,000 square feet of associated amenity space and 276 parking spaces in a structured parking garage. This development will be located on the corner of Las Vegas Boulevard and Cleveland in the downtown redevelopment area. The General Plan designation is General Commercial and the site is zoned C-2.

The Special Use permit is requested for mixed-use in a C-2 zone classification. The Waiver of Design Standard is requested for step back requirement, landscape and build-to line as described in the Las Vegas Downtown Centennial Plan. Because of the very small site and operational functions, we are unable to accommodate these requirements.

The proposed building does step back at the 9th level and the project is built to the property line on the north, west and south side. At ground level, on the east side of the project the building is not built to the property line to allow for pedestrian and vehicular access.

Contemporary materials are used on the building exterior, which include sandstone composite panels, terracotta perforated screen block, painted pre-cast concrete, painted E.I.F.S., brushed stainless steel and curtain wall system with low reflective glass not to exceed 22%.

If you should have any questions regarding this application, please do not hesitate to call our office. Thank you.

Sincerely,



Cherie L. Guzman
Senior Designer/
Entitlements Coordinator

SDR-12278
04/27/06 PC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 21, 2006

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:

AB - 2413 Elliot Key Drive, AB - 4049 Elkridge Drive; SUP-11444, SUP-12177, SUP-13198, SUP-13209, SUP-13271, SUP-13410, VAC-13136, VAC-13244, VAC-13158, VAR-12102, VAR-13201, VAR-13245, AND VAR-13505 - 7/12/2006 AGENDA\

MEETING RECESSED AT 2:57 P.M.

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JUNE 21, 2006

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, shared her experience with Nellis Air Force Base and mental health issues. She was under the impression that people were administered drugs that had not undergone review by the Food and Drug Administration and she requested that all injections be reported.

(7:14 - 7:17)

5-1624

DON DIHAR, local resident, stated he performs volunteer work for Veterans and senior advocates at no charge. He reported issues of transportation that affect senior citizens and requested guidance. Many taxicab services only provide service to the Strip and although the Taxicab Authority has been informed of this concern, nothing has been done to address this situation. MR. DIHAR stated that the C.A.T. bus system is allowed to operate with zero passengers and does not take into consideration those who are not as fortunate to be able to walk fast enough to catch a bus. MAYOR GOODMAN stated that the Council is unable to take action but he acknowledged the matter. COUNCILWOMAN TARKANIAN requested MR. DIHAR provide contact information to the City Managers.

(7:17 - 7:22)

5-1745

MEETING ADJOURNED AT 7:22 P.M.