

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED TWO YEAR REVIEW

RQR-13989 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: LAMAR ADVERTISING - OWNER: CITY PARKWAY IV A, INC. - Required Two-Year Review of an approved Special Use Permit (U-0238-91) WHICH ALLOWED A 50-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN 139-27-401-031), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

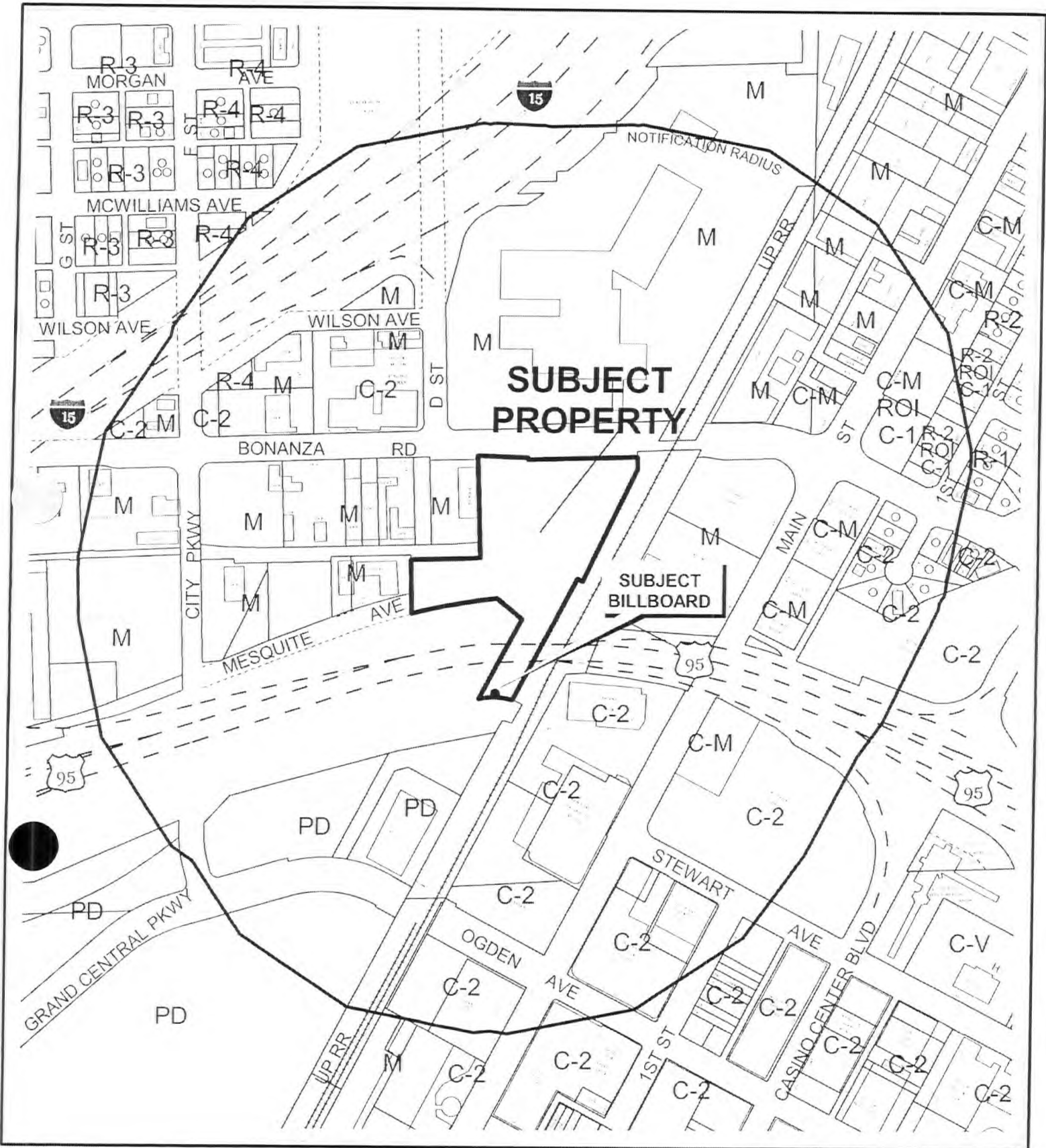
BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting documentation
4. City Council approval letter for RQR-6252
5. City Council approval letter for RQR-1993
6. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner Renshaw & Ferrario
7. Backup referenced from the 07-27-06 Planning Commission meeting Item 14

Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)



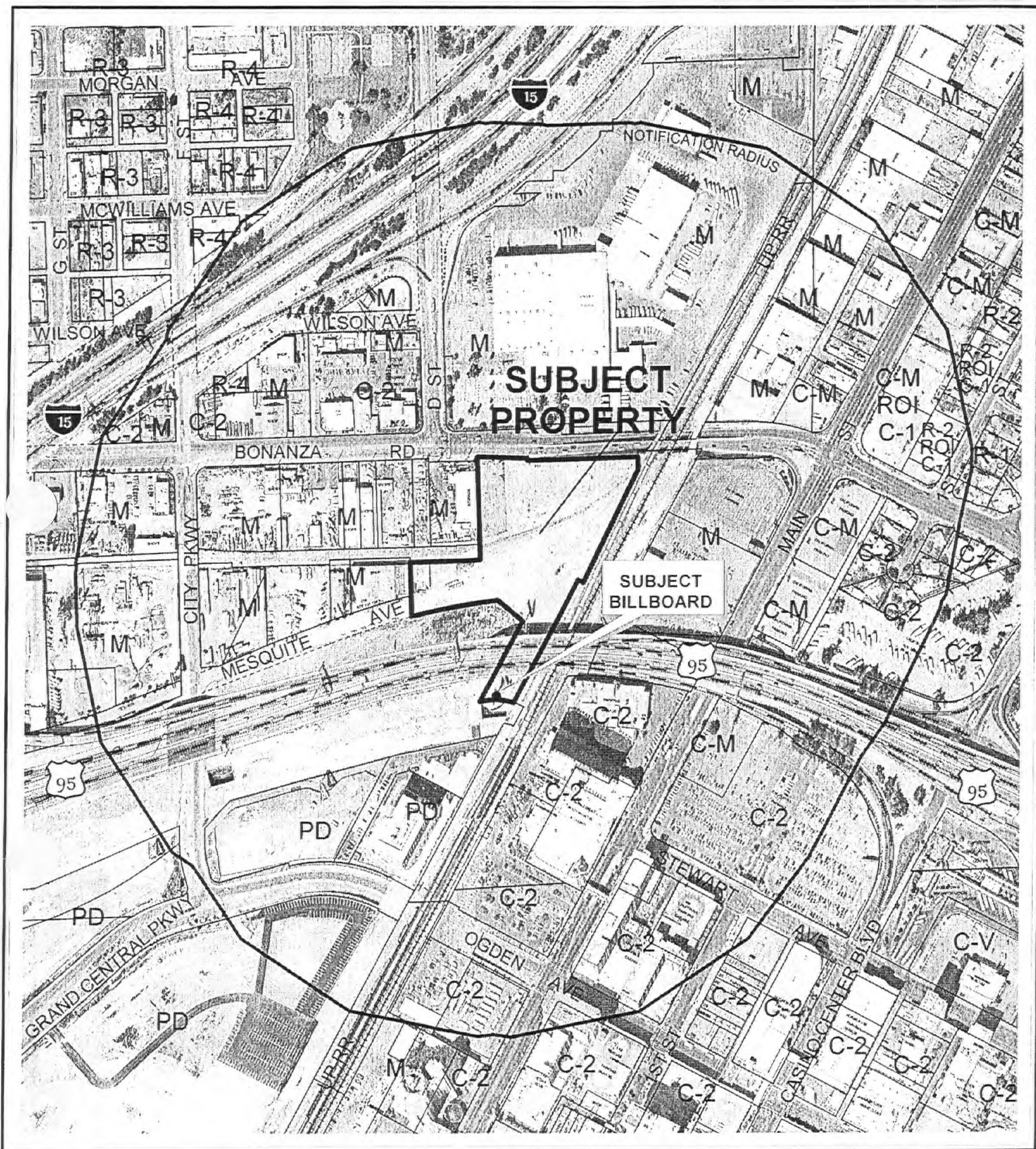
CASE: **RQR-13989**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 400 800 Feet





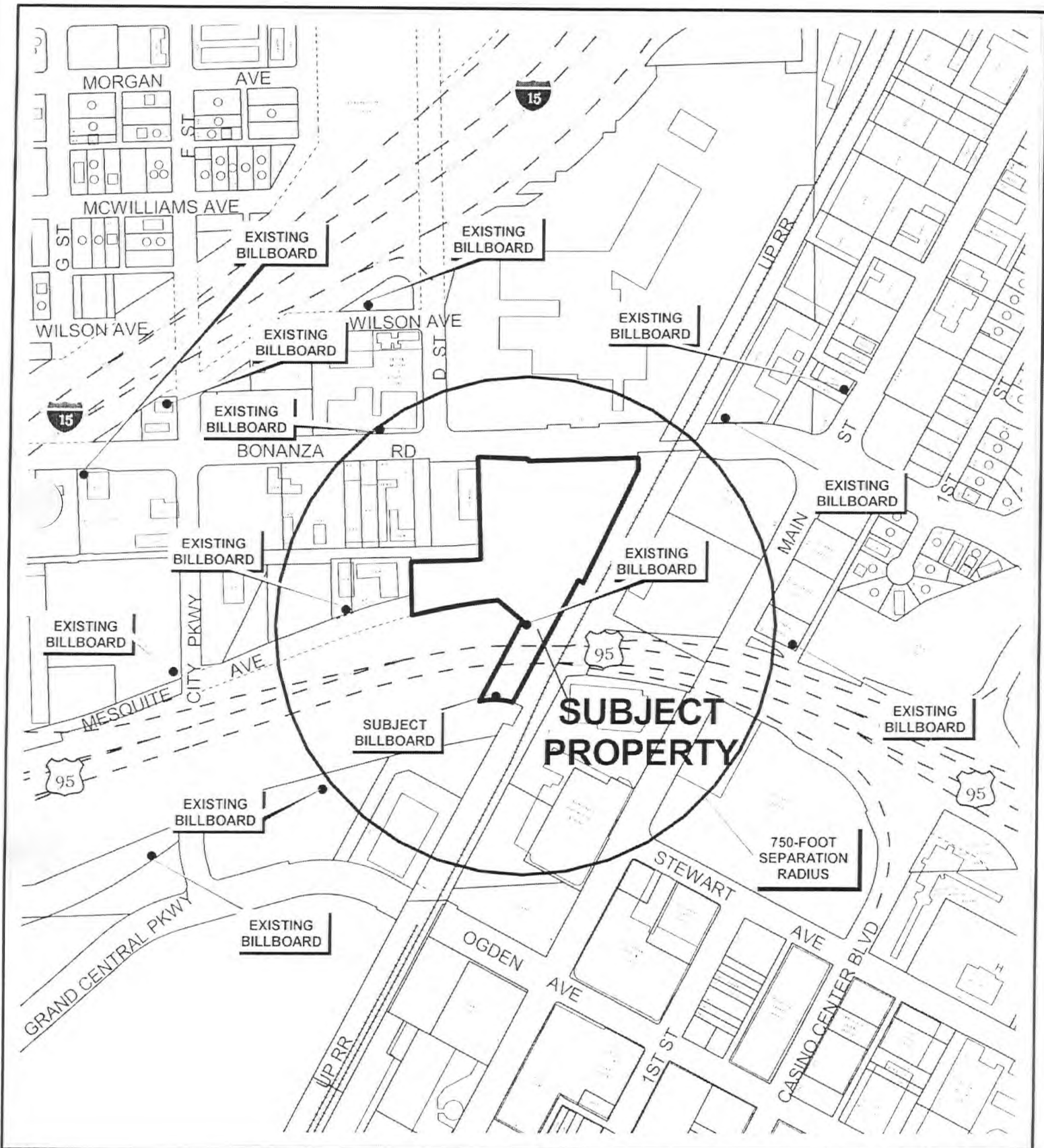
CASE: **RQR-13989**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 400 800 Feet





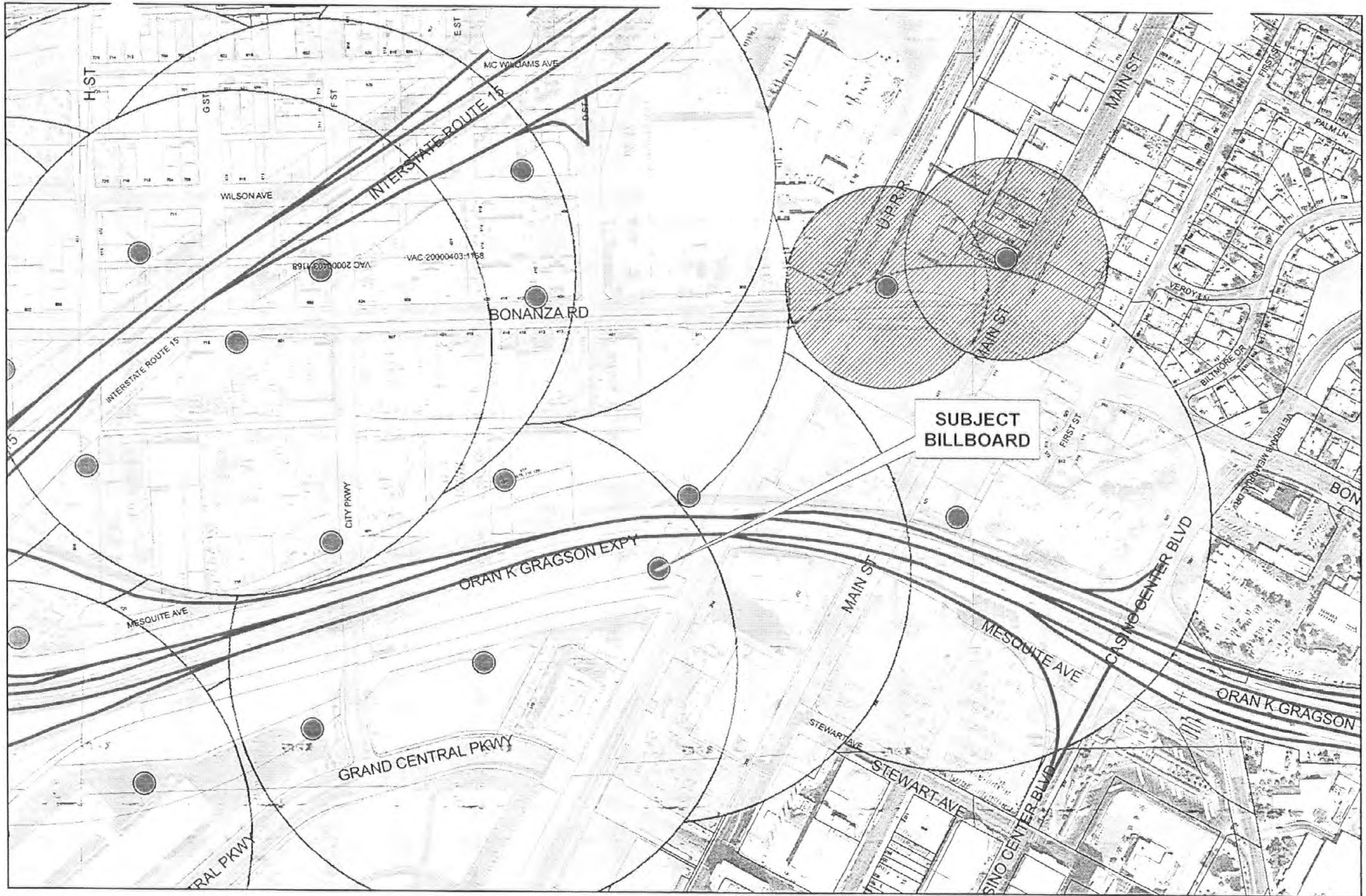
CASE: **RQR-13989**

SEPARATION RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 400 800 Feet





RQR-13989

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: OCTOBER 18, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RQR-13989 - APPLICANT: LAMAR
ADVERTISING - OWNER: CITY PARKWAY IV A, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend 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. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
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 sign.
5. Only one advertising sign is permitted per sign face.
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 Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Required Two Year Review of an approved Special Use Permit (U-0238-91), which allowed a 50 foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street.

EXECUTIVE SUMMARY

This is the seventh review of the subject Off-Premise Advertising (Billboard) Sign. A site inspection revealed that the sign is in good condition. The sign has never received a final inspection. A condition of approval has been included, which requires a building permit within thirty (30) days of approval. Therefore, staff can support the subject Required Review and recommends approval of the subject application.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 05/20/92 | The City Council approved the Special Use Permit (U-0238-91), which allowed the 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on this site subject to a 5-year review. The Board of Zoning Adjustment recommended approval on 10/24/91. |
| 05/27/97 | The City Council approved the Required Five-Year Review for the Special Use Permit [U-238-91(1)], which allowed the 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on this site subject to a 2-year review. The Board of Zoning Adjustment recommended approval on 05/06/97. |
| 06/28/99 | The City Council approved a Required Two Year Review [U-0238-91(2)]for an approved Special Use Permit on property located on the south side of Oran K. Gragson Highway (U.S. 95) between 'F' Street and Main Street, which allowed a 14-foot, by 48-foot Off-Premise Advertising (Billboard) Sign. The Planning Commission recommended approval on 05/27/99. |
| 02/21/01 | The City Council approved a Required Two Year Review [U-0238-91(3)] for an approved Special Use Permit on this property, which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign subject to a one-year review. The Planning Commission and staff recommended approval on 11/16/01. |

- 04/03/02 The City Council approved a Required One-Year Review [U-0238-91(4)] for an approved Special Use Permit on this property, which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign on this site subject to a one-year review. The Planning and staff Commission recommended approval on 02/28/02.
- 05/21/03 The City Council approved a Required One Year Review (RQR-1993) of an approved Special Use Permit [U-0238-94(4)] which allowed a 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street. The Planning Commission and staff recommended approval on 04/24/03.
- 07/06/05 The City Council approved a Required Two-Year Review (RQR-6252) of an approved Special Use Permit (U-0238-91) which allowed one 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street. The Planning Commission and staff recommended approval on 05/26/05.
- 07/27/06 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #14/bts).

B) Pre-Application Meeting

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

C) Neighborhood Meetings

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

D) Building Permit History

A building permit for the subject billboard was issued on 11/02/05, but a final inspection was never completed. A condition of approval has been added, which requires a final inspection within thirty (30) days of approval.

E) Site Inspection Information

A Site Inspection was completed on 06/26/06. The inspection revealed that the sign is in good condition. Also, there were no embellishments on the subject sign. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 5.25

B) Existing Land Use

Subject Property: Undeveloped
 North: US-95 Freeway
 South: Office Building
 East: Union Pacific Railroad
 Hotel/Casino
 West: Undeveloped
 U. S. 95 Freeway

C) Planned Land Use

Subject Property: MXU (Downtown Mixed-Use)
 North: US-95 Freeway
 South: MXU (Downtown Mixed-Use)
 East: C (Downtown Commercial)
 West: US-95 Freeway

D) Existing Zoning

Subject Property: M (Industrial)
 North: US-95 Freeway
 South: PD (Planned Development)
 East: C-2 (General Commercial)
 West: US-95 Freeway

E) General Plan Compliance

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area		
Special Overlay District	X	
Parkway Center		
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
Inter-local Agreement Joint Land Use Planning Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Redevelopment Plan Area and Parkway Center

This site is located within the Redevelopment Area and the Parkway Center Development Area. The Parkway Center Development Standards indicate that interim billboards are permitted but new billboards are prohibited. The property is designated MXU (Mixed Use) within the Redevelopment Plan. The existing M (Industrial) zoning is compatible with this land use.

This site has two trails that run through the site. One is along the west side of the Union Pacific Railroad tracks, and the other is along the south side of Bonanza Road. However, neither trail will affect the location of the existing Off-Premise Advertising (Billboard) Sign.

ANALYSIS

A) Zoning Code Compliance

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

Standards	Code Requirement	Provided
Off-Premise Advertisement (Billboard)	At least 750 feet from another Off Premise Sign along the same freeway frontage and 300 feet from any other Off Premise Sign	No 350 feet from another billboard
Off-Premise Advertisement (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	YES 1150 feet from "R" zoned properties

The submitted site plan shows the billboard being at least 300 feet from any "U" or "R" zoning district. However, the sign is located approximately 350 feet from another off-premise sign along the south side of the U. S. 95 Freeway and 280 feet from an existing sign on the north side of the freeway. The 750-foot and 300-foot distance requirements were not in place when the sign was originally approved.

B) General Analysis and Discussion

- Zoning

The existing Off-Premise Advertising (Billboard) Sign is allowed in the M (Industrial) zoning district with the approval of a Special Use Permit.

- Use

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards of the Code. The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is appropriate; however, there has been new development in the vicinity with the new Internal Revenue Service building, Molasky building and World Market Center. Since there is new development in the area, it is recommended that this use be subject to a review again in two years.

- Conditions of approval from Required Review (RQR-6252)

1. Any part of an embellishment not in conformance with Title 19 requirements shall be removed immediately.
2. 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.
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. If the existing Off-Premise Advertising Sign Structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
5. All City Code requirements and design standards of all City Departments shall 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.”**

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards of the Code. The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is appropriate; however, there has been new development in the vicinity with the new Internal Revenue Service building, Molasky building and World Market Center. Since there is new development in the area, it is recommended that this use be subject to a review again in two years.

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

The site is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign use.

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

The Off-Premise Advertising (Billboard) Sign use does not generate any additional traffic to this site and will not require provisions for additional 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 Off-Premise Advertising (Billboard) Sign use does not compromise the public health, safety, and welfare, as it is subject to the provisions of the Sign Code and the Uniform Building Code

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 51 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-13989** APN: 139-27-401-031

Name of Property Owner: City Parkway IV A ~~LLC~~ Inc.

Name of Applicant: Lamar Advertising

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

V	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: _____

on behalf of our ver

Subscribed and sworn before me

This 17th day of March, 2006

Notary Public in and for said County and State



MARLO C. SIMPSON
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 05-101149-1
MY APPT. EXPIRES OCT. 27, 2009

APN 139-27-401-031

U.P.R.R.

U.S. 95



MAIN STREET STATION

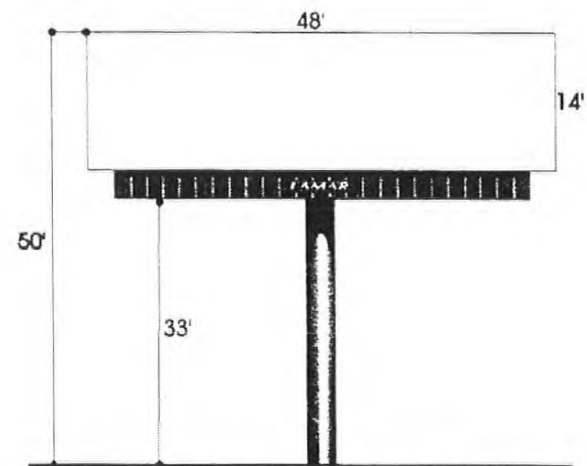
RECEIVED
JUN 10 2006

RECEIVED

RQR-13989
07/27/06 PC

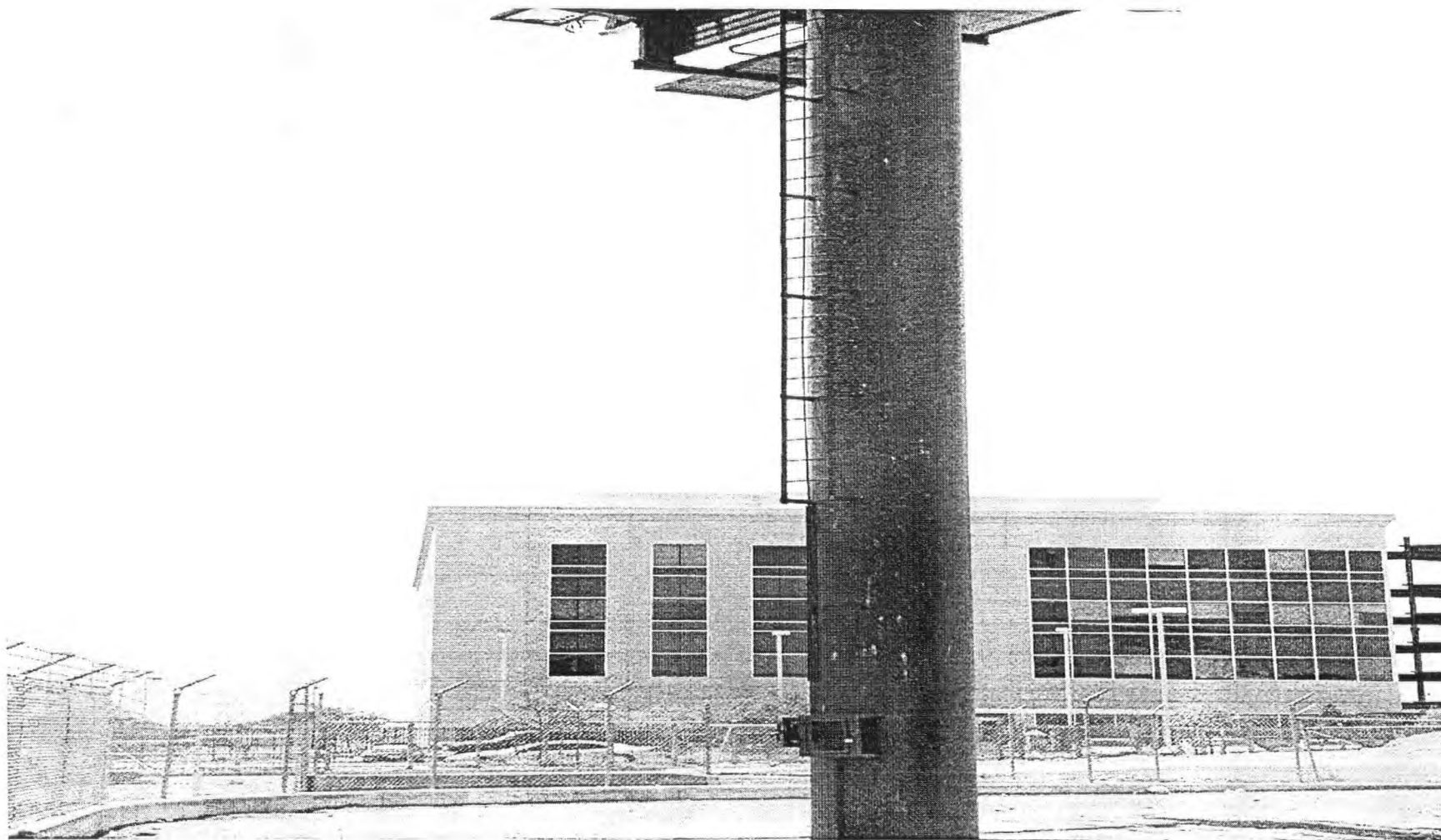


VICINITY MAP (NO SCALE)



ELEVATION (NO SCALE)

LAMAR OUTDOOR ADVERTISING		
SCALE	DATE	DRAWN BY
1" = 50'	02/10/02	S.NAFTZGER
U.S. 95 CITY PARKWAY SIGN		
APN 139-27-401-031		DRAWING NUMBER
		000



RQR-13989 - APPLICANT: LAMAR ADVERTISING - OWNER: CITY PARKWAY IV A, INC.
SOUTH SIDE OF ORAN K. GRAGSON HIGHWAY (U.S. 95) BETWEEN "F" STREET AND MAIN STREET
JULY 27, 2006 PLANNING COMMISSION

06/26/06



RQR-13989 - APPLICANT: LAMAR ADVERTISING - OWNER: CITY PARKWAY IV A, INC.
SOUTH SIDE OF ORAN K. GRAGSON HIGHWAY (U.S. 95) BETWEEN "F" STREET AND MAIN STREET
JULY 27, 2006 PLANNING COMMISSION

06/26/06



RQR-13989 - APPLICANT: LAMAR ADVERTISING - OWNER: CITY PARKWAY IV A, INC.
SOUTH SIDE OF ORAN K. GRAGSON HIGHWAY (U.S. 95) BETWEEN "F" STREET AND MAIN STREET
JULY 27, 2006 PLANNING COMMISSION

06/26/06



July 7, 2005

Mr. Scott Adams
City Parkway IV A, Inc.
400 Las Vegas Boulevard South
Las Vegas, Nevada 89101

RE: RQR-6252 – REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JULY 6, 2005

Dear Mr. Adams:

The City Council at a regular meeting held July 6, 2005 APPROVED the Required Two-Year Review of an approved Special Use Permit (U-0238-91) WHICH ALLOWED ONE 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN 139-27-401-031), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 7, 2005. This approval is subject to:

Planning and Development

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

RQR-13989
07/27/06 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
JOE WOLFSON
JAMES TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011

TTY 702.386.9108

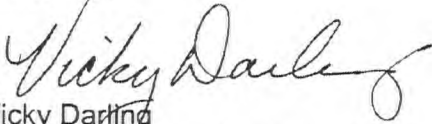
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

Mr. Scott Adams
RQR-6252 – Page Two
July 7, 2005

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

Sincerely,



Vicky Darling
Assistant Deputy City Clerk for
Barbara Jo Ronemus, City Clerk

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

Mr. Scott Naftzger
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-13989
07/27/06 PC



May 27, 2003

Ms. Lesa Coder
City Parkway IV A, Inc.
400 Stewart Avenue
Las Vegas, Nevada 89101

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)

M EL J. McDONALD
RYRY BROWN
LYNE LITE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

RE: RQR-1993 - REQUIRED ONE YEAR REVIEW
CITY COUNCIL MEETING OF MAY 21, 2003

Dear Ms. Coder:

The City Council at a regular meeting held May 21, 2003 APPROVED the Required One Year Review of an approved Special Use Permit [U-0238-94(4)] WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the south side of Oran K. Gragson Highway (U.S. 95) between "F" Street and Main Street (APN: 139-27-401-031), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on May 22, 2003. This approval is subject to:

Planning and Development

1. This Use shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. The existing off-premise advertising (billboard) sign shall be reviewed as part of any Site Development Plan Review application for that parcel it is located on. Conditions may be added for the off-premise advertising (billboard) sign to be removed or redesigned.
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

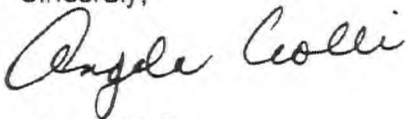
RQR-13989
07/27/06 PC

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

Ms. Lesa Coder
RQR-1993 – Page Two
May 27, 2003

4. All of the supporting structure, were there is graffiti, shall be repainted as required by the Planning and Development Department, within 30 days of final approval by City Council. Failure to perform the required painting may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. Only one advertising sign is permitted per sign face.
6. 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 requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,



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

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

Mr. Scott Naftgzer
Lamar Outdoor Advertising
1863 Helm Drive
Las Vegas, Nevada 89119

RQR-13989
07/27/06 PC

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

JENNIFER LAZOVICH

jlaazovich@kkbrf.com
702.792.7050

LAS VEGAS OFFICE
3600 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7191

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.652.3800
Fax: 775.652.3882

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4250
Fax: 702.939.8457

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

October 16, 2006

VIA FACSIMILE

382-4803

Barbara Jo Ronemus
CITY OF LAS VEGAS
CITY CLERK
400 Stewart Ave.
Las Vegas, NV 89101

2006 OCT 17 A 10:47

RECEIVED
CITY CLERK

**Re: Request to hold (RQR-13989) - Item# 131
Applicant: Lamar Outdoor Advertising
City of Las Vegas City Council Meeting
October 18, 2006**

Dear Ms. Ronemus:

On behalf of the applicant, we respectfully request that the above referenced application scheduled to be heard by the City of Las Vegas City Council on October 18, 2006 be held until the **November 15, 2006** City of Las Vegas City Council meeting. The additional time is needed to continue working with Staff.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO

J. Lazovich

Jennifer Lazovich

JJL/kd



255592_1.DOC

Submitted after final review

Date 10/17/06 Item #131

10295.108

**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**

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: RQR-13989 - APPLICANT: LAMAR ADVERTISING - OWNER: CITY PARKWAY IV A, INC.**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **July 27, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Carman Burney at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

A handwritten signature in black ink, appearing to read "Steve Van Gorp", is written over a horizontal line.

Signature

7-21-06

Date

STEVE VAN GORP

Please print name

REDEVELOPMENT MANAGERCITY OF LAS VEGAS, ON BEHALF OF

Company Name

CITY PARKWAY IV A, INC.

Sincerely,

Flinn Fagg, AICP, Manager
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED FIVE YEAR REVIEW

RQR-15054 - PUBLIC HEARING - APPLICANT/OWNER: ECT HOLDINGS, LLC - Required Five Year Review of an approved Variance (V-0068-90) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN 290 FEET FROM AN EXISTING BILLBOARD WHERE 300 FEET IS THE MINIMUM SEPARATION DISTANCE REQUIRED at 1200 East Charleston Boulevard (APN 162-02-110-014), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

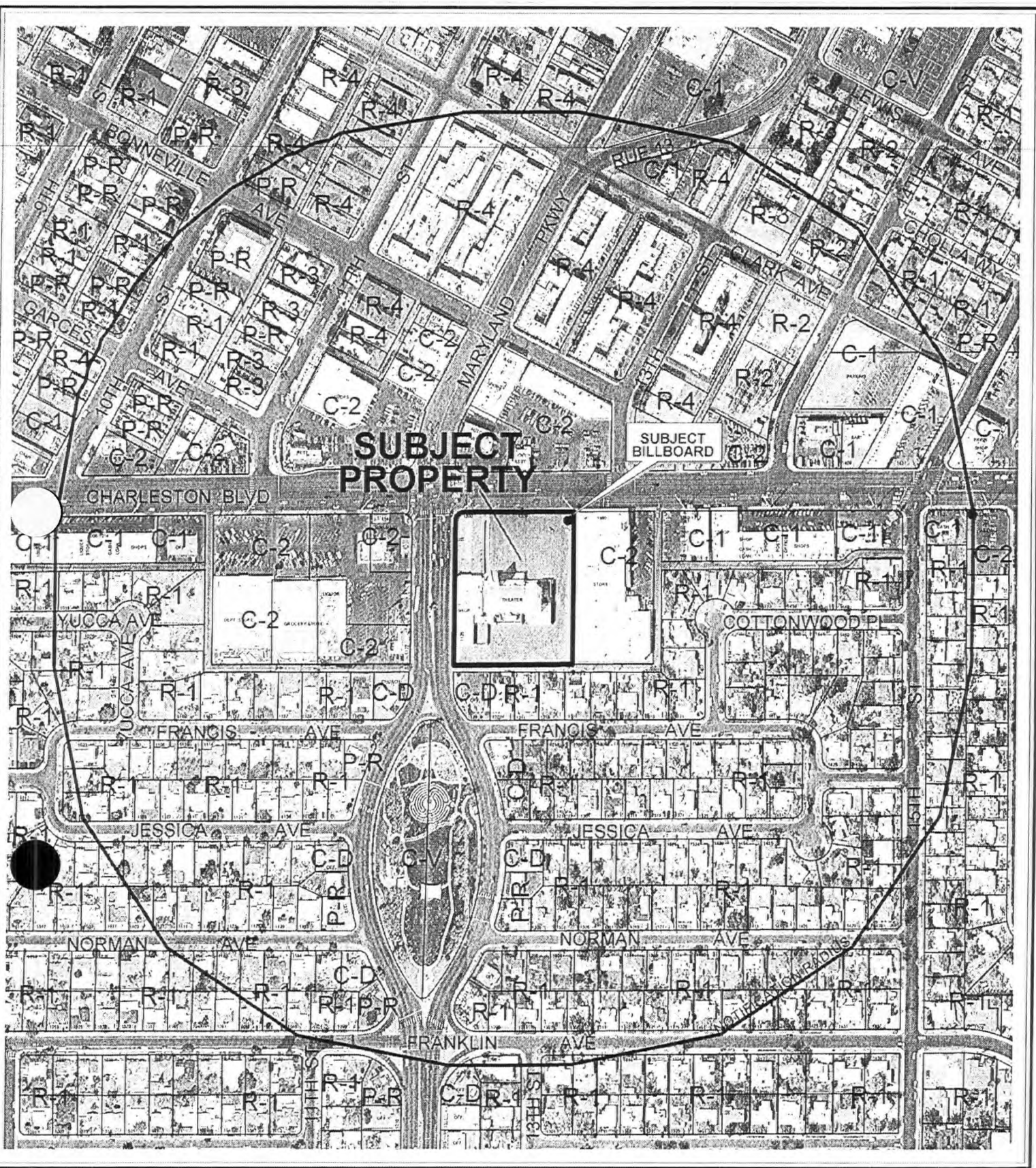
BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council approval letter for V-68-90(1)
5. Submitted after final agenda - Abeyance request by Attorney Paul Larsen
6. Backup referenced from the 08-24-06 Planning Commission meeting Item 10

Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

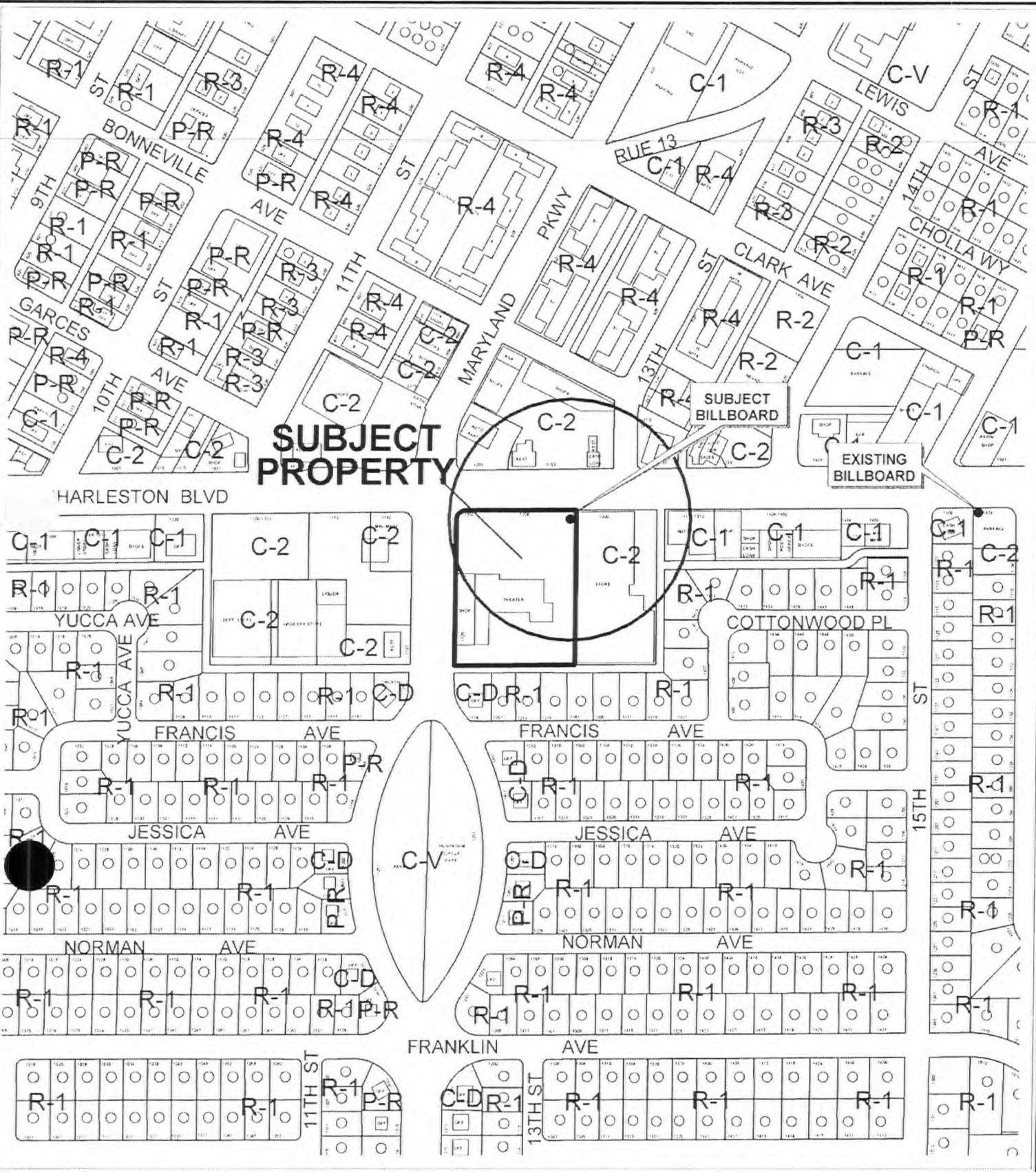
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)



CASE: **RQR-15054**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

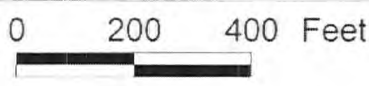


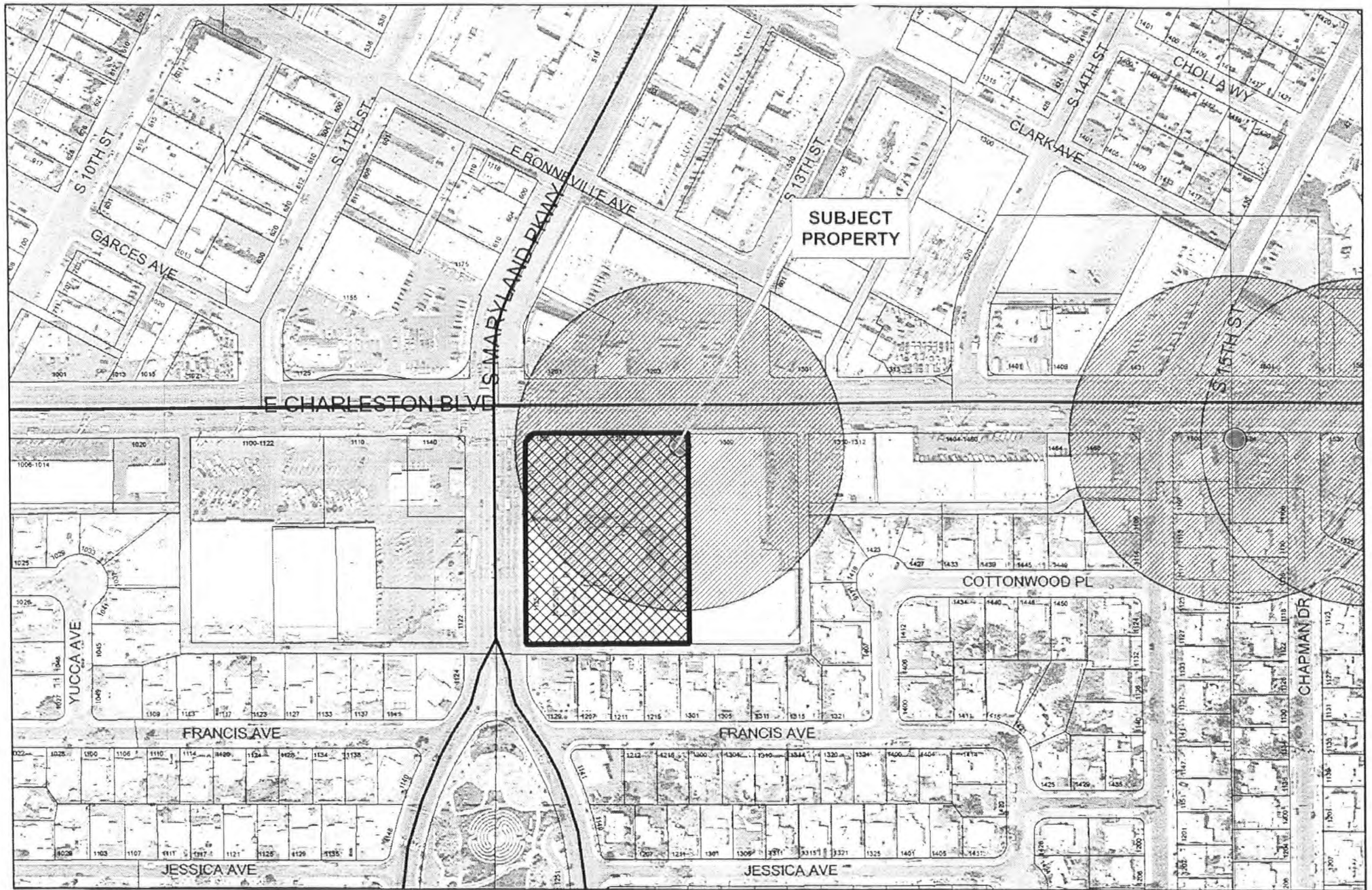


CASE: **RQR-15054**

SEPARATION RADIUS: 300 FT

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





RQR-15054

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: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RQR-15054 - APPLICANT/OWNER: ECT HOLDINGS, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend 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. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
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 sign.
5. Only one advertising sign is permitted per sign face.
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 Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Required Five Year Review of an approved Variance (V-0068-90) which allowed a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign 290 feet from an existing billboard where 300 feet is the minimum separation distance required at 1200 East Charleston Boulevard.

EXECUTIVE SUMMARY

This is the second review of the subject Off-Premise Advertising (Billboard) Sign that was originally approved by the City Council on 08/01/90. A site inspection revealed that the sign is in good condition, with no graffiti or bird mess. The signage on one of the faces is torn and needs to be replaced. The building permit for the sign was issued on 08/07/90. The sign has never been finalized. A condition of approval has been included, which requires a final permit within 30 days of approval. Staff is recommending approval of the required review with an additional review in two years.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 08/01/90 | The City Council approved a Variance (V-0068-90) to allow a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign and to allow the sign to be located 290 feet from an existing sign, where a 300-foot minimum separation is required. The Board of Zoning Adjustment and staff recommended approval. |
| 09/20/95 | The City Council approved a Required Five Year Review [V-0068-90(1)] of an approved Variance, which allowed a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign 290 feet from an existing sign, where a 300-foot minimum separation is required at 1200 East Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval. |
| 03/24/97 | The City Council approved an appeal by applicant, which the Board of Zoning Adjustment recommended denial for a Special Use Permit (U-0001-97) to allow a 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign to replace an existing 12-foot by 24-foot Off-Premise Advertising (Billboard) Sign. The Board of Zoning Adjustment and staff recommended denial. |

09/28/97 The City Council denied an appeal by the applicant, which the Planning Commission recommended denial for an Extension of Time [U-0001-97(1)] of an approved 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1200 East Charleston Boulevard. The Planning Commission and staff recommended denial.

08/24/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/bts).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

D) *Building Permit History*

A building permit for the subject billboard was issued on 08/07/05, but a final inspection was never completed. A condition of approval has been added, which requires a final inspection within thirty (30) days of approval.

E) *Site Inspection Information*

A Site Inspection was completed on 07/20/06. The inspection revealed that the sign is in good condition overall. One face of the billboard is torn, but will be replaced once a new advertisement is used. Also, there were no embellishments on the subject sign. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.62

B) *Existing Land Use*

Subject Property: Theatre
North: Multi-tenant retail buildings
South: Single-family dwellings
Office
East: Commercial building
West: Convenience store

C) Planned Land Use

Subject Property: C (Downtown - Commercial)
North: C (Downtown - Commercial)
South: SC (Service Commercial)
East: C (Downtown - Commercial)
West: C (Downtown - Commercial)

D) Existing Zoning

Subject Property: C-2 (General Commercial)
North: C-2 (General Commercial)
South: R-1 (Single Family Residential)
C-D (Designed Commercial)
East: C-2 (General Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The site is designated as C (Commercial) on the Downtown Redevelopment Plan map of the Southeast Sector map of the General Plan. The existing C-2 (General Commercial) zoning is in compliance with this land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Special Overlay District	X	
Historic Preservation Site	X	
Trails		X
Rural Preservation Neighborhood		X
Inter-local Agreement Joint Land Use Planning Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject property has been designated as a Historic Preservation Site. The Huntridge Theatre is listed on both the State of Nevada and National Historic Registers. The subject required review for the billboard does not affect the Huntridge Theatre.

ANALYSIS

A) General Analysis and Discussion

The subject sign was approved by the City Council on 08/01/90. The sign was approved as a Variance to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign 290 feet from an existing billboard where 300 feet is the minimum separation distance required. The sign was constructed at 12 feet by 24 feet and 40 feet tall. Currently, there are no signs within 300 feet of the existing sign. Therefore, the original Variance is no longer valid.

In 1997, the applicant proposed to re-locate the existing billboard approximately 70 feet west of its current location. This request was processed as a Special Use Permit (U-0001-97), which was approved by the City Council on 03/24/97. The City Council denied an Extension of Time [U-0001-97(1), for the 40-foot tall, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign. Therefore, the sign was not relocated to the proposed location.

The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is appropriate; however, this is a historic site. Staff has recommended that this use be subject to a review again in two years.

B) Conditions of approval from Required Review [V-0068-90(1)]

1. The Board shall review this use in five years at a public hearing and at that time may require the sign to be removed.
2. The applicant shall obtain an off-premise sign certificate from the Department of Community Planning and Development prior to issuance to a building permit.
3. Conformance to the plot plan and elevations.
4. Satisfaction of City Code requirements and design standards of all City departments.

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.”**

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards of the Code. The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is appropriate; however, the historic Huntridge Theatre exists on the subject site. Staff has recommended that this use be subject to a review again in two years.

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

The site is physically suitable for the proposed Off-Premise Advertising (Billboard) Sign use.

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

The Off-Premise Advertising (Billboard) Sign use does not generate any additional traffic to this site and will not require provisions for additional 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 Off-Premise Advertising (Billboard) Sign use does not compromise the public health, safety, and welfare, as it is subject to the provisions of the Sign Code and the Uniform Building Code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 316 by City Clerk

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: **RQR-15054** APN: 162 02 110 014
Name of Property Owner: ELT HOLDINGS LLC
Name of Applicant: CLEAR CHANNEL OUTDOOR

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

☐ Yes☒ 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: 162 02 110 014

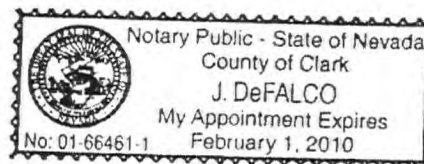
Signature of Property Owner: _____

Print Name: Eli Mizrahi

Subscribed and sworn before me

This 7 day of June, 2006

J. DeFalco
Notary Public in and for said County and State





ASSEMBLY

1000

1000 QUARTER PAST 12 TOTAL ADVERTISING DISPLAY
1000

1000 QUARTER PAST 12

1000 QUARTER PAST 12
1000 QUARTER PAST 12
1000 QUARTER PAST 12
1000 QUARTER PAST 12
1000 QUARTER PAST 12

1000 QUARTER PAST 12

1000 QUARTER PAST 12
1000 QUARTER PAST 12

1000 QUARTER PAST 12

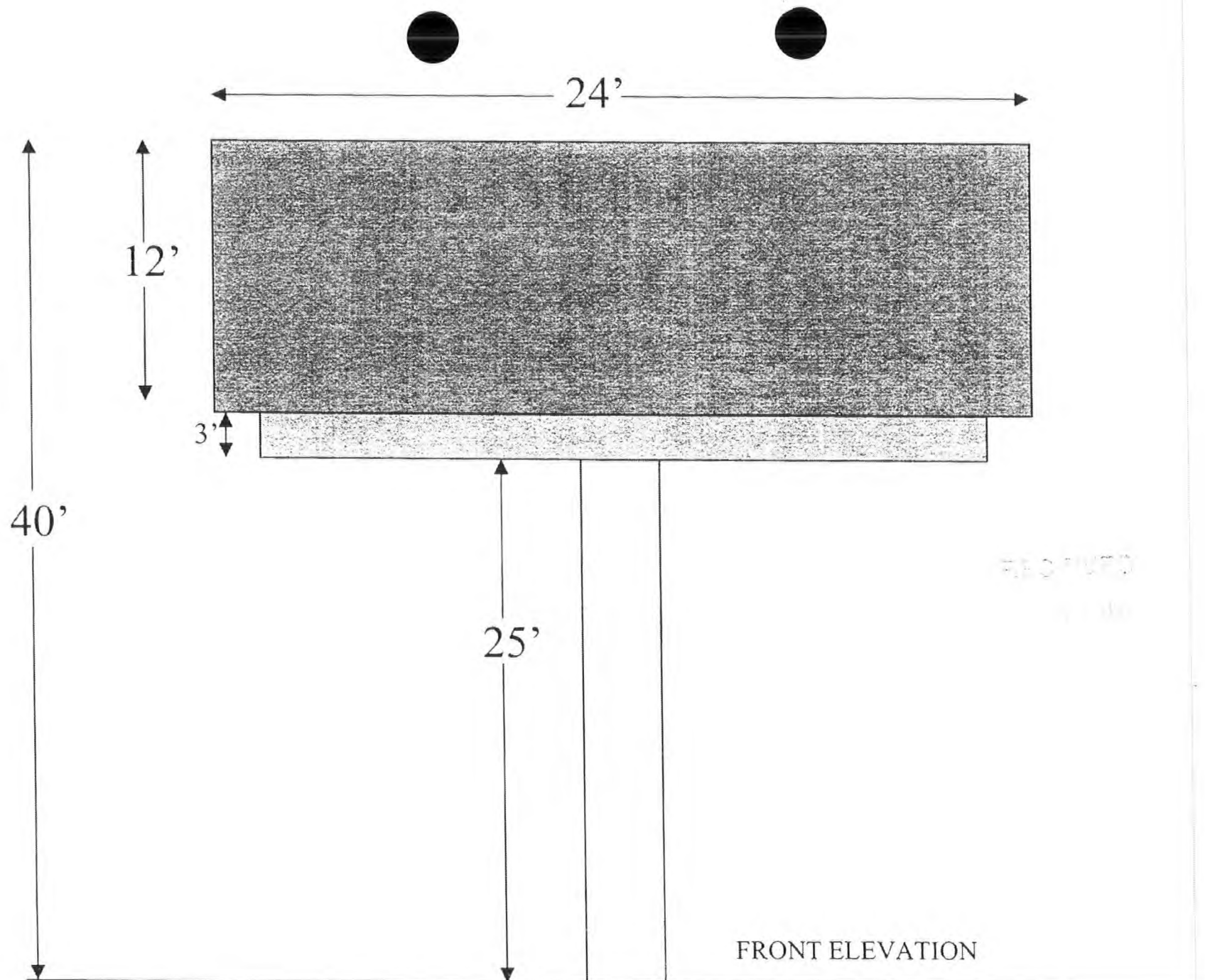
1000 QUARTER PAST 12

1000 QUARTER PAST 12

1000 QUARTER PAST 12

JUL 11 1993

RQR-15054
08/24/06 PC



FRONT ELEVATION

RQR-15054
08/24/06 PC

NOT TO SCALE



RQR-15054 - APPLICANT/OWNER: ECT HOLDINGS, LLC
1200 EAST CHARLESTON BOULEVARD
AUGUST 24, 2006 PLANNING COMMISSION

07/20/06



RQR-15054 - APPLICANT/OWNER: ECT HOLDINGS, LLC
1200 EAST CHARLESTON BOULEVARD
AUGUST 24, 2006 PLANNING COMMISSION

07/20/06

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

September 27, 1995

Jacob and Bat Sheva Ben-Moshe
1200 East Charleston Boulevard
Las Vegas, Nevada 89104

RE: V-68-90(1) - FIVE YEAR REVIEW

Dear Mr. and Mrs. Ben-Moshe:

The City Council at a regular meeting held September 20, 1995 APPROVED the Five Year Required Review on an approved Variance which allowed a 14 foot x 48 foot off-premise advertising (billboard) sign 290 feet from an existing sign, where a 300 foot minimum separation is required, on property located at 1200 East Charleston Boulevard, C-2 Zone, subject to:

1. The Board shall review this use in five years at a public hearing and at that time may require the sign to be removed.
2. The applicant obtain an off-premise sign certificate from the Department of Community Planning and Development prior to issuance of a building permit.
3. Conformance to the plot plan and elevations
4. Satisfaction of City Code requirements and design standards of all City departments.

Sincerely,

KATHLEEN M. TIGHE
City Clerk

/cmp

cc: (See Attached)

RQR-15054
08/24/06 PC



Jacob and Bat Sheva Ben-Moshe
September 27, 1995
RE: V-68-90(1)
Page 2.

cc: Dept. of Community Planning & Development
Dept. of Public Works
Dept. of Fire Services
Dept. of Building & Safety
Land Development Services

Donrey Outdoor Advertising
1211 West Bonanza Road
Las Vegas, Nevada 89106

RQR-15054
08/24/06 PC

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

lsc@lionsawyer.com

www.lionsawyer.com

October 13, 2006

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RICHARD W. HORTON
DAN C. BOWEN
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH

GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. MCGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
G. LANCE COBURN
JOHN M. NAYLOR
WILLIAM J. MCKEAN
ELIZABETH BRICKFIELD

JEFFREY D. MENICUCCI
JANET SUE BESSEMER
GREGORY R. GEMIGNANI
DOREEN SPEARS HARTWELL
LINDA M. BULLEN
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III
MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
MATTHEW B. CRANE

JON A. BAUMUNK
CHRISTOPHER CHILDS
MEREDITH L. STOW
JOICE B. BASS
DOUGLAS A. CANNON
RICHARD CUNNINGHAM
MATTHEW R. POLICASTRO
JACOB D. BUNDICK
ADAM D. SMITH
GARRETT D. GORDON
TREVOR HAYES
JENNIFER J. DIMARZIO
PEARL GALLAGHER

OF COUNSEL
ELLEN WHITTEMORE
BRIAN HARRIS
LAURA J. THALACKER

WRITER'S DIRECT DIAL NUMBER
(702) 383-8819
PLARSEN@LIONELSAWYER.COM

VIA FACSIMILE (702-292-6311)

Barbara Jo Ronemus, City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

VIA FACSIMILE (702-474-7463)

Margo Wheeler,
City of Las Vegas Planning Department
731 South Fourth Street
Las Vegas, NV 8911

Re: RQR 13791 and RQR 15054

Dear Ms. Ronemus and Ms. Wheeler:

On behalf of my client, Clear Channel Outdoor, I respectfully request that the above-referenced applications, currently scheduled to be heard by the City Council on Wednesday, October 18, 2006, be held until the Council's first November meeting.

This request comes as the result of a relatively productive meeting between the City Planning Department, the City Building Department, and representatives of Clear Channel Outdoor and Lamar Outdoor, in which alternatives to the condition(s) requiring a "final inspection" of all existing billboards - via historical documentation or new building permit - was

G:\Attorneys\PEL\15508-25 (CLEAR CHANNEL - City of LV)\Ltr Ronemus and Wheeler 10-13-06.doc

RENO OFFICE: 1100 BANK OF AMERICA PLAZA, 50 WEST LIBERTY STREET • RENO, NEVADA 89501 • (775) 788-8666 • FAX (775) 788-8682

CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 851-2115 • FAX (775) 851-2116

WASHINGTON, DC OFFICE: 101 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4264 • FAX (202) 742-4265

Date 10/16/06 Item #132

2006 OCT 16 A 10:47
RECEIVED
CITY CLERK

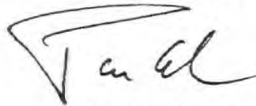
LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Barbara Jo Ronemus, City Clerk
Margo Wheeler, City of Las Vegas
Planning Department
October 13, 2006
Page 2

discussed. We request this two week continuance to enable us to investigate and discuss with our engineers the alternative(s) discussed with the City staff.

We truly appreciate your and the Council's kind consideration of this hold request. Please call me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul E. Larsen", with a stylized, sweeping initial "P" and "L".

Paul E. Larsen

PEL:csr

cc: Mayor Pro-tem Gary Reese

**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**

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



Planning and Development Department

Current Planning Division

731 South Fourth Street

Las Vegas, Nevada 89101

(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: RQR-15054 - APPLICANT/OWNER: ECT HOLDINGS, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **August 24, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Carman Burney at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

A handwritten signature in black ink, appearing to be "R. Carter", written over a horizontal line.

Signature

A handwritten date "8/24/06" in black ink, written over a horizontal line.

Date

A handwritten name "R. CARTER" in black ink, written over a horizontal line.

Please print name

A handwritten company name "CLEAR CHANNEL OUTDOOR" in black ink, written over a horizontal line.

Company Name

Sincerely,

John Korkosz, Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: OCTOBER 18, 2006****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-14344 - PUBLIC HEARING - APPLICANT/OWNER: WALKFED, LLC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 1.51 acres at 837 Clarkway Drive (APN 139-28-301-002), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****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.

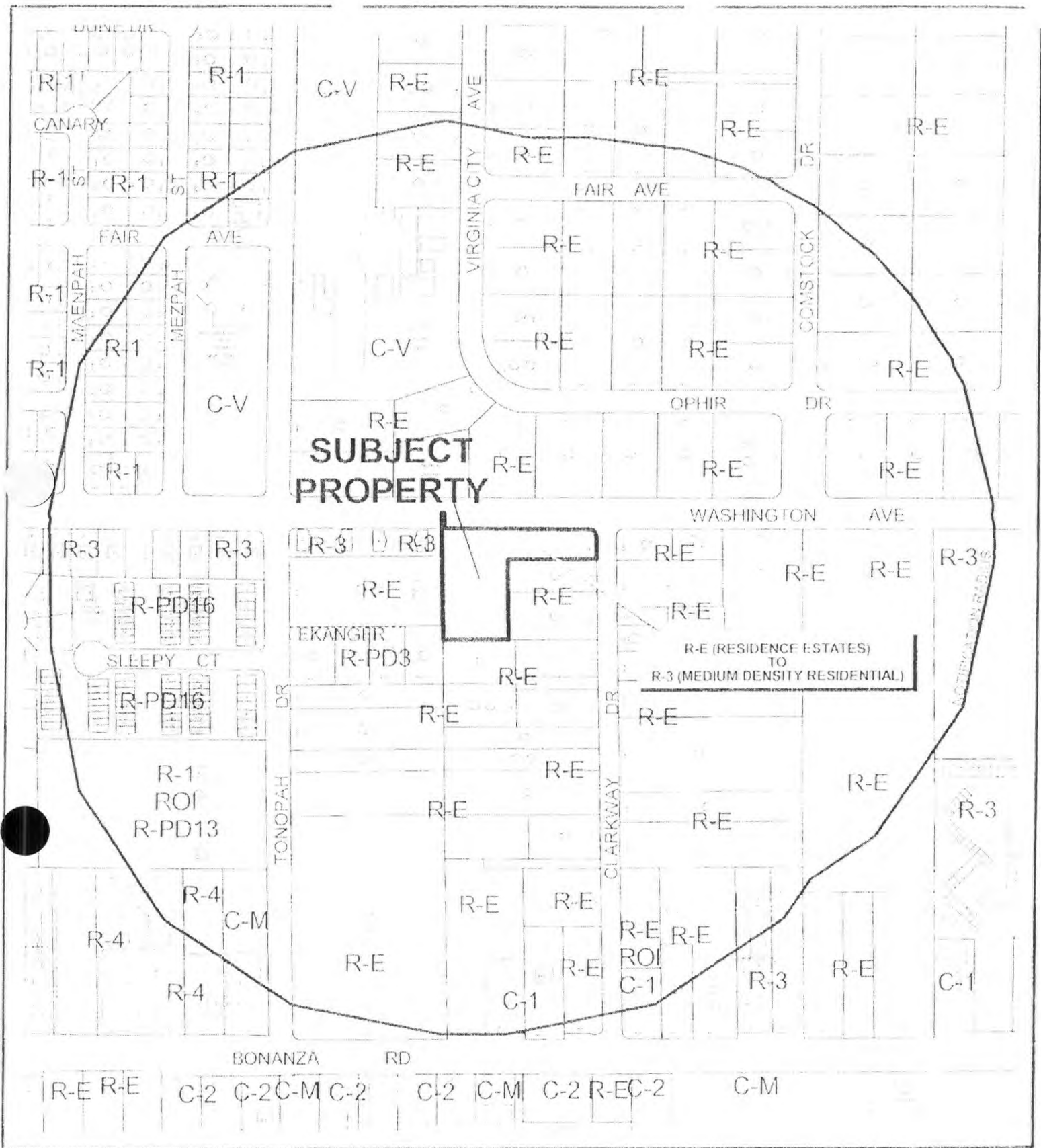
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
6. Submitted after final agenda - Abeyance request from Attorney Jay H. Brown for Items 133-135
7. Backup referenced from the 09-21-06 Planning Commission meeting Item 18

Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)



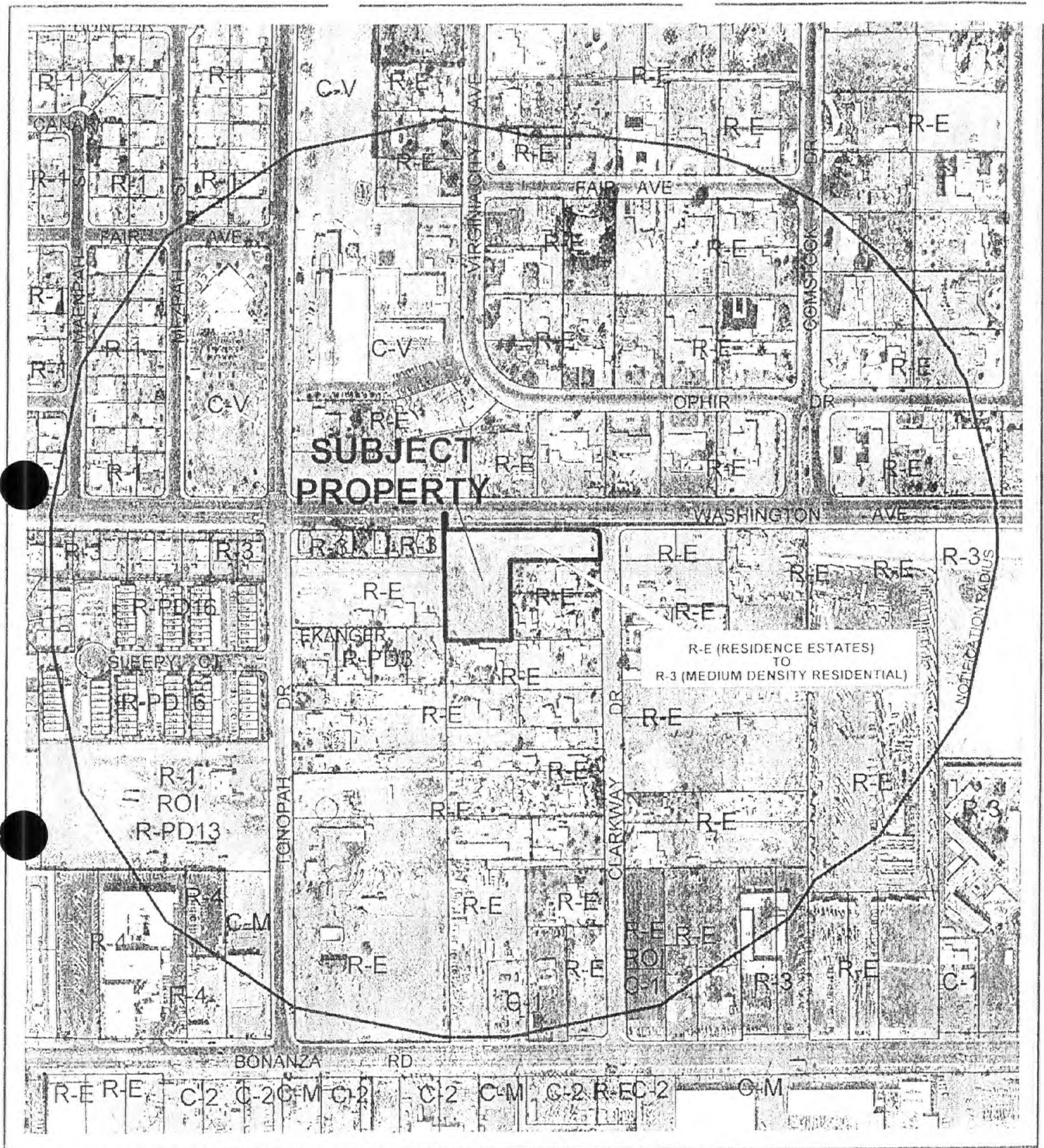
CASE: **ZON-14344**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)





CASE: ZON-14344

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: - ZON-14344 - APPLICANT/OWNER: WALKFED, LLC.

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-14353) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of those portions necessary to complete the Washington Avenue right-of-way adjacent to this site concurrent with development of this site prior to the issuance of any permits.
4. Construct all incomplete half-street improvements adjacent to this site concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Coordinate with the Collection System Planning Section of the Department of Public Works to determine an appropriate location for public sewer connection to this site, prior to the issuance of any permits. A downstream relief project may be required to provide public sewer capacity for 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. 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.

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) on 1.51 acres at 837 Clarkway Drive.

EXECUTIVE SUMMARY

The surrounding area is primarily single-family residential uses on large lots. Additionally, the site is located in the Rural Preservation Overlay District (RPOD) Buffer that has a three unit per acre maximum density and requires a Variance (VAR-15323) from Residential Adjacency requirements. This project calls for 10.59 units per acre. The proposed Rezoning is considered inappropriate for this site and denial of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- 01/26/06 The Planning Commission voted to abey a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795) for re-notification.
- 03/15/06 The applicant withdrew, without prejudice, a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795). The Planning Commission had recommended denial on 02/23/06. Staff also recommended denial.
- 05/17/06 The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as MXU (Mixed Use) as part of this General Plan Amendment. The property had previously been designated as L (Low Density Residential). The Planning Commission and staff recommended approval.
- 07/27/06 This item and a companion item for a Site Development Plan Review (SDR-14353) were held in abeyance in order to add a Variance for Residential Adjacency requirements.
- 08/24/06 This item and a companion items for a Site Development Plan Review (SDR-14353) and a Variance (VAR-15323) were held in abeyance at the request of the applicant.

09/21/06 The Planning Commission recommended denial of companion items VAR-15323 and SDR-14353 concurrently with this application.

09/21/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #18/ng).

B) Pre-Application Meeting

05/17/06 A pre-application meeting was held and elements of this submittal were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.91
Net Acres: 1.49

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential
Public Utility
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential
Duplex

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: R (Rural Density Residential)
PF (Public Facilities)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)
R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated as MXU (Mixed Use) through the expansion of the Downtown Redevelopment Area. The Mixed Use category allow for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) land use categories. The previous land use designation on the property was L (Low Density Residential) and the project calls for approximately 10.59 units per acre, which falls into the MLA (Medium-Low Attached Density Residential) range. The proposed project is in compliance with the General Plan, but is considered inappropriate for this location as most of the surrounding area is larger single family lots.

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

Rural Preservation Overlay District Buffer

The proposed development was recently removed from the Rural Preservation Overlay District (RPOD); however, property on the north side of Washington Avenue remains in the RPOD. The subject property is still located in the RPOD Buffer. The RPOD Buffer permits a maximum density of three dwelling units per acre. The proposed multi-family development would have a density of 10.59 units per acre. The proposed multi-family development is out of context with the intent of the RPOD and for this reason cannot be supported by staff.

F) Density

EXISTING ZONING	PERMITTED DENSITY	PROPOSED ZONING	PERMITTED DENSITY	GENERAL PLAN	PERMITTED DENSITY
R-E	2 du/ac or three units	R-3	25.49 du/ac or 38 units	MXU	N/A

The proposed R-3 (Medium Density Residential) zoning will have a density that is more than 10 times greater than what is currently permitted on the site. It is noted that the applicant is using far less than the maximum density as the project calls for a density of 10.59 units per acre or 16 units. The change is still drastic and is considered inappropriate for the site. The General Plan designation of MXU (Mixed Use) allows a variety of land use options and does not have a specific density limit.

B) General Analysis and Discussion

The applicant is requesting a Rezoning to an R-3 (Medium Density Residential and Apartment) District. The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan. The proposed Rezoning, while fitting in with the MXU (Mixed Use) General Plan designation, does not meet the character of the area. The area is primarily single-family residences with large lots. Furthermore, the development is in the RPOD Buffer and does not meet the three unit per acre maximum density. Additionally, the project requires a Variance 9VAR-15323) from Residential Adjacency requirements.

FINDINGS

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

1. "The proposal conforms to the General Plan."

The proposal does conform to the MXU (Mixed Use) land-use designation. The project is still considered inappropriate for this location; this is due to the surrounding area being primarily single-family residential uses on large lots. Additionally, the site is located in the RPOD Buffer that has a three unit per acre maximum density. This project calls for 10.59 units per acre. The proposal is considered inappropriate for this site and denial of this request is recommended.

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

The multi-family development is not considered compatible with surrounding land uses. The adjacent multi-family site is located on an intersection of two larger streets. The other properties adjacent to this property are all single-family residential on larger lots (minimum of 15,000 square feet). The surrounding zoning districts are primarily R-E (Residence Estates). The proposed zoning is considered out of character with the surrounding uses and zoning districts and denial is recommended.

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

While the community needs multi-family housing, a project of this nature would be better suited for an area currently zoned and designated for this type of use that is located in an area more appropriate for multi-family development, such as a location away from the Residence Estates District and outside of the RPOD Buffer.

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

Site access is provided from Washington Avenue, an 80-foot Secondary Collector. This street is capable of handling the type of traffic that will be produced by a development of this size.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-14344** APN: 139-28-301-002

Name of Property Owner: Walkfed LLC

Name of Applicant: Dave Fedel

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: _____

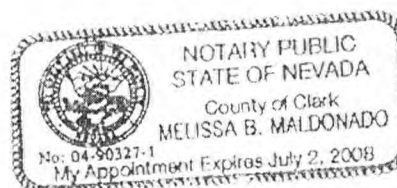
Signature of Property Owner: _____

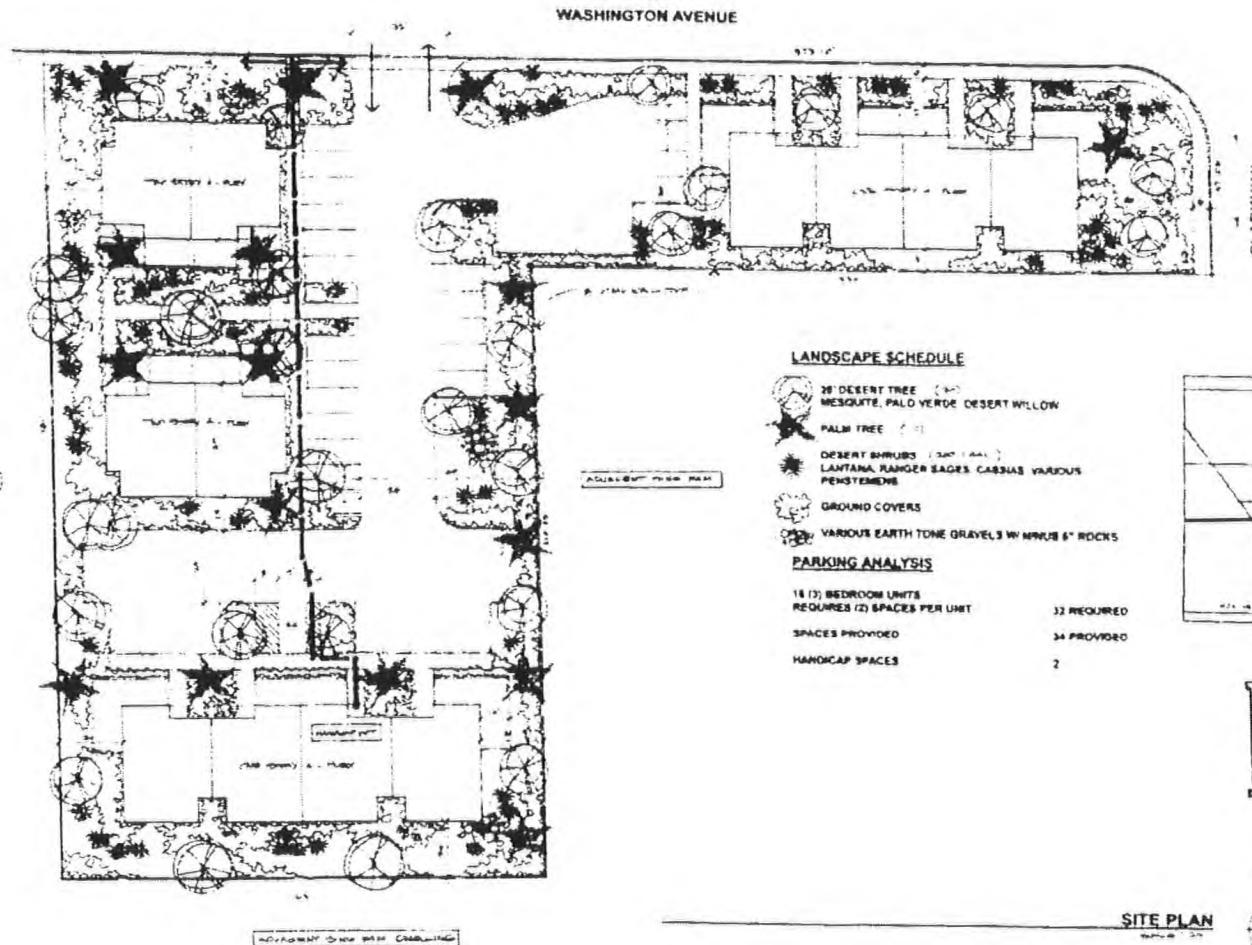
Print Name: _____

[Handwritten Signature]
DAVE FEDEL

Subscribed and sworn before me

This 1st day of June, 2006
Melissa B. Maldonado
Notary Public in and for said County and State

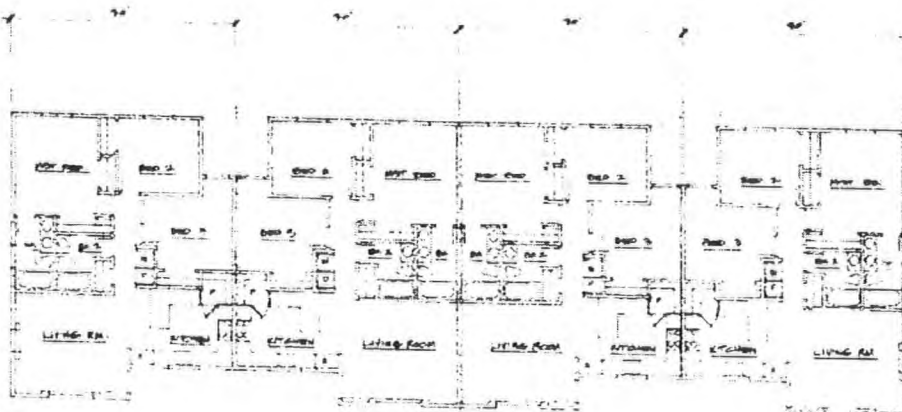




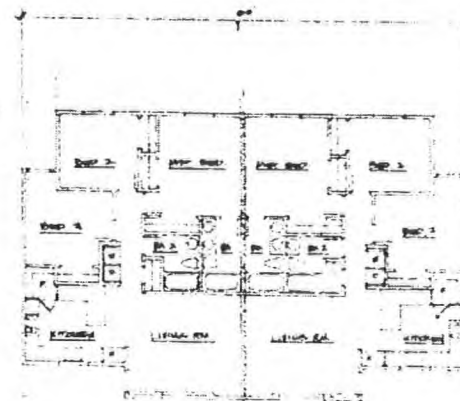
RECEIVED
JUN 13 2006

CLARKWAY COMMONS

ZON-14344
09/21/06 PC



SINGLE STORY 4 PLEX



TWO STORY 4 PLEX

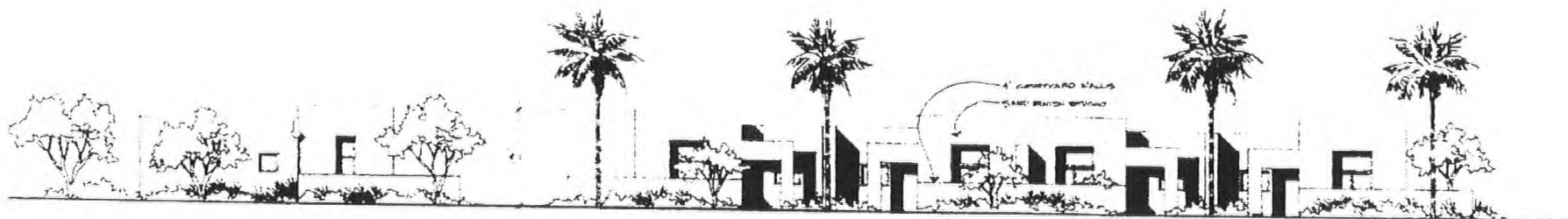
RECEIVED
JUN 13 2006

ZON-14344
09/21/06 PC

REVISION	BY

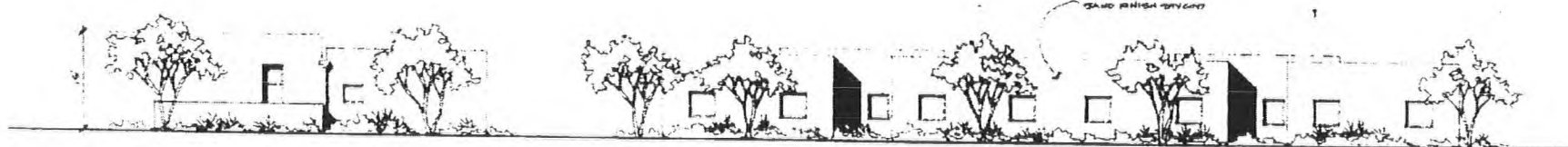
FLOORPLANS

CLARKWAY COMMONS



LEFT SIDE ELEVATION

FRONT ELEVATION



RIGHT SIDE ELEVATION

REAR ELEVATION

RECEIVED
JUN 13 2006

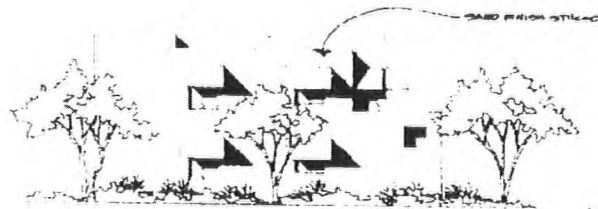
ZON-14344
09/21/06 PC

ONE STORY 4-PLEX

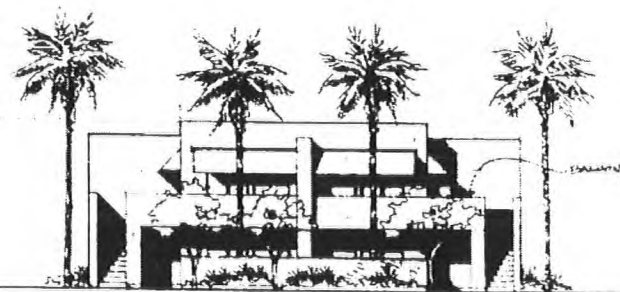
REVISIONS

ELEVATIONS

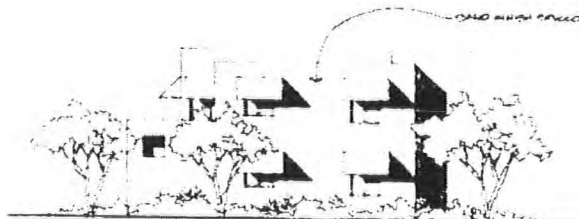
CLARKWAY COMMONS



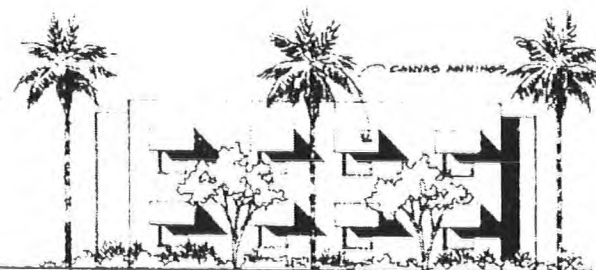
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

RECEIVED
JUN 13 2006

ZON-14344
09/21/06 PC

TWO STORY 4-PLEX

ELEVATIONS

CLARKWAY COMMONS



GREATER
NEVADA
PLANNING
INC.

- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

June 13, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- Zone Change and Site Design Review

The name of this proposal is: *Clarkway Commons*

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service
2. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3.
3. We will develop this property as a townhouse complex to consist of four 4-plex units. Two of the six units will be two-stories.
4. The total gross acreage for this site is 1.51 acres. The APN is 139-28-301-002
5. The General Plan surrounding this project is "M", excepting Public to the north
6. This proposal is consistent to the area with the abutting property to the west zoned R-3 with four 4-plex units
7. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,

Mark (or Scott) Sabraw

ZON-14344

RECEIVED
CITY CLERK

2006 OCT 17 P 3:41

LAW OFFICE

*Jay H. Brown, Ltd.*A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

October 17, 2006

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: Item No. 133 - ZON-14344
Item No. 134 - VAR-15323
Item No. 135 - SDR-14353
City Council Agenda of October 18, 2006
WALKFED, LLC

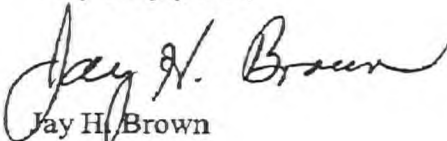
Dear Ms. Ronemus:

Please be advised that I represent the above named applicant.

It is my understanding that the above referenced applications are scheduled to be heard at the October 18, 2006 City Council meeting.

My client is requesting that the hearing on the three (3) applications be held in abeyance from the October 18, 2006 City Council meeting and rescheduled to the November 15, 2006 meeting in order for my client to have an opportunity to further discuss this matter with their neighbors with the hope of working out an amicable resolution.

Very truly yours,


Jay H. Brown

JHB:cc

Submitted after final agenda

Date 10/17/06 Item #133-135

**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**

July 19, 2006

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv. 89101

RE: **SDR 14353 & ZON 14344**

Dear Sirs:

Please accept this letter as objection to the proposed site development and rezoning of the property located at 837 Clarkway Drive in regard to the waiver of perimeter landscaping buffer requirements on the 1.51 acres.

Please accept this letter as objection to the proposed request for a rezoning from R-E (Residence Estates) to R-3 (Medium density residential) on the 1.51 acres at 837 Clarkway Drive.

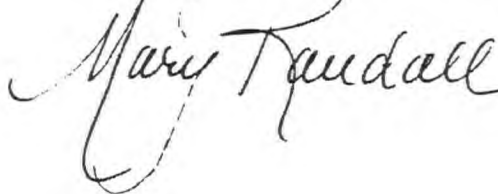
Acceptable proposal would be 12 units eliminating 4 units on far north east section of property, no entrance on Clarkway Drive and fully landscaped with no variances.

Thank you for your consideration of our request.

Sherry Taylor
Owner
820 Clarkway Drive
Las Vegas, Nv 89106



Mary A Randall
Owner:
816 Clarkway Drive
Las Vegas, Nv. 89106



ITEM # 76-77 R
CASE # _____
PC MTG 7.27.06 P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-14344

VAR-15323 - PUBLIC HEARING - APPLICANT/OWNER: WALKFED, LLC. - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 35 FEET WHERE A 63-FOOT SETBACK IS THE MINIMUM REQUIRED IN THE SIDE YARD on 1.51 acres at 837 Clarkway Drive (APN 139-28-301-002), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 19

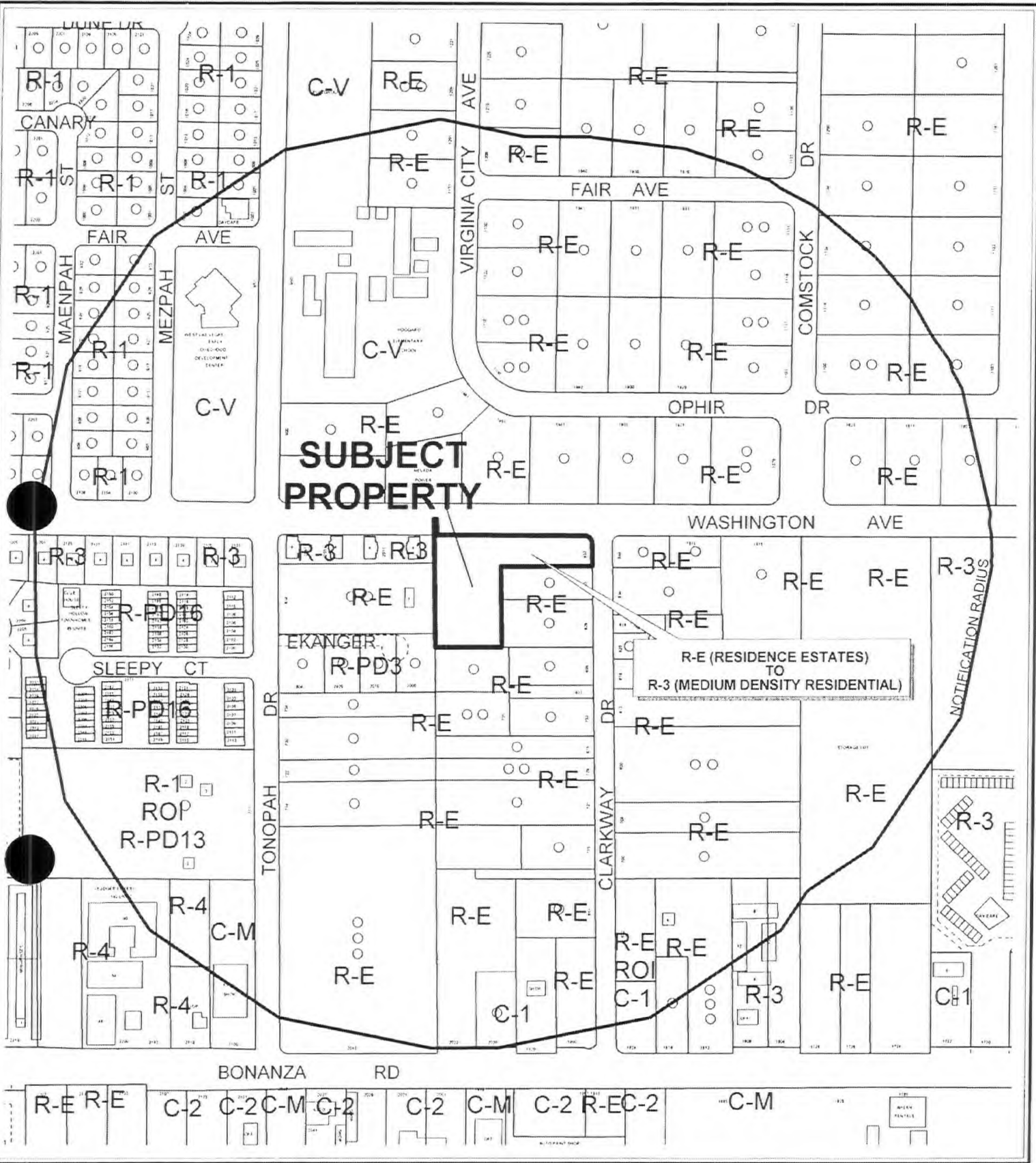
Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 133 for related backup.



CASE: **VAR-15323**

RADIUS: 1000 FT

0 200 400 Feet

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: - VAR-15323 - APPLICANT/OWNER: WALKFED, LLC.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14344) and Site Development Plan Review (SDR-14353) 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 residential adjacency setback of 35 feet where a 63-foot setback is the minimum required in the side yard on 1.51 acres at 837 Clarkway Drive.

EXECUTIVE SUMMARY

The southernmost two-story building does not meet Residential Adjacency requirements. This is primarily a single-family neighborhood with larger lots. In order to have a minimal effect on the surrounding area the proposed multi-family development should meet Residential Adjacency standards. The deviation is considered self-imposed as it is due to the applicants design choices. Denial of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 01/26/06 | The Planning Commission voted to abey a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795) for re-notification. |
| 03/15/06 | The applicant withdrew without prejudice a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795). The Planning Commission had recommended denial on 02/23/06. Staff also recommended denial. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as MXU (Mixed Use) as part of this General Plan Amendment. The property had previously been designated as L (Low Density Residential). The Planning Commission and staff recommended approval. |
| 09/21/06 | The Planning Commission recommended denial of companion items ZON-15344 and SDR-14353 concurrently with this application. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #19/ng). |

B) *Pre-Application Meeting*

05/17/06 A pre-application meeting was held and elements of this submittal 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: 1.91
Net Acres: 1.49

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Residential
Utility
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential
Duplex

C) *Planned Land Use*

Subject Property: MXU (Mixed Use)
North: R (Rural Density Residential)
PF (Public Facilities)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)
R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated as MXU (Mixed Use) through the expansion of the Downtown Redevelopment Area. The Mixed Use category allow for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) land use categories. The previous land use designation on the property was L (Low Density Residential) and the project calls for approximately 10.59 units per acre, which falls into the MLA (Medium Low Attached Density Residential) range. The proposed project is in compliance with the General Plan, but is considered inappropriate for this location as most of the surrounding area is larger single family lots.

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

Rural Preservation Overlay District Buffer

The proposed development is located in an area slated to be removed from the Rural Preservation Overlay District (RPOD); however, the property on the north side of Washington Avenue will remain in the RPOD, thus the subject property will be in the RPOD Buffer. The RPOD Buffer permits a maximum density of three dwelling units per acre. The proposed multi-family development would have a density of 10.59 units per acre. The proposed multi-family development is out of context with the intent of the RPOD and for this reason cannot be supported by staff.

ANALYSIS

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

- a) Proximity slope. The southern two-story building is located adjacent to a parcel zoned for single-family residential use. Per the 3:1 proximity slope requirements this building, with a height of 21 feet, shall be setback a minimum of 63 feet from the adjacent parcel. The proposed setback is 35 feet. This does not meet Residential Adjacency requirements and a Variance (VAR-15323) is required to permit this deviation from requirements.

B) General Analysis and Discussion

The deviation from standards is due to the applicants design choices for this site. A single story building in this location would mitigate the need for a Variance. This is a neighborhood with large lots and a rural character. Multi-family development in this area should meet Residential Adjacency standards in order to have a minimal effect on the surrounding single family lots. This is considered 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;
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 design choices. An alternative design with single-story development 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

16

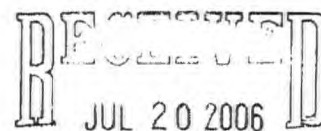
ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 259 by City Clerk

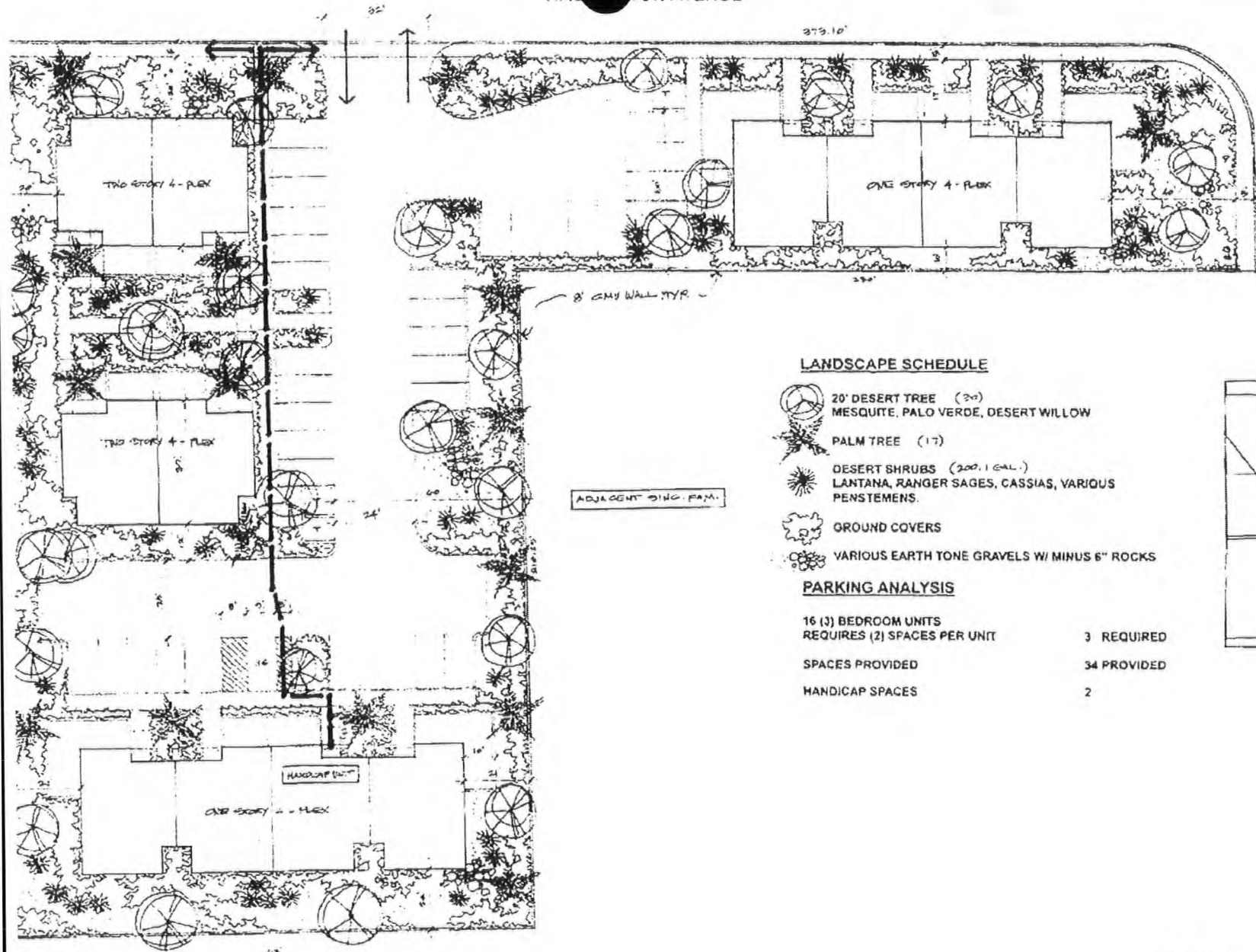
APPROVALS 0

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

WASHINGTON AVENUE



CLARKWAY

LANDSCAPE SCHEDULE

- 20' DESERT TREE (30)
MESQUITE, PALO VERDE, DESERT WILLOW
- PALM TREE (17)
- DESERT SHRUBS (200.1 GAL.)
LANTANA, RANGER SAGES, CASSIAS, VARIOUS
PENSTEMONS.
- GROUND COVERS
- VARIOUS EARTH TONE GRAVELS W/ MINUS 6" ROCKS

PARKING ANALYSIS

16 (3) BEDROOM UNITS	3 REQUIRED
REQUIRES (2) SPACES PER UNIT	
SPACES PROVIDED	34 PROVIDED
HANDICAP SPACES	2



VICINITY MAP

RECEIVED

JUL 20 2006

SITE PLAN

CLARKWAY COMMONS



VAR-15323
09/21/06 PC



- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

July 20, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- Residential Adjacency Set-Back Variance

The name of this proposal is: **Clarkway Commons**

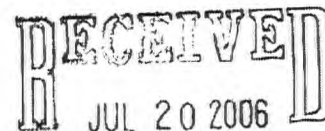
1. We are asking for a Residential Adjacency Set-Back Variance to go along with **SDR - 14353**. This variance is necessary because the Southern two-story (or middle) 4-plex unit on the West end of the property abuts an RE Zone.
2. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service.
3. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3.
4. We will develop this property as a townhouse complex to consist of four 4-plex units. Two of the six units will be two-stories.
5. The total gross acreage for this site is 1.51 acres. The APN is 139-28-301-002.
6. The General Plan surrounding this project is "M", excepting Public to the north.
7. This proposal is consistent to the area with the abutting property to the west zoned R-3 with four 4-plex units.
8. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark (or Scott) Sabraw".

Mark (or Scott) Sabraw



VAR-15323

**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**

August 16, 2006

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

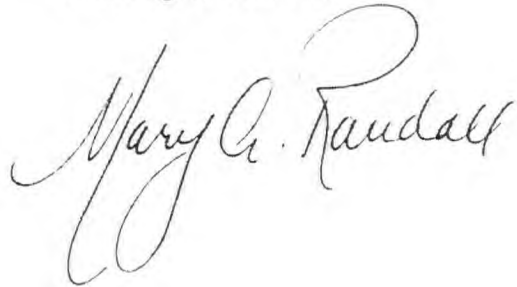
Re: VAR-15323

Please accept this letter as a complete objection to the request for a 35 foot setback on the property located at 837 Clarkway Drive, Las Vegas, Nv. 89106 where a 63 foot setback is required.

Thank you.

Sherry Taylor
820 Clarkway Drive
Las Vegas, Nv 89106

Mary A Randall
816 Clarkway Drive
Las Vegas, Nv 89106

A handwritten signature in cursive script, appearing to read "Sherry Taylor".A handwritten signature in cursive script, appearing to read "Mary A. Randall".

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-14344

SDR-14353 - PUBLIC HEARING - APPLICANT/OWNER: WALKFED, LLC. - Request for a Site Development Plan Review FOR A PROPOSED 16-UNIT TOWNHOUSE COMPLEX AND WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 1.51 acres at 837 Clarkway Drive (APN 139-28-301-002), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

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 and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 20

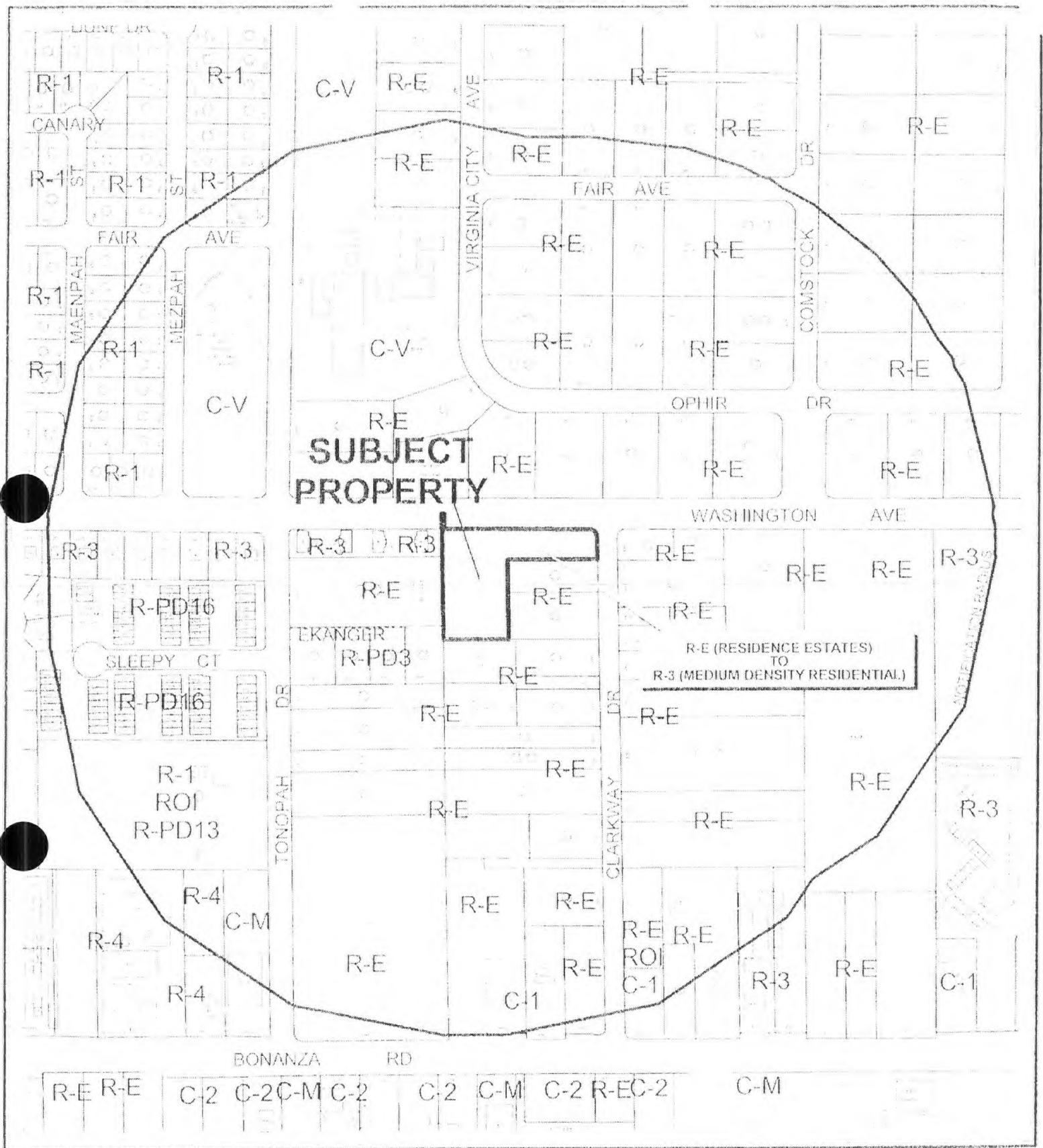
Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 133 for related backup.



CASE: **SDR-14353**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: - SDR-14353 - APPLICANT/OWNER: WALKFED, LLC.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14344) 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, and building elevations, date stamped 06/13/06, except as amended by conditions herein.
4. A Waiver from perimeter landscape buffer width requirements is hereby approved, to allow a landscape buffer width of 10 feet along a portion of Washington Avenue where a buffer width of 15 feet is required.
5. The standards for this development shall include a minimum lot size of 65,775 square feet and building height shall not exceed two stories or 24 feet, whichever is less.
6. The minimum distance between buildings shall be 65 feet.
7. 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. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. A revised landscape plan shall be submitted prior to submittal of a Tentative Map depicting minimum 24 inch box trees as required by Title 19.12 in place of the 20 and 17 inch box trees depicted in the conceptual landscape plan. The plan shall also depict these trees placed 20 feet on center with a total quantity of 72 trees along the perimeter and six trees in the parking lot area.

9. 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.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size 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. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. The applicant shall show Site Visibility Restriction Zones at all public street intersections. Include the following statement on the map: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".

18. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. All landscaping installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-14344 and all other subsequent site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed 16-unit Townhouse Complex and waiver of perimeter landscape buffer requirements on 1.51 acres at 837 Clarkway Drive.

EXECUTIVE SUMMARY

The proposed multi-family, townhouse style development is located in an area that is primarily single-family residential homes on large lots. The project requires a Variance (VAR-15323) from residential adjacency requirements and also a Waiver of landscape buffer width. Other landscaping deficiencies have been addressed with conditions of approval. The project also requires a Rezoning (ZON-14344). This project is not considered appropriate for this location due to the primarily single-family nature of surrounding development and the deviations from standards. Denial of this project is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 01/26/06 | The Planning Commission voted to abey a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795) for re-notification. |
| 03/15/06 | The applicant withdrew without prejudice a Site Development Plan Review (SDR-10796) and companion items for a General Plan Amendment (GPA-10789), a Rezoning (ZON-10792), and Variances (VAR-10793 and VAR-10795). The Planning Commission had recommended denial on 02/23/06. Staff also recommended denial. |
| 05/17/06 | The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as MXU (Mixed Use) as part of this General Plan Amendment. The property had previously been designated as L (Low Density Residential). The Planning Commission and staff recommended approval. |

09/21/06 The Planning Commission recommended denial of companion items ZON-14344 and VAR-15323 concurrently with this application.

09/21/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #20/ng).

B) Pre-Application Meeting

05/17/06 A pre-application meeting was held and elements of this submittal 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: 1.91
Net Acres: 1.49

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Residential
Utility
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential
Duplex

C) Planned Land Use

Subject Property: MXU (Mixed Use)
North: R (Rural Density Residential)
PF (Public Facilities)
South: MXU (Mixed Use)
East: MXU (Mixed Use)
West: MXU (Mixed Use)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-E (Residence Estates)
West: R-E (Residence Estates)
R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is designated as MXU (Mixed Use) through the expansion of the Downtown Redevelopment Area. The Mixed Use category allow for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) land use categories. The previous land use designation on the property was L (Low Density Residential) and the project calls for approximately 10.59 units per acre, which falls into the MLA (Medium-Low Attached Density Residential) range. The proposed project is in compliance with the General Plan, but is considered inappropriate for this location as most of the surrounding area is larger single family lots.

PROJECT DESCRIPTION

The proposal calls for a multi-family, townhouse style, development consisting of 16 residential units. There will be a total of four buildings, two buildings are two stories and two are single story. Each building will have four units. Parking is located toward the interior. Landscaping is provided around the perimeter. The site has a single point of ingress/egress along Washington Avenue.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required R-3	Provided	Compliance
Min. Lot Size	6,500 SF	65,775 SF	Y
Min. Setbacks			
• Front	20 Feet	40 Feet	Y
• Side	5 Feet	10 Feet	Y
• Corner	5 Feet	17 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/24 Feet	Y
Trash Enclosure	50 Feet from protected use	50 Feet	Y
Mech. Equipment	Screened	Screened	Y

The subject property is in compliance with Title 19.08 Development Standards.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The southern two-story building is located adjacent to a parcel zoned for single-family residential use. Per the 3:1 proximity slope requirements this building, with a height of 21 feet, shall be setback a minimum of 63 feet from the adjacent parcel. The proposed setback is 35 feet. This does not meet Residential Adjacency requirements and a Variance (VAR-15323) is required to permit this deviation from requirements.

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	
Residential (three-bedroom)	16 units	Two spaces/unit	32	1	32
Guest Space	16 units	One space/six units	3	N/A	3
Total			35		35

The proposed development is required to provide a total of 35 parking spaces and is meeting that requirement. One of the spaces is a van accessible handicapped space provided in front of the unit intended for occupancy by the handicapped.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	6 Trees	5 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	72 Trees	28 Trees
• Min. Zone Width	15 Feet (right-of way) 6 Feet (interior)		10 Feet 6 Feet

The applicant has three deviations from landscaping standards. One of these deviations may be handled with a Waiver; the others will require revisions in compliance with Code requirements.

The first deviation is the lack of the required number of trees. The applicant is providing 28 trees around the perimeter of the development where 72 trees are the minimum required. Also in the parking lot area the applicant is providing a total of five trees where six trees are required. This is not supported as it would be possible for the applicant to increase the number of trees provided. The applicant is merely choosing not to do so. It is noted that none of these trees meet the minimum 24-inch box size. The larges are 20-inch box. The applicant will be required to submit a revised landscape plan showing minimum 24-inch box trees. It is further noted that the applicant is providing a total of 47 trees; however, several of these trees are in the interior of the development and do not count toward the totals listed in the chart above. The applicant will be required to provide a revised landscape plan depicting the proper number of trees.

Secondly, the applicant is requesting a waiver of landscape buffer width requirements. This Waiver is needed in the front yard area. The required width is 15 feet as the property on the north side of Washington Avenue is single-family residential. The applicant is providing 10 feet of landscaping along a portion of this area. This Waiver may be supported as the area that does not comply with the required width is very small compared to the size of the development. The landscape buffer for the development is complex and changes widths several times. The area in question merely narrows to allow for parking and patios in small areas.

B) General Analysis and Discussion

- **Zoning**

The subject property is currently zoned R-E (Residence Estates). The purpose of the R-E District is to provide for low density residential units located on large lots and conveying a rural environment. These Districts are consistent with the policies of the Desert Rural Density Residential category of the General Plan.

The applicant is requesting a Rezoning to an R-3 (Medium Density Residential and Apartment) District. The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) District is consistent with the policies of the Medium Density Residential category of the General Plan. The proposed development will be in compliance with zoning requirements with the approval of companion Rezoning (ZON-14344). It is noted that denial of this Rezoning request is recommended as the project is deemed incompatible with the surrounding area.

- Site Plan

The site plan for this development shows a multi-family development. The development consists of four buildings. Two buildings are proposed as single-story structures; these are the southernmost and easternmost buildings. The two buildings in the northwest portion of the development will be two stories. The parking and trash enclosures for the development are concentrated in the interior. The site gains access from Washington Avenue.

- Waivers

There is a Waiver for the landscape buffer width along Washington Avenue. The buffer width Waiver is supported as the deviation is only in a small portion of the development.

The landscape plan does not depict the proper number of trees. Additionally, the size of the trees does not meet Code requirements. A condition of approval has been added requiring the applicant to provide the proper number and size of trees.

- Landscape Plan

The landscape plan shows trees placed intermittently throughout the perimeter of the development. The total number of trees is far less than required and the applicant will be required to submit a revised plan depicting the required number of trees. Additionally, trees are scattered throughout the interior of the development. A fair amount of shrubs are proposed throughout the site. The perimeter buffer changes widths in several locations and does not meet the required width along Washington Avenue in a small area.

- Elevation

Elevations for the proposed development show buildings with flat roofs that feature balconies and awnings. The materials will consist primarily of stucco in a sand color scheme. The awnings will be canvas material.

- Floor Plan

Floor plans show three bedroom, two bathroom units. The layouts are typical of this type of development. Square footages are not shown on the floor plans.

FINDINGS

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

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

The proposed development is located on a parcel that is primarily surrounded by single-family residential development on large lots. While there is a multi-family development to the west; this development is located on an intersection, which is more conducive to that type of development. This parcel is also located in the buffer area of the Rural Preservation Overlay District or RPOD. This area is limited to a maximum of three dwelling units per acre. The proposed development would have a total of 10.59 units per acre. This does not meet the intent of the RPOD and with the surrounding single-family residential development is considered incompatible with the surrounding area despite the Mixed Use land use designation.

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 requires a Variance (VAR-15323) from Residential Adjacency requirements. Additionally a Waiver for the landscape buffer width along Washington Avenue is required. A condition of approval has been added regarding the required number and size of trees located throughout the development. These deviations, along with the increased density of development on the site result in a recommendation for denial.

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

Site access is provided from Washington Avenue, an 80-foot Secondary Collector. This street is capable of handling the type of traffic that will be produced by a development of this size.

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

Building materials are primarily stucco and are considered 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;"**

Building elevations and design characteristics are not considered unsightly or obnoxious and will be compatible with adjacent development.

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

The proposed development will not compromise the public health or general welfare; however the development is considered inappropriate for the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 193 by Planning Department

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-14353**

APN: 139-28-301-002

Name of Property Owner: Walkfed LLC

Name of Applicant: Dave Fedel

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: _____

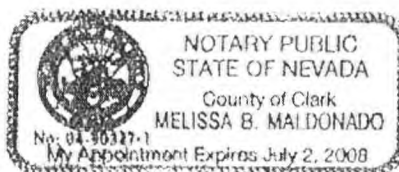
Signature of Property Owner: _____

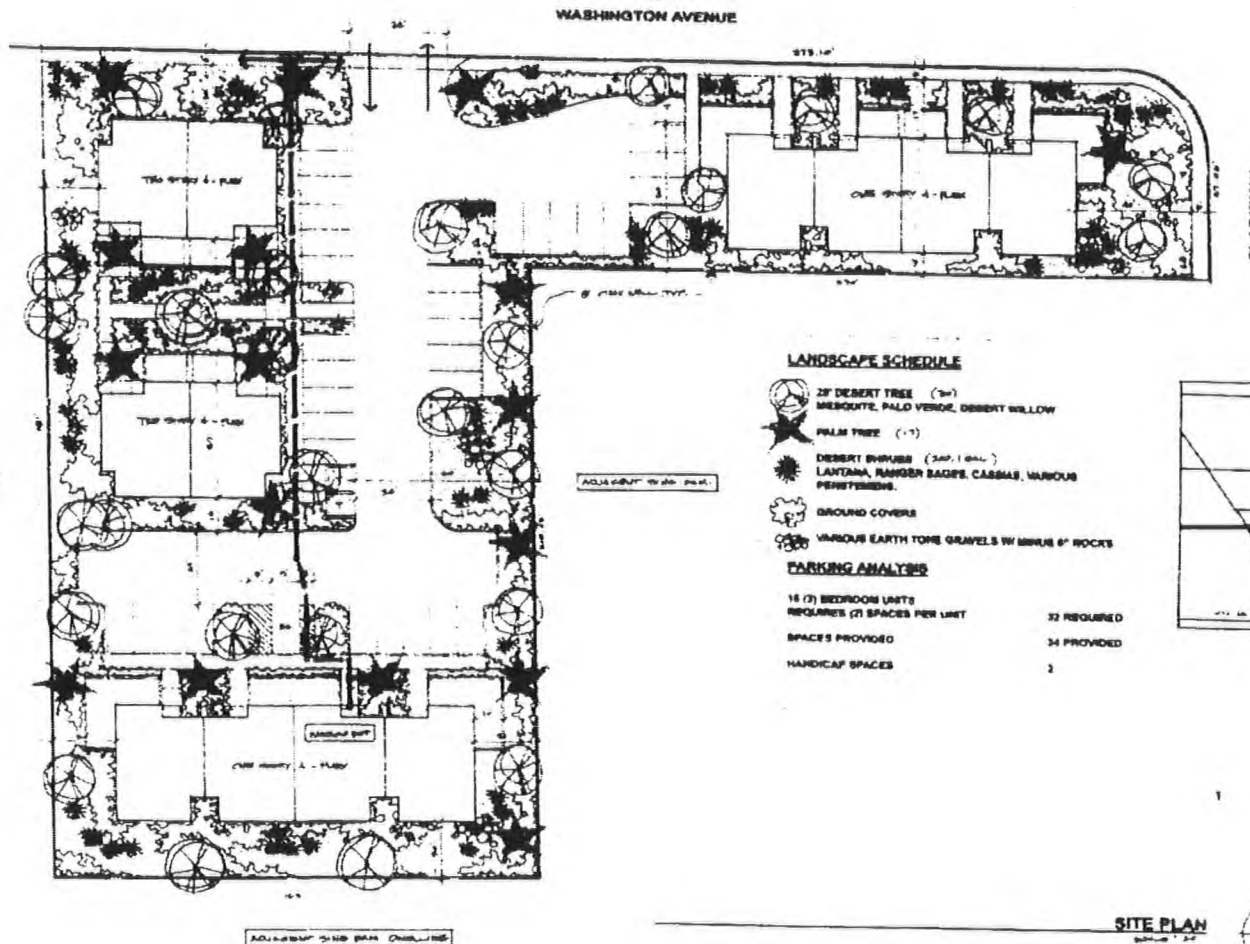
Print Name: _____

[Signature]
ANGIE
DAVE FEDEL

Subscribed and sworn before me

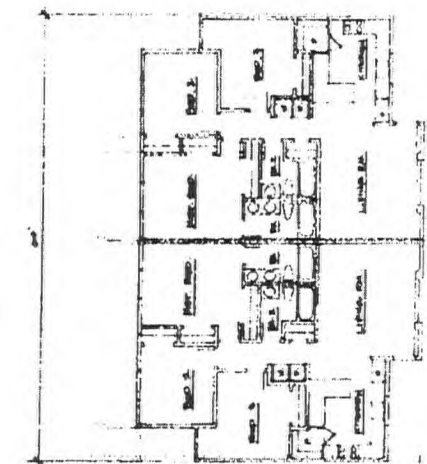
This 1st day of June, 2006
Melissa B. Maldonado
Notary Public in and for said County and State



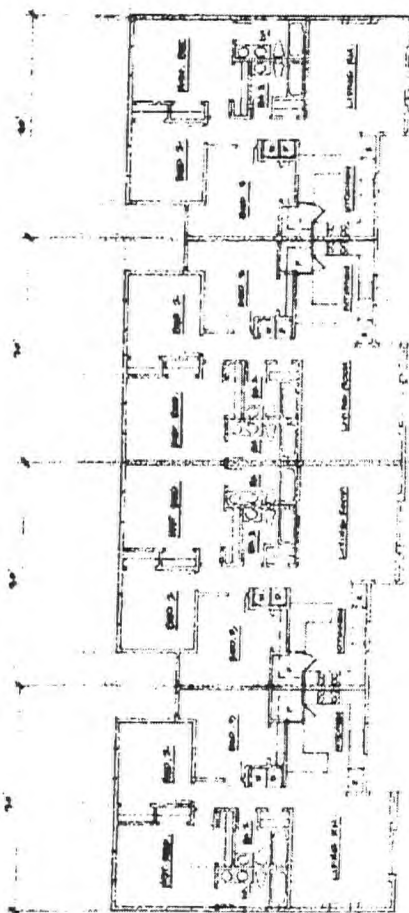


RECEIVED
JUN 13 2006

SDR-14353
09/21/06 PC



TWO STORY 4 PLEX



SINGLE STORY 4 PLEX

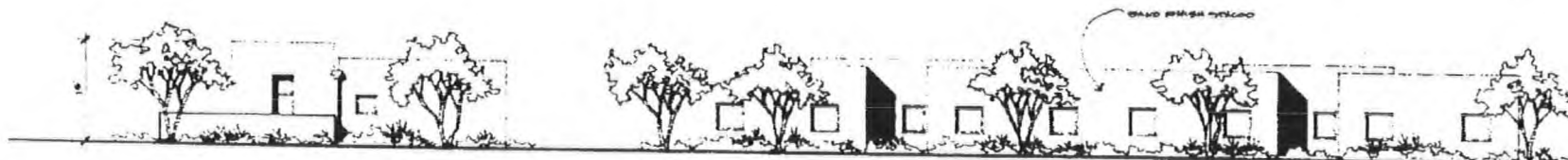
RECEIVED
JUN 13 2006

SDR-14353
09/21/06 PC



LEFT SIDE ELEVATION

FRONT ELEVATION



RIGHT SIDE ELEVATION

REAR ELEVATION

RECEIVED
JUN 13 2006

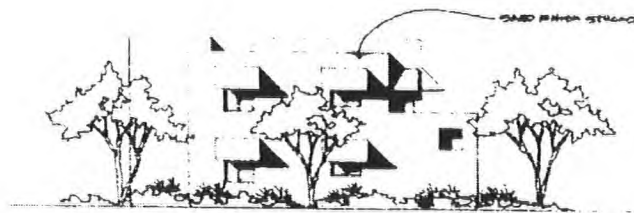
SDR-14353
09/21/06 PC

ONE STORY 4-PLEX

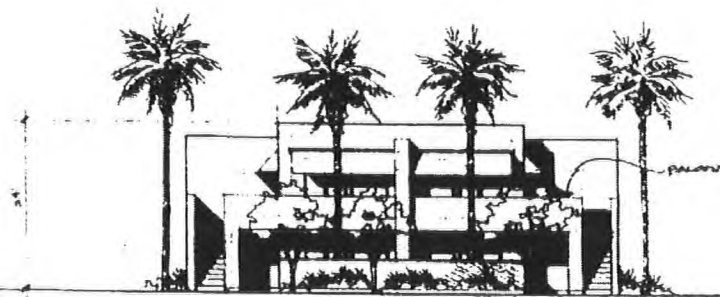
REVISIONS	BY

ELEVATIONS

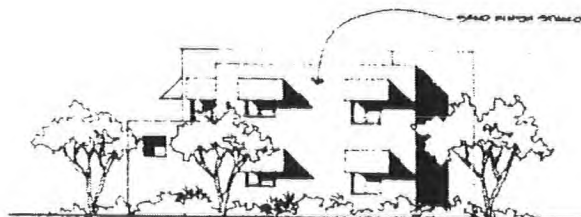
CLARKWAY COMMONS



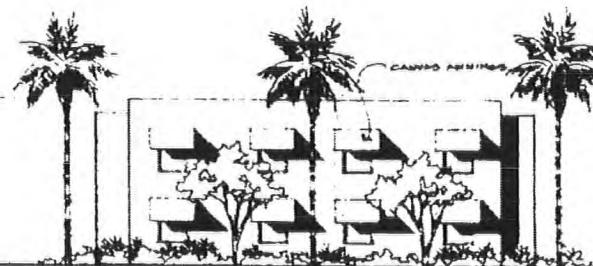
LEFT SIDE ELEVATION



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION

RECEIVED
JUN 13 2006

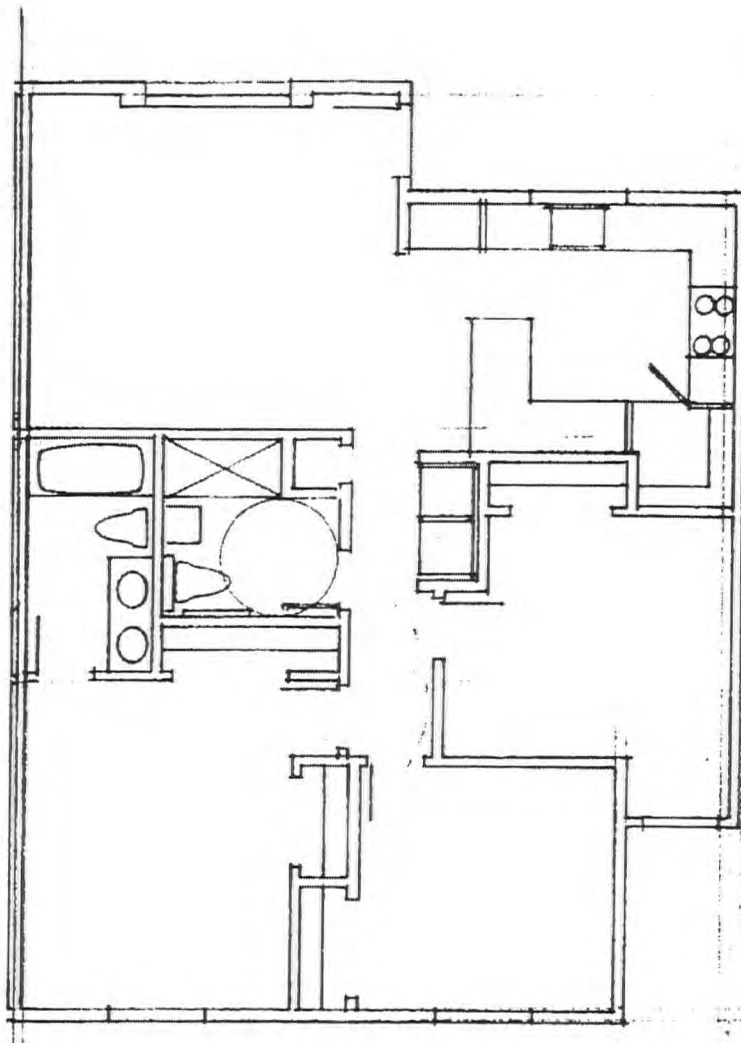
SDR-14353
09/21/06 PC

TWO STORY 4-PLEX

REVISIONS BY

ELEVATIONS

CLARKWAY COMMONS



RECEIVED
JUN 13 2006

Handicap Unit

- This Unit conforms with all current ADA Standards
- Entry transition is no greater than $\frac{1}{2}$ "
- All doors are 2'-8" wide, minimum
- Kitchen counters are open below
- Bathroom contains grab bars, HC Toilet and HC Shower

SDR-14353
09/21/06 PC

SDR 14353
Walkfed, LLC

SWC Washington & Clarkway

Proposed 16 unit multi-family housing development

Traffic produced by proposed development:

	DESCRIPTION	#UNIT	RATE # UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO TOWNHOUSE (DWELL)	16	5.86	94
AM Peak Hour			0.44	7
PM Peak Hour			0.52	8

(the worst 60 minutes)

No counts are available for existing traffic on Clarkway in this vicinity.

Washington Avenue

Average Daily Traffic (ADT)	22,100
PM Peak Hour	1,768

(the worst 60 minutes)

Tonopah Drive

Average Daily Traffic (ADT)	3,950
PM Peak Hour	316

(the worst 60 minutes)

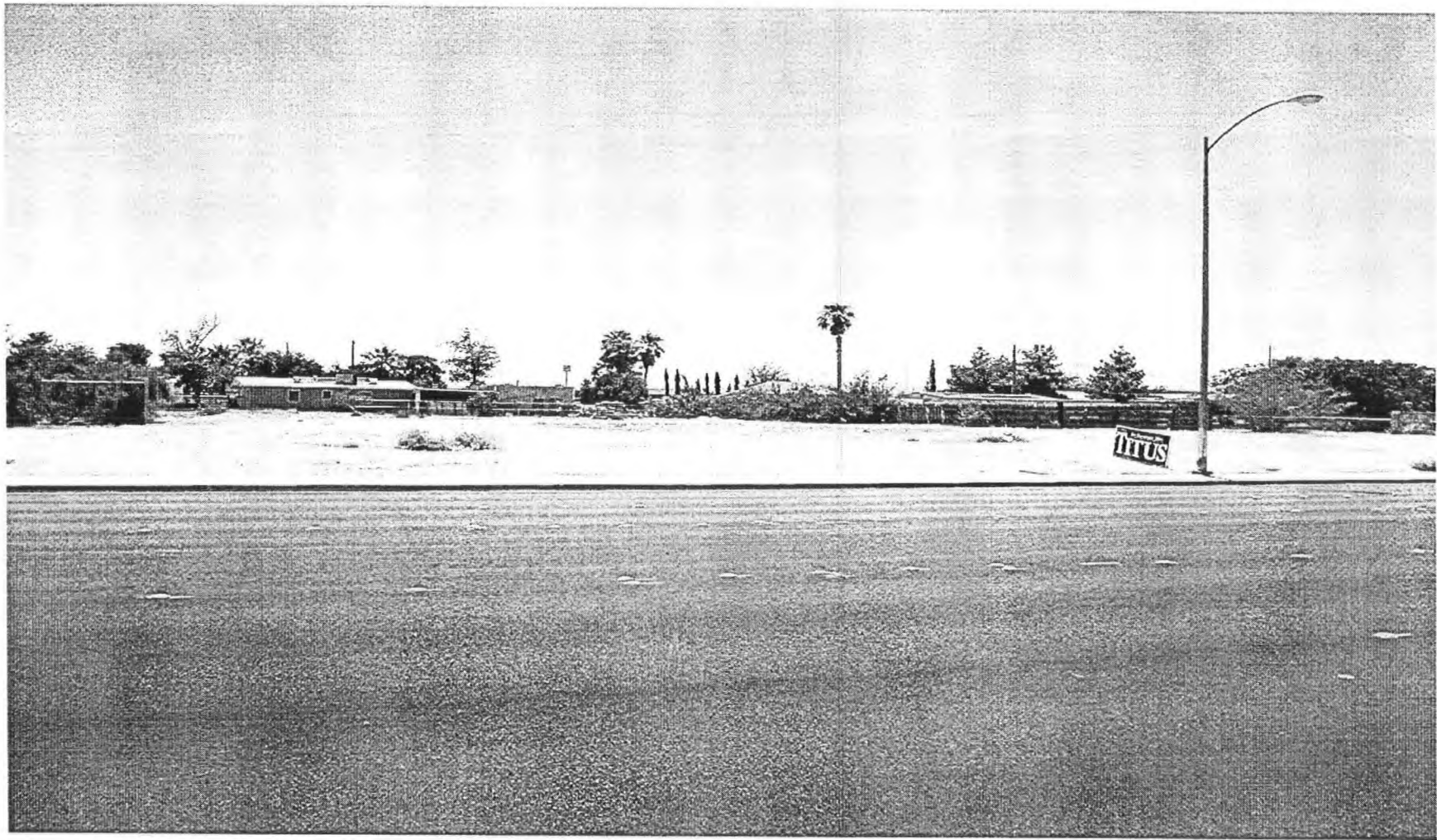
Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Washington Avenue	34300
Tonopah Drive	16200
Clarkway Drive	3000

This project will add approximately 94 trips per day on Washington, Tonopah and Clarkway. This will increase expected volumes by less than 1 percent on Washington and about 2 percent on Tonopah. Washington is at about 64 percent of capacity and Tonopah is at about 24 percent of capacity. Counts are not available for Clarkway, but it is believed to be well under capacity. This project will use roughly 3 percent of the capacity of Clarkway.

Based on Peak Hour use, this development will add roughly 8 additional car into the area; which works out to about over one every seven minutes.

Note that this report assumes all traffic from this development uses all named streets.



ZON-14344, VAR-15323 & SDR-14353 - APPLICANT/OWNER: WALKFED, LLC.
837 CLARKWAY DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/12/06



ZON-14344, VAR-15323 & SDR-14353 - APPLICANT/OWNER: WALKFED, LLC.
837 CLARKWAY DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/12/06



GREATER
NEVADA
PLANNING
INC.

- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

June 13, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- Zone Change and Site Design Review

The name of this proposal is: *Clarkway Commons*

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3.
3. We will develop this property as a townhouse complex to consist of four 4-plex units. Two of the six units will be two-stories.
4. The total gross acreage for this site is 1.51 acres. The APN is 139-28-301-002.
5. The General Plan surrounding this project is "M", excepting Public to the north.
6. This proposal is consistent to the area with the abutting property to the west zoned R-3 with four 4-plex units.
7. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,

Mark (or Scott) Sabraw

SDR-14353

**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**

July 19, 2006

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv. 89101

RE: **SDR 14353 & ZON 14344**

Dear Sirs:

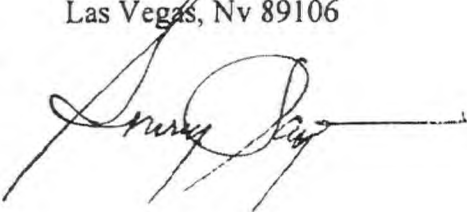
Please accept this letter as objection to the proposed site development and rezoning of the property located at 837 Clarkway Drive in regard to the waiver of perimeter landscaping buffer requirements on the 1.51 acres.

Please accept this letter as objection to the proposed request for a rezoning from R-E (Residence Estates) to R-3 (Medium density residential) on the 1.51 acres at 837 Clarkway Drive.

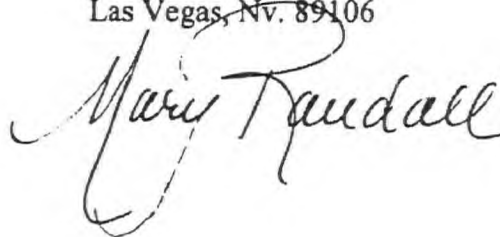
Acceptable proposal would be 12 units eliminating 4 units on far north east section of property, no entrance on Clarkway Drive and fully landscaped with no variances.

Thank you for your consideration of our request.

Sherry Taylor
Owner
820 Clarkway Drive
Las Vegas, Nv 89106



Mary A Randall
Owner:
816 Clarkway Drive
Las Vegas, Nv. 89106



ITEM # 76-77 R
CASE # _____
PC MTG 7.27.06 P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-15410 - PUBLIC HEARING - APPLICANT/OWNER: WHITE HILLS PARADISE, LLC
- Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.22 acres at 1909 Weldon Place (APN 162-03-312-007), Ward 3 (Reese).
The Planning Commission (5-1-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 21

Motion made by GARY REESE to Approve subject to amended condition as denoted below:

A. The approval is for the PR zoning.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

VALERIE LIVENGOOD appeared on behalf of the applicant and agreed to all conditions.

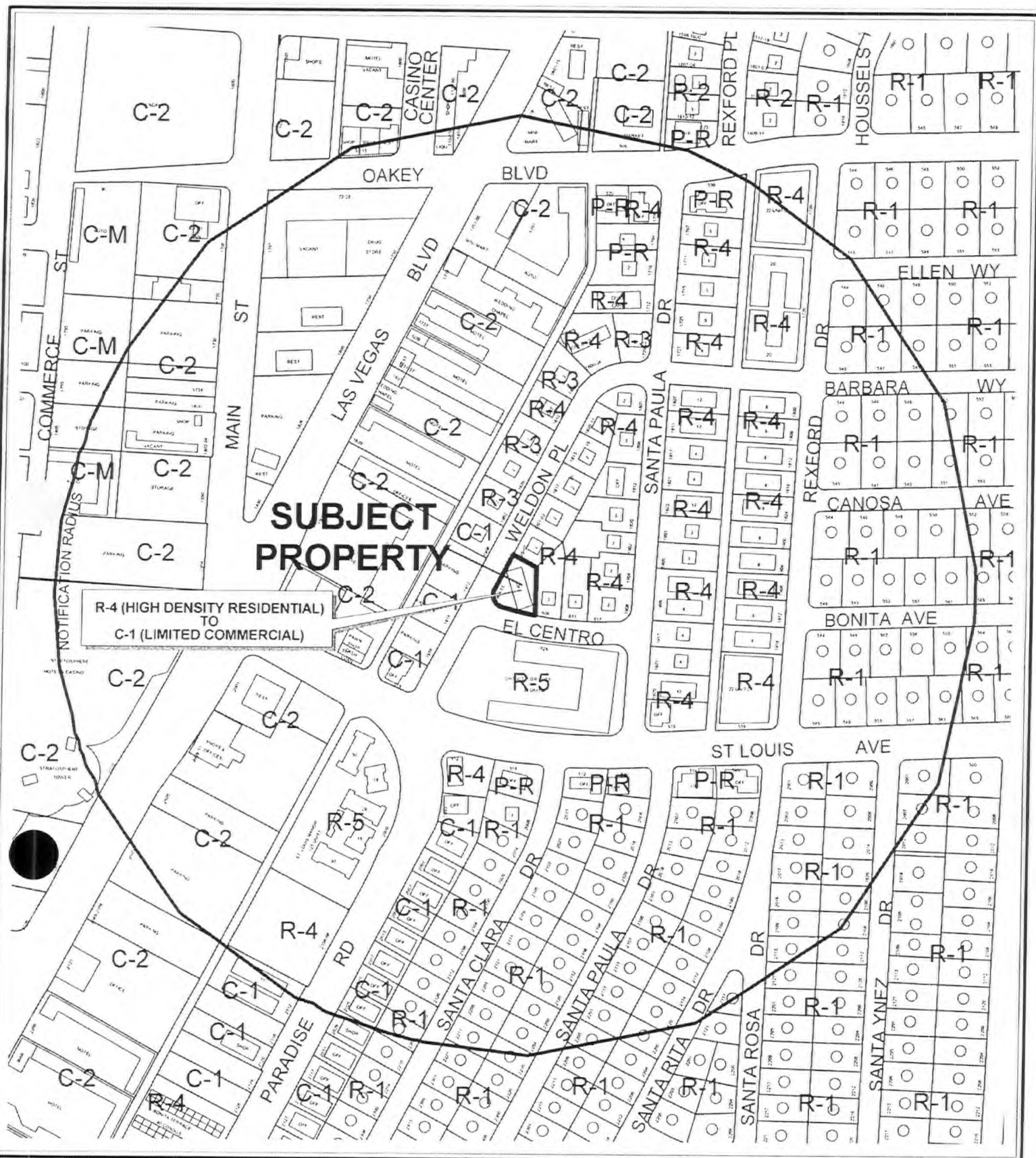
COUNCILMAN REESE requested the rezoning request be amended to Professional Office (PR) rather than Limited Commercial (C-1) and MS. LIVENGOOD agreed to that change.

CITY COUNCIL MEETING OF: October 18, 2006

MARGO WHEELER, Director of Planning and Development Department, crafted the additional condition.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **ZON-15410**

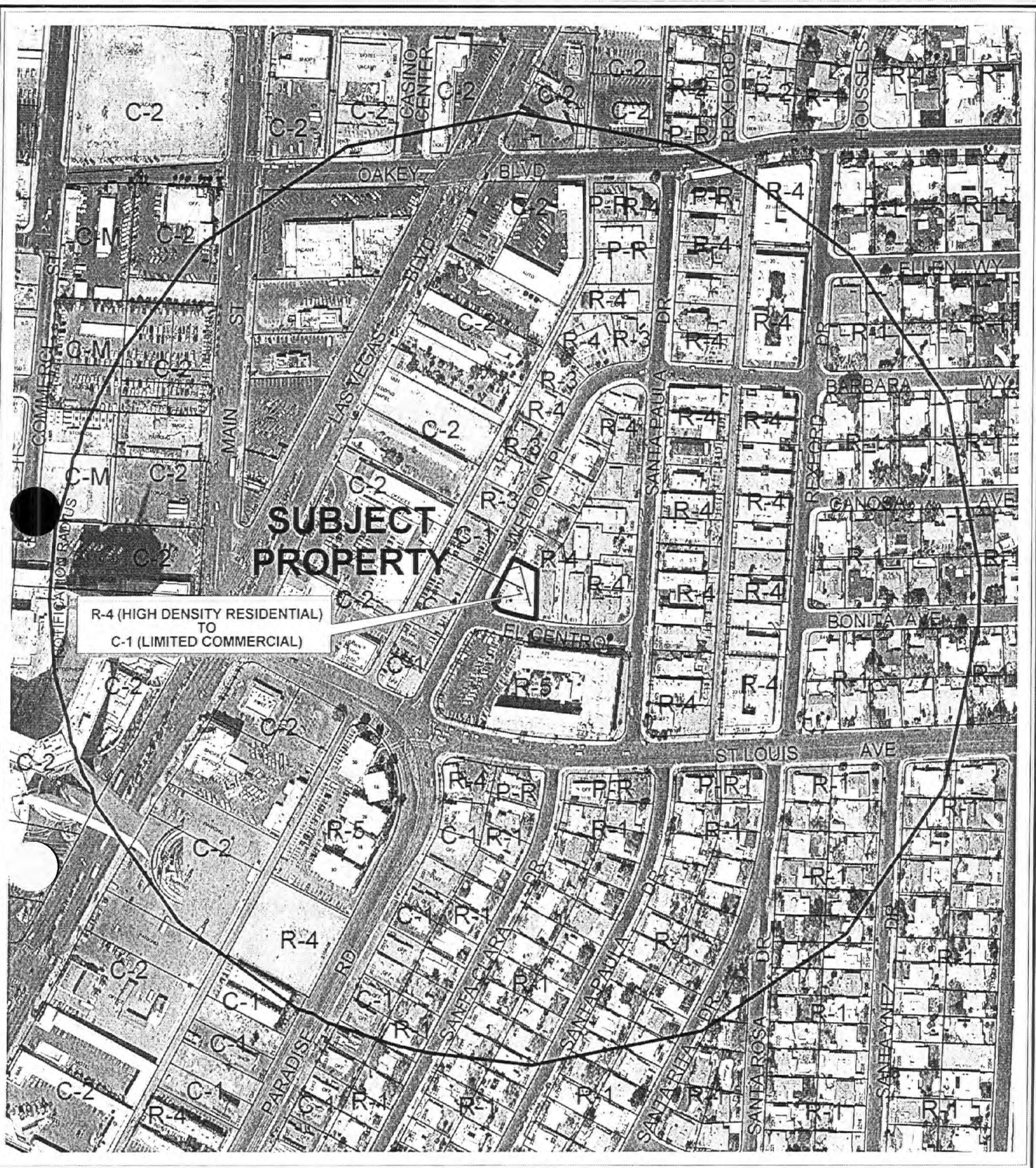
RADIUS: 1000 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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





CASE: **ZON-15410**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-15410 - APPLICANT/OWNER: WHITE HILLS
PARADISE, LLC**

**** CONDITIONS ****

The Planning Commission (5-1/ds-1/lld vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

2. The existing entry gates shall remain fully open during business hours.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from: R-4 (High Density Residential) to: C-1 (Limited Commercial) on 0.22 acres at 1909 Weldon Place.

EXECUTIVE SUMMARY

The site is currently developed with a 2,316 square foot building which has been used as an office. The building was originally approved through a Zone Variance (V-109-78). The office use is a nonconforming use in the R-4 district; however, the zoning application is a corrective action that will make the use conforming. The existing building is non-conforming and will be subject to Title 19.16 for a conforming use of a non-conforming building. Staff recommends approval.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 01/09/78 | The Board of Zoning and Adjustment approved a Variance (V-109-78) to allow general business offices on property in the R-4 (Apartment Residence) zoning district. |
| 09/21/06 | The Planning Commission voted 5-1/ds-1/ld to recommend DENIAL (PC Agenda Item #21/dr). |

B) *Recent Business License History*

- | | |
|----------|--|
| 12/16/02 | Business licenses for a photography business (P06-781) and photographic supplies (P20-172) were issued at 1909 Weldon Place. |
| 12/19/03 | The photography business license (P06-781) was marked out of business, as photography was no longer conducted. |
| 05/04/04 | The photographic supplies license (P20-172) was marked out of business. |

No licenses have been reviewed at this location since the previous license was marked out.

C) Pre-Application Meeting

07/11/06 The applicant indicated that no changes were proposed to the use or the structure. Staff indicated that a condition of approval would be included requiring the driveway gates to be open during business hours.

D) 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

Net Acres: 0.22

B) Existing Land Use

Subject Property: Office
North: Apartments
South: Apartments
East: Apartments
West: Parking

C) Planned Land Use

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

D) Existing Zoning

Subject Property: R-4 (High Density Residential)
North: R-4 (High Density Residential)
South: R-5 (Apartment)
East: R-4 (High Density Residential)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The Southeast sector map of the General Plan indicates this site is located within the Redevelopment Plan area.

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

The Redevelopment Plan area map indicates that this site is designated for C (Commercial) land uses.

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	0.22 Ac	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	15 Feet	N*
• Side	10 Feet	7 Feet	N*
• Corner	15 Feet	15 Feet	Y
• Rear	5 Feet	20 Feet	N*
Max. Lot Coverage	50 %	24.17%	Y

* The existing building does not meet the required front, corner or rear setback requirements.

B) General Analysis and Discussion

The site is currently developed with a 2,316 square foot building which has been used as an office. The building was originally approved through a Zone Variance (V-109-78). The office use is a nonconforming use in the R-4 district; however, the zoning application is a corrective action that will make the use conforming. The existing building is non-conforming and will be subject to Title 19.16 for a conforming use of a non-conforming building.

FINDINGS

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

1. "The proposal conforms to the General Plan."

The proposed rezoning to C-1 (Limited Commercial) is compatible with the Commercial designation of this site by the Las Vegas Redevelopment Plan.

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

The office use proposed by the applicant is compatible with the surrounding land uses and zoning districts.

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

The proposed rezoning supports the goals and objectives of the Las Vegas Redevelopment Plan, which encourages office uses in the downtown area.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

Weldon Place is fully developed and will provide adequate access to the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

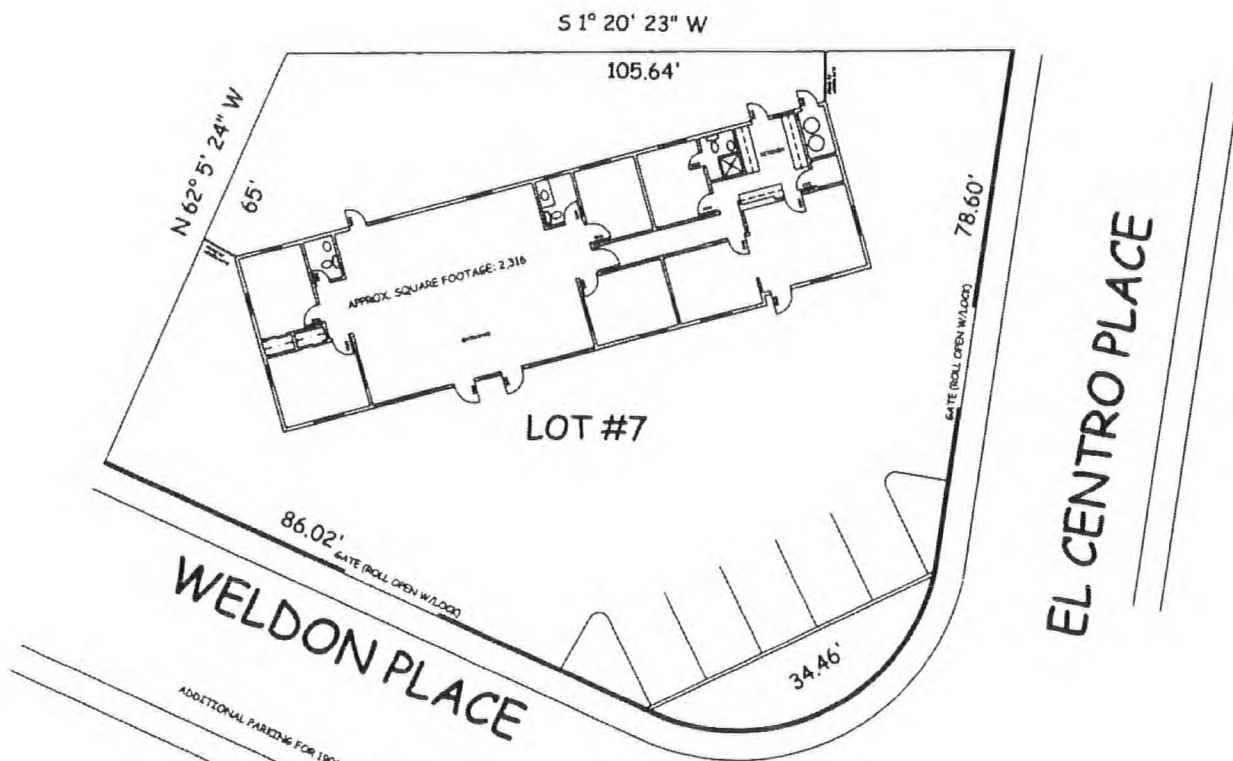
NOTICES MAILED 196 by Planning Department

APPROVALS 0

PROTESTS 3

TGD

TGD



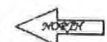
EL CENTRO PLACE

WELDON PLACE

ADDITIONAL PARKING FOR 1908 WELDON PLACE

ZON-15410
09/07/06 PC

RECEIVED
JUL 25 2006



FLOOR PLAN

1908 WELDON PLACE
City of Las Vegas, Nevada

TIM GILLIN DEVELOPMENT
SPECIALIZING IN
COMMERCIAL/INDUSTRIAL, LARGE LAS VEGAS, BRANDS/RETAILS
CENTRO CITY, 1000 EVOLUTION
2716 N. Green Valley Road #140
Henderson, NV 89014
702.894.8078 office
702.894.8078 fax
License # 50134
Contact: Tim Gillin

1908 WELDON PLACE
City of Las Vegas, Nevada
DATE: 07/06/06
BY: TGD
SCALE: 1/8" = 1'-0"
SITE PLAN

SP



ZON-15410 - APPLICANT/OWNER: WHITE HILLS PARADISE, LLC
1909 WELDON PLACE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/15/06



ZON-15410 - APPLICANT/OWNER: WHITE HILLS PARADISE, LLC
1909 WELDON PLACE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/15/06



ZON-15410 - APPLICANT/OWNER: WHITE HILLS PARADISE, LLC
1909 WELDON PLACE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/15/06

LOCATION: 1909 WELDON PLACE

WHEN Hali Gillin PURCHASED 1909 WELDON PLACE
IT WAS ZONED FOR COMMERCIAL, UPON
RENOVATION OF SAID PROPERTY, SHE WAS ~~INFORMED~~
INFORMED THAT THE ZONING HAD EXPIRED.

WE ARE REQUESTING A REEVALUATION
TO CONTINUE THE ZONING FOR A
COMMERCIAL PROPERTY.

NOTHING WILL CHANGE ~~AT~~ THE EXISTING
LOCATION OR THE EXTENSION. THE INTERIOR
WILL BE BROUGHT UP TO ADA STANDARDS.

CURRENT LOCATION IS ZONED R-4 WE ARE
REQUESTING A C1 ZONING CHANGE.

ZON-15410
09/21/06 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: 09/07/06

Case Number: 20N-15410

Date: 09/05/06
Name: Annette R. Marcus
Address: 545 Canosa Ave
L.V. NV. 89104
Phone: (702) 732-2232
☒ PROTEST ☐ APPROVE

Date: 09/05/06
Name: Seffalio, Carol & Paul
Address: 546 Canosa Ave
L.V. NV. 89104
Phone: 893-9943
☒ 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

ITEM # 3
CASE # 20N 15410
PC MTG 9-7-06

Telephone Protest/ Approval Log

Meeting Date: 09/21/06

Case Number: 20N-15410

Date: 09/13/06
Name: Annette Marcus
Address: 545 Canosa Ave
Lv. NV. 89104
Phone: (702) 732-2232
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-14139 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
- Request for a Variance TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE A SETBACK OF 10 FEET IS THE MINIMUM SETBACK REQUIRED AND A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

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 and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by GARY REESE to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 137 [VAR-14139] and Item 138 [SDR-14137].

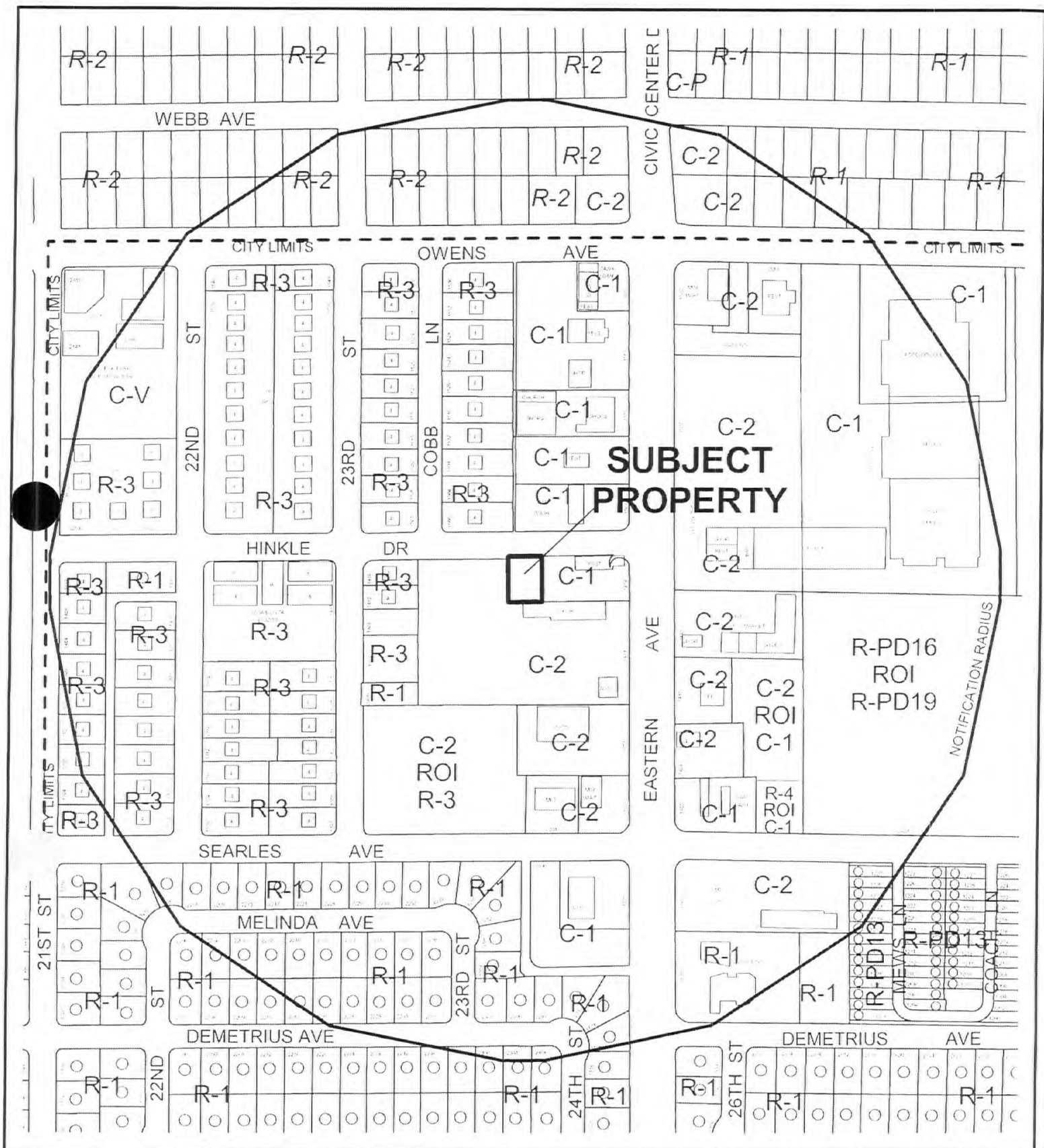
EDUARDO VERGARA, 5407 Orinda Avenue, appeared on behalf of the applicant and stated this proposal would enhance the City.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

MR. VERGARA assured COUNCILMAN REESE that the lot's condition would be improved.

MAYOR GOODMAN declared the Public Hearing closed for Item 137 [VAR-14139] and Item 138 [SDR-14137].





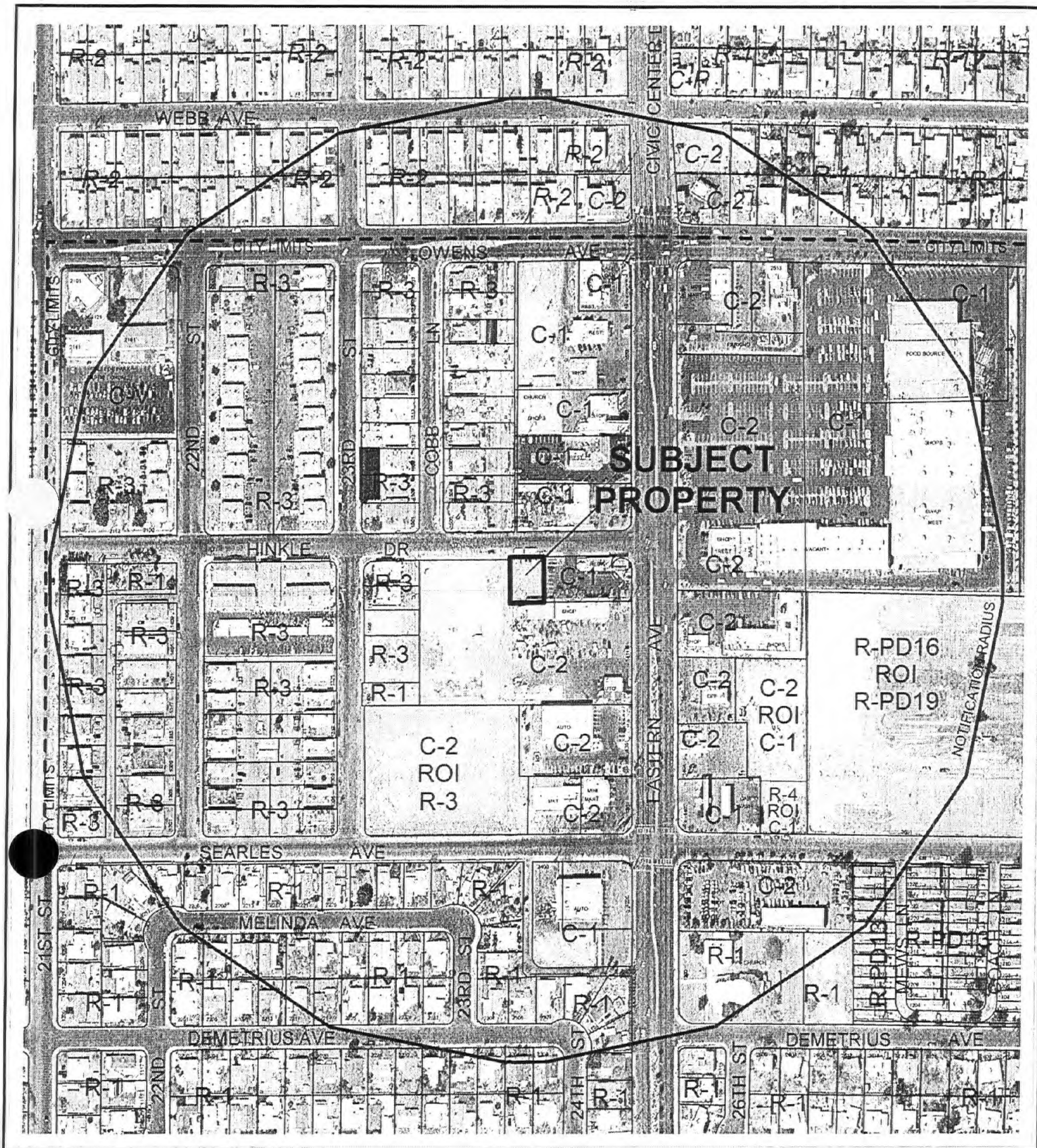
CASE: **VAR-14139**

RADIUS: 1000 FT

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

0 200 400 Feet





CASE: **VAR-14139**

RADIUS: 1000 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-14139 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-14137) 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

The applicant requests for a Variance to allow a five-foot side yard setback where a setback of 10 feet is the minimum setback required and a five-foot rear yard setback where 20 feet is the minimum setback required on 0.17 acres at 2400 Hinkle Drive.

EXECUTIVE SUMMARY

Staff cannot support this request as the applicant has created a self-imposed hardship by proposing a development that will not fit within the building envelope created by development standards applicable to the site. A smaller building could satisfy these standards; therefore, staff recommends denial.

BACKGROUND INFORMATION

A) *Related Actions*

- 03/16/05 The City Council tabled requests to amend a portion of the Southeast Sector Map of the General Plan (GPA-5597) from SC (Service Commercial) to GC (General Commercial), to Rezone (ZON-5598) from C-1 (Limited Commercial) to C-2 (General Commercial), and a Special Use Permit (SUP-5600) for a proposed motor vehicle sales used on 0.17 acres at 2400 Hinkle Drive. Planning Commission and staff recommended denial.
- 09/21/06 The Planning Commission recommended approval of companion item SDR-14137 concurrently with this application.
- 09/21/06 The Planning Commission voted 5-2/sd/bg to recommend APPROVAL (PC Agenda Item #26/jm)

B) *Pre-Application Meeting*

- 05-08-06 The pre-application was held and the applicant noted the various applications, Site Development Plan Review and Variance, that were needed to satisfy their request. In a follow-up meeting, the applicant was asked to supply revised plans illustrating the office use and modifying their justification letter to request a Waiver of the landscape buffer requirements.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.17

B) Existing Land Use

Subject Property: Undeveloped
North: Car Wash
South: Auto Repair Shop
East: Restaurant
West: Undeveloped

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: C-1 (Limited Commercial)
West: C-2 (General Commercial)

E) General Plan Compliance

The Southeast Sector Map of the General Plan designates the site as SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) Zoning District and the proposed site plan conforms to the proposed SC (Service Commercial) land use 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 indicates the office building is proposed for the west portion of the site, with the remainder of the parcel proposed to be paved for parking. A 24-foot wide driveway provides access to Hinkle Drive. The applicant is requesting a Variance to permit a five-foot side yard setback where a setback of 10 feet is the minimum setback required and a five-foot rear yard setback where 20 feet is the minimum setback.

An eight-foot wide landscape planter is provided along the north property line, with five-foot wide planters with 24-inch box trees spaced at 30 feet on center are provided along the south and west property lines. No landscaping is provided along the east property line. A Waiver of perimeter landscaping has been requested by 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	Provided	Compliance
Min. Lot Size	NA	0.17 ac	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet 8 Inches	Y
• Side	10 Feet	5 Feet	N
• Rear	20 Feet	5 Feet	N
Max. Lot Coverage	50 %	25%	Y
Max. Building Height	NA	One story, 20 feet	Y
Trash Enclosure	1	1	Y

The subject site does not meet the minimum side and rear setback requirements, and this Variance has been requested to provide relief from this requirement.

A2) Residential Adjacency Standards

The proposed office building complies with the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1,880 SF.	1/300	7	1	7	1

The proposed office complies with all applicable Title 19 parking standards.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Spaces	1 Trees	1 Trees
Buffer:	1 Trees /30 Linear Feet	12 Trees	8 Trees
Min. Zone Depth Adjacent to Right-of-Way	15 Feet		8 Feet
Min. Zone Depth – Interior Lot Lines	8 Feet		5 Feet

An eight-foot wide landscape planter is provided along the north property line, where 15 feet is the minimum. As well a five-foot wide planter, where eight feet is the minimum, with 24-inch box trees spaced at 30 feet center are provided along the south and west property lines. No landscaping is provided along the east property line. The applicant requests a Waiver of the landscape buffer 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. Alternative site configuration and building size reduction 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 13

SENATE DISTRICT 9

NOTICES MAILED 176 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-14139** APN: 139-26-508-002

Name of Property Owner: CARLOS CODARINI

Name of Applicant: SUE

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

Yes _____ X No

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

City Official: _____

Partner(s): _____

APN: _____

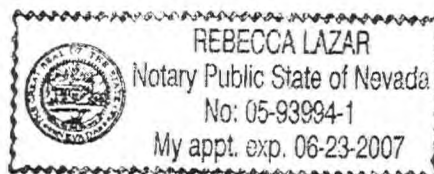
Signature of Property Owner: _____

Print Name: CARLOS CODRINI

Subscribed and sworn before me

This 06 day of 06, 2006

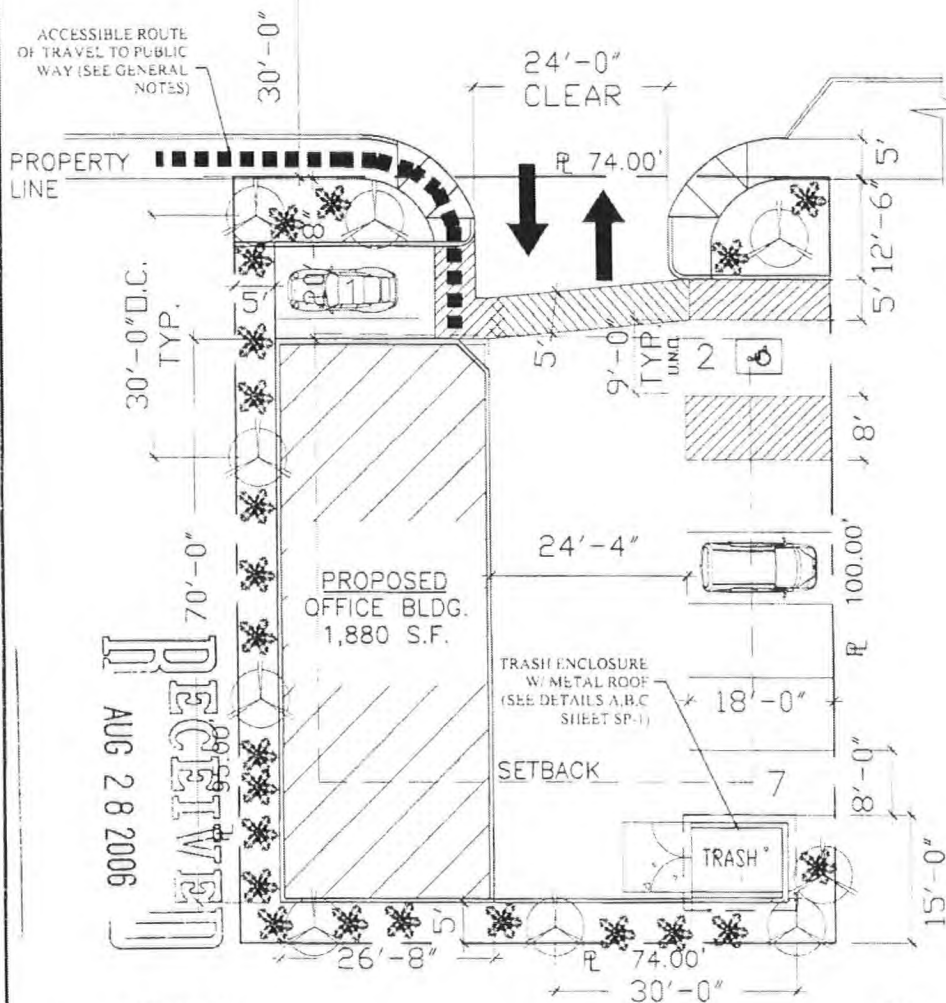
Kh L G Clark / Nevada
Notary Public in and for said County and State



HINKLE RD.

ACCESSIBLE ROUTE OF TRAVEL TO PUBLIC WAY (SEE GENERAL NOTES)

PROPERTY LINE



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

AUG 28 2006



GENERAL NOTES:

1. CHANGES IN LEVEL ALONG AN ACCESSIBLE ROUTE SHALL COMPLY WITH ANSI 301. CHANGES IN LEVEL OF 1/4" HIGH MAX. ARE PERMITTED TO BE VERTICAL W/OUT EDGE TREATMENT; CHANGES BETWEEN 1/4" AND 1/2" HIGH MAX. ARE TO BE BEVELED W/ SLOPE NOT STEEPER THAN 1:2; CHANGES GREATER THAN 1/2" ARE TO BE ACCOMPLISHED W/ CURB RAMP, RAMP OR ELEVATOR ANSI 303.

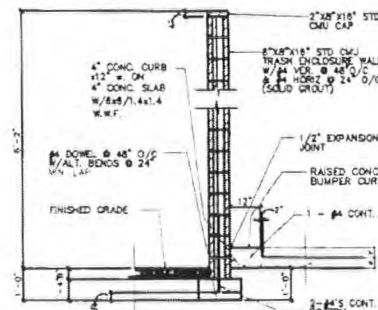
2. WIDTH OF AN ACCESSIBLE ROUTE SHALL BE 36" MIN. EXCEPT FOR GREATER WIDTHS REQUIRED AT DOORS (ANSI 4.13.5), TURNAROUNDS ANSI FIGURE 4.3.3(c), AND PASSING SPACES (ANSI 4.3.4) ANSI 4.3.3 AND ANSI 4.3.4

PLANT LEGEND

SYMBOL	BOTANICAL NAME COMMON NAME AND SIZE
	TREE PINUS - 'CHIR PINE' EVERGREEN 24" BOX - 1 PINUS @ 30" OC FOR SIDE AND REAR
	SHRUBS PINUS - 'CHIR PINE' EVERGREEN 5 GALLON (4 SHRUBS FOR EVERY 1 PINUS)
	GROUND COVER BERMUDA GRASS

NOTE:

THIS DETAIL IS INTENDED TO COMPLY WITH CITY OF LAS VEGAS BUILDING DEPT. STANDARDS FOR REGULAR CMU WALL DETAIL WHICH TAKES PRECEDENCE.



TRASH ENCLOSURE WALL/SECT.

AS SHOWN

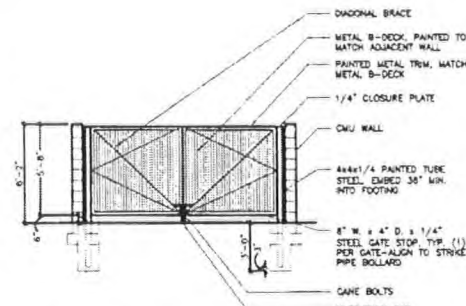
APN# 139-26-508-002



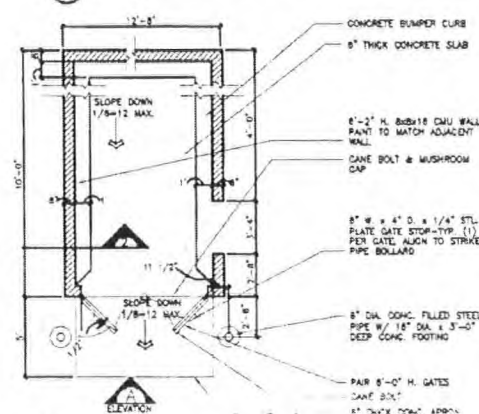
PARKING ANALYSIS

PARKING REQUIRED FOR GENERAL OFFICE USE:

General Office=ONE SPACE PER 300S.F.
1,880/300 = 7 SPACES
TOTAL SPACES REQUIRED= 7 SPACES
TOTAL SPACES PROVIDED = 7 SPACES
(1 HANDICAPPED VAN ACCESSIBLE PARKING)



TRASH ENCLOSURE ELEVATION



AS SHOWN

SDR-14137 VAR-14139

09/21/06 PC REVISED

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS AN EXCEPTION TO AND RELIES ON WORK UNDER CONTRACTOR LICENSE CATEGORY AUTHORIZED UNDER NRS 624

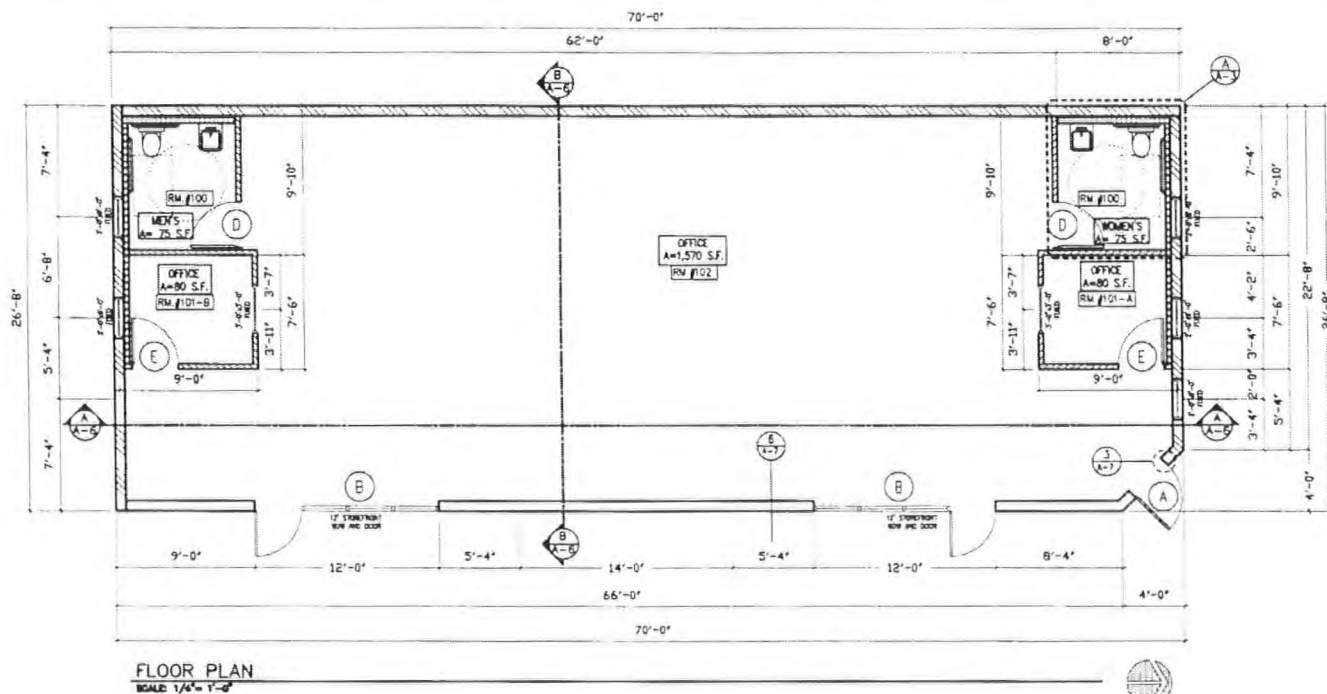
EVERGREEN CONSTRUCTION & DEVELOPMENT
14137 HINKLE DR.
LAS VEGAS, NV 89110
PHONE: 702/340-7915 FAX: 400-0000

CODARINI OFFICE BLDG.
2400 HINKLE DR.
LAS VEGAS, NV 89110

SITE AND LANDSCAPE PLAN
SHEET 1 OF 1

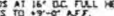
DATE: 7.20.06
DRAWN BY: P.B.
CHECKED BY: P.B.
SCALE: 1/8"=1'-0"

RECEIVED
AUG 28 2006



WALL LEGEND

EXTERIOR 2"x4"x8' OSB FULLY GROUTED PARAPET WALL
 WALL REFER TO STRUCTURAL PLANS FOR DETAILS AND
 SPEC. (SEE DETAIL 1 SHEET A-6)
 INTERIOR PARTITION 2"x4" WOOD STUDS AT 16" O.C.
 FULL HEIGHT WITH 3/4" GYP. BD. BOTH SIDES TO +10'-6"
 A.F.F. (SEE DETAIL 4 AND 5 SHEET A-9)

 EXTERIOR PLUMBING/ELECTRICAL WALL 2"x6" WOOD
 STUDS AT 16" O.C. FULL HEIGHT WITH 3/4" GYP. BD. BOTH
 SIDES TO +9'-0" A.F.F.

 INTERIOR 2"x6" FURRING WALL - WOOD STUDS AT 16"
 O.C. FULL HEIGHT WITH 3/4" GYP. BD. BOTH SIDES TO
 +10'-0" A.F.F. AND R-19 BATT INSULATION

 EXTERIOR 2"x6" WALL - WOOD STUDS AT 16" O.C. FULL
 HEIGHT WITH R-19 BATT INSULATION AND STUCCO
 FINISH

DOOR HARDWARE

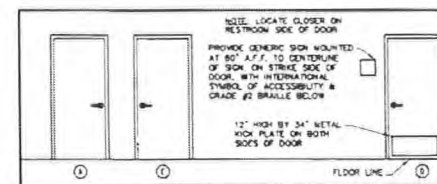
HARDWARE #1
1 1/2 PAIR BUTTS
CLOSER
LEVERED PRIVACY LOCKSET
W/ PUSH BUTTON LOCKSET

DOOR GENERAL NOTES

1. DOOR HARDWARE, HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS ON ACCESSIBLE DOORS SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE - PER ANSI/CASQ A117.1 - 1992 SECTION 4.13.10.
2. ALL EXT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, SPECIAL KNOWLEDGE, OR EFFORT.
3. ALL NEW DOORS WILL HAVE LEVER TYPE HARDWARE U.N.O.

DOOR SCHEDULE

QTY.	TYP	DOOR	SIZE of OPENING		HOW SET
			WIDTH	HEIGHT	
1	(A)	MTL. MAN DOOR W/ PANIC HARDWARE	3'-0"	6'-8"	1
2	(B)	STORE FRONT ALUM. TEMPERED DOORS	12'-0"	12'-0"	
1	(C)	NOT USED	-	-	
1	(D)	RESTROOM HOLLOW CORE	3'-0"	6'-8"	1
1	(E)	HOLLOW CORE	3'-0"	6'-8"	1



OFFICE FINISH SCHEDULE

ROOM #	ROOM NAME	FLOORING		CEILING		WALLS				CASE - WORK	REMARKS
		WALLS	FLOOR	WALLS	CEILING	WALLS	WALLS	WALLS	WALLS		
100	RECREATION	YES	YES	YES	YES	YES	YES	YES	YES		
101	OFFICE	YES	YES	YES	YES	YES	YES	YES	YES		
102	OFFICE	CARPET	CARPET	NO PAPER CEILING	YES	YES	YES	YES	YES		

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS AN EXCEPTION TO HIS \$21,330 PER WORK UNDER CONTRACTOR LICENSE OUTSTANDING UNDER NYS \$2

**EDVERG CONSTRUCTION
& DEVELOPMENT**
NEW STATE CONTRACTOR LLC #202000
EMAIL: ed@edverg.com

REVISIONS

CODARINI OFFICE BLDG.
2400 HUNKLE DR.
LAS VEGAS, NV. 89110

Journal

FLOOR PLAN

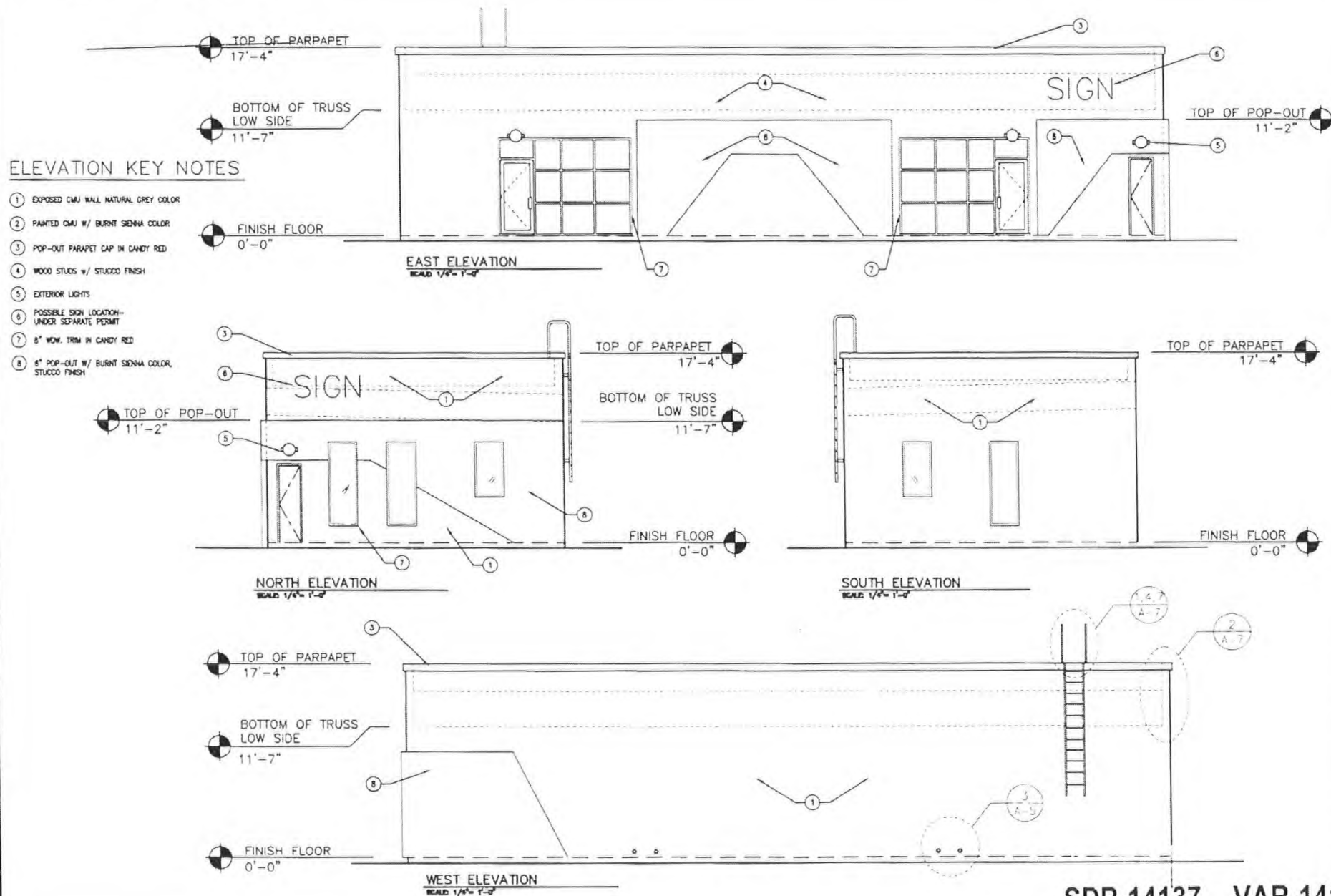
Summary

1. 1998

A-1

SDR-14137 VAR-14139
09/21/06 PC REVISED

RECEIVED
AUG 28 2006



SDR-14137 VAR-14137
09/21/06 PC REVISED

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR FOR THE CITY OF LAS VEGAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS.

EDVORCO CONSTRUCTION & DEVELOPMENT
14100 S. LAS VEGAS BLVD., SUITE 100
LAS VEGAS, NV 89138
PHONE: 702-336-7713 FAX: 702-336-7714

REVISIONS

NO.	DATE	DESCRIPTION
1	09/21/06	ISSUED FOR PERMIT

CODARINI OFFICE BLDG.
2400 HINKLE DR.
LAS VEGAS, NV 89110

PROJECT
ELEVATIONS
DRAWN BY: P.B.
CHECKED BY:
DATE: 5/24/04
CARLOS CODARINI

A-4

EDVERG CONSTRUCTION & DEVELOPMENT - NV
CONTRACTOR LICENSE # 0052630

5407 Orinda Avenue
Las Vegas, Nevada 89120
TEL: (702) 348-7815 FAX: (702) 450-0962
Email: ed@edvergcon.com

Justification letter

August 25, 2006

City of las vegas
Planning & Development
731 South Fourth Street
Las Vegas, Nevada 89101

General Land Ownership information
Owner: Carlos Codarini
5589 Evangeline Ct.
Las Vegas Nevada, 89120

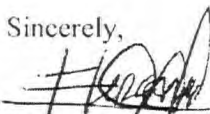
Attention: Planner
Subject: Variance & waiver – APN 139-26-508-002
Re: Justification Letter – Codarini Office Building

Dear Sir,

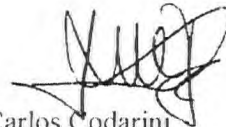
This property is located at 2400 Hinkel Drive, in the city of Las Vegas, Nevada. This letter is written to show justification for our proposal to convert 8,000 S.F. of raw land into an Office Building. Our project is constrained by the small lot size; however, we have worked with the staff in creating an upscale design in the limited space available. In order to accomplish our goals we are seeking approval for variance for perimeter set-back and additionally, we are seeking a landscape waiver. We have worked 2 years in this project, putting our best together to formulate this office building on the limited land that we have available, we are willing and committed to continue work with the staff on all aspects for the benefit of the project. We believe that continuing of the improvement of the area and a better use of the property, our operation at this location will provide convenience and safety for our customers, and enhance the existing shopping center... The proposed development is compatible with surrounding uses and will serve as a convenience to the surrounding neighborhood.

If you have any questions or comments regarding this matter please do not hesitate to contact me. Thank you in advance for your cooperation.

Sincerely,



Eduardo Vergara
Edverg Construction and Development



Carlos Codarini
Owner – Tel: 375-8885

RECEIVED
AUG 28 2006

SDR-14137 VAR-14139
09/21/06 PC REVISED

JUSTIFICATION LETTER

GENERAL LAND OWNERSHIP INFORMATION:

Carlos Codarini
5589 Evangeline Ct.
LAS VEGAS, NEVADA 89120

PROPOSED: Hinkel Center

APN 139-26-508-002

Our property and proposed improvements located at 2400 Hinkel Drive, In the City of Las Vegas, State of Nevada. This letter is written to show justification for our proposal to convert 8,000 sf. raw land in to a retail commercial center. Our project is constrained by the small lot size, however, we have worked with staff in creating an upscale design in the limited space available. In order to accomplish our goals we are seeking approval for a variance for perimeter set-backs,

and additionally, we are seeking a landscape waiver. We have worked 2 years on this project, putting our best together to formulate this center on the limited land we have available, we are willing to continue working with staff on all aspects of design to better enhance our project. We believe continuing retail office lease space on the south side of Hinkel is a justifiable, and better use of the property. our operation at this location will provide convenience and safety for our customers, and enhance the existing neighborhood shopping center.

Carlos Codarini
(owner)

If you have any questions concerning this proposal, contact me any time at (702)375-8885

RECEIVED
AUG 15 2006

VAR-14139
09/21/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-14139

SDR-14137 - PUBLIC HEARING - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
- Request for a Site Development Plan Review FOR A PROPOSED 1,880 SQUARE-FOOT
OFFICE BUILDING AND A WAIVER OF PERIMETER LANDSCAPE BUFFER WIDTH
REQUIREMENTS on 0.17 acres at 2400 Hinkle Drive (APN 139-26-508-002), C-1 (Limited
Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission
(5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

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 and Staff Report
3. Supporting Documentation
4. Justification Letter

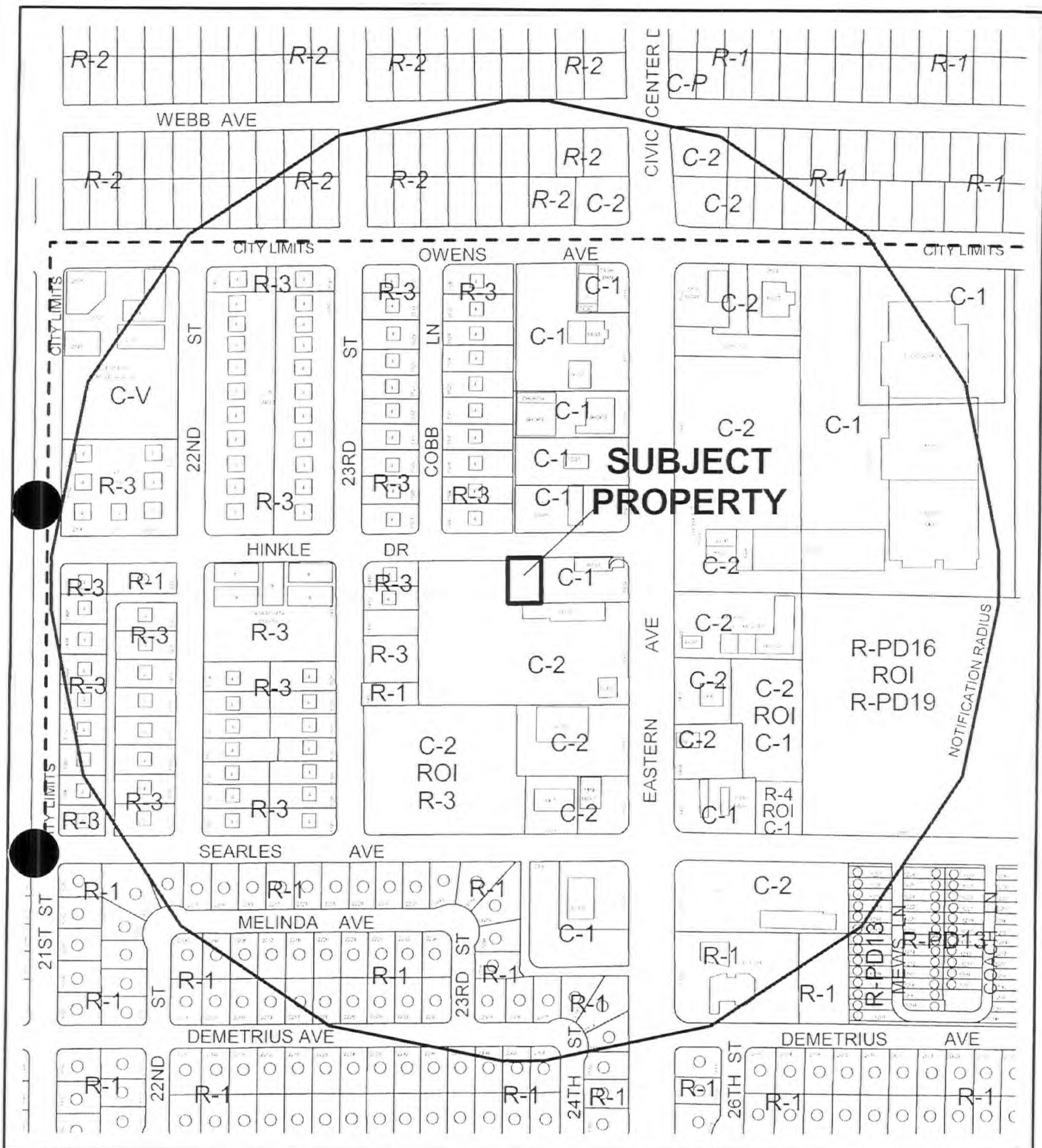
Motion made by GARY REESE to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

See Item 137 for related discussion.



CASE: **SDR-14137**

RADIUS: 1000 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-14137 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-14139) 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 revised site plan, landscape plan, and building elevations, date stamped 08/28/06, except as amended by conditions herein.
4. The approval of the requested waivers for the reduction of perimeter landscaping.
5. 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. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
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. 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).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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. Dedicate an additional 5 feet of right-of-way for a total half-street width of 30 feet on Hinkle Drive prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
13. Construct all incomplete half-street improvements on Hinkle Drive 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.
14. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
15. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests for a Site Development Plan Review for a proposed 1,880 square-foot office building and a Waiver of perimeter landscape buffer width requirements on 0.17 acres at 2400 Hinkle Drive.

There is a related request for a Variance (VAR-14139) to allow a five-foot side yard setback where a setback of 10 feet is the minimum setback required and a five-foot rear yard setback where 20 feet is the minimum setback required.

EXECUTIVE SUMMARY

Staff cannot support this request as the applicant has created a self-imposed hardship by proposing a development that will not fit within the building envelope created by development standards applicable to the site. In addition, the site does not meet perimeter landscape buffer requirements. A smaller building could satisfy these standards; therefore, staff recommends denial.

BACKGROUND INFORMATION

A) *Related Actions*

3/16/05 The City Council tabled requests to amend a portion of the Southeast Sector Map of the General Plan (GPA-5597) from SC (Service Commercial) to GC (General Commercial), to Rezone (ZON-5598) from C-1 (Limited Commercial) to C-2 (General Commercial), and a Special Use Permit (SUP-5600) for a proposed motor vehicle sales used on 0.17 acres at 2400 Hinkle Drive. Planning Commission and staff recommended denial.

09/21/06 The Planning Commission voted 5-2/sd/bg to recommend APPROVAL (PC Agenda Item #27/jm).

B) *Pre-Application Meeting*

05-08-06 The pre-application was held and the applicant noted the various applications, Site Development Plan Review and Variance, that were needed to satisfy their request. In a follow-up meeting, the applicant was asked to supply revised plans illustrating the office use and modifying their justification letter to request a Waiver of the landscape buffer requirements.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.17

B) *Existing Land Use*

Subject Property: Undeveloped
North: Car Wash
South: Auto Repair Shop
East: Restaurant
West: Undeveloped

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: C-2 (General Commercial)
East: C-1 (Limited Commercial)
West: C-2 (General Commercial)

E) *General Plan Compliance*

The Southeast Sector Map of the General Plan designates the site as SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. The C-1 (Limited Commercial) Zoning District and the proposed site plan conform to the proposed SC (Service Commercial) land use 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 indicates the office building is proposed for the west portion of the site, with the remainder of the parcel proposed to be paved for parking. A 24-foot wide driveway provides access to Hinkle Drive. The site plan also indicates that the office has a five-foot side yard setback where a setback of 10 feet is the minimum setback required and a five-foot rear yard setback where 20 feet is the minimum setback. A Variance (VAR-14139) has been requested for rear and side yard setbacks.

An eight-foot wide landscape planter is provided along the north property line, with five-foot wide planters with 24-inch box trees spaced at 30 feet on center are provided along the south and west property lines. No landscaping is provided along the east property line. A Waiver of perimeter landscaping has been requested by 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	Provided	Compliance
Min. Lot Size	NA	0.17 ac	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet 8 Inches	Y
• Side	10 Feet	5 Feet	N
• Rear	20 Feet	5 Feet	N
Max. Lot Coverage	50 %	25%	Y
Max. Building Height	NA	One story, 20 feet	Y
Trash Enclosure	1	1	Y

The subject site does not meet the minimum side and rear setback requirements, and a Variance (VAR-14139) has been requested to provide relief from this requirement.

A2) Residential Adjacency Standards

The proposed office building complies with the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1,880 SF.	1/300	7	1	7	1

The proposed office complies with all applicable Title 19 parking standards.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/ 6 Spaces	1 Trees	1 Trees
Buffer:	1 Trees /30 Linear Feet	12 Trees	8 Trees
Min. Zone Depth Adjacent to Right-of-Way	15 Feet		8 Feet
Min. Zone Depth – Interior Lot Lines	8 Feet		5 Feet

An eight-foot wide landscape planter is provided along the north property line, where 15 feet is the minimum while. As well a five-foot wide planter, where eight feet is the minimum, with 24-inch box trees spaced at 30 feet center are provided along the south and west property lines. No landscaping is provided along the east property line. The applicant requests a Waiver of the landscape buffer requirements.

B) General Analysis and Discussion

- Zoning

The property is zoned C-1 (Limited Commercial) and is suitable for the proposed office use.

- Site Plan

The applicant is seeking a Variance (VAR-14139) of the side and rear setback requirements. Because this indicates that the site is being overbuilt, staff is recommending denial.

- Waivers

The applicant is seeking waivers for the reduction of perimeter landscaping. The landscape waiver request is to allow a five-foot landscape buffer where eight feet is required and eight-feet where fifteen-feet are required.

- Landscape Plan

An eight-foot wide landscape planter is provided along the north property line, where 15 feet is the minimum while. As well a five-foot wide planter, where eight feet is the minimum, with 24 inch box trees spaced at 30 feet center are provided along the south and west property lines. No landscaping is provided along the east property line. The applicant requests a Waiver of the landscape buffer requirements.

- Elevation

Chapter 19.08.045 of the Zoning Code requires that building design shall incorporate patterns and materials that provide visual interest. Staff finds that the gray concrete block exterior proposed by the applicant does not comply with this requirement and has included a condition, which addresses this issue.

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;"**

Although the proposed office use is compatible in relation to the adjacent auto repair shop and commercial uses, the applicant has created a self-imposed hardship by proposing a development that will not fit within the building envelope created by development standards applicable to the site, therefore this application is not supported.

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 structure could be redesigned in such a manner as to comply with the perimeter buffer requirements of Title 19.12 of the Zoning Code, which requires an eight-foot wide planter along all property lines of this site. Denial of this request is recommended, as it demonstrates the site is being overbuilt by not being able to conform to setback requirements.

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

The subject site has access to Hinkle Drive, a 60-foot wide local street which is not adequate to meet the requirements of the proposed zoning district.

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

The building materials are an appropriate material for the building exterior. Excluding the deficiencies discussed above in the landscape standards, the landscape materials proposed are appropriate for the area.

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

Building elevations and design characteristics are not unsightly or obnoxious and are compatible with surrounding development and landscaping isn't in harmony.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 174 by Planning Department

APPROVALS 0

PROTESTS 0

Name of Applicant: SME

X No

I:\Depot\Application Packet\Statement of Financial Interest.doc

HINKLE RD.

ACCESSIBLE ROUTE OF TRAVEL TO PUBLIC WAY (SEE GENERAL NOTES)

30'-0"

24'-0" CLEAR

R 74.00'

PROPERTY LINE

30'-0" D.C. TYP.

70'-0"

PROPOSED OFFICE BLDG. 1,880 S.F.

TRASH ENCLOSURE W/ METAL ROOF (SEE DETAILS A,B,C SHEET SP-1)

SETBACK

TRASH

26'-8"

R 74.00'

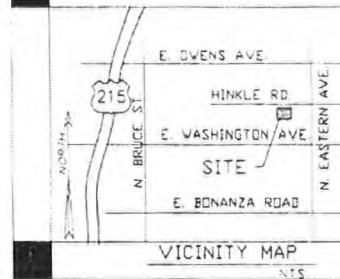
30'-0"



SITE PLAN

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

APN# 139-26-508-002



PARKING ANALYSIS

PARKING REQUIRED FOR GENERAL OFFICE USE:

General Office=ONE SPACE PER 300SF.
1,880/300 = 7 SPACES
TOTAL SPACES REQUIRED = 7 SPACES
TOTAL SPACES PROVIDED = 7 SPACES
(1 HANDICAPPED VAN ACCESSIBLE PARKING)

VICINITY MAP

GENERAL NOTES:

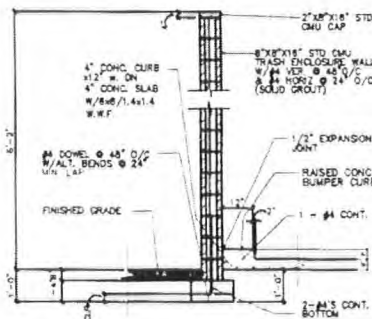
1. CHANGES IN LEVEL ALONG AN ACCESSIBLE ROUTE SHALL COMPLY WITH ANSI 301. CHANGES IN LEVEL OF 1/4" HIGH MAX. ARE PERMITTED TO BE VERTICAL W/DUT EDGE TREATMENT; CHANGES BETWEEN 1/4" AND 1/2" HIGH MAX. ARE TO BE BEVELED W/ SLOPE NOT STEEPER THAN 1:2; CHANGES GREATER THAN 1/2" ARE TO BE ACCOMPLISHED W/ CURB RAMP, RAMP OR ELEVATOR. ANSI 303.
2. WIDTH OF AN ACCESSIBLE ROUTE SHALL BE 36" MIN. EXCEPT FOR GREATER WIDTHS REQUIRED AT DOORS (ANSI 4.13.5), TURNAROUNDS ANSI FIGURE 4.3.3(b), AND PASSING SPACES (ANSI 4.3.4). ANSI 4.3.3 AND ANSI 4.3.4

PLANT LEGEND

SYMBOL	BOTANICAL NAME COMMON NAME AND SIZE
	TREE PINUS - 'CHIR PINE' EVERGREEN 24" BOX - 1 PINUS @ 30' OC FOR SIDE AND REAR
	SHRUBS PINUS - 'CHIR PINE' EVERGREEN 5 GALLON (4 SHRUBS FOR EVERY 1 PINUS)
	GROUND COVER BERMUDA GRASS

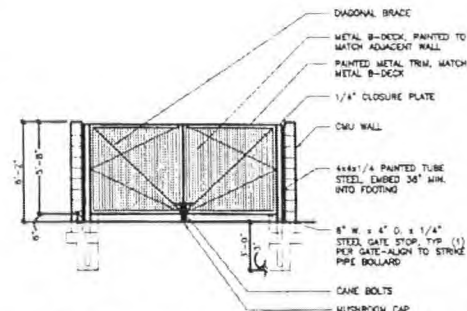
NOTE:

THIS DETAIL IS INTENDED TO COMPLY WITH CITY OF LAS VEGAS BUILDING DEPT. STANDARDS FOR REGULAR C.M.U. WALL DETAIL WHICH TAKES PRECEDENCE.

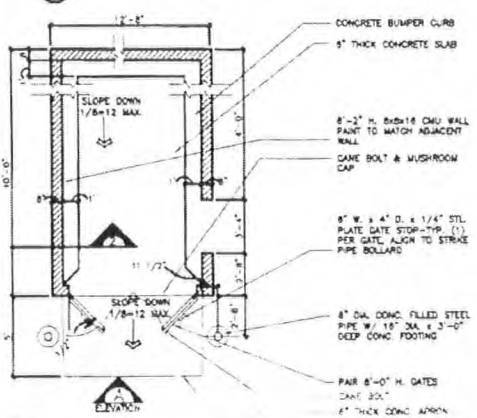


TRASH ENCLOSURE WALL/SECT.

AS SHOWN



A TRASH ENCLOSURE ELEVATION



B

SDR-14137 VAR-14139

09/21/06 PC REVISED

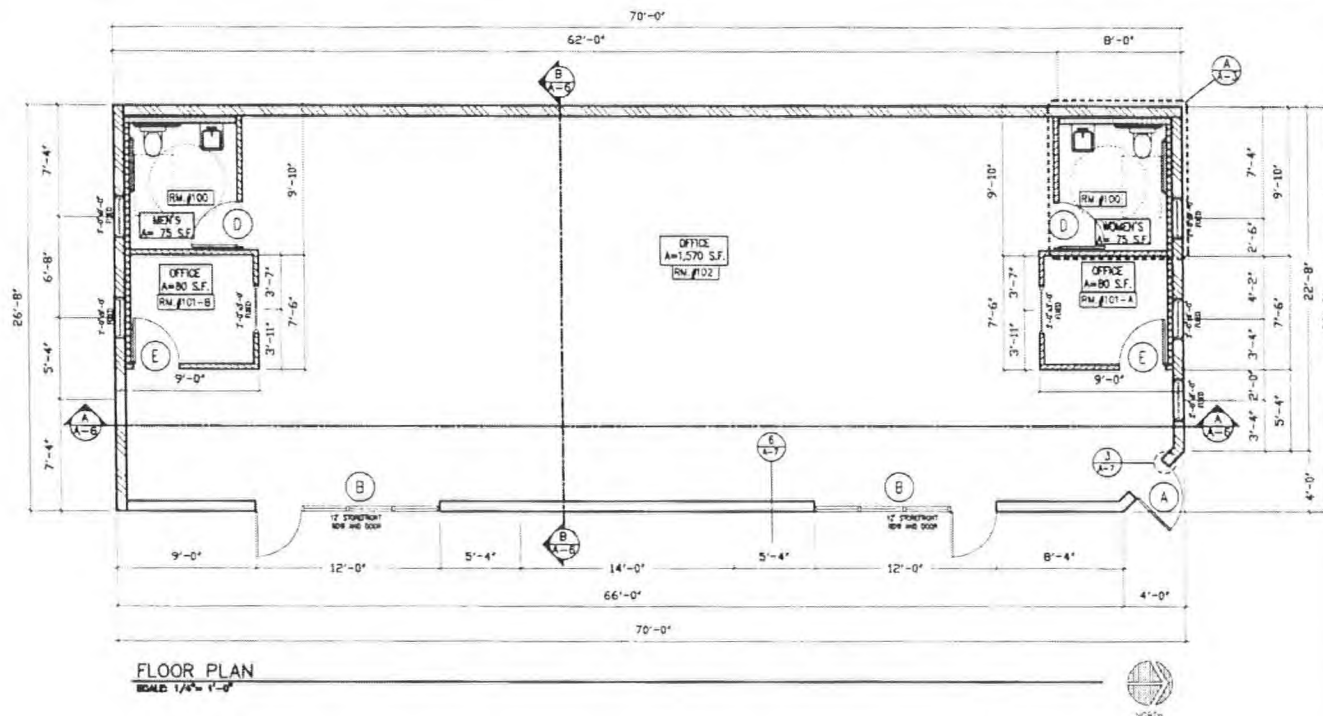
THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS AN EXCEPTION TO THE CITY OF LAS VEGAS CONSTRUCTION CODE. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ANY OTHER REQUIRED APPROVALS. THE CONTRACTOR IS NOT TO BE RESPONSIBLE FOR ANY VIOLATIONS OF THE CITY OF LAS VEGAS CONSTRUCTION CODE OR ANY OTHER APPLICABLE CODES. THE CONTRACTOR IS NOT TO BE RESPONSIBLE FOR ANY VIOLATIONS OF THE CITY OF LAS VEGAS CONSTRUCTION CODE OR ANY OTHER APPLICABLE CODES.

EVERGREEN CONSTRUCTION & DEVELOPMENT
4450 S. LAS VEGAS BLVD. SUITE 100
LAS VEGAS, NV 89119
PHONE: (702) 596-7818 FAX: (702) 596-7819

CODARINI OFFICE BLDG.
2400 HINKLE DR.
LAS VEGAS, NV 89110

PROJECT
SITE AND LANDSCAPE PLAN
DATE: 7/20/06
DRAWN BY: CARLOS CODARINI
CHECKED BY: CARLOS CODARINI
SCALE: 1/8"=1'-0"

RECEIVED
AUG 28 2006



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

WALL LEGEND

EXTERIOR 8"x8"x16" CMU FULLY GROUTED PARAPET
WALL REFER TO STRUCTURAL PLANS FOR DETAILS AND
SPECS. (SEE DETAIL 1 SHEET A-6)

INTERIOR PARTITION: 2"x4" WOOD STUDS AT 16" O.C.
FULL HEIGHT WITH 3/4" GYP. BD. BOTH SIDES TO +10'-6"
A.F.F. (SEE DETAIL 4 AND 5 SHEET A-9)

INTERIOR PLUMBING/ELECTRICAL WALL 2"x6" WOOD STUDS AT 16" O.C. FULL HEIGHT WITH 1/2" GYP. BD. JOINT STOPS TO 8'-0" AFF.

INTERIOR 2"x4" FURRING WALL - VOID STUDS AT 16"
O.C. FULL HEIGHT WITH 1/2" GYP. BD. BOTH SIDES TO
+10'-0" AFF. AND R-19 BATT INSULATION

EXTENDING 26-41 WALL - LOOK SOUTH AT 141 PG. 24

EXTENSION EMB WALL - WOOD STUDS AT 16" O.C. PER
HEIGHT WITH R-19 BATT INSULATION AND STUCCO
FINISH

DOOR HARDWARE

DOOR GENERAL NOTES

HARDWARE #1

1 1/2 PAIR BUTTS
CLOSER
LEVERED PRIVACY LOCKSET
W/ PUSH BUTTON LOCKSET

* WEATHERSTRIPPING ON EXTERIOR DOORS ONLY

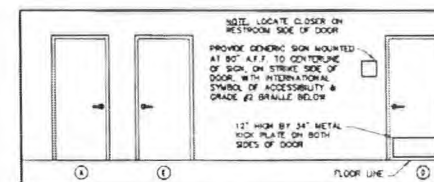
7. DOOR HARDWARE HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERABLE PARTS ON ACCESSIBLE DOORS SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT CRASPING, TIGHT PINCHING, OR TWISTING OF THE WRIST TO OPERATE - PER ANSI/CABO A117.1 - 1992 SECTION 4.13.10.

2. ALL EXIT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT USE THE OF A KEY, SPECIAL KNOWLEDGE, OR EFFORT.

3. ALL NEW DOORS WILL HAVE LEVER TYPE HARDWARE U.N.O.

DOOR SCHEDULE

QTY.	TYP	DOOR	SIZE of OPENING		HWR SET
			WIDTH	HEIGHT	
1	(A)	MTL. MAN DOOR W/ PANIC HARDWARE	3'-0"	6'-8"	1
2	(B)	STORE FRONT ALUM. TEMPERED DOORS	12'-0"	12'-0"	
1	(C)	NOT USED	-	-	
1	(D)	RESTROOM HOLLOW CORE	3'-0"	6'-8"	1
1	(E)	HOLLOW CORE	3'-0"	6'-8"	1



OFFICE FINISH SCHEDULE

ROOM #	ROOM NAME	FLOORING		CEILING		WALLS				CASE - WORK	REMARKS
		MATERIAL	NOTE	MATERIAL	NOTE	1.00	2.00	3.00	4.00		
101	RECEPTION	WCT	WCT	EXP. BL. CEILING	WCT	WCT	WCT	WCT	WCT		
102	OFFICE	WCT	WCT	EXP. BL. CEILING	WCT	WCT	WCT	WCT	WCT		
103	OFFICE	CARPET	CARPET	EXP. BL. CEILING	WCT	WCT	WCT	WCT	WCT		

NOTE: VERIFY MATERIALS WITH OWNER PRIOR TO COMMENCEMENT OF WORK.

OCCUPANT LOAD CALCULATION		PER TABLE 1004.1.2.			
USE OCCUPANCY PER SECTION	AREA S.F.	OCCUPANT LOAD FAC.	MAX OCCPNT'S	EXIT REQ.	EXIT PROVIDED
OFFICE - 102	1,570	100	16		
OFFICE - 101-A & 101-B	160	100	2		
MECH'S & WOMEN RESTROOM	150	N/A	-		
TOTAL	1,880		18	1	3

POST SIGN OCCUPANT LOADS — 18 MAX OCCUPANTS
NEAR MAIN ENTRY

EGRESS WIDTH CALC. 2000 TABLE 1004.2 —
S.F. PER MAX ENTRY 244 INCHES 1 EXIT REQUIRED

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS AN EXCEPTION TO NRS 623.330 FOR WORK UNDER CONTRACTOR LICENSE CATEGORY AUTHORIZED UNDER NRS 624.

**EDMERC CONSTRUCTION
& DEVELOPMENT**
NY STATE CONTRACTOR LIC. #000030
E-MAIL: ed@edmergcon.com

CODARINI OFFICE BLDG.
2400 HINKLE DR.
LAS VEGAS, NV. 89110

FLOOR PLAN

CARLOS CODARINI

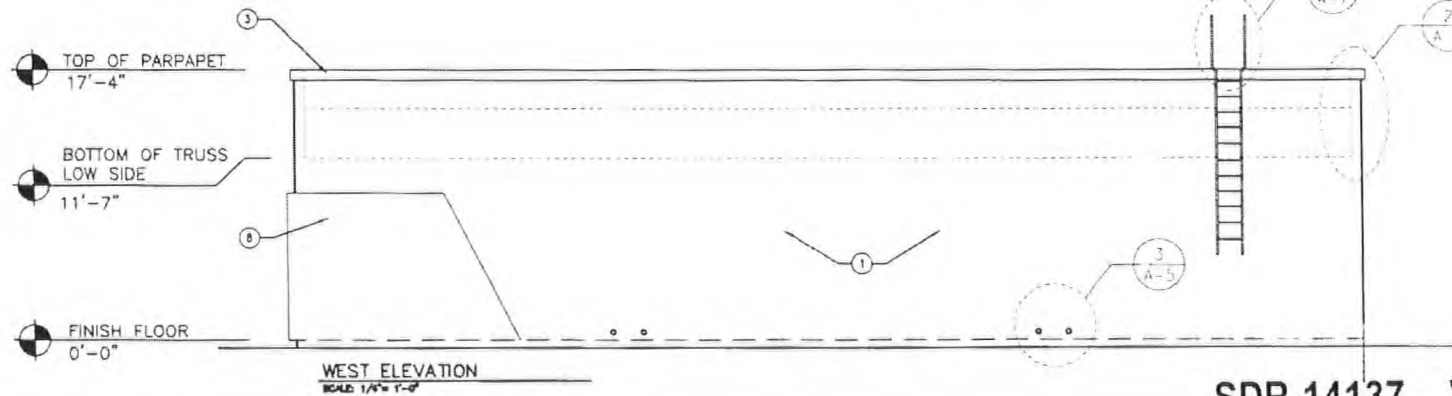
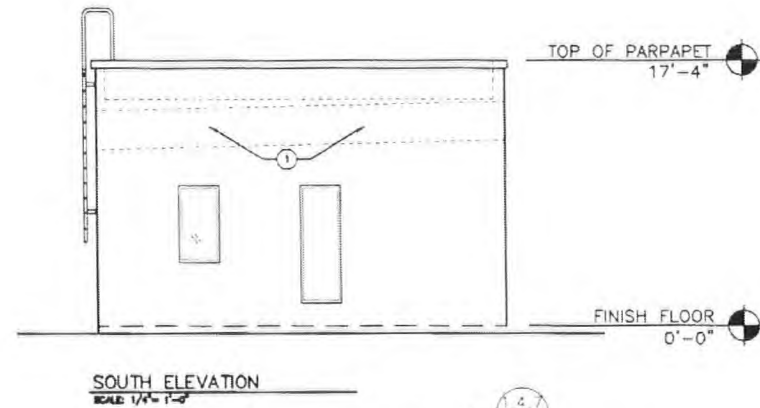
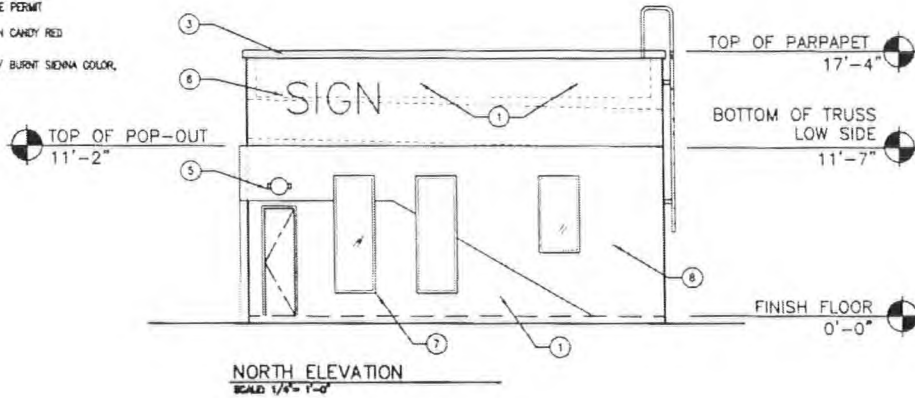
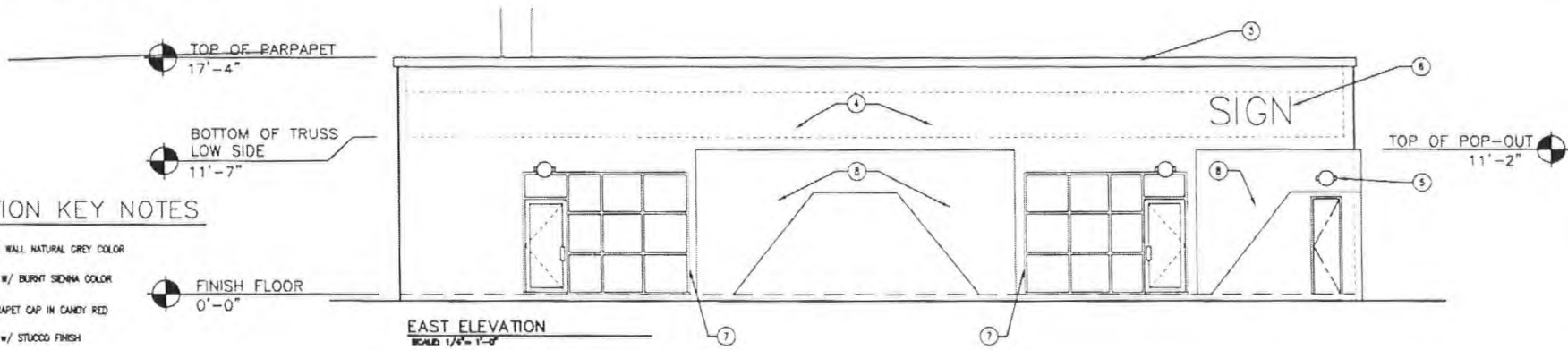
DATE 5.24.04
DR 40
WETT
A-1

SDR-14137 VAR-14139
09/21/06 PC REVISED

RECEIVED
AUG 28 2006

ELEVATION KEY NOTES

- ① EXPOSED CMU WALL NATURAL GREY COLOR
- ② PAINTED CMU W/ BURNT SIENNA COLOR
- ③ POP-OUT PARAPET CAP IN CANDY RED
- ④ WOOD STUDS W/ STUCCO FINISH
- ⑤ EXTERIOR LIGHTS
- ⑥ POSSIBLE SIGN LOCATION—UNDER SEPARATE PERMIT
- ⑦ 8" WOOD TRIM IN CANDY RED
- ⑧ 8" POP-OUT W/ BURNT SIENNA COLOR, STUCCO FINISH



SDR-14137 VAR-14137
09/21/06 PC REVISED

THESE PLANS ARE PREPARED AND SUBMITTED BY THE CONTRACTOR AS AN EXCEPTION TO HIS REGULAR BUSINESS. THE CONTRACTOR HAS BELIEVED FOR SOME UNDER CONTRACT LICENSE CATEGORY AUTHORIZED UNDER HIS REG.

EDBERG CONSTRUCTION
& DEVELOPMENT
14100 STATE STREET, SUITE 100
DALLAS, TEXAS 75244
PHONE: 972-344-7910 FAX: 972-344-7911

COGARINI OFFICE BLDG.
2400 HINKLE DR.
LAS VEGAS, NV 89110

ELEVATIONS
DRAWN BY: P.B.
CHECKED BY: P.B.
DATE: 5.24.04
A-4
CARLOS COGARINI

SDR 14137				
Carlos Alberto Codarini				
2400 Hinkle Drive				
Proposed 1.88 thousand square foot retail development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	1.88	42.94	81
AM Peak Hour			1.03	2
PM Peak Hour			3.75	7
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Hinkle Drive				
Eastern Avenue				
Average Daily Traffic (ADT)	44,191			
PM Peak Hour	3535			
(heaviest 60 minutes)				
Searles Avenue				
Average Daily Traffic (ADT)	2,856			
PM Peak Hour	229			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Eastern Avenue	51700			
Searles Drive	16200			
This project will add approximately 81 trips per day on Hinkle, Eastern and Searles. This will increase expected volumes by about 3 percent on Searles and well under 1 percent on Eastern. Eastern is at about 85 percent of capacity and Searles is at about 18 percent of capacity.				
Based on Peak Hour use, this development will add roughly 7 additional cars into the area; which works out to about one every nine minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



VAR-14139 & SDR-14137 - APPLICANT/OWNER: CARLOS ALBERTO CODARINI
2400 HINKLE DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/12/06

EDVERG CONSTRUCTION & DEVELOPMENT - NV
CONTRACTOR LICENSE # 0052630

5407 Orinda Avenue
Las Vegas, Nevada 89120
TEL: (702) 348-7815 FAX: (702) 450-0962
Email: ed@edvergcon.com

Justification letter

August 25, 2006

City of las vegas
Planning & Development
731 South Fourth Street
Las Vegas, Nevada 89101

General Land Ownership information
Owner: Carlos Codarini
5589 Evangeline Ct.
Las Vegas Nevada, 89120

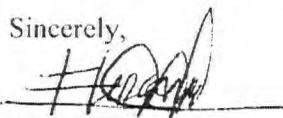
Attention: Planner
Subject: Variance & waiver – APN 139-26-508-002
Re: Justification Letter – Codarini Office Building

Dear Sir,

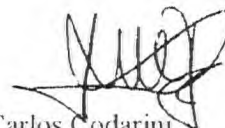
This property is located at 2400 Hinkel Drive, in the city of Las Vegas, Nevada. This letter is written to show justification for our proposal to convert 8,000 S.F. of raw land into an Office Building. Our project is constrained by the small lot size; however, we have worked with the staff in creating an upscale design in the limited space available. In order to accomplish our goals we are seeking approval for variance for perimeter set-back and additionally, we are seeking a landscape waiver. We have worked 2 years in this project, putting our best together to formulate this office building on the limited land that we have available, we are willing and committed to continue work with the staff on all aspects for the benefit of the project. We believe that continuing of the improvement of the area and a better use of the property, our operation at this location will provide convenience and safety for our customers, and enhance the existing shopping center... The proposed development is compatible with surrounding uses and will serve as a convenience to the surrounding neighborhood.

If you have any questions or comments regarding this matter please do not hesitate to contact me. Thank you in advance for your cooperation.

Sincerely,



Eduardo Vergara
Edverg Construction and Development



Carlos Codarini
Owner – Tel: 375-8885

RECEIVED
AUG 28 2006

SDR-14137 VAR-14139
09/21/06 PC REVISED

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-15455 - PUBLIC HEARING - APPLICANT/OWNER: MICAELA MARTINEZ - Request for a Variance TO ALLOW AN EXISTING NON-HABITABLE ACCESSORY STRUCTURE WITH A STREETSIDE SETBACK OF 3 FEET WHERE 9 FEET 2 INCHES ARE REQUIRED on 0.17 acres at 2222 Mesquite Avenue (APN 139-35-512-036), R-1 (Single Family Residential) Zone, Ward 3 (Reese). The Planning Commission (5-2 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 (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting - Photographs by Councilman Reese

Motion made by GARY REESE to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

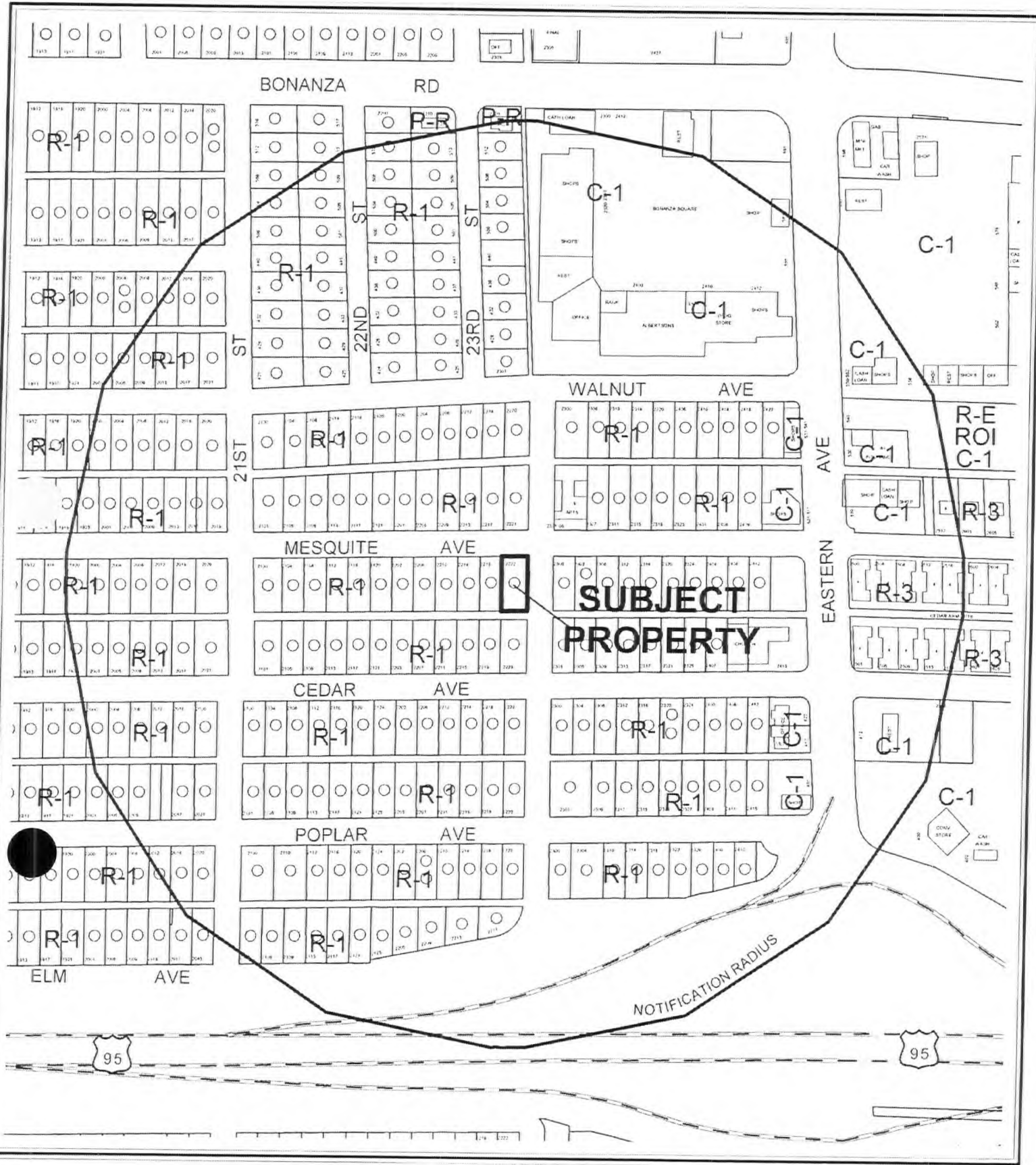
Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JUAN MARTINEZ, 2222 Mesquite Avenue, appeared on behalf of the applicant and emphasized the proposed structure would be for personal use only.

COUNCILMAN REESE submitted photographs of the proposal and stated he could not support this application because it would be inappropriate for this neighborhood.

MAYOR GOODMAN declared the Public Hearing closed.

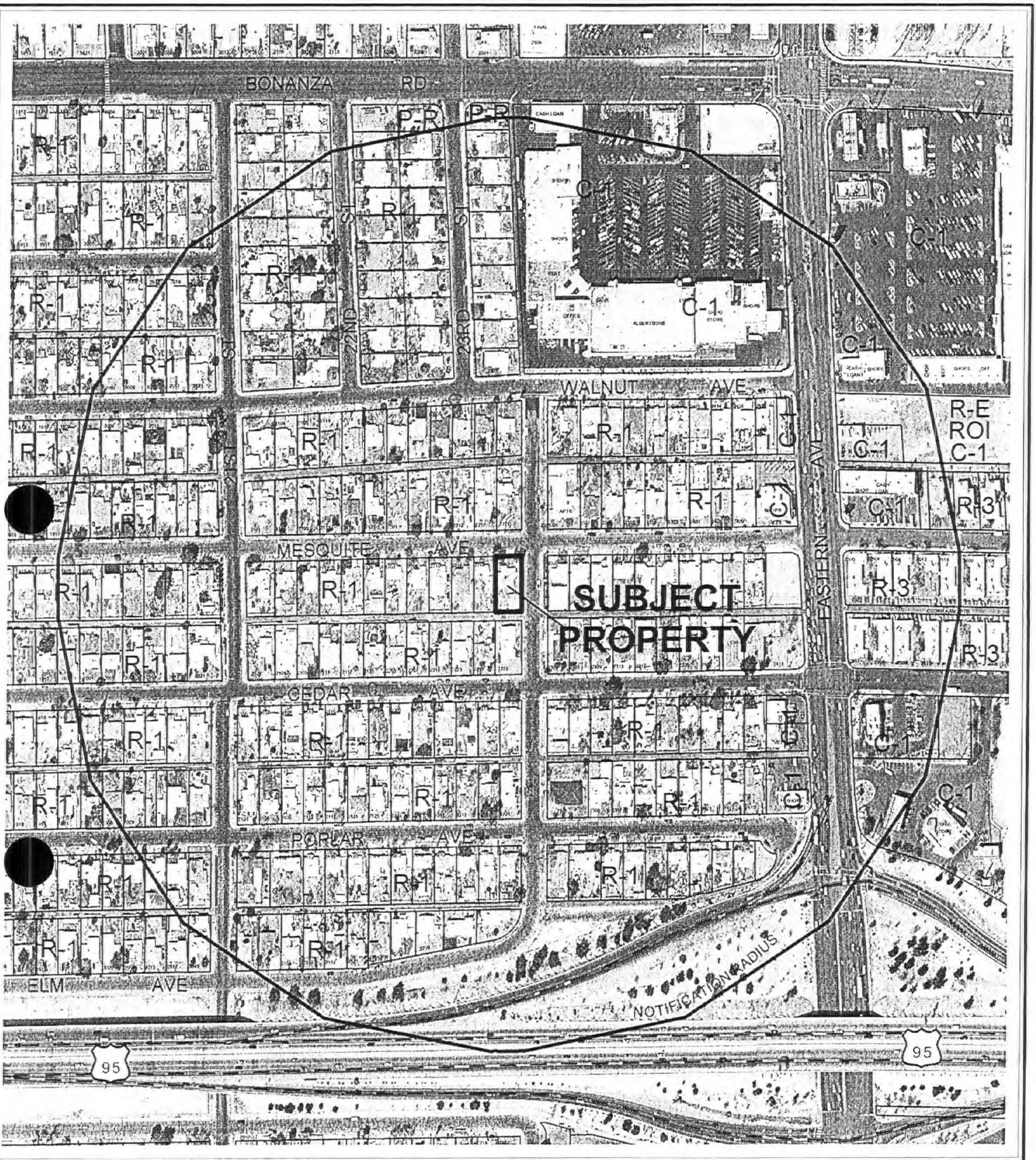


CASE: **VAR-15455**

RADIUS: 1000 FT

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





CASE: **VAR-15455**

RADIUS: 1000 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-15455 - APPLICANT/OWNER: MICAELA MARTINEZ

**** CONDITIONS ****

The Planning Commission (5-2/ds vote) and staff recommend DENIAL.

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

The applicant requests a Variance to allow an existing non-habitable accessory structure with a streetside setback of 3 feet where 9 feet 2 inches is required on 0.17 acres at 2222 East Mesquite Avenue.

EXECUTIVE SUMMARY

According to the applicant, the subject non-habitable accessory structure is located up to the rear property line and existed at the time of the purchase of the property. The non-habitable accessory structure is being used as a garage. The application is not justified as the non-habitable does not meet the required conditions of 19.08.040. No hardship is shown; therefore, the recommendation is for denial.

BACKGROUND INFORMATION

A) *Related Actions*

09/21/06 The Planning Commission voted 5-2/ds to recommend DENIAL (PC Agenda Item #33/jm).

B) *Pre-Application Meeting*

06/07/06 At the pre-application meeting, the applicant was informed of the requirements in LMVC Section 19.08 that require a non-habitable accessory structure in the rear yard of corner lots may not be located closer to the side property line than that required for the main dwelling, or the application requires a Variance.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.17

B) Existing Land Use

Subject Property: Single Family Residential
North: Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: Single Family Residential

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500	7,405 Feet	Y
Min. Setbacks			
• Corner Side	3 Feet	3 feet*	N
• Rear	0 Feet (Alley)	0 feet	Y
• From House	6 Feet	19 feet	Y
Max. Building Height	2 story/35 feet	9 feet	Y

The non-habitable accessory structure corner side setback is 3 feet where the main structure is 9 feet 2 inches. The building is not in compliance with Code requirements. This Variance request is intended to permit this deviation from standards.

B) General Analysis and Discussion

According to the applicant, the subject non-habitable accessory structure is located up to the rear property line and existed at the time of the purchase of the property. The non-habitable accessory structure is being used as a garage. The non-habitable structure is an existing structure built illegally before the applicant purchased the property.

LMVC Section 19.08 requires that a non-habitable accessory structure in the rear yard of corner lots may not be located closer to the side property line than that required for the main dwelling, or the application requires a Variance.

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. An 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

11

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 284 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-15455** APN: 131-39-012-030

Name of Property Owner: Michael R. McIntyre

Name of Applicant: Mahesh Mahesh

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: _____

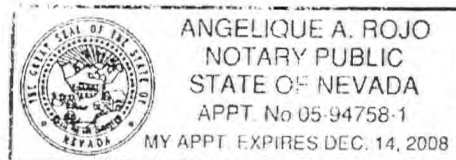
Signature of Property Owner: X Walter Martin

Print Name: Miguel Martinez

Subscribed and sworn before me

This 25 day of July, 2006

Notary Public in and for said County and State



General Notes

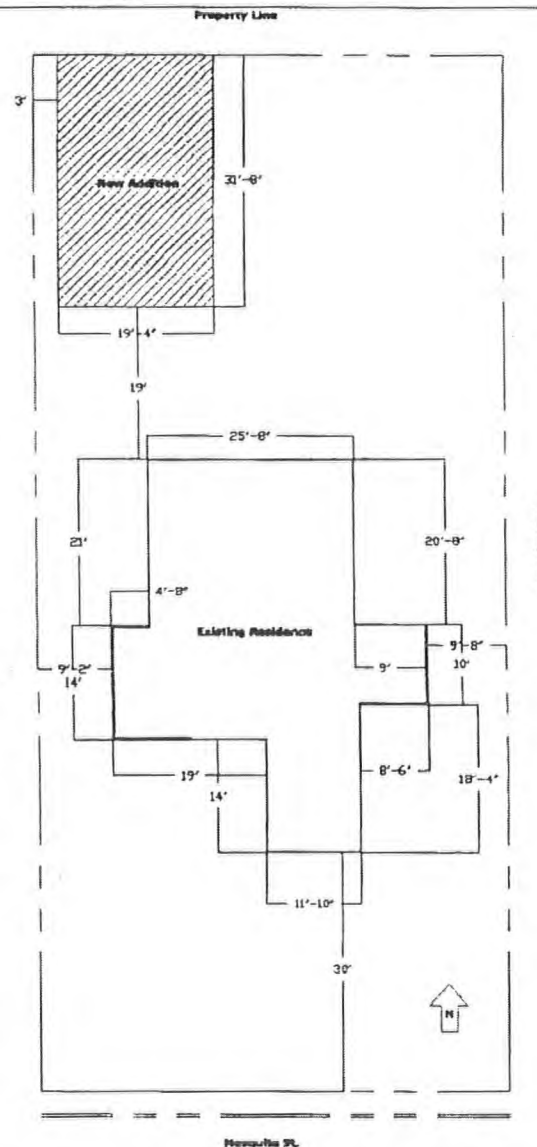
1. Owner is responsible for obtaining and paying for all permits, fees, bonds, licenses and certificate of occupancy.
2. Owner will perform the work according to the latest applicable code in effect, and to the highest standard of quality.
3. Owner will hire licensed sub contractors if necessary to complete the tasks involved.
4. All material and labor shall be warranted for a period of one year after completion.
5. Owner is responsible for furnishing all temporary water, heat and power during construction.
6. Owner shall coordinate the work of subcontractors on the jobsite so as to prevent conflict during construction.

Sheet Index

- CS- Cover sheet.
- A1- Site/Floor Plan.
- A2- Building Elevations.
- S1- Foundation Plans & Foundation Details.
- S2- Framing Plans.

RECEIVED
JUL 27 2006

North 23 Street



General Notes, specifications & Site Plan

Site Plan

Not to scale

Patio Enclosure & Garage Remodel For:
Micaela Martinez

VAR-15455

09/21/06 PC

General Notes,
specifications & Site Plan

CS

Legend

1. New 6'-0"x4'-0" Window.
2. New 4'-0"x4'-0" Window.
3. New 3'-0"x7'-0" Door.
4. New 4'-0"x4'-0" Window.
5. New 2'-0"x2'-0" Window.
6. New 2'-0"x2'-0" Window.1
7. New Water Heater.



Light



Exhaust fan



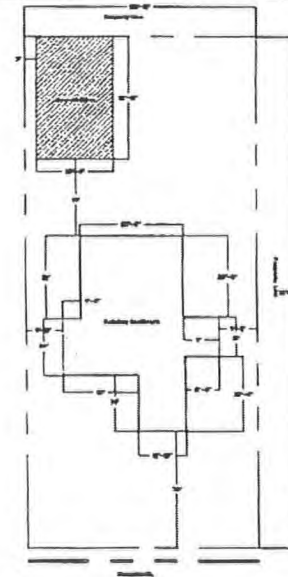
Single pole switch



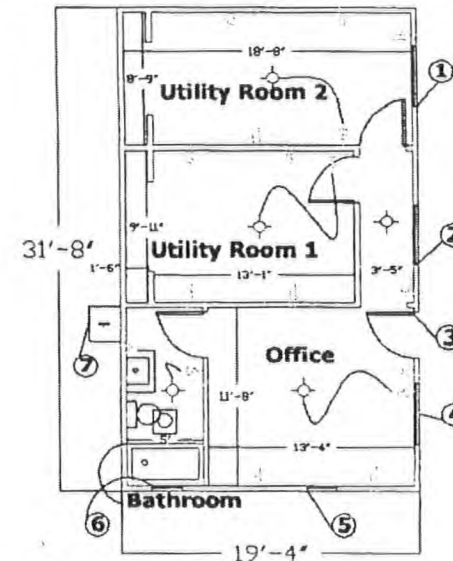
Receptacle

RECEIVED
JUL 27 2006

Existing Floor Plan



Proposed Floor Plan



General Notes, specifications & Site Plan

Site/Flor Plan

Not to scale

Patio Enclosure & Garage Remodel For:
Micaela Martinez

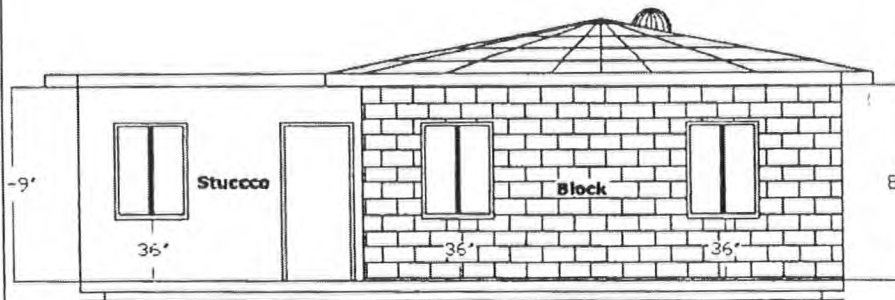
VAR-15455
09/21/06 PC

General Notes,
specifications & Site Plan

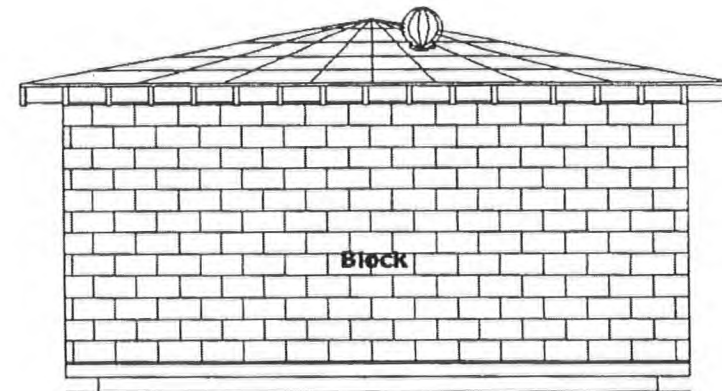
A1

JUL 27 2006

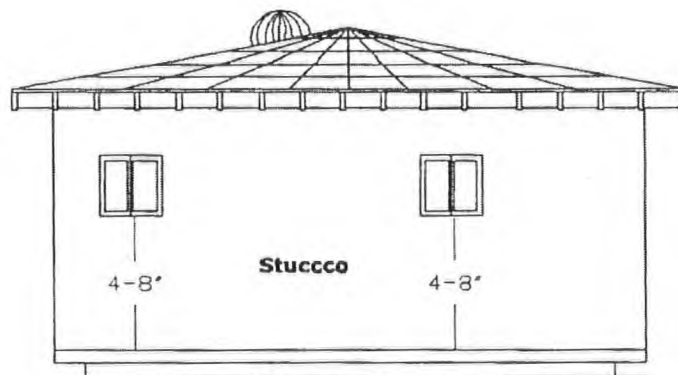
West Elevation



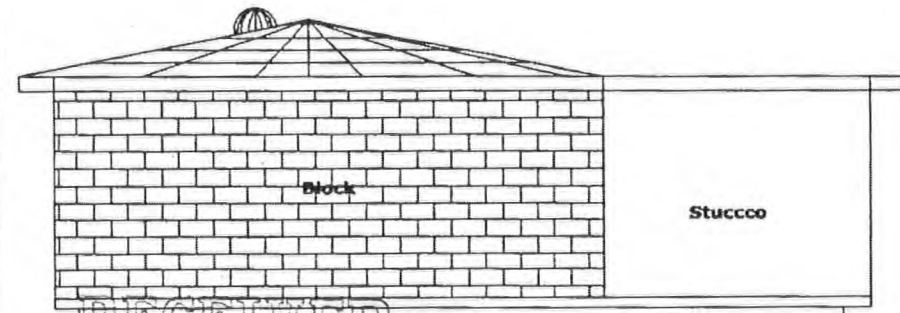
South Elevation



North Elevation



East Elevation



General Notes, specifications & Site Plan

Building Elevations

Not to scale

Patio Enclosure & Garage Remodel For:
Micaela Martinez

VAR-15455

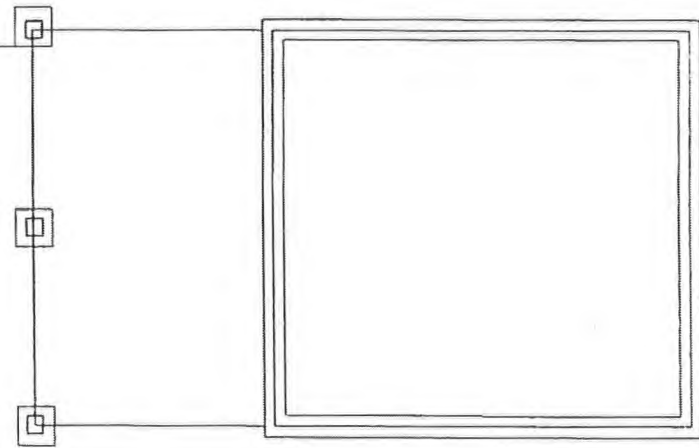
Elevations

JUL 27 2006

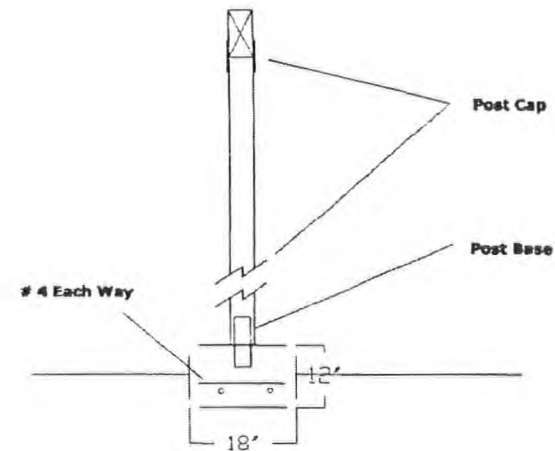
A2

09/21/06 PC

1/S1



1/S1



RECEIVED
JUL 27 2006

General Notes, specifications & Site Plan

Foundation Plan/Details

Not to scale

Patio Enclosure & Garage Remodel For:
Micaela Martinez

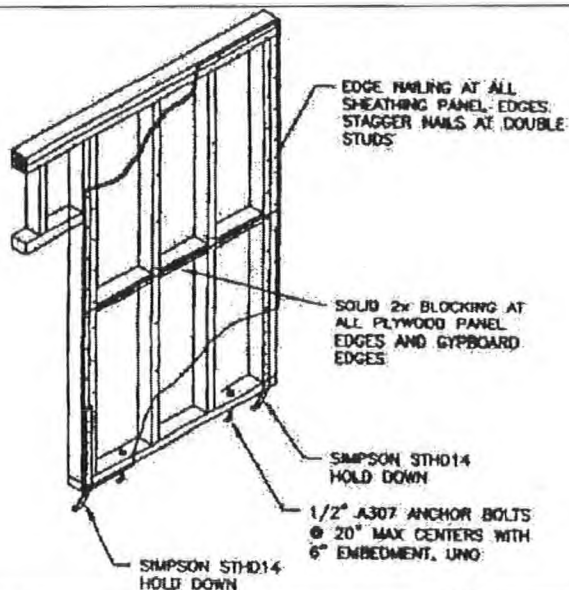
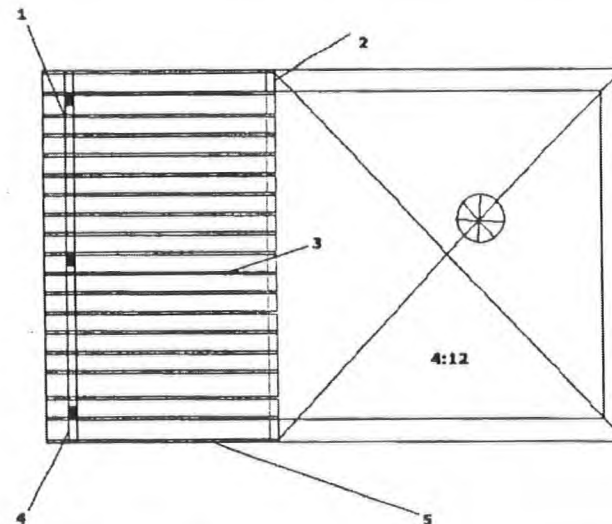
VAR-15455

09/21/06 PC

Foundation Plan 2006

S1

- 1- Existing 4x10 Beam.
- 2- Existing Ledger.
- 3- Existing 2x6 Rafters.
- 4- Existing 4x4 Posts.
- 5- 4 x 4 Header Over Door Opening.



Wall Detail

RECEIVED
JUL 27 2006

General Notes, specifications & Site Plan

Framing Plan

Not to scale

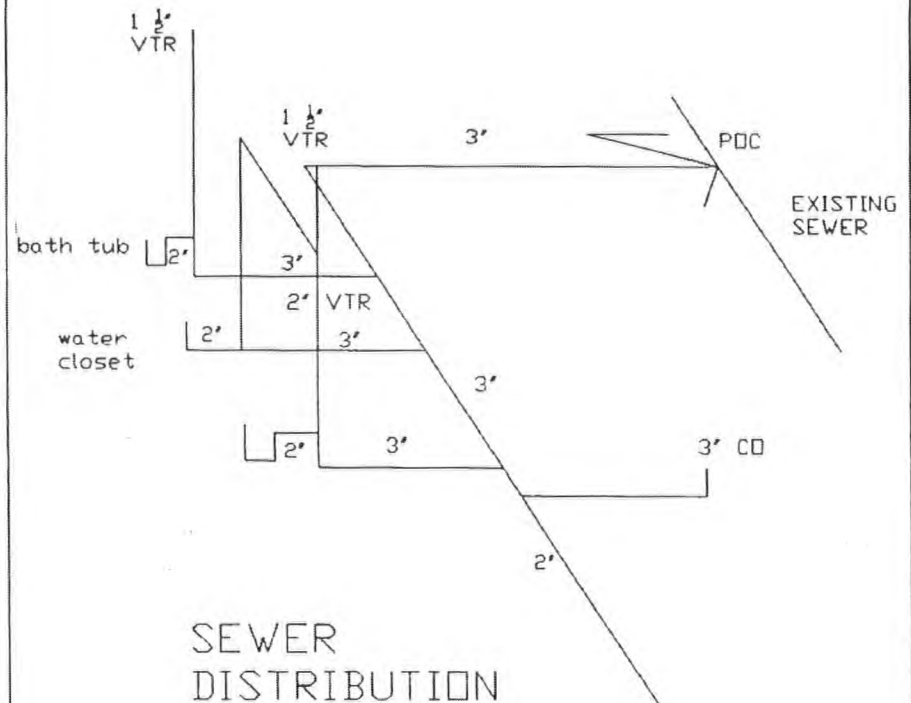
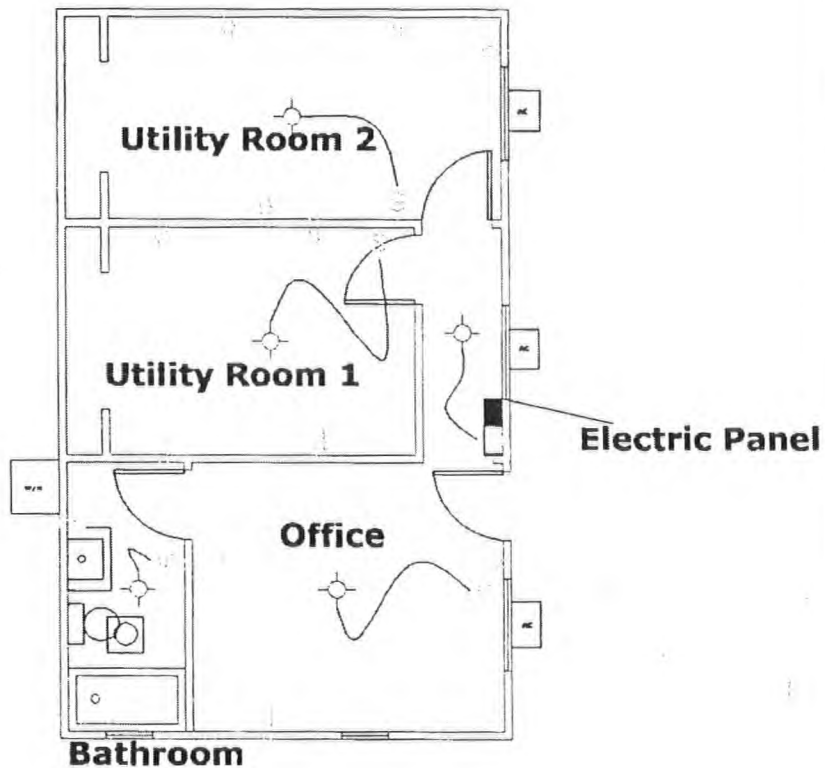
Patio Enclosure & Garage Remodel For:
Micaela Martinez

VAR-15455
09/21/06 PC

Framing Details

S2

JUL 27 2006



RECEIVED
JUL 27 2006

Electric Plan

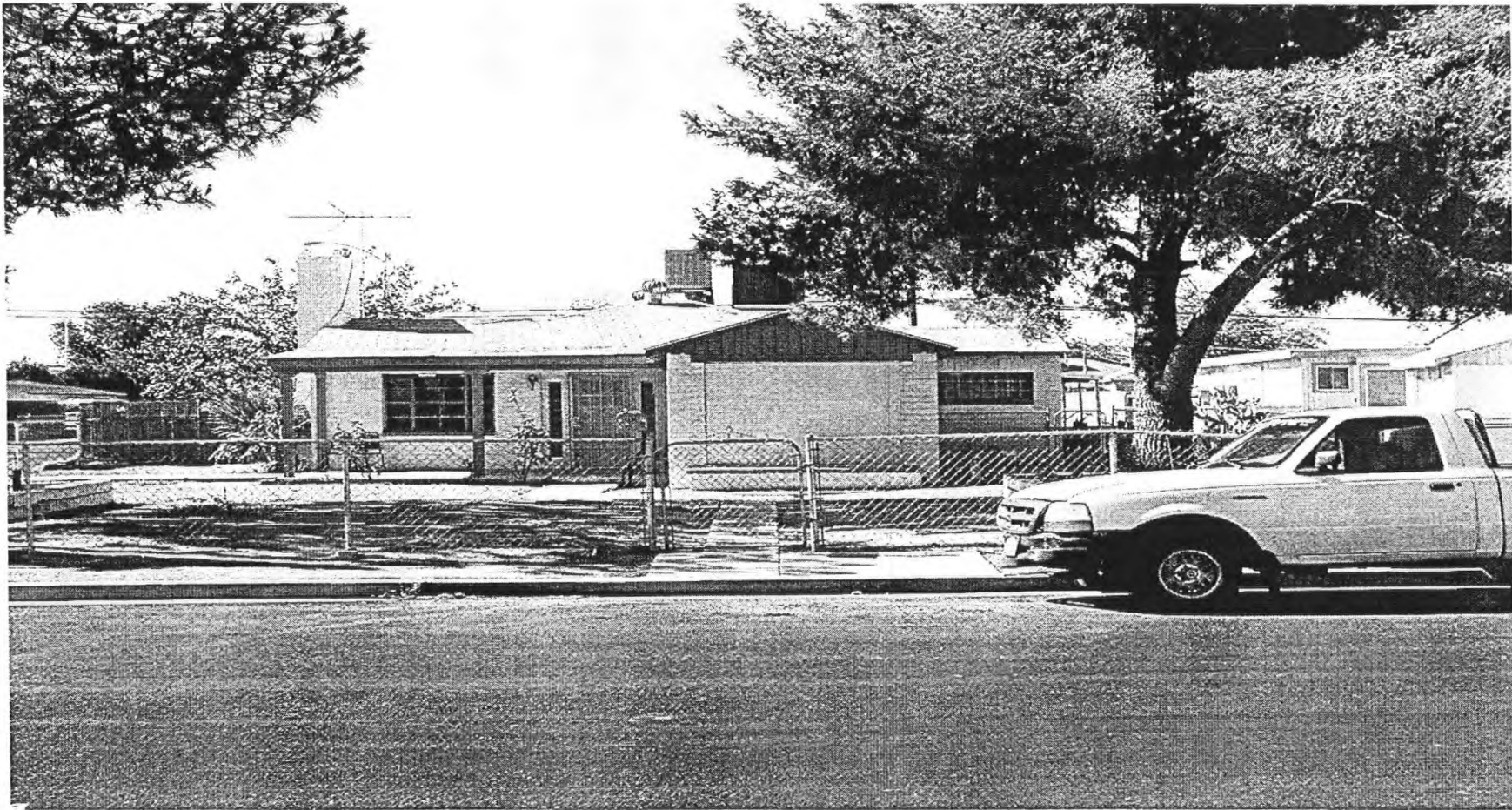
Plumbing Plan

Patio Enclosure & Garage Remodel For:
Micaela Martinez

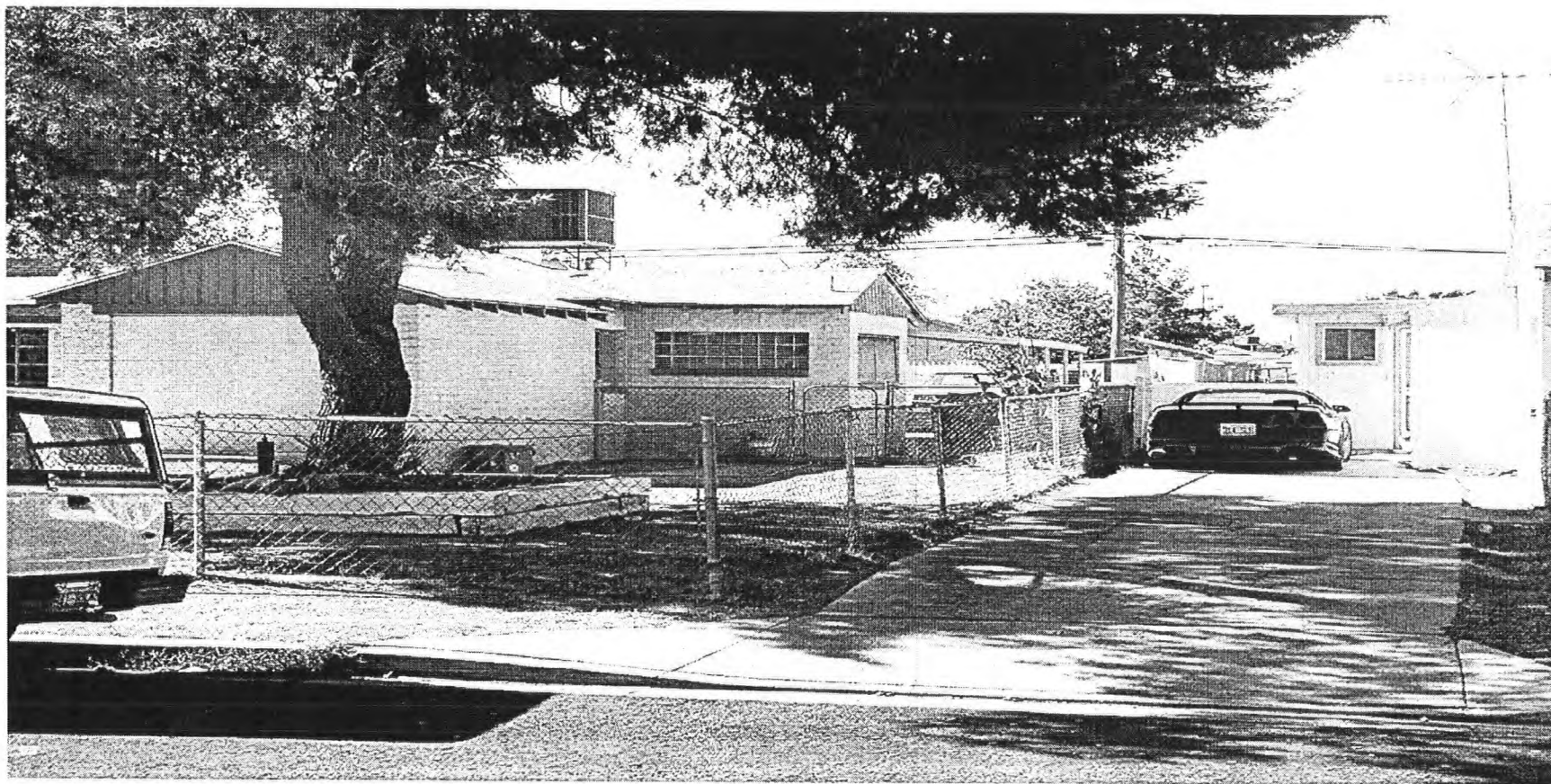
VAR-15455
09/21/06 PC

Pluming Drawing &
Electric Plan

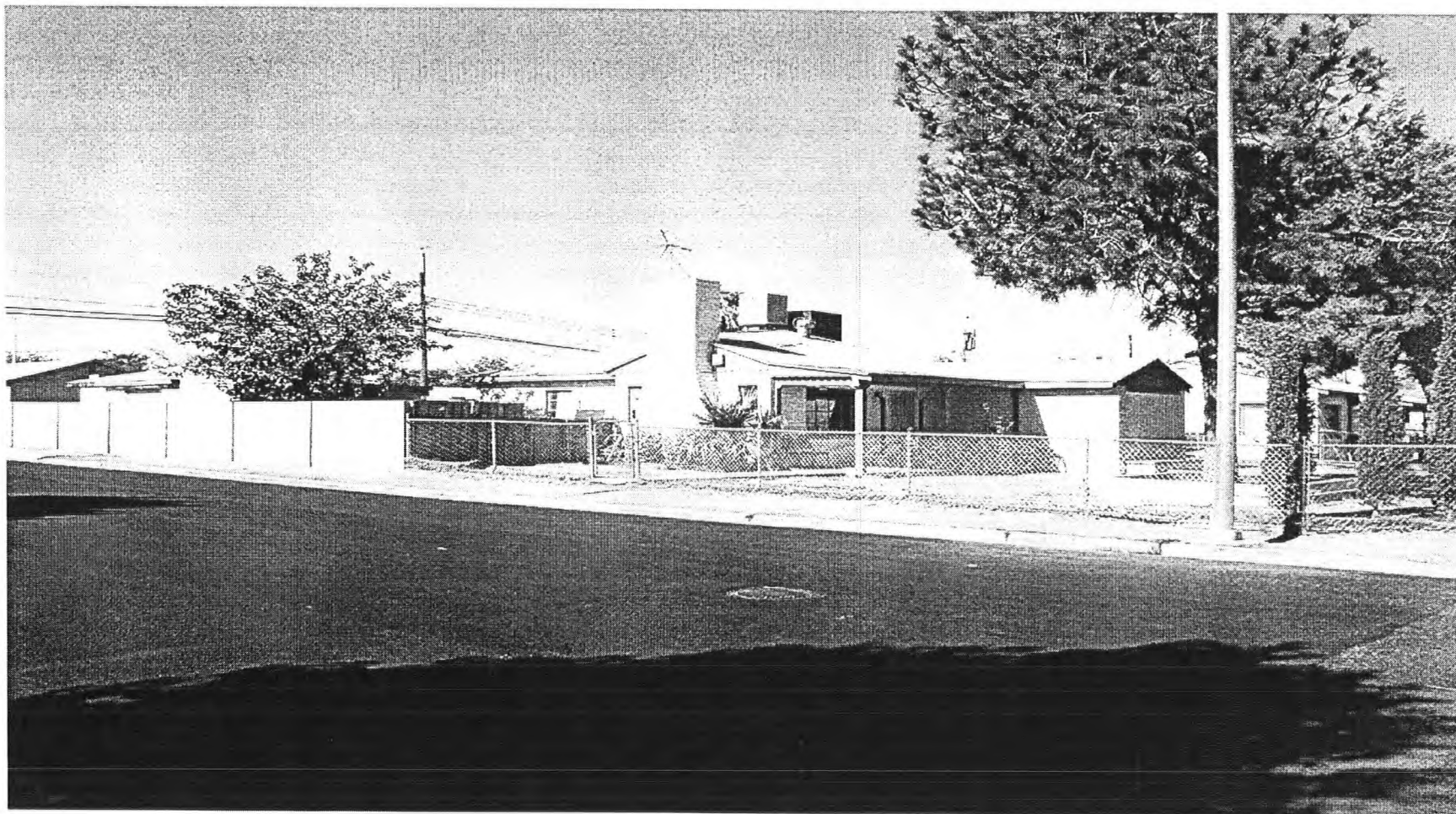
S4



VAR-15455 - APPLICANT/OWNER: MICAELA MARTINEZ
2222 MESQUITE AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION



VAR-15455 - APPLICANT/OWNER: MICAELA MARTINEZ
2222 MESQUITE AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION



VAR-15455 - APPLICANT/OWNER: MICAELA MARTINEZ
2222 MESQUITE AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION

RECEIVED
JUL 27 2006

To who It concerns:

The construction Im doing
In the back yard Its like a
small Guest House so when my
family like my mom, mother In law
or my brothers and sisters come to
visit me have a small little place to
rest do that my house Its really small
and I only have one bathroom, I Decided
to built in the back yard do that the
Garage was there already and the porch
not knowing that It didnt have a permit
went I both my house they never
told me nothing, ~~I~~ found out thanks
to you guys went I told and took the
prints.. you guys told me that the garage
and Porch were not register If you guys
make me throw everything away Im
going to loose alot of money thousands
of Dollars Im a single mom the
neighbor are ok with the construction
It does not bother them In nothing
and I also have a big wall of brick that
you guys gave me permission (but If you guys
need Signatures **I** could get them
Please I need Help
I'm not a rich Person! Sincerely *Micaela*
Martinez

VAR-15455

09/21/06 PC

2222 Mesquite

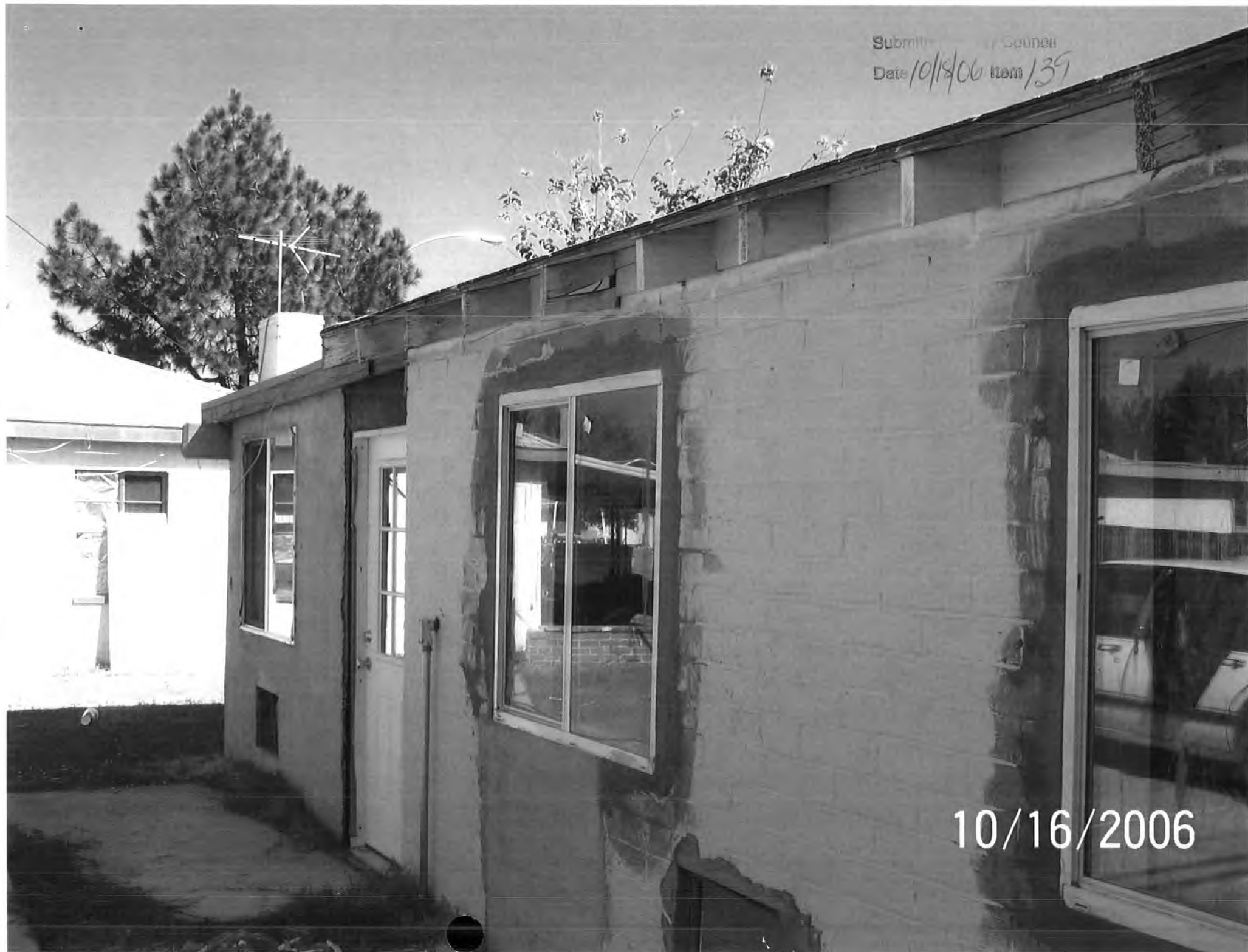
Submitted at City Council

Date 10/18/06 Item 139



10/16/2006

Submitted by: [illegible]
Date 10/18/06 Item 139



10/16/2006

Submitted at City Council
Date 10/18/06 Item 139



10/16/2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-15657 - PUBLIC HEARING - APPLICANT/OWNER: IAN ROBINS - Request for a Variance TO ALLOW A REAR YARD SETBACK OF SEVEN FEET WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 831 Park Paseo (APN 162-03-511-016), R-1 (Single Family Residential) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

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 and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Historic Preservation Officer Comments
5. Justification Letter
6. Backup referenced from the 09-21-06 Planning Commission meeting Item 34

Motion made by GARY REESE to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

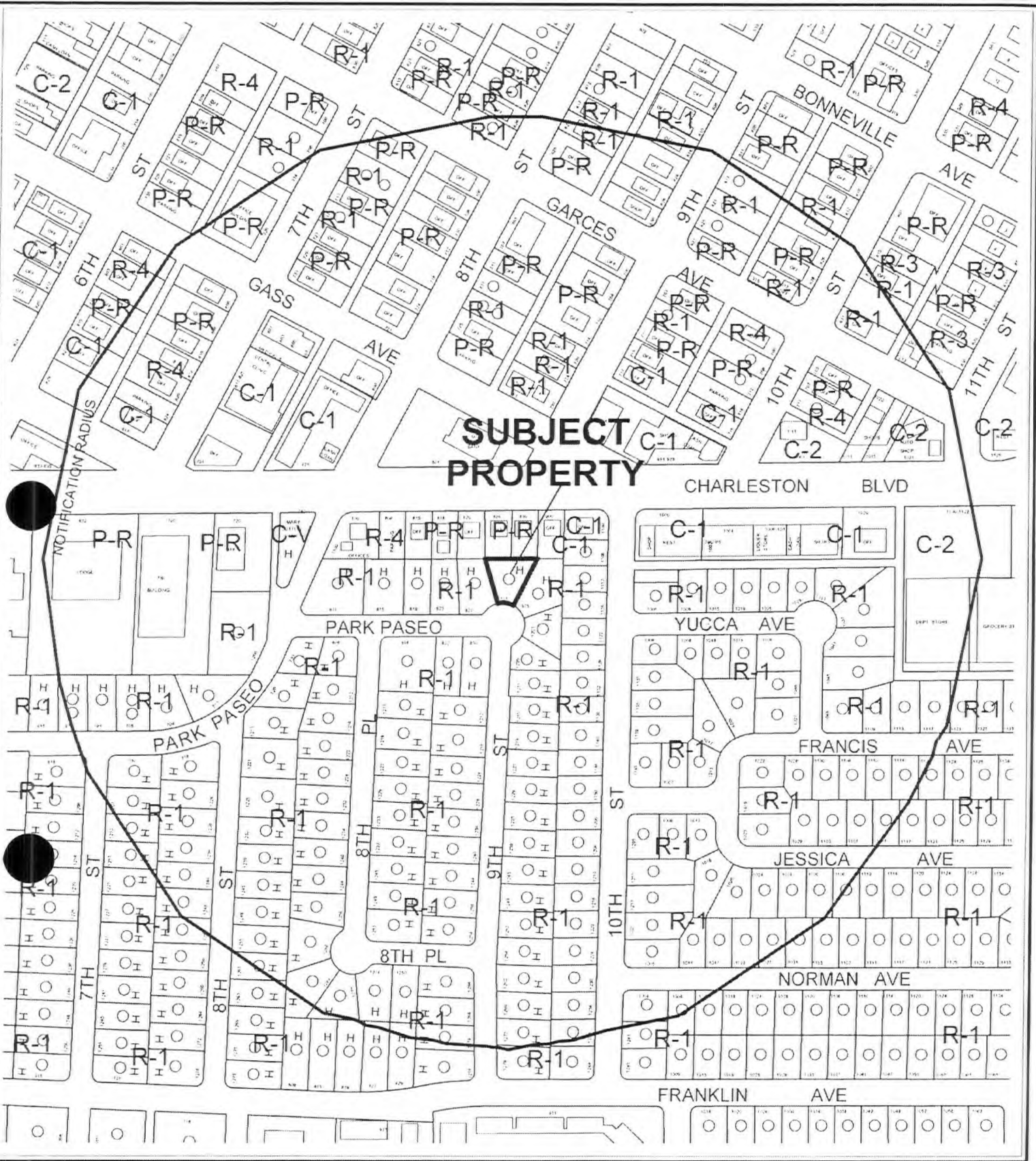
COUNCILMAN REESE observed that this application is inappropriate for the neighborhood and that a smaller structure could accommodate the applicant's needs.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

BOB BELLIS, President of the John S. Park Neighborhood Association, appeared in opposition and stated this proposal is incompatible with the neighborhood. STEVE SPANN, 830 Park Paseo, also appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.





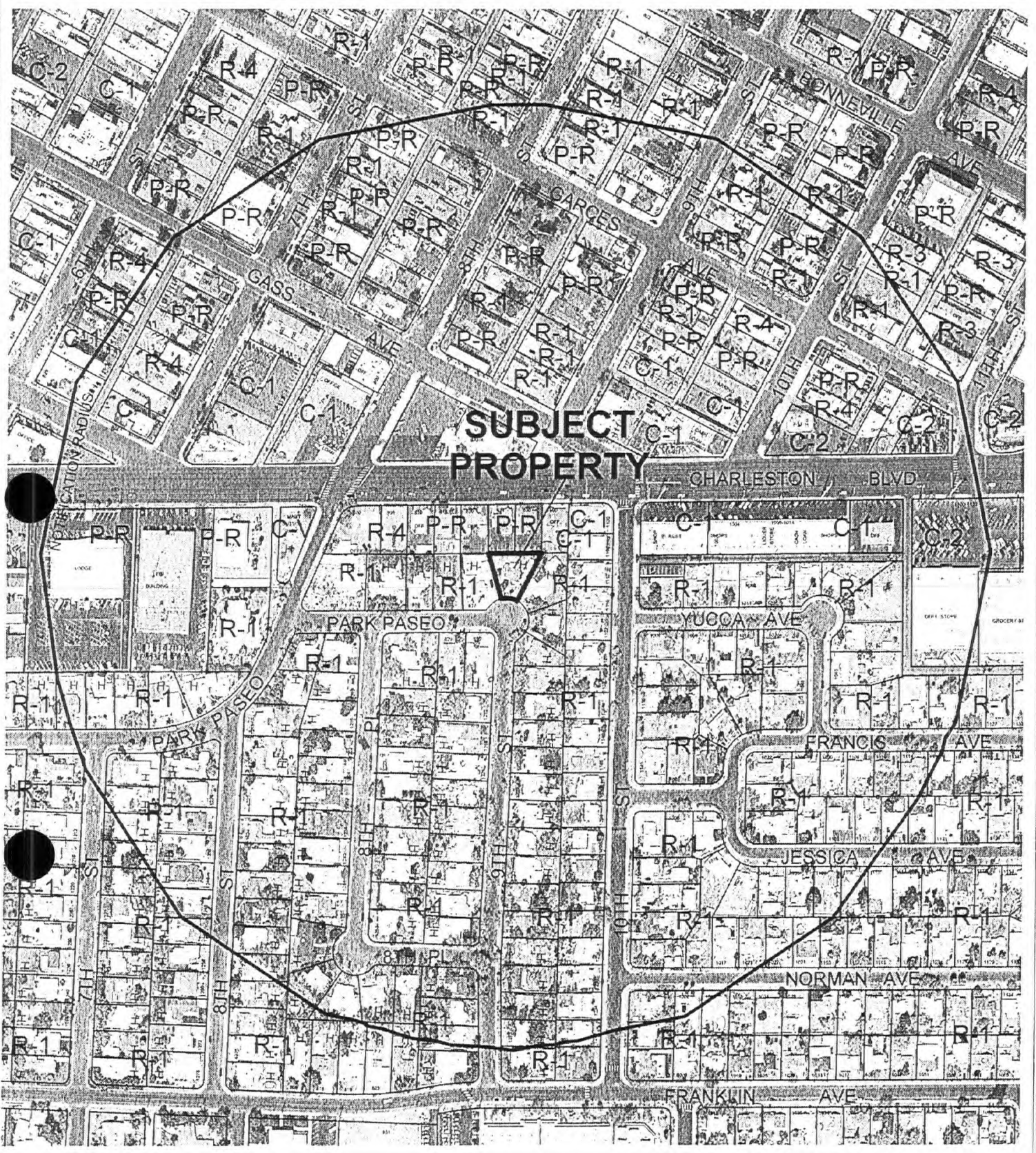
CASE: **VAR-15657**

RADIUS: 1000 FT

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

0 200 400 Feet





CASE: **VAR-15657**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-15657 - APPLICANT/OWNER: IAN ROBINS

**** 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.
2. The applicant shall acquire all necessary permits from the Department of Building and Safety.
3. This property is listed on the Las Vegas Historic Property Register and is therefore subject to additional review by the City of Las Vegas Historic Preservation Commission per LVMC Title 19.06.090.
4. The applicant may construct the attached garage and rear addition behind the building as shown in the applicant's site plan.
5. The applicant may not construct any addition to the front façade.
6. The applicant may construct an addition to the west façade of the building provided the south wall of the addition is set back no less than fifteen (15) feet from the southwest corner of the existing front façade.
7. The applicant may not remove and replace any windows and doors on the front façade or that may be viewed from the street.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests for a Variance to allow a rear yard setback of seven feet where 15 feet is the minimum setback required for a proposed room addition at 831 Park Paseo.

EXECUTIVE SUMMARY

The applicant is adding a new garage and room additions to their existing historically designated house. The garage expansion of the existing house encroaches into the 15-foot rear yard setback by seven feet. The hardship is self-imposed and staff cannot make a finding for approval.

BACKGROUND INFORMATION

A) *Related Actions*

- 08/23/06 The Historic Preservation Commission approved with conditions the applicant's request for an addition to their historically designated house at 831 Park Paseo. The conditions were the following: the applicant may construct the attached garage and rear addition behind the building as shown in the applicant's site plan; the applicant may not construct any addition to the front façade; the applicant may construct an addition to the west façade of the building provided the south wall of the addition is set back no less than fifteen (15) feet from the southwest corner of the existing front façade; the applicant may not remove and replace any windows and doors on the front façade or that may be viewed from the street.
- 09/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #34/jm).

B) *Pre-Application Meeting*

- 07/21/06 In addition to a discussion with the applicant on the standard elements of a Variance application, the applicant was asked to explain in their justification letter why the encroachment into the setback area is necessary for their expansion. As well, the applicant was asked to provide a site plan, a floor plan and show elevations of each side of the expansion.

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*

Net Acres: 0.18

B) *Existing Land Use*

Subject Property: Single Family Residential
 North: Office Building
 South: Single Family Residential
 East: Single Family Residential
 West: Single Family Residential

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: R-1 (Low Density Residential)
 North: P-R (Professional Office and Parking)
 South: R-1 (Low Density Residential)
 East: R-1 (Low Density Residential)
 West: R-1 (Low Density Residential)

E) *General Plan Compliance*

The subject property is shown on the Southwest Sector Land Use Plan of the General Plan. The Plan designates the future land use for this property as L (Low Density Residential). The property is zoned R-1 (Single Family Residential), which is a zoning permitted in the Low Density Residential designation. There are no specific General Plan policies directly related to this Variance request.

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

The property is located in the John S. Park Historic District and designated a historic structure by the Las Vegas Historic Property Register. Therefore, per LMVC 19.06 the following applies:

Whenever it is proposed to alter, remodel, build, or otherwise develop or landscape property that is designated as a Landmark or Historic Property, or that is located within a designated Historic District, and a building permit or other development or zoning permit is required for such work, the applicant must first obtain the approval of the HPC in accordance with this Subchapter.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 sq. ft	7,841 sq. ft	Y
Min. Lot Width	65 Feet	80 Feet	Y
Min. Setbacks			
• Front	20 Feet	38 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	NA	Y
• Rear	15 Feet	7 Feet	N
Max. Lot Coverage	50 %	41%	Y
Max. Building Height	2 Stories / 35 Feet	14 Feet	Y

The subject deviation is to reduce the rear (north) yard setback to seven feet, where a minimum setback of 15 feet is the standard.

B) General Analysis and Discussion

The property is in the Historic John S. Park Neighborhood and has been designated a historic structure by the Historic Planning Commission. The applicant is proposing to expand their existing 1,266 square foot house built in 1942 to 3,243 square feet. The applicant is adding a new garage and room additions to their existing historically designated house. The garage expansion of the existing house encroaches into the 15-foot rear yard setback by seven feet.

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. An alternative site configuration 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

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 273 by City Clerk

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

RECEIVED
AUG 04 2006

Case Number: VAR-15657 APN: 162-03-511-016
Name of Property Owner: IAN ROBINS
Name of Applicant: IAN ROBINS

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: _____

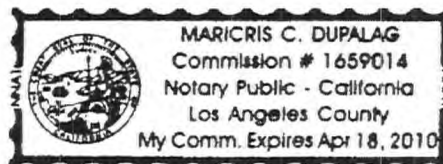
Signature of Property Owner:

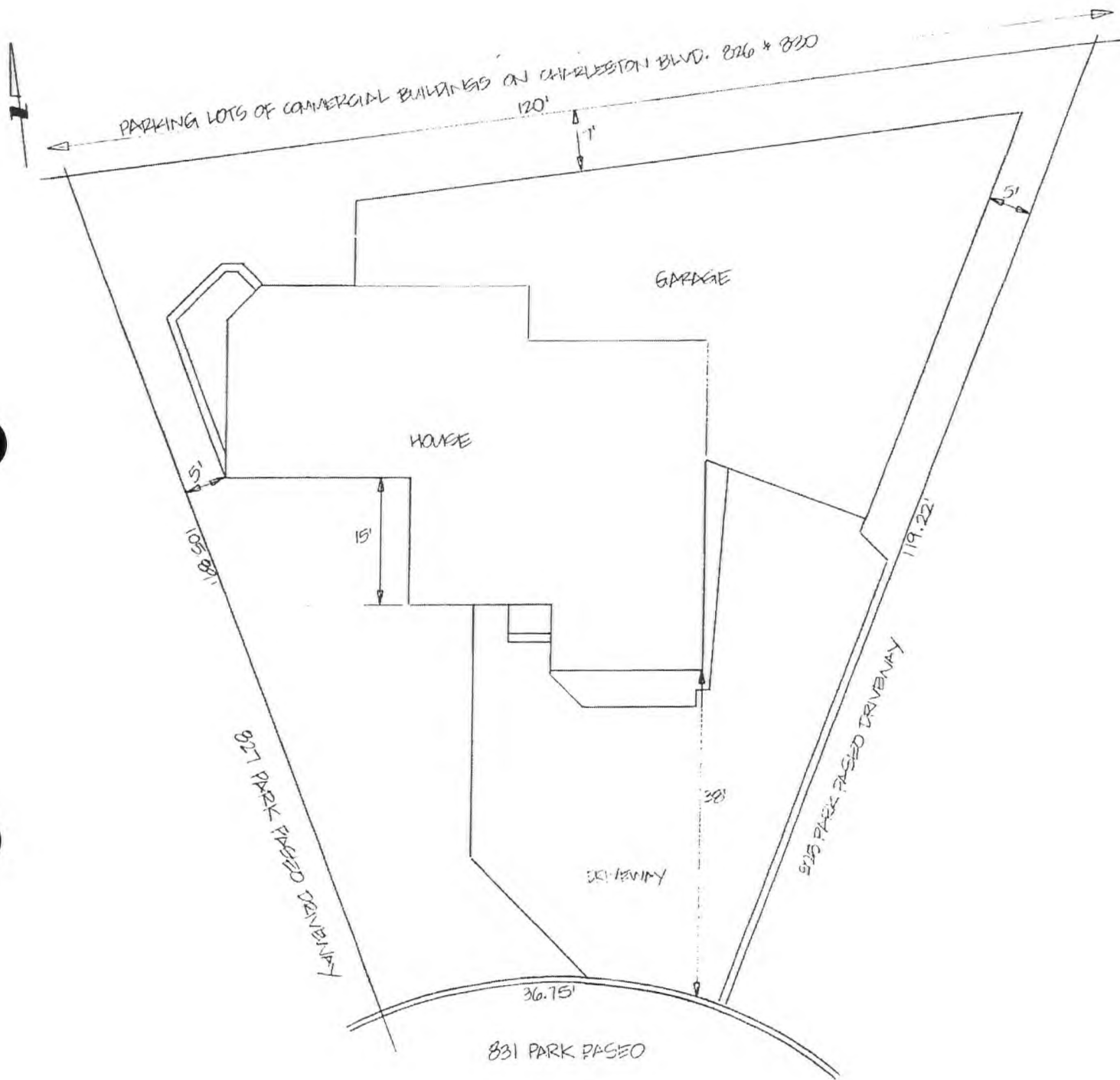
Print Name: IAN ROBINS

Subscribed and sworn before me, Marcos C. Dupontay, Notary Public

This 3rd day of August, 2006

State of California and County of Los Angeles
Notary Public in and for said County and State



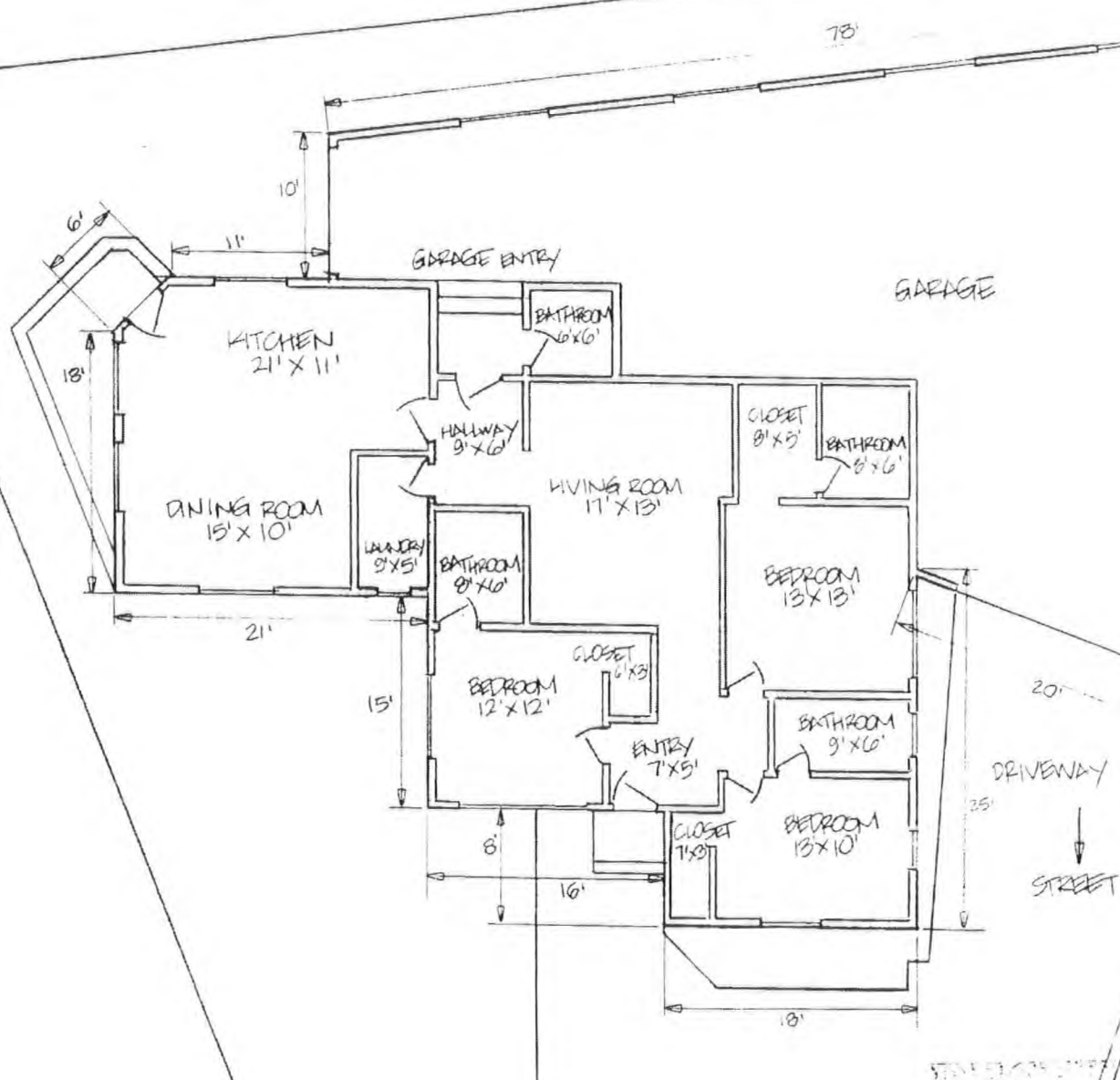


PROPERTY SIZE 7,841 SQ. FT.
 BUILDING SIZE 3,243 SQ. FT.
 F.A.R. 41%

VAR-15657
REVISED
09/21/06 PC

RECEIVED
 SEP 01 2006

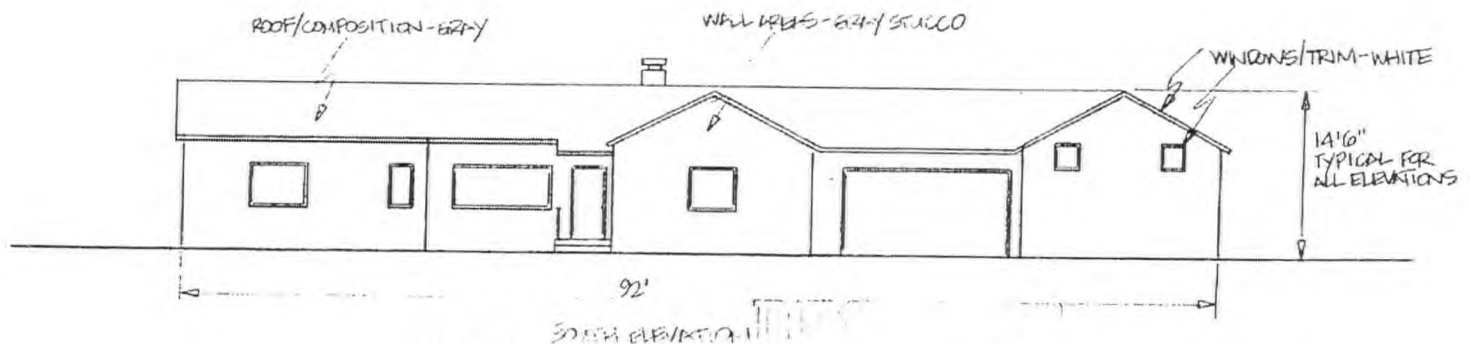
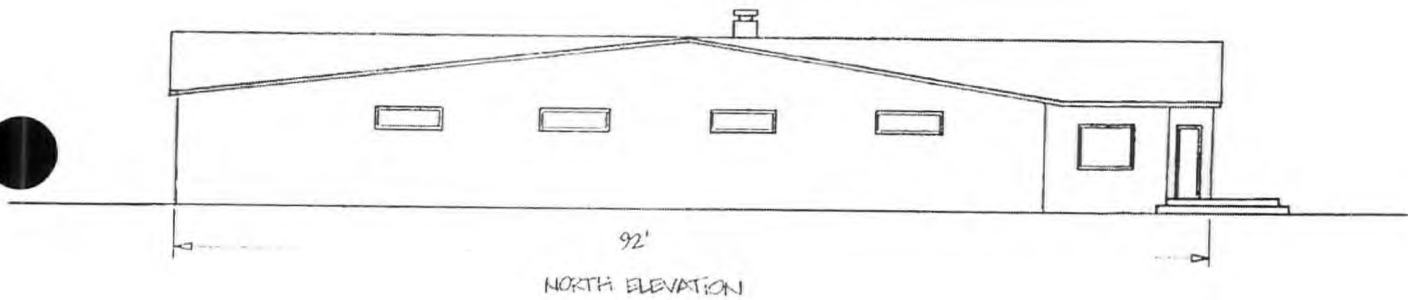
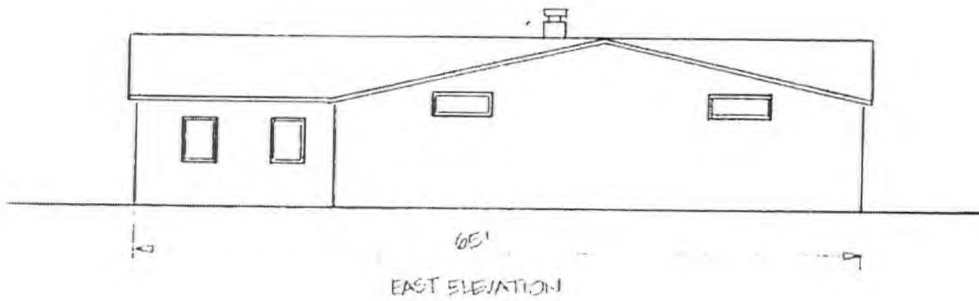
SITE PLAN
 SCALE 1/8" = 1'0"
 831 PARK PASEO LV.
 ROBINS, IAN



FLOOR PLAN
 SCALE 1/8" = 1'0"
 831 PARK PASEO L.V.
 ROBINS, IAN

SEP 01 2006

VAR-15657
REVISED
09/21/06 PC



VAR-15657
REVISED
09/21/06 PC

SEP 01 2006

BUILDING ELEVATIONS
 SCALE 1/8" = 1'0"
 831 PARK PKWY L.V.



VAR-15657 - APPLICANT/OWNER: IAN ROBINS
831 PARK PASEO
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06

August 24, 2006

Ian and Alice Robins
PO Box 9904
Glendale, CA 91226

Dear Ian and Alice:

Thank you for your presentation at the City of Las Vegas Historic Preservation Commission (HPC) meeting on August 23, 2006 regarding your application to build additions to your property located at 831 Park Paseo located within the John S. Park Historic District.

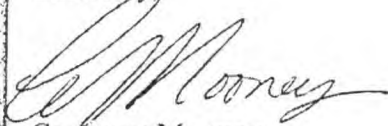
At this meeting, the HPC approved your request with the following conditions:

1. The applicant may construct the attached garage and rear addition behind the building as shown in the applicant's site plan
2. The applicant may not construct any addition to the front façade
3. The applicant may construct an addition to the west façade of the building provided the south wall of the addition is set back no less than fifteen (15) feet from the southwest corner of the existing front façade
4. The applicant may not remove and replace any windows and doors on the front façade or that may be viewed from the street

Should you wish to replace the windows and/or doors on the front façade, I will be able to approve that building permit administratively. When you are ready, please provide a drawing or photo of the type of window and/or door you would like to use.

If you have any additional questions, you may reach me at 702-229-5260, or by email cmooney@lasvegasnevada.gov.

Sincerely,



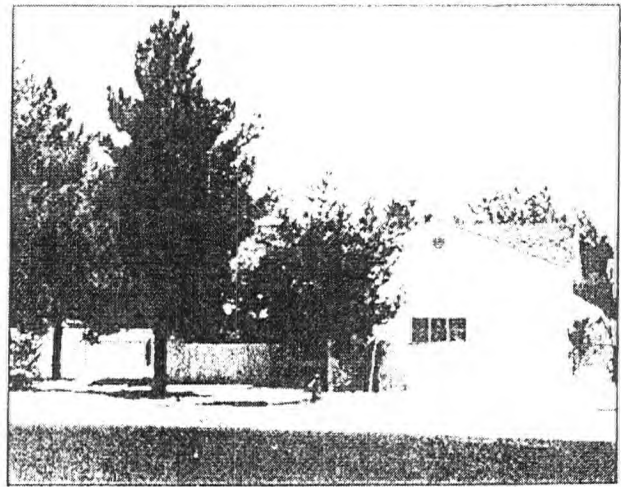
Courtney Mooney
City of Las Vegas
Historic Preservation Officer



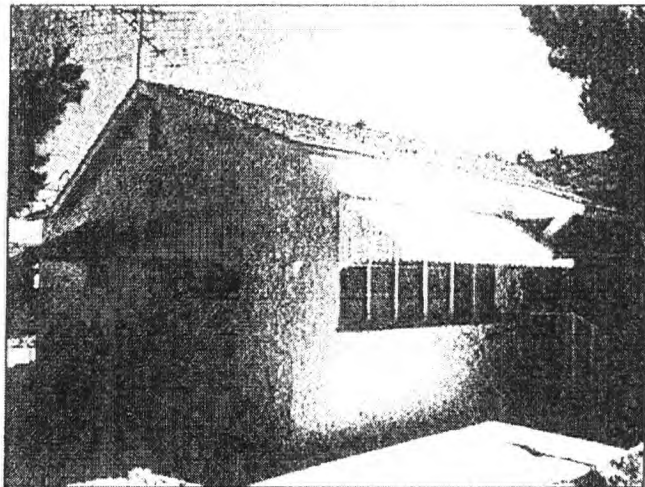
HISTORIC
PRESERVATION
OFFICE

VAR-15657
09/21/06 PC

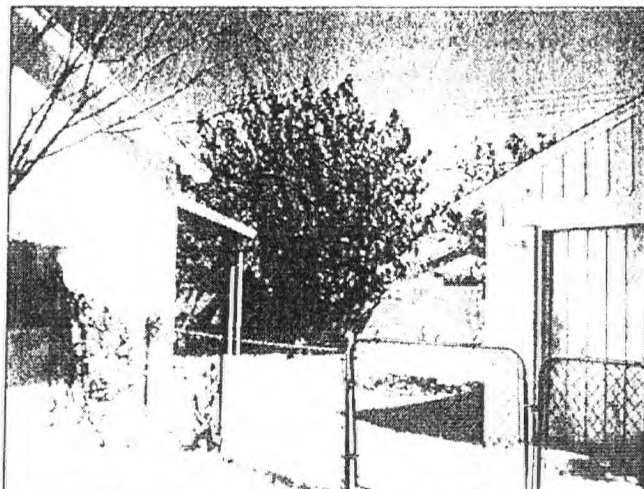
#7 DISCUSSION AND POSSIBLE ACTION REGARDING APPLICATION FOR
ADDITION AT 831 PARK PASEO IN THE JOHN S. PARK NEIGHBORHOOD.;
DIRECT STAFF ACCORDINGLY



Front (south) facade



Southwest corner of front facade



Backyard with detached garage

VAR-15657
09/21/06 PC

RECEIVED
AUG 04 2006

August 4, 2006

City of Las Vegas
Planning & Development Department
731 S. Fourth Street
Las Vegas, NV 89101

RE: Justification Letter - Variance
831 Park Paseo - APN #162-03-571-016

This application is for a rear yard setback variance of 7 feet where 15 feet is required.

The variance would enable us to build an attached accessory structure by addressing our concerns for size, safety, neatness, and privacy.

Our rear yard fence divides our property from businesses on Charleston Boulevard.

Because of floor plan layout, house/garage entrance should be located at the North West corner of the house.

That entrance location and a 15 foot setback would make that side of the garage only 6 feet wide.

A 7 foot variance would increase the width to 14 feet and allow for better use of our space.

The structure would shield us from the noise, traffic and other unsavory elements coming from the commercial businesses located on Charleston Boulevard.

A structure of this size will keep our property and landscape neat and free from unsightly items.

It would serve as a garage and space for storage, hobbies and other uses.

Last but not least, in the past year, there was a homicide on the other side of the fence and a few neighborhood homes, including ours, were burglarized.

Crime elements aside, in our house hunting we have seen all the neighborhoods in Las Vegas and are drawn to the John S. Park Historic District.

It has the most appeal and character to us because of the old style homes.

VAR-15657
09/21/06 PC

RECEIVED
AUG 04 2006

Page 2 of 2
Justification Letter – Variance
APN #162-03-571-016
August 4, 2006

At the time of purchase we knew that the house would be too small for our family of four but the price was within our budget and with some improvements it would fit our needs.

The house is way over due for restoration as it has not been properly maintained and preserved since it was originally built in 1942.

All other setbacks and requirements will remain within the codes.

In addition to the attached accessory structure we are planning to enlarge the house to accommodate our needs and today's standards of living.

Our remodel requires the removal of the existing garage which is built from concrete blocks and has a difference appearance from the wood frame stucco house.

All of our building and remodeling plans will, in our opinion, improve and add value to the neighborhood while maintaining the original style and design.

Thank you for your consideration.

Sincerely,



Ian Robins
P.O. Box 9904
Glendale, CA 91226
818-415-4638

VAR-15657
09/21/06 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**

September 21, 2006

VIA FACSIMILE: 474-0352

Planning and Development Department, Development Services Center
731 S. Fourth St.
Las Vegas, NV 89101

RE: VAR-15657, 831 Park Pasen (APN 162-03-511-016)

To Whom It May Concern:

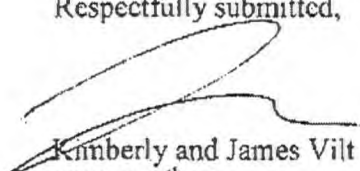
Please accept this letter as our objection to the above-referenced variance proposal. The subject property is a smaller home that exemplifies the architecture of the John S. Park neighborhood and our concern is that allowing the variance requested will significantly impact the character of this home and have a concomitant negative impact on the character of this historic neighborhood which features relatively large lot and yard sizes.

Moreover, it is our understanding that this home, along with the home to its west, are both owned by the same individual(s) and are not presently occupied. Indeed, these two homes have sat unoccupied since they were purchased.

Nearly every home that has been sold on our block during the past three years has been purchased by investors and there are at least 6 homes on the block of 8th Place and 9th Street that are unoccupied. Given this mindset, we fear that the proposed addition is perhaps a means by which to increase the home's square footage and, therefore, its resale value.

Thank you in advance for your consideration in this matter.

Respectfully submitted,



Kimberly and James Vilt
1211 S. 8th Place
Las Vegas, NV 89104

PLANNING
DEVELOPMENT

SEP 21 11 12 AM '06

John S. Park Neighborhood Association

Bob Bellis, President
John S. Park Neighborhood Association
1269 8th Street
Las Vegas, NV 89104

September 21, 2006

City of Las Vegas Planning Commission
400 Stewart Avenue
Las Vegas, NV 89101

Dear Commissioners:

I am writing to you concerning the application for 831 Park Paseo. As president of the John S. Park Neighborhood, I would like to express that many of our neighbors and I are against this proposal.

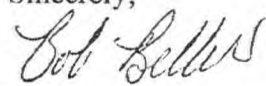
The applicant bought the property knowing that it was designated historic. This proposal would triple the size of the building, which is far from preserving a building that is listed on the National Register of Historic Places.

Another concern is the size of the proposed garage. This garage would be larger than most homes in the neighborhood. The applicant also owns the property at 827 Park Paseo, which is adjacent to 831 Park Paseo. 827 Park Paseo already has a garage that can hold four vehicles, not to mention at least four in the driveway in front of the garage and numerous spaces in the circular driveway.

The Historic John S. Park Neighborhood Plan says, "Residents of the John S. Park neighborhood have expressed a desire to preserve the unique residential quality of their neighborhood at several community meetings". We do not believe that adding a garage that is larger than many commercial garages in the City, to a historic home, will be beneficial in any way.

As a representative of the John S. Park Neighborhood Association I am asking you to deny this application, so we can keep the historic feel to our unique neighborhood.

Sincerely,



Bob Bellis

Submitted after final agenda

Date 9/21/06 Item # 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

SUP-15347 - PUBLIC HEARING - APPLICANT: SUN LOAN COMPANY - OWNER: PLAZA LOS ARCOS, LLC - Request for a Special Use Permit FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED AND A WAIVER OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM OTHER FINANCIAL INSTITUTIONS, SPECIFIED at 7591 Washington Avenue, Suites 140 and 150 (APN 138-27-301-015), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). NOTE: The correct applicant is Jim Marchesi/Check City and the correct owner is Buffalo Washington III. Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Abeyance request from Attorney Jay H. Brown

Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

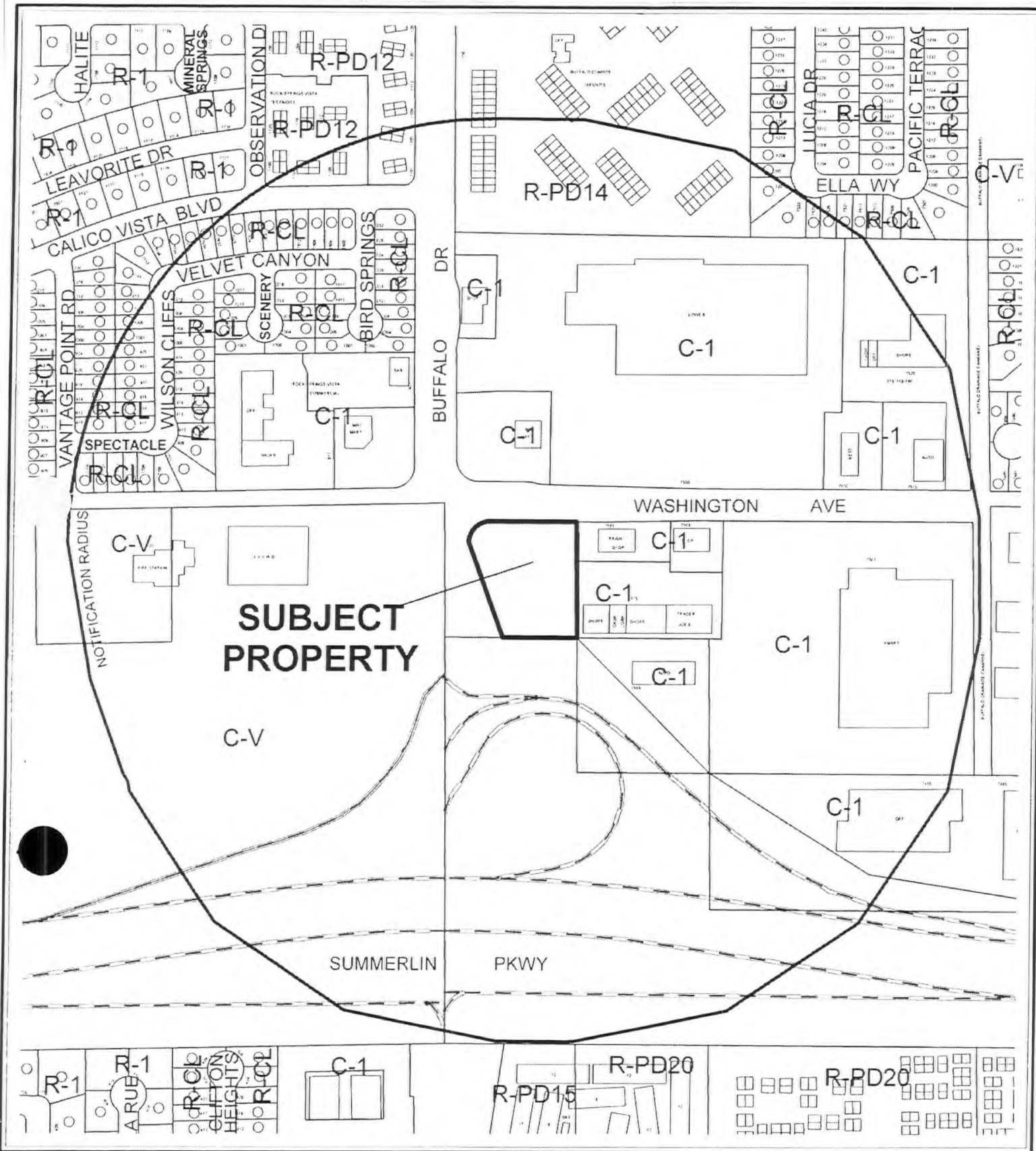
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: October 18, 2006

Minutes:

See Item 93 for related Verbatim Excerpt.





CASE: **SUP-15347**

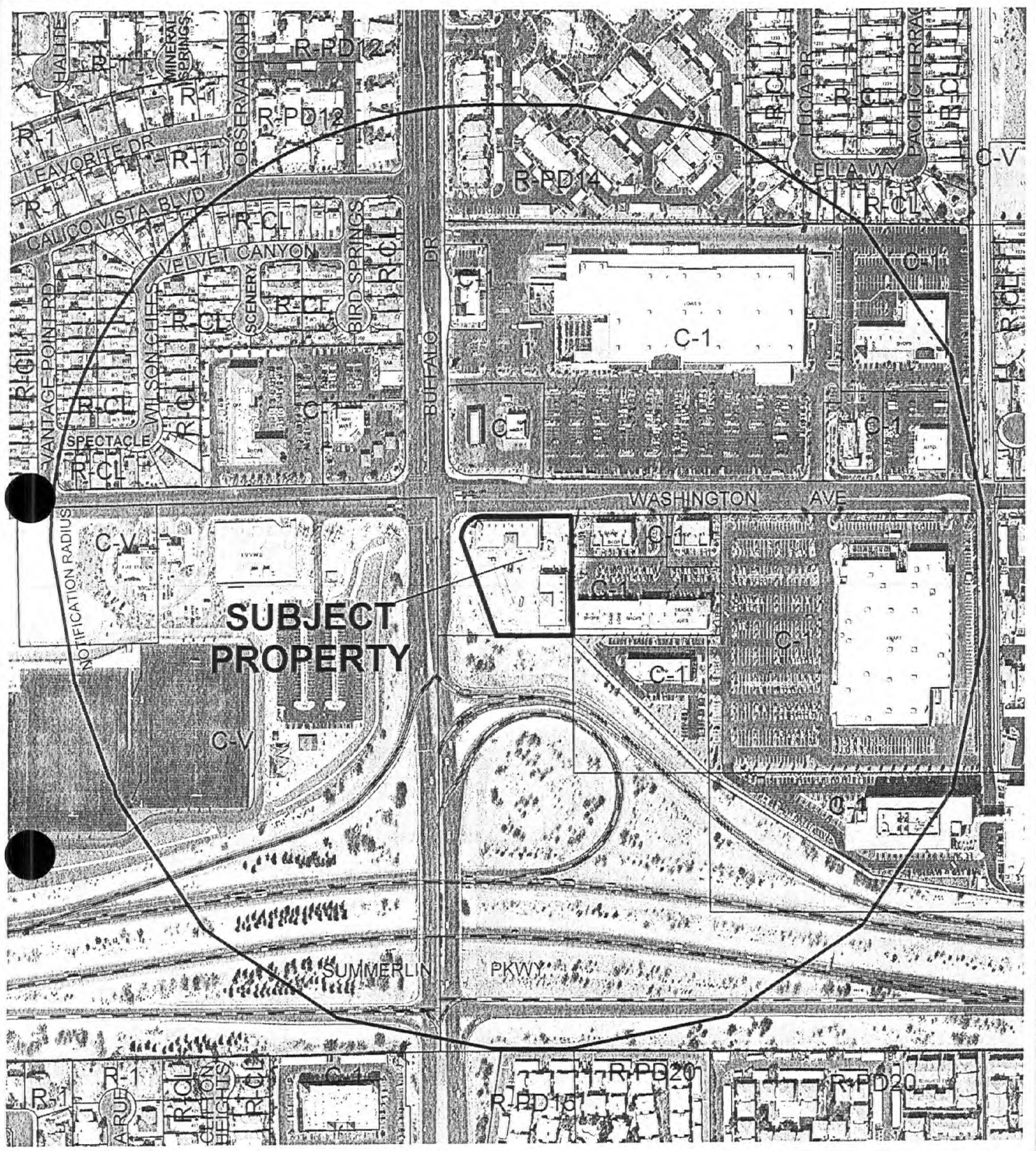
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 200 400 Feet





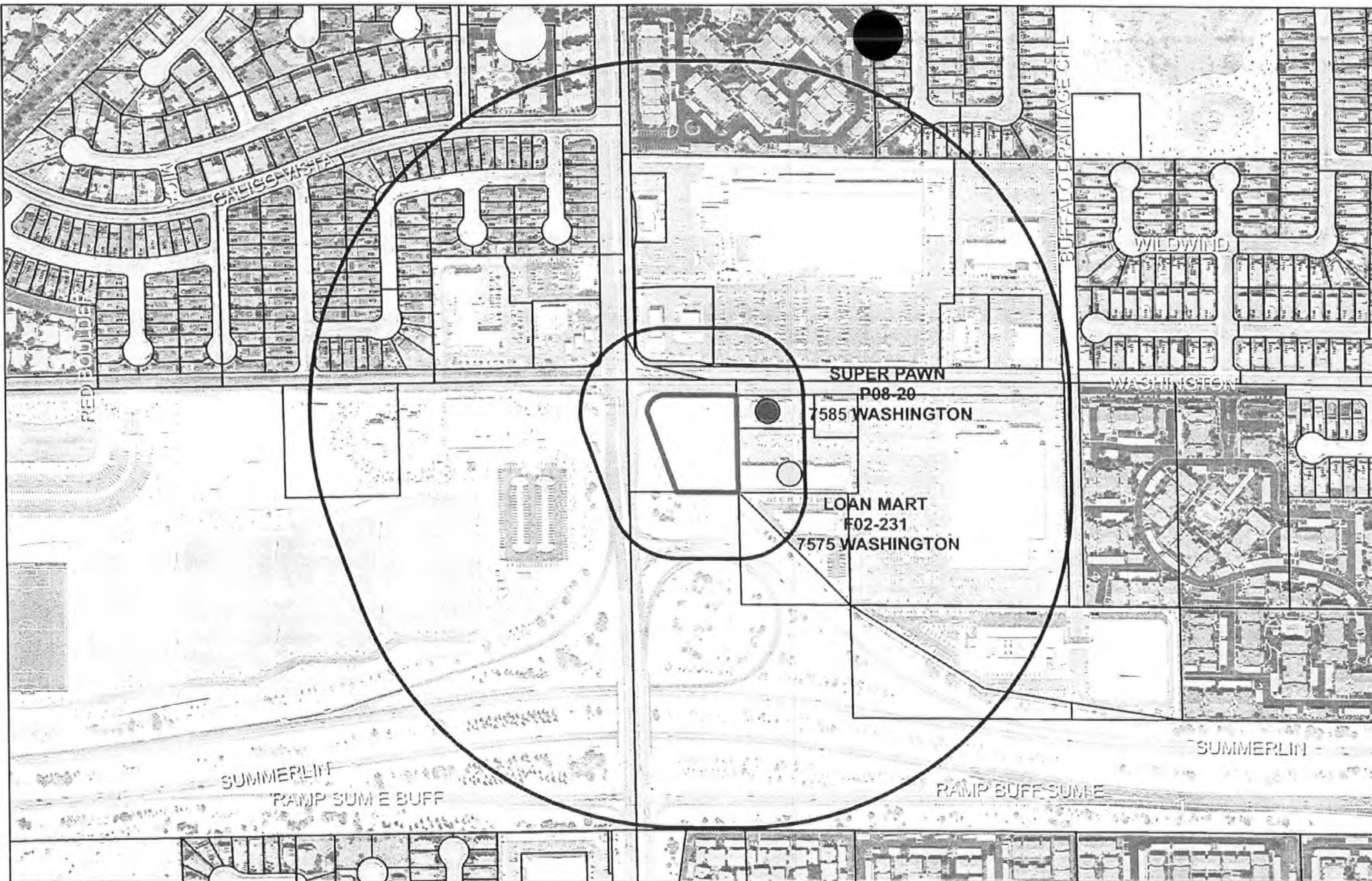
CASE: SUP-15347

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)





SUP-15347
Financial Institution

Financial Business Locations

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

- | |
|--|
|  Subject Property |
|  Residential Property |



Buffer

0 262.5 525 1,050 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: - SUP-15347 - APPLICANT: SUN LOAN COMPANY -
OWNER: PLAZA LOS ARCOS, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to Requirements 1 through 6 under LVMC Title 19.04.050 for Financial Institution, Specified use.
2. 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.
3. Approval of this Special Use Permit does not constitute approval of a business license.
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 a proposed Financial Institution, Specified and a waiver of the 1,000-foot distance separation requirement from other Financial Institutions, Specified located at 7591 West Washington Avenue, Suites 140 & 150, on the southeast corner of Washington Avenue and Buffalo Road.

EXECUTIVE SUMMARY

The applicant notes that a Financial Institution, Specified at 7591 West Washington Avenue is unique and in high demand in the area. Similar businesses are located immediately adjacent to the east at 7575 West Washington Ave. (Loan Mart) and 7585 West Washington Ave. (Superpawn) providing a 0' separation where 1000' is required. The applicant has provided no substantial reason for waiving this requirement therefore staff is recommending denial.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 11/02/83 | The City Council approved a Petition (A-0010-83) to Annex property generally located west of Lorenzi Boulevard, between Westcliff Drive and Washington Avenue, containing approximately 922 acres of land, including the subject site. The Planning Commission recommended approval on 11/02/83. The effective date was 12/30/83. |
| 12/07/94 | The City Council approved a Rezoning (Z-0131-94) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) for this site as part of a larger request. The Planning Commission had recommended Approval on 12/07/94. The Rezoning expiration date was 12/07/95. |
| 02/07/96 | The City Council approved a Reinstatement and an Extension of Time of an approved Rezoning [Z-0131-94(1)], which expired on 12/07/95. The Planning Commission had recommended Approval on 01/11/96. The Rezoning expiration date was 02/07/97. |
| 05/12/97 | The City Council approved a Reinstatement and second Extension of Time [Z-0131-94(2)] of an approved Rezoning (Z-0131-94) with an expiration date of 05/12/98. The Planning Commission had recommended Approval on 04/10/97. |

- 07/13/98 The City Council approved a third Extension of Time [Z-0131-94(4)] of an approved Rezoning (Z-0131-94) with no time limit. The Planning Commission had recommended Approval on 06/11/98.
- 02/02/99 The City Council approved the request for a Special Use Permit for property located on the south side of Washington Ave. approximately 230 feet east of Buffalo Dr., for a Pawnshop (Superpawn) and a Secondhand Dealer (U-0171-98).
- 11/21/02 The Planning Commission approved a request for a Site Development Plan Review (SDR-1046) for a proposed 11,987 square-foot Pharmacy on 2.5 acres located adjacent to the southeast corner of Buffalo Drive and Washington Avenue. Staff had recommended approval.
- 12/16/04 The City Council approved a request for a Site Development Plan Review (SDR-5393) for a proposed 16,009 square-foot commercial retail center and waivers of building setbacks, building orientation and perimeter and foundation landscaping standards on 1.55 acres adjacent to the southeast corner of Buffalo Drive and Washington Avenue (APN 138-27-301-015).
- 01/20/05 The City Council granted the appeal from denial by the Planning Commission for a request for a Variance (VAR-5531) to allow 93 parking spaces where 180 parking spaces are required.
- 09/21/06 The Planning Commission voted 6-1/se to recommend APPROVAL (PC Agenda Item #25/mh).

Business License History

- 01/03/02 The City of Las Vegas issued license # F02-00231 to "Loan Mart" for a finance company. The business is located at 7575 W. Washington Ave. Suite 123. The license is still active.
- 12/10/04 The City of Las Vegas issued license # P08-00203 to Cash America dba "Superpawn" for an Auto Pawnbroker. The business is located at 7585 W. Washington Ave. The license is still active.
- 03/17/05 The City of Las Vegas issued license # C22-00260 to Cash America dba "Superpawn" for a check cashing service. The business is located at 7585 W. Washington Ave. The license has been inactive since 07/13/2005.

B) Pre-Application Meeting

- 07/28/06 A pre-application meeting was held and the following items were discussed:
- Staff discussed the minimum conditions for Financial Institution, Specified uses and the distance separation required.

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: 1.55

B) Existing Land Use

Subject Property: Undeveloped

North: Commercial center

South: Summerlin Parkway

East: Commercial center

West: City Park/Fire Station

C) Planned Land Use

Subject Property: SC (Service Commercial)

North: SC (Service Commercial)

South: ROW (Right-of-way)

East: SC (Service Commercial)

West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under a Resolution of Intent to C-1 (Limited Commercial)

North: C-1 (Limited Commercial)

South: U (Undeveloped) [ROW (Right-of-Way)]

East: C-1 (Limited Commercial)

West: C-V (Civic)

E) General Plan Compliance

The subject property is located within the Southwest Sector of the General Plan. The property is designated SC (Service Commercial) in the General Plan. The Variance request is not directly impacted by any specific policies of the General Plan.

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

No special districts or zones are related to 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	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	2292 SF.	1 space per 250 square feet GFA	10	1	93	

The commercial center in which the proposed use is located would typically require 180 parking spaces. However, a previous Variance (VAR-5531) allows the site to have only 93 spaces. As such, the proposal complies with applicable parking standards.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Financial Institution, Specified	200 Feet from existing residential	200 Feet
	1,000 Feet from a similar use	0 Feet

B) General Analysis and Discussion

- Zoning

The subject proposal complies with the underlying zoning of C-1 (Limited Commercial). This zone allows for most retail shopping and personal services. Typically, this zone lies on the periphery of residential neighborhoods.

- Use

The use proposed is allowed in the zone noted above. However, there are certain conditions that apply (specifically, minimum distance separation requirements) that the proposal does not meet. As such, Staff recommends Denial of the request as the use will not be compatible with surrounding uses based on the intent of the applicable conditions.

- Conditions

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The building and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in LVMC 19.14.090) such as balloons inflated devices, searchlights, pennants, portable billboards, portable signs, steamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon light; or
 - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting area, customer queuing, and transaction space (such as "teller" windows or desks).

7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

FINDINGS

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

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

The proposed land use is compatible with the General Plan. However, it is not harmonious with surrounding land uses as it is located within close proximity to uses from which a distance 1000' distance separation is required

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

The subject site is physically able to accommodate the use proposed. Additionally, it will not greatly add to the intensity of the use on the site.

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

The subject site is served by Buffalo and Washington (both 100-foot primary arterials). The addition of the proposed use will not render the above right-of-way incapable of handling the traffic load created by the use.

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

The proposal may be inconsistent with the intent of the General Plan as the use will not meet current distance separation requirements based on Title 19. Such requirements stipulate that certain uses should not be located within close proximity of each other. The subject proposal would violate the intent of these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 398 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-15347** APN: 138-27-301-015

Name of Property Owner: Buffalo Washington III

Name of Applicant: Jim Marchesi

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: _____

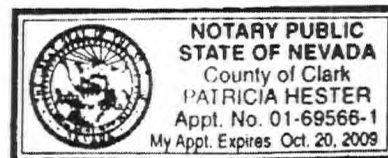
Signature of Property Owner: _____

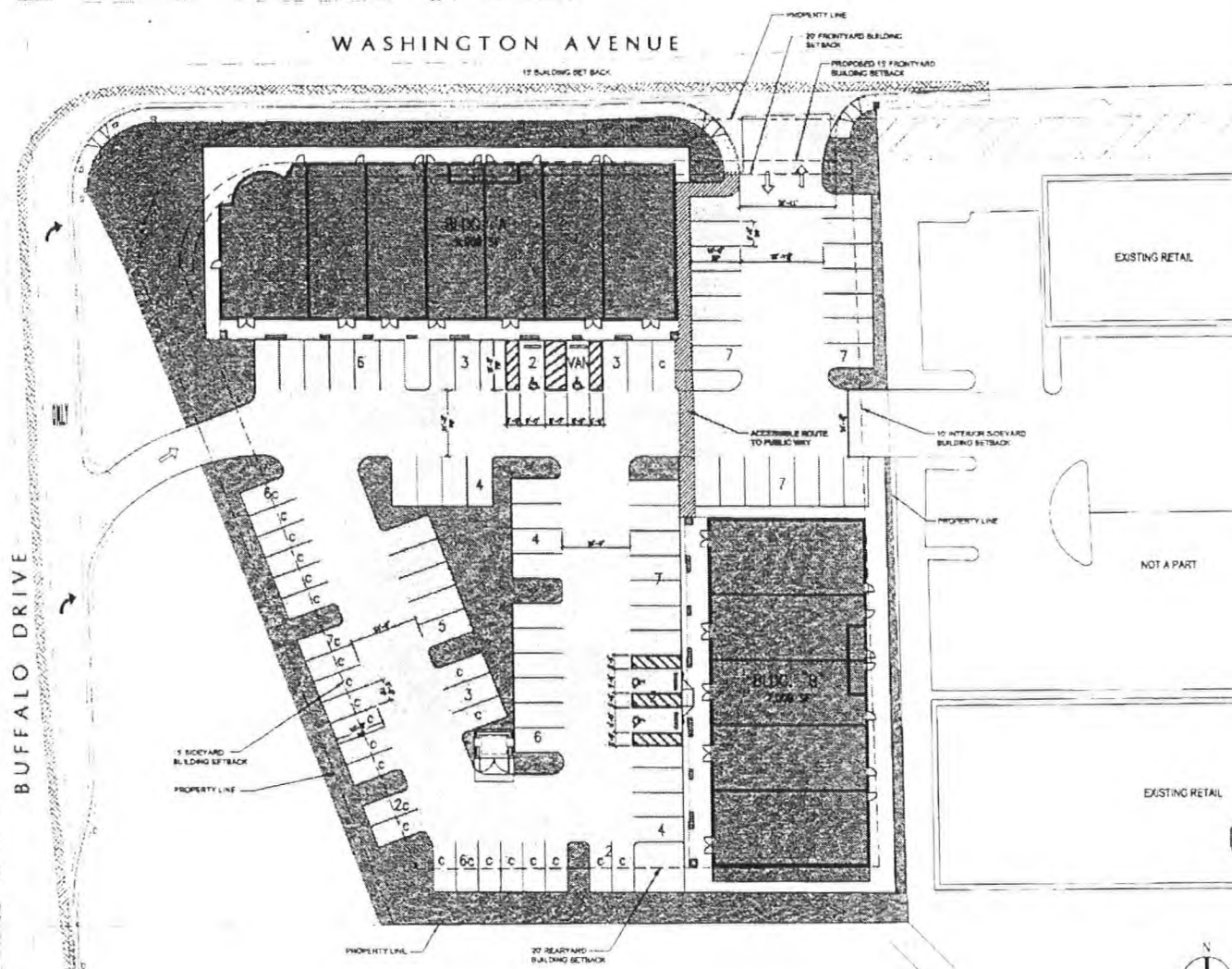
Print Name: C. MURTAGH

Subscribed and sworn before me

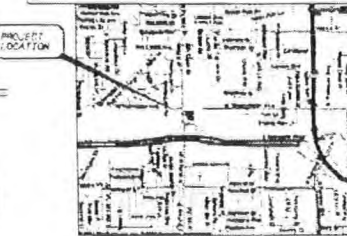
This 26th day of JUNE, 2006

Patricia Hester
Notary Public in and for said County and State





SITE ANALYSIS			
PARCEL NUMBER	138-27-301-015		
SITE AREA	1.55 ACRES	67,518 SF	
FLOOR AREA RATIO		23.7%	
BUILDING AREAS			
BUILDING 'A' - BUSINESS/RESTAURANT/RETAIL USE	8,000	SF	
BUILDING 'B' - BUSINESS/RETAIL USE	7,009	SF	
TOTAL	15,009	SF	
City of Las Vegas Municipal Code (TITIF 19), Chapter 19.10, Table 1.			
PARKING SPACES REQUIRED FOR BUILDING 'A'			
1 SPACE FOR EACH 50 SF OF PUBLIC SEATING/EATING AREAS & WAITING AREA, PLUS ONE SPACE FOR EACH 200 SF OF REMAINING GSF, MINIMUM OF 10 SPACES.			
PUBLIC SEATING/ EATING AREAS = 67% OF AREA REMAINING GSF = 33% OF AREA			
SUITE 'A'	1102 SF @ $\frac{1}{50}$ SF =	22 SPACES	
	543 SF @ $\frac{1}{200}$ SF =	3 SPACES	
SUITE 'B', 'C', 'D'	808 SF @ $\frac{1}{50}$ SF =	17 X 3 = 51 SPACES	
	398 SF @ $\frac{1}{200}$ SF =	2 X 3 = 6 SPACES	
SUITE 'D', 'E'	149 SF @ $\frac{1}{50}$ SF =	17 X 2 = 30 SPACES	
	369 SF @ $\frac{1}{200}$ SF =	2 X 2 = 4 SPACES	
SUITE 'G'	1006 SF @ $\frac{1}{50}$ SF =	20 SPACES	
	495 SF @ $\frac{1}{200}$ SF =	3 SPACES	
		139 SPACES REQUIRED	
PARKING SPACES REQUIRED FOR BUILDING 'B'			
	7,009 SF @ $\frac{1}{200}$ SF =	41 SPACES	
TOTAL SPACES REQUIRED		180 SPACES	
PARKING SPACES PROVIDED			
		64 FULL SIZED SPACES	
		4 ACCESSIBLE SPACES	
		25 COMPACT SPACES	
		93 SPACES PROVIDED	



OCTOBER 5, 2004

SITE PLAN

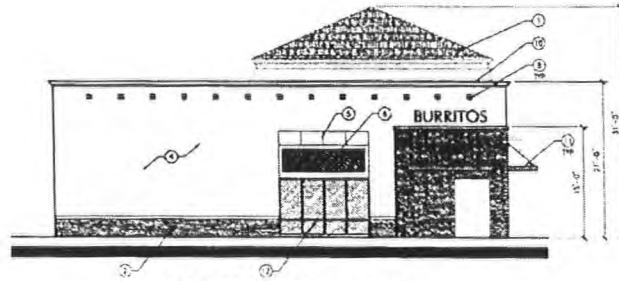
LONGFORD SHOPPES AT SUMMERLIN PARKWAY
SEC WASHINGTON AVENUE AND BUFFALO DRIVE
LAS VEGAS, NEVADA

PGAL

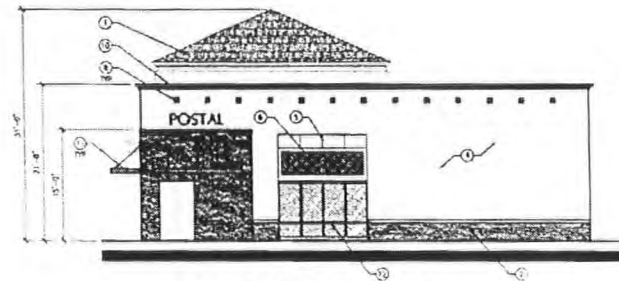
Copyright

09/21/06 PC SUP-15347

RECEIVED



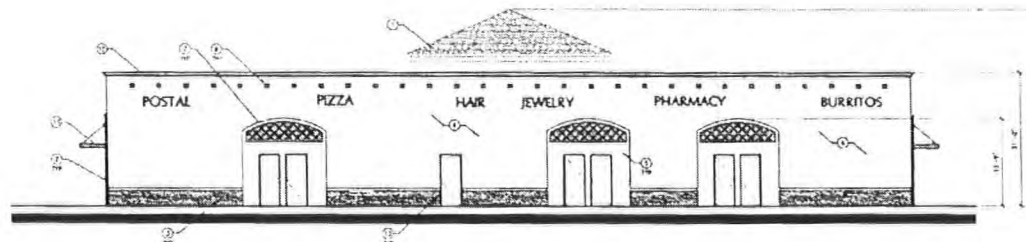
'B' SOUTH ELEVATION



'B' NORTH ELEVATION



'B' WEST ELEVATION



'B' EAST ELEVATION

① KEYNOTES

1. CONCRETE SLATE ROOF -EAGLE ROOFING, #HP-4545
2. CORONADO CULTURED STONE, "CANYON LEDGE"
3. CORONADO CULTURED STONE, "VIRGINIA LEDGE"
4. CEMENT PLASTER, FIELD COLOR: FRAZEE B693W
5. CEMENT PLASTER, ACCENT COLOR: FRAZEE B672W
6. PAINTED METAL GRID - COLOR: FRAZEE 7466N
7. PAINTED METAL GRID - COLOR: FRAZEE 8128V
8. CERAMIC TILE, INSETS, CO OR TO MATCH FRAZEE 7466N
9. CEMENT PLASTER FINISHED POP-OUT WITH TILE INSET, TILE TO MATCH FRAZEE 7466N
10. PRE-FABRICATED FOAM CROWN, PAINTED FIELD ACCENT COLOR: FRAZEE B672W
11. METAL SHADE ELEMENT, PAINTED, FRAZEE 8126N
12. INSULATED GLAZING
13. METAL DOOR, PAINTED, FRAZEE B672W
14. PAINTED CORBELS- ACCENT FIELD COLOR: FRAZEE B672W

OCTOBER 5, 2004

BUILDING 'B' ELEVATIONS

LONGFORD SHOPPES AT SUMMERLIN PARKWAY
SEC WASHINGTON AVENUE AND BUFFALO DRIVE
LAS VEGAS, NEVADA

10/26/04

PGAL

Company

RECEIVED

09/21/06 PC SUP-15347



SUP-15347 - APPLICANT: SUN LOAN COMPANY - OWNER: PLAZA LOS ARCOS, LLC
SOUTHEAST CORNER OF WASHINGTON AVENUE AND BUFFALO ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/08/06



SUP-15347 - APPLICANT: SUN LOAN COMPANY - OWNER: PLAZA LOS ARCOS, LLC
SOUTHEAST CORNER OF WASHINGTON AVENUE AND BUFFALO ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/08/06



SUP-15347 - APPLICANT: SUN LOAN COMPANY - OWNER: PLAZA LOS ARCOS, LLC
SOUTHEAST CORNER OF WASHINGTON AVENUE AND BUFFALO ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/08/06



SUP-15347 - APPLICANT: SUN LOAN COMPANY - OWNER: PLAZA LOS ARCOS, LLC
SOUTHEAST CORNER OF WASHINGTON AVENUE AND BUFFALO ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/08/06



GREATER
NEVADA
PLANNING
INC.

July 21, 2006

CITY OF LAS VEGAS PLANNING
731 S. 4th Street
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER --

The name of this proposal is: **Rapid Cash**

APN: 138-27-301-015

1. This proposed use is located 7591 West Washington Ave., suites #140 & #150.
2. The total gross acres for this site are 1.55.
3. The current zone for this parcel is C-1 and the current general plan is service / commercial.
4. The proposed land use is for check cashing business.
5. The building is 7,009 sq. ft and the adequate parking spaces as noted on the site plan.
6. No other business like this in the immediate area, therefore this would be an excellent choice.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at #312-2435.

Sincerely,

Sandra Montgomery

Sandra Montgomery

Land Use Consultants

- Zoning, Planning, Building & Land Use
- Variances, Conditional Use Permits & Waivers
- Permit Tracking
- Property Analysis & Feasibility Studies
- Business, Gaming & Liquor Licensing
- Development Services

SUP-15347
9.21.06 PC

LAW OFFICE

*Jay H. Brown, Ltd.*A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

October 17, 2006

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: Item 141 - City Council Agenda of October 18, 2006
SUP-15347 SUN LOAN COMPANY (Check City)

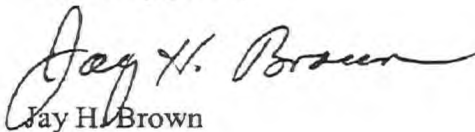
Dear Ms. Ronemus:

Please be advised that I represent the above named applicant.

The above referenced application is scheduled to be heard at the October 18, 2006 City Council meeting.

My client is requesting that the hearing on this matter be held in abeyance from the October 18, 2006 City Council meeting and rescheduled to the November 1, 2006 meeting. I have spoken with Councilwoman Tarkanian and she has no objection to the abeyance.

Very truly yours,


Jay H. Brown

JHB:cc

2006 OCT 17 P 4:58

RECEIVED
CITY CLERK

Date 10/17/06 Item #141

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-15747 - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to 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.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

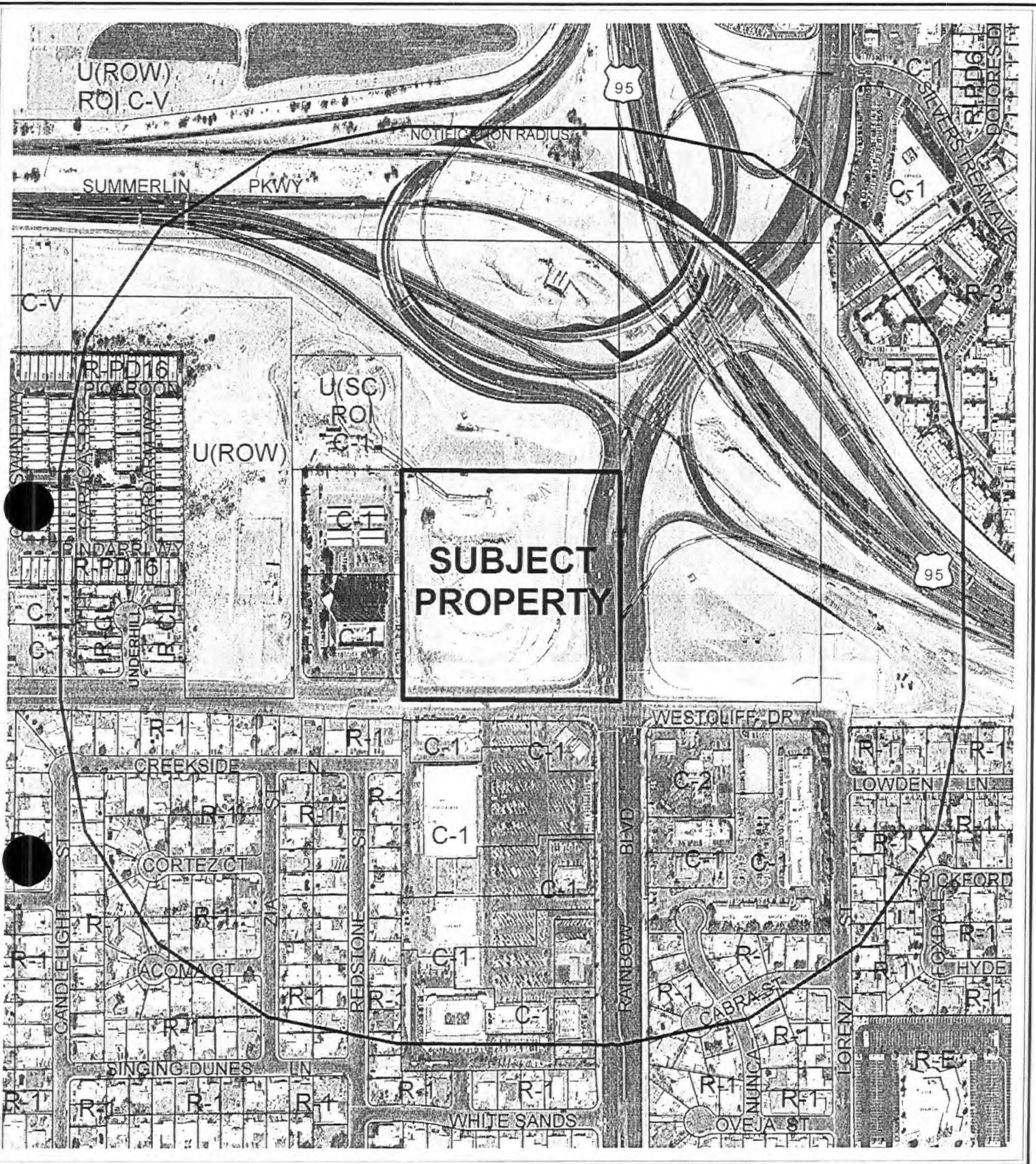
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 142 [SDR-15747] to 11/15/2006; Item 129 [RQR-15420], Item 130 [RQR-13791], Item 132 [RQR-15054] and Item 141 [SUP-15347] to 11/01/2006; Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] to 02/07/2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)



CASE: **SDR-15747**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH

**** CONDITIONS ****

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

Planning and Development

1. 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.
2. All development shall be in conformance with the revised site plan, landscape plan, and building elevations, submitted to the City Clerk on 9/21/06, except as amended by conditions herein.
3. A Waiver from Title 19.12 is hereby approved, to allow a minimum zero perimeter landscape buffer where a fifteen-foot buffer is required along the southern property line along Westcliff Drive, 53 inch wide landscape fingers where 60 inch wide landscape fingers are required and to allow no parking lot landscape fingers along the foundation parking area.
4. A revised site plan shall be submitted prior to the time an application is made for a building permit to reflect a 20-foot wide Multi-Use Transportation Trail (Bonanza Trail) in accordance with the Las Vegas 2020 Master Plan along the northern and eastern boundaries of the site.
5. A Site Development Plan Review application for Phase II of the project shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.
6. 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. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan.

7. 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.
8. 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).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. 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.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Dedicate appropriate right-of-way for Rainbow Boulevard adjacent to this site prior to the issuance of any permits unless otherwise allowed by the City Engineer.
15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
16. Construct all incomplete half-street improvements on Rainbow Boulevard and Westcliff Drive adjacent to this site concurrent with development of this site.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
18. Provide proof to the Land Development Section of the Department of Public Works that the Nevada Department of Transportation has approved the design of the offsite improvements and driveway cuts adjacent to this site on Rainbow Boulevard and Westcliff Drive prior to the submittal of any construction drawings.
19. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for Bureau of Land Management (BLM) applications for a portion of the trail path across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
20. Coordinate with the City Engineer's Office regarding the Bonanza Trail project. The trail shall be designed to connect with the portions of the trail being constructed by the City west and east of this site and shall be constructed to a minimum width of 12 feet and match the cross section being constructed by the City concurrent with development of this site.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings 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.
22. Site development to comply with all applicable conditions of approval of the previous approval and all other applicable site-related actions, except as amended herein.
23. Unless otherwise allowed by the City Engineer, remove the western most driveway accessing Westcliff Drive.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests a Site Development Plan Review for a proposed 31,126 square-foot church/house of worship and a Waiver of the perimeter landscaping requirements on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive.

EXECUTIVE SUMMARY

The proposed two story building will be located on the northeast portion of the site. The first floor will consist of 19,224 square feet, with a 490-seat sanctuary, office space, classrooms and work rooms. The second floor is 11,902 square feet in area, with a 208-seat balcony and additional classroom space. A multi-use trail is provided along the north and east boundaries of the site.

The applicant has requested a Waiver of the perimeter landscape buffer requirement along the Westcliff Drive and a Waiver of the parking area landscape fingers. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive which staff cannot support. Therefore, denial of this project is recommended

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 11/27/90 | The Board of Zoning Adjustment approved a Special Use Permit (U-0168-90) to allow the construction of a church on this property. This was final action; staff recommended approval. |
| 05/05/04 | The City Council approved a Site Development Plan Review (SDR-3997) for a 40,649 square-foot church/house of worship and a 1,200 square-foot temporary modular building. A Rezoning (ZON-3995) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive. The Planning Commission and staff recommended approval on 04/08/04. |
| 06/07/06 | The City Council approved an Extension of Time (EOT-13291) of an approved Rezoning (ZON-3995) from (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/jm). |

B) *Pre-Application Meeting*

08/08/06 In the pre-application meeting, submittal requirements were discussed as were the determination of previous cases and their effect on this submittal. The applicant is submitting a new site plan; therefore, the applicant has allowed the approved Site Development Review (SDR-3997) to expire (5/5/06). However, the applicant has filed an Extension of Time on the Rezoning (ZON-3995) which the City Council approved on 06/07/06. In addition, the Bonanza Trail and its location were discussed.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 8.55 acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Commercial Establishment
East: Undeveloped
West: Financial Institution

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: ROW (Right-of-Way)
South: SC (Service Commercial)
East: ROW (Right-of-Way)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: U (Undeveloped) under Resolution of Intent to
C-1 (Limited Commercial)
North: U (Undeveloped) [ROW (Right-of-Way)]
South: C-1 (Limited Commercial)
East: U (Undeveloped) [ROW (Right-of-Way)]
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located in the Southwest Sector of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the SC (Service Commercial) category of the General Plan land use designation. This site is adjacent to a Multi-Use Transportation Trail (Bonanza Trail). The City is currently designing and constructing portions of this trail adjacent to this site to provide trail connectivity at the Rainbow interchange.

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

PROJECT DESCRIPTION

The proposed two story church will be located on the northeast portion of the site, with the remainder of the parcel, with the exception of the two pads adjacent to the south property line, proposed to be paved for parking. The first floor of the church will consist of 19,224 square feet, with a 490-seat sanctuary, office space, classrooms and work rooms. The second floor is 11,902 square feet in area, with a 208-seat balcony and additional classroom space.

Two driveways provide egress and ingress into the site. A 32-foot wide driveway provides ingress access to Westcliff Drive, while a 32-foot drive provides egress to the site. A 20-foot wide landscape planter is provided along the north, east and west property lines, while no landscaping is provided along Westcliff, the south property line.

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 Width	100 Feet	492 Feet	Y
Min. Setbacks			
• Front	20 Feet	320 Feet	Y
• Side	10 Feet	70 Feet	Y
• Corner	N/A	---	N/A
• Rear	20 Feet	25 Feet	Y
Max. Lot Coverage	50 %	17	Y
Max. Building Height	None	Two Stories	Y
Trash Enclosure	Y	Y	Y

The request meets or exceeds Title 19 Development Standards.

A2) Residential Adjacency Standards

Residential Adjacency Standards to no apply to the subject development.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Church	698 seats	1 per 4 fixed seats	175			
	25,566	1/300 for office	85			
Total			260	15	263	15

The project meets the parking standards per Title 19.10

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area Landscape Fingers	1 Tree/6 Spaces	60 Trees	61 Trees
Min. Trees - Perimeter	1 Tree/30 Feet	62 Trees	57 Trees
Min. Zone Depth Adjacent to Right-of-Way	15 Feet		0 Feet
Min. Zone Depth – Interior Lot Lines	8 Feet		20 Feet

The applicant provides adequate perimeter landscaping along the north and east boundaries of the site. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive and is requesting a Waiver of the perimeter landscape buffer requirements which staff cannot support.

Along the 31,126 square foot worship center, the applicant provides foundation landscaping but does not show the required one landscape island for every six parking spaces. In addition, the applicant is proposing 53 inch wide landscape fingers where 60 inch wide landscape fingers are required. A Waiver of parking lot landscape fingers has also been requested as part of this application. While the applicant does not meet the required landscape island requirements, the applicant does provide foundation landscaping and 61 trees in the parking area where 60 are required. If the applicant were to replace the parking spaces with landscape fingers to meet the required number per Title 19.12., they would be deficient in parking. Therefore, staff supports the waiver of parking lot landscape fingers.

B) General Analysis and Discussion

- Zoning

The property is zoned C-1 (Limited Commercial). The proposed house of worship is a permitted use in this zoning district.

- Site Plan

The site development plan meets Title 19 Development Standards in terms of setbacks and parking.

- Waivers

Title 19.12	Required	Provided	Staff Recommendation
Minimum Zone Depth Adjacent to Right-of-Way	15 Feet of perimeter landscaping	0 Feet of perimeter landscaping (Westcliff Drive)	Staff does not support
Parking area landscape fingers	1 per every 6 parking spaces	No fingers along the foundation parking spaces, however applicant does exceed the total of trees required and provides adequate foundation landscaping	Staff supports

- Landscape Plan

The applicant provides adequate perimeter landscaping along the north and east boundaries of the site. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive and is requesting a Waiver of the perimeter landscape buffer requirements.

Along the church, the applicant provides foundation landscaping but does not show the required one landscape island for every six parking spaces. A Waiver of parking lot landscape fingers has also been requested as part of this application. While the applicant does not meet the required landscape island requirements, the applicant does provide foundation landscaping and 61 trees in the parking area where 60 are required. If the applicant were to replace the parking spaces with landscape fingers to meet the required number per Title 19.12., they would be deficient in parking.

- Elevation

The building elevations show the building to be 45 feet, five inches in height to the top of the roof line; the steeple projects to a height of 77 feet, eight inches. The façade consists of foam cornices with stucco and kite shaped decorative insets. A metal ribbed roof will be constructed; the steeple is pre-fabricated.

- Floor Plan

The floor plan provides detail on the number and square footage of each classroom and seating area.

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 church is compatible with adjacent development, as it is in close proximity to the freeway and other commercial uses.

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 use is consistent with the goals, objectives and policies of the General Plan; however, the landscaping is consistent with Title 19.12 and cannot be supported.

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

The project will have access to Westcliff Drive, a 100-foot Primary Arterial, which should not negatively impact adjacent roadways or adjacent traffic.

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

The height and building elevations are appropriate for this area of the City.

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

The building elevations and design characteristics will contribute to an orderly and pleasing environment and are harmonious and compatible with other development in the area; however, the lack of landscaping along Westcliff is unsightly and not harmonious with the surrounding area.

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

Building inspections will take place to ensure conformance to the building code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 234 by Planning Department

APPROVALS 0

PROTESTS 0



RECEIVED
AUG 08 2006

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15747** APN: 2827802004
Name of Property Owner: TWIN LAKES BAPTIST CHURCH
Name of Applicant: CARL FLEMING

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): _____

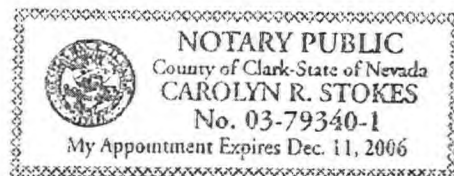
APN: _____

Signature of Property Owner: Carl Fleming

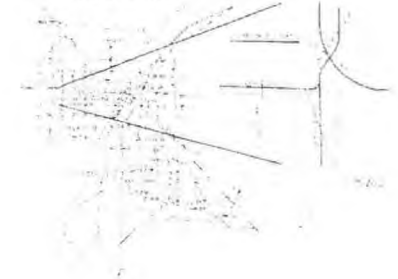
Print Name: Carl Fleming

Subscribed and sworn before me

This 24th day of July, 2006
Carolyn R Stokes
Notary Public in and for said County and State



VICINITY MAP



PROJECT SUMMARY

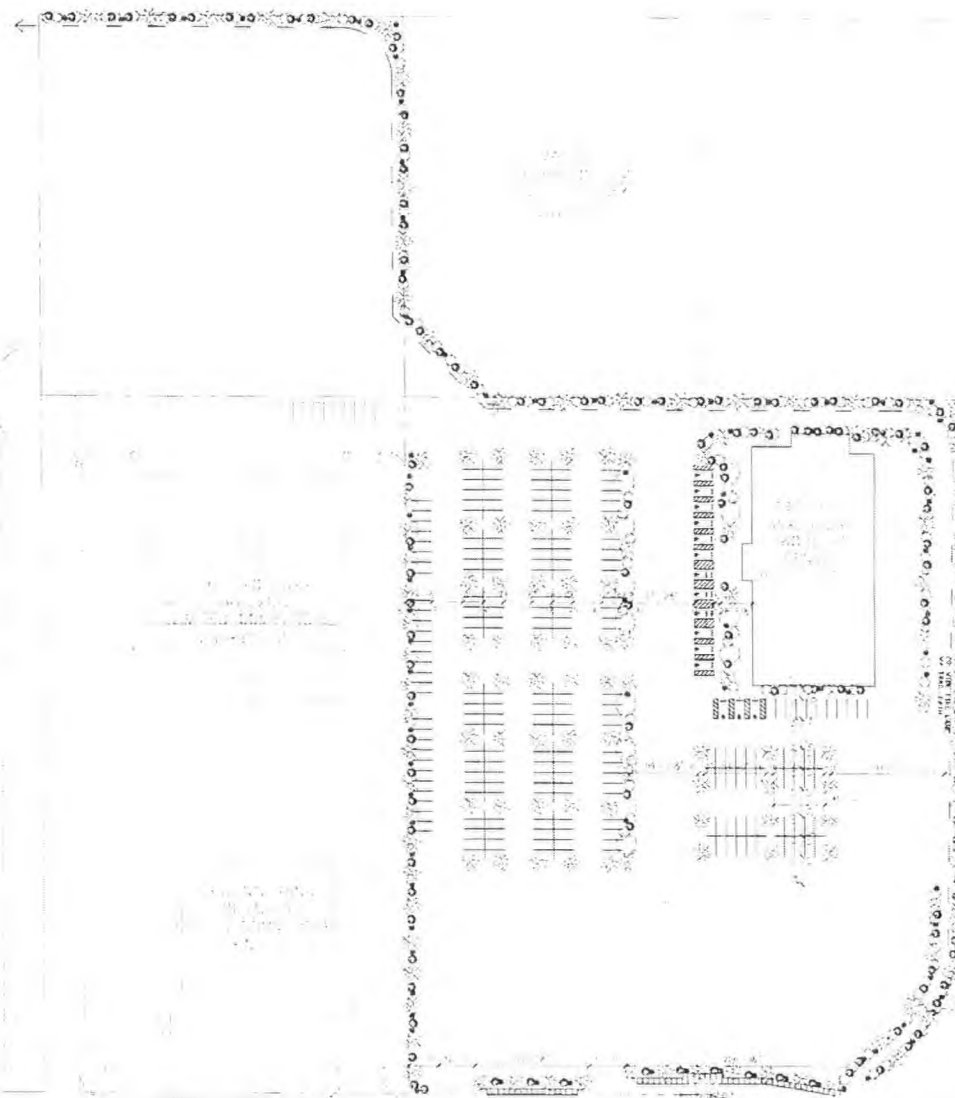


TWIN LAKES BAPTIST CHURCH

SDR-15747
REVISED
09/21/06 PC

GENERAL VAIL
ARCHITECT
SEP 21 2006

AS-1

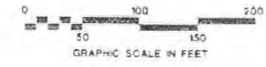


PLANT LEGEND

SYMBOL	QUANTITY	PLANT NAME	PLANT SIZE
TREES			
(Symbol)	10	FRAXINUS	12" DBH
(Symbol)	20	QUERCUS	12" DBH
SHRUBS			
(Symbol)	10	HYDRANGEA	12" DBH
(Symbol)	20	ROSE	12" DBH
(Symbol)	10	SPYRUS	12" DBH

ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL LANDSCAPE ARCHITECTURE ASSOCIATION (NLA) AND THE NATIONAL ASSOCIATION OF PROFESSIONAL LANDSCAPE ARCHITECTS (NALA) STANDARDS AND SPECIFICATIONS. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL LANDSCAPE ARCHITECTURE ASSOCIATION (NLA) AND THE NATIONAL ASSOCIATION OF PROFESSIONAL LANDSCAPE ARCHITECTS (NALA) STANDARDS AND SPECIFICATIONS.

SDR-15747
REVISED
09/21/06 PC



TWIN LAKES BAPTIST CHURCH

R
 SEP 21 2006

LENDALL MARRIS
 ARCHITECT

L-1



REAR ELEVATION



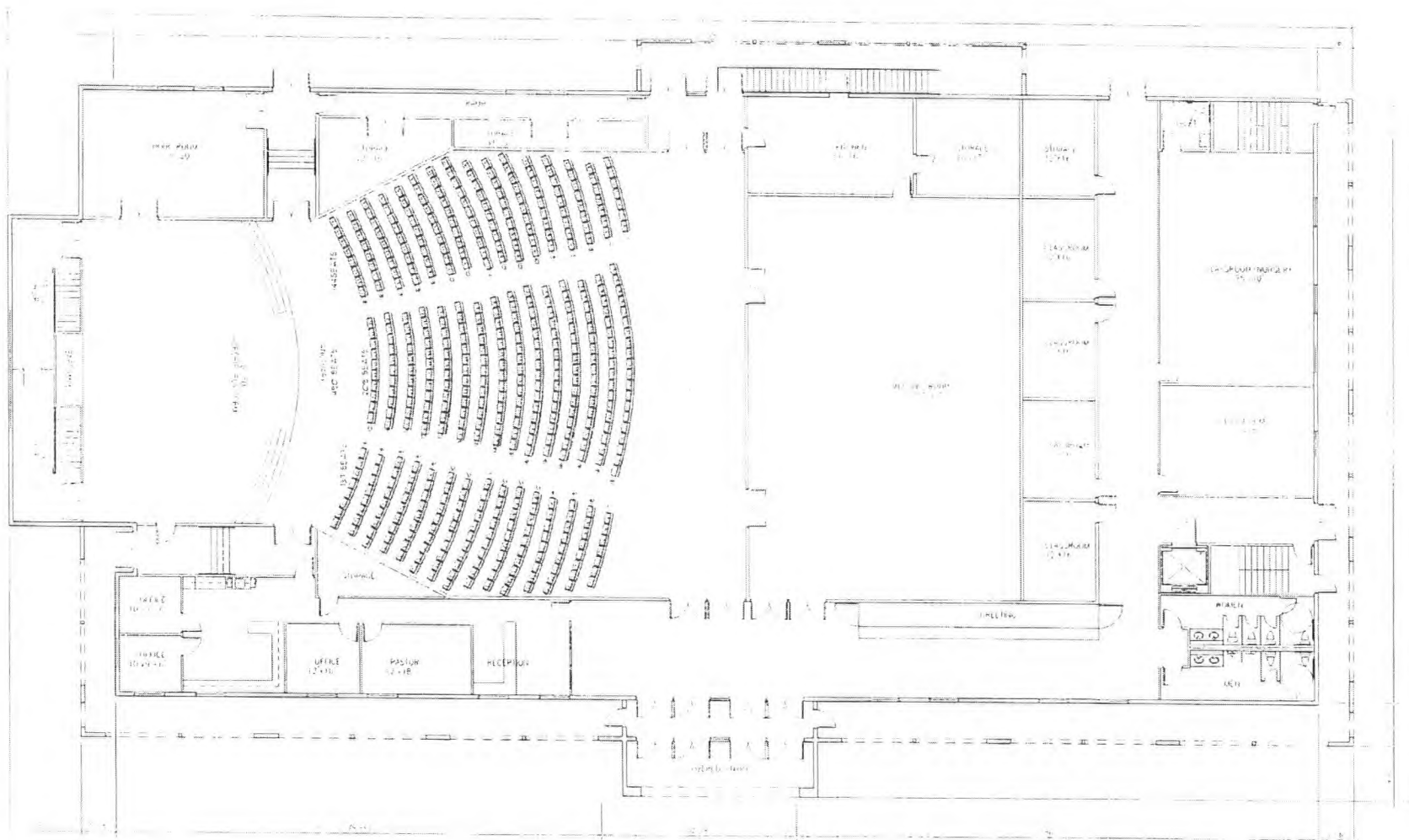
RECEIVED

AUG 08 2006

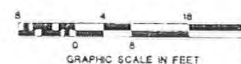
FRONT ELEVATION

VAR-15785

09/21/06 PC

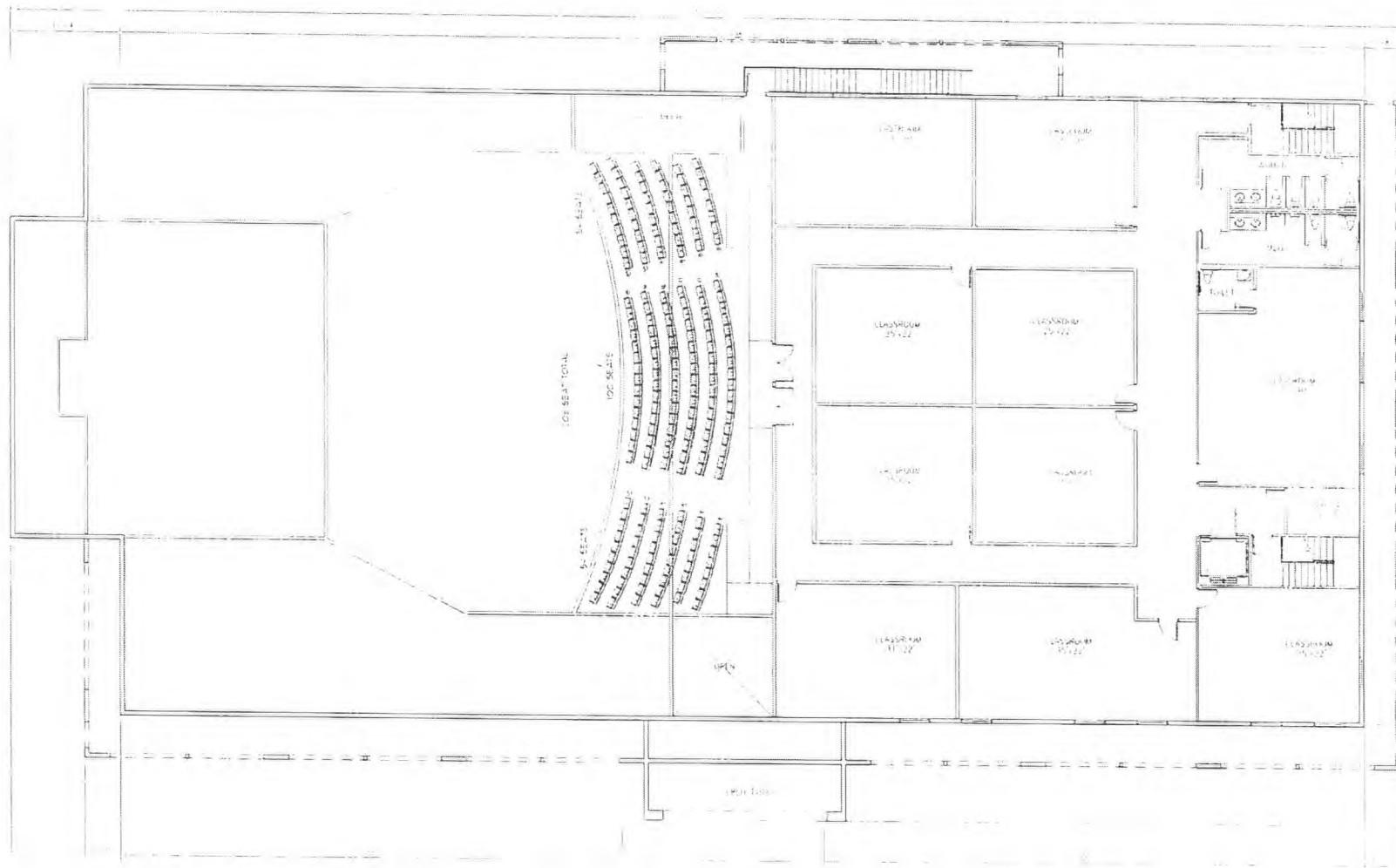


TWIN LAKES BAPTIST CHURCH



SDR-15747
09/21/06 PC

RECEIVED
AUG 8 2006



TWIN LAKES BAPTIST CHURCH

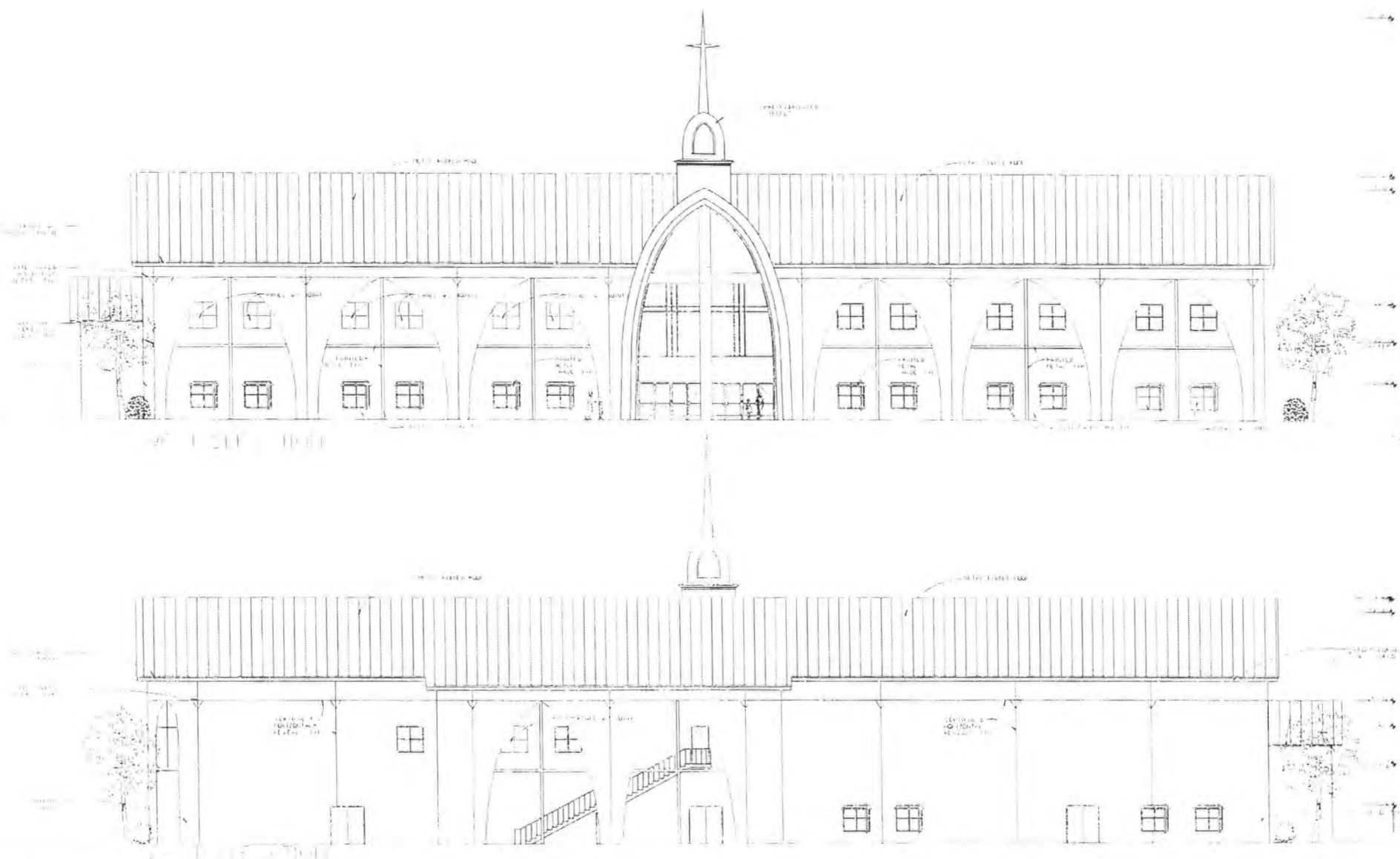
SDR-15747

09/21/06 PC

RECEIVED

AUG 8 2006

A-2



TWIN LAKES BAPTIST CHURCH

SDR-15747

09/21/06 PC

RECEIVED

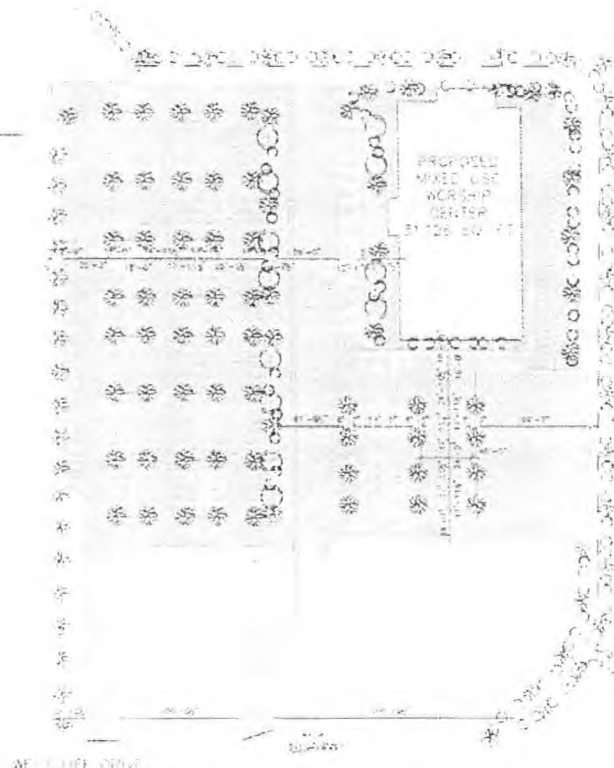
AUG 8 2006

A-3

W. 10th
 10th Street
 10th Street

2nd Floor
 2nd Floor
 2nd Floor

Existing Bath
 Building
 Building



POINT SELECT

DATE	QUANTITY NAME	QUANTITY NAME
1	1000	1000
2	1000	1000
3	1000	1000
4	1000	1000
5	1000	1000
6	1000	1000
7	1000	1000
8	1000	1000
9	1000	1000
10	1000	1000
11	1000	1000
12	1000	1000
13	1000	1000
14	1000	1000
15	1000	1000
16	1000	1000
17	1000	1000
18	1000	1000
19	1000	1000
20	1000	1000
21	1000	1000
22	1000	1000
23	1000	1000
24	1000	1000
25	1000	1000
26	1000	1000
27	1000	1000
28	1000	1000
29	1000	1000
30	1000	1000
31	1000	1000
32	1000	1000
33	1000	1000
34	1000	1000
35	1000	1000
36	1000	1000
37	1000	1000
38	1000	1000
39	1000	1000
40	1000	1000
41	1000	1000
42	1000	1000
43	1000	1000
44	1000	1000
45	1000	1000
46	1000	1000
47	1000	1000
48	1000	1000
49	1000	1000
50	1000	1000
51	1000	1000
52	1000	1000
53	1000	1000
54	1000	1000
55	1000	1000
56	1000	1000
57	1000	1000
58	1000	1000
59	1000	1000
60	1000	1000
61	1000	1000
62	1000	1000
63	1000	1000
64	1000	1000
65	1000	1000
66	1000	1000
67	1000	1000
68	1000	1000
69	1000	1000
70	1000	1000
71	1000	1000
72	1000	1000
73	1000	1000
74	1000	1000
75	1000	1000
76	1000	1000
77	1000	1000
78	1000	1000
79	1000	1000
80	1000	1000
81	1000	1000
82	1000	1000
83	1000	1000
84	1000	1000
85	1000	1000
86	1000	1000
87	1000	1000
88	1000	1000
89	1000	1000
90	1000	1000
91	1000	1000
92	1000	1000
93	1000	1000
94	1000	1000
95	1000	1000
96	1000	1000
97	1000	1000
98	1000	1000
99	1000	1000
100	1000	1000

NOTES:
 1. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 2. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 3. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 4. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 5. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 6. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 7. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 8. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 9. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.
 10. THE PROPOSED MIXED-USE WORSHIP CENTER IS TO BE CONSTRUCTED ON THE SITE OF THE EXISTING BATH BUILDING.

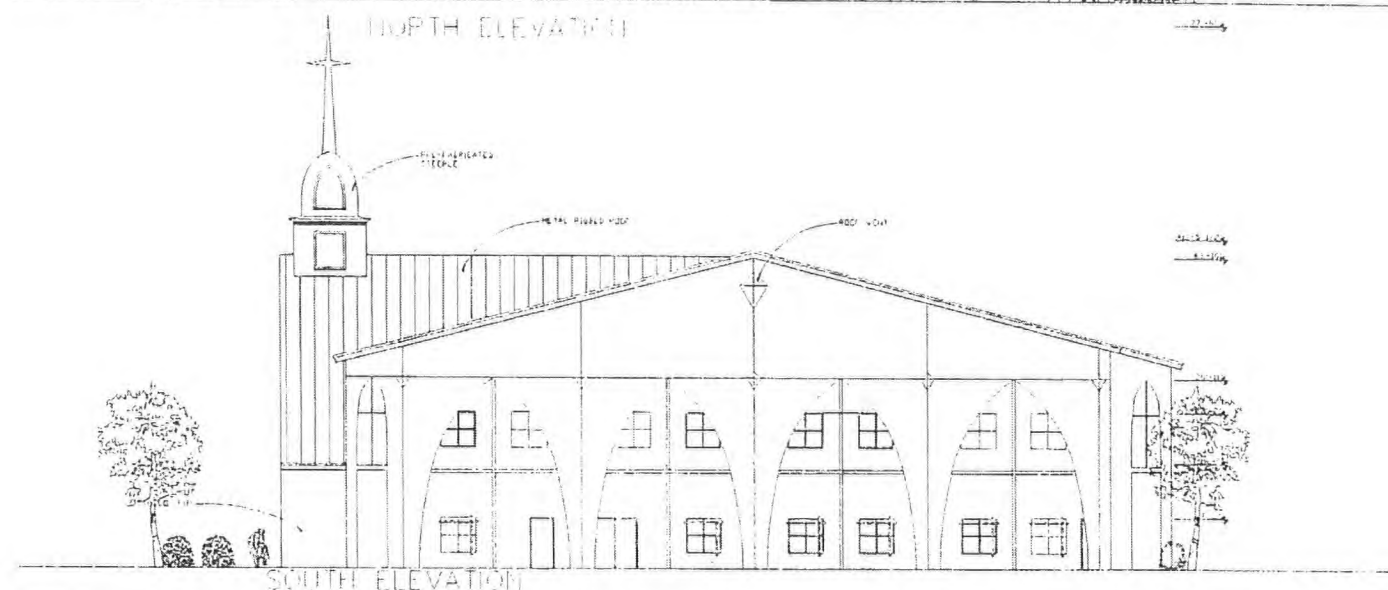
RECEIVED
 AUG 8 2006

PROPOSED LANDSCAPE
TWIN LAKES BAPTIST CHURCH

SDR-15747
09/21/06 PC

LINDALL MAINS
 ARCHITECT
 1000 W. 10th Street
 Suite 100
 Twin Lakes, WI 53094
 Phone: 262.430.4444
 Fax: 262.430.4444

L-1



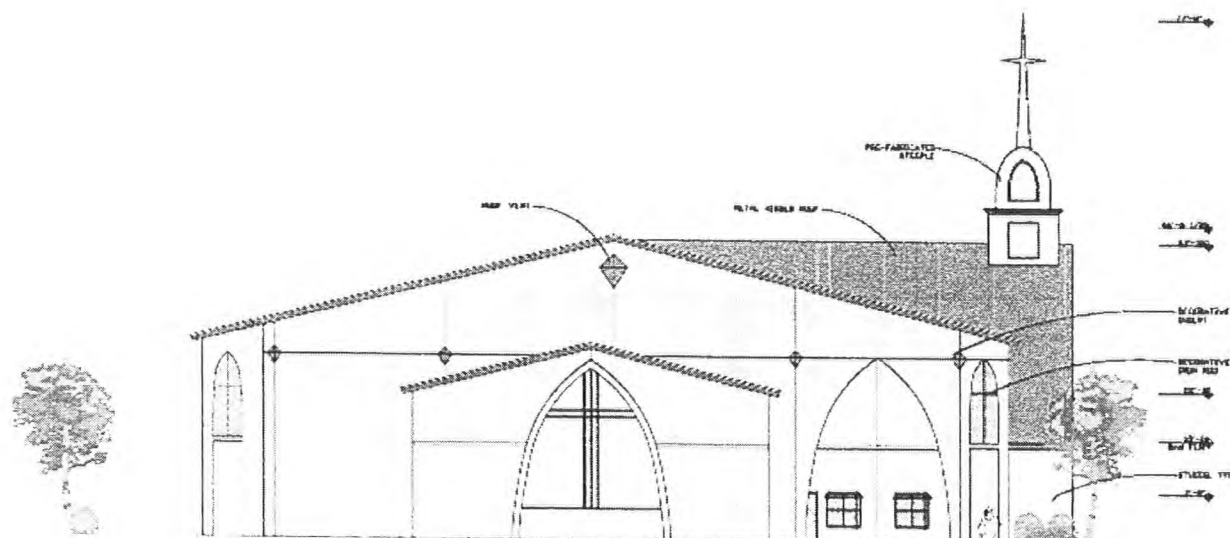
AUG 8 2006

GRAPHIC SCALE IN FEET

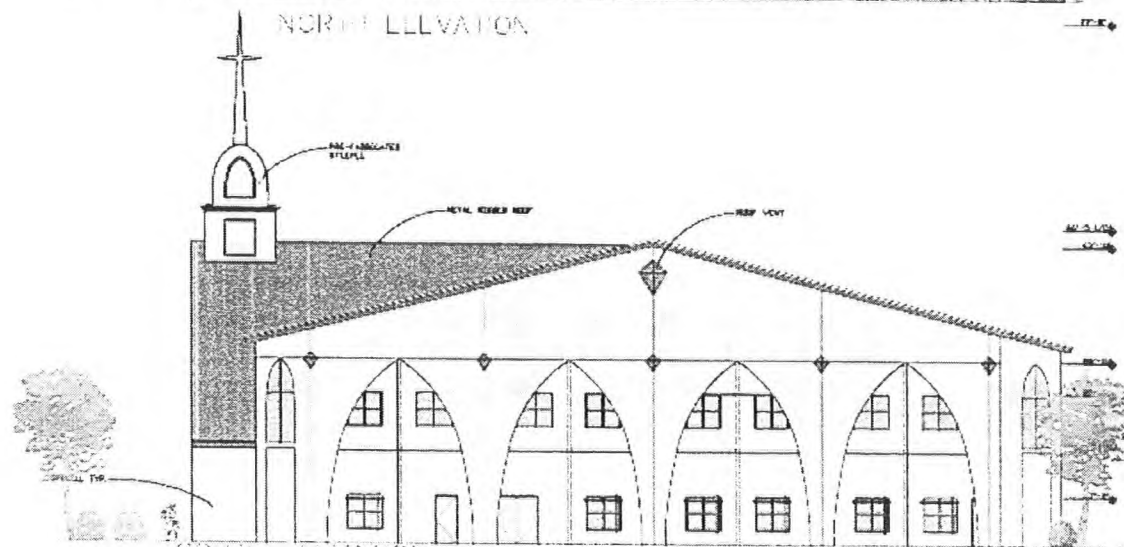
LEONARD B. BERNARD
BIOGRAPHICAL MEMOIRS

SHEET NO.

SDR-15747
09/21/06 PC



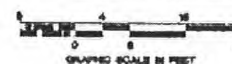
NORTH ELEVATION



SOUTH ELEVATION

RECEIVED
AUG 8 2006

TWIN LAKES BAPTIST CHURCH



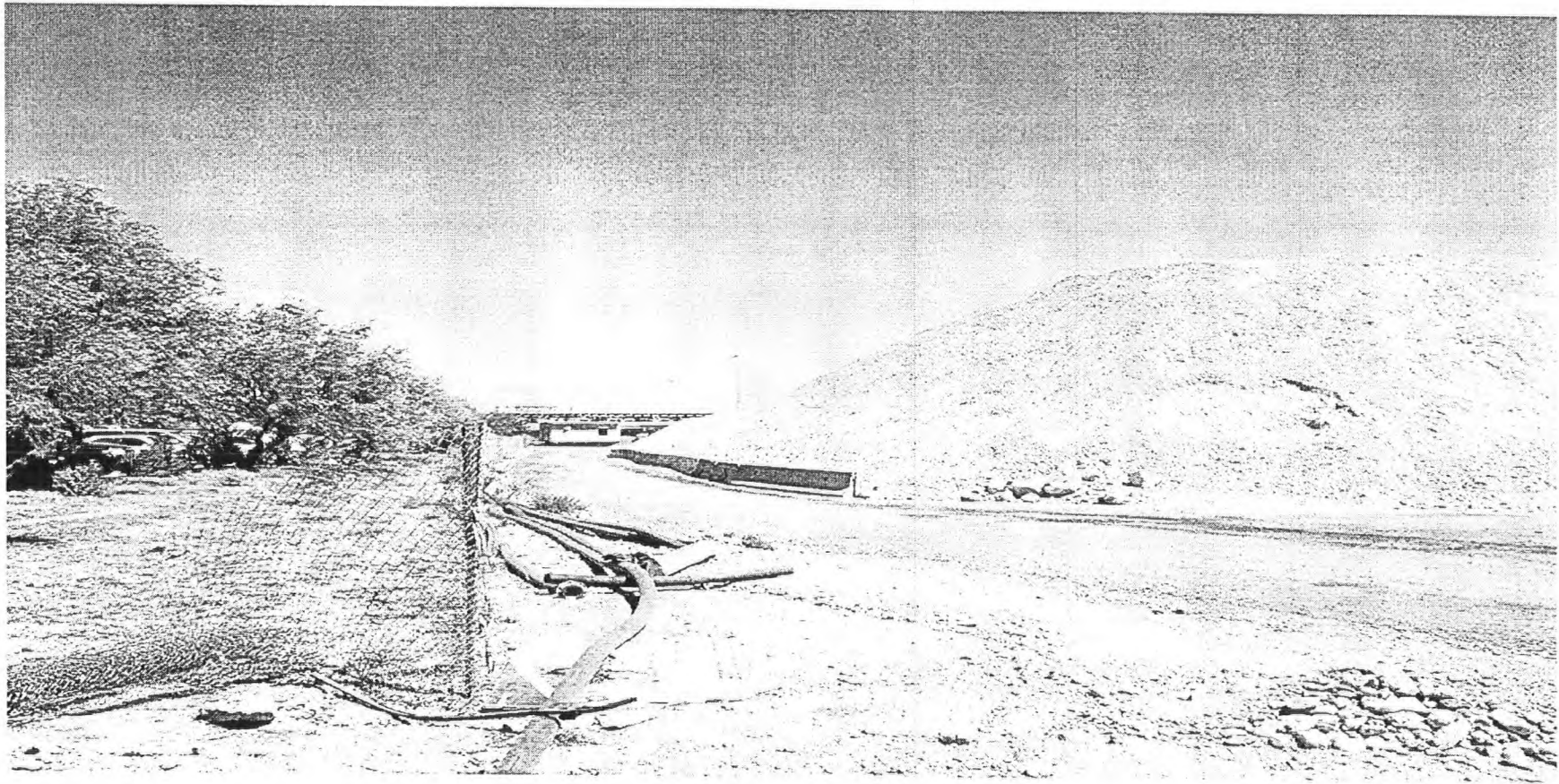
SDR-15747
09/21/06 PC

LENDALL MAINS
ARCHITECT
1001 S. 1st Street, Suite 100
Tulsa, OK 74106
Phone: (918) 438-1234
Fax: (918) 438-1234

Sheet No.
A-4

SDR 15747				
Twin Lakes Baptist Church				
NWC Westcliff & Rainbow				
Proposed 31.126 thousand square foot church.				
Traffic produced by proposed development:				
New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	31.126	9.11	284
AM Peak Hour			0.72	22
PM Peak Hour			0.66	21
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Westcliff Drive				
Average Daily Traffic (ADT)	13,204			
PM Peak Hour	1056			
(heaviest 60 minutes)				
Rainbow Boulevard				
Average Daily Traffic (ADT)	62,699			
PM Peak Hour	5016			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Westcliff Drive	34300			
Rainbow Boulevard	51700			
This project will add approximately 284 trips per day on Westcliff and Rainbow.				
This will increase expected volumes by about 2 percent on Westcliff and less than one percent on Rainbow. Westcliff is at about 39 percent of capacity and Rainbow 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 minutes.				

Note that this report assumes all traffic from this development uses all named streets.				



SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



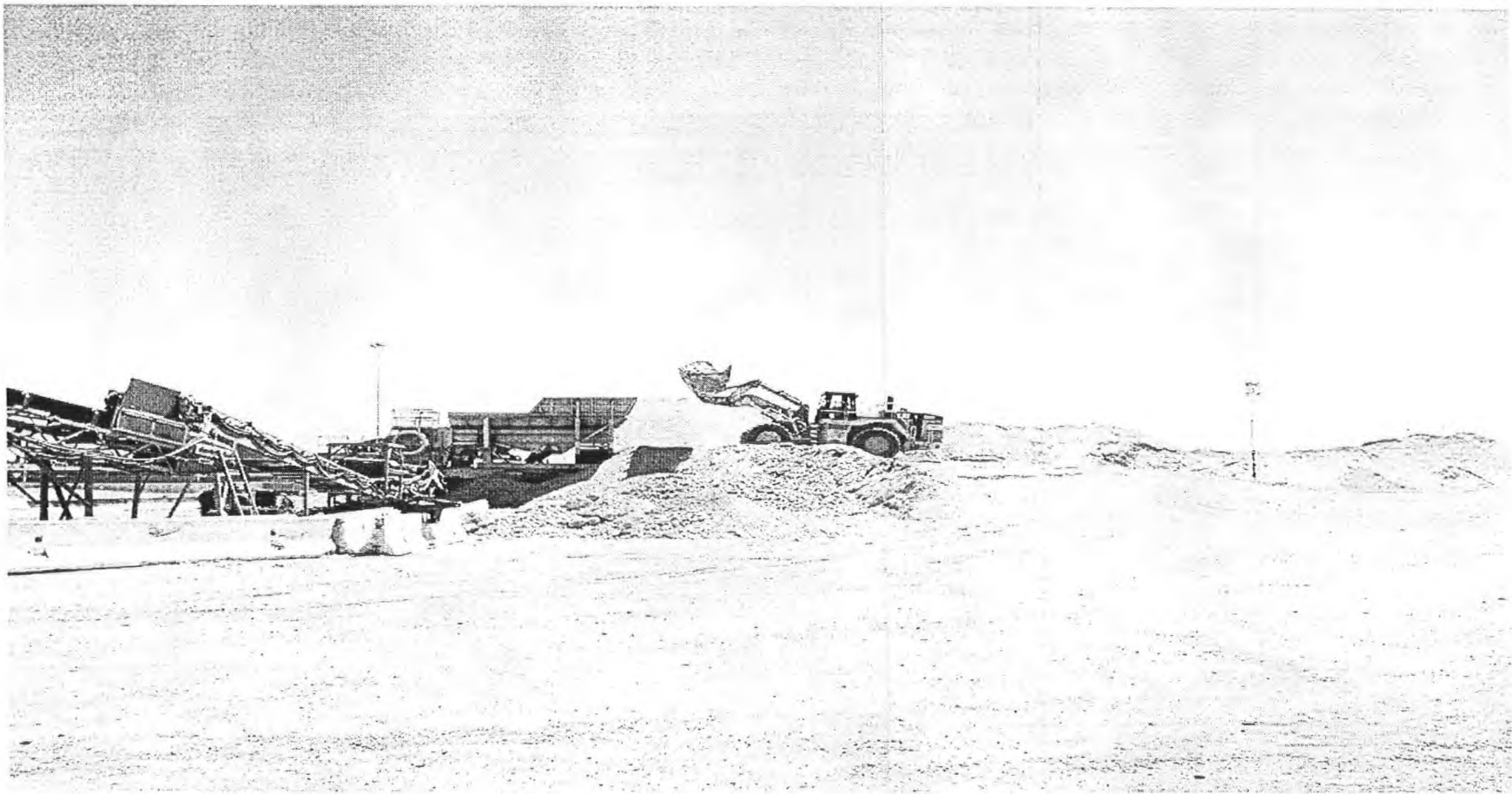
SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



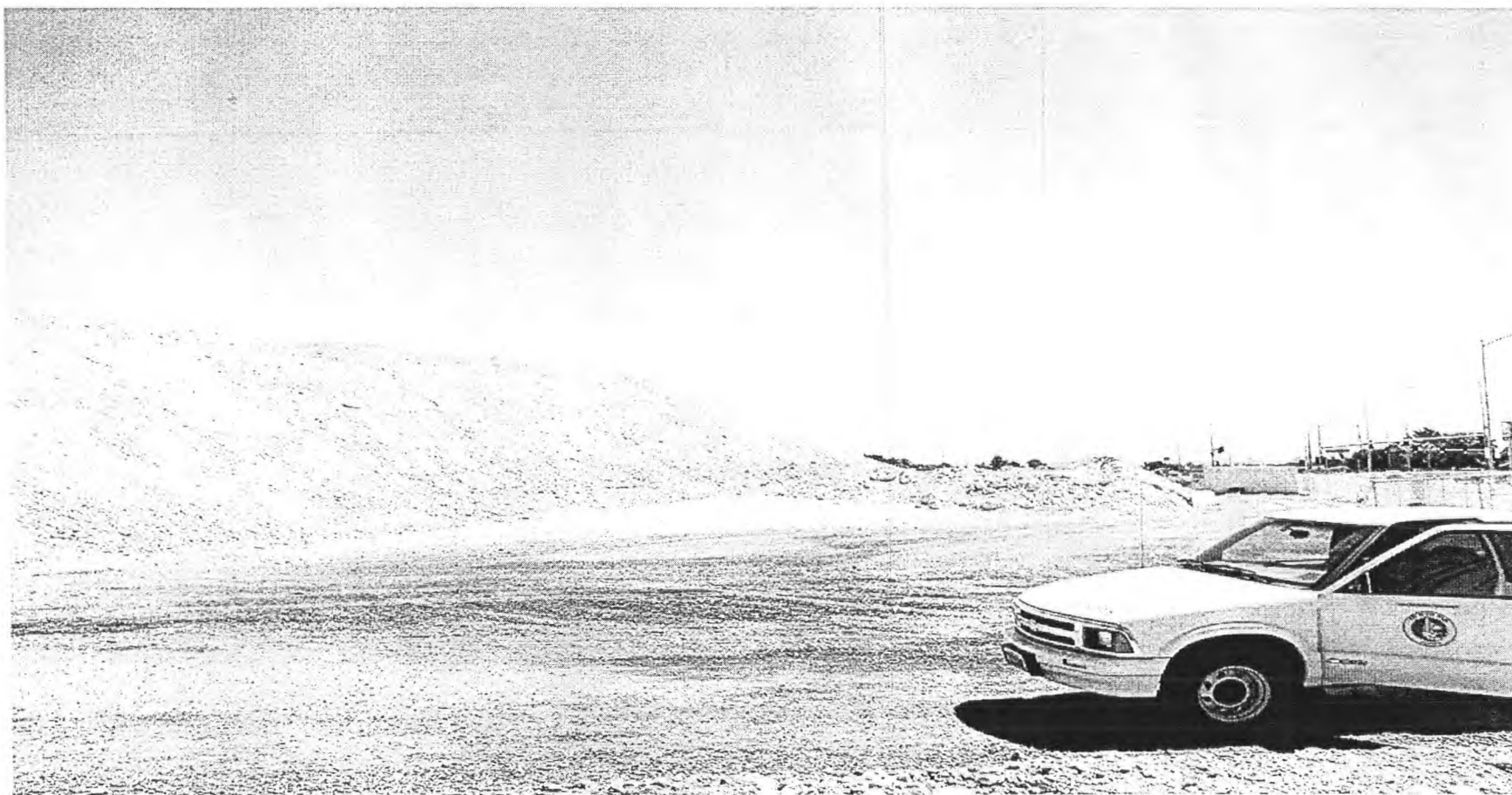
SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06

LENDALL MAINS ARCHITECT

RECEIVED
AUG 08 2006

August 7, 2006

Planning & Development Department
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

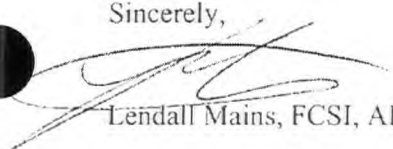
RE: Twin Lake Baptist Church
Request for Design and Site Review

Please accept this letter as justification for design and site review to A.P.No. 38-27-802-004.

We request that A.P. No. 38-27-802-004 for design and site review. Currently, parcel A.P. No. 138-27-802-004 is zoned C-1 Commercial with non-limited building height with our setbacks as follows: front yard- 20 feet; side yards- 10 feet; and rear yards- 10 feet. This project was previously reviewed by the City of Las Vegas in 2004 where the building was on the northwest parcel. The trail will remain as planned and we will comply with all C-1 requirements on the parcel. The parcel will be used for a proposed two-story mixed-used worship center of approximately 31,126 square feet. The previously approved building is being moved to the larger parcel for phase one of the development.

The church is also requesting to leave the previously approved modular building adjacent to the area that will be the west of the building of the project. The Phase I building will be open December 2007. The Church presently has facility on Vegas Drive and is requesting the use of the modular building be allowed to be placed on the site as shown on the attached drawings, for office and conference meeting space until their Phase I building is constructed.

Sincerely,



Lendall Mains, FCSI, AIA

SDR-15747
09/21/06 PC

3930 E. Patrick Lane, Ste. 1
Las Vegas NV 89120
(702) 437-5621 Phone
(702) 437-5623 Fax

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-15766 - PUBLIC HEARING - APPLICANT/OWNER: COUNTY OF CLARK - Request for a Site Development Plan Review FOR A PROPOSED PUBLIC PARK on approximately 13.3 acres at the southeast corner of Carey Avenue and Comstock Drive (a portion of APN 139-21-102-013), R-E (Residence Estates) Zone and R-MHP (Residential Mobile/Manufactured Home Park) Zone under Resolution of Intent to C-V (Civic) Zone and C-V (Civic) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-4526

Motion made by LAWRENCE WEEKLY to Approve subject to amended conditions as denoted below:

A. The public park shall be operated and maintained by Clark County.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DON BARTON, Dekker/Perch/Sabatini, appeared on behalf of the applicant and agreed to all conditions.

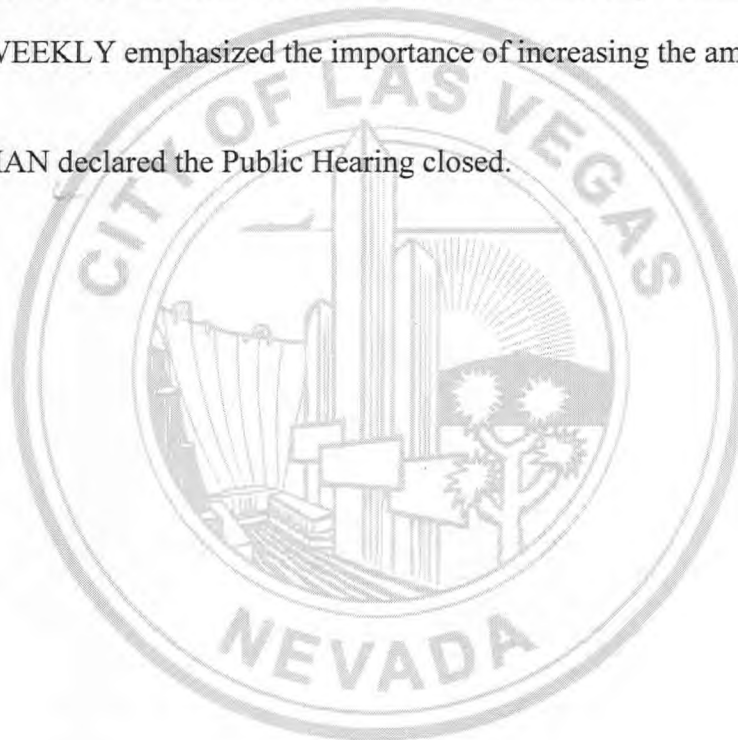
BEATRICE TURNER, West Las Vegas, appeared in opposition. She stated the park is not needed and would not be safe.

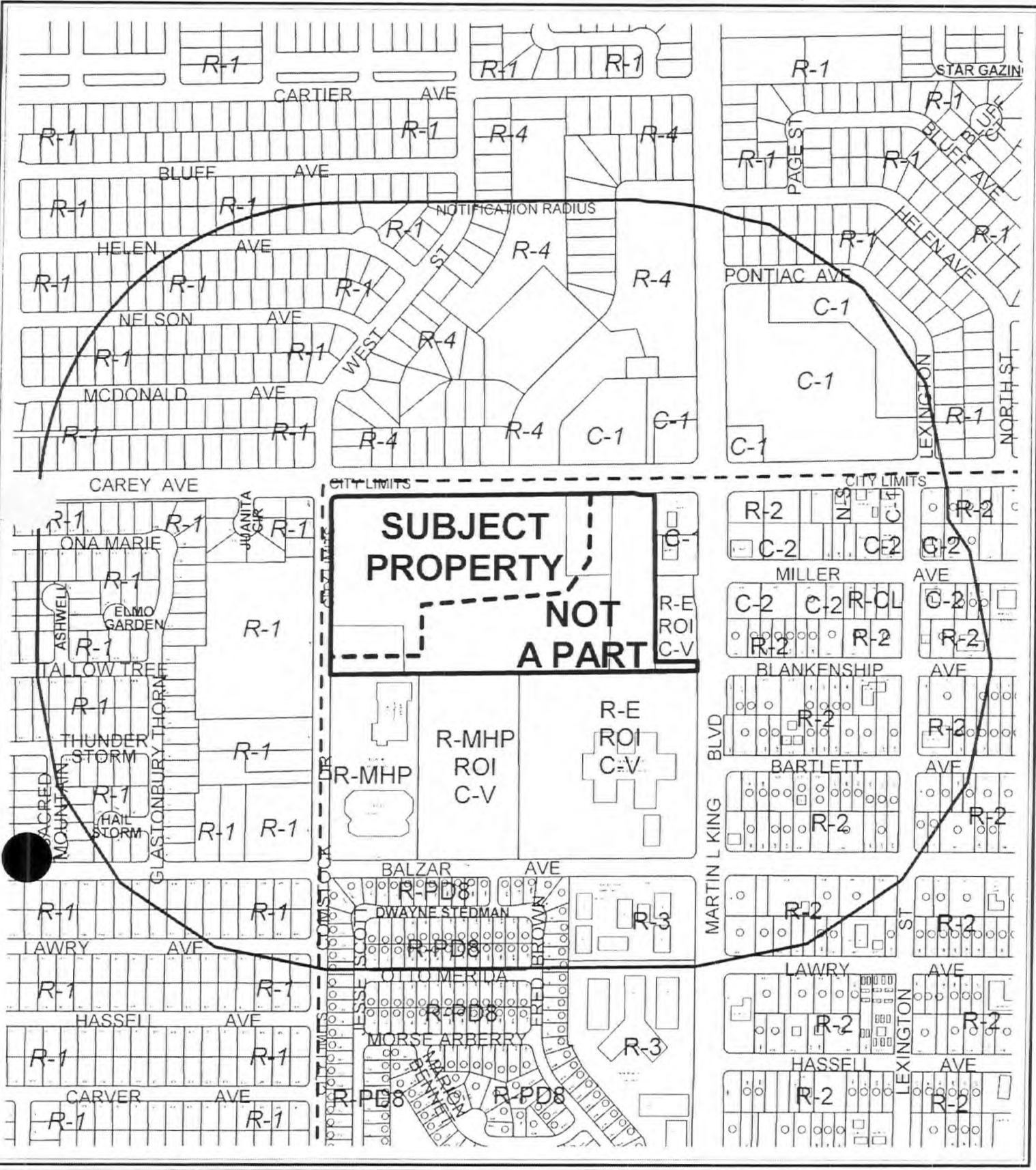
MARGO WHEELER, Director of Planning and Development Department, indicated that the Field Operations Department asked that a condition be added stating that the public park shall be operated and maintained by Clark County. MR. BARTON agreed to the additional condition.

JOE GAIL, Real Property Management Group of Clark County, confirmed that the Clark County would be responsible for the maintenance of the park and not the City of Las Vegas.

COUNCILMAN WEEKLY emphasized the importance of increasing the amount of open space in Ward 5.

MAYOR GOODMAN declared the Public Hearing closed.





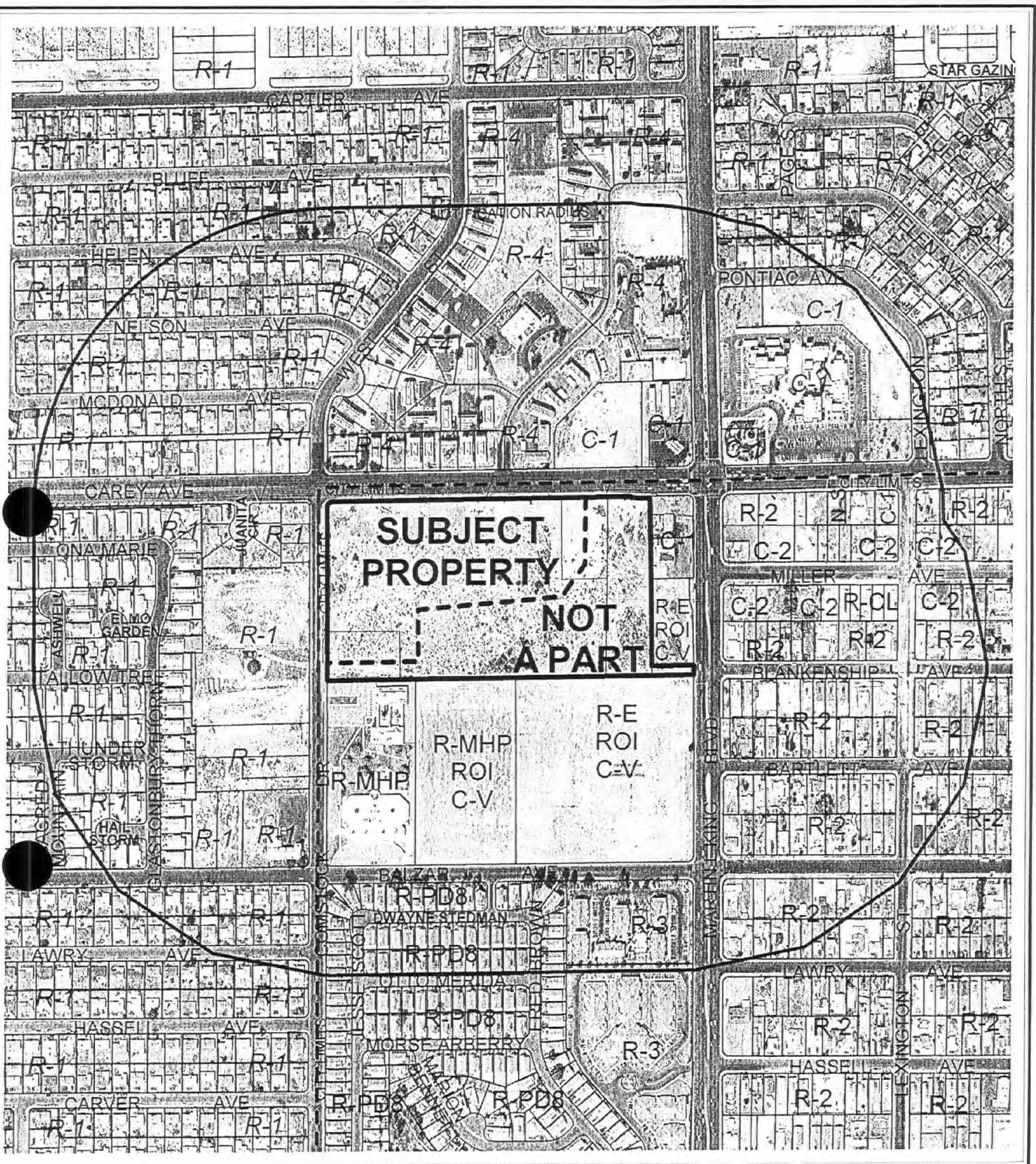
CASE: **SDR-15766**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES), R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK)
UNDER RESOLUTION OF INTENT TO C-V (CIVIC) AND C-V (CIVIC)





CASE: **SDR-15766**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES), R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK)
UNDER RESOLUTION OF INTENT TO C-V (CIVIC) AND C-V (CIVIC)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-15766 - APPLICANT/OWNER: COUNTY OF CLARK

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-9104), Rezoning (ZON-9105), and Site Development Plan Review (SDR-7683) 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, and building elevations, date stamped 09/15/06, except as amended by conditions herein.
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. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. 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.
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 LVMC Title 19.12.040.
8. 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.

9. 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.
10. 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.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Carey Avenue and Comstock Drive prior to the issuance of any permits.
13. Construct all incomplete half-street improvements on Carey Avenue and Comstock Drive adjacent to the entire legal parcel of which this site is a part (Assessor's Parcel Number 139-21-102-013) 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.
14. 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.
15. Site development to comply with all applicable conditions of approval for ZON-4526 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed Public Park on approximately 13.3 acres at the southeast corner of Carey Avenue and Comstock Drive.

EXECUTIVE SUMMARY

The proposed Public Park will provide the surrounding area with a place for recreation and other activities associated with the Community Center. This phase calls for the development of a track and field facility, tot-lot, and open space for public recreational use. The proposed development is in compliance with all applicable plans and policies. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- 06/05/02 The City Council approved a General Plan Amendment (GPA-0007-02) for the purpose of developing a park on property located south of Carey Avenue and west of Martin L. King Boulevard from SC (Service Commercial) and ML (Medium-Low Density Residential) land use classifications to PF (Public Facilities) in which parks and public facilities are allowed. The Planning Commission and staff recommended approval of this request.
- 08/04/04 The City Council approved a request for a Rezoning (ZON-4526) from R-MHP (Residential Mobile/Manufactured Home Park) Zone, C-1 (Limited Commercial) Zone and R-E (Residence Estates) Zone to C-V (Civic) Zone and a Site Development Plan Review (SDR-4527) for a 10,000 square-foot Early Child Development Center on a 2.5-acre portion of a 16.48-acre overall site, as the first phase of the overall development, located adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue. The Planning Commission and staff recommended approval of this request.
- 11/16/05 The City Council approved a request for a Site Development Plan Review (SDR-7683) for a proposed 40,000 square-foot community center, a Rezoning (ZON-9105) from R-MHP (Residential Mobile/Manufactured Home Park) to C-V (Civic), and a General Plan Amendment (GPA-9104) to Amend a portion of the Southeast Sector Map of the Master Plan from ML (Medium-Low Density Residential) to PF (Public Facilities). The Planning Commission and staff recommended approval.
- 09/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #38/ng).

B) Pre-Application Meeting

07/13/06 A pre-application meeting was held. It was noted that the off-site improvements on Carey and Comstock must be completed, an update to the traffic study would be required, and a traffic signal chord easement may be required.

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

Net Acres: 13.3

B) Existing Land Use

Subject Property: Undeveloped
North: Multi-Family Residential
South: Elementary School
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: PF (Public Facilities)
North: Multi-Family Residential (Clark County)
South: PF (Public Facilities)
ML (Medium-Low Density Residential)
East: PF (Public Facilities)
West: Single-Family Residential (Clark County)

D) Existing Zoning

Subject Property: R-MHP (Residential Mobile/Manufactured Home Park) under
Resolution of Intent to C-V (Civic)
C-V (Civic)
North: Clark County
South: R-MHP (Residential Mobile/Home Park)
R-E (Residence Estates)
East: R-E (Residence Estates)
C-1 (Limited Commercial) under Resolution of Intent to C-V (Civic)
West: Clark County

E) General Plan Compliance

The site is located in the Southeast Sector of the General Plan and has a PF (Public Facilities) land use designation. The Public Facilities land use designation allows for large governmental building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities. The proposed use as a community center is permitted under the Public Facilities land use designation.

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

West Las Vegas Plan

The subject property is located in the West Las Vegas Plan area. The proposed Public Park is not affected by this plan and action on the part of the applicant is not required.

Airport Overlay District

The subject property is located in the North Las Vegas Airport Overlay District 105-foot notification zone. The park will contain only single and two story buildings and will not be affected by this standard.

PROJECT DESCRIPTION

The proposed Public Park would provide a full track and field facility, as well as a "tot lot", a shelter, and general open space. This is located on the same site as the previously approved Doc Pearson Community Center.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06, the following Development Standards apply to the subject proposal:

Standards	Provided C-V
Min. Setbacks	
• Front	52 Feet
• Side	64 Feet
• Corner	49 Feet
• Rear	N/A
Max. Building Height	1 Story/20 Feet

A2) Parking and Traffic Standards

As part of Site Development Plan Review (SDR-7683) a total of 204 parking spaces were provided for this site, six of which are handicapped accessible spaces. This phase of the project does not include any additional parking.

A3) Landscape and Open Space Standards

The proposed Public Park contains abundant landscaping. This includes several varieties of trees, 24-inch box size, as well as shrubs. There will also be a large quantity of sod/turf area in the infield of the track. The trees are provided around the perimeter of the park to provide a buffer from adjacent uses. Additionally, trees and shrubs are provided along the pathways and sidewalks in the interior of the park.

B) *General Analysis and Discussion*

• Zoning

The subject property is located in a C-V (Civic) District. The C-V (Civic) District is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) District is consistent with the Public Facilities category of the General Plan. The proposed Public Park is in compliance with the requirements of the C-V (Civic) District.

- Site Plan

The proposed site plan shows a track and field facility, play areas, a tot-lot, shelter area, and other landscaping and open space. The track and field facility includes an eight lane 400-meter track with an infield area dedicated to field events. This is in conjunction with the previously approved Doc Pearson Community Center. The facility gains access from Comstock Drive and Carey Avenue.

- Waivers

There are no waivers requested as part of this Site Development Plan Review.

- Landscape Plan

Landscaping is abundant throughout the site. There are 24-box trees provided along the perimeter of the site at varying intervals ranging from 15 to 25 feet. Additionally trees and shrubs are provided along the pathways and sidewalks in the interior of the site. Sod/turf is provided in the infield of the track for the field event area.

- Elevation

Elevations were provided for the shelter areas, play areas, and the storage building. The elevations are primarily single-story shade structures. The roof materials are either fabric or metal. The storage building is a brick structure with no windows. The overall height for the storage structure is approximately 20 feet.

- Floor Plan

The only floor plan is for the storage structure. The floor plan is a single open room.

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 Public Park will provide the surrounding community with an area for recreation and other activities offered through the Community Center. The proposed Public Park will be compatible with adjacent development and the surrounding 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 Public Park is in compliance with all applicable plans and policies. Approval of this request is recommended.

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

Site access is provided by Comstock drive and Carey Avenue. Carey Avenue is a 100-foot Primary Arterial in this area. Street facilities are capable of handling the additional traffic that this facility would generate.

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

Building and landscape 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;"**

Building elevations and design characteristics are not unsightly or obnoxious. The shelter areas and storage building will be compatible with the area. The park will be well landscaped and will be harmonious and compatible with the area.

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

The proposed Public Park will not compromise the public health or the general welfare.

PLANNING COMMISSION ACTION

Condition #3 was changed as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

<u>NOTICES MAILED</u>	397 by Planning Department
------------------------------	----------------------------

<u>APPROVALS</u>	0
-------------------------	---

<u>PROTESTS</u>	0
------------------------	---



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15766** APN: 139-21-102-013

Name of Property Owner: CLARK COUNTY REAL PROPERTY MANAGEMENT

Name of Applicant: JOE GALE

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: NA

Partner(s): NA

APN NA

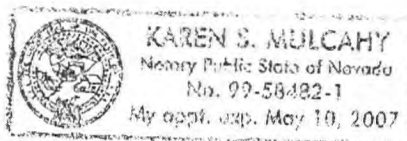
Signature of Property Owner: m. R. Green

State of Nevada County of Clark
Subscribed and sworn before me

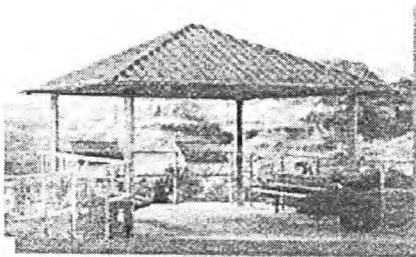
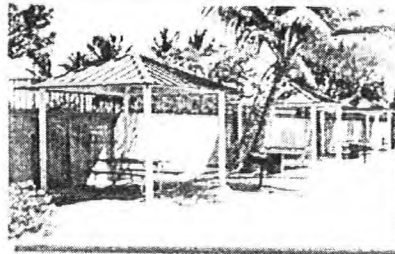
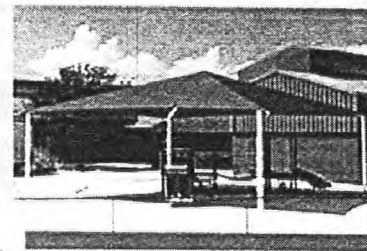
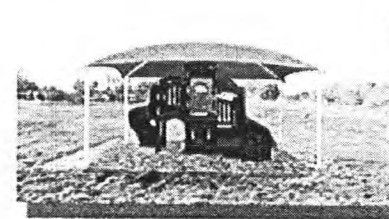
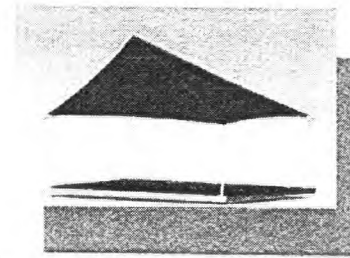
Print Name:

for **SANDRA M. NORSEKOG**
Director of Real Property Mgt.

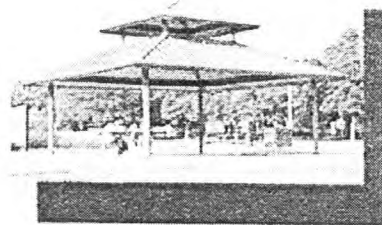
This 30th day of June, 2006
Karen S. Mulcahy
Notary Public in and for said County and State



fabric shelter



metal shelter



RECEIVED
AUG 08 2006

SDR-15766
09/21/06 PC

SDR 15766				
County of Clark				
SEC Carey & Comstock				
Proposed 13.3 acre county park.				
Traffic produced by proposed development:				
New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	COUNTY PARK [ACRES]	13.3	2.28	30
AM Peak Hour			0.01	0
PM Peak Hour			0.06	1
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Comstock				
Carey Avenue				
Average Daily Traffic (ADT)	20,576			
PM Peak Hour	1646			
(heaviest 60 minutes)				
Martin L. King Boulevard				
Average Daily Traffic (ADT)	33,971			
PM Peak Hour	2718			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Carey Avenue	32585			
Martin L. King Boulevard	32585			
This project will add approximately 30 trips per day on Carey and Martin L. King. This will increase expected volumes by less than one percent on Carey and Martin L. King. Carey is at about 63 percent of capacity and Martin L. King is over capacity. Counts are not available for Comstock, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 1 additional cars into the area; which works out to about one every hour.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-15766 - APPLICANT/OWNER: COUNTY OF CLARK
SOUTHEAST CORNER OF CAREY AVENUE AND COMSTOCK DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15766 - APPLICANT/OWNER: COUNTY OF CLARK
SOUTHEAST CORNER OF CAREY AVENUE AND COMSTOCK DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15766 - APPLICANT/OWNER: COUNTY OF CLARK
SOUTHEAST CORNER OF CAREY AVENUE AND COMSTOCK DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06

August 8, 2006



Dekker/Perich/Sabatini

architecture
interiors
planning
engineering

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, Nevada 89101

Subj: MLK/Carey Park – Site Development Justification Letter

Gentlemen:

Attached hereto are the required submittal materials to support our request for a Site Development Plan Review for the subject property. The project will be located on a parcel owned by Clark County Real Property Management and is located on the southwest quadrant of the intersection of Martin Luther King Boulevard and Carey Avenue in the City of Las Vegas, Nevada. The overall layout and intended use of the site has been previously established by Clark County.

This project represents Phase III of a 3 phase project and consists of the development of an approximately a n approximately 8.65 acre park.

Phase I is the Early Childhood Development Center and Phase II is the William U. "Doc" Pearson Community Center. Phase I is currently under construction and Phase II is scheduled to start construction within the next week.

The park will consist of track and field facilities including a running track and related games; public restroom; shade structures; bleachers and an equipment storage facility for maintenance equipment.

The park is planned to support the Early Childhood Development Center and Pearson Community Center by providing recreation facilities that will be utilized to train young athletes and for use by the general public in the neighborhood. The park will support and promote public health, safety and general welfare of the community and will be an asset to the City of Las Vegas and the adjacent neighborhood.

This Site Development Plan Review package is respectfully submitted for your approval. Please contact Don Barton at 436-1006 with any questions or if additional information is required.

Very truly yours,

Dekker/Perich/Sabatini Ltd.

Donald W. Barton, AIA Emeritus
Project Manager

RECEIVED
AUG 08 2006

1 Holmes Sabatini Way
Henderson, Nevada 89014
702 436.1006
fax 436.1050
www dpsdesign.org
dps@dpsdesign.org

SDR-15766
09/21/06 PC



048741

August 10, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Ms. Sandra Norskog
Clark County – Real Property Management
500 South Grand Central Parkway
Las Vegas, Nevada 89155

RE: ZON-4526 - REZONING
CITY COUNCIL MEETING OF AUGUST 4, 2004
Related to SDR-4527

Dear Ms. Norskog:

The City Council at a regular meeting held August 4, 2004 APPROVED the Request for a Rezoning FROM: R-MHP (Residential Mobile/Manufactured Home Park), C-1 (Limited Commercial) and R-E (Residence Estates) TO: C-V (Civic) on 16.0 acres adjacent to Martin L. King Boulevard approximately 300 feet south of Carey Avenue (APN: 139-21-102-012 and a Portion of 139-21-102-011). The Notice of Final Action was filed with the Las Vegas City Clerk on August 5, 2004. This approval is subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4527) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate all additional rights-of-way required by Standard Drawing #234.1 or 234.3 and #234.2 for bus turnouts prior to or concurrent with the commencement of on-site development activities unless specifically allowed otherwise by the City of Las Vegas Traffic Engineer in writing.
4. Construct all incomplete half-street improvements on Carey Avenue and Comstock Drive adjacent to this site concurrent with development of this site. Improvements on Carey Avenue and Comstock Drive may be phased with development of this site; such phasing shall be addressed with related Site Development Plan Review actions.
5. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site along Martin Luther King Boulevard and replace with new improvements meeting current City Standards concurrent

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov

18112-001-5/04

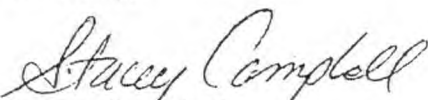
SDR-15766

Ms. Sandra Norskog
ZON-4526 - Page Two
August 10, 2004

with on-site development activities. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard public improvement project.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.

Sincerely,



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

cc: See Attached List

SDR-15766

Ms. Sandra Norskog
ZON-4526 - Page Three
August 10, 2004

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

Ms. Carel Carter
Clark County - Real Property Management
500 South Grand Central Parkway
Las Vegas, Nevada 89155

Ms. Lisa Tsukiyama
RAFI - Planning, Architecture, Urban Design
2480 East Tompkins Avenue, Suite #103
Las Vegas, Nevada 89121

SDR-15766

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENTIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

SUP-13902, SUP-13903, SUP-15959, SUP-16110, SUP-16112, SUP-16143, SUP-16160, SUP-16176, SUP-16198, SUP-16200, VAR-13900, VAR-15373, VAR-16113, VAR-16144, VAR-16161, VAR-16165 and VAR-16533 - 11/01/2006 AGENDA



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

SUBJECT:

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, asked for help with the programs and agencies that continue to harass her.

MANNY SANCHEZ, 9812 Animal Canyon, applauded COUNCILMAN WOLFSON'S denial of the CVS application to sell package liquor.

RHONDA JACKSON-PULLINS, 4532 Doyt Lane, Chief Steward of SEIU Local 1107, appeared and asked the Council to investigate and address the City of Las Vegas Housing Authority for mismanagement of funds. She stated the mismanagement of the Housing Authority has led to the loss of essential services and 41 jobs. SHEILA CHRISTMAS, 3505 Mercury Street, SHAWEENA TIMS, 3281 Cheyenne Gardens Way, ROBERT McDONALD, 1841 Belmont Street, KEITH CALHOUN, BRUCE BUNDY, JAVIER GONZALEZ, ED VASQUEZ, ALBERT GROSS, LINDA TOOLEY, Section 8 supervisor, LARRY ROBINSON, Housing Authority supervisor, and GERALDINE JOHNSON concurred.

MAYOR GOODMAN explained that the City Council would not be able to take any action regarding the Housing Authority today. He also explained that the City only appoints members to the board and does not get involved with the daily operations.

MARION BURNS, member of the City of Las Vegas Housing Authority, requested the Councilmembers meet with their board members on the Housing Authority regarding CARL ROWE, Acting Interim Director, and his mismanagement of the Housing Authority. She also asked that the Council intercede on behalf of the employees.

CARLOS LEON, Las Vegas Housing Authority maintenance, requested the Council's assistance and expressed concern for the seniors' whose services would be negatively impacted.

MAYOR GOODMAN stated the reduction in HUD funding was contributing to the loss of jobs within the Housing Authority. In response to MAYOR GOODMAN'S inquiry, MS. JACKSON stated SEIU was working with Nevada's Congressional delegation and was still waiting for those results.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

GENE CARR expressed his concerns with Crazy Horse Too strip club and stated the City Council's actions are killing business and failing its constituents.

BEATRICE TURNER, West Las Vegas, stated that the City Council's actions had created an inefficient and ineffective Housing Authority Board and noted that COUNCILMAN ROSS has not called for an audit on any of the boards on which he serves.

MAYOR GOODMAN requested a meeting with the leaders of the SEIU Local 1107.

Meeting adjourned at 4:38 p.m.

