

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ Consent ☒ Discussion

SUBJECT:

Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

BACKUP DOCUMENTATION:

Verbatim Excerpt relating to Item 141

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:

A Verbatim Excerpt Transcript was made part of the Final Minutes pertaining to Item 141 [SUP-15347].

ATTORNEY CHRIS KAEMPFER appeared on behalf of the applicant for Item 128 [SUP-15442] and Item 72 [Four Aces Emporium] and stated the applicant would like to hold the items to the 2/7/2007 City Council meeting.

STEVE ESCALONA appeared on behalf of the applicant for Item 114 [VAC-15661] and requested the item be pulled forward for consideration. MAYOR GOODMAN agreed to the request.

**CITY COUNCIL MEETING OF
October 18, 2006**

VERBATIM EXCERPT – ITEM 93

1 **Item 93 – EXCERPT PERTAINING TO ITEM 141 – SUP-15347**

2

3 **Appearance List:**

4 MATT BROWN

5 OSCAR GOODMAN, Mayor

6 GARY REESE, Councilman

7 MARGO WHEELER, Director of Planning and Development Department

8 LOIS TARKANIAN, Councilwoman

9 BRYAN SCOTT, Deputy City Attorney

10 BARBARA JO RONEMUS, City Clerk

11 STEVE WOLFSON, Councilman

12

13

14

15 10 minutes

16

17 Typed by: Angela Crolli

18 Proofed by: Ydo Yturralde

**CITY COUNCIL MEETING OF
October 18, 2006**

VERBATIM EXCERPT – ITEM 141 – SUP-15347

24 **MATT BROWN**

25 I'd like to speak about one of the items.

26

27 **MAYOR GOODMAN**

28 Why don't you come on up, please. You have to give us your name.

29

30 **MATT BROWN**

31 My name is Matt Brown. I was here to speak about Item Number 141. Will I be able to do that if
32 it's held today? I will not be here on November the first.

33

34 **MAYOR GOODMAN**

35 I'll let you do it, of course.

36

37 **MATT BROWN**

38 Okay. Okay, thank you.

39

40 **MAYOR GOODMAN**

41 Yes, when we call the, when we get there, raise your hand and I'll be happy to have you speak.

42

43 **COUNCILMAN REESE**

44 Are there any other items?

45

46 **MARGO WHEELER**

47 Sir, that, excuse me, if I may, Mayor Pro Tem and Mayor, that's an abeyed item. So, we will not

48 --

49

50 **MAYOR GOODMAN**

51 Oh, we won't get there?

**CITY COUNCIL MEETING OF
October 18, 2006**

VERBATIM EXCERPT – ITEM 141 – SUP-15347

52 **MARGO WHEELER**

53 No Sir.

54

55 **MAYOR GOODMAN**

56 All right, I want to give the, if he's not gonna be here, I want to give him the opportunity to
57 speak. Now? Very good. If he, come on up sir, please. This is on Item 141. Let me read that. It's
58 SUP-15347, Sun Loan Company, Plaza Los Arcos, LLC. Request for a Special Use Permit for a
59 financial institution at 7591 Washington Avenue. Yes, Sir.

60

61 **MATT BROWN**

62 Can you see the picture?

63

64 **MAYOR GOODMAN**

65 Do we have the overhead? Yes, we see it.

66

67 **MATT BROWN**

68 My name is Matt Brown. I'm the District Manager for Dollar Financial Group. We do businesses
69 loan (inaudible) for the State of Nevada. I'm here today to come and request your sincere
70 consideration for enforcement of the 1000-foot requirement been placed by the City for financial
71 institutions. As you can see from my pictures, the Special Use Permit 15347, by applicant, Check
72 City, would allow for another identical financial institution within 96 feet of our current facility.
73 Can you see that picture?

74

75 **MAYOR GOODMAN**

76 Yes, we can.

77

78 **MATT BROWN**

79 Okay. I've got one more here that shows --

80

CITY COUNCIL MEETING OF
October 18, 2006

VERBATIM EXCERPT – ITEM 141 – SUP-15347

81 **MAYOR GOODMAN**

82 All right.

83

84 **MATT BROWN**

85 -- this is looking from our store at the back side of what will be their proposed site. A hundred
86 feet would put us in their back room. I'm not here to debate the legitimacy of our industry; I'm
87 simply here as a representative for the largest international lender of pay loans and check cashing
88 services to ask for your sincere respect.

89 Please understand that the City Planning Commission has already severely infected, impacted
90 our ability to run our business to the fullest by allowing this building to be built to begin with. At
91 its lowest point this new building is 10 feet above grade of anything in our existing system. It
92 completely hid our--plaza.

93 To allow this direct competitor to set up shop in our front door would be forthcoming, would be
94 a fatal blow (inaudible) to run a respectful and decent business. First we are hidden and next we
95 are slapped in the face with the competitor right in direct shot of our store, not even across the
96 street, 96 feet from our front door.

97 While I understand the Planning Commission has recommended approval, I respectfully ask that
98 you reconsider the recommendation and turn the Special Use Permit down. Anything less would
99 be devastating to those of us who work very hard to build a business and clientele and a
100 relationship with those who live in that area.

101 We already lost two tenants in our plaza and we have one more that's getting ready to vacate.
102 We are all for competition promoting to be in good business, but believe in fair standards and the
103 enforcement of policies of the City. We have, on multiple occasions, come before the City
104 Council and asked for a Special Use Permit waiver when we're dealing with, maybe, eight or
105 nine hundred feet and it's been denied every time. But, yet, they're within a hundred feet and the
106 Planning Commission recommended approval.

107 I kind of ask you today to do the right thing and deny this request. This is not eight hundred and
108 ninety-six feet. It's a 96-foot separation. I (inaudible) see you'll send a clear message that fair
109 enforcement is good business. Mayor and members of the Council, thank you for your time.

110

**CITY COUNCIL MEETING OF
October 18, 2006**

VERBATIM EXCERPT – ITEM 141 – SUP-15347

111 **MAYOR GOODMAN**

112 All right. Thank you, and Councilman, Councilwoman Tarkanian, I believe that's in Ward 1, so -

113

114 **COUNCILWOMAN TARKANIAN**

115 Yes, it is.

116

117 **MAYOR GOODMAN**

118 -- we'll incorporate those remarks into the record, so, when we have the opportunity to --

119

120 **COUNCILWOMAN TARKANIAN**

121 I, could I just have your name and telephone number, though.

122

123 **MATT BROWN**

124 Yes, my name is Matt Brown and my phone number is 8-0-9-6-5 --

125

126 **BRYAN SCOTT**

127 Wait, you probably--want to wait and do that off camera.

128

129 **MATT BROWN**

130 Oh, okay, well --

131

132 **MAYOR GOODMAN**

133 All right.

134

135 **COUNCILWOMAN TARKANIAN**

136 Okay. Off camera, then.

137

138 **MATT BROWN**

139 All right. Okay, thanks.

140

**CITY COUNCIL MEETING OF
October 18, 2006**

VERBATIM EXCERPT – ITEM 141 – SUP-15347

141 **COUNCILWOMAN TARKANIAN**

142 I just wanted to say the reason why we abeyed it, was because we had some questions about it.

143 So, thank you for coming.

144

145 **MATT BROWN**

146 Yeah, if I can -- thank you very much.

147

148 **MAYOR GOODMAN**

149 Okay, and let's have a transcript of his remarks in our backup material.

150

151 **BARBARA JO RONEMUS**

152 Okay.

153

154 **COUNCILMAN WOLFSON**

155 Mayor Goodman.

156

157 **MAYOR GOODMAN**

158 Yes.

159

160 **COUNCILMAN WOLFSON**

161 And that was going to be a question I had, from a technological standpoint, 'cause the gentleman

162 made some -- compelling arguments, and I wanted to be able to refresh my memory with what he

163 said. So, a transcript in our backup is a great idea. Thank you.

164

165 **MAYOR GOODMAN**

166 Thank you.

167

168 **(END OF DISCUSSION)**

169 /ac; yy

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN K. HARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 2745 Barrington Circle. PROPERTY OWNER: COUNTRYWIDE HOME LOANS INC – Ward 2 (Wolfson)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Neighborhood Services/Response

Amount: \$1,487.00

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C.H. Construction, LLC to remove all trash, debris, refuse, waste, litter, all dead, dry vegetation exceeding 8 inches in height and post No Trespassing, No Dumping signs on site. To date, there have been nine (9) inspections conducted at this location. The value of the property based on the sale date of August 2006 was \$351,011.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1,487.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of Notice and Claim of Lien

Motion made by STEVE WOLFSON to Approve

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:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the purpose/background regarding the condition of the property as a public hazard and an attractive nuisance requiring the described abatement. MR. SMITH recommended the City Council approve the report of expenses in the amount of \$1,487.00 and that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

The owner was not present.

COUNCILMAN WOLFSON requested that date and time stamps be recorded on the videos that are presented to the City Council. He noted that the previous owners had neglected the property and observed that the current owner had only recently acquired the property.

MR. SMITH informed COUNCILMAN WOLFSON that some fees had been waived during the foreclosure process. In response to COUNCILMAN WOLFSON'S inquiry, MR. SMITH explained his recommendation included the ability to return to the City Council in order to add additional penalties and fines to the property if it remains a public nuisance. He also stated that Countrywide Mortgage had been properly notified of the property's condition and that staff would continue to work with them.

MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: Neighborhood Services

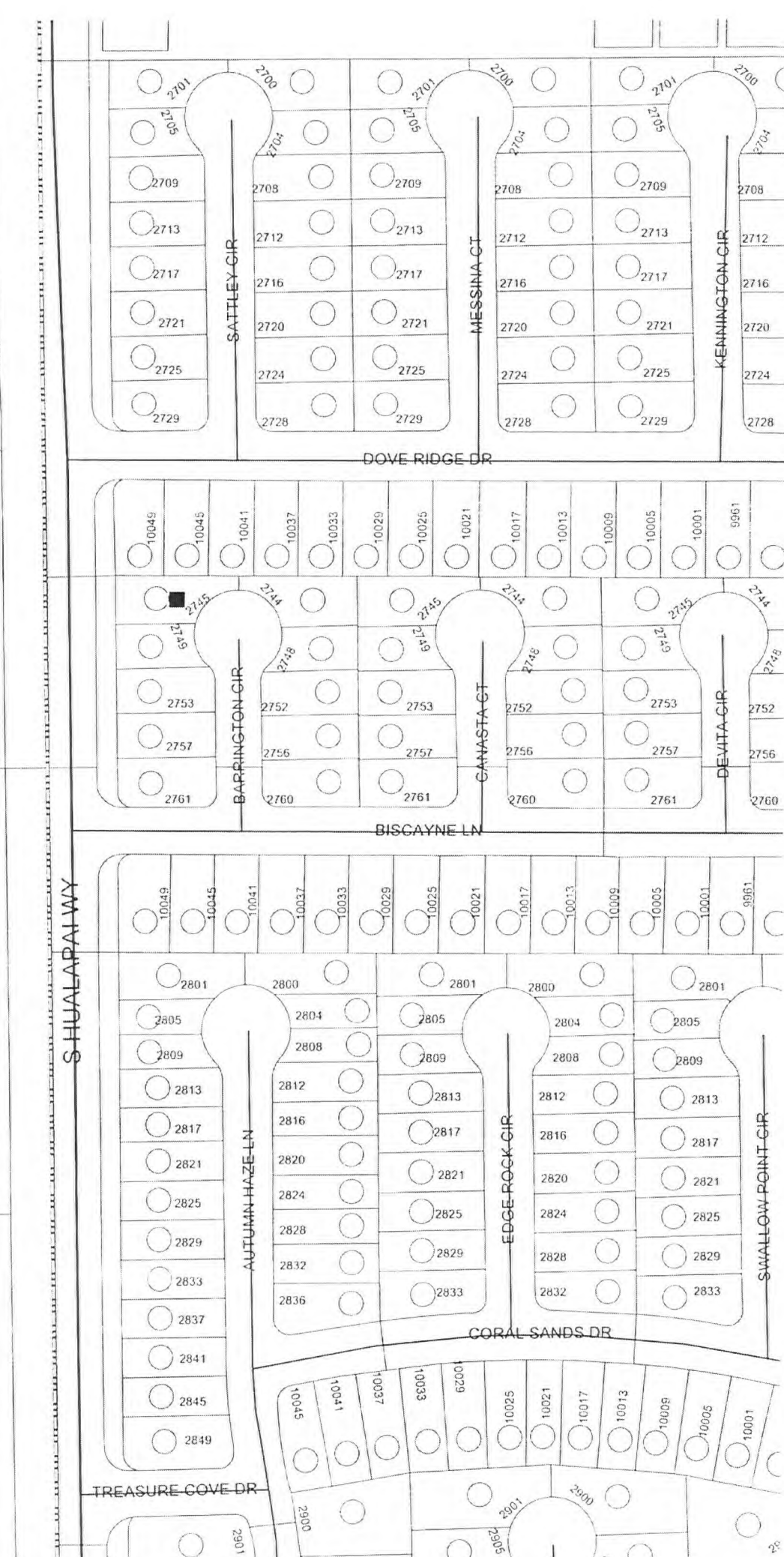
ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 2745 Barrington Circle. PROPERTY OWNER:

COUNTRYWIDE HOME LOANS INC – Ward 2 (Wolfson)

C.H. Construction, LLC completed work on August 21, 2006 at a cost of \$1,100.00; \$222.00 in reinspection fees; plus a 15% administrative fee, for a total of \$1,487.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.



Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: September 28, 2006

Re: Report of Expenses for the abatement of Vacant or Abandoned Building at 2745 Barrington Circle - Ward 2 (Wolfson)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, dead, dry vegetation exceeding 8" in height and posting No Trespassing, No Dumping signs on site. The abatement was completed by C.H. Construction, LLC on August 21, 2006 at a cost of \$1,100.00 which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Removal litter, trash, debris, refuse, waste, etc.	\$500.00
Remove all vegetation exceed 8 inches in height. Remove any dead vegetation.	\$500.00
Post signs (No Trespassing/Dumping)	\$100.00
AMOUNT DUE:	\$1,100.00
Administrative Processing Fee:	\$165.00
Reinspection Fees:	\$222.00
TOTAL AMOUNT DUE:	\$1,487.00
OWNER OF RECORD:	COUNTRYWIDE HOME LOANS INC
PROPERTY ABATED:	2745 Barrington Circle
ASSESSOR PARCEL:	163-07-113-004
LEGAL DESCRIPTION:	LAKES UNIT #3 RICHMOND AMERICAN HOMES
	PLAT BOOK 39 PAGE 85
	LOT 189 BLOCK 2

DSS:jl

C.H. Construction, LLC
2605 Anthem Village Dr, Suite E-532
Henderson, NV 89052

Disclosure of Principals

The principals and partners of C.H. Construction, LLC and all persons and entities holding more than 1% interest in C.H. Construction, LLC or any principal of C.H. Construction, LLC are the following:

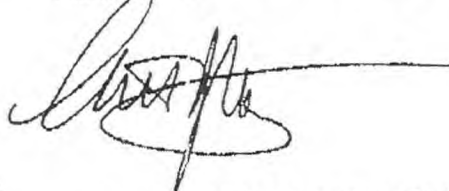
Full Name	Business Address	Business Phone
1. Christopher G. Harrison	2505 Anthem Village Dr. E-532 Hend, NV 89052	702-858-7800
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

C.H. Construction, LLC

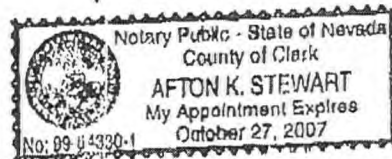
By: Christopher Harrison
Print Name:

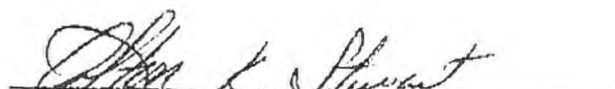


STATE OF NEVADA)

COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 27th day of May, 2005.




Notary Public in and for Clark County,
State of Nevada



**NOTICE OF PUBLIC HEARING
OCTOBER 18, 2006**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, October 18, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris, dead dry vegetation exceeding 8 inches in height and posting No Trespassing, No Dumping signs on property located at **2745 BARRINGTON CIRCLE**, legally described as **LAKES UNIT #3 RICHMOND AMERICAN HOMES PLAT BOOK 39 PAGE 85 LOT 189 BLOCK 2**. Owner of record at time of abatement: **COUNTRYWIDE HOME LOANS INC. – WARD 2 (WOLFSON)**

The Director of Neighborhood Services certifies in the report that the sum of \$1,487.00 was expended (\$1,100.00 for cleaning and posting the property by C.H. Construction, LLC.; \$222.00 Reinspection Fee; and \$165.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONE MUS
CITY CLERK**

LAS VEGAS CITY COUNCIL

**OSCAR B. GOODMAN
MAYOR**

**GARY REESE
MAYOR PRO TEM**

LARRY BROWN

LAWRENCE WEEKLY

JOE WOLFSON

JOIS 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**



Address: 2745 BARRINGTON CIR

CITZ

TRASH/DEBRIS ON S/YARD AND IN B/YARD. NEIGHBORS HAVE SEEN MANY LIZARDS. GATE IS OPEN AND YOU CAN SEE TRASH AND JUNK, N/SIDE OF HOUSE

Parcel(s)

Parcel:	Size:	Subdivision Name:
16307113004	0.12 ACRE	LAKES UNIT #3 RICHMOND AMERICAN

Owner Information:

10-Aug-02	02-Jul-03	MUSCATO MICHAEL 2745 BARRINGTON CIR; LAS VEGAS, NV 89117-0693
02-Jul-03	11-Aug-04	CHOVAN MICHELLE 2745 BARRINGTON CIR; LAS VEGAS, NV 89117-0693
11-Aug-04	29-Dec-04	REYES FRANK 2745 BARRINGTON CIR; LAS VEGAS, NV 89117-0693
29-Dec-04	14-Sep-06	STANISZEWSKA ALICJA 2745 BARRINGTON CIR; LAS VEGAS, NV 89117-0693
14-Sep-06	21-Sep-06	COUNTRYWIDE HOME LOANS INC 400 COUNTRYWIDE WY #SV-35; SIMI VALLEY, CA 93065
21-Sep-06		COUNTRYWIDE HOME LOANS INC 400 COUNTRYWIDE WY #SV-35; SIMI VALLEY, CA 93065-6298

Inspection Summary

Inspector:	Status:		Scheduled DT:	Start Dt:	Comp DT:	Min:
981876	Passed	Partial	5/24/1996	05/23/2006 14:19	05/23/2006 14:23	4
840182	Passed	Partial	5/18/2006	05/19/2006 10:00	05/19/2006 10:10	10
840182	Passed	Partial	6/6/2006	05/31/2006 11:00	05/31/2006 11:05	5
981876	Failed		6/12/2006	06/12/2006 10:19	06/12/2006 10:22	3
981876	Failed		6/19/2006	06/19/2006 11:59	06/19/2006 12:00	1
981876	Failed		7/21/2006	07/26/2006 12:46	07/26/2006 12:49	3
981876	Passed	Partial	7/21/2006	07/10/2006 10:43	07/10/2006 10:46	3
981876	Failed		8/4/2006	08/08/2006 10:00	08/08/2006 10:04	4
960066	Failed		8/14/2006	08/14/2006 9:15	08/14/2006 9:20	5
870076	No Action		9/1/2006			
Time in Minutes:						38

Violation Details

Violation	Violation DT:	Resolve DT:	Location:
A-REFUSE/WST	5/24/1996		PROPERTY
REMOVE ALL REFUSE AND WASTE			
A-MITIGATION	5/24/1996		PROPERTY
SUBMIT A MITIGATION PLAN.			
A-INTENT LTR	5/24/1996		PROPERTY
SUBMIT A LETTER OF INTENT			

A-BLD VACANT 5/24/1996 PROPERTY

MAINTAIN PROEPRTY CLEAN/SECURE.

A-LITTER 5/24/1996 PROPERTY

REMOVE ALL LITTER

A-WEEDS 5/24/1996 PROPERTY

REMOVE ALL HIGH WEEDS

Log

Type:	Date:	Employee:	Min:
MEET	10/3/2006 9:10:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on October 18, 2006.			
LETTER	10/3/2006 9:09:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense memo and ltr mailed to property owner both certified and regular mail. Addressed to: Countrywide Home Loans, Inc, 400 Countrywide Way #SV-35, Simi Valley, CA 93065-6298			
LETTER	10/3/2006 9:08:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense memo and ltr mailed to property owner both certified and regular mail. Addressed to: Alicja Staniszevska, 2745 Barrington Circle, LV, NV 89117-0693.			
PHONE	9/25/2006 9:44:00 AM	SHIRLEY WARMOUTH	1
CALLER STATES HOUSE IS VACANT AND ENTIRELY OPEN - INSIDE HAS GRAFFITI; PALM TREE IS DEAD IN R/YARD AND DEAD PINE TREES (FIRE HAZARD) CALLER AFRAID OF FIRE; DOORS/WINDOWS ARE OPEN.			
RESEAR	9/19/2006 5:52:00 PM	PAMELA HINES	4
24)RESEARCH SHOWS COUNTRYWIDE HAS TAKEN THIS PROPERTY OVER AS OF 9/14/06. DRAFT SUMMARY TO JESS FOR COMPLETION WITH FEE INFO. PLEASE MAIL COPIES OF NOTICES TO COUNTRYWIDE IN CALIF. THANKS.			
MISC	8/28/2006 6:59:00 AM	KATHY STEWART	0
Sent invoice (\$1,100) from C.H. Construction, LLC to Finance for payment; gave file to Jessica Larramendy for Council.			
EMAIL	8/24/2006 7:57:00 AM	KATHY STEWART	0
Sent email to Devin Smith to approve Oracle payment.			
DIRECT	8/24/2006 7:50:00 AM	KATHY STEWART	0
Per #19, okay to pay, After Abatement Video completed.			
MISC	8/21/2006 11:45:00 AM	KATHY STEWART	0
Received Invoice (\$1,100) from C.H. Construction for completion of abatement.			
FAX	8/17/2006 10:30:00 AM	KATHY STEWART	0
Received fax from C.H Construction stating start date for abatement of property is Friday, 8/18/06. E-mail #24 & 19.			
BIDA	8/17/2006 7:45:00 AM	KATHY STEWART	0
Faxed Award letter to C.H. Construction. Contractor has 5 days to call/fax a start date.			
DIRECT	8/16/2006 3:04:00 PM	KATHY STEWART	0
Per Devin Smith, send Award letter to low bidder, C.H. Construction.			
EMAIL	8/16/2006 2:36:00 PM	KATHY STEWART	0
E-mailed Devin Smith to proceed with abatement, Award to low bidder, C.H. Construction.			
INSP	8/14/2006 9:15:00 AM	ANTHONY GUARINO	5
21)NO IMPROVEMENT.SAME LITTER,T/D ON SIDEYARD,DRIVEWAY,FRONTDOOR.PALM TREE IN REAR IN NEED OF TRIMMING.CALLED CONTACT MIKE,HE MISUNDERSTOOD,HE DOESNT MANAGE THIS PROPERTY,HE MANAGES 2744.I WILL REFER THIS FOR ABATEMENT,ASSESS FEE.PIX. CB 8-24			
DIRECT	8/9/2006 1:37:00 PM	KELLY OLIVERIUS	0
30)PER 24, CB CASE TO TONY FOR 08/14 TO VERIFY THE OWNER HAS REMOVED REFUSE AND WASTE. IF NOT REMOVED PUT IN FOR ABATEMENT AND ASSESS FEE.			
PHONE	8/9/2006 1:32:00 PM	KELLY OLIVERIUS	0
30)PHONED MIKE, REALTOR, HE SAID THE OWNER IS COMING INTO TOWN TOMORROW AND WILL BE CLENAING PROPERTY. CONSULT WITH 24. GAVE HIM MY AND VICKI'S INFO DUE TO VAC.			
INSP	8/8/2006 10:00:00 AM	KELLY OLIVERIUS	4
30)R/W IN N. S/Y REMAINS. LITTER, WEEDS REMAIN. HOUSE SECURE. PIX. PUT IN FOR ABATMENT.			

PHONE	8/1/2006 10:00:00 AM	KELLY OLIVERIUS	0
30)RECIEVED A CALL FROM MIKE, HE SAID COUSIN OF OWNER, WHO LIVES IN TOWN, STATED THE PROPERTY IS CLEAN. INFORMED HIM VIOL ON LAST INSP AND WHAT VIOL WERE.			
PHONE	7/31/2006 3:08:00 PM	KELLY OLIVERIUS	5
30)PHONED MIKE BERBERIAN, 338-0785, REALTOR ON SIGN IN SIDE YARD. HE SAID HE STILL REPRESENTS PROPERTY OWNER. SAID OWNER OUT OF COUNTRY. WILL ATTEMPT TO HAVE CLEANED BY FRIDAY, TOLD HIM OF CONT ABATEMENT. CB 08/04. WILL HAVE OWNER CONTACT ME.			
INSP	7/26/2006 12:46:00 PM	KELLY OLIVERIUS	3
30)VIOL. REMAIN. PIX. PUT IN FOR CONT. ABATEMENT. CB 08/01 TO 24. ASSESS FEES AND CIVIL PENALTIES.			
MISC	7/14/2006 1:26:00 PM	LAURA DEARMOND	0
CERT & REGULAR LETTERS TO OWNER ALICJA STANISZEWSKA 2745 BARRINGTON CIRCLE LV NV 89117-0693 RETURNED MOVED LEFT NO ADDRESS UNABLE TO FORWARD			
NOPOST	7/10/2006 10:43:00 AM	KELLY OLIVERIUS	3
30)POSTED N&O, CB 07/21			
NOTICE	7/7/2006 11:13:00 AM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER ALICJA STANISZEWSKA 2745 BARRINGTON CIRCLE LV NV 89117 & 4515 S DURANGO DR #2007 LV NV 89147			
BIDR	7/7/2006 10:47:00 AM	LAURA DEARMOND	0
REC'D BIDS (1)C.H. CONSTRUCTION \$1,100 (2)DISASTER KLEEN-UP \$1,218			
BIDS	7/3/2006 7:10:00 AM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 7-6			
RESEAR	6/22/2006 11:53:00 AM	KELLY OLIVERIUS	0
30)CHECKED ASSESSOR. NO CHANGE IN OWNERSHIP.			
EMAIL	6/22/2006 11:52:00 AM	KELLY OLIVERIUS	0
30)EMAIL FROM LINDA STATES NO NUMBER FOR ALICJA, OWNER, AND UTILITY IS ON FRANK REYES, NO LISTED NUMBER. PUT CASE IN FOR ABATEMENT.			
INSP	6/19/2006 11:59:00 AM	KELLY OLIVERIUS	1
30)NO CHANGE AT PROPERTY. CHECK FOR NUMBER FROM LINDA. IF NO CONTACT PUT IN FOR ABATEMENT.			
EMAIL	6/13/2006 6:51:00 AM	KELLY OLIVERIUS	0
30)EMAILED LINDA FOR CONTACT NUMBER			
INSP	6/12/2006 10:19:00 AM	KELLY OLIVERIUS	3
30)R/W REMAINS. FEW WEEDS. PIX. ASSESS FEE. EMAIL LINDA FOR CONTACT NUMBER.			
MISC	6/5/2006 2:44:00 PM	KATHY STEWART	0
Sent Certified & Regular letter from owner, Return to Sender, Moved, Left No Address, to #30 to file.			
RECORD	5/31/2006 2:15:00 PM	JESSICA LARRAMENDY	0
JL) Recorded N&O dated May 30, 2006 at Clark County. Book: 20060531 Inst: 03296			
NOPOST	5/31/2006 11:00:00 AM	GEORGE CLEVELAND	5
28) POSTED N/O ON PROPERTY..CB 6/12			
DBPROJ	5/30/2006 8:22:00 AM	KATHY STEWART	0
MISC	5/26/2006 8:11:00 AM	KELLY OLIVERIUS	5
30)PROCESSED N&O, FORWARDED TO KATHY. ALT ADDRESS IN SEWER.			
RESEAR	5/26/2006 8:04:00 AM	KELLY OLIVERIUS	5
30)ACCESSED ASSESSOR FOR OWNER INFO. CHECKED WHITE PAGES, SEWER, AND HANSEN FOR CONTACT NUMBER. NO NUMBER FOUND.			
INSP	5/23/2006 2:19:00 PM	KELLY OLIVERIUS	4
30)SFD, SECURE, NO BOARDS. LITTER. R/W (TREE CLIPPINGS, TRASH, ECT.) IN S/Y. FEW HIGH WEEDS. PIX. PROCESS N&O.			
INSP	5/19/2006 10:00:00 AM	GEORGE CLEVELAND	10
28) WEEDS, T/D AND GARBAGE IN SOUTH SIDE Yard..HOUSE VACANT AND SECURE..GIVEN TO # 30 FOR DANG. BLDG..CB 5/24			

Time in minutes:

58

APN 163-07-113-004
Ref#42235

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **COUNTRYWIDE HOME LOANS INC.**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 163-07-113-004
Commonly known as: 2745 BARRINGTON CIRCLE
Legal Description: LAKES UNIT #3
RICHMOND AMERICAN HOMES
PLAT BOOK 39 PAGE 85
LOT 189 BLOCK 2

On **August 21, 2006**, as provided in the Municipal Code, 9.04, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$1,487.00** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

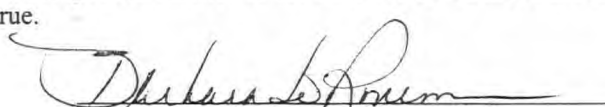
The Las Vegas City Council, at a duly noticed public hearing held on **October 18, 2006**, ordered the above charges in the amount of **\$1,487.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

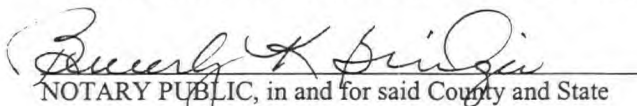

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

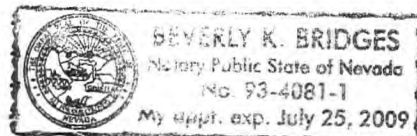
STATE OF NEVADA)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of January, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN K. HARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 8248 Gunther Circle. PROPERTY OWNER: WILLIAM H. CHEEK, JR. – Ward 2 (Wolfson)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Neighborhood Services/Response

Amount: \$1,385.00

Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C.H. Construction, LLC to remove all trash, debris, refuse, waste, litter, all dead, dry vegetation exceeding 8 inches in height and post No Trespassing, No Dumping signs on site. To date, there have been nine (9) inspections conducted at this location. The value of the property based on the sale date of July 1999 was \$121,600.00.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$1,385.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by STEVE WOLFSON to Approve with an added condition as denoted below:

A civil penalty of \$5000.00.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

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.

Video shown but not submitted.

DEVIN SMITH, Manager of Neighborhood Services, read the purpose/background regarding the condition of the property as a public hazard and attractive nuisance requiring the described abatement. The value of the property based on the sale price dated July 1999 was \$121,600.00. He recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

The property owner was not present.

MAYOR GOODMAN requested a compilation of the fees received from the liens in order to evaluate the effectiveness of these efforts. MR. SMITH stated he would provide that information either before or at the next City Council meeting.

COUNCILMAN WOLFSON noted that the property owner has failed to comply with City ordinances during his four years of ownership and requested additional penalties. MR. SMITH informed COUNCILMAN WOLFSON that the situation should have been addressed by the property owner by 8/21/2006.

DEPUTY CITY ATTORNEY BRYAN SCOTT informed COUNCILMAN WOLFSON that the City Council has the ability to impose a civil penalty from the date the initial abatement was not addressed by the property owner to the current date.

MAYOR GOODMAN suggested that COUNCILMAN WOLFSON'S proposed civil penalty of \$10,000.00 might be a bit harsh, so COUNCILMAN WOLFSON proposed a civil penalty of \$5,000.00.

DEPUTY CITY ATTORNEY SCOTT explained to COUNCILMAN WOLFSON that the mortgage company or future buyer generally pay the liens when the property is sold. MR. SMITH noted the title companies generally contact the City to address the liens.

COUNCILMAN REESE observed that another strategy was needed to encourage property owners to maintain their properties.

MAYOR GOODMAN declared the Public Hearing closed.

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 8248 Gunter Circle. PROPERTY OWNER: WILLIAM H. CHEEK, JR. – Ward 2 (Wolfson)

C.H. Construction, LLC completed work on August 21, 2006 at a cost of \$1,100.00; \$120.00 in reinspection fees; plus a 15% administrative fee, for a total of \$1,385.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

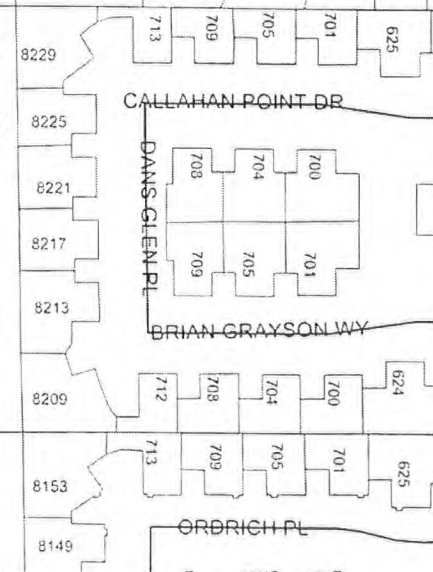
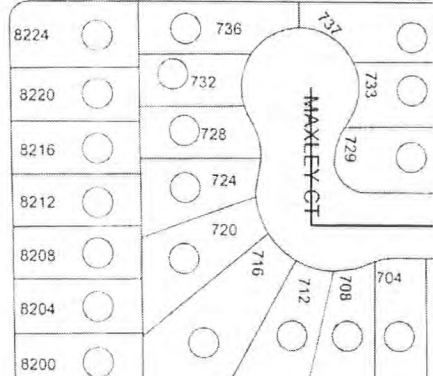
ALTER E. JACOBSON
ELEM. SCHOOL

S ROLAND WILEY RD

8400

8301
LAQUINTA

EUCLID PARK
CONDOMINIUMS
140 UNITS

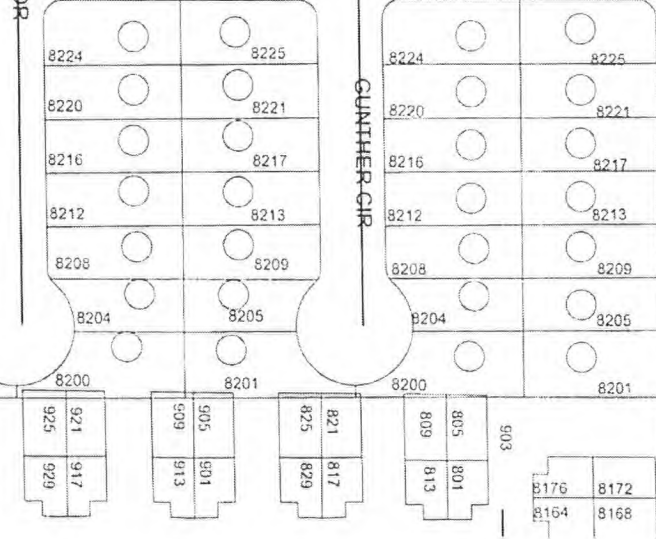
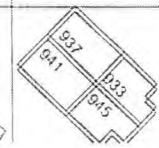


DONLEY DR

OGEE DR

GUNTHER CIR

ROSECK DR



1091

1081

S CIMARRON RD

1017

OFFICES

OFF

OFF

8270

OFFICES

OFFICES

OFFICE

8250

8240

8230

8238

OFFICES

Memorandum

City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk

From: Devin S. Smith, Manager – Neighborhood Response Division

CC: File

Date: September 28, 2006

Re: Report of Expenses for the abatement of Vacant or Abandoned Building at 8248 Gunther Circle - Ward 2 (Wolfson)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, dead, dry vegetation exceeding 8" in height and posting No Trespassing, No Dumping signs on site. The abatement was completed by C.H. Construction, LLC on August 21, 2006 at a cost of \$1,100.00 which was accepted by the Department of Neighborhood Services.

Contract Amount Breakdown:	
Removal litter, trash, debris, refuse, waste, etc.	\$500.00
Remove all vegetation exceed 8 inches in height. Remove any dead vegetation.	\$500.00
Post signs (No Trespassing/Dumping)	\$100.00
AMOUNT DUE:	\$1,100.00
Administrative Processing Fee:	\$165.00
Reinspection Fees:	\$120.00
TOTAL AMOUNT DUE:	\$1,385.00
OWNER OF RECORD:	
WILLIAM H. CHEEK, JR.	
PROPERTY ABATED:	
8248 Gunther Circle	
ASSESSOR PARCEL:	
138-33-411-010	
LEGAL DESCRIPTION:	
CIMARRON EST #3	
PLAT BOOK 49 PAGE 99	
LOT 10 BLOCK A	

DSS:jl

C.H. Construction, LLC
2505 Anthem Village Dr, Suite E-532
Henderson, NV 89052

Disclosure of Principals

The principals and partners of C.H. Construction, LLC and all persons and entities holding more than 1% interest in C.H. Construction, LLC or any principal of C.H. Construction, LLC are the following:

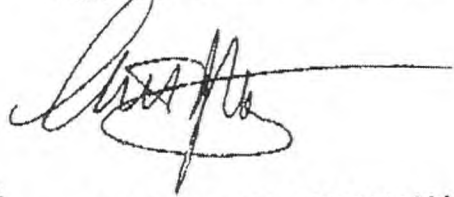
Full Name	Business Address	Business Phone
1. <u>Christopher G. Harrison</u>	<u>2505 Anthem Village Dr, E-532</u>	<u>702-858-7860</u>
	<u>Hend, NV 89052</u>	
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

C.H. Construction, LLC

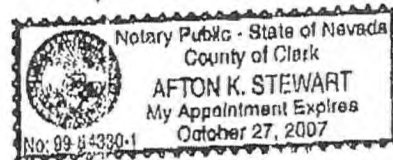
By: Christopher Harrison
Print Name:

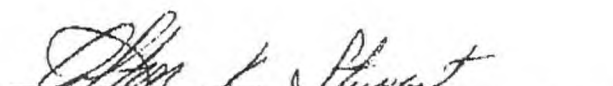


STATE OF NEVADA)

COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public,
on this 22 day of May, 2005.





Notary Public in and for Clark County,
State of Nevada



**NOTICE OF PUBLIC HEARING
OCTOBER 18, 2006**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, October 18, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris, dead dry vegetation exceeding 8 inches in height and posting No Trespassing, No Dumping signs on property located at **8248 GUNTHER CIRCLE**, legally described as **CIMARRON EST #3 PLAT BOOK 49 PAGE 99 LOT 10 BLOCK A**. Owner of record at time of abatement: **WILLIAM H. CHEEK, JR. – WARD 2 (WOLFSON)**

The Director of Neighborhood Services certifies in the report that the sum of \$1,385.00 was expended (\$1,100.00 for cleaning and posting the property by C.H. Construction, LLC.; \$120.00 Reinspection Fee; and \$165.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS
CITY CLERK**

LAS VEGAS CITY COUNCIL

**OSCAR B. GOODMAN
MAYOR**

**GARY REESE
MAYOR PRO TEM**

**LARRY BROWN
LAWRENCE WEEKLY**

EVE WOLFSON

LOIS 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



Address: 8248 GUNTHER CIR

CITZ

high vegetation

Parcel(s)

<i>Parcel:</i>	<i>Size:</i>	<i>Subdivision Name:</i>
13833411010	0.12 ACRE	CIMARRON EST #3

Owner Information:

10-Aug-02	CHEEK WILLIAM H JR
	8248 GUNTHER CIR; LAS VEGAS, NV 89145-4544

Inspection Summary

<i>Inspector:</i>	<i>Status:</i>		<i>Scheduled DT:</i>	<i>Start Dt:</i>	<i>Comp DT:</i>	<i>Min:</i>
840182	Failed		5/4/2006	05/09/2006 10:35	05/09/2006 10:40	5
840182	Passed	Partial	5/17/2006	05/19/2006 12:15	05/19/2006 12:20	5
840182	Passed	Partial	5/30/2006	05/30/2006 14:50	05/30/2006 14:55	5
981876	Passed	Partial	6/1/2006	06/02/2006 12:23	06/02/2006 12:27	4
981876	Passed	Partial	6/16/2006	06/07/2006 9:43	06/07/2006 9:46	3
981876	Failed		6/19/2006	06/19/2006 12:16	06/19/2006 12:19	3
981876	Failed		7/21/2006	07/28/2006 12:41	07/28/2006 12:44	3
981876	Passed	Partial	7/21/2006	07/10/2006 10:06	07/10/2006 10:09	3
981876	Passed	Partial	8/9/2006	08/09/2006 9:22	08/09/2006 9:23	1
870076	No Action		9/26/2006			
<i>Time in Minutes:</i>						32

Violation Details

<i>Violation</i>	<i>Violation DT:</i>	<i>Resolve DT:</i>	<i>Location:</i>
WEEDS	5/9/2006		ALL YARDS
REMOVE OVERGROWN WEEDS/GRASS FROM ALL YARDS			
A-REFUSE/WST	6/1/2006		PROPERTY
REMOVE ALL REFUSE AND WASTE.			
A-MITIGATION	6/1/2006		PROPERTY
SUBMIT A MITIGATION PLAN.			
A-INTENT LTR	6/1/2006		PROPERTY
SUBMIT A LETTER OF INTENT			
A-BLD VACANT	6/1/2006		PROPERTY
MAINTAIN PROPERTY CLEAN/SECURE.			
A-BRDG CERT	6/1/2006		PROPERTY
SUBMIT A BOARDING CERT			
A-LITTER	6/1/2006		PROPERTY
REMOVE ALL LITTER			

Log

<i>Type:</i>	<i>Date:</i>	<i>Employee:</i>	<i>Min:</i>
--------------	--------------	------------------	-------------

MEET	10/3/2006 9:45:00 AM	JESSICA LARRAMENDY	0
JL) Scheduled to go before Council on October 18, 2006			
LETTER	10/3/2006 9:44:00 AM	JESSICA LARRAMENDY	0
JL) Report of expense letter and memo mailed to property owner both certified and regular mail.			
DIRECT	9/19/2006 2:53:00 PM	PAMELA HINES	43
24)DRAFT REVIEW SUMMARY COMPLETED. FORWARD TO JESS FOR FEE INFO AND COUNCIL AGENDA DATE			
MISC	8/28/2006 6:57:00 AM	KATHY STEWART	0
Sent invoice (\$1,100) from C.H. Construction, LLC to Finance for payment; gave file to Jessica Larramendy for Council.			
EMAIL	8/24/2006 7:59:00 AM	KATHY STEWART	0
Emailed Devin Smith to approve Orcale payment.			
DIRECT	8/24/2006 7:50:00 AM	KATHY STEWART	0
Per #19, okay to pay, After Abatement Video completed.			
MISC	8/21/2006 11:45:00 AM	KATHY STEWART	0
Received Invoice (\$1,100) from C.H. Construction for completion of abatement.			
FAX	8/17/2006 10:30:00 AM	KATHY STEWART	0
Received fax from C.H Construction stating start date for abatement of property is Friday, 8/18/06. E-mail #24 & 19.			
BIDA	8/17/2006 7:46:00 AM	KATHY STEWART	0
Faxed Award letter to C.H. Construction. Contractor has 5 days to call/fax a start date.			
DIRECT	8/16/2006 3:04:00 PM	KATHY STEWART	0
Per Devin Smith, send Award letter to low bidder, C.H. Construction.			
EMAIL	8/16/2006 2:36:00 PM	KATHY STEWART	0
E-mailed Devin Smith to proceed with abatement, Award to low bidder, C.H. Construction.			
RESEAR	8/9/2006 4:40:00 PM	KELLY OLIVERIUS	0
30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.			
INSP	8/9/2006 9:22:00 AM	KELLY OLIVERIUS	1
30)VERIFIED VIOL. REMAIN. HOUSE SECURE. PUT IN FOR CONT ABATEMENT.			
INSP	7/28/2006 12:41:00 PM	KELLY OLIVERIUS	3
30)NO CHANGE AT PROPERTY. PIX. ASSESS FEE. PUT IN FOR CONT ABATE.			
MISC	7/13/2006 1:57:00 PM	LAURA DEARMOND	0
CERT & REGULAR LETTERS TO OWNER WILLIAM CHEEK JR RETURNED ATTEMPTED NOT KNOWN			
ATCABT	7/10/2006 10:06:00 AM	KELLY OLIVERIUS	3
30)POSTED TEN DAY NOTICE TO ABATE. CB 07/21			
NOTICE	7/7/2006 10:35:00 AM	LAURA DEARMOND	0
SENT 10 DAY NOTICE BEFORE ABATEMENT TO OWNER WILLIAM H. CHEEK JR			
BIDR	7/7/2006 9:14:00 AM	LAURA DEARMOND	0
REC'D BIDS (1)C.H. CONSTRUCTION \$1,100 (2)DISASTER KLEEN-UP \$1,498 (3)C&W \$2,900			
BIDS	7/3/2006 7:11:00 AM	LAURA DEARMOND	0
FAXED BID TO CONTRACTORS, DUE BACK 7-6			
EMAIL	6/23/2006 4:42:00 PM	KELLY OLIVERIUS	0
30)PER LINDA, NO CONTACT NUMBER FOR OWNER.			
EMAIL	6/22/2006 1:04:00 PM	KELLY OLIVERIUS	0
30)EMAILED LINDA FOR CONTACT NUMBER			
RESEAR	6/22/2006 1:04:00 PM	KELLY OLIVERIUS	0
30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.			
INSP	6/19/2006 12:16:00 PM	KELLY OLIVERIUS	3
30)ALL VIOL. REAMIN. PIX. ASSESS FEES. PUT IN FOR ABATEMENT. EMAIL LINDA FOR CONTACT NUMBER.			
MISC	6/13/2006 1:00:00 PM	KATHY STEWART	0
Sent Certified & Regular letters from owner, Return to Sender, Attempted Not Known, to #30 to file.			

RECORD	6/7/2006 2:07:00 PM	JESSICA LARRAMENDY	0
JL)Recorded N&O dated June 6, 2006 at Clark County. Book: 20060607 Inst: 03076.			
NOPOST	6/7/2006 9:43:00 AM	KELLY OLIVERIUS	3
30)posted n&o, cb 06/19.			
DBPROJ	6/6/2006 2:49:00 PM	KATHY STEWART	0
MISC	6/6/2006 9:00:00 AM	KELLY OLIVERIUS	5
30)PROCESSED N&O, FORWARDED TO KATHY.			
RESEAR	6/6/2006 8:53:00 AM	KELLY OLIVERIUS	5
30)ACCESSED ASSESSOR FOR OWNER INFO. CHECKED WHITE PAGES, SEWER, AND HANSEN FOR CONTACT NUMBER. NO NUMBER FOUND. NO ALT ADDRESS FOUND, NO OTHER PROPERTY OWNED BY OWNER.			
INSP	6/2/2006 12:23:00 PM	KELLY OLIVERIUS	4
30)SFD, BOARDED, SECURE. WEEDS, LITTER. NO LANDSCAPING. R/W (PHONE BOOKS, BUCKET, ECT.). F. DOOR WAS OPEN, LOCKED DOOR. PIX.PROCESS N&O.			
INSP	5/30/2006 2:50:00 PM	GEORGE CLEVELAND	5
28) PRIOR NOTICES WERE GIVEN TO WRONG ADDRESS, ALTHOUGH THEY DI COMPLY....8248 GUNTHER IS VACANT AND BOARDED, HIGH WEEDS AND DEAD VEGETATION IN ALL YARDS..REFERED TO #30 FOR DANG. BLDG...CB 6/01			
INSP	5/19/2006 12:15:00 PM	GEORGE CLEVELAND	5
28) NO IMPROVEMENT..PIX, FINAL NOTICE TO OWNER..CB 5/30			
INSP	5/9/2006 10:35:00 AM	GEORGE CLEVELAND	5
28) OVERGROWN GRASS IN ALL YARDS..NO RESPONSE...C/N CB 5/17			
<i>Time in minutes:</i>			85

APN 138-33-411-010
Ref#40865

NOTICE AND CLAIM OF LIEN OF ASSESSMENT

TO: **WILLIAM H. CHEEK, JR.**
(Reputed Owner(s)) at time of abatement.

Assessor's Parcel No.: 138-33-411-010
Commonly known as: 8248 GUNTHER CIRCLE
Legal Description: CIMARRON EST #3
PLAT BOOK 49 PAGE 99
LOT 10 BLOCK A

On **August 21, 2006**, as provided in the Municipal Code, 9.04, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses and civil penalties in the amount of **\$6,385.00** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

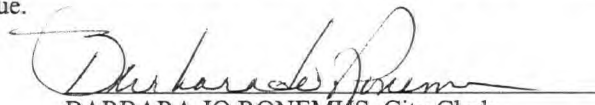
The Las Vegas City Council, at a duly noticed public hearing held on **October 18, 2006**, ordered the above charges in the amount of **\$6,385.00**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

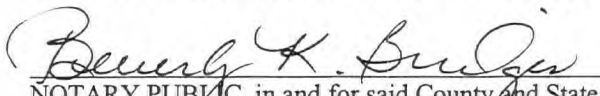

BARBARA JO RONEMUS, City Clerk
400 Stewart Avenue
Las Vegas, NV 89101 - (702) 229-6311

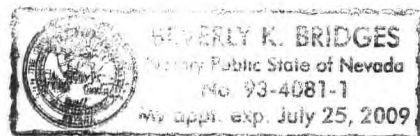
STATE OF NEVADA)
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.


BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23rd day of January, 2007


NOTARY PUBLIC, in and for said County and State



WHEN RECORDED, RETURN TO:
CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE
400 STEWART AVENUE
LAS VEGAS, NV 89101

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN K. HARSIN

☐ Consent ☒ Discussion

SUBJECT:

Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 4108 Roxanne Drive. PROPERTY OWNER: CHARLES HOWARD ADAMS - Ward 6 (Ross)

Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances. A Nuisance Notice and Order to Comply was mailed to the property owners to correct the nuisance per Title 9.04 – Weeds/Turf; and 19.04 - Vehicle Code. A copy of the notice was also posted on the property. Today's hearing is to consider the Appeal to the Notice and Order to Comply filed by Charles H. Adams, property owner and responsible party.

RECOMMENDATION:

That the City Council approve the Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

Motion made by STEVEN D. ROSS to Approve the Notice and Declaration of Chronic Nuisance

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.

DEVIN SMITH, Manager of Neighborhood Response, stated he has met with the property owner who has agreed to bring the property into compliance. He recommended the denial of the appeal.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

CHARLES ADAMS was present. In response to COUNCILMAN ROSS' inquiry, MR. ADAMS explained the property was involved in a legal controversy and described his efforts to address the situation.

MR. SMITH informed COUNCILMAN ROSS that staff has inspected the property 10 times and recorded liens against the property twice. He reiterated that he would continue to work with MR. ADAMS.

MAYOR GOODMAN declared the Public Hearing closed.



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 4108 Roxanne Drive. PROPERTY OWNER: CHARLES HOWARD ADAMS - Ward 6 (Ross)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, Chapter 12, dealing with nuisances.

A Nuisance Notice and Order to Comply was sent to the property owners by regular and certified mail requesting they correct the nuisance per Title 9.04 - Weeds//Turf; and 19.04 - Vehicle Code. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal from Nuisance Notice and Order to Comply filed by Charles H. Adams, property owner and responsible party.



9/28/06 #24

20060901-0002803



NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

Fee: \$15.00
N/C Fee: \$0.00

09/01/2006 10:34:09

T20060153058
Requestor:
LAS VEGAS CITY

Frances Deane ADF
Clark County Recorder Pgs: 2

APN: 138-02-813-009

August 28, 2006
Case #41217

Certified/Regular Mail
Return Receipt Requested

Charles Howard Adams
4108 Roxanne Dr.
Las Vegas, NV 89108-5218

(2)

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 4108 Roxanne Dr, Las Vegas, NV, Parcel #138-02-813-009, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC 9.04.020 and 9.040.030 authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON
LOIS TARKANIAN • STEVEN D. ROSS
CITY MANAGER DOUGLAS A. SELBY

RETURN TO: CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101
18201-031-06-06 VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov



Per 9.04 Weeds/Turf: Trim, cut, and remove all weeds/turf grass exceeding eight (8) inches in height.

Per 19.04 Vehicle Code: Remove and discontinue parking vehicles on dirt/grass surfaces. Recreational vehicles in rear yard must be parked on concrete, asphalt, gravel or chat. All other vehicles prohibited in rear yard.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #16 at 229-4918 to supply your current phone number, e-mail address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

Certified / Regular Mail
Return Receipt Requested

RECEIVED
CITY CLERK

2006 SEP -5 P 2: 14

NOTICE OF APPEAL

Case # 41217
APN: 138-02-813-009

Property Owner, Charles H. Adams
Property Located at,
4108 Roxanne Dr.
Las Vegas, NV. 89108

APPEAL OF NUISANCE NOTICE AND ORDER TO COMPLY CASE # 41217

Now Comes Charles H. Adams ,(Appellant).

The Appellant categorically disagrees with the issues listed in the Order as nuisances, the issues listed are,(1) Weeds / Turf exceeding eight inches in height and (2) vehicles prohibited in rear yard.

Regarding issue (1) of weeds and turf, simply put there are no weeds or turf, there is no vegetation on the property, except for two pine trees. There are no leaves, twigs, pine needles, weeds or grass anywhere on the property,(See Attached Photo Taken Sept. 4,2006).

Regarding issue (2) of all other vehicles prohibited in rear yard, this issue is also without merit, vehicle code 19.04.060 states, " On a Single Family Residential Lot: No more than three vehicles may be stored, or one per 1250 square feet of lot area, to maximum of six (whichever allows greater number". Since the Appellant's vehicles are in the rear yard and are screened by a 6- foot fence on a one half 1/2 acre Ranch Estate and is well under the maximum number of vehicles allowed, the appellant is not in violation of the vehicle code.

What's really going on, is that the Appellant is a victim of harassment and a vendeta by Neighborhood Response that has been ongoing since 1992. Numerous notices were posted over the years at the request of private investagators who have persuaded the Neighbors and Neighborhood Responce to help them collect false documentation regarding the Appellant through Neighborhood Response's notices and inspections. Once Mr.Orlando Sanchez became Manager in the mid 90's and then Director he and Mr.David Semenza informed the Appellant to disregard each and every notice. Mr. Sanchez also implied that the Appellant should keep his property in good condition because of the ongoing conspiracy regarding his impending inheritance competency hearing,(which is in part the motivation of the investagators). Mr. Sanchez was vere helpfull and continously okayed the issues of the vehicles etc..

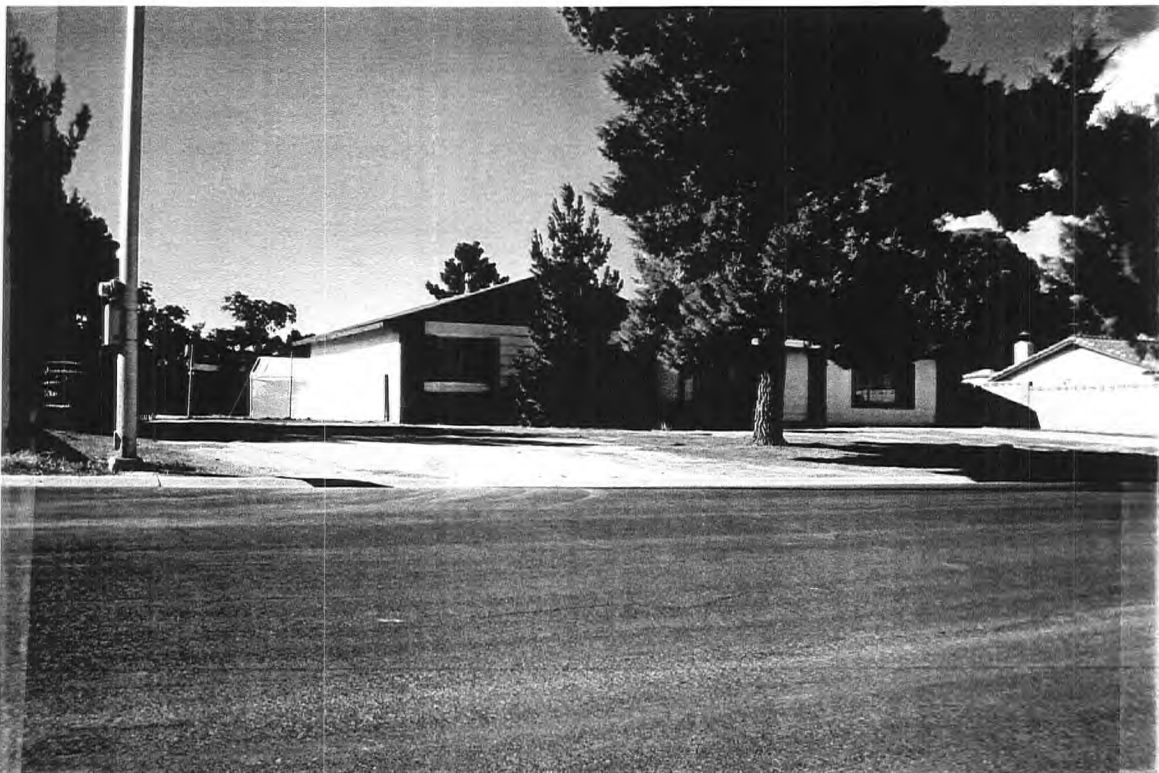
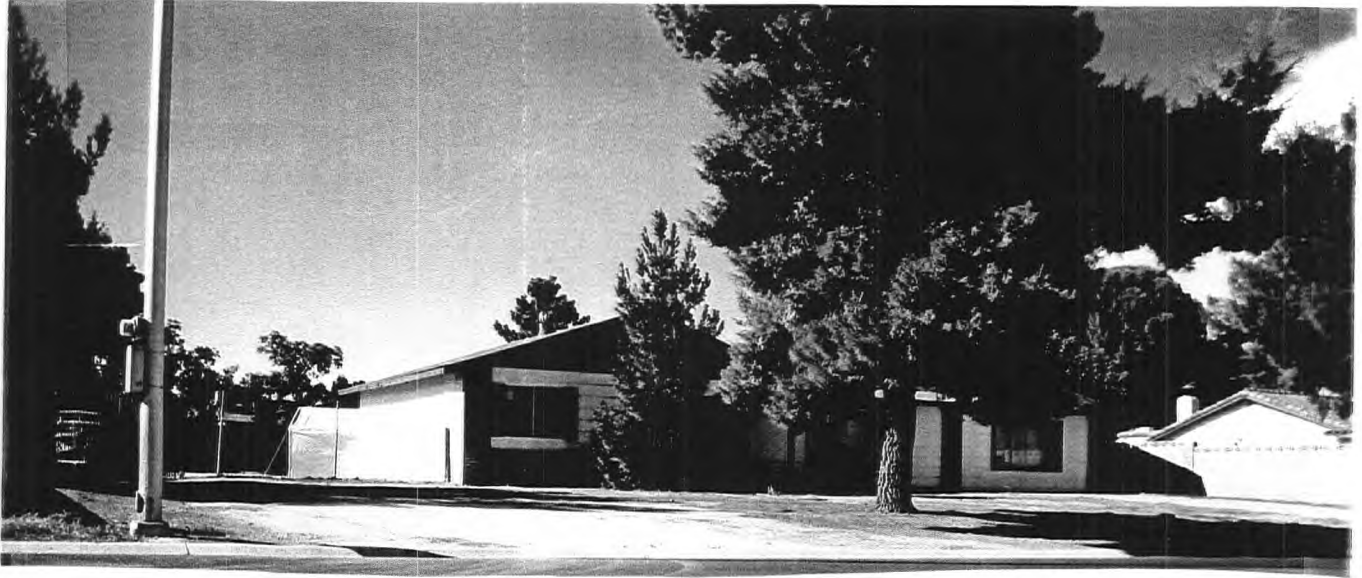
The Appellant request that the hearing be held telephonically and that a phone number be given that the Appellant can call on the date and time of the hearing.

DATED THIS 4th DAY OF SEPTEMBER 2006

Charles H. Adams

RECEIVED
CITY CLERK

2006 SEP -5 P 2: 13





October 3, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Charles H. Adams
4108 Roxanne Drive
Las Vegas, Nevada 89108

Re: Appeal of the Notice and Order to Comply for property located at 4108 Roxanne Drive, Case #41217

Dear Mr. Adams:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 18th day of October 2006, at the hour of 1:00 p.m. This hearing is in response to the Notice of Appeal received by the Las Vegas City Clerk on September 5, 2006, requesting the same, concerning the Notice and Order to Comply for property located at 4108 Roxanne Drive.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,


Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Sheila Lambert, Ward 6 Liaison

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

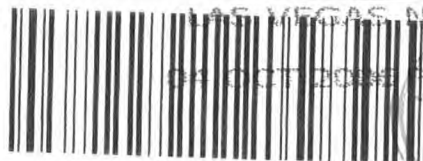
18112-001-06-05
CLV 7009



CITY of LAS VEGAS

OFFICE OF THE CITY CLERK
CITY HALL
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101-2986

CERTIFIED MAIL™



7005 3110 0001 3040 2768

LAS VEGAS NV 890

04 OCT 2006 PM 5 T



Appeal 4108
CHARLES H. ADAMS
4108 ROXANNE DRIVE
LAS VEGAS NV 89108

LN
105
10/13

NIXIE 891 1 00 10/20/06

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 89101298673 *0879-22333-04-40

89101298673



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:

Appeal 4108
CHARLES H. ADAMS
4108 ROXANNE DRIVE
LAS VEGAS NV 89108

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

Article Number

(Transfer from service label)

7005 3110 0001 3040 2768

Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: METROPOLITAN POLICE**DIRECTOR: AREA COMMAND**☐ Consent ☒ Discussion**SUBJECT:**

Hearing to review the conditions set by City Council regarding the Appeal to the Notice and Declaration of Chronic Nuisance located at 1616 S. Las Vegas Boulevard. PROPERTY OWNERS: COOK LIVING TRUST - C/O BROOKS ROBYNE J TRUST - C/O N COOK - Ward 3 (Reese)

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

The subject property was determined to be a chronic nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances. A Notice and Declaration of Chronic Nuisance was mailed to the property owners to correct the nuisance per Title 9.04.010 and 9.040.020. Today's hearing is to review the conditions set by City Council at the August 16, 2006 meeting regarding the Appeal to the Notice and Declaration of Chronic Nuisance filed by Gary Logan, Esq., representing property owner Robyne Brooks and Brooks Center, property owner and responsible party. More specifically, the Council ordered that the property owner provide 24/7 armed, licensed and bonded security at the property as requested by Metro. To date, the property owner has failed to cooperate with Metro and provide the onsite security.

RECOMMENDATION:

That the City Council approve the Notice and Declaration of Chronic Nuisance.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice and Declaration of Chronic Nuisance
4. Appeal Letter from Appellant
5. Notification of Hearing Letter
6. Notice of Appeal
7. Verbatim Transcript from 8/16/2006 Council meeting

Motion made by GARY REESE to Hold in Abeyance to 11/01/2006

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:

MAYOR GOODMAN declared the Public Hearing open.

The property owner was not present.

DEVIN SMITH, Manager of Neighborhood Response, requested this item be held in abeyance for two weeks to allow the Las Vegas Metropolitan Police Department and the applicant to be present.

COUNCILMAN REESE stated the property owner had increased the rents in response to a condition imposed by the City Council that requires 24 hour security on the property but had not provided the security.

MAYOR GOODMAN declared the Public Hearing closed.



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: Metropolitan Police

ITEM DESCRIPTION: Hearing to review the conditions set by the City Council regarding the Appeal to the Notice and Declaration of Chronic Nuisance located at 1616 S. Las Vegas Boulevard. PROPERTY OWNERS: COOK LIVING TRUST - C/O BROOKS ROBYNE J TRUST - C/O N COOK - Ward 3 (Reese)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances.

A Notice and Declaration of Chronic Nuisance was sent to the property owners requesting they correct the nuisance per Title 9.

On April 13, 2006 an undercover police officer entered the Market located at 1616 S. Las Vegas Boulevard and bought narcotic paraphernalia from the employee working the cash register. He was arrested on a felony charge and over 400 items of narcotic paraphernalia were recovered and impounded as evidence. The area surrounding the property is the second highest for robberies and we believe that is due to the criminal behavior occurring inside the market by its employees. By illegally selling narcotic paraphernalia to the local drug dealers encourages drug users to loiter on the property and cause crime to increase. Several different officers have tried to work with the owner of the market to decrease the criminal activity occurring around and inside the business but we have received no cooperation. We are working very hard to try to improve the quality of life for all residents and business owners in this area but this is extremely hard when you find one business owner that will not cooperate. This will no longer be tolerated and therefore we suggest the following:

Today's hearing is to review the conditions set by City Council at the August 16, 2006 meeting regarding the Appeal for the Notice and Declaration of Chronic Nuisance filed by Gary Logan, Esq., representing property owner, Robyne Brooks and Brooks Center, property owner and responsible party. More specifically, the Council ordered that the property owner provide 24/7 armed, licensed and bonded security at the property as requested by Metro. To date, the property owner has failed to cooperate with Metro and provide the onsite security.

1510

APT.

TO
17

TELE
ANT

REST

RUG

S CASINO CENTER BLVD

HOTEL

1511-1515

1521

1500

MOTEL

201

SHOPS

110-160

1600

LIQU.

110-150

1616

HOTEL

REST.

BAR

1510-16

1508

SLAS VEGAS BLVD

PARK

SOB

1531

REST

REST.

1601-15

REST

MINI
MART

1619

MARKE

505

E OAKLEY BLVD

MINI

1701-05

1701

520

OFF.

528

OFF.

4

1704



To: Robin Brooks

BILL
YOUNG,
Sheriff

Las Vegas Metropolitan Police
Department
400 Stewart Avenue
Las Vegas, Nevada 89101-2994
(702) 795-3111

NOTICE AND DECLARATION OF CHRONIC NUISANCE

In Response
Please Reply To:
Officer Minoletti
Officer Fricker
Phone#229-8360
Dated 5-01-06

PLEASE TAKE NOTICE that on 04-13-06, the following conduct occurred on the premises commonly known as 1616 S. Las Vegas Blvd:

On April 13, 2006 an undercover police officer entered the Market located at 1616 S. LV BLVD and bought narcotic paraphernalia from the employee working the cash register. He was arrested on a felony charge and over 400 items of narcotic paraphernalia were recovered and impounded as evidence. The area surrounding your property is the second highest for robberies and we believe that is due to the criminal behavior occurring inside the market by its employees. By illegally selling narcotic paraphernalia to the local drug dealers only encourages drug users to enter on your property and cause crime to increase. Several different officers have tried to work with the owner of the market to decrease the criminal activity occurring around and inside the business but we have received no cooperation. We are working very hard to try to improve the quality of life for all residents and business owners in this area but this is extremely hard when you find one business owner that will not cooperate. This will no longer be tolerated and therefore we suggest the following:

- **Termination of the lease that you currently have with the owner of the market located at 1616 S. Las Vegas Blvd.**

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

(1) Shall be guilty of a misdemeanor; or

(2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(3) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.





BILL
YOUNG,
Sheriff

Las Vegas Metropolitan Police
Department
400 Stewart Avenue
Las Vegas, Nevada 89101-2984
(702) 795-3111

REQUEST FOR ABATEMENT

YOU ARE HEREBY requested to take any and all steps necessary to abate the above nuisance **IMMEDIATELY**. You have until 05-16-05 to correct and abate this nuisance. I can assist you with suggestions and alternatives that may help in abating this nuisance. Please contact me upon receipt of this notice so that the appropriate corrective actions can begin. Failure to abate this nuisance will result in the implementation of any and all remedial measures available to the City of Las Vegas under Title 9 of the Las Vegas Municipal Code, including civil fines and criminal prosecution. If you wish to appeal this notice, see Las Vegas Municipal Code 9.04.070, attached hereto.


Officer Giovanni Minoletti

cc Councilwoman Lois Tarkanian
City Attorney





BILL
YOUNG,
Sheriff

Las Vegas Metropolitan Police
Department
400 Stewart Avenue
Las Vegas, Nevada 89101-2984
(702) 795-3111

9.04.070 Appeal procedures.

Within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City Council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. Any owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.



Gary Logan
Attorney at Law

RICHARD I. FEINBERG, M.D., J.D.
OF COUNSEL

Bank of America Plaza
Suite 701
300 S. Fourth Street
Las Vegas, Nevada 89101

(702) 386-9900
FAX: (702) 382-4800

May 11, 2006

375-9997

(15-28 July 06)

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

Re: Notice and Declaration of Chronic Nuisance and
Request for Abatement
1616 South Las Vegas Boulevard
Brooks Center, a Nevada General Partnership

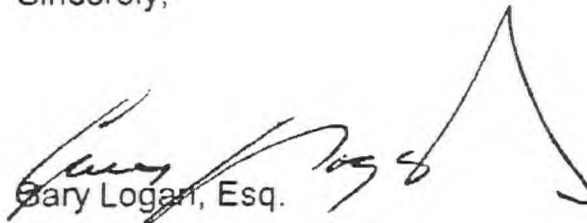
Dear City Clerk:

Be advised that this office represents Robyne Brooks and Brooks Center, a Nevada General Partnership, the record titleholder of the above-mentioned property.

A Notice and Declaration of Chronic Nuisance and Request for Abatement was issued by Officer Giovanni Minoletti on May 1, 2006 to Brooks Center, a Nevada General Partnership, copies of which are attached hereto.

Pursuant to Las Vegas Municipal Code 9.04.070 this letter shall serve as our appeal of said Notice.

Sincerely,


Gary Logan, Esq.

GL/h

2006 MAY 11 P 12:11

RECEIVED
CITY CLERK

October 4, 2006

Certified/Regular Mail
Return Receipt Requested

Cook Living Trust
Brooks Robyne J. Trust
c/o N. Cook
13701 Sunset Blvd
Pacific Palisades, CA 90272-4021

RE: 1616 S. Las Vegas Boulevard

Dear Property Owner:

At the City Council meeting held on August 16, 2006, Agenda Item #84 was approved subject to conditions. Due to the non-compliance of the conditions set by council, a review hearing is scheduled on October 18, 2006. This will be a review of the conditions to provide 27/7 armed, licensed and bonded security at the property as requested by Metro. To date, the property owner has failed to cooperate with Metro and provide the onsite security.

If you have any questions concerning this hearing or procedure, please contact SGT Damian Walburn or Daniel A. Still, in the City Attorney's Office.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:jl



August 7, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

Gary Logan, Esq.
Bank of America Plaza
300 S. Fourth Street, Suite 701
Las Vegas, Nevada 89101

Re: Appeal of the Notice and Declaration of Chronic Nuisance for property located at
1616 South Las Vegas Boulevard

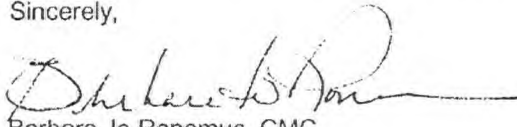
Dear Mr. Logan:

You are hereby notified on behalf of Robyne Brooks and Brooks Center that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 16th day of August 2006, at the hour of 1:00 p.m. This hearing is in response to the Notice of Appeal received by the Las Vegas City Clerk on May 11, 2006, requesting the same, concerning the Notice and Declaration of Chronic Nuisance for property located at 1616 South Las Vegas Boulevard.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,


Barbara Jo Ronemus, CMC
City Clerk

/bkb

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Jeanne Maust, Ward 1 Liaison

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

CLY 7009

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1616 S. Las Vegas Boulevard. PROPERTY OWNERS: COOK LIVING TRUST – C/O BROOKS ROBYNE J TRUST – C/O N COOK – Ward 1 (Tarkanian) [NOTE: As of August 6, 2006 this item is located in Ward 3 (Reese)]

Appearance List:

OSCAR GOODMAN, Mayor

GARY LOGAN, Attorney

GARY REESE, Councilman

DAN STILL, Deputy City Attorney

DAMIAN WALBURN, Sergeant, Las Vegas Metropolitan Police Department, Downtown Area Command

ROBYNE BROOKS, Owner

GIOVANI MINOLETTI, Las Vegas Metropolitan Police Department

JOAN BAJORQUES, Vegas Adventures Weddings

STEVE HOUSER, Eileen's Formal Wear

KARI HOUSER, Eileen's Formal Wear

JIM DiFIORE, Manager of Business Services

STEVEN D. ROSS, Councilman

LOIS TARKANIAN, Councilwoman

(1:09 – 1:51)

50 minutes

Typed by: Angela Crolli

Proofed by: Carmel Viado

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

28 **MAYOR GOODMAN**

29 Okay. Eighty-four is a hearing to consider the appeal regarding the Notice and Declaration of
30 Chronic Nuisance located at 1616 South Las Vegas Boulevard. The property owners are Cook
31 Living Trust, Care Of Brooks Robyne J. Trust, Care of N. Cook. This is in Ward 1. As of
32 August 6th, this item is located in Ward 3. So, it's in Ward 3 and the recommendation is that the
33 City Council approve the Notice and Declaration of Chronic Nuisance.
34 Is anybody here on behalf of the –

35

36 **GARY LOGAN**

37 Yes, Your Honor.

38

39 **MAYOR GOODMAN**

40 – City?

41

42 **GARY REESE**

43 Who from the City is going to be handling it?

44

45 **MAYOR GOODMAN**

46 Mr. Still?

47

48 **DAN STILL**

49 Your Honor, Metro will make the presentation.

50

51 **MAYOR GOODMAN**

52 Oh, they are?

53

54 **DAN STILL**

55 Yes.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

56 **MAYOR GOODMAN**

57 All right. Fine. Yes, Sir.

58

59 **DAMIAN WALBURN**

60 Thank you, Sir. Like to start –

61

62 **MAYOR GOODMAN**

63 Please state your name for the record, please.

64

65 **DAMIAN WALBURN**

66 Sergeant Damian Walburn, Downtown Area Command, COP Sergeant. I'd like to first start out
67 by explaining why we're here. We're actually here because of the chronic nuisance letter. We're
68 going hand out several booklets for the Council so you can follow along with the presentation
69 that we're gonna to make.

70

71 **MAROR GOODMAN**

72 Very good. Mr. Logan have a copy?

73

74 **GARY LOGAN**

75 I just received one, Your Honor.

76

77 **MAYOR GOODMAN**

78 All right. Very good.

79

80 **GARY LOGAN**

81 So, obviously, I haven't had an opportunity to go through it.

82

83 **MAYOR GOODMAN**

84 Right.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

85 **GARY LOGAN**

86 So, way beyond the basis of that alone we should move to continue this.

87

88 **MAYOR GOODMAN**

89 Well, I haven't seen it either, so we're sort of even.

90

91 **DAMIAN WALBURN**

92 You can actually follow along with it chronologically. We're actually gonna to have boards up.

93

94 **GARY LOGAN**

95 Well, for the record, Your Honor, we'll ask for a continuance.

96

97 **MAYOR GOODMAN**

98 Okay. Would you please state your names for the record.

99

100 **GARY LOGAN**

101 Gary Logan, Attorney at Law, representing the – Brooks Trust and the Cook Trust.

102

103 **MAYOR GOODMAN**

104 All right then.

105

106 **ROBYNE BROOKS**

107 And I'm Robyne Brooks.

108

109 **MAYOR GOODMAN**

110 Very good. Yes, Sir.

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

111 **DAMIAN WALBURN**

112 Thank you, Mayor. The Chronic Nuisance letter was sent Certified Mail to respective owners of
113 problematic properties. This is done to hold them accountable for impropriety by their tenants.
114 Community oriented policing has been sending Chronic Nuisance letters out for over two and a
115 half yeas. In over seventy certified letters that have been sent by our Chronic Nuisance detail,
116 this is the first Chronic Nuisance appeal. To this point we have managed to meet with both
117 management teams and owners to abate any problem and establish a working relationship.

118 How this project started at 1616 Boulevard South. In April 2006 a patrol sergeant conducted a
119 designated patrol activity in the area of Oakey and the Boulevard South. The patrol sergeant
120 advised me that he conducted an arrest on a subject for narcotics paraphernalia. The subject
121 advised the sergeant that the contraband was purchased at the Oakey Discount Market located at
122 1616 the Boulevard South, which we actually have pictured here. This is the front west and the
123 side view of the store and this is the rear side view and southwest side of the store. The picture
124 that we have here is a Nevada driver's license. This is actually the tenant and business owner at
125 the Oakey Discount Market.

126 Furthermore, at this location, is a common place to buy glass roses and brillo pads. Both these
127 items, collectibly (sic) are commonly used to smoke crack cocaine. The subject advised the
128 sergeant that the contraband is kept behind the counter and that you have to ask for it. This
129 information was then given to the, my community oriented policing officers.

130 On four thirteen two thousand and six, both COP and special investigation section, conducted an
131 undercover narcotics paraphernalia buy at the Discount Market, at 1616 the Boulevard South,
132 specifically the Oakey Discount Market. Mulugeta Bour, also known as Tony Bour, who is also
133 pictured in the driver's license as a tenant there –

134

135 **MAYOR GOODMAN**

136 May I ask Sergeant, if Mr. Bour is here today?

137

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

137 **DAMIAN WALBURN**

138 Let me check, please. Bour here? Yes, Sir. He is.

139

140 **MAYOR GOODMAN**

141 Okay. All right. Fine.

142

143 **DAMIAN WALBURN**

144 Tony Bour is behind the counter and the only employee at the store at the time. The undercover
145 officer asked Mr. Bour for a "setup", which is used for the illegal introduction of a scheduled one
146 narcotic into the human body. The officer paid three dollars and fifty cents and received one
147 brillo pad and a glass rose inside a paper bag. Seized from the property on that date was three
148 hundred and nineteen glass roses, also used for smoking pipes, a hundred and forty eight brillos
149 used to filter cocaine, one sign, as viewed in the board, as advertisement, that I'll show you, and
150 one brown paper bag.

151 Mr. Bour was arrested for the following sale of narcotics paraphernalia. He was also cited by
152 special investigations section for having an expired health permit. The permit had actually
153 expired on six thirty of 05, the year before. Tony Bour felony arraignment in front of Judge
154 Mosley currently is scheduled for August 24th two thousand and six for arraignment at this time.

155

156 **MAYOR GOODMAN**

157 When did the arrest take place?

158

159 **DAMIAN WALBURN**

160 On the same day that I read you, which is the 13th.

161

162 **MAYOR GOODMAN**

163 Of what?

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

164 **DAMIAN WALBURN**

165 April.

166

167 **MAYOR GOODMAN**

168 Was he taken into custody.

169

170 **DAMIAN WALBURN**

171 Yes, Sir. He was arrested for a felony.

172

173 **MAYOR GOODMAN**

174 And then released on bail?

175

176 **DAMIAN WALBURN**

177 Released on bail?

178

179 **GIOVANI MINOLETTI**

180 Yeah.

81

182 **DAMIAN WALBURN**

183 Yes, Sir.

184

185 **MAYOR GOODMAN**

186 Thank you.

187

188 **DAMIAN WALBURN**

189 Also of note and importance, Mr. Bour stated on April 25th of two thousand and six, to Officer
190 Minoletti, who's standing behind me, that he profits between a thousand and twelve hundred
191 dollars cash net each and every month.

192

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

192 **MAYOR GOODMAN**

193 From the sales of these items?

194

195 **DAMAIN WALBURN**

196 Yes, Sir.

197

198 **MAYOR GOODMAN**

199 All right.

200

201 **DAMIAN WALBURN**

202 Efforts and correspondence with the owner, who's standing to my left, Mrs. Brooks, and also
203 with her legal advisor, Mr. Logan. On April 27th of two thousand and six, the Chronic Nuisance
204 Detail had a twenty-minute conversation with the owner, Robyne Brooks regarding the culpable
205 actions by Tony Bour and his felony arrest. The officer discussed terminating the lease from Mr.
206 Bour. On May 1st two thousand and six, the Chronic Nuisance Detail sent a Certified Chronic
207 Nuisance letter to Robyne Brooks. On May 15th of two thousand and six, the Chronic Nuisance
208 Detail spoke with Gary Logan, her legal advisor, to my left, and Mrs. Brooks legal advisor and
209 advised us that they would be appealing the process. At the end of May Robyne spoke with the
210 Chronic Nuisance Detail and told Officer Minoletti, standing behind me, that Tony's case had
211 been dropped. The reason for this is they were not going to do anything against Mr. Bour
212 because Mr. Bour had told them that his case was dropped from a felony to a misdemeanor.

213 On June 22nd –

214

215 **MAYOR GOODMAN**

216 Is there any – evidence which would support that?

217

218 **DAMIAN WALBURN**

219 There is evidence, Sir. We actually have correspondence with one of the City Attorneys in the

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

220 Criminal Division who confirmed that, in fact, it is going in for the 24th in front of Judge
221 Mosley.

222

223 **MAYOR GOODMAN**

224 For a felony?

225

226 **DAMIAN WALBURN**

227 As a felony.

228

229 **MAYOR GOODMAN**

230 As a felony.

231

232 **DAMIAN WALBURN**

233 Yes, Sir.

234

235 **MAYOR GOODMAN**

236 All right.

237

238 **DAMIAN WALBURN**

239 On June 22nd two thousand and six, Ms. Brooks, Gary Logan, my COP detail, the City Attorney,
240 Dan Still, and Business Licensing, Jim Rickett, met with both parties to come up with a positive
241 solution to collectively abate the problem. Case in point, we're going to need a appeal process
242 today.

243 Talk a little bit about the character history of Mr. Bour, and I'm going to refer to the boards on
244 this. On this one here, this actually shows the health permit and it's dated back for date expired
245 on six thirty of 05; however, on the 13th he was cited for no health permit; shows almost a one-
246 year lapse in that.

247 Let's flip to the other board. If you look here, there's a picture in the middle, and this is actually
248 narcotics paraphernalia. There's brillos, which are used to filter the crack cocaine and when

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

249 they're put inside, they have a smoking pipe. Some various smoking pipes are pens. There's
250 actually pipes that you can buy and also glasses. The one here in the middle is a glass pipe. This
251 is actually what the roses came in and what Mr. Bour was selling behind the counter.
252 If you go to the, actually keep it here. If you look here, these are Nevada business registration
253 forms. The first one on the top is dated May 2nd of two thousand and two, and this is actually for
254 his second property, at 113 North 4th Street and the second one at the bottom is dated on January
255 22nd of two thousand and three, for the property at 1616 Boulevard South.

256

257 **MAYOR GOODMAN**

258 (Inaudible)

259

260 **DAMIAN WALBURN**

261 The reason that I put the picture here with the Nevada business registration forms is the fact that
262 when a person goes in and registers for a business license, he or she is shown this
263 picture. They're also taught and given a video, as well as a five-minute introduction by the clerk
264 at the window that these are the types of contraband items that should not be sold to the public.

265 Go to the next picture. Let's talk about this. This next picture here is what I called over the
266 counter. If you look over to the register here, it's got a sign: "if you don't see what you want,
267 please ask for it". That's actually right over the register. As you look down inside the register
268 here, he's got brillos and glass pipes that are actually inside the drawer. He just opens up the
269 drawer till, where you would keep money, pulls out the glass pipes.

270 Here we have boxes of Chore Boys, which are also brillo pads consistently used to filter the
271 cocaine, and then another case of roses. And the pictures here, on the bottom, are pictures, that
272 are right behind the counter, where it shows where he has his stuff packaged, and then the look
273 inside the bag you can see he has Chore Boys inside the bag as well.

274

275 **MAYOR GOODMAN**

276 I think the record should reflect that, at least some of the Councilmembers, have had ourselves
277 educated, and some of the new Councilmembers may not be as educated as perhaps Councilman

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

278 Reese, Councilman Brown, myself and Councilman Weekly, who addressed these issues several
279 years ago, particularly on the west side. And we took a very hard stance that anybody who is
280 engaging in the sale of these kind of items, is definitely engaging in the sale of narcotics
281 paraphernalia. And perhaps, so I see Councilman Ross, I don't think he's ever taken crack
282 cocaine. I'm don't know whether you take crack cocaine or you inject, I don't know the right
283 phrase, but I'm sure you've had very little dealings with crack cocaine as has Councilwoman
284 Tarkanian. Why don't you tell 'em how these are used so that the public can be educated, as well
285 as my Council.

36

287 **DAMIAN WALBURN**

288 Sir, I'm glad you asked. And actually on this board here, this is actually, we start here at the top
289 with the –

290

291 **MAYOR GOODMAN**

292 I'm wondering whether you can put it down –

293

294 **DAMIAN WALBURN**

295 Absolutely.

296

297 **MAYOR GOODMAN**

298 – so we can have the overhead because I think this is an important lesson. What appears to be,
299 and this is what confused me, when I first began to consider these kind of items, everything
300 seemed to be legal, and you know, legit, but when purchased and mixed together, it definitely is
301 a vehicle to ingest crack cocaine. Are we able to see it on the overhead?

302

303 **DAMAIN WALBURN**

304 No, Sir.

305

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

305 **MAYOR GOODMAN**

306 No. Okay. All right. Well, we tried. Is it on? Okay. Good. Yes, we are.

307

308 **DAMIAN WALBURN**

309 I'm actually gonna try and move this around just a little bit.

310

311 **MAYOR GOODMAN**

312 Good. All right.

313

314 **DAMIAN WALBURN**

315 If you look at the top, I have it titled "Advertisement". You see a sign that is attached to the
316 cigarette advertisement over the register. It says, "If you don't see what you want, please ask for
317 it". If you add that sign with advertisement with the next picture, we actually have the Chore
318 Boy filters with the next picture, which actually is the glass roses. This is what you get on the
319 bottom. It's also called the "setup" which is what he was selling it for. It comes in a paper bag.
320 You get a Chore Boy and a glass. When you take some of the filter out and you put it inside the
321 glass pipe and you have to break the end off of it, a person who's co-dependant on crack cocaine
322 will actually put the crack cocaine inside the glass and smoke it with a lighter or a match and it'll
323 heat and filter it up and through. And that's how it's used, Sir.

324 Next I'd like to show some forms that come from both taxation in the State of Nevada and also
325 through City Business Licensing. On the top here, we have a form where it actually shows in the
326 year two thousand and two on, dated August 15th, pre-agent inspection by Agent D. Outland
327 with Business Licensing, found behind the counter mini baggies, Chore Boys and blunt wrappers
328 at his other address.

329 Second there's a letter here from Jim DiFiore, who's present today, in Council, and this is in
330 regards to 1616 South Las Vegas Boulevard, where the City warns Mr. Bour because he was
331 taking beers out of six-packs cans and selling them individually in which is also against Nevada
332 Revised Statute.

333 On the bottom here, I have a picture and what you'll see there is a bucket and next to that you'll

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

334 see an open pack of cigarettes and next to that you see individual cigarettes. It's illegal to sell
335 those separately; however, he was caught doing that and those items seized on the same date of
336 arrest on April 13th.

337

338 **MAYOR GOODMAN**

339 And how do individual cigarettes play into the smoking of crack cocaine?

340

341 **DAMIAN WALBURN**

342 Well, just the impropriety alone shows his character and his behavior on what he's actually
343 willing to do to make a dollar.

344

345 **MAYOR GOODMAN**

346 Okay, but it doesn't have any relevance as far as the crack.

347

348 **DAMIAN WALBURN**

349 No, Sir

350

351 **MAYOR GOODMAN**

352 Okay.

353

354 **DAMIAN WALBURN**

355 And to the left of that, I actually have a form, which was a follow up done by taxation where he
356 was warned again for improprieties on his property. Thank you.

357 The – other thing that I'd like to talk about is the timeline in the County and City hours that have
358 been invested to this point. For total person hours, in our unit, and this is combined with SIB,
359 we have a hundred and twenty-nine hours. Total hours with the City of Las Vegas, Business
360 Licensing, Code Enforcement, Las Vegas Fire, taxation and gaming, we have a total of a
361 hundred and forty-eight hours from the time this thing was walked down the hall by the patrol
362 sergeant to where we stand vested here in the Council.

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

363 I had talked to communications earlier and I also have a video that I'd like to queue up. It's
364 about three minutes when Mr. Bour was actually in this Council here today, two weeks after he
365 was arrested on a felony crime, and three respected persons of the Board here had asked him if
366 he's had any improprieties at the same address that's in question now. And I'd like to play that
367 up, if we might.

368

369 **MAYOR GOODMAN**

370 I wish you wouldn't play it, and I'll tell you why, okay?

371

372 **DAMIAN WALBURN**

373 Yes, Sir.

374

375 **MAYOR GOODMAN**

376 I'm gonna let you play it, but I'll tell you why I wish you wouldn't play it, 'cause I'm hot.

377

378 **DAMIAN WALBURN**

379 Yes, Sir.

380

381 **MAYOR GOODMAN**

382 I'm really hot at Mr. Bour. He stood before us and let me say nice things about him because I
383 used to walk past the establishment where he worked on Fourth Street and would say good
384 morning to him, and I thought that he was decent person. And he let me say nice things about
385 him when he knew that he's not a nice person, and I'm angry at him, I want you to know that.
386 So, let – let's see it.

387

388 **DAMIAN WALBURN**

389 This isn't the video.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

390 **MAYOR GOODMAN**

391 No, that's, this is, that looked like Henderson. Are they, queuing the next video?

392

393 **DAMIAN WALBURN**

394 Believe so, Sir. It should have been queued up and right on par, three minutes and, I think, 25
395 seconds.

396

397 **MAYOR GOODMAN**

398 Okay. If there's a problem in the back there, please let us know.

399

400 **DAMIAN WALBURN**

401 It's on its way. The tape is on its way.

402

403 **MAYOR GOODMAN**

404 Here we go. Is there a (sic) audio as well? Is there sound to it?

405

406 **DAMIAN WALBURN**

407 Yes, Sir. There's audio and video. Yes, Sir.

408

409 **MAYOR GOODMAN**

410 Okay.

411

412 **(VIDEO FROM PLANNING COMMISSION MEETING SHOWN)**

413

414 **MAYOR GOODMAN**

415 This is – before the Planning Commission.

416

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

416 **(VIDEO FROM PLANNING COMMISSION MEETING SHOWN)**

417

418 **MAYOR GOODMAN**

419 Excuse me, Sergeant, is (inaudible). That's April 27th, is that before or after he was arrested?

420

421 **DAMIAN WALBURN**

422 This is two weeks after he was arrested on a felony, Mayor.

423

424 **MAYOR GOODMAN**

425 Right, didn't have any problems at 1616, right?

426

427 **DAMIAN WALBURN**

428 No problems, Sir.

429

430 **MAYOR GOODMAN**

431 Okay.

432

433 **(VIDEO FROM PLANNING COMMISSION MEETING SHOWN)**

434

435 **MAYOR GOODMAN**

436 Thank you.

437

438 **DAMIAN WALBURN**

439 That's the end of the video, Mayor.

440

441 **MAYOR GOODMAN**

442 Right –

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

443 **DAMIAN WALBURN**

444 And –

445

446 **MAYOR GOODMAN**

447 – that was not before the Council, that was before the Planning Commission.

448

449 **DAMIAN WALBURN**

450 Yes, Sir – In my, in conclusion, I want to make something perfectly clear, we're not looking for
451 any – civil penalties against Mrs. Brooks. In closing I'd like to set two goals and respectfully
452 request for that. One of the two goals is the revocation of Mr. Bour's business license, short time
453 goal, and I believe a solution, at least, until a revocation can be set forth, if it was granted, is that
454 they only be required to provide 24-hour, seven-day-a-week vetted by LVMPD security, which
455 is our license and bonded and being cleared through us before those persons be posted. And
456 there's also some witnesses in the audience. They're here to testify against the property at 1616
457 Boulevard South, Mayor.

458

459 **MAYOR GOODMAN**

460 All right. Fine. Do you want those people address us and then we can hear from Mr. Logan?

461

462 **DAMIAN WALBURN**

463 Yes, Sir. If I may add, I'd like to call Joann and Glen up front, please, from Vegas Adventures
464 Weddings.

465

466 **MAYOR GOODMAN**

467 All right. When you come up, please, give us your name and address.

468

469 **JOAN BAJORQUES**

470 Good morning, good afternoon, Mayor. I'm Joan Bajorques. We have just come up into getting
471 the wedding chapel, which is on the north side of the strip mall, and just as of yesterday, we

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VERBATIM TRANSCRIPT – ITEM 84

472 received a temporary occupancy pending a couple things getting done. So, we're, we are ready to
473 almost open up. During this period of time where we've been under the renovations, we have so
474 many people hanging out in our parking lot. The single bags with single sold, something,
475 alcohol, whatever. The gutter's completely lined with trash. They sit on the parking bumpers in
476 front of our store. They hang out by our door; put their feet up on the wall. I'm concerned
477 because they open up the door. We're gonna to be open into the evening. My wedding
478 coordinator is petrified. I'm afraid.

479 So, all of this trash that keeps coming through by our front door; there's urine. Our customers
30 then go right around the corner to Eileen's Formal Wear. This is daytime: puddles of urine,
481 boxes of trash, garbage everywhere. At night the problems are gonna get worse. Eileen's closes
482 before, we are going to be open late into the evening. I fear for myself. My wedding coordinator
483 and I have discussed bringing our dogs. How many wedding chapels have to have dogs inside so
484 women working there, trying to make a living, are gonna feel comfortable. Our windows get
485 washed; they're just gonna come pee on the windows. This is a beautiful, we have spent so much
486 money getting the renovations inside and now from the outside we have a constant flow of bums,
487 trash, bottles, obviously single bottles in brown paper bags and they're doing this so I'm
488 assuming it's drinkable alcohol.

489 And I'm just appalled at the fact that now that we've committed, we're in there, that we have this
490 issue that we spending so much money a month on lease and what is it gonna look like when
491 people who are in wedding gowns trudging through a bunch of puddles of urine and kicking
492 boxes of trash? I'm just extremely concerned. I'm, here we spent all the money, we're already in
493 there, we're committed to a three-year lease.

494

495 **MAYOR GOODMAN**

496 I appreciate it. I understand what you're saying.

497

498 **JOAN BAJORQUES**

499 Okay.

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500 **MAYOR GOODMAN**

501 Right. The one thing, I'm not going to joke about this and I understand this is a serious issue. It
502 is, but we appreciate it.

503

504 **JOAN BAJORQUES**

505 Thank you.

506

507 **MAYOR GOODMAN**

508 All right.

509

510 **JOAN BAJORQUES**

511 I know that someone from Eileen's right next door to us –

512

513 **MAYOR GOODMAN**

514 Sure.

515

516 **JOAN BAJORQUES**

517 – was gonna also speak.

518

519 **MAYOR GOODMAN**

520 Be happy to hear from them.

521

522 **JOAN BAJORQUES**

523 Okay.

524

525 **STEVE HOUSER**

526 Steve Houser from Eileen's.

527

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527 **KARI HOUSER**

528 Hi, I'm Kari Houser from Eileen's.

529

530 **MAYOR GOODMAN**

531 Be happy to hear from you, folks.

532

533 **STEVE HOUSER**

534 We've been here before.

535

536 **MAYOR GOODMAN**

537 Yes.

538

539 **STEVE HOUSER**

540 We moved here about October of last year. We went through the 702 rule problem, which we
541 have more problems there. The problem we've really had, we'd come in contact with and I –
542 never had a problem with Tony personally. I, the problem we're having with all the bums and not
543 just the urine and the poop and the throwing up. We've had bums pass out, and my wife will tell
544 'cause I'm not there at night, she's the one closing, but they pass out in the front door. I, in the
545 morning I have to go out and clean up the pee off the front door 'cause you can't walk through
546 the place, with this heat it's just – In the back of the store there's these needles and condoms; it's
547 gross.

548

549 **MAYOR GOODMAN**

550 Okay, it sounds like Circle Park.

551

552 **STEVE HOUSER**

553 It's – even worse sometimes and –

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VERBATIM TRANSCRIPT – ITEM 84

554 **MAYOR GOODMAN**

555 Okay, but I mean, that's what we're up against and that's why we are going to do something as a
556 Council when it comes to these kind of issues. We passed an ord, we didn't pass the new
557 ordinance? I guess we had the first reading of the ordinance this morning on public urination and
558 defecation, and we're gonna enforce it. This is like deja vu all over again. What you're talking
559 about is the same kind of conduct that makes it uninhabitable and unenjoyable to have a quality
560 of life in this part of town, and we're just not going to tolerate it.

561

562 **STEVE HOUSER**

563 Well, we've had our business downtown for 15 years. This is the worst and – it's hurting our
564 business.

565

566 **MAYOR GOODMAN**

567 Okay, we appreciate it. We understand where you're coming from.

568

569 **COUNCILMAN REESE**

570 (Inaudible)

571

572 **MAYOR GOODMAN**

573 We will. It's that it, Sergeant?

574

575 **DAMIAN WALBURN**

576 Yes, Mayor. Thank you.

577

578 **MAYOR GOODMAN**

579 All right. Very good. Mr. Logan?

580

581 **GARY LOGAN**

582 Thank you, Your Honor.

CITY COUNCIL MEETING OF
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583 **ROBYNE BROOKS**

584 May I respond?

585

586 **GARY LOGAN**

587 I'll let Mrs. Brooks.

588

589 **ROBYNE BROOKS**

590 Let me respond that only yesterday did my two tenants call me and tell me of the issues. Never
591 before did they address it to me, but they did tell me they were going to come down and speak
592 today, so I was prepared. My question to them was, why hadn't you told me? And on another
593 defense, we do have a maintenance man that does go down and pick up stuff. He's down there
594 once a week painting out the graffiti. The graffiti is terrible. So, we – are aware of that and we
595 have been trying to address it. I was not aware of the urination issue as bad as it was until today.
596 Over the last two years, Mayor, we have put two hundred and fifty thousand dollars into that
597 building. It used to be a Warehouse Records. When Warehouse went out and filed BK, before we
598 could open up and divide it up because they had leased basically the entire building, before we
599 could open it up because of the codes in the City, we spent over two hundred and fifty thousand
600 dollars bringing that up to code now, and obviously I want to maintain it. It's a nice income
601 string for my family. I want to maintain it as well as I can.

602

603 **MAYOR GOODMAN**

604 Sure. Excuse me one second.

605

606 **ROBYNE BROOKS**

607 Please.

608

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VERBATIM TRANSCRIPT – ITEM 84

608 **MAYOR GOODMAN**

609 All right. Mr. Logan.

610

611 **GARY LOGAN**

612 Your Honor, the one thing that Metro failed to advise the Council of, is the fact that I had a
613 discussion with a member of the City Attorney's Office as a result of a request from Metro for
614 my client to terminate the lease. My client doesn't have a right under the terms of the lease to
615 terminate it. There is no clause in the lease which gives her that right. And I said to Metro at this
616 meeting they referred to, which I believe was in April, move to revoke his license.

617

618 **MAYOR GOODMAN**

619 Okay. Well, I think we're all in the same page, Mr. Logan, to be quite frank with you. I –

620

621 **GARY LOGAN**

622 And for the first time, may I interrupt you, Your Honor?

623

624 **MAYOR GOODMAN**

625 Sure.

626

627 **GARY LOGAN**

628 Today is the first time I learned –

629

630 **MAYOR GOODMAN**

631 My wife does, why can't you?

632

633 **GARY LOGAN**

634 – today is the first time that I learned that the former establishment had its license revoked for
635 the same activity.

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

636 **MAYOR GOODMAN**

637 Okay, well. I think based on the recommendation of Metro, I think that this can be resolved. I
638 think that your tenants can have a degree of comfort if, in fact, you're able to get that 24-hour
639 security there, if you have no problem with that.

640

641 **COUNCILMAN REESE**

642 Can I –

643

644 **MAYOR GOODMAN**

645 Sure, certainly Mayor Pro Tem, it's in your Ward.

646

647 **COUNCILMAN REESE**

648 Can I have Mr. DiFiore come up, please? Your Honor, with your permission, I would like to ask
649 Mr. DiFiore if – he's heard enough evidence today, does he think we can have this brought
650 forward at a later date for revocation of this license?

651

652 **JIM DiFIORE**

653 Absolutely. I think with the history of the activity that's gone on at this business, with this being
654 the top of the mountain of problems that we've had there, I think this is grounds for disciplinary
655 action at a – later date.

656

657 **COUNCILMAN REESE**

658 Okay. And I – guess to me, I would just put the building owner on notice, as far as I feel that, at
659 this location because the past history and I was aware of the history before, that has been going
660 on there, the revocation of the license before, that at this location I'm not gonna support more
661 alcohol sales at this location. So, if you – go to lease or for whatever reason, alcohol will not be
662 included in it. And that's as far as, that's me personally how I feel. I feel this – neighborhood has
663 to be cleaned up and this is a, I think, it's the right step that we're going to take.

664 I – certainly support Metro – recommendation, if you feel like you can hire the security until

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

665 such time that we can have a special hearing on the revocation of the license. She's saying,
666 shaking her head yes.

667
668 **ROBYNE BROOKS**
669 I will – yes, I will talk to the tenants. We've been speaking about security, so, we'll divide that
670 amongst all of us. Absolutely, we will.

671
672 **COUNCILMAN REESE**

673 Okay.

674
675 **ROBYNE BROOKS**

676 I'll get with these gentlemen so they can tell me who I should call.

677
678 **COUNCILMAN REESE**

679 Okay. So then, Your Honor, if there're no other questions, I'm gonna make a motion then.

680
681 **MAYOR GOODMAN**

682 Al right. Very good.

683
684 **COUNCILMAN ROSS**

685 Mayor – Pro Tem, Your Honor.

686
687 **MAYOR GOODMAN**

688 Yes.

689
690 **COUNCILMAN REESE**

691 Yes.

**CITY COUNCIL MEETING OF
August 16, 2006**

VERBATIM TRANSCRIPT – ITEM 84

692 **COUNCILMAN ROSS**

693 I just have one question. Mayor Pro Tem is to add to that, to help me understand this. Mr.
694 DiFiore said at a later date that he will direct the City staff and Metropolitan Police Department
695 to –

696

697 **COUCILMAN REESE**

698 As soon as possible.

699

700 **COUNCILMAN ROSS**

701 As soon as possible. Is that possible to do that?

702

703 **COUNCILMAN REESE**

704 Yes.

705

706 **COUNCILMAN ROSS**

707 Thank you.

708

709 **COUNCILMAN REESE**

710 Mr. DiFiore said yes.

711

712 **COUNCILWOMAN TARKANIAN**

713 Mr. Mayor?

714

715 **MAYOR GOODMAN**

716 Yes.

717

718 **COUCILWOMAN TARKANIAN**

719 I just wanted to add, I – think that we should express our appreciation and respect to Metro. This
720 has been going for months to be able to reach this point for something like this can be done. And

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

721 it was only through those hard, that hard work and those efforts and the individuals that you
722 mentioned that you had worked with. And these are things that need to be cleaned up, and these
723 are things why some of the ordinances are being changed, you know, that you signed off on
724 recently, Mr. Mayor. And I just know that the whole Council appreciates it very much.

725

726 **DAMIAN WALBURN**

727 Thank you.

728

729 **MAYOR GOODMAN**

730 And we got a new nuisance ordinance now. We have this urination and defecation ordinance. I
731 mean, it's sounds so stupid that we have to have ordinances to stop people from doing this, but
732 there are a lot of stupid people out there.

733

734 **COUNCILMAN REESE**

735 And I'd also like to thank Councilwoman Tarkanian and her staff for working with Metro on this
736 issue for as long as they have. I know that it's, sometime it's really, really tough to get something
737 put on the agenda and make sure that we got all our t's crossed and i's dotted. And I too want to
738 thank Metro.

739 **And Your Honor, I'm gonna make a motion that we follow staff's recommendation for**
740 **them to work with Metro, hiring a 24-hour, seven-day-a-week security until such time that**
741 **we can have a revocation hearing. And I'd like to ask staff to expedite that as soon as**
742 **possible. And again put the – owner of the market on notice that we are going to be doing**
743 **this. He's here and he does know. With that, Your Honor, that's my motion.**

744

745 **MAYOR GOODMAN**

746 Al right. Very good. All right. Let's vote, please. Post. Motion carries. **(Motion carried**
747 **unanimously)**

CITY COUNCIL MEETING OF
August 16, 2006

VERBATIM TRANSCRIPT – ITEM 84

748 **COUNCILMAN REESE**

749 I would like to thank those from the neighborhood for coming down today and giving us their
750 input. I think it's very important that we know what's going on over there.

751

752 **MAYOR GOODMAN**

753 Al right. Good luck to you.

754

755 **GARY LOGAN**

756 Thank you.

757

758 **DAMIAN WALBURN**

759 Thank you.

760

761 **(END OF DISCUSSION)**

762 /ac;cv

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **Consent** ☐ **Discussion**

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-15236 - ABEYANCE ITEM - APPLICANT/OWNER: CASH AMERICA, INC. OF NEVADA - Request for an Extension of Time of an approved Special Use Permit (SUP-4506) THAT ALLOWED A PAWN SHOP at 6890 North Durango Drive (APN 125-20-114-004), T-C (Town Center) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

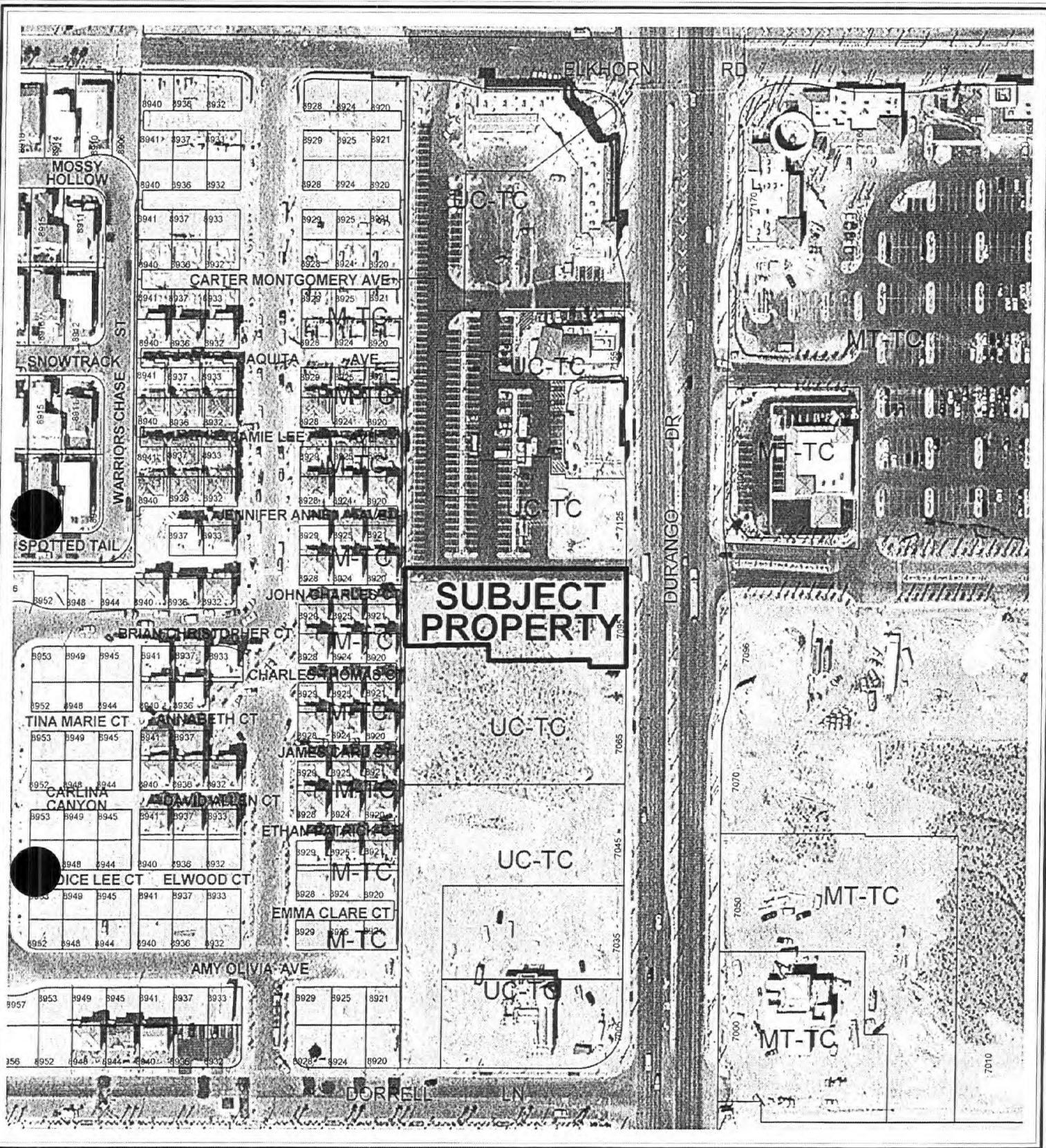
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. City Council approval letter for SUP-4506

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-15236

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - EOT-15236 - APPLICANT/OWNER: CASH
AMERICA, INC. OF NEVADA**

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

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on August 4, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-4506), (SUP-4507) and (SUP-4509) as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Special Use Permit (SUP-4506) that allowed a Pawn Shop adjacent to the northwest corner of Durango Drive and Dorrell Lane approximately 600 feet north of Dorrell Lane.

EXECUTIVE SUMMARY

This is the first Extension of Time application for the subject site. The applicant indicates that the extension is needed due to delays in the design and permitting process. Building plans are currently under review at the City, but no building permits have been issued. Therefore, staff is recommending approval of the extension due to the indicated reasons.

BACKGROUND INFORMATION

A) *Related Actions*

- 01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on 03/25/99.
- 12/30/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Pawn Shop" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 04/07/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

- 08/04/04 The City Council approved a Special Use Permit (SUP-4506) for a Pawn Shop. Also, a Special Use Permit (SUP-4507) that allowed a Financial Institution, Specified. Finally, a Special Use Permit (SUP-4509) that allowed Second Hand Sales at 6890 North Durango Drive at 6890 North Durango Drive. The Planning Commission recommended approval on 08/04/04. Staff recommended approval of (SUP-4507) and (SUP-4509), but recommended denial of (SUP-4506).
- 09/06/06 The City Council will consider a related Extension of Time (EOT-15238) of an approved Special Use Permit (SUP-4507) that allowed a Financial Institution, Specified and Extension of Time (EOT-15239) of an approved Special Use Permit (SUP-4509) that allowed Second Hand Sales at 6890 North Durango Drive.

B) *Pre-Application Meeting*

A pre-application meeting is not required for an Extension of Time request.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

D) *Building Permit History*

Building plans were submitted in June of 2006. The applicant is working with staff to receive a building permit. No inspections will occur until a building permit is issued.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Retail
South: Multi-Family Dwellings (Condos) and Retail
East: Undeveloped
West: Single Family Dwellings

C) *Planned Land Use*

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

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

ANALYSIS

A) General Analysis and Discussion

This is the first Extension of Time for Special Use Permit (SUP-4506), which approved a Pawn Shop. The City Council will also consider two related Extensions of Time for a Financial Institution, Specified and Second Hand Sales at the same location. The Special Use Permits were approved by the City Council on 08/04/04. The applicant indicates that the extensions are needed due to delays in the permitting process. Staff has confirmed that plans have been submitted, but no building permits have been issued. The applicant has complied with the previous conditions of approval and staff is recommending approval.

B) Conditions of Approval from Special Use Permit (SUP-4506)

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. Hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

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 Pawn Shop use will be compatible with other uses planned and approved for Montecito Marketplace and with other commercial development to the north.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Pawn Shop 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.”**

Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

The Pawn Shop use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-15236 APN: 125-20-114-004

Name of Property Owner: Cash America, Inc. of Nevada

Name of Applicant: Cash America, Inc. of Nevada

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: _____

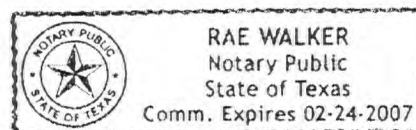
Signature of Property Owner: _____

Print Name: David J. Clay, Vice President

Subscribed and sworn before me

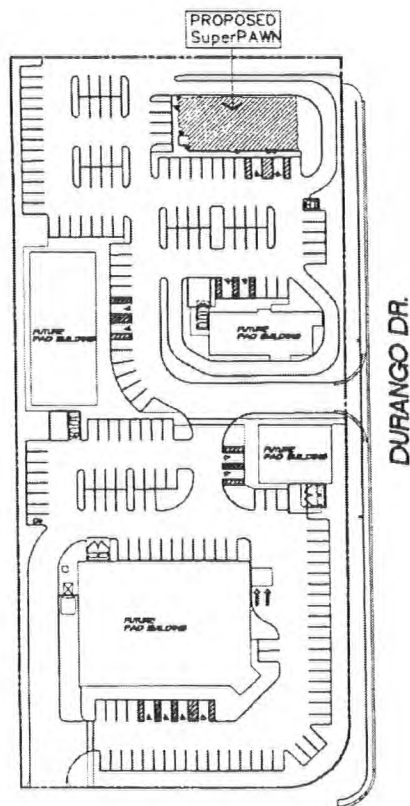
This 17th day of July, 2006

Rae Walker
Notary Public in and for said County and State





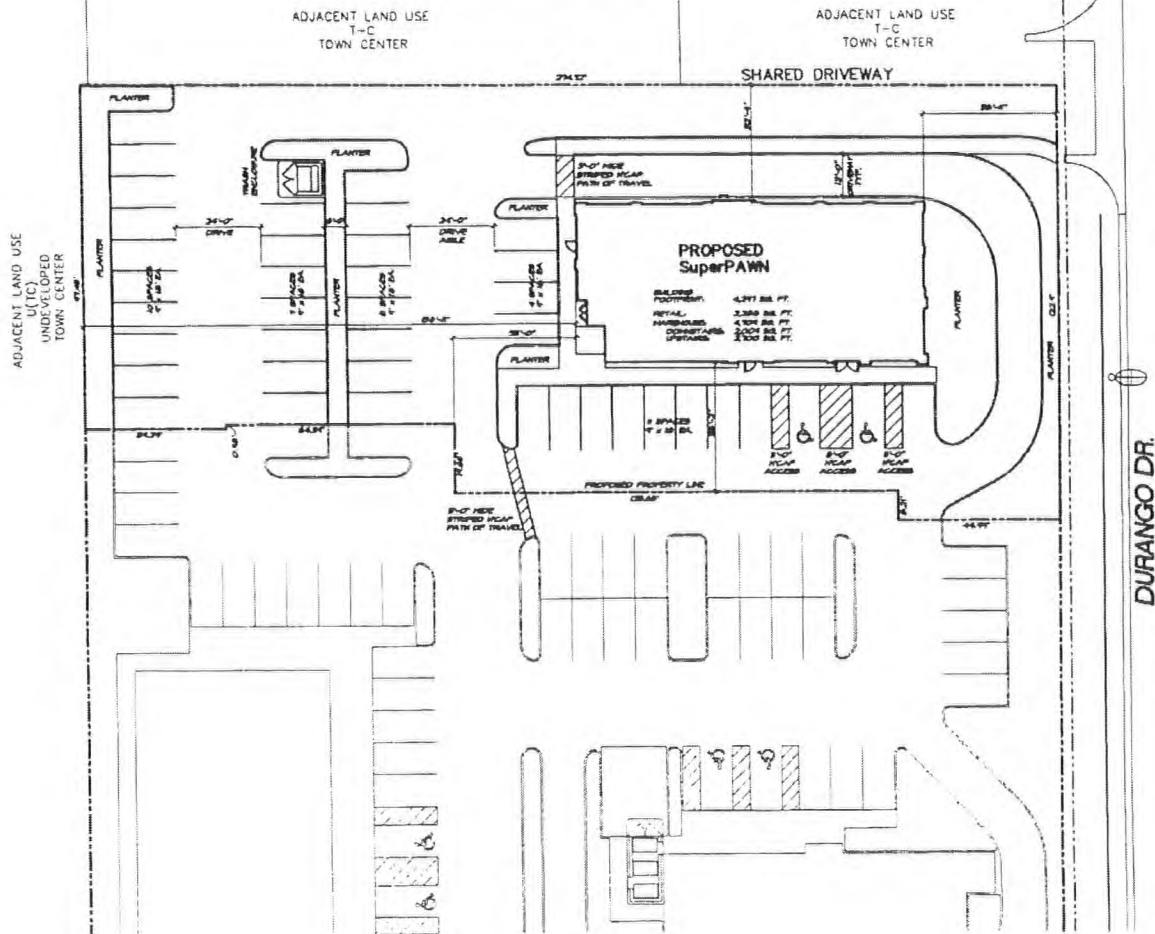
3 VICINITY PLAN
SCALE: NONE



2 LOCATION MAP

SITE DATA	
LOT AREA GRIDS TOTAL:	30,048 S.F. (0.69 ACRES)
EXISTING ZONING:	NU / TC
APN:	UNDEVELOPED / TOWN CENTER
DESCRIPTION:	AREA
PROPOSED RETAIL PAD BLDG:	4,241 S.F. TOTAL
ALLOWABLE LOT COVERAGE:	
BOB = 30,048 S.F. = 100%	
PROPOSED LOT COVERAGE:	
LOT COVERAGE (14%) =	4,241 S.F.

PARKING REQUIRED:	
HARDWARE PORTION:	
6,941 S.F.	
1 SPACE PER 175 SQ. FT. =	40 SPACES
TOTAL PARKING REQUIRED:	40 TOTAL SPACES
(2 HANDICAP SPACES)	
TOTAL PARKING PROVIDED:	40 TOTAL SPACES
(2 HANDICAP SPACES)	



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

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

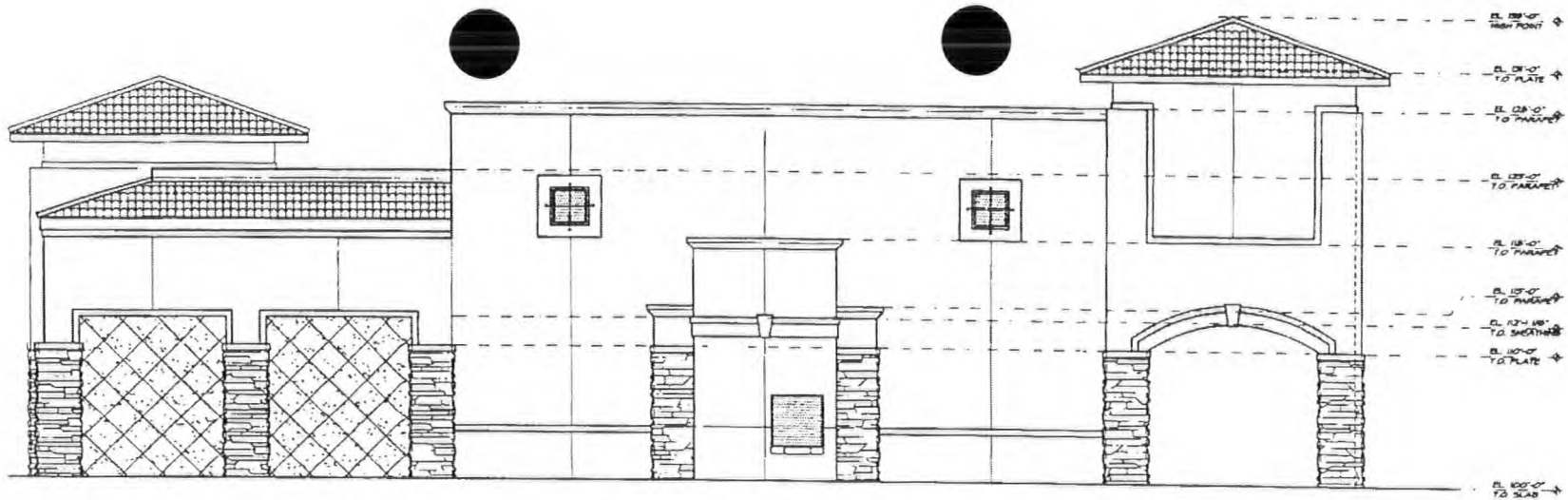
MARK ROSS JOHNSON
ARCHITECT

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

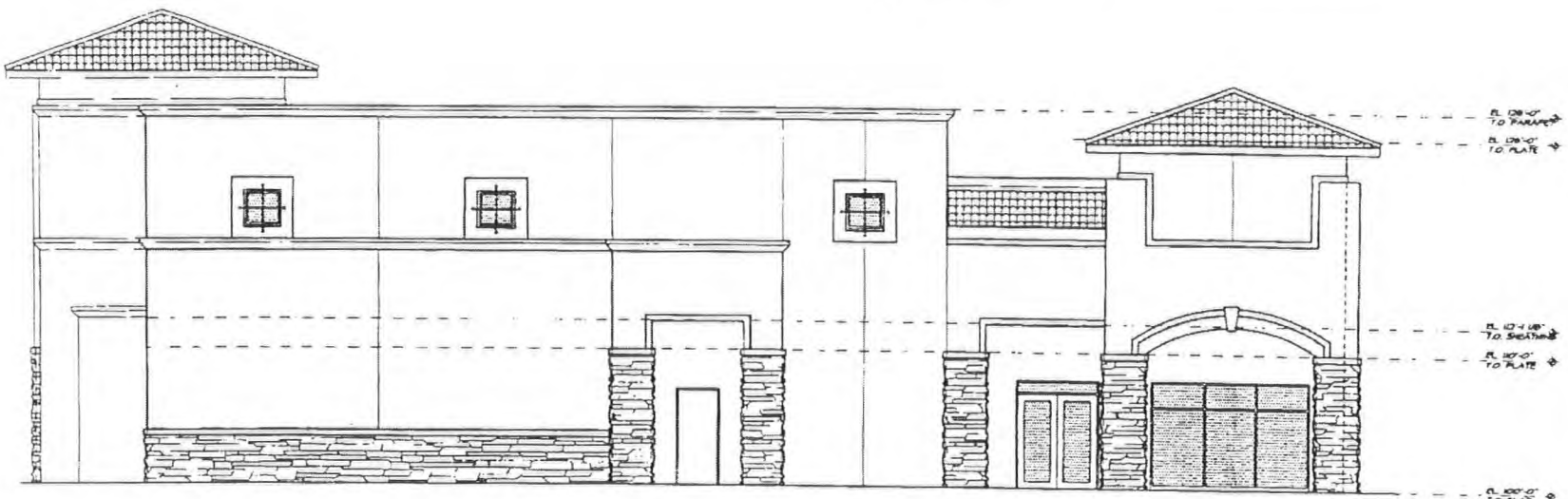
Date: 3/14/06

PROJECT 1
20020

A-1



② NORTH ELEVATION
SCALE: 1/4" = 1'-0"



① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

STAFF

SLP-4586
SLP-4587
SLP-4588
SLP-4589
ST-88-04 PC

MARK ROSS JOHNSON
ARCHITECT

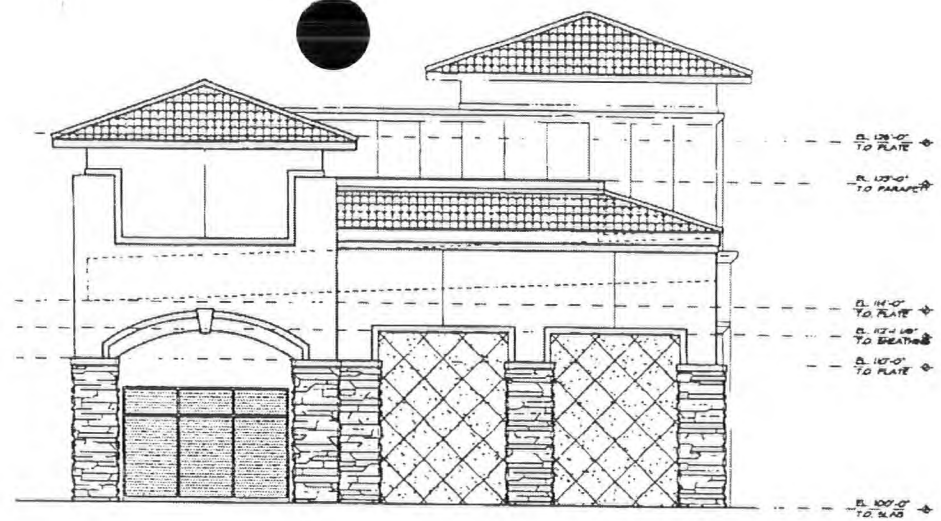
SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE
FOR: SUPERPAWN

Date: 3/14/04

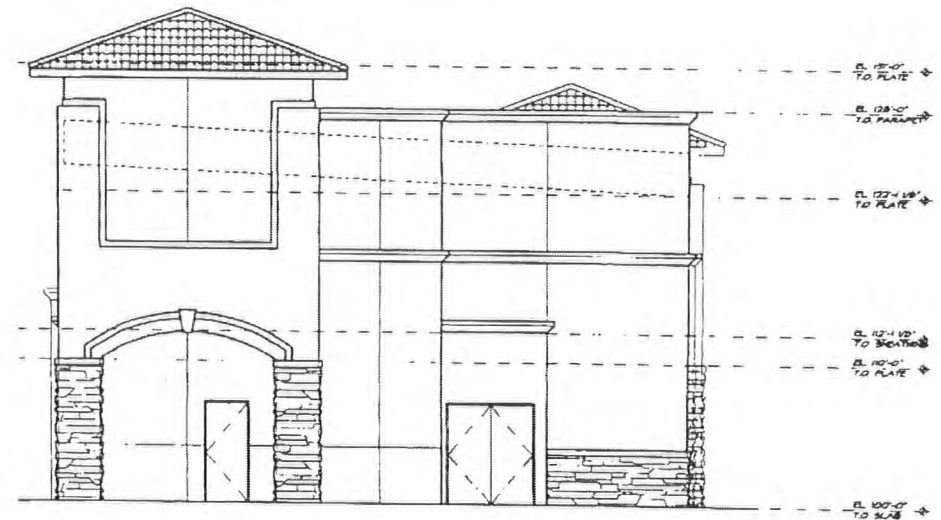
PROJECT NUMBER
200720

A-6.1

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



② EAST ELEVATION
SCALE: 1/4" = 1'-0"



① WEST ELEVATION
SCALE: 1/4" = 1'-0"

MARK ROSS JOHNSON
ARCHITECT

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

Date: 5/1/04

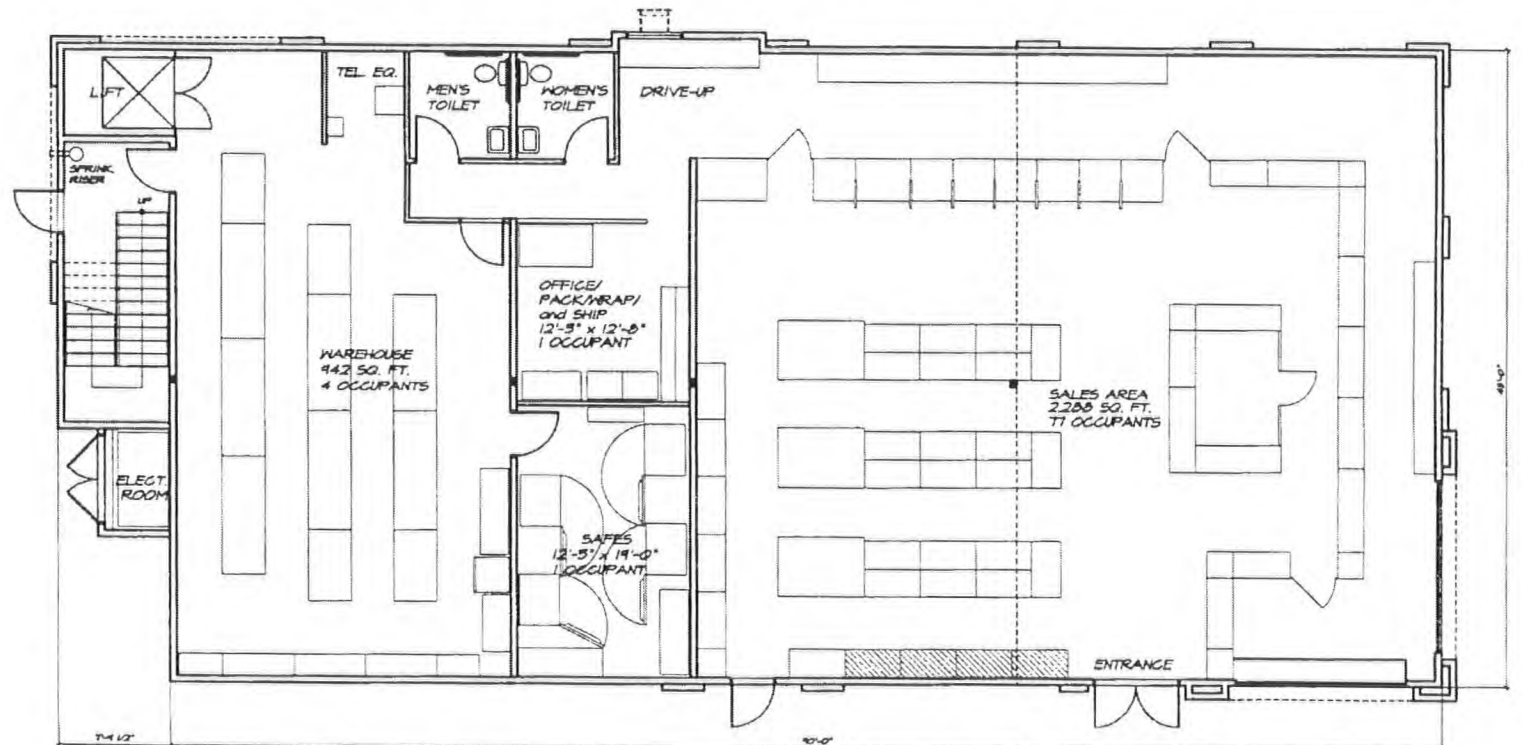
PROJECT NAME
300733

A-6.1

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



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



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

TOTAL BUILDING: 6,917 SQ. FT.
RETAIL: 2,288 SQ. FT.
WAREHOUSE: 4,629 SQ. FT.
DOWNSTAIRS: 2,009 SQ. FT.
UPSTAIRS: 2,100 SQ. FT.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

MARK ROSS JOHNSON

SUPERPAWN
MONTECITO TOWN CENTER
7100 BAJO DRIVE

DATE: 5/94

PROJECT
2000

A-1

O. Doak Raulston
Vice President of Store Development

Phone No: (817) 570-1668 (Direct Line)
Telecopy No: (817) 570-1695

July 5, 2006

Attention: Margo Wheeler, Director
Planning and Development Services - City of Las Vegas
731 South 4th Street
Las Vegas, NV. 89101-6706

Ref. Super Pawn
Montecito Town Center and Durango Dr.
Las Vegas, Nevada
APN: 125-20-114-004

To Whom It May Concern:

Cash America, Inc. of Nevada dba SuperPawn is requesting approval of an extension of our Special Use Permits for the above referenced location. Attached is an application/petition form and statement of financial interest signed by Cash America along with a check in the amount of \$300.00.

Please take a moment to review the progress of the Montecito Town Center project. Cash America has been in negotiations and under contract with Breslin Builders to design and build the building since 2005. As of today the project has been designed to meet the building criteria of the Montecito Town Center and submitted to the City of Las Vegas for our building permit.

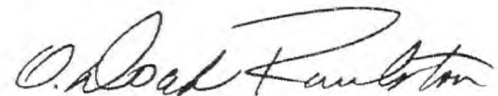
Although all parties have worked diligently towards getting the construction underway, we have encountered a few delays. It seems that due to the sheer volume of work and design that's underway in Las Vegas, it's taken just a little longer for the required design, engineering and approvals.

However, now that our plans have been submitted to the City of Las Vegas for the building permit, we're beginning to receive review and revision comments. Breslin has given us a hopeful late July or early August timeframe for receiving the building permit. With that in mind, we anticipate construction to begin in early September and be complete by March of 2007. If needed, we can send our building plans for review or you can contact the good folks at Breslin Builders to confirm the aforementioned or Jeff Cullum (VP of Construction for Cash America) at (817) 570-1617.

The end result will be a fabulous new location enabling us to provide first class customer service in a first class facility and contribute to the well-being of the community.

Thanks for your consideration in extending the time frame for completion. If you have any questions or concerns please feel free to give me a call at (817) 570-1668.

Sincerely,



O. Doak Raulston, Vice President
Real Estate and Store Development

EDT-15236



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



048727

August 9, 2004

Mr. Matt Werner
MTC 118, Inc.
6600 West Charleston Boulevard, Suite #126
Las Vegas, Nevada 89146

RE: SUP-4506 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 4, 2004
Related to SUP-4507 and SUP-4509

Dear Mr. Werner:

The City Council at a regular meeting held August 4, 2004 APPROVED Request for a Special Use Permit FOR A PROPOSED PAWN SHOP adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation]. 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. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. Hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

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

EOT-
15236

Mr. Matt Werner
SUP-4506 - Page Two
August 9, 2004

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

Sincerely,

Stacey Campbell

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

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

Mr. David Evans
Camco, Inc. dba Super Pawn
3021 Business Lane
Las Vegas, Nevada 89103

Ms. Chris Kaempfer
Kummer Kaempfer Bonner Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EDT-
15236

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-15238 - ABEYANCE ITEM - APPLICANT/OWNER: CASH AMERICA, INC. OF NEVADA - Request for an Extension of Time of an approved Special Use Permit (SUP-4507) THAT ALLOWED A FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane approximately 600 feet north of Dorrell Lane (APN 125-20-114-004), T-C (Town Center) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

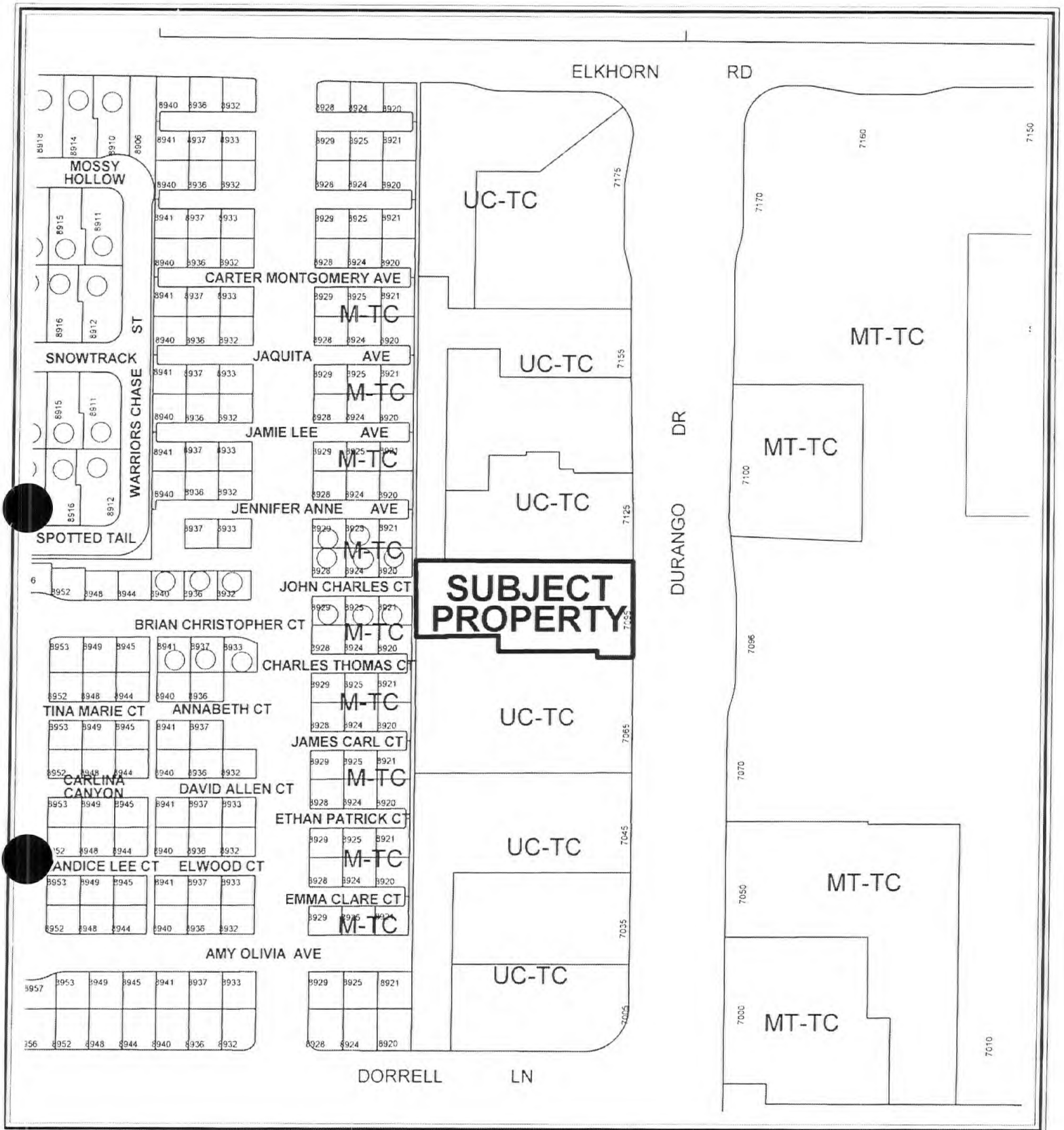
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. City Council approval letter for SUP-4507

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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)



0 100 200 Feet

CASE: EOT-15238

ZONING OF SUBJECT PROPERTY:

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - EOT-15238 - APPLICANT/OWNER: CASH AMERICA, INC. OF NEVADA

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

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on August 4, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-4506), (SUP-4507) and (SUP-4509) as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Special Use Permit (SUP-4507) that allowed a Financial Institution, Specified adjacent to the northwest corner of Durango Drive and Dorrell Lane approximately 600 feet north of Dorrell Lane.

EXECUTIVE SUMMARY

This is the first Extension of Time application for the subject site. The applicant indicates that the extension is needed due to delays in the design and permitting process. Building plans are currently under review at the City, but no building permits have been issued. Therefore, staff is recommending approval of the extension due to the indicated reasons.

BACKGROUND INFORMATION

A) *Related Actions*

- 01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on 03/25/99.
- 12/30/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Pawn Shop" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 04/07/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

- 08/04/04 The City Council approved a Special Use Permit (SUP-4506) for a Pawn Shop. Also, a Special Use Permit (SUP-4507) that allowed a Financial Institution, Specified. Finally, a Special Use Permit (SUP-4509) that allowed Second Hand Sales at 6890 North Durango Drive at 6890 North Durango Drive. The Planning Commission recommended approval on 08/04/04. Staff recommended approval of (SUP-4507) and (SUP-4509), but recommended denial of (SUP-4506).
- 09/06/06 The City Council will consider a related Extension of Time (EOT-15236) of an approved Special Use Permit (SUP-4506) that allowed a Pawn Shop and Extension of Time (EOT-15239) of an approved Special Use Permit (SUP-4509) that allowed Second Hand Sales at 6890 North Durango Drive.

B) *Pre-Application Meeting*

A pre-application meeting is not required for an Extension of Time request.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

D) *Building Permit History*

Building plans were submitted in June of 2006. The applicant is working with staff to receive a building permit. No inspections will occur until a building permit is issued.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Retail
South: Multi-Family Dwellings (Condos) and Retail
East: Undeveloped
West: Single Family Dwellings

C) *Planned Land Use*

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

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

A) General Analysis and Discussion

This is the first Extension of Time for Special Use Permit (SUP-4507), which approved a Financial Institution, Specified. The City Council will also consider two related Extensions of Time for a Pawn Shop and Second Hand Sales at the same location. The Special Use Permits were approved by the City Council on 08/04/04. The applicant indicates that the extensions are needed due to delays in the permitting process. Staff has confirmed that plans have been submitted, but no building permits have been issued. The applicant has complied with the previous conditions of approval and staff is recommending approval.

B) Conditions of Approval from Special Use Permit (SUP-4507)

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property, which is hereby waived.
3. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

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 Financial Institution, Specified use cannot meet the required 200-foot distance separation from residential development abutting the property on the west and south, and is therefore not compatible with surrounding land uses.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Financial Institution, Specified 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.”**

Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

The Financial Institution, Specified use, if approved, will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-15238 APN: 125-20-114-004

Name of Property Owner: Cash America, Inc. of Nevada

Name of Applicant: Cash America, Inc. of Nevada

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: _____

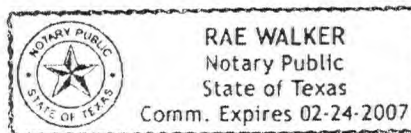
Signature of Property Owner: _____

Print Name: David J. Clay, Vice President

Subscribed and sworn before me

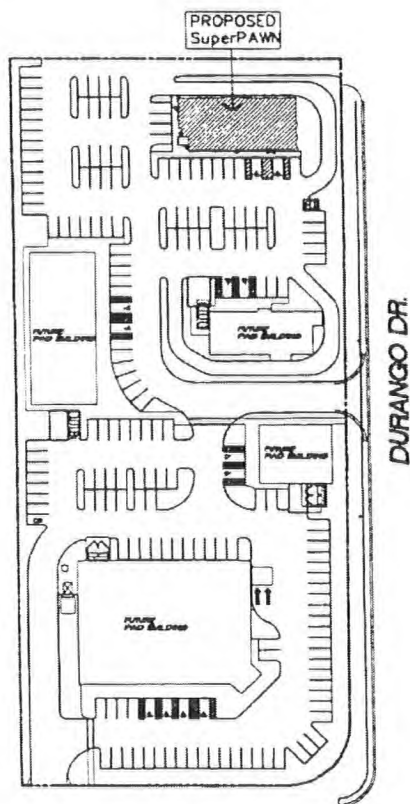
This 17th day of July, 2006

Rae Walker
Notary Public in and for said County and State





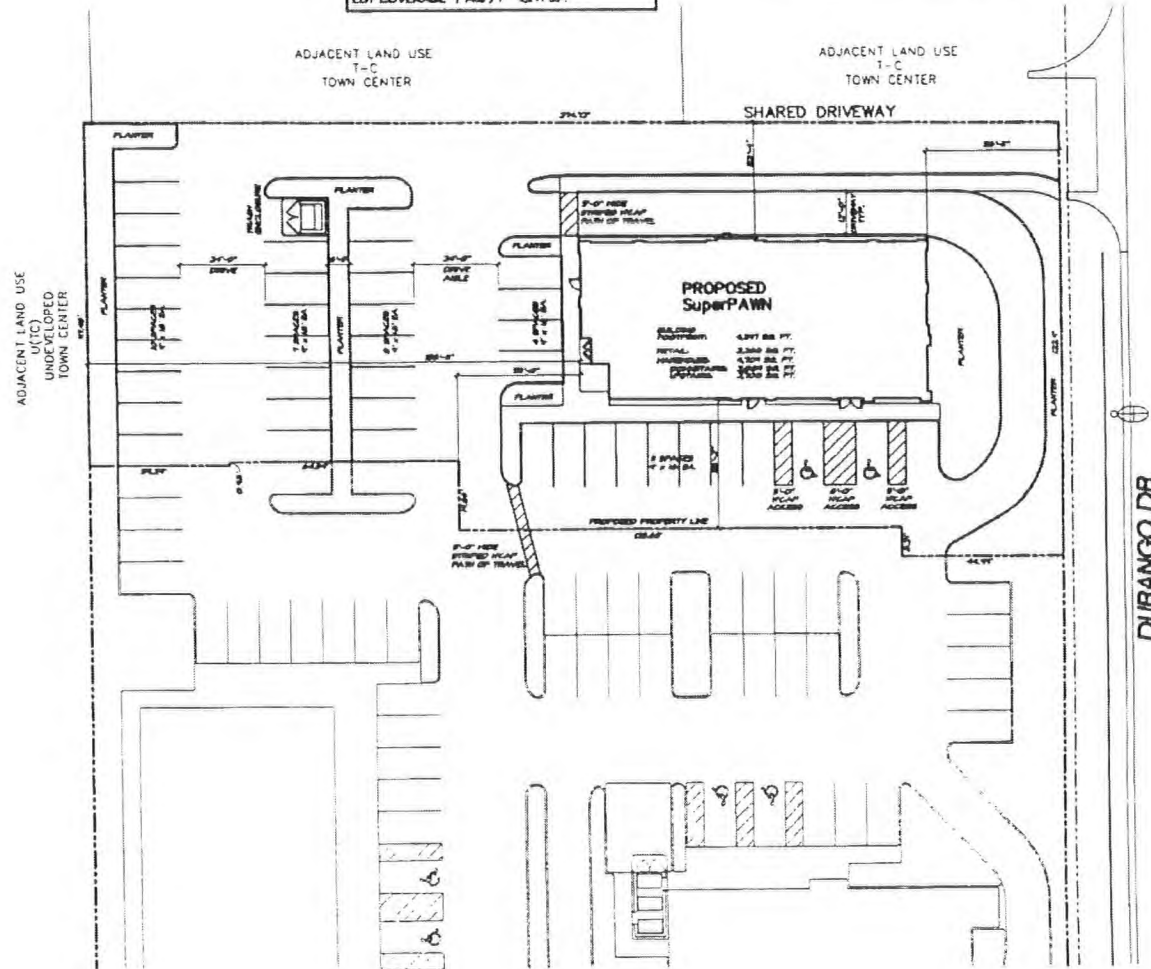
3 VICINITY PLAN
SCALE: NONE



2 LOCATION MAP
SCALE: NONE

SITE DATA	
LOT AREA GROSS TOTAL:	30,048 S.F. (0.69 ACRES)
EXISTING ZONING:	NU / TC
APN:	UNDVELOPED / TOWN CENTER
DESCRIPTION:	AREA
PROPOSED RETAIL PAD BLDG:	4,241 S.F. TOTAL
ALLOWABLE LOT COVERAGE:	80% x 30,048 S.F. = 24,038 S.F.
PROPOSED LOT COVERAGE:	14.1% (14.1%)
LOT COVERAGE (14.1%):	4,241 S.F.

PARKING REQUIRED:	
MINIMUM REQUIRED:	6,947 S.F.
1 SPACE PER 175 SQ. FT. =	40 SPACES
TOTAL PARKING REQUIRED:	40 TOTAL SPACES
(2 HANDICAP SPACES)	
TOTAL PARKING PROVIDED:	40 TOTAL SPACES
(2 HANDICAP SPACES)	



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

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

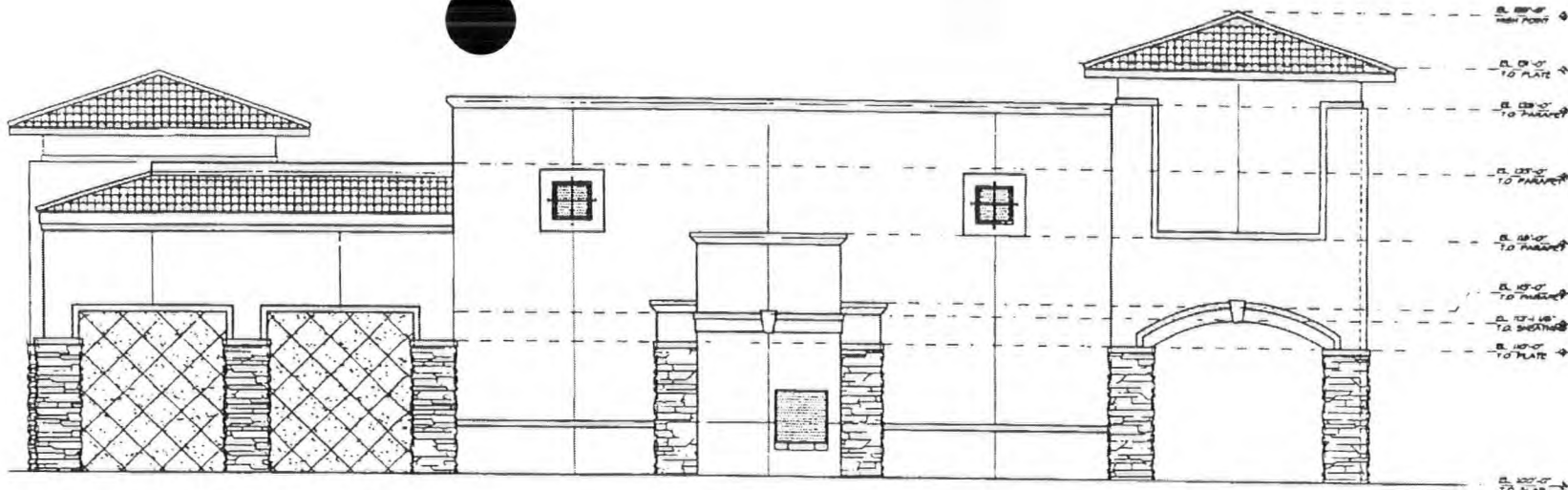
MARK ROSS JOHNSON

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

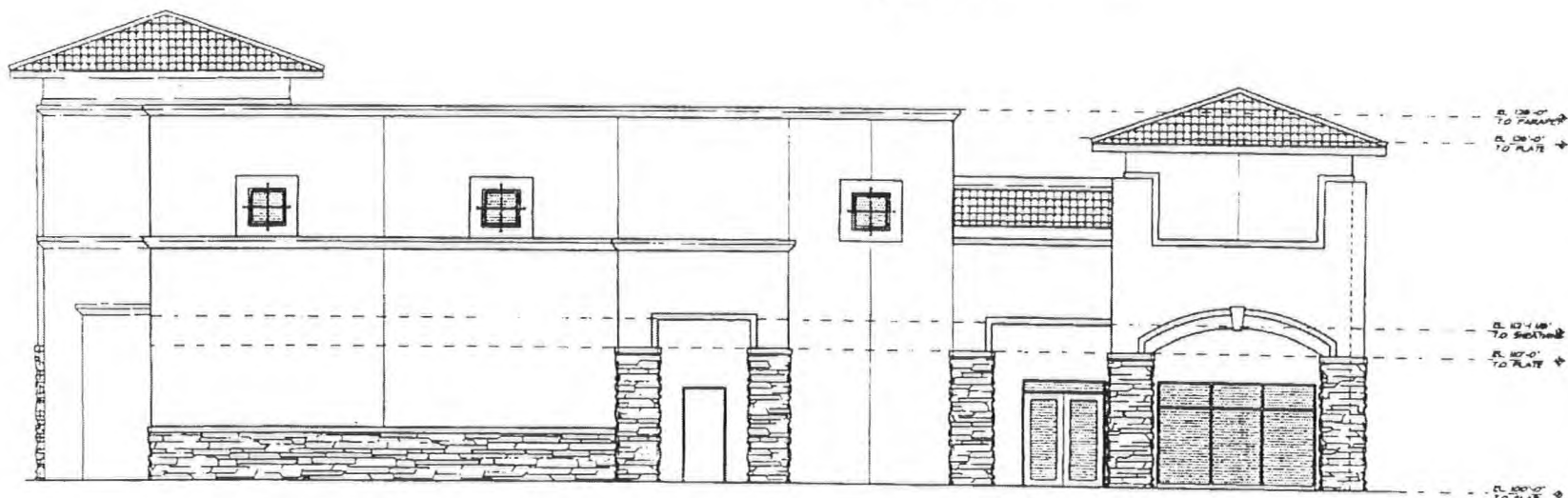
DATE: 8/16

PROJECT: 2004

A-



② NORTH ELEVATION
SCALE: 1/4" = 1'-0"



① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

STAFF
SLT-4004
SLT-4005
SLT-4006
SLT-4007
SLT-4008
SLT-4009
SLT-4010

MARK ROSS JOINSON
ARCHITECT

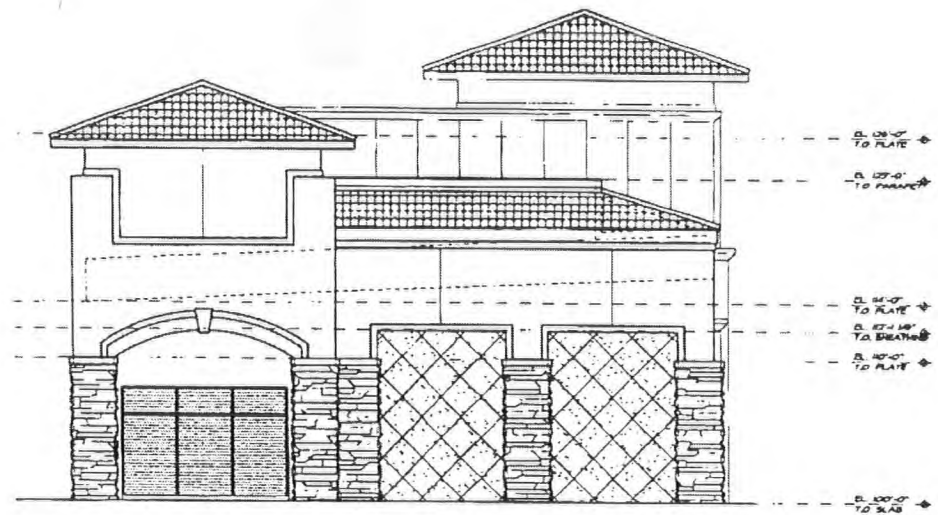
SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

Date: 5/10/06

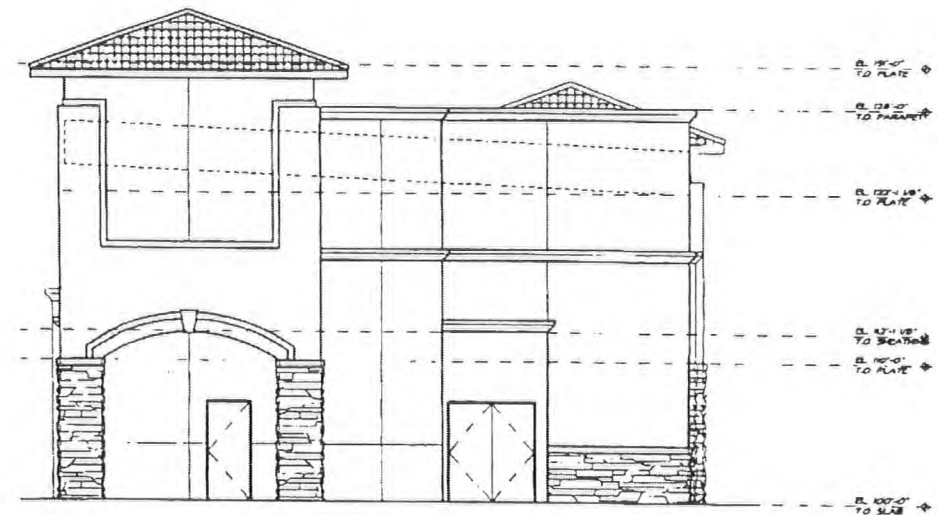
PROJECT NUMBER
200236

A-6.1

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



② EAST ELEVATION
SCALE: 1/8" = 1'-0"



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

MARK ROSS JOHNSON
ARCHITECT

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

DATE: 3/10/04

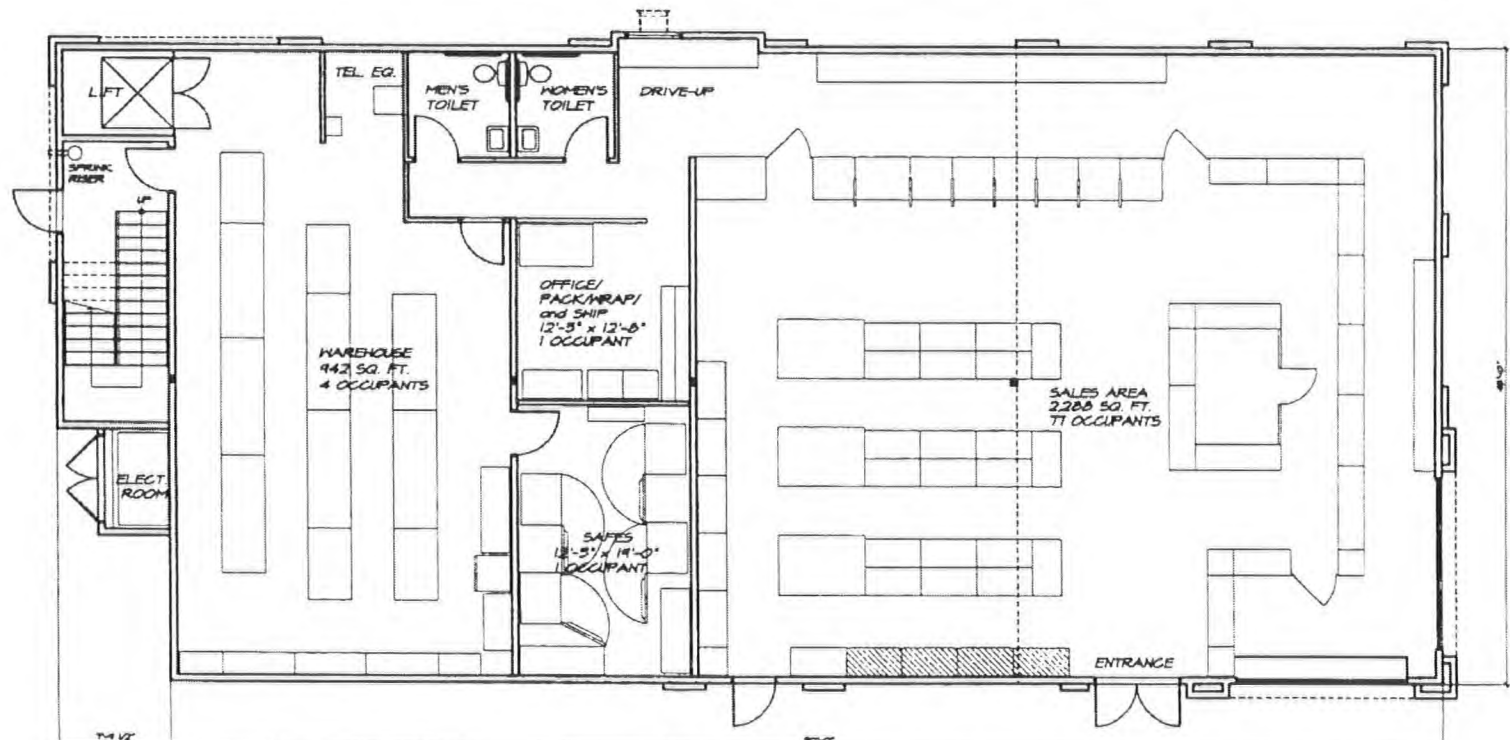
PROJECT NAME
3005330

A-6.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



② LEVEL TWO FLOOR PLAN
SCALE: 1/8" = 1'-0"



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

TOTAL BUILDING: 6,971 SQ. FT.
RETAIL: 2,288 SQ. FT.
WAREHOUSE: 4,104 SQ. FT.
CORRIDORS: 2,004 SQ. FT.
UPSTAIRS: 2,100 SQ. FT.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

MARK ROSS JOHNSON

SUPERPAWN
MONTECITO TOWN CENTER
MBALES NO. 10

PROJECT
2000

A-

O. Doak Raulston
Vice President of Store Development

Phone No: (817) 570-1668 (Direct Line)
Telecopy No: (817) 570-1695

July 5, 2006

Attention: Margo Wheeler, Director
Planning and Development Services - City of Las Vegas
731 South 4th Street
Las Vegas, NV. 89101-6706

Ref. Super Pawn
Montecito Town Center and Durango Dr.
Las Vegas, Nevada
APN: 125-20-114-004

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The end result will be a fabulous new location enabling us to provide first class customer service in a first class facility and contribute to the well-being of the community.

Thanks for your consideration in extending the time frame for completion. If you have any questions or concerns please feel free to give me a call at (817) 570-1668.

Sincerely,



O. Doak Raulston, Vice President
Real Estate and Store Development

EDT-15238



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

August 9, 2004

Mr. Matt Werner
MTC 118, Inc.
6600 West Charleston Boulevard, Suite #126
Las Vegas, Nevada 89146

RE: SUP-4507 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 4, 2004
Related to SUP-4506 and SUP-4509

Dear Mr. Werner:

The City Council at a regular meeting held August 4, 2004 APPROVED the Request for a Special Use Permit and a Waiver of the 200-foot distance separation requirement from a parcel used for residential purposes FOR A PROPOSED FINANCIAL INSTITUTION, SPECIFIED adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone. 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. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. Conformance to all minimum requirements under Title 19.04.050 for the Financial Institution, Specified use with the exception of the 200-foot minimum separation distance requirement from residential property, which is hereby waived.
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4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

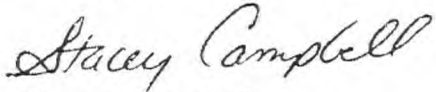
VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

EDT-15238

Mr. Matt Werner
SUP-4507 – Page Two
August 9, 2004

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

- Sincerely,



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

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

cc: Mr. David Evans
Camco, Inc. dba Super Pawn
3021 Business Lane
Las Vegas, Nevada 89103

Mr. Chris Kaempfer
Kummer Kaempfer Bonner Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EDT-15238

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-15239 - ABEYANCE ITEM - APPLICANT/OWNER: CASH AMERICA, INC. OF NEVADA - Request for an Extension of Time of an approved Special Use Permit (SUP-4509) THAT ALLOWED SECOND HAND SALES adjacent to the northwest corner of Durango Drive and Dorrell Lane approximately 600 feet north of Dorrell Lane (APN 125-20-114-004), T-C (Town Center) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

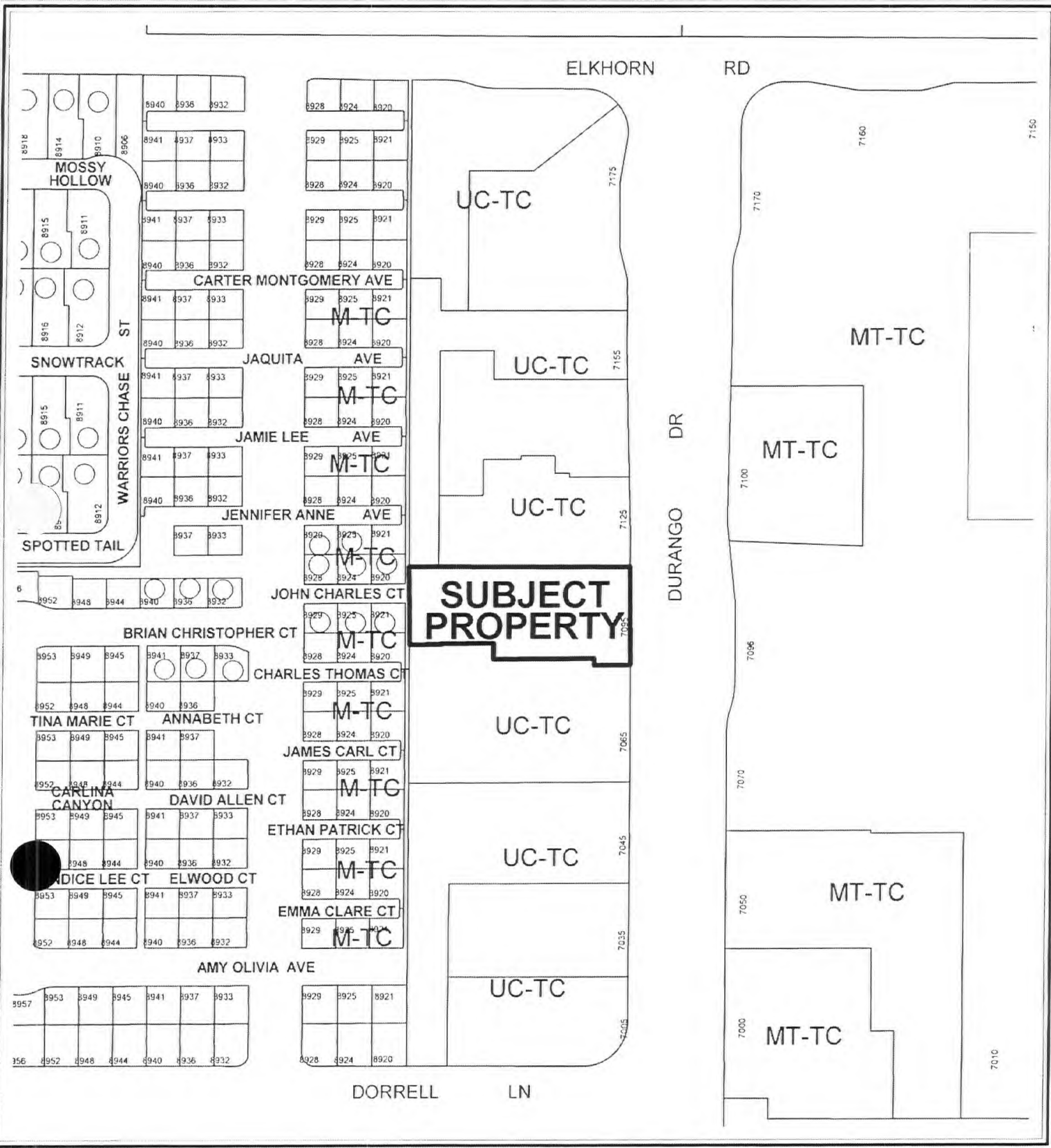
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. City Council approval letter for SUP-4509

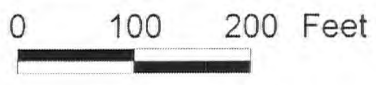
Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-15239



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



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - EOT-15239 - APPLICANT/OWNER: CASH
AMERICA, INC. OF NEVADA**

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

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on August 4, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-4506), (SUP-4507) and (SUP-4509) as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for an Extension of Time of an approved Special Use Permit (SUP-4509) that allowed Second Hand Sales adjacent to the northwest corner of Durango Drive and Dorrell Lane approximately 600 feet north of Dorrell Lane.

EXECUTIVE SUMMARY

This is the first Extension of Time application for the subject site. The applicant indicates that the extension is needed due to delays in the design and permitting process. Building plans are currently under review at the City, but no building permits have been issued. Therefore, staff is recommending approval of the extension due to the indicated reasons.

BACKGROUND INFORMATION

A) *Related Actions*

- 01/17/01 The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on 03/25/99.
- 12/30/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Pawn Shop" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 04/07/04 The City Council approved a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial"; a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center); a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site; and numerous Special Use Permits on the overall site, including specifically SUP-3783, SUP-3785, SUP-3786, SUP-3788, and SUP-3789 for Liquor Sales, Incidental Gaming, and Drive-Through Facilities on the subject site. The Planning Commission and staff recommended approval on 03/11/04.

- 08/04/04 The City Council approved a Special Use Permit (SUP-4506) for a Pawn Shop. Also, a Special Use Permit (SUP-4507) that allowed a Financial Institution, Specified. Finally, a Special Use Permit (SUP-4509) that allowed Second Hand Sales at 6890 North Durango Drive at 6890 North Durango Drive. The Planning Commission recommended approval on 08/04/04. Staff recommended approval of (SUP-4507) and (SUP-4509), but recommended denial of (SUP-4506).
- 09/06/06 The City Council will consider a related Extension of Time (EOT-15236) of an approved Special Use Permit (SUP-4506) that allowed a Pawn Shop and Extension of Time (EOT-15238) of an approved Special Use Permit (SUP-4507) that allowed Financial Institution, Specified at 6890 North Durango Drive.

B) Pre-Application Meeting

A pre-application meeting is not required for an Extension of Time request.

C) Neighborhood Meetings

A neighborhood meeting is not required for an Extension of Time request, nor was one held.

D) Building Permit History

Building plans were submitted in June of 2006. The applicant is working with staff to receive a building permit. No inspections will occur until a building permit is issued.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property:	Undeveloped
North:	Retail
South:	Multi-Family Dwellings (Condos) and Retail
East:	Undeveloped
West:	Single Family Dwellings

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	T-C (Town Center)
North:	T-C (Town Center)
South:	T-C (Town Center)
East:	T-C (Town Center)
West:	T-C (Town Center)

A) General Analysis and Discussion

This is the first Extension of Time for Special Use Permit (SUP-4509), which approved Second Hand Sales. The City Council will also consider two related Extensions of Time for a Financial Institution, Specified and Pawn Shop at the same location. The Special Use Permits were approved by the City Council on 08/04/04. The applicant indicates that the extensions are needed due to delays in the permitting process. Staff has confirmed that plans have been submitted, but no building permits have been issued. The applicant has complied with the previous conditions of approval and staff is recommending approval.

B) Conditions of Approval from Special Use Permit (SUP-4509)

Planning and Development

1. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

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 Secondhand Sales use will be compatible with other uses planned and approved for Montecito Marketplace and with other commercial development to the north.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Secondhand Sales 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.”**

Durango Drive, on the eastern boundary of this five-acre portion of the overall Montecito Marketplace site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed development.

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

The proposed Secondhand Sales use, if approved, will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

N/A

APPROVALS

0

PROTESTS

0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-15239 APN: 125-20-114-004

Name of Property Owner: Cash America, Inc. of Nevada

Name of Applicant: Cash America, Inc. of Nevada

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: _____

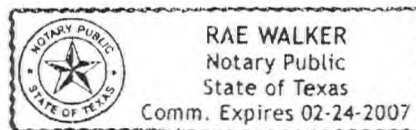
Signature of Property Owner: _____

Print Name: David J. Clay, Vice President

Subscribed and sworn before me

This 17th day of July, 2006

Rae Walker
Notary Public in and for said County and State





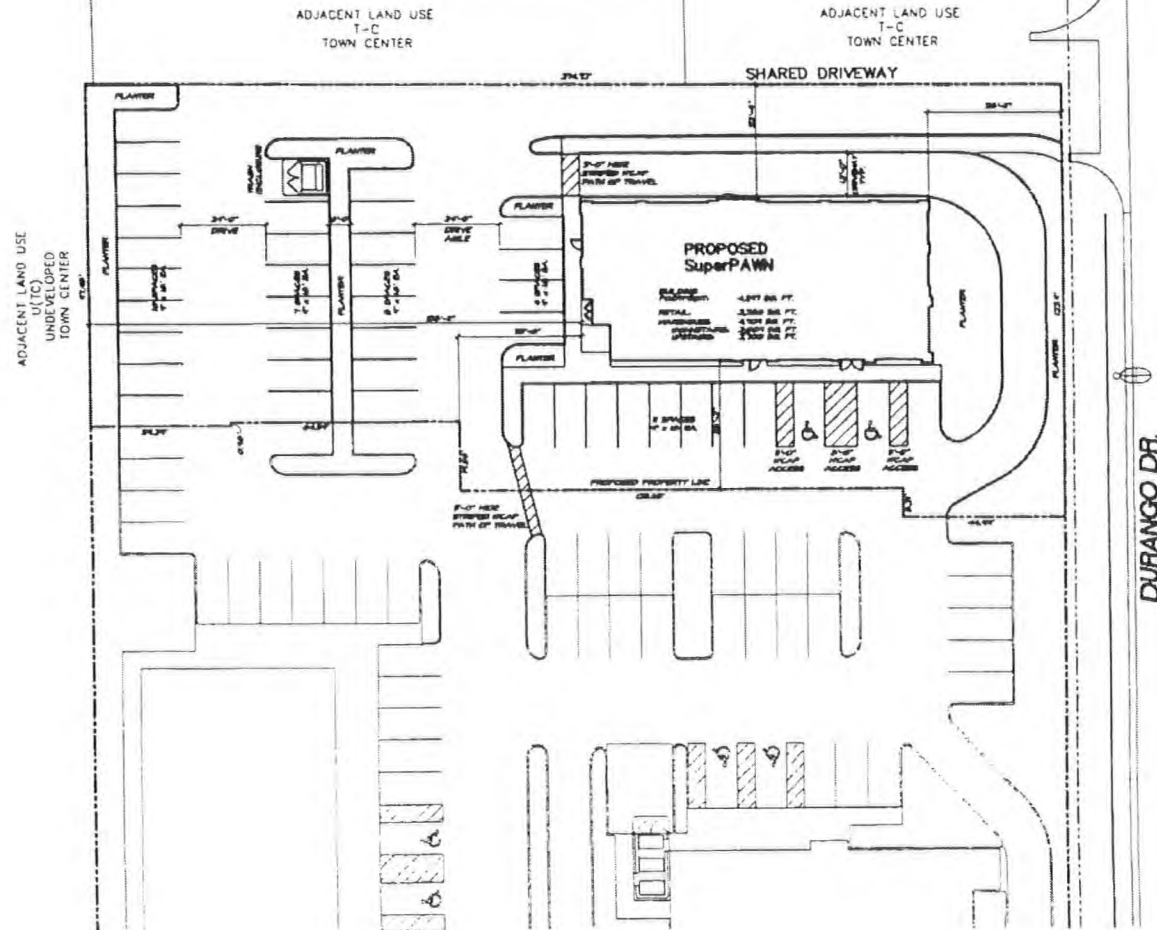
3 VICINITY PLAN
SCALE: NONE



2 LOCATION MAP

SITE DATA	
LOT AREA BRGS TOTAL:	30,048 S.F. (24 ACRES)
EXISTING ZONING:	U / TC UNDEVELOPED / TOWN CENTER
APN:	025-30-104-001
DESCRIPTION	AREA
PROPOSED RETAIL PAD BLDG:	4,371 S.F. TOTAL
ALLOWABLE LOT COVERAGE:	80% X 30,048 S.F. = 10,019 S.F.
PROPOSED LOT COVERAGE:	LOT COVERAGE (HSB) = 4,371 S.F.

PARKINGS REQUIRED :	
HANDICAP PORTION :	9,471 S.F.
1 SPACES FOR ITS 50. FT. =	40 SPACES
TOTAL PARKINGS REQUIRED :	40 TOTAL SPACES
(3 HANDICAP SPACES)	
TOTAL PARKINGS PROVIDED :	40 TOTAL SPACES
(3 HANDICAP SPACES)	



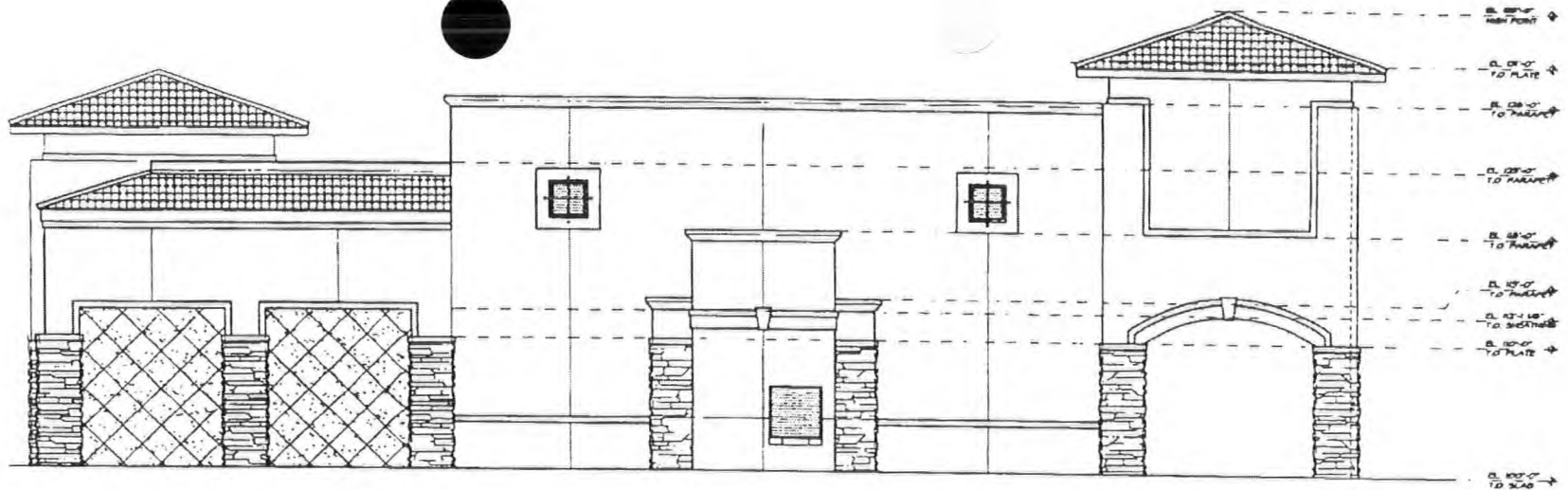
1 SITE PLAN
SCALE: 1/8" = 1'-0"

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

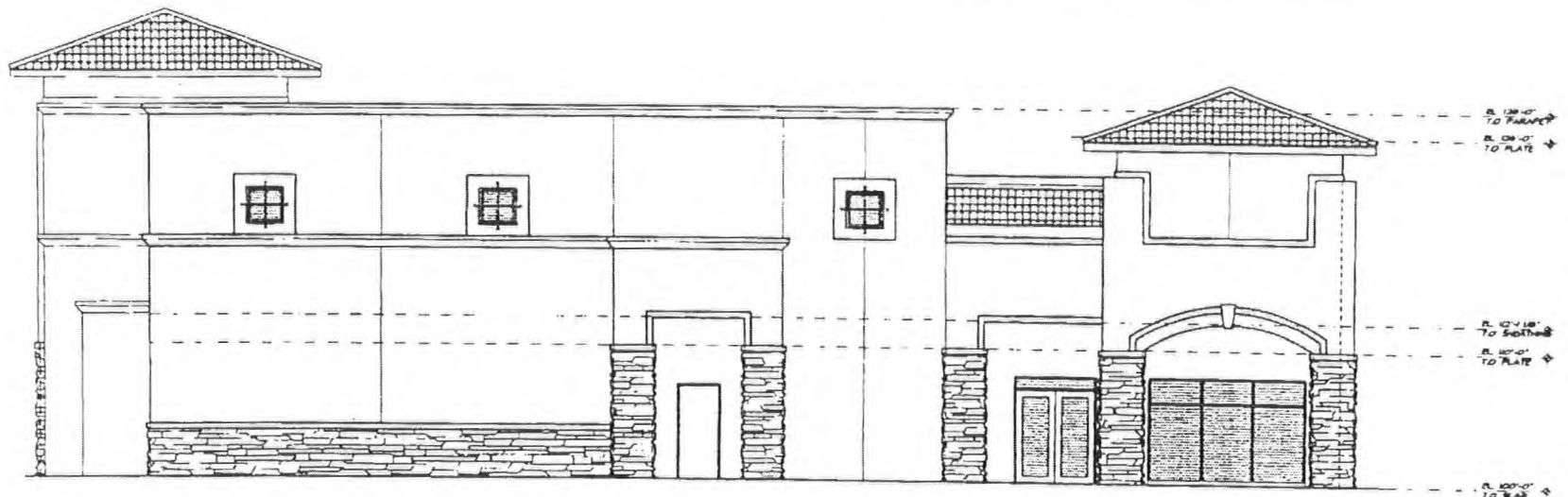
MARK ROSS JOHNSON

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

A-



② NORTH ELEVATION
SCALE: 1/4" = 1'-0"



① SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

STAFF
11/11/2006
11/11/2006
11/11/2006
11/11/2006

MARK ROSS JOHNSON
ARCHITECT

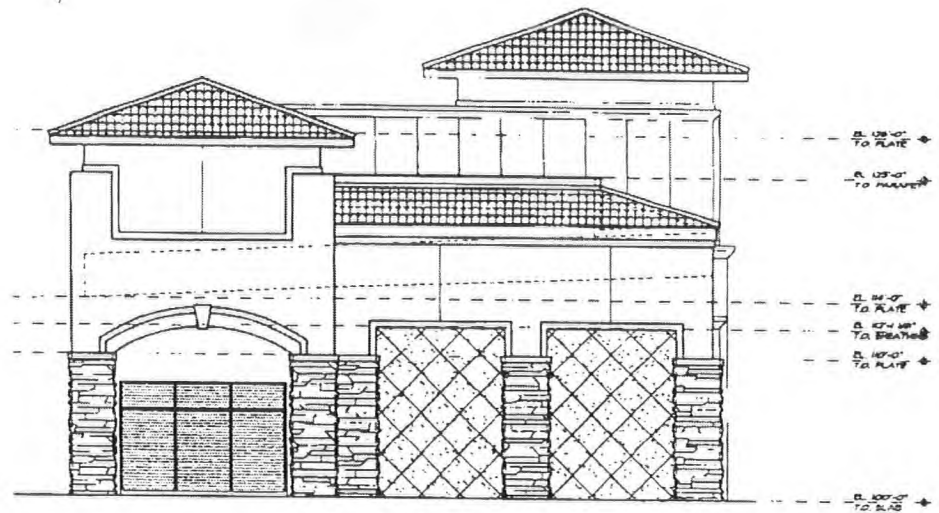
SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

DATE: 11/11/2006

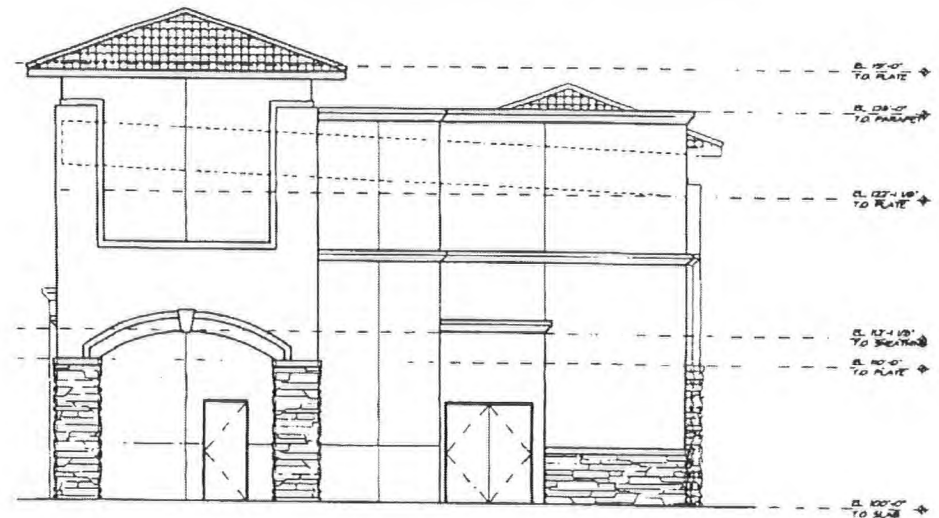
PROJECT NUMBER
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A-6.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



② EAST ELEVATION
SCALE: 1/4" = 1'-0"



① WEST ELEVATION
SCALE: 1/4" = 1'-0"

MARK ROSS JOHNSON
ARCHITECT

SUPERPAWN
MONTECITO TOWN CENTER
DURANGO DRIVE

DATE: 5/15/04

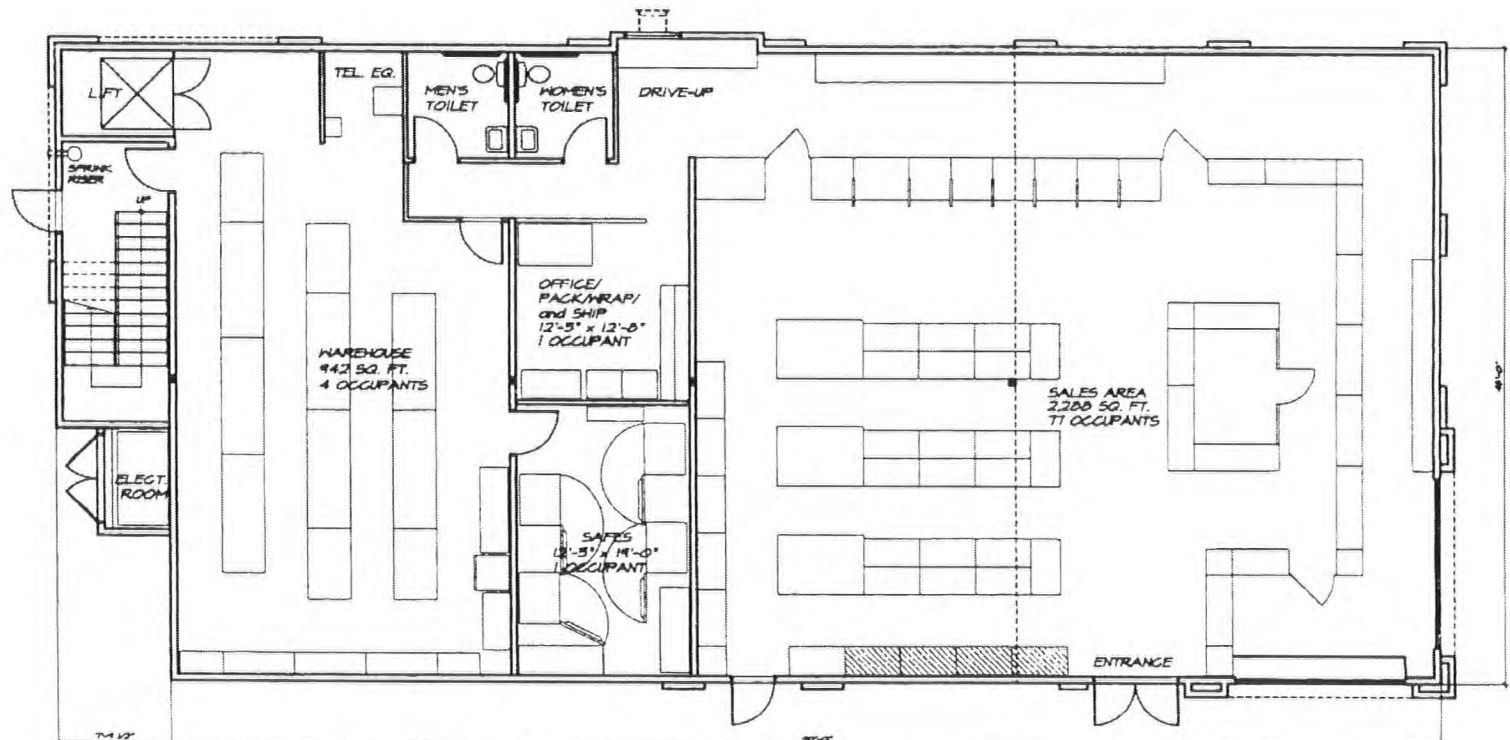
PROJECT NUM
200330

A-6.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC



② LEVEL TWO FLOOR PLAN
SCALE: 1/8" = 1'-0"



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

TOTAL BUILDING: 5,042 SQ. FT.
RETAIL: 2,200 SQ. FT.
WAREHOUSE: 4,104 SQ. FT.
CORRIDORS: 2,004 SQ. FT.
LIFT SHAFT: 2,100 SQ. FT.

EOT-15236
EOT-15238
EOT-15239
09-06-06 CC

MARK ROSS JOHNSON

SUPERPAWN
MONTECITO TOWN CENTER
HUNTERSBURG, IN

DATE: 3/94

PROJECT
2000

A-

O. Doak Raulston
Vice President of Store Development

Phone No: (817) 570-1668 (Direct Line)
Telecopy No: (817) 570-1695

July 5, 2006

Attention: Margo Wheeler, Director
Planning and Development Services - City of Las Vegas
731 South 4th Street
Las Vegas, NV. 89101-6706

**Ref. Super Pawn
Montecito Town Center and Durango Dr.
Las Vegas, Nevada
APN: 125-20-114-004**

To Whom It May Concern:

Cash America, Inc. of Nevada dba SuperPawn is requesting approval of an extension of our Special Use Permits for the above referenced location. Attached is an application/petition form and statement of financial interest signed by Cash America along with a check in the amount of \$300.00.

Please take a moment to review the progress of the Montecito Town Center project. Cash America has been in negotiations and under contract with Breslin Builders to design and build the building since 2005. As of today the project has been designed to meet the building criteria of the Montecito Town Center and submitted to the City of Las Vegas for our building permit.

Although all parties have worked diligently towards getting the construction underway, we have encountered a few delays. It seems that due to the sheer volume of work and design that's underway in Las Vegas, it's taken just a little longer for the required design, engineering and approvals.

However, now that our plans have been submitted to the City of Las Vegas for the building permit, we're beginning to receive review and revision comments. Breslin has given us a hopeful late July or early August timeframe for receiving the building permit. With that in mind, we anticipate construction to begin in early September and be complete by March of 2007. If needed, we can send our building plans for review or you can contact the good folks at Breslin Builders to confirm the aforementioned or Jeff Cullum (VP of Construction for Cash America) at (817) 570-1617.

The end result will be a fabulous new location enabling us to provide first class customer service in a first class facility and contribute to the well-being of the community.

Thanks for your consideration in extending the time frame for completion. If you have any questions or concerns please feel free to give me a call at (817) 570-1668.

Sincerely,



O. Doak Raulston, Vice President
Real Estate and Store Development

EDT-15239



August 9, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Matt Werner
MTC 118, Inc.
6600 West Charleston Boulevard, Suite #126
Las Vegas, Nevada 89146

RE: SUP-4509 - SPECIAL USE PERMIT

Dear Mr. Werner:

The City Council at a regular meeting held August 4, 2004 APPROVED the request for a Special Use Permit FOR PROPOSED SECOND HAND SALES (jewelry, electronics, tools, musical instruments) adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), T-C (Town Center) Zone. 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. Approval of an administrative Site Development Plan Review by Planning and Development Department staff for the pad site prior to the issuance of a building permit.
2. The hours of operation shall not extend beyond the hours of 9:00 a.m. to 7:00 p.m.
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

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

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

cc: See Attached List

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

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

EDT-15239

Mr. Matt Werner
SUP-4509 – Page Two
August 9, 2004

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

Mr. David Evans
Camco, Inc. dba Super Pawn
3021 Business Lane
Las Vegas, Nevada 89103

Mr. Chris Kaempfer
Kummer Kaempfer Bonner Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EDT-15239

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - REZONING

EOT-16411 - APPLICANT/OWNER: CHARLES H. SHIELDS - Request for an Extension of Time of an approved Rezoning (ZON-4635) FROM: R-E (RESIDENCE ESTATES) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

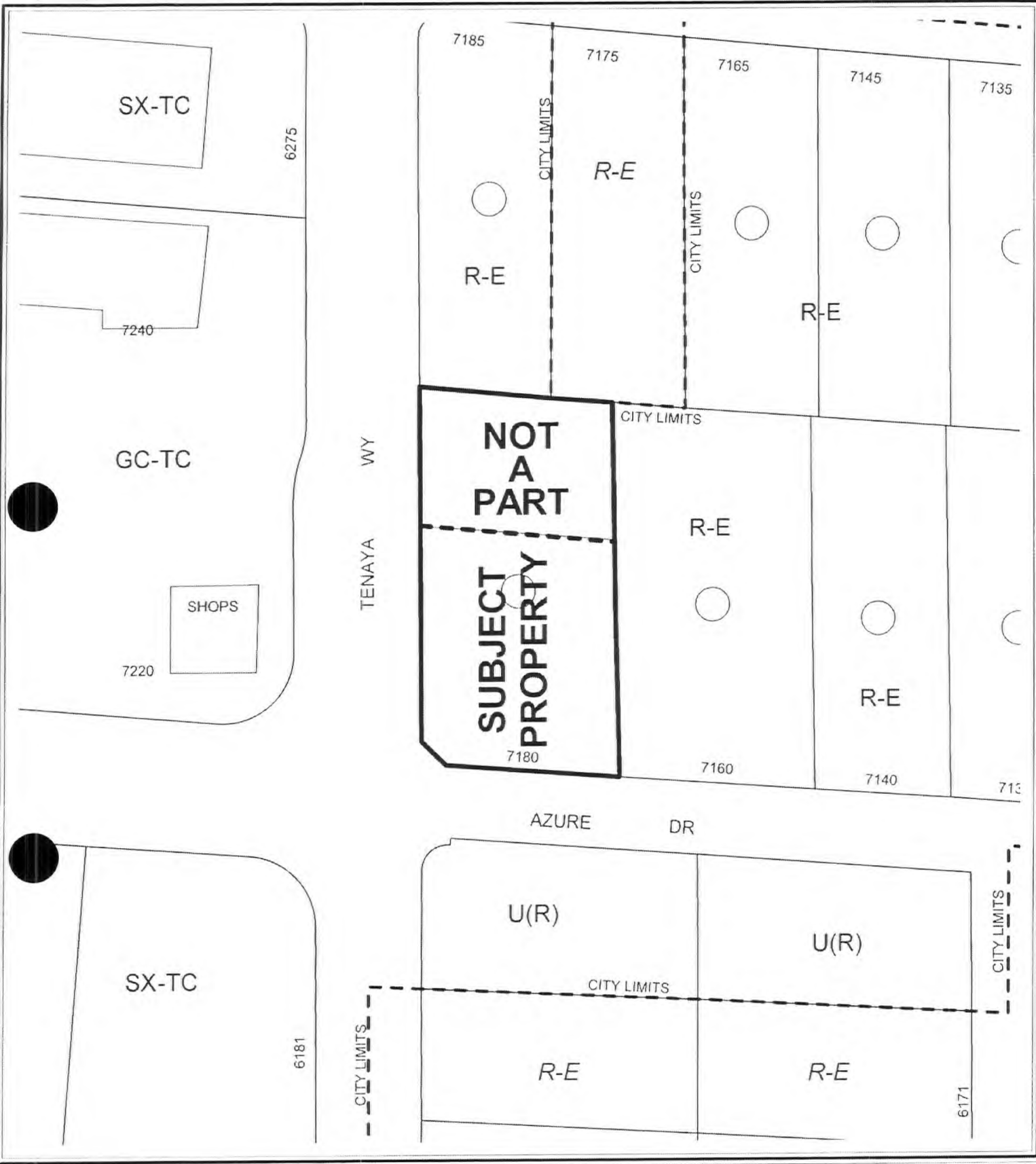
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-4635

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-16411

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: EOT-16411

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

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-16411 - APPLICANT/OWNER: CHARLES H. SHIELDS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 6, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4635) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/00	The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas. The effective date of the annexation was May 20, 2000.
10/06/04	The City Council approved a Site Development Plan Review (SDR-4638) for a professional Office and Parking and a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking); and a General Plan Amendment (GPA-4631) to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R (Rural) to O (Office) and on 0.96 acres at 7180 West Azure Drive. The Planning Commission and staff recommended denial on 09/09/04.
10/18/06	The City Council will consider a related Extension of Time (EOT-16402) of an approved Site Development Plan Review (SDR-4638) that allowed an Office and Parking Lot on 0.96 acres at 7180 West Azure Drive. Staff is recommending approval of the related request.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.96 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped/Single Family Dwellings	O (Office)/R (Rural)	R-E (Residence Estates)/R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
North	Single Family Dwellings	R (Rural)	R-E (Residence Estates)
South	Undeveloped	R (Rural)	U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation]
East	Single Family Dwellings	R (Rural)	R-E (Residence Estates)
West	Multi-tenant retail buildings	TC (Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

There are no Special Districts/Zones/Special Areas that affect the subject site.

ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-4635), which was approved by the City Council on 10/06/04. There was an associated General Plan Amendment (GPA-4631) and Site Development Plan Review (SDR-4638) also approved. The applicant indicates that there are delays in the design process. No plans have been submitted to the City to review. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design process.

Previous Conditions of Approval from Rezoning (ZON-4635)

1. The approval is for southernmost 179 feet only.

2. Submit and record a Parcel Map to establish the discrete parcels corresponding to the rezoning line as approved with this action.
3. A General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council.
4. A Resolution of Intent with a two-year time limit.
5. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
6. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Tenaya Way adjacent to this site. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawings #234.1 or #234.3 and 234.2.
7. Construct all incomplete half-street improvements on Tenaya Way, including a bus turnout, to meet current City Town Center Standards adjacent to this site concurrent with development. In addition, construct half-street improvements, including appropriate transitional paving, on Azure Drive adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, ect., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
8. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.
9. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

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.”**

General Plan Amendment (GPA-4631) amended the land use designation to O (Office). The zone change to P-R (Professional Office and Parking) zone is consistent with the proposed General Plan Amendment to O (Office).

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 approval of Rezoning (ZON-4635) to P-R (Professional Office and Parking) permits the proposed general/medical office conversion.

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

The approval of the General Plan Amendment, Rezoning and Site Development Review demonstrated a need and or appropriateness of the rezoning.

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

The site is accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot Right-of-Way. The Rights-of-Way provide adequate access to the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 07-36-11 APN: PORCEN ET AL-01-S-08

Name of Property Owner: 21116 215

Name of Applicant: James S. Smith

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

Yes ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

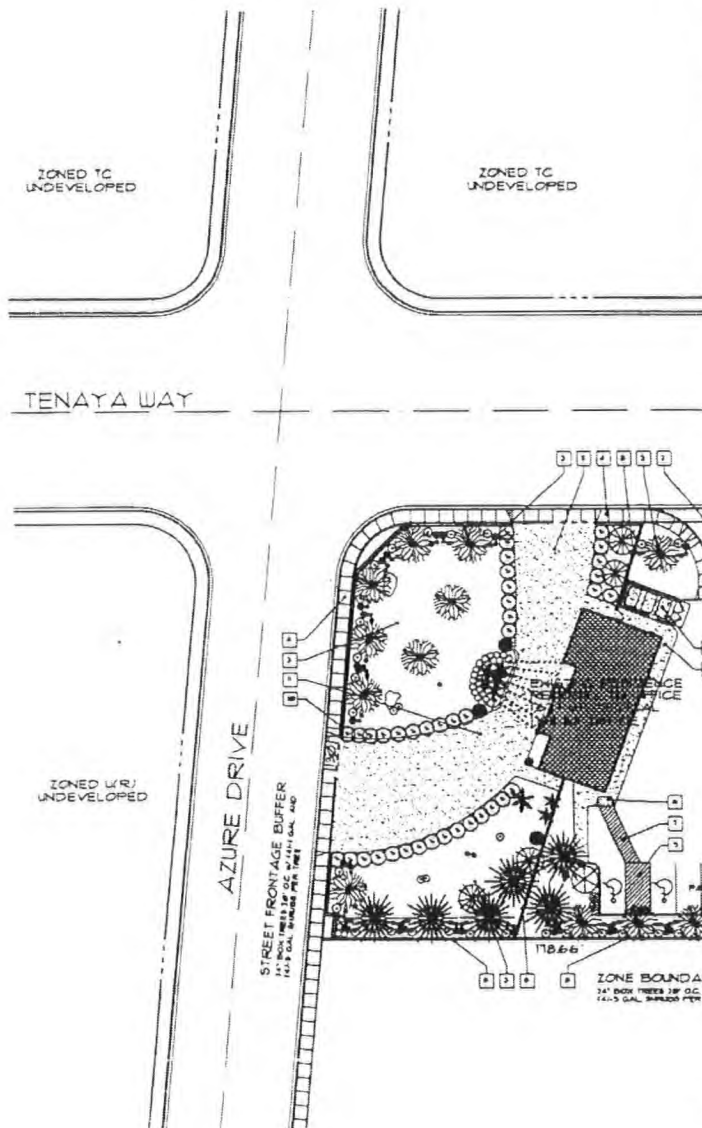
Signature of Property Owner/Authorized Agent: Charles H. Jones

Print Name: CHANCE H. DUFFLO

Subscribed and sworn before me

This 30th day of AUGUST, 2006

Notary Public in and for said County and State



① SITE PLAN
SCALE: 1" = 20'-0"

LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	SHRUBS AND GROUND COVER	SIZE
★	EXISTING TREE - SEE PHOTOS			○	EXISTING DECORATIVE LANDSCAPE BOLLARDS	9 GAL
☼	EXISTING TREE - SEE PHOTOS			○	EXISTING SHRUB - SEE PHOTOS	9 GAL
☼	EXISTING TREE - SEE PHOTOS			○	EXISTING SHRUB - SEE PHOTOS	9 GAL
☼	EXISTING TREE - SEE PHOTOS			○	FEATHERY CASUALS Ceanothus, etc.	9 GAL
☼	CALIFORNIA PEPPER TREE Schinus molle	LARGE DECIDUOUS	24" BOX	○	MEXICAN PRETIPOSE Conocarpus bairdiana	9 GAL
☼	EXISTING ACACIA Acacia gummifera	LARGE DECIDUOUS	24" BOX	○	EXISTING SHRUB - SEE PHOTOS	1 GAL
☼	MODEL PINE Pinus brutia	LARGE EVERGREEN	24" BOX	○	EVERGREEN EUCYTHOUS Eucythus, etc.	1 GAL
☼	MODEL PINE Pinus brutia	LARGE EVERGREEN	24" BOX	○	COMMON WINTER GREENER Euonymus, etc.	1 GAL
☼	MODEL PINE Pinus brutia	LARGE EVERGREEN	24" BOX	○	HYDRATED GAZANIA Gazania, etc.	1 GAL

- ALL BORDOIRING LANDSCAPE GROUND COVER TO BE 3/4" MEDIAN RED WASHED GRAVEL.
- ALL PLANTS ON SITE MUST CONFORM WITH TITLE 19 REG.
- 24" BOX TREES A MAXIMUM OF 20'-0" O.C. NORTH + EAST AND WEST PROPERTY LINES.
- PROVIDE (4) FIVE GALLON SHRUBS PER TREE.
- EXISTING LANDSCAPE TO BE PRESERVED WHERE POSSIBLE.
- EXISTING TURF TO BE REMOVED AND REPLACED WITH BORDOIRING GROUND COVER PER NOTE 1.
- EXISTING SPRINKLER SYSTEM TO BE ABANDONED AND REPLACED WITH NEW DROPP IRRIGATION SYSTEM.

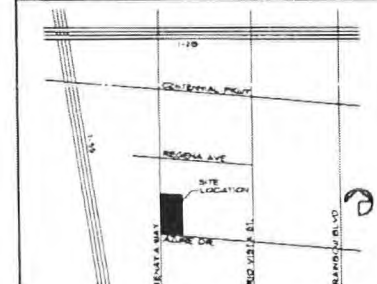
KEYNOTES

#	DESCRIPTION
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 30"00 UNDOUGHT IRON GATES WITH STAFFED METAL BACKING AND LIFT PIN LOCK/LATCH
2	7" A.C. PAVING
3	LANDSCAPED AREA - 8" OTHERS
4	CONCRETE SIDEWALK, CURB + GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK UNDOUGHT FINISH
6	HANDICAP CURB RAMP
7	HANDICAP ACCESSIBLE ROUTE
8	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
9	VAN ACCESSIBLE HANDICAP ACCESS AISLE
10	EXISTING DECORATIVE ROCK WALL
11	NEW CONCRETE DRIVEWAY UNDOUGHT FINISH

PROJECT DATA

EXISTING ZONING:	RE
REQUIRED ZONING:	FR
BUILDING AREA:	EXISTING OFFICE GENERAL OFFICE - 183,84 MEDICAL OFFICE - 18,115 SF TOTAL OFFICE - 201,955 SF
PARKING REQUIRED:	1 SPACE/100 SF BUILDING AREA + 9 SPACES
PARKING PROVIDED:	46 SPACES
FLOOR AREA RATIO:	0.25
SITE ACREAGE:	10.54 SF 0.1 ACRES
APR:	25.175-03-000

LOCATION



jon
dunne, architect
3411 WEST DOERING RD., 3RD FLOOR, LAS VEGAS, NV 89103 (702) 251-4043

OFFICE BUILDING
7100 W. AZURE DRIVE
For: Chuck & Gail Shields
City of Las Vegas Nevada

DATE	PROJECT NO.	DATE

SHEET NO.	DATE	PROJECT NO.	DATE
A1			

EOT - 16411
10-18-06 CC

RECEIVED
AUG 30 2006

Captain. C.H. & Dr. G. W. Shields

7180 West Azure Dr.
LAS VEGAS, NEVADA 89130
U.S.A

Tel (702) 658 3385 Cell (702) 525 4668
Fax (702) 658 8202
Email: sq2000@attglobal.net

29th August, 2006

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

Re: Extension of time related to GPA-4631 & Zon-4635:
7180 West Azure Dr, Las Vegas.89130

We are requesting an extension of time for the development of the above property.

The applicant is proposing a medical office building. Currently there is a residence on the property that would be remodeled to accommodate the medical office uses. The applicant also proposes a 4,500 square foot medical office expansion in the near future. The existing building is surrounded by mature intense landscaping and will remain residential in character. The proposed site plan satisfies Title 19 development requirements including parking and landscaping. The original project scope is above.

Charles H. Shields
CHARLES H. SHIELDS

EOT - 16411
10-18-06 CC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

December 16, 2004

Mr. and Mrs. Charles Shields
7180 West Azure Drive
Las Vegas, Nevada 89130

RE: ZON-4635 – REZONING
CITY COUNCIL MEETING OF OCTOBER 6, 2004
Related to GPA-4631 & SDR-4638

Dear Mr. and Mrs. Shields:

The City Council at a regular meeting held October 6, 2004 APPROVED the request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008). The Notice of Final Action was filed with the Las Vegas City Clerk on October 7, 2004. This approval is subject to:

Planning and Development

1. The approval is for southernmost 179 feet only.
2. Submit and record a Parcel Map to establish the discrete parcels corresponding to the rezoning line as approved with this action.
3. A General Plan Amendment (GPA-4631) to an O (Office) land use designation approved by the City Council for the southernmost 179 feet of the parcel.
4. A Resolution of Intent with a two-year time limit.
5. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

6. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Tenaya Way adjacent to this site. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawings #234.3 and 234.2, unless otherwise allowed by the City Traffic Engineer.

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

VOICE 702.229.6011

TDD 702.386.9108

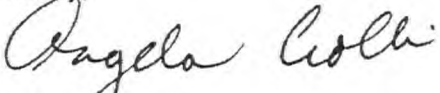
www.lasvegasnevada.gov
18112-001-6/04

EOT - 16411
10-18-06 CC

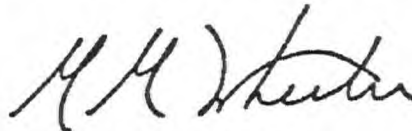
Mr. and Mrs. Charles Shields
ZON-4635 – Page Two
December 16, 2004

7. Construct all incomplete half-street improvements on Tenaya Way, including a bus turnout, to meet current City Town Center Standards adjacent to this site concurrent with development. In addition, construct half-street improvements, including appropriate transitional paving, on Azure Drive adjacent to this site 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).
8. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
9. Landscape and maintain all unimproved right(s)-of-way adjacent to this site.
10. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site prior to occupancy of this site.

Sincerely,



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



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

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

Mr. Chris Kaempfer
KKBR
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EOT - 16411
10-18-06 CC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-16402 - APPLICANT/OWNER: CHARLES H. SHIELDS - Request for an Extension of Time of an approved Site Development Plan Review (SDR-4638) THAT ALLOWED AN OFFICE AND PARKING LOT on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

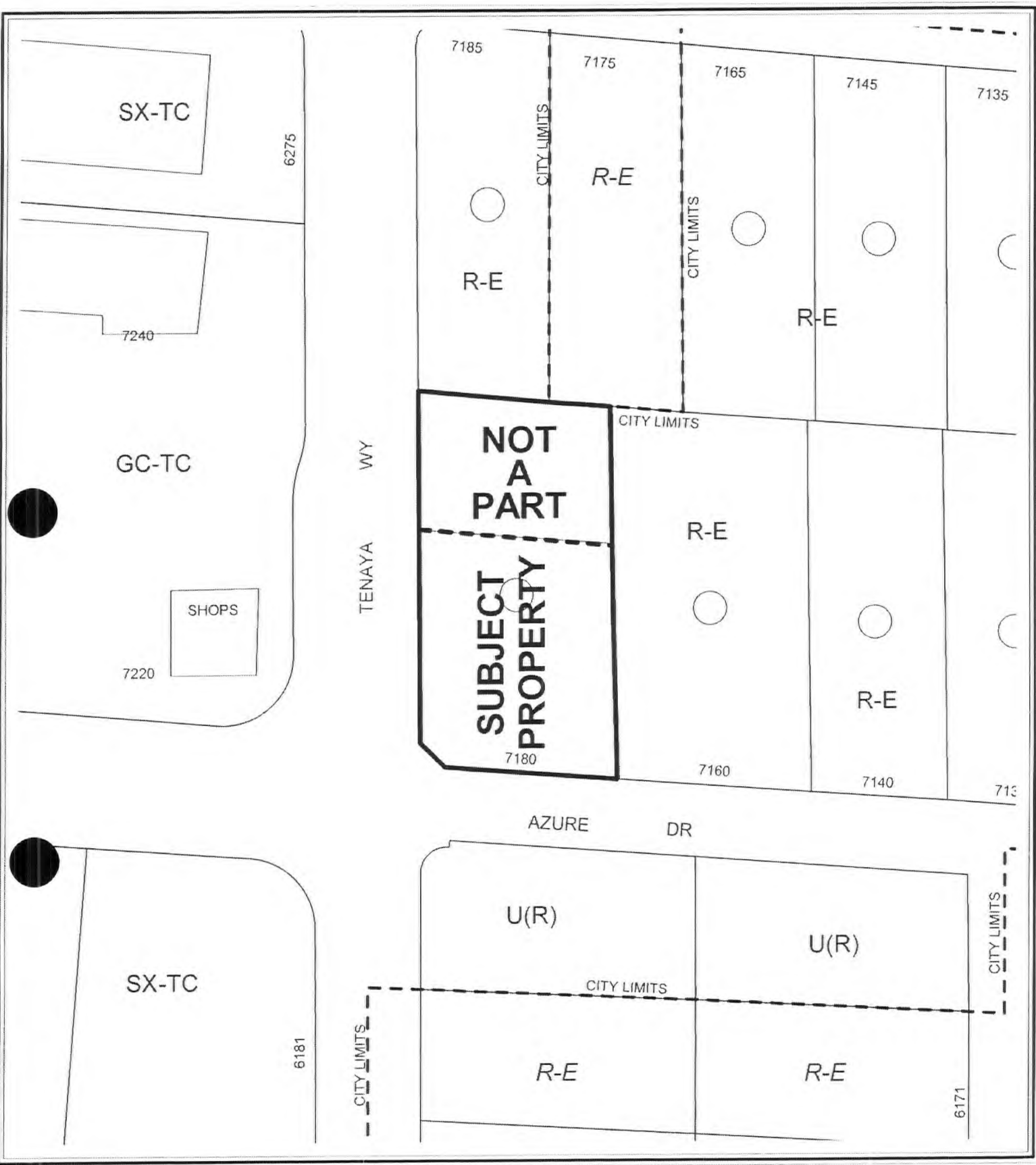
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-4638

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-16402



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

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-16402 - APPLICANT/OWNER: CHARLES H. SHIELDS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 6, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-4638) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-4638) that allowed an Office and Parking Lot on 0.96 acres at 7180 West Azure Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/00	The subject property, as part of a larger was Annexed (A-0044-99) into the City of Las Vegas. The effective date of the annexation was May 20, 2000.
10/06/04	The City Council approved a Site Development Plan Review (SDR-4638) for a professional Office and Parking and a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking); and a General Plan Amendment (GPA-4631) to amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from R (Rural) to O (Office) and on 0.96 acres at 7180 West Azure Drive. The Planning Commission and staff recommended denial on 09/09/04.
10/18/06	The City Council will consider a related Extension of Time (EOT-16411) of an approved Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive. Staff is recommending approval of the related request.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.96 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped/Single Family Dwellings	O (Office)/R (Rural)	R-E (Residence Estates)/R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
North	Single Family Dwellings	R (Rural)	R-E (Residence Estates)
South	Undeveloped	R (Rural)	U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation]
East	Single Family Dwellings	R (Rural)	R-E (Residence Estates)
West	Multi-tenant retail buildings	TC (Town Center)	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

There are no Special Districts/Zones/Special Areas that affect the subject site.

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-4638), which was approved by the City Council on 10/06/04. There was an associated General Plan Amendment (GPA-4631) and Rezoning (ZON-4635) also approved. The applicant indicates that there are delays in the design process. No plans have been submitted to the City to review. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design process.

Previous Conditions of Approval from Site Development Plan Review (SDR-4638)

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. A Site Development Plan Review is required for the proposed future medical office expansion (or any type of expansion), approved by Planning Commission and City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, dated stamped August 25, 2004, except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan, including suite numbering, for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by Title 19 and the Urban Design Guidelines and Standards.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, including elimination of the southern most driveway access, including elimination of the southern most driveway on Tenaya Way, on site circulation, parking lot layout and extension of the existing median island within Tenaya Way prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Proposed driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4635 and all other subsequent site-related actions.

FINDINGS

The following findings must be made for an SDR:

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

The proposed zoning of P-R (Professional Office and Parking) would permit the proposed general/medical office conversion. The overall site plan and building elevations remain residential in character. Therefore, the general/medical office conversion is compatible with adjacent development in the area.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

The site plan meets the requirements of Title 19 and the Urban Design Guidelines and Standards. A condition of approval was added to the original Site Development Plan Review, which revised the landscape plan to meet the minimum landscape requirements.

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

The site is accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot Right-of-Way. The Rights-of-Way provide adequate access to the site.

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

The elevations submitted for the existing residence are appropriate for the rural residential area. The proposed landscape palette materials will provide an aesthetically pleasing environment. All other landscaping shall adhere to the requirements of the Las Vegas Urban Design Guidelines and Standards.

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 existing residential character of the structure will remain the same with the office conversion, and therefore would be compatible with the existing residential development in the area.

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

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy, and therefore will not compromise the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EO 116-102 APN: portion of 125-27-503-008

Name of Property Owner: SHIELDS

Name of Applicant: CHARLES H. SHIELDS

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

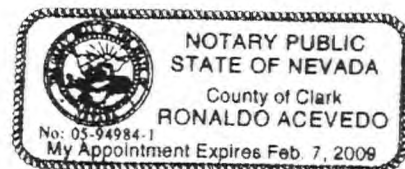
Signature of Property Owner/Authorized Agent: Charles H. Shields

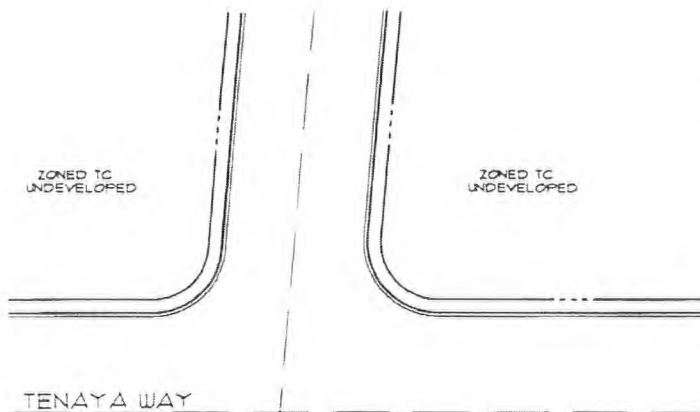
Print Name: CHARLES A. SHIELDS

Subscribed and sworn before me

This 29 day of Aug, 2006

Notary Public in and for said County and State





LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	SHRUBS AND GROUND COVER	SIZE
	EXISTING TREE - SEE PHOTOS				EXISTING DECORATIVE LANDSCAPE BOLLARDS	
	EXISTING TREE - SEE PHOTOS				EXISTING SHRUB - SEE PHOTOS	5 GAL
	EXISTING TREE - SEE PHOTOS				EXISTING SHRUB - SEE PHOTOS	10 GAL
	CALIFORNIA PEPPER TREE Schinus molle	LARGE DECIDUOUS	24" DOCK		FEATHERY CASUALS Gastera plumosissima	5 GAL
	SHOEBRING ACACIA Acacia retamifolia	LARGE DECIDUOUS	24" DOCK		MEXICAN PERIWINKLE Cathartus darwinii	5 GAL
	MONDEL PINE Pinus monophylla	LARGE EVERGREEN	24" DOCK		EXISTING SHRUB - SEE PHOTOS	1 GAL
	ALEPPO PINE Pinus halepensis	LARGE EVERGREEN	24" DOCK		EVERGREEN EIGHTHOUS Buxfordia japonica	1 GAL
					COMMON WATER CRESSHER Eurythra fortunei	1 GAL
					HYDRID CAJALANA Gastera hybrida	1 GAL

- ALL INORGANIC LANDSCAPE GROUND COVER TO BE 3/4" INDIAN RED WASHED GRAVEL.
- ALL PLANTS ON SITE MUST CONFORM WITH TITLE 19 REG.
- 24" DOCK TREES A MAXIMUM OF 18" O.C. NORTH + EAST AND WEST PROPERTY LINES.
- PROVIDE (1) FIVE GALLON SHRUBS PER FOR EACH TREE.
- EXISTING LANDSCAPE TO BE PRESERVED WHERE POSSIBLE.
- EXISTING TREE TO BE REMOVED AND REPLACED WITH INORGANIC GROUND COVER PER NOTE 1.
- EXISTING SPRINKLER SYSTEM TO BE ABANDONED AND REPLACED WITH NEW Drip IRRIGATION SYSTEM.

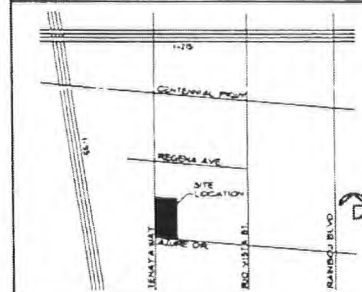
KEYNOTES

#	DESCRIPTION
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 WROUGHT IRON GATES WITH STAMPED METAL BACKING AND 1ST PIN LOCALIZATION
2	2" AC. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB + GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/ROCKSALT FINISH
6	HANDICAP CURB FLAP
7	HANDICAP ACCESSIBLE ROUTE
8	EXISTING 6'-0" HIGH CONCRETE BLOCK WALL
9	VAN ACCESSIBLE HANDICAP ACCESSIBLE AISLE
10	EXISTING DECORATIVE ROCK WALL
11	NEW CONCRETE DRIVEWAY W/ROCKSALT FINISH

PROJECT DATA

EXISTING ZONING:	RE
REQUIRED ZONING:	FR
BUILDING AREA:	EXISTING OFFICE GENERAL OFFICE - 1183 SF MEDICAL OFFICE - 1211 SF TOTAL OFFICE - 2394 SF
PARKING REQUIRED:	1 SPACE/100 SF BUILDING AREA - 24 SPACES
PARKING PROVIDED:	16 SPACES
FLOOR AREA RATIO:	0.85
SITE ACREAGE:	26,591 SF .61 ACRES
ADJ:	05-775-03-0008

LOCATION



jon dunn
dunn, archd
3411 WEST OGDEN RD., SUITE 100, LAS VEGAS, NV 89103-4063

OFFICE BUILDING
1180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date	proj. no.	drawn by	chkd. by

sheet no.
A1

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

EOT - 16402
10-18-06 CC

RECEIVED
AUG 30 2006



sheet no. A2

RECEIVED
AUG 30 2006



1 2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"

1ST FLOOR AREA = 1,677 SF
2ND FLOOR AREA = 1,183 SF
TOTAL AREA = 2,860 SF

KEYNOTES

#	DESCRIPTION
1	4'-8" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF 3050 BROWNT TROX GATES WITH STAFFED METAL BACKING AND LEFT PIN LOCK/LATCH
2	2" AC. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CLARK COUNTY
5	4" CONCRETE SIDEWALK UNIDIRECTIONAL FINISH
6	HANDICAP CURB RAMP
7	HANDICAP ACCESS TABLE
8	4'-6" HIGH CONCRETE BLOCK WALL
9	PLYON SIGN - BY OTHERS
10	BAS CANOPY
11	RENTS LOADING ZONE



jon
david
burne, architect

3411 WEST COLEEN RD. #101 LAS VEGAS, NV 89102 (702) 731-0003

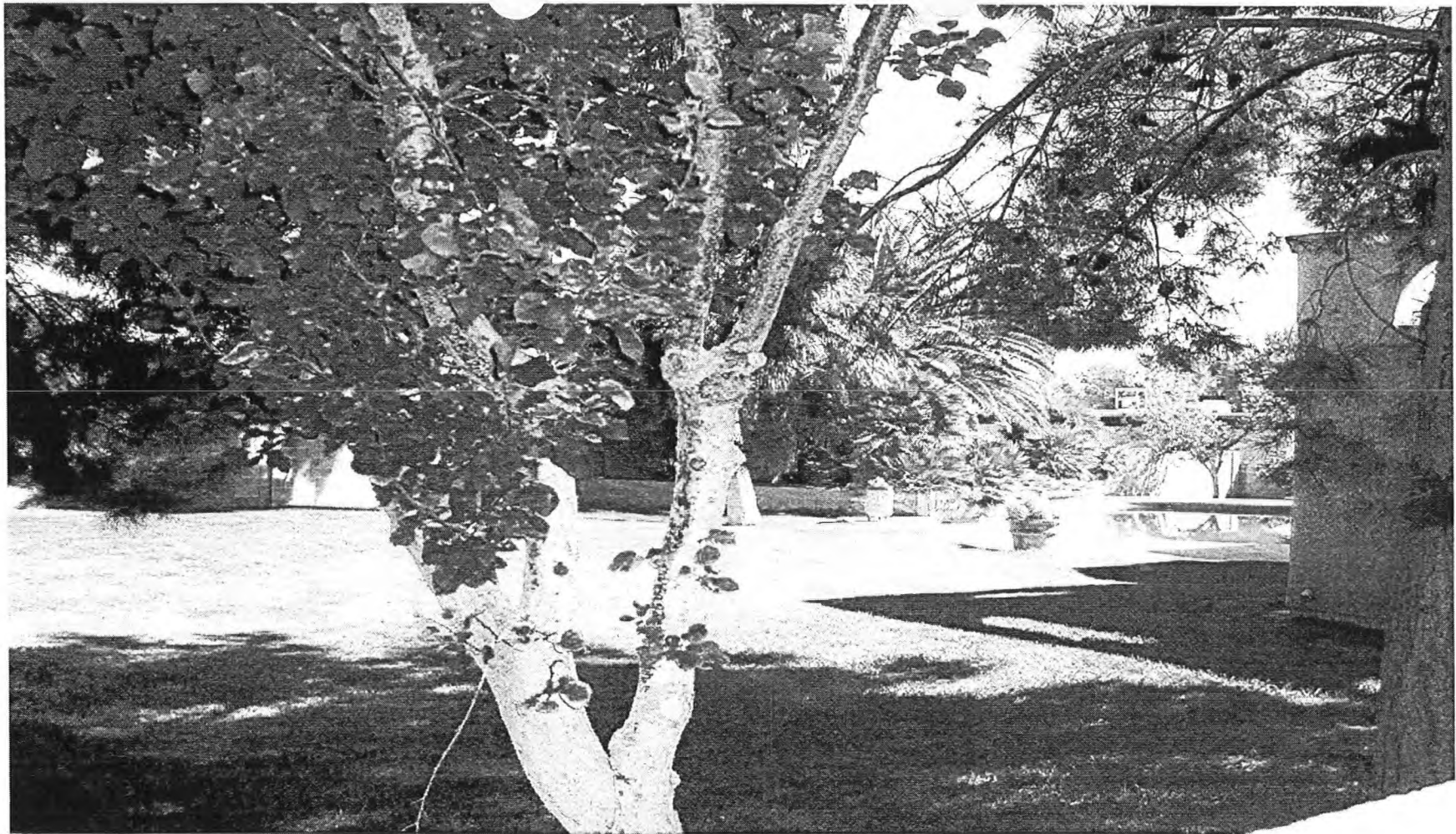
OFFICE BUILDING
1180 W. AZURE DRIVE
for: Chuck & Gail Shields
City of Las Vegas Nevada

date	drawn	checked
PROJ. NO.	DATE	
dwg. by		
chkd. by		

sheet no.
A3

EOT - 16402
10-18-06 CC

RECEIVED
AUG 30 2006



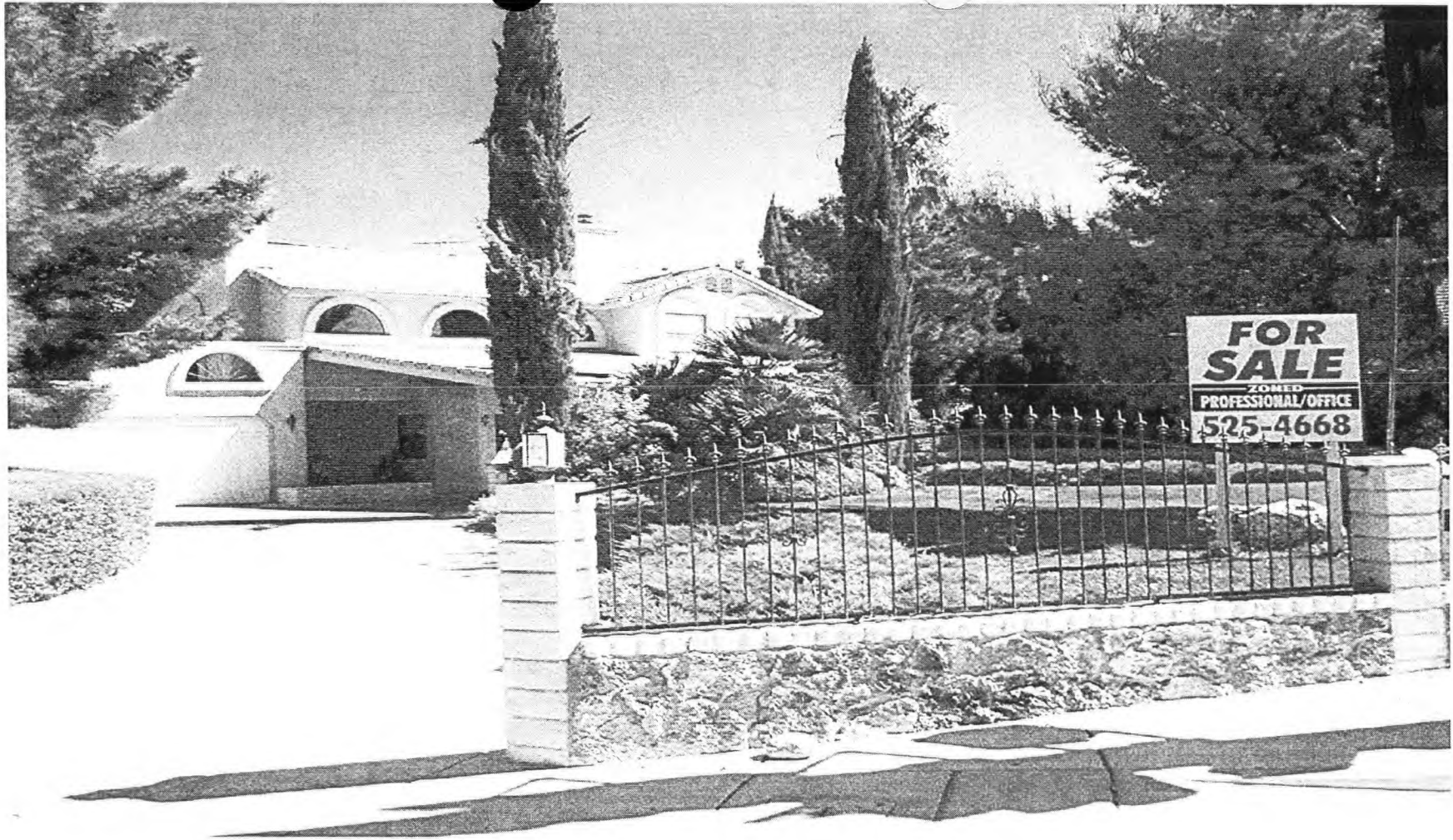
EOT-16411 and EOT-16402 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 West Azure Drive
OCTOBER 18, 2006 CITY COUNCIL MEETING

Picture taken 09/26/06



EOT-16411 and EOT-16402 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 West Azure Drive
OCTOBER 18, 2006 CITY COUNCIL MEETING

Picture taken 09/26/06



EOT-16411 and EOT-16402 - APPLICANT/OWNER: CHARLES H. SHIELDS
7180 West Azure Drive
OCTOBER 18, 2006 CITY COUNCIL MEETING

Picture taken 09/26/06

Captain. C.H. & Dr. G. W. Shields

7180 West Azure Dr
LAS VEGAS NEVADA 89130
U.S.A

Tel (702) 658 3385 Cell (702) 525 4668
Fax (702) 658 8202
Email sq2000@attglobal.net

29th August, 2006

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

Re: Extension of time related to GPA-4631 & Zon-4635:
7180 West Azure Dr, Las Vegas.89130

We are requesting an extension of time for the development of the above property.

The applicant is proposing a medical office building. Currently there is a residence on the property that would be remodeled to accommodate the medical office uses. The applicant also proposes a 4,500 square foot medical office expansion in the near future. The existing building is surrounded by mature intense landscaping and will remain residential in character. The proposed site plan satisfies Title 19 development requirements including parking and landscaping. The original project scope is above.

Charles H. Shields
CHARLES H. SHIELDS

EOT - 16402
10-18-06 CC



051559

December 16, 2004

Mr. and Mrs. Charles Shields
7180 West Azure Drive
Las Vegas, Nevada 89130

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

RE: SDR-4638 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF OCTOBER 6, 2004
Related to GPA-4631 & ZON-4635

Dear Mr. and Mrs. Shields:

The City Council at a regular meeting held October 6, 2004 APPROVED the request for a Site Development Plan Review for a PROPOSED OFFICE Parking LOT on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone [PROPOSED: P-R (Professional Office and Parking)]. The Notice of Final Action was filed with the Las Vegas City Clerk on October 7, 2004. This approval is subject to:

Planning and Development

1. A Rezoning (ZON-4635) to a P-R (Professional Office and Parking) Zoning District approved by the City Council, for the southernmost 179 feet of parcel.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. A Site Development Plan Review is required for the proposed future medical office expansion (or any type of expansion), approved by Planning Commission and City Council.
4. All development shall be in conformance with the site plan, landscape plan and building elevations, dated stamped August 25, 2004, except as amended by conditions herein.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan, including suite numbering, for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

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

EOT - 16402
10-18-06 CC

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters as required by Title 19 and the Urban Design Guidelines and Standards.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. All City Code requirements and design standards of all City departments must be satisfied.

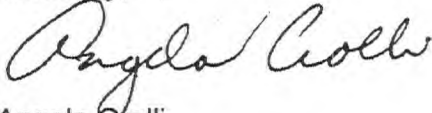
Public Works

14. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, including elimination of the southern most driveway on Tenaya Way, on site circulation, parking lot layout and extension of the existing median island within Tenaya Way prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Proposed driveways and modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

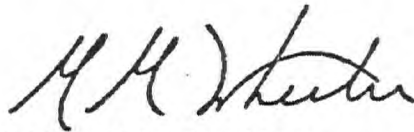
Mr. and Mrs. Charles Shields
SDR-4638 – Page Three
December 16, 2004

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4635 and all other subsequent site-related actions.

Sincerely,



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



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

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

Mr. Chris Kaempfer
KKBR
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EOT - 16402
10-18-06 CC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - REZONING

EOT-16475 - APPLICANT: SAM HAMIKA - OWNER: DI PROPERTIES, INC. - Request for an Extension of Time of an approved Rezoning (ZON-3371) FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road (APN 139-25-405-009), Ward 3 (Reese). Staff 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 APPROVAL, subject to conditions.

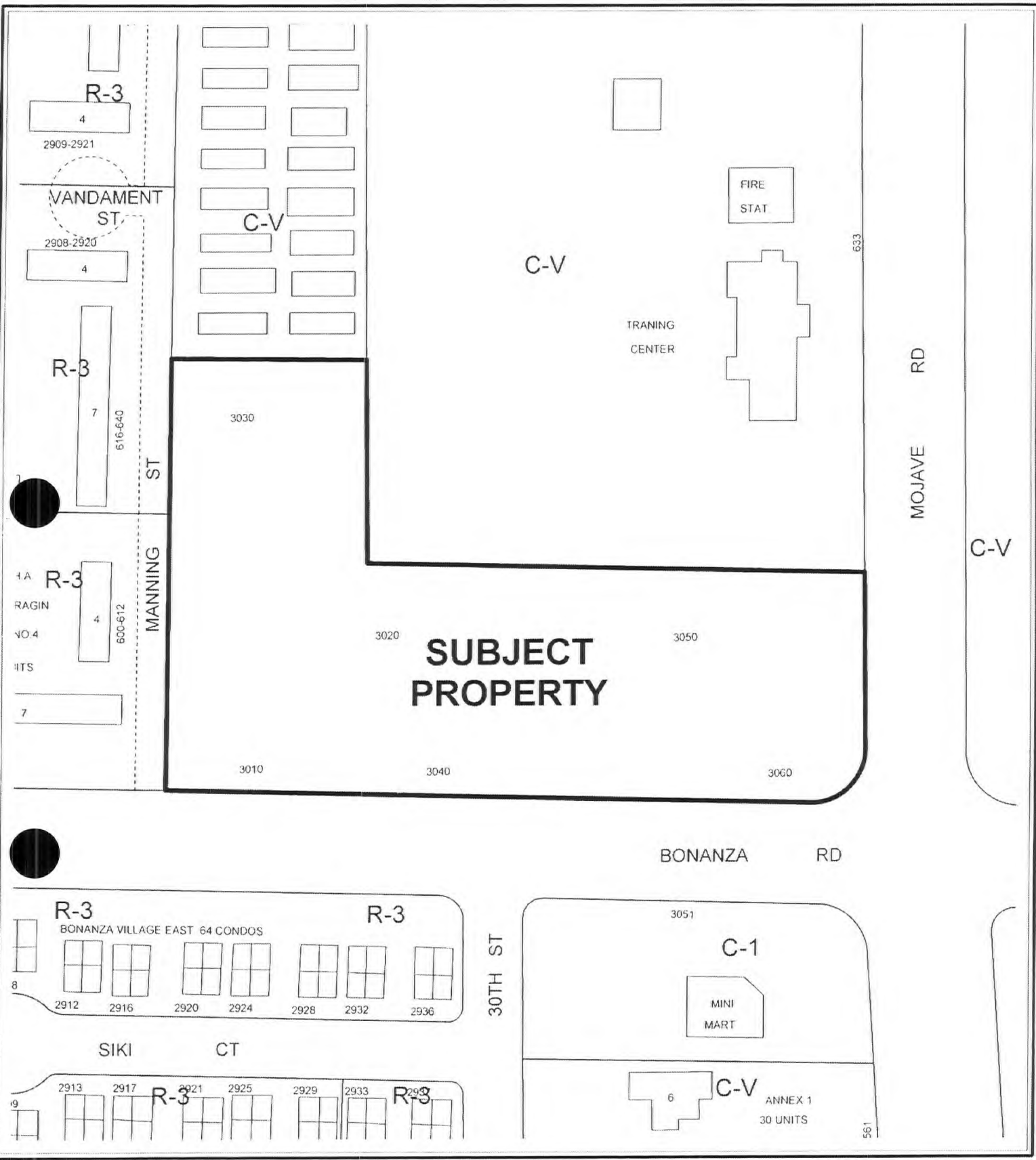
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-3371

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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)

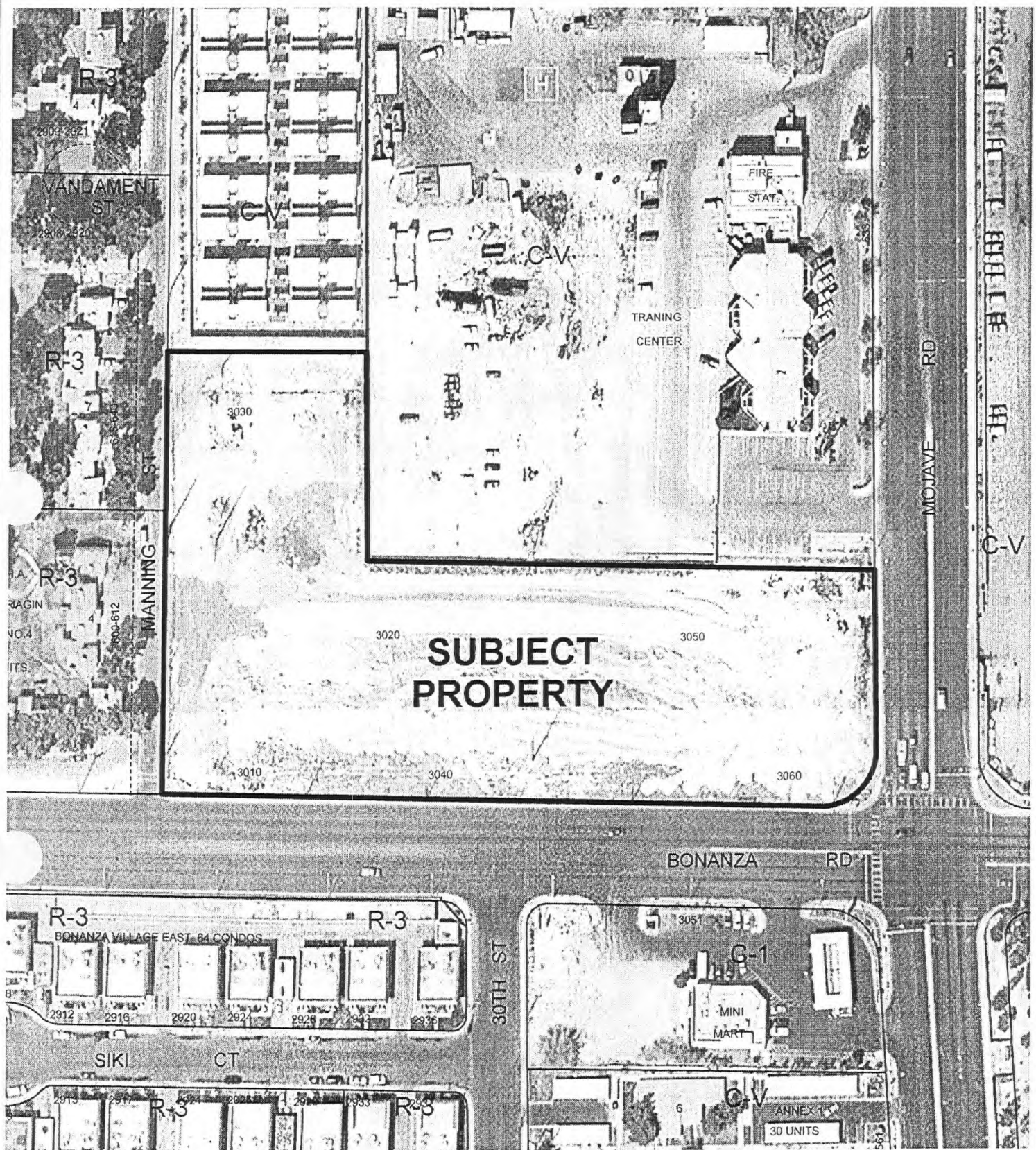


CASE: EOT-16475

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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





CASE: EOT-16475

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-16475 - APPLICANT: SAM HAMIKA - OWNER: DI
PROPERTIES, INC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on February 4, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-3371) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	The City Council approved a General Plan Amendment (GPA-3370) to amend a portion of the Southeast Sector Plan of the General Plan from PF (Public Facilities) to SC (Service Commercial; Rezoning (ZON-3371) from C-V (Civic) Zone to C-1 (Limited Commercial) Zone; and a Site Development Plan Review (SDR-3372) for a proposed 43,349 square foot retail center and Waivers to allow a 10-foot rear yard setback where 20 feet is the minimum setback required, two loading zones where three are required, and a 10-foot wide loading zone where 15 feet is required on 4.76 acres adjacent to the northwest corner of Bonanza and Mojave Road. The Planning Commission and staff recommended approval on 01/08/04.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.76 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-V (Civic) Zone under Resolution of Intent to C-1 (Limited Commercial)
North	City of Las Vegas Fire Station/Training Center	PF (Public Facilities)	C-V (Civic)
South	Multi-Family Housing/Mini-Mart	M (Medium Density Residential)/SC (Service Commercial)	C-1 (Limited Commercial)/R-3 (Medium Density Residential)
East	City of Las Vegas Maintenance Storage	PF (Public Facilities)	C-V (Civic)
West	Multi-Family Housing	M (Industrial)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

There are no Special Districts/Zones/Special Plan Areas that affect the subject site.

ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-3371), which was approved by the City Council on 02/04/04. There was an associated General Plan Amendment (GPA-3370) and a Site Development Plan Review (SDR-3372) also approved. The applicant indicates that there are delays in the design process. No plans have been submitted to the City to review. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design process.

Previous Conditions of Approval from Rezoning (ZON-3371)

1. A General Plan Amendment (GPA-3370) to a SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-3372) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. A Parcel Map to establish property boundaries as proposed, shall be recorded prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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 C-1 (Limited Commercial) zoning is consistent with the SC (Service Commercial) land use designation.

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

The proposed SC (Service Commercial) land use designation would allow the C-1 (Limited Commercial) zoning district. This zoning district would be compatible with the surrounding zoning districts in the area if appropriate buffering were provided.

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

The City of Las Vegas Master Plan 2020 specifies as Objective 2.6 (page 46): "To improve the amount and quality of infill development on vacant and underutilized lands within established areas of the city." Commercial development on the subject site will meet this objective.

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

Access to this site is provided by Bonanza Road and by Mojave Road (both Primary 100-foot Arterials on the Master Plan of Streets and Highways). Adjacent to this parcel, Bonanza Road carries approximately 26,775 automobiles per day, with Mojave Road carrying approximately 8,550 vehicles. The proposed development of the site will be sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: _____

Name of Property Owner: DT Properties Inc.

Name of Applicant: Sam E. Hamik

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

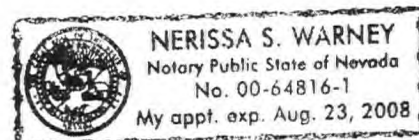
Signature of Property Owner: [Signature]

Print Name: SAM E-HAMIK

Subscribed and sworn before me

This 1 day of Sept, 2004

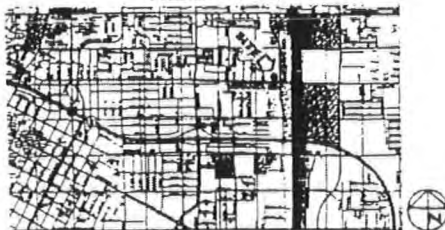
[Signature]
Notary Public in and for said County and State



BONANZA/MOJAVE RETAIL CENTER

BONANZA ROAD & MOJAVE ROAD

VICINITY MAP

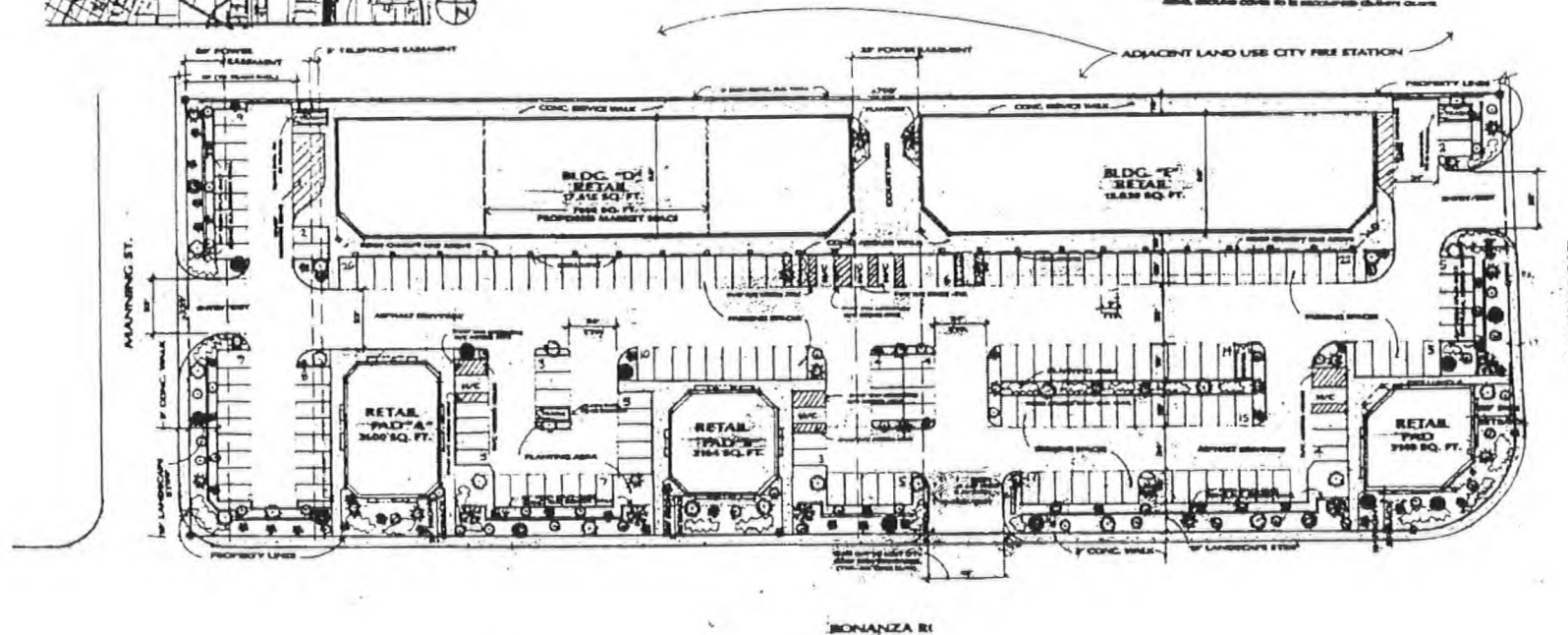


LANDSCAPE LEGEND

- 1. PINKO PALM TREE - 34 GAL. SHIP
 - 2. BLUE PALM TREE - 34 GAL.
 - 3. CRIMBY WILLOW TREE - 34 GAL.
 - 4. NATIVE AGAVE PLANT - 34 GAL.
 - 5. BUTTLER PALM TREE (2 GAL.)
 - 6. STRIP PLANTING - 15 GAL.
 - 7. FLOWERING CROCKING COVER SQUAL AND OR PERUVIAN VERBENA A. L. A. VERBENA (1 GAL. PLANT)
- NOTE: THESE ARE LANDSCAPE PLANTS IN PLANTING AREA. OTHER PLANTS TO BE DETERMINED BY LANDSCAPE ARCHITECT.

TABULATION

USE: COMMERCIAL
 SITE AREA: 143,883 SQ. FT. (3.28 ACRES) - NET
 TOTAL BLDG. SQ. FT. - 43,345
 BLDG. SITE COVERAGE: 30%
 PARKING REQUIRED: 174 SPACES (8,125 SQ. FT.)
 PARKING PROVIDED: 180 (INCLUDING 6 B/C SPACES)
 LOADING DOCKS PROVIDED: 2



SITE PLAN/LANDSCAPE PLAN

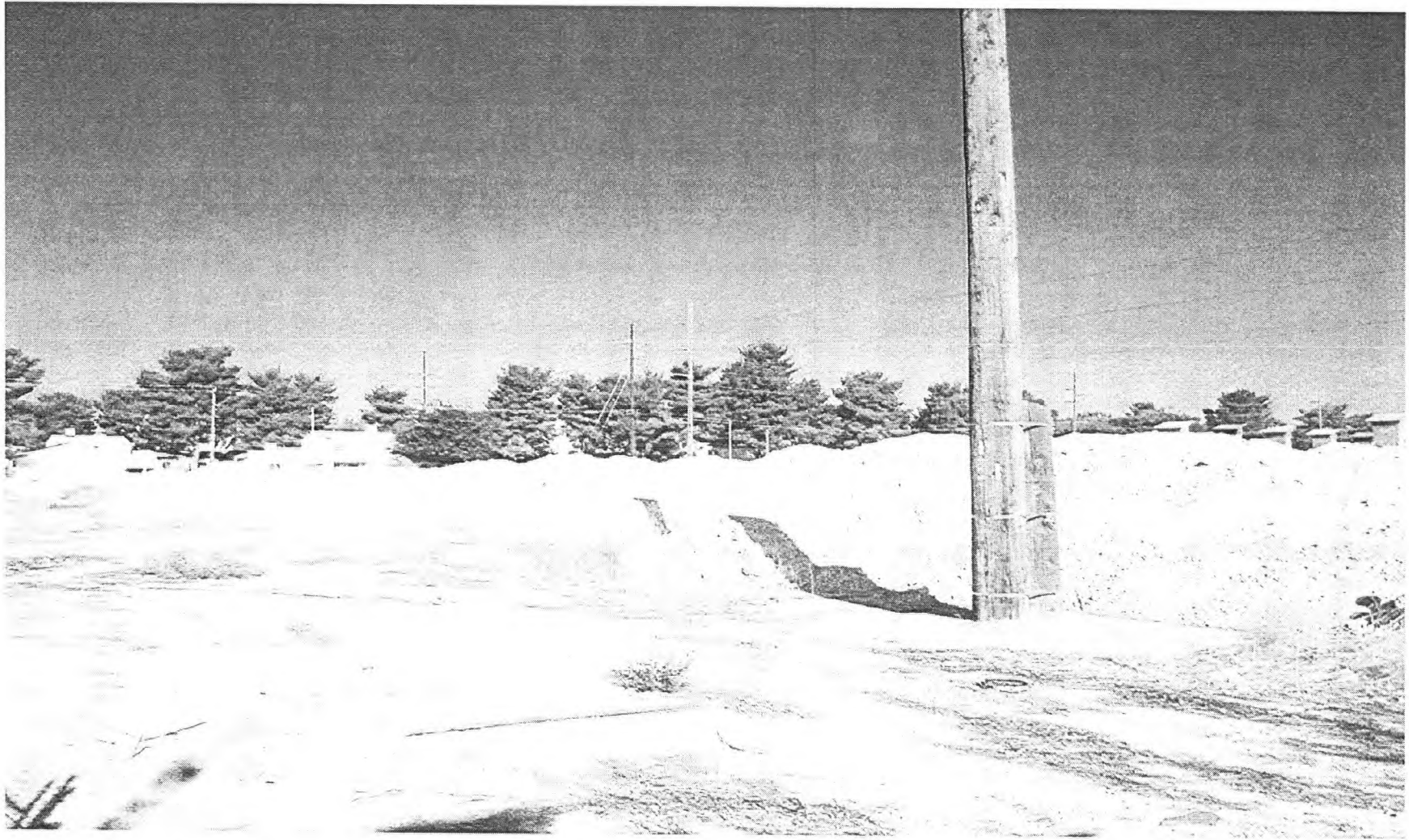
EOT - 16475
 10/18/06 CC





EOT-16745 - APPLICANT: SAM HAMIKA - OWNER: DI PROPERTIES, INC.
Northwest corner of Bonanza Road and Mojave Road
OCTOBER 18, 2006 CITY COUNCIL MEETING

Picture taken 09/26/06



EOT-16745 - APPLICANT: SAM HAMIKA - OWNER: DI PROPERTIES, INC.
Northwest corner of Bonanza Road and Mojave Road
OCTOBER 18, 2006 CITY COUNCIL MEETING

Picture taken 09/26/06

Untitled

Justification letter

project: Bonanza -Mojave Plaza

August 3, 2006

Dear sirs:

Due to some difficulties with the different engineers who were doing this project, It look a long time to finish the plans, I would like to ask for reinstatment and extension of rezoning zon-3372.

Thank you

DI Properties Inc





MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

March 1, 2004

Mr. David Roark
City of Las Vegas
400 Stewart Avenue, 4th Floor
Las Vegas, Nevada 89101

RE: ZON-3371 - REZONING
CITY COUNCIL MEETING OF FEBRUARY 4, 2004
Related to GPA-3370 & SDR-3372

Dear Mr. Roark:

The City Council at a regular meeting held February 4, 2004 APPROVED the request for a Rezoning FROM: C-V (Civic) TO: C-1 (Limited Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road (APN: 139-25-405-005 and a portion of 139-25-405-007). The Notice of Final Action was filed with the Las Vegas City Clerk on February 5, 2004. This approval is subject to:

Planning and Development

1. A General Plan Amendment (GPA-3370) to a SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-3372) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. A Parcel Map to establish property boundaries as proposed, shall be recorded prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

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

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

EOT - 16475
10/18/06 CC

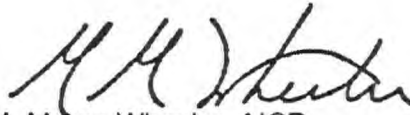
Mr. David Roark
ZON-3371 – Page Two
March 1, 2004

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.

Sincerely,



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



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

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

Mr. Sam Hamika
790 North Eastern Avenue
Las Vegas, Nevada 89101

EOT - 16475
10/18/06 CC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - VARIANCE

EOT-16574 - APPLICANT: TANEY ENGINEERING, INC. - OWNER: WILLIAM LYON HOMES, INC. - Request for an Extension of Time of an approved Variance (VAR-6930) THAT ALLOWED ZERO OPEN SPACE WHERE 32,369 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APNs 125-26-704-001, 002, 003, 125-26-707-002, and 125-26-707-005), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

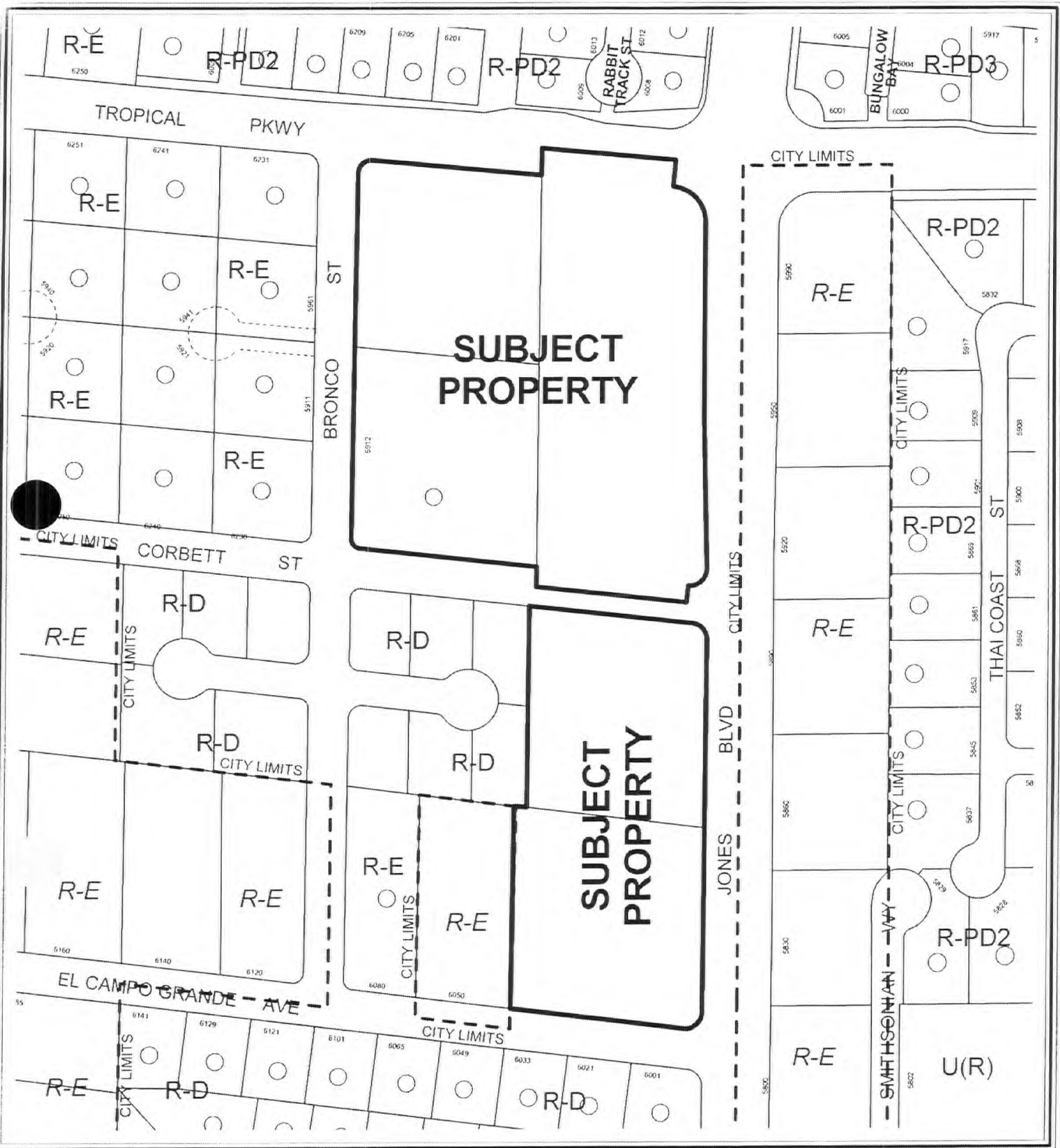
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for VAR-6930

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-16574

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



CASE: EOT-16574

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-16574 - APPLICANT: TANEY ENGINEERING, INC. -

OWNER: WILLIAM LYON HOMES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on September 7, 2007 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Variance (VAR-6930) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Variance (VAR-6930) that allowed zero open space where 32,369 square feet is required for a proposed single family residential development on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/01/02	The City Council approved a petition to Annex (A-0051-01) for property generally located on the southeast corner of Bronco Street and Tropical Parkway. Also, the City Council approved a petition to Annex (A-0052-01) property generally located on the northeast corner of Bronco Street and Corbett Lane. The Planning Commission and staff recommended approval. The effective date of the annexation was 05/10/02.
04/02/03	The City Council approved a request for a Rezoning (ZON-1714) from R-E (Residence Estates) and U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD2 (Residential Planned Development - 2 Units Per Acre) and a Site Development Plan Review (SDR-1715) for a proposed 7-lot single family residential development on 4.72 acres adjacent to the east side of Bronco Street, between Tropical Parkway and Corbett Street. The Planning Commission and staff recommended approval.
04/10/03	The Planning Commission approved a request for a Tentative Map (TMP-1901) for a 7-lot single-family residential subdivision on 4.72 acres adjacent to the southeast corner of Bronco Way and Tropical Parkway. Staff recommended approval.
06/01/05	The City Council approved a petition to Annex (ANX-6042) property generally located on the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue. The Planning Commission and staff recommended approval. The effective date of the annexation was 06/10/05.
09/07/05	The City Council approved a request for a Rezoning (ZON-6928) from R-PD2 (Residential Planned Development - 2 Units per Acre) to R-PD3 (Residential Planned Development - 3 Units per Acre); Variance (VAR-6930) to allow zero open space where 32,369 square feet is required for a proposed single family residential development; Waiver (WVR-6931) of Title 18.12.160 to allow approximately 176 feet between street intersections where 220 feet is the minimum distance separation required; and a Site Development Plan Review (SDR-6929) for a 50 lot single family residential subdivision on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. The Planning Commission recommended approval, but staff

	recommended denial on 07/14/05.
--	---------------------------------

09/22/05	The Planning Commission approved a Tentative Map (TMP-8628) Request for a Tentative Map for a 50-lot single family residential subdivision on 14.29 acres adjacent to the west of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue. Staff recommended approval of the request.
07/12/06	The City Council approved a Review of Condition (ROC-13865) of Condition Number 4 of an approved Rezoning (ZON-6928) to allow construction of Rural Street improvements where Urban Half street improvements were required for a proposed residential subdivision on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. Staff recommended approval of the request.
Related Building Permits/Business Licenses	
	No building permits have been issued on the subject site.
Pre-Application Meeting	
	A pre-application meeting is not required for this type of application.
Neighborhood Meeting	
	A neighborhood meeting is not required for this type of application.

Details of Application Request	
Site Area	
Gross Acres	14.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural)	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to RPD-3 (Residential planned Development - 3 Units per Acre)
North	Single Family Dwellings	R (Rural)	R-PD3 (Residential Planned Development - 3 Units per Acre)
South	Single Family Dwellings	R (Rural)	R-D (Single Family Residential-Restricted)
East	Undeveloped/Single Family Dwellings/Clark County	R (Rural)/Clark County	Clark County
West	Undeveloped/Single Family Dwellings/Clark County	R (Rural)/Clark County	R-E (Residence Estates)/R-D (Single Family Residential-Restricted)/Clark County

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

ANALYSIS

This is the first Extension of Time for the subject Variance (VAR-6930), which was approved by the City Council on 09/07/05. There was an associated Site Development Plan Review (SDR-6929), Rezoning (ZON-6928) and a Waiver (WVR-6931). The applicant indicates that they are waiting for the final map to record. The final map was submitted for review on 07/12/06, but has not been finalized. The Civil Improvement Plans were submitted on 06/22/06, but have not been finalized. Therefore, the Extension of Time can be supported to allow for additional time for the final map to record.

Previous Conditions of Approval from Variance (VAR-6930)

1. Conformance to the Conditions of Approval Waiver WVR-6931, Rezoning ZON-6928, and Site Development Plan Review SDR-6929.
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution To Whom It May Concern: the City of Las Vegas CIP Fund in the amount of Square Feet of Open Space waived x \$4.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the final map to record. A condition of approval has been added, which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: LOT-16574 APN: 125-26-704-001,002,003
125-26-707-002 & 005
Name of Property Owner: William Lyon Homes, INC.
Name of Applicant: Taney Engineering

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 125-26-704-001,002,003
125-26-707-002 & 005

Signature of Property Owner: May Connolly

Print Name: May Connolly

Subscribed and sworn before me

This 16th day of September, 2008
Kim M. Chitwood
Notary Public in and for said County and State

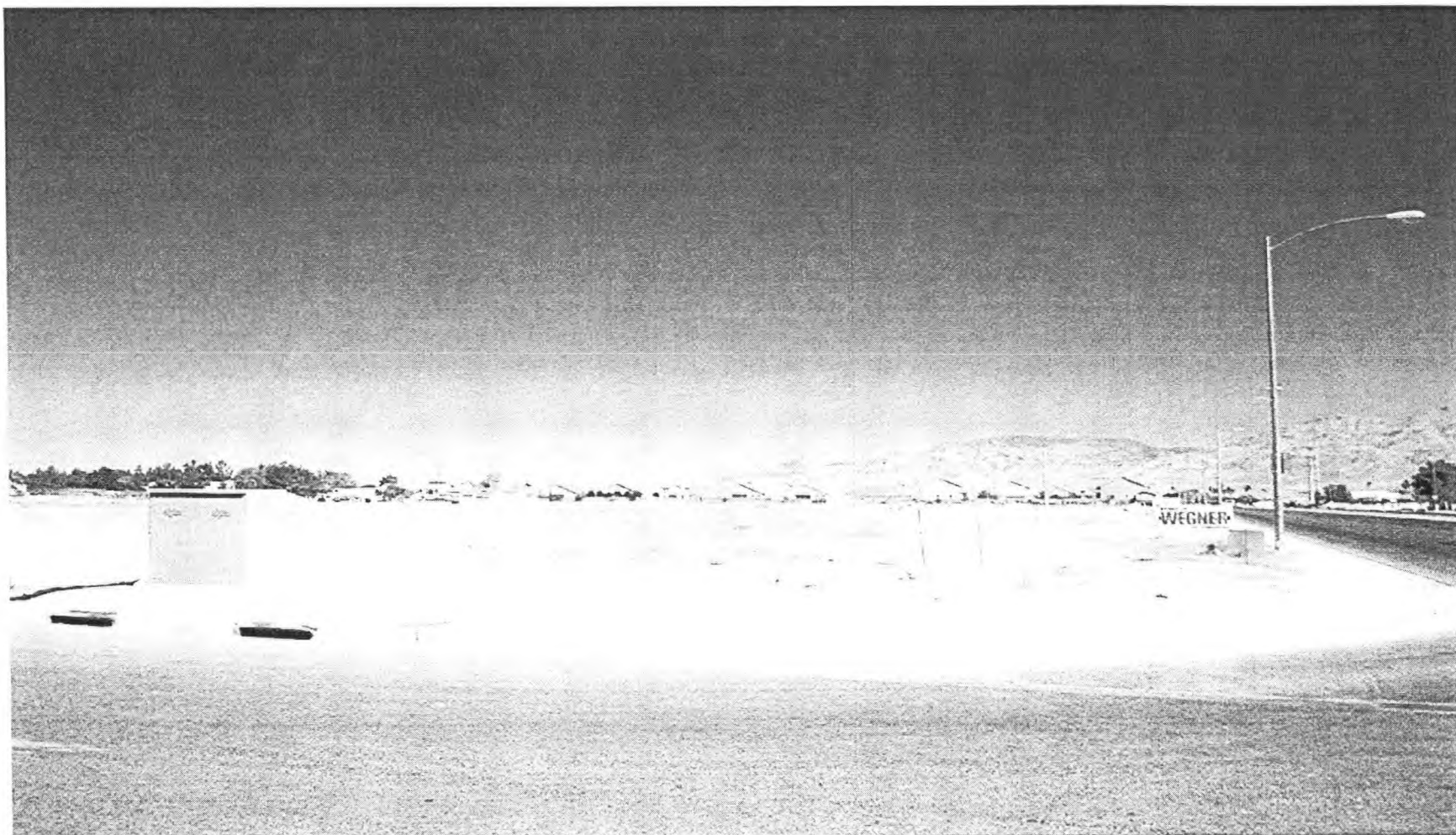




EOT-16574 - APPLICANT: TANEY ENGINEERING, INC. - OWNER: WILLIAM LYON HOMES, INC.

Southwest corner of Jones Boulevard and Tropical Parkway

OCTOBER 18, 2006 CITY COUNCIL MEETING



EOT-16574 - APPLICANT: TANEY ENGINEERING, INC. - OWNER: WILLIAM LYON HOMES, INC.

**Southwest corner of Jones Boulevard and Tropical Parkway
OCTOBER 18, 2006 CITY COUNCIL MEETING**

Picture taken 09/26/06



TANEY ENGINEERING

4445 S. Jones Boulevard
Las Vegas, Nevada 89103
Telephone: (702) 362-8844
Fax: (702) 362-5233

September 5, 2006

City of Las Vegas
Planning And Development
400 Stewart Ave
Las Vegas, NV 89101

RE: Variance 6930

On behalf of our client, William Lyon Homes we are requesting an Extension of Time for the Variance 6930 to allow zero open space where 32,369 square feet is required. An approval was granted by City Council on September 7, 2005. Please allow the extension of time on our variance.

Sincerely,

Shaelyn Sandoval
Taney Engineering

EOT-16574
10/18/06 CC



055898



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGER

October 3, 2005

Mr. Chad Dymon
Leech West, LLC
777 North Rainbow Boulevard, Suite #250
Las Vegas, Nevada 89107RE: VAR-6930 - VARIANCE
CITY COUNCIL MEETING OF SEPTEMBER 7, 2005
RELATED TO ZON-6928, WVR-6931 AND SDR-6929

Dear Mr. Dymon:

The City Council at a regular meeting held September 7, 2005 APPROVED the request for a Variance TO ALLOW ZERO OPEN SPACE WHERE 32,369 SQUARE FEET IS REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway (APNs 125-26-704-001, 002, 003, 125-26-707-002, and 125-26-707-005), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and R-E (Residence Estates) Zone under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 8, 2005. This approval is subject to:

Planning and Development

1. Conformance to the Conditions of Approval Waiver WVR-6931, Rezoning ZON-6928, and Site Development Plan Review SDR-6929.
2. This variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution To Whom It May Concern: the City of Las Vegas CIP Fund in the amount of Square Feet of Open Space waived x \$4.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be

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

VOICE 702.229.6011

TTY 702.386.9108

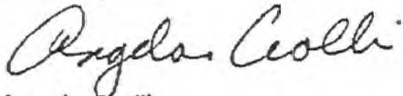
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009EOT-16574
10/18/06 CC

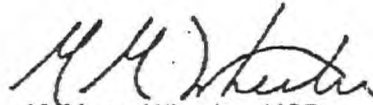
Mr. Chad Dymon
VAR-6930 - Page Two
October 3, 2005

made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: See Attached List

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

Ms. Laura Howard
William Lyon Homes
500 Pilot Road, Suite G
Las Vegas, Nevada 89119

Mr. Bob Gronauer
Kummer Kaempfer Bonner Renshaw
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EOT-16574
10/18/06 CC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - VARIANCE

EOT-16586 - APPLICANT: THE APARTMENT COMPANY - OWNER: RANCHO DEL SOL LLC - Request for an Extension of Time of an approved Variance (VAR-6681) THAT ALLOWED A REDUCTION OF MINIMUM LOT SIZE, SETBACKS AND DWELLING UNITS PER LOT on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street (APNs 139-26-503-006 and 007), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff 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 APPROVAL, subject to conditions.

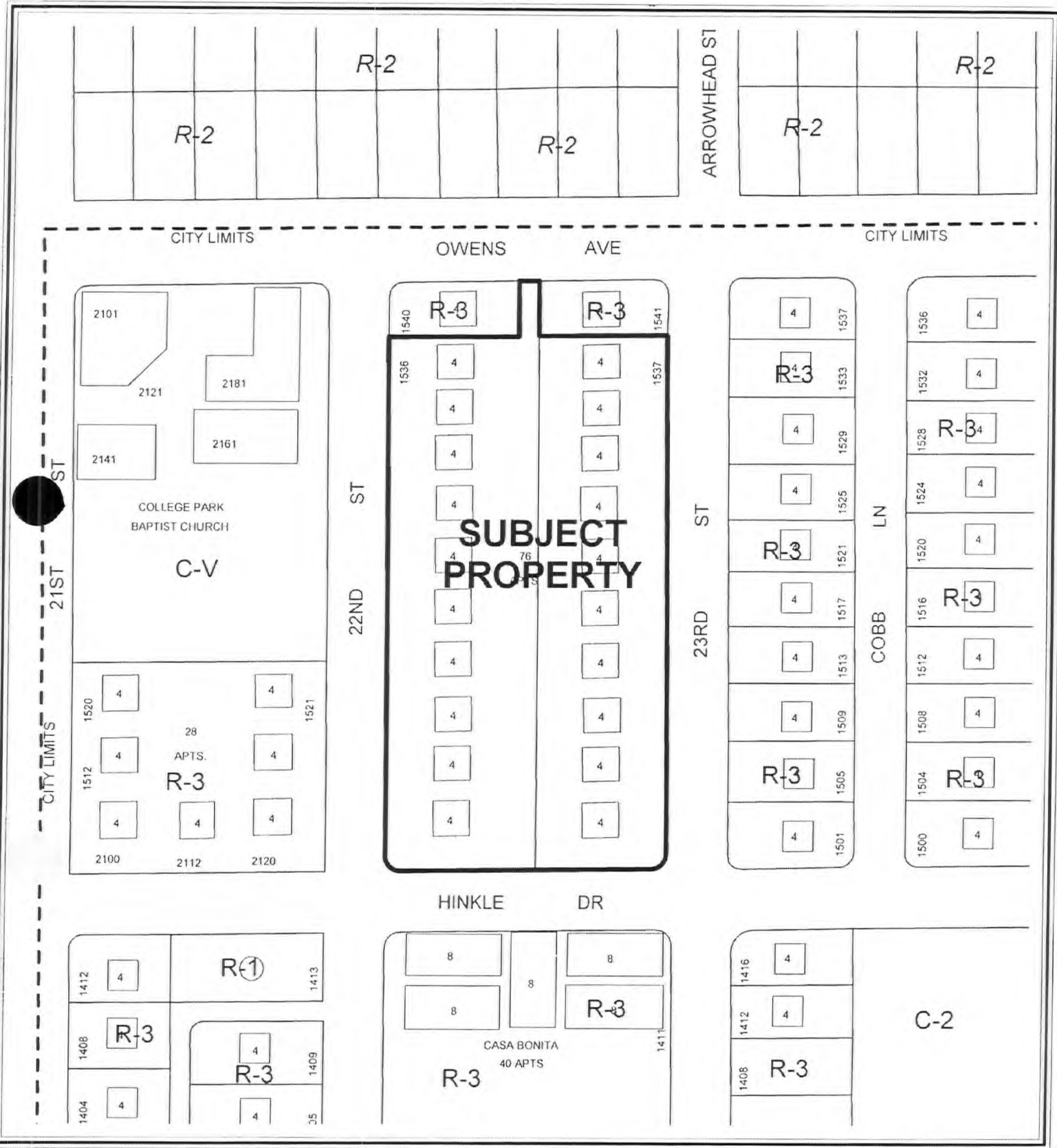
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for VAR-6681

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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)

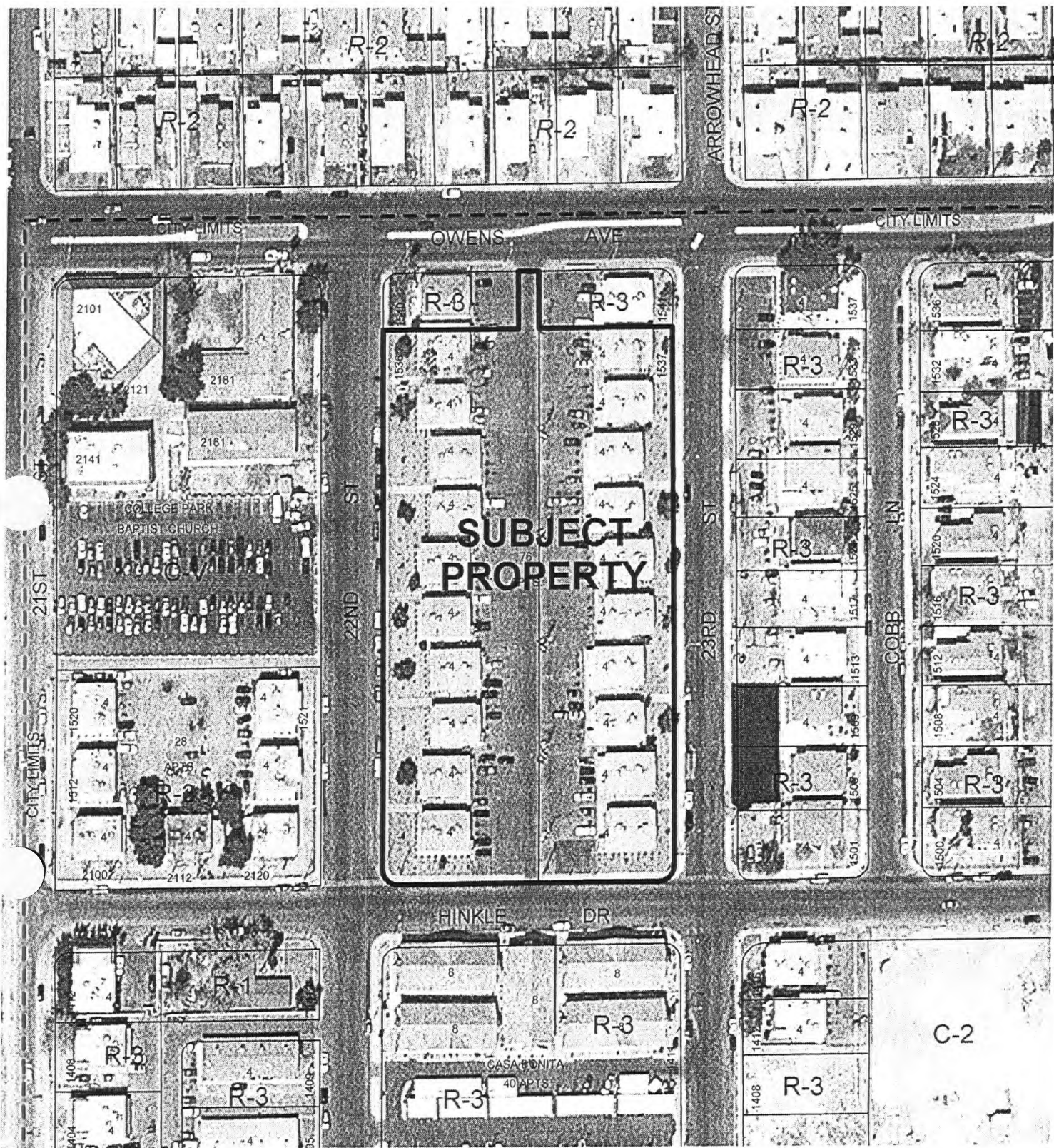


CASE: EOT-16586



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





CASE: EOT-16586

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-16586 - APPLICANT: THE APARTMENT COMPANY -
OWNER: RANCHO DEL SOL LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on September 7, 2007 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Variance (VAR-6681) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Variance (VAR-6681) that allowed a reduction of minimum lot size, setbacks and dwellings units per lot on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/07/05	The City Council approved a Variance (VAR-6681) to allow a reduction of minimum lot size and setbacks and a Waiver (WVR-6682) of Title 18.12.105 to allow a 14-foot private drive width where 24 feet is the minimum required and to allow a private drive length of 665 feet where 200 is the maximum allowed; and a Waiver of Title 18.12.130 to allow a private drive, which terminates at a length of over 150 feet to not end with a circular turn around or emergency crash gate on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. The Planning Commission recommended approval, but staff recommended denial on 07/28/05.
09/22/05	The Planning Commission approved a Tentative Parcel Map (TMP-6478) for a 20-lot multi-family residential subdivision on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. Staff recommended approval of the request.
02/15/06	The City Council approved a Vacation (VAC-10553) to Vacate a portion of Twenty Third Street right of way generally located between Hinkle Drive and Owens Avenue. The Planning Commission and staff recommended approval on 01/12/06.
10/18/06	The City Council will consider a related Extension of Time (EOT-16588) of an approved Waiver (WVR-6682) that allowed a Waiver of Title 18.12.105 that allowed a 14 foot private drive width where 24 feet is the minimum required and to allow a private drive length of 665 feet where 200 is the maximum allowed; and a Waiver of Title 18.12.130 to allow a private drive, which terminates at a length of over 150 feet to not end with a circular turn around or emergency crash gate on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. Staff is recommending approval of the related Extension of Time.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

Details of Application Request	
Site Area	
Gross Acres	N/A

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	North Las Vegas/Single Family Dwellings	North Las Vegas	North Las Vegas
South	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Religious Institution	M (Medium Density Residential)	C-V (Civic)/R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

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

ANALYSIS

This is the first Extension of Time for the subject Variance (VAR-6681), which was approved by the City Council on 02/15/06. There was an associated Waiver (WVR-6682) and Tentative Parcel Map (TMP-6478). A Vacation (VAC-10553) was recently approved. The applicant indicates that they are waiting for the final map to record. The final map was submitted for review on 04/07/06, but has not been finalized. The Civil Improvement Plans were submitted on 06/06/06, but have not been finalized. Therefore, the Extension of Time can be supported to allow for additional time for the final map to record.

Previous Conditions of Approval from Variance (VAR-6681)

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect the location of the existing or proposed trash enclosures and a comprehensive parking analysis.
3. Existing overhead utilities shall be underground prior to final sale of any units.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The subject Extension of Time will allow enough time for the final map to record. A condition of approval has been added, which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: _____ APN: 139-26-503-006, 007

Name of Property Owner: Rancho del Sol, LLC

Name of Applicant: The Apartments Company

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

_____ Yes

_____ X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

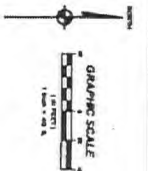
Print Name: John Dana Chase

Subscribed and sworn before me

This 5th day of September, 2006

Shawn M. Russell
Notary Public in and for said County and State





-



MAY 08, 2006



Stanley Consultants INC.

A Stanley Group Company
Engineering, Environmental and Construction Services - Worldwide

September 6, 2006

City of Las Vegas
731 S Fourth Street
Las Vegas, NV 89101

To Whom It May Concern:

Subject: Rancho Del Sol

The project site, currently known as North Park Apartments, is currently under new ownership. The Apartment Company is renovating the 20 buildings and 80 dwelling units. The Company has been renovating existing apartment complexes throughout southern California and southern Nevada for many years.

There are currently 20 buildings on the site. A tentative map (TMP-6478) was submitted which would allow each building to occupy its own lot. Due to the age of the complex (ca. 1963) there is not sufficient parking to meet today's parking code requirements. In an effort to maximize the space available, we have proposed a one-way driveway loop through the parking lot. With angled parking spaces, we are able to accommodate approximately 158 parking spaces. To allow the complex to share parking and have common access, staff has determined that the parking field should be a common lot. This common lot will reduce the size of each individual building lot, but not the overall size of the complex. The rear setback of each building will be at the face of the curb/sidewalk to the parking area.

A previously existing alley was vacated at some time. This alley served the parking for these buildings. Now, the existing entry widths are 20 feet instead of the required 24 feet. This, along with the length of the private drive requires a waiver of Title 18 standards.

Again, these are existing apartment buildings which are being renovated. This site is near the City's redevelopment area and will enhance the area and encourage other improvements to property. Therefore, we request an extension of time for a Waiver. Should you have any questions or concerns regarding this information, please contact me.

Sincerely,



September 6, 2006
Page 2
Stanley Consultants, Inc.

Sara Maamoun
Project Coordinator

EOT-16586
10/18/06 CC



055591

September 12, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

Ms. Rachel Mullins
Rancho Del Sol, LLC
560 North Coast Highway 101, Suite #1
Encinitas, California 92024

RE: VAR-6681 - VARIANCE
CITY COUNCIL MEETING OF SEPTEMBER 7, 2005
RELATED TO WVR-6682

Dear Ms. Mullins:

The City Council at a regular meeting held September 7, 2005 APPROVED the request for a Variance TO ALLOW A REDUCTION OF MINIMUM LOT SIZE, SETBACKS AND DWELLING UNITS PER LOT on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street (APNs 139-26-503-006 and 007), R-3 (Medium Density Residential) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 8, 2005. This approval is subject to:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map, to reflect the location of the existing or proposed trash enclosures and a comprehensive parking analysis.
3. Existing overhead utilities shall be underground prior to final sale of any units.

Sincerely,

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

EOT-16588

10-18-06 CC

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

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

Ms. Susan Johnston
Stanley Consultants, Inc. (17793)
5820 South Eastern Avenue, Suite #200
Las Vegas, Nevada 89119

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - WAIVER

EOT-16588 - APPLICANT: THE APARTMENT COMPANY - OWNER: RANCHO DEL SOL LLC - Request for an Extension of Time of an approved Waiver (WVR-6682) OF TITLE 18.12.105 THAT ALLOWED A 14 FOOT PRIVATE DRIVE WIDTH WHERE 24 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A PRIVATE DRIVE LENGTH OF 665 FEET WHERE 200 IS THE MAXIMUM ALLOWED; AND A WAIVER OF TITLE 18.12.130 TO ALLOW A PRIVATE DRIVE, WHICH TERMINATES AT A LENGTH OF OVER 150 FEET TO NOT END WITH A CIRCULAR TURN AROUND OR EMERGENCY CRASH GATE on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street (APNs 139-26-503-006 and 007), R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

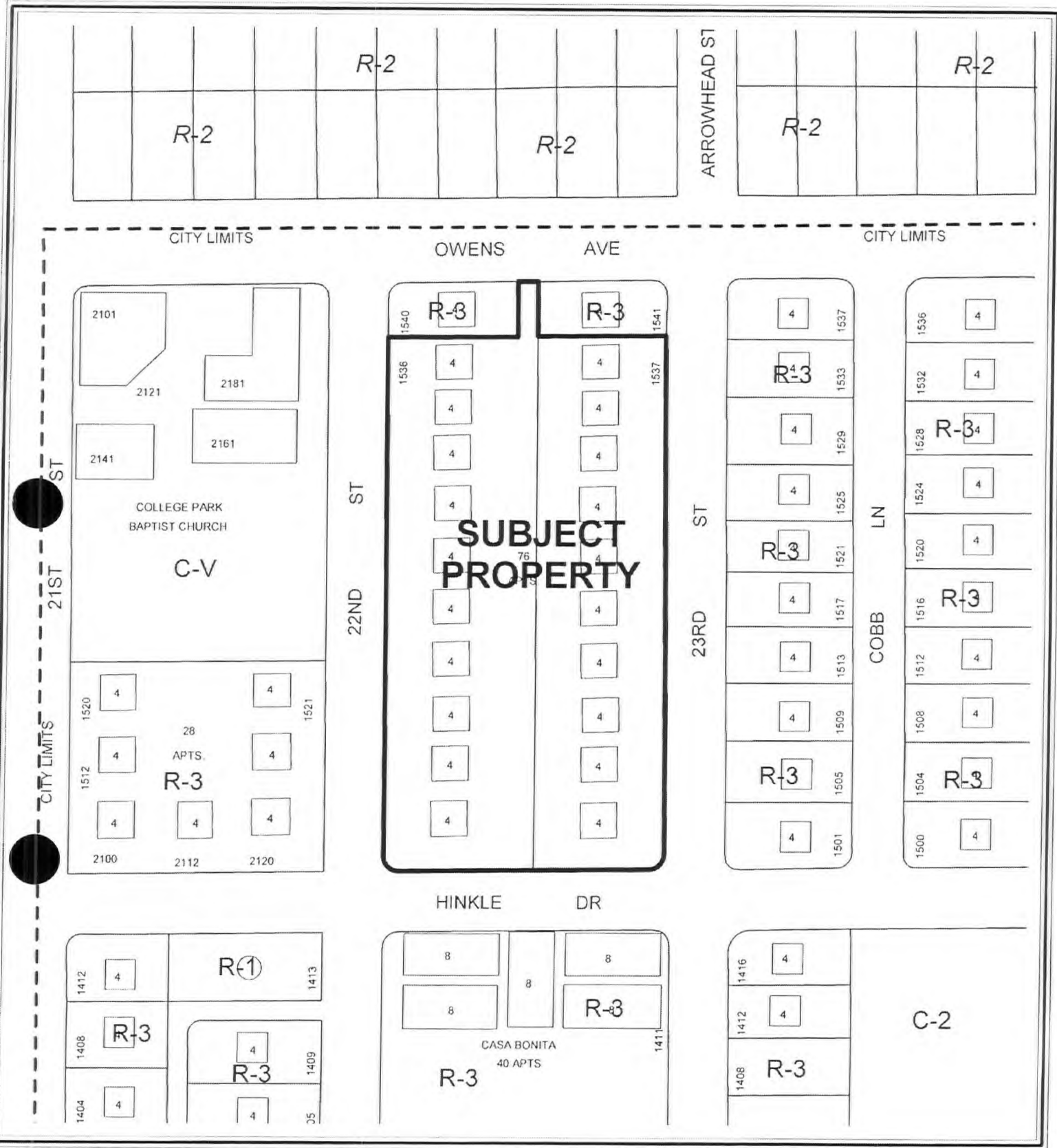
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for WVR-6682

Motion made by GARY REESE to Approve subject to conditions Item 98 [EOT-15236], Item 99 [EOT-15238], Item 100 [EOT-15239], Item 101 [EOT-16411], Item 102 [EOT-16402], Item 103 [EOT-16475], Item 104 [EOT-16574], Item 105 [EOT-16586] and Item 106 [EOT-16588]

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: EOT-16588

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-16588 - APPLICANT: THE APARTMENT COMPANY -
OWNER: RANCHO DEL SOL LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on September 7, 2007 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Waiver (WVR-6682) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/07/05	The City Council approved a Variance (VAR-6681) to allow a reduction of minimum lot size and setbacks and a Waiver (WVR-6682) of Title 18.12.105 to allow a 14-foot private drive width where 24 feet is the minimum required and to allow a private drive length of 665 feet where 200 is the maximum allowed; and a Waiver of Title 18.12.130 to allow a private drive, which terminates at a length of over 150 feet to not end with a circular turn around or emergency crash gate on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. The Planning Commission recommended approval, but staff recommended denial on 07/28/05.
09/22/05	The Planning Commission approved a Tentative Parcel Map (TMP-6478) for a 20-lot multi-family residential subdivision on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. Staff recommended approval of the request.
02/15/06	The City Council approved a Vacation (VAC-10553) to Vacate a portion of Twenty Third Street right of way generally located between Hinkle Drive and Owens Avenue. The Planning Commission and staff recommended approval on 01/12/06.
10/18/06	The City Council will consider a related Extension of Time (EOT-16586) of an approved Variance (VAR-6681) that allowed a reduction of minimum lot size, setbacks and dwelling units per lot on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street. Staff is recommending approval of the related Extension of Time.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	N/A

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
North	North Las Vegas/Single Family Dwellings	North Las Vegas	North Las Vegas
South	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Religious Institution	M (Medium Density Residential)	C-V (Civic)/R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Waiver (WVR-6682) of Title 18.12.105 that allowed a 14 foot private drive width where 24 feet is the minimum required and to allow a private drive length of 665 feet where 200 is the maximum allowed; and a Waiver of Title 18.12.130 to allow a private drive, which terminates at a length of over 150 feet to not end with a circular turn around or emergency crash gate on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street.

ANALYSIS

This is the first Extension of Time for the subject Waiver (WVR-6682), which was approved by the City Council on 02/15/06. There was an associated Variance (VAR-6681) and Tentative Parcel Map (TMP-6478). A Vacation (VAC-10553) was recently approved. The applicant indicates that they are waiting for the final map to record. The final map was submitted for review on 04/07/06, but has not been finalized. The Civil Improvement Plans were submitted on 06/06/06, but have not been finalized. Therefore, the Extension of Time can be supported to allow for additional time for the final map to record.

Previous Conditions of Approval from Waiver (WVR-6682)

1. All development shall conform to the Conditions of Approval for Variance (VAR-6681)
2. All City Code requirements and design standards of all City departments must be satisfied.
3. Meet with the Fire Protection Engineer Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The subject Extension of Time will allow enough time for the final map to record. A condition of approval has been added, which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

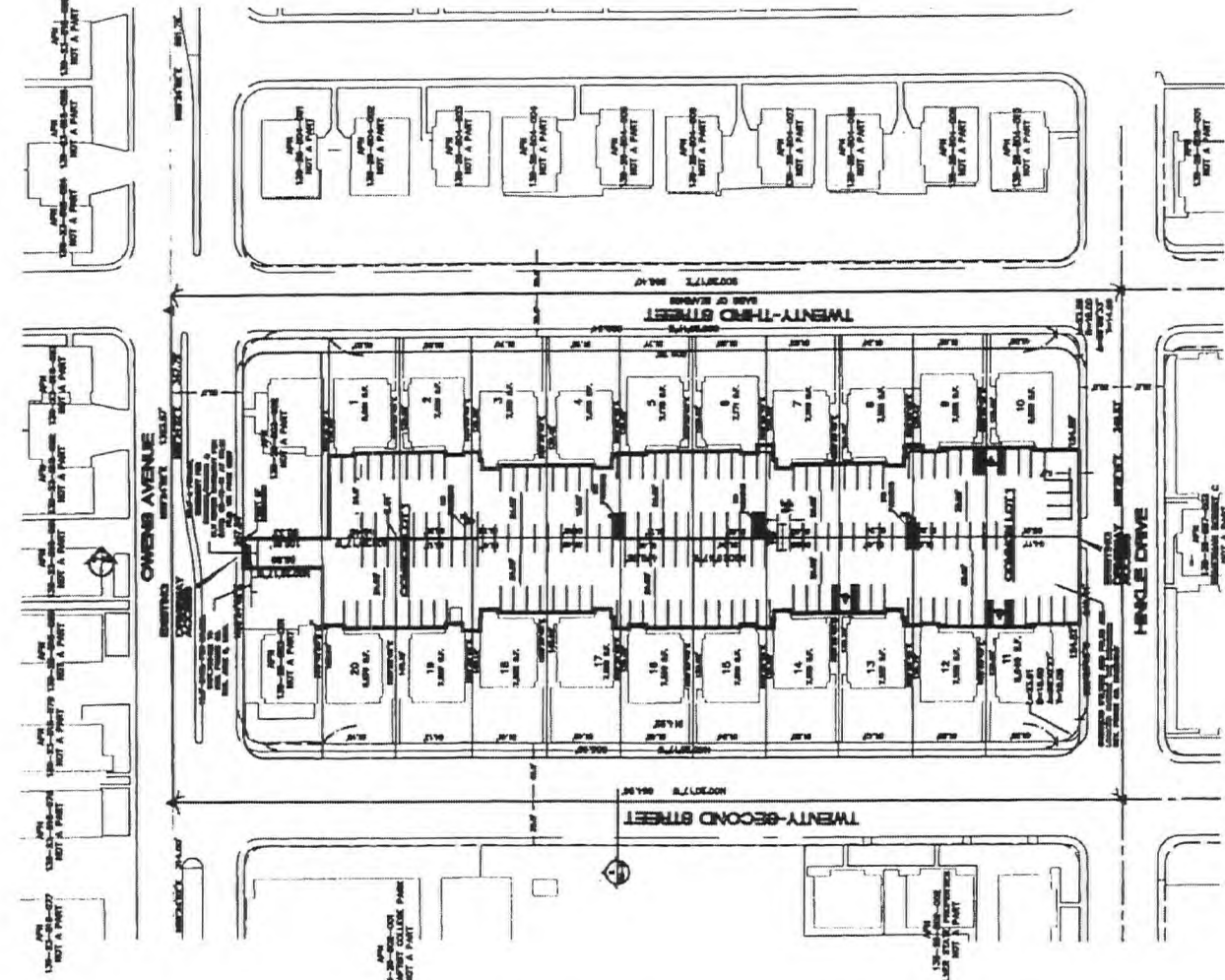
ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



LOCATION MAP

[illegible][illegible]

CERTAIN NOTES

1. THERE ARE NO PREPARED STORY GRAMS FOR THIS PROJECT.
2. WATER SERVICE IS PROVIDED BY THE LAS VEGAS VALLEY WATER DISTRICT FROM CENTRAL "TERRAZZO" MAIN CREEK AVENUE AND HAVILL DRIVE.
3. SEWER SERVICE IS PROVIDED BY THE CITY OF LAS VEGAS UTILITIES DEPARTMENT FROM AN EXISTING SEWER CREEK AVENUE AND HAVILL DRIVE.
4. THERE ARE NO EXISTING RECORDS FOR RECORDING FOR PAVING, SCHEDULE, OR OTHER PUBLIC OR QUAD-PUBLIC LOTS.

THESE MATERIALS ARE NOT TO BE
CLASSIFIED OR DECLASSIFIED
EXCEPT BY THE ISSUING OFFICE

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**EOT-16586 and EOT-16588 - APPLICANT: THE APARTMENT COMPANY - OWNER:
RANCHO DEL SOL LLC**

**1536 North 22nd Street and 1537 North 23rd Street
OCTOBER 18, 2006 CITY COUNCIL MEETING**

Picture taken 09/26/06



**EOT-16586 and EOT-16588 - APPLICANT: THE APARTMENT COMPANY - OWNER:
RANCHO DEL SOL LLC
1536 North 22nd Street and 1537 North 23rd Street
OCTOBER 18, 2006 CITY COUNCIL MEETING**

Picture taken 09/26/06



Stanley Consultants INC.

A Stanley Group Company
Engineering, Environmental and Construction Services - Worldwide

September 6, 2006

City of Las Vegas
731 S Fourth Street
Las Vegas, NV 89101

To Whom It May Concern:

Subject: Rancho Del Sol

The project site, currently known as North Park Apartments, is currently under new ownership. The Apartment Company is renovating the 20 buildings and 80 dwelling units. The Company has been renovating existing apartment complexes throughout southern California and southern Nevada for many years.

There are currently 20 buildings on the site. A tentative map (TMP-6478) was submitted which would allow each building to occupy its own lot. Due to the age of the complex (ca. 1963) there is not sufficient parking to meet today's parking code requirements. In an effort to maximize the space available, we have proposed a one-way driveway loop through the parking lot. With angled parking spaces, we are able to accommodate approximately 158 parking spaces. To allow the complex to share parking and have common access, staff has determined that the parking field should be a common lot. This common lot will reduce the size of each individual building lot, but not the overall size of the complex. The rear setback of each building will be at the face of the curb/sidewalk to the parking area.

A previously existing alley was vacated at some time. This alley served the parking for these buildings. Now, the existing entry widths are 20 feet instead of the required 24 feet. This, along with the length of the private drive requires a waiver of Title 18 standards.

Again, these are existing apartment buildings which are being renovated. This site is near the City's redevelopment area and will enhance the area and encourage other improvements to property. Therefore, we request an extension of time for a variance. Should you have any questions or concerns regarding this information, please contact me.

Sincerely,



September 6, 2006
Page 2

Stanley Consultants, Inc.

A handwritten signature in black ink, appearing to be 'Sara Maamoun', written over a horizontal line.

Sara Maamoun
Project Coordinator

EOT-16588
10/18/06 CC



055592

September 12, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

Ms. Rachel Mullins
Rancho Del Sol, LLC
560 North Coast Highway 101, Suite #1
Encinitas, California 92024

RE: WVR-6682 - WAIVER
CITY COUNCIL MEETING OF SEPTEMBER 7, 2005
RELATED TO VAR-6681

Dear Ms. Mullins:

The City Council at a regular meeting held September 7, 2005 APPROVED the request for a Waiver of Title 18.12.105 TO ALLOW A 14-FOOT PRIVATE DRIVE WIDTH WHERE 24 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A PRIVATE DRIVE LENGTH OF 665 FEET WHERE 200 IS THE MAXIMUM ALLOWED; AND A WAIVER OF TITLE 18.12.130 TO ALLOW A PRIVATE DRIVE, WHICH TERMINATES AT A LENGTH OF OVER 150 FEET TO NOT END WITH A CIRCULAR TURN AROUND OR EMERGENCY CRASH GATE on 3.42 acres at 1536 North 22nd Street and 1537 North 23rd Street (APNs 139-26-503-006 and 007), R-3 (Medium Density Residential) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 8, 2005. This approval is subject to:

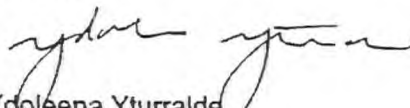
Planning and Development

1. All development shall conform to the Conditions of Approval for Variance (VAR-6681).
2. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

3. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

Sincerely,


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

cc: See Attached List

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

EOT-16586
10-18-06 CC

Ms. Rachel Mullins
WVR-6682 – Page Two
September 12, 2005

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

Ms. Susan Johnston
Stanley Consultants, Inc. (17793)
5820 South Eastern Avenue, Suite #200
Las Vegas, Nevada 89119

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

MASTER SIGN PLAN

MSP-15823 - PUBLIC HEARING - APPLICANT: WORLD MARKET CENTER - OWNER: WMCV PHASE 2, LLC, ET AL - Request for a Major Amendment to an approved Master Sign Plan (MSP-6344) FOR AN APPROVED BUSINESS PARK at 475 and 495 South Grand Central Parkway (APNs 139-33-610-011, 013 and 014), PD (Planned Development) 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 SDR-6593

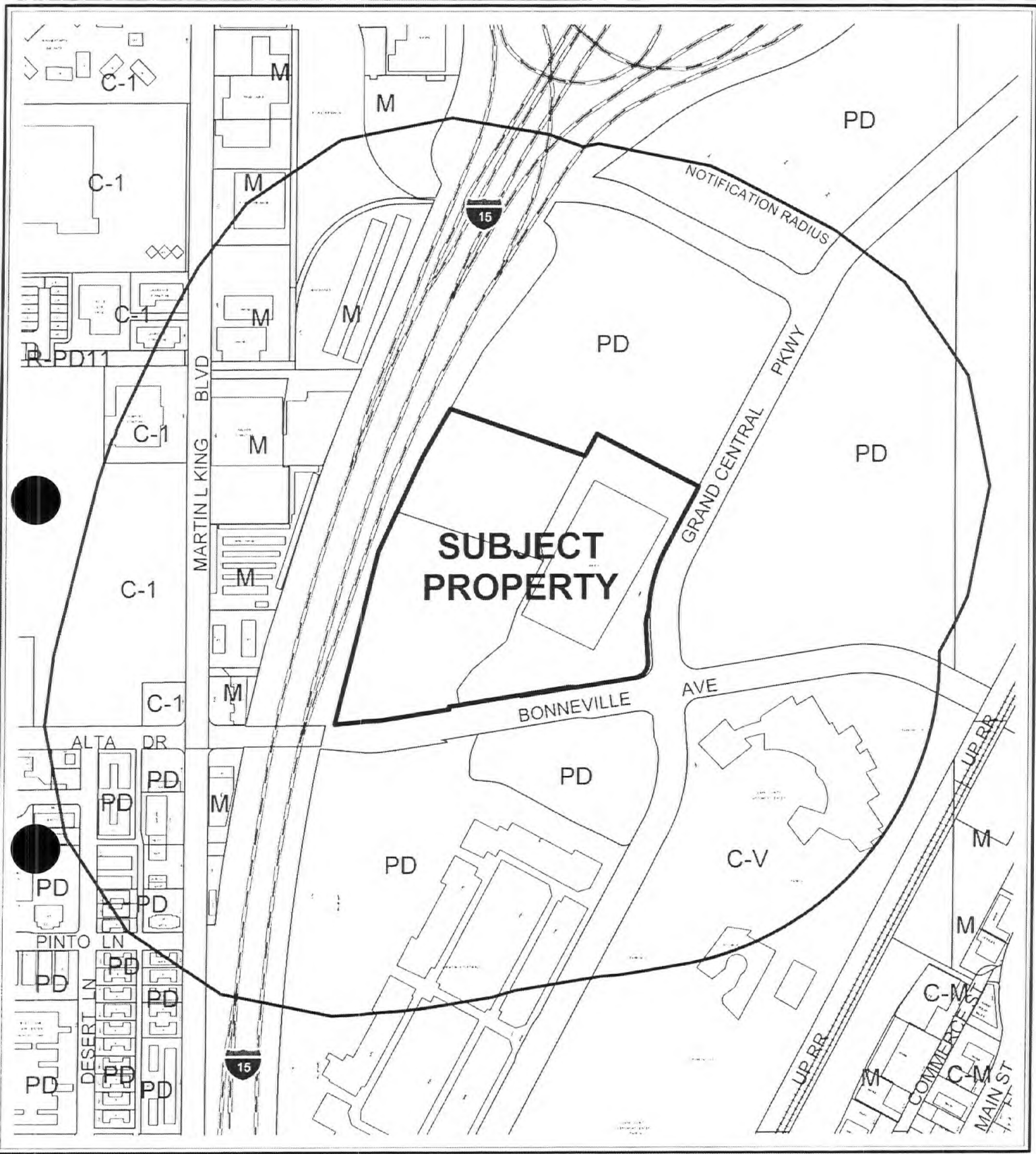
Motion made by LAWRENCE WEEKLY to Approve subject to conditions

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:

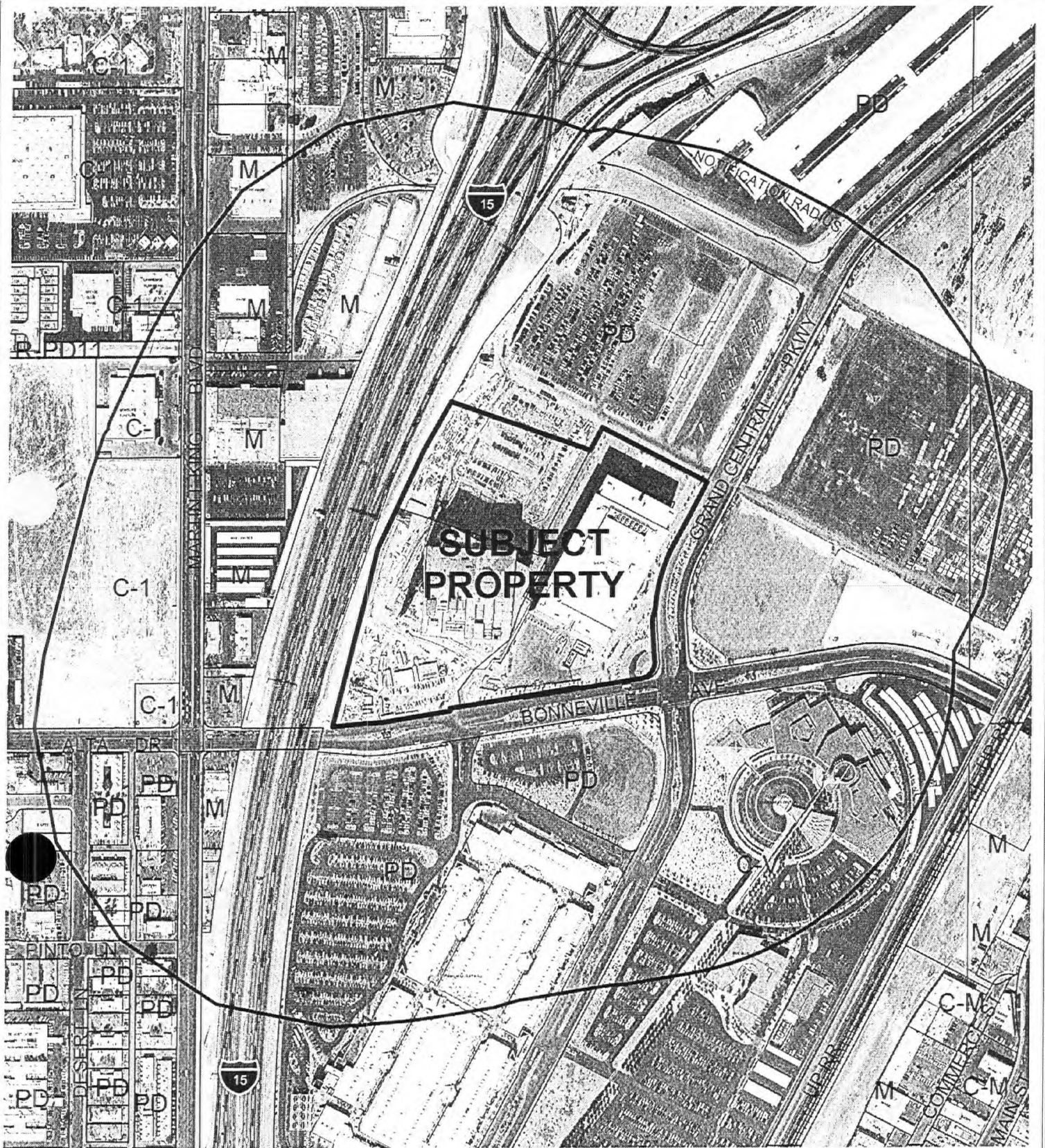
MAYOR GOODMAN declared the Public Hearing open. There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.



CASE: **MSP-15823**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)



CASE: **MSP-15823**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: MSP-15823 - APPLICANT: WORLD MARKET CENTER -
OWNER: WMCV PHASE 2, LLC, ET AL**

**** CONDITIONS ****

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

Planning and Development

1. All signs shall conform with the Master Sign Plan Amendment for World Market Center Phase II Plans date stamped 08/09/06, except as amended by conditions herein.
2. Any future Signage Amendments may be approved via the Administrative Process by Planning & Development Staff.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Signs shall not be located within the public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.
5. Site development to comply with all applicable conditions of approval for the Parkway Center subdivision and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Master Sign Plan Amendment for Phase II of the World Market at 495 South Grand Central Parkway.

EXECUTIVE SUMMARY

Staff states that the proposed signage is consistent with the intent of the Las Vegas Parkway Center Sign Design and Phase I of the World Market Center. The signage designs in place are tasteful, created with the owners needs in mind, complimenting the buildings and keeping with the overall feel and look of Las Vegas.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 11/23/98 | The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) on the subject property. The Planning Commission and staff recommended approval. |
| 05/16/01 | The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff recommended approval. |
| 05/18/05 | The City Council approved a Review of Condition (ROC-6466) and (ROC-6467) to allow the required landscaping to be installed in phases and to change the location of a required trail. |
| 06/15/05 | The City Council approved a Master Sign Plan for a proposed business park at 495 South Grand Central Parkway. The Planning Commission and staff recommended approval. |
| 07/06/05 | The City Council approved Phase II of the World Market Center for a 1,619,219 square foot building. The Planning Commission and staff recommended approval. |

- 08/15/06 The Parkway Center Architectural Review committee approved (ARC-PC-15602) for a Major Signage Amendment to Master Sign Plan (MSP-6344).
- 09/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #2/yk).

B) Pre-Application Meeting

- 07/13/06 At the pre-application conference the need to amend the approved Master Sign Plan for the development was discussed. The applicant was informed that the request would have to be reviewed by the Parkway Center Review Committee prior to being heard by the Planning Commission.

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

Net Acres: 8.95 Acres

B) Existing Land Use

Subject Property: Furniture Mart
North: Furniture Mart (under construction)
South: Outlet Mall
East: Undeveloped (Union Park)
West: Furniture Mart (under construction)

C) Planned Land Use

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

D) Existing Zoning

Subject Property: PD (Planned Development)
North: PD (Planned Development)
South: PD (Planned Development)
East: PD (Planned Development)
West: PD (Planned Development)

E) General Plan Compliance

The Downtown Redevelopment Area Plan of the Southeast General Plan designates the subject site as MXU (Downtown Mixed Use). This land use category allows low and high-density residential, manufacturing, office, service and general commercial and public facilities. The proposal conforms to the GC (General Commercial) category, which is allowed in the MXU (Downtown Mixed Use) designation.

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Parkway Center District. The district is intended to accommodate a wide variety of commercial, public and residential uses within vertically or horizontally mixed-use configuration. The development is consistent with the goals and objectives of the Downtown Centennial Plan.

Redevelopment Plan Area

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

<i>MASTER SIGN PLAN REQUIREMENTS FOR ON-PREMISE SIGNAGE</i>		
THRESHOLD	YES	NO
Non-Residential project with a site larger than 2.5 acres	X	
Non-Restricted Gaming Establishment		X
Residential project containing more than 500 units and/or 160 acres in area		X
To establish the requirements/limitations for signs located in the Gaming and Downtown Overlay Districts, and any uses not required elsewhere in 19.14 located in the "Planned Community" and "Planned Development" Districts		X
To establish requirements/limitations for signs in a specific development		X

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

The applicant is not proposing to add square footage to the building. Aside from the signage no other improvements are part of this application request.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of parking requirements due to its being located within the boundaries of the Downtown Centennial Plan area. Parking is not a consideration of this application.

A4) Landscape and Open Space Standards

This property is subject to the streetscape standards of the Downtown Centennial Plan and Parkway Center Development Standards. Landscaping is not a consideration of this application.

A5) Sign Standards

All signage must adhere to the Parkway Center Sign Standards. A Master Sign Plan (MSP-6344) was approved for the development in 2005. The applicant is requesting to amend this plan with the following wall signs for building II:

Parkway Center Wall Sign Standards	Provided	Complies
Size is consistent with the scale of the building	193' x 24'	Y
Color and texture are appropriate for building	Blue and Orange letters with internally illuminated fabricated aluminum open back channel letters with halo-illumination	Y
Signs above second floor shall be limited to two tenants of the building for the name of a hotel.	Three (3) one each for the south, west and northeast elevations	Y
Size of letters determined by PC-ARC	8' 6" x 8' 6"	N/A
Font of letters determined by PC-ARC	Not provided	N/A
Character of sign determined by PC-ARC	Clear modern style	N/A
Address signs must be minimum of 6" high	12" high	Y

B) General Analysis and Discussion

- Zoning

The World Market Center is a permitted use in the Planned Development (PD) Zone.

- Site Plan

Building II is located on the southwest corner of the World Market complex. No site plan revisions are a part of this application.

- Landscape Plan

Landscaping will comply with previously approved Site Development Review Plans and are not a part of this application.

- Elevations

The elevations of building II consist of a smooth two-tiered grey colored concrete and panel surface with windows along the top floor. The shape of the building is similar to a cube with a second cube projecting from the center of the first. The northeast corner of the building is a steel framed glass curtain from ground to roof in a diagonal shape.

- Floor Plans

This is a previously approved building with no interior changes included with this application.

- Signage

A total of three (3) wall signs are being proposed for building II of the World Market Center. Two address signs are also included with this application. The proposed signs on the south and west elevations are identical in size to the wall sign approved for the east elevation of building I. However, the lettering will be blue and orange whereas building I letter colors are silver.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 40 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **MSP-15823**

APN **139-33-610-005**

Name of Property Owner **JACK KASHANI FOR WMC V PHASE II, LLC, a Delaware Limited Liability Co.**

Name of Applicant **ROBERT HOLGATE FOR WMC**

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

Partners:

APN

Signature of Property Owner

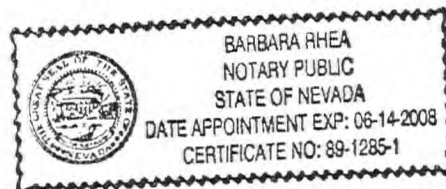
[Signature]

Print Name: **JACK KASHANI**

Subscribed and sworn to on

This **11** day of **July**, **2006**

Notary Public



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AUG 09 2006

AMENDED MASTER SIGN PLAN
WORLD MARKET CENTER
PHASE II

Casino
LIGHTING & SIGNS

RECEIVED

AUG 9 2006

MSP-15823
09/21/06 PC

SITE LOCATION

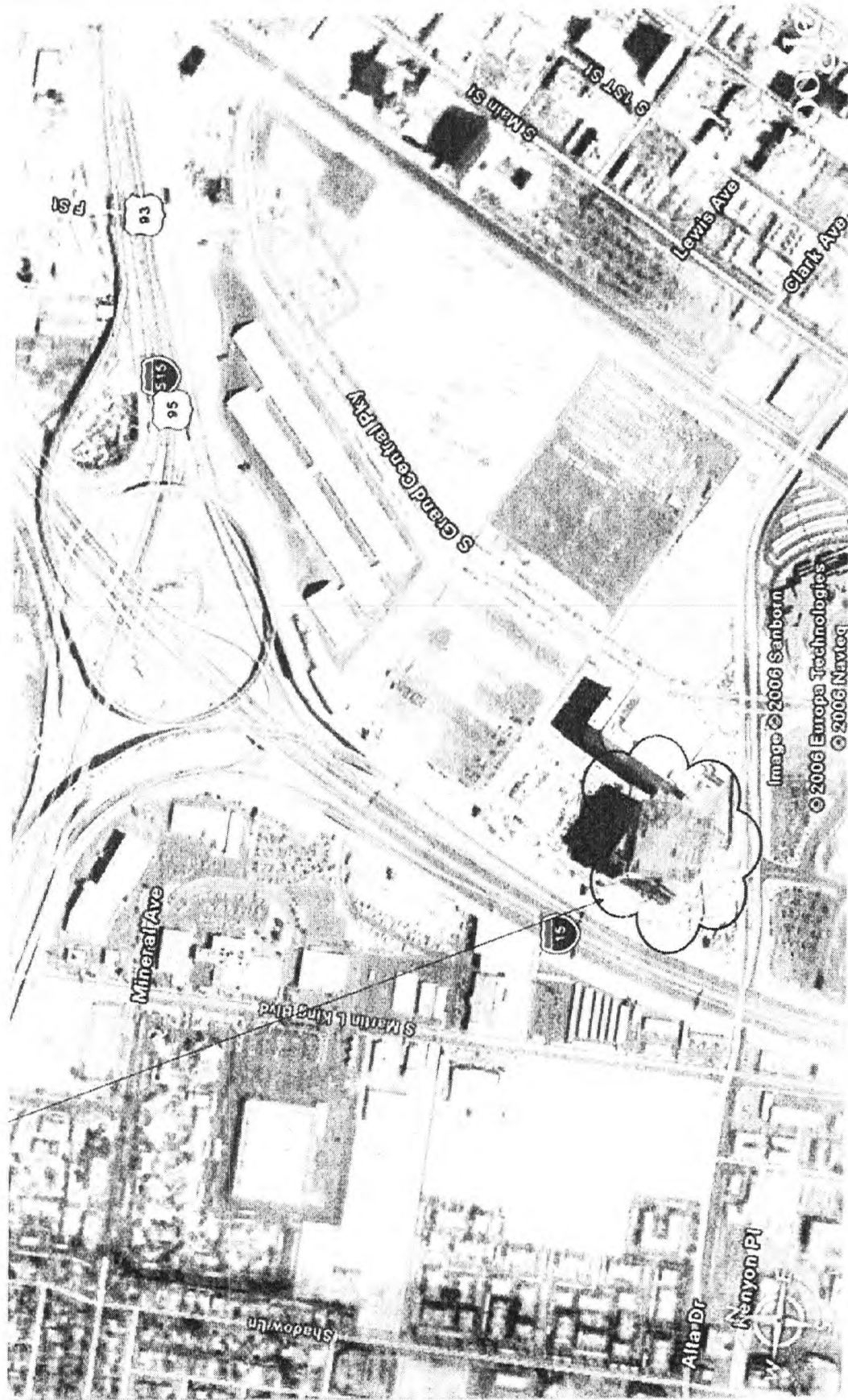


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VICINITY MAP

RECEIVED

MSP-15823

AUG 9 2006

09/21/06 PC



MSP-15823
09/21/06 PC

MASTER SITE PLAN
RECEIVED
 AUG 9 2006

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Casino

REVISIONS

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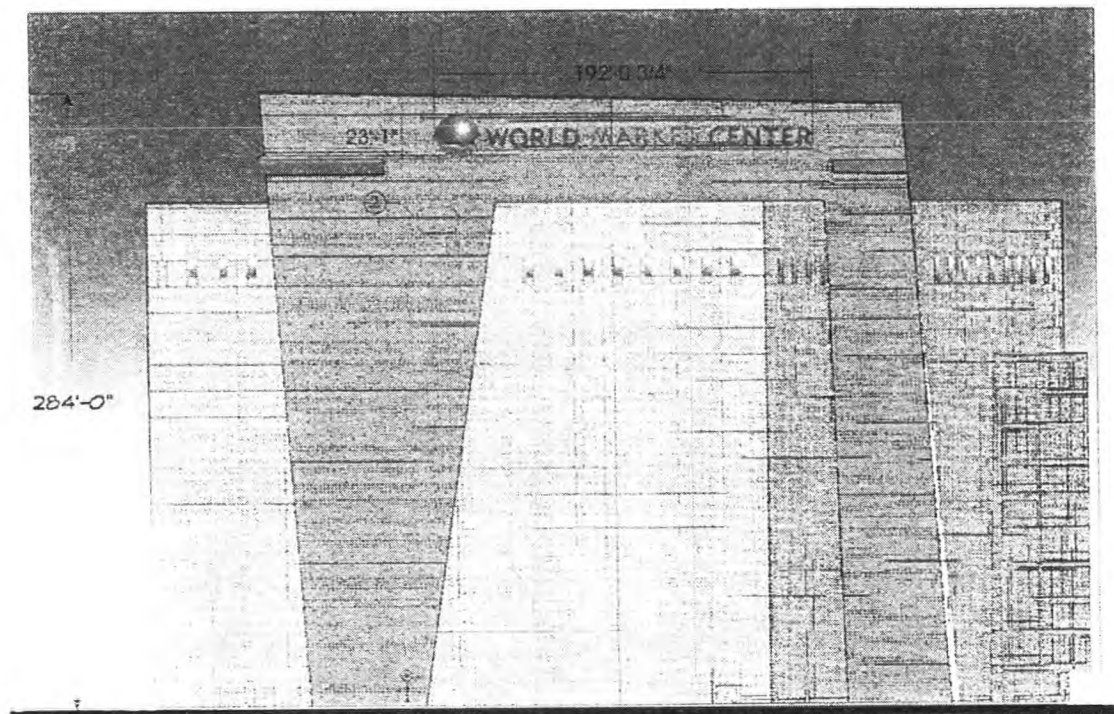
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SOUTH ELEVATION
1/64"=1'-0"

C1

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MSP-15823

09/21/06 PC

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Casino

REVISIONS

REVISIONS

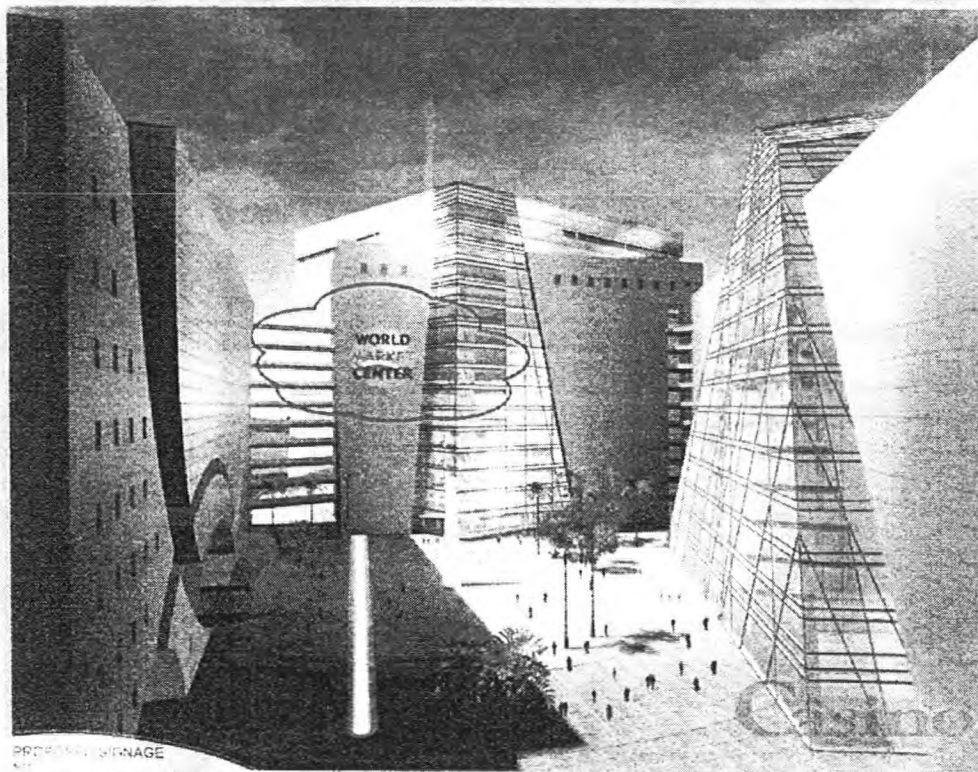
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PROPOSED SIGNAGE

NOTE:
FIELD VERIFY ALL DIMENSIONS
PRIOR TO MANUFACTURING

C2

MANUFACTURING SPECS

• CLS TO MANUFACTURE AND INSTALL (1) SET
OF EXTERIOR ELEVATION LOGO AND LETTERS
TO THE N.E. SECTION OF WMC PHASE 2 BUILDING
BACKGROUND LOGO FOR ALUMINUM PAINTED SILVER GREY
LETTERS TO BE PAN CHANNEL INTERVALLY ILLUMINATED WITH
ORANGE BLUE NEON WHITE LEXAN FACES WITH ORANGE BLUE
FIRST SURFACE VINYL OVERLAY LETTER RETAINERS AND RETURNS
PAINTED ORANGE AND BLUE FLUSH MOUNTED TO FGD ALUM. LOGO

NO ON SITE MANUFACTURING
PAINTING REQUIRED



Casino  M&I (1) NE ELEVATION WMC LOGO AND LETTERS
1/16"=1'

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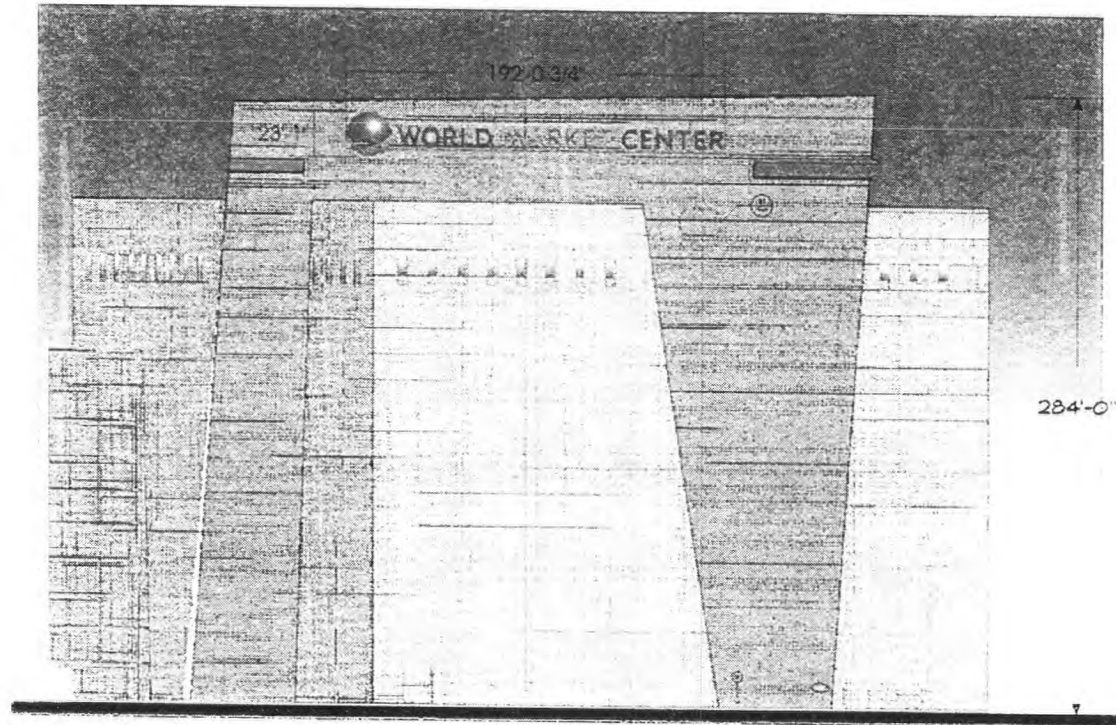
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09/21/06 PC

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475

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C3

WEST ELEVATION
1/64" = 1'-0"

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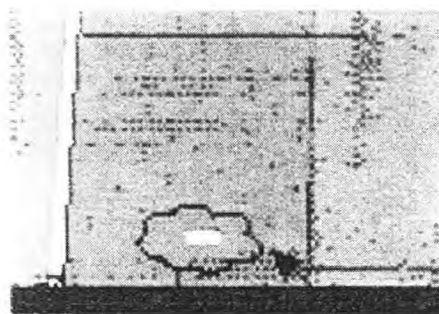
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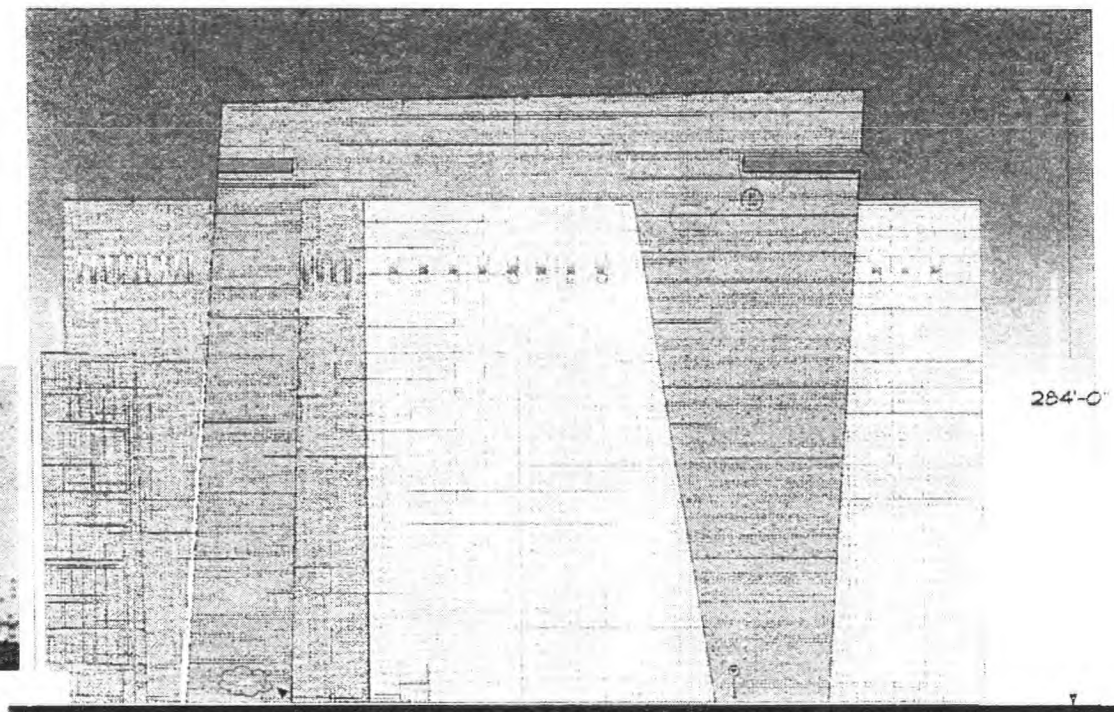
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Casino
REVISIONS
APPROVAL
DATE
WORLD BANK CENTER
09/21/06

475

12" COPY



DETAIL VIEW



ADDRESS LOCATION

NORTH-EAST ELEVATION
1/64"=1'-0"

C4

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09/21/06 PC

7

Casino

REVISIONS

REVISIONS

REVISIONS

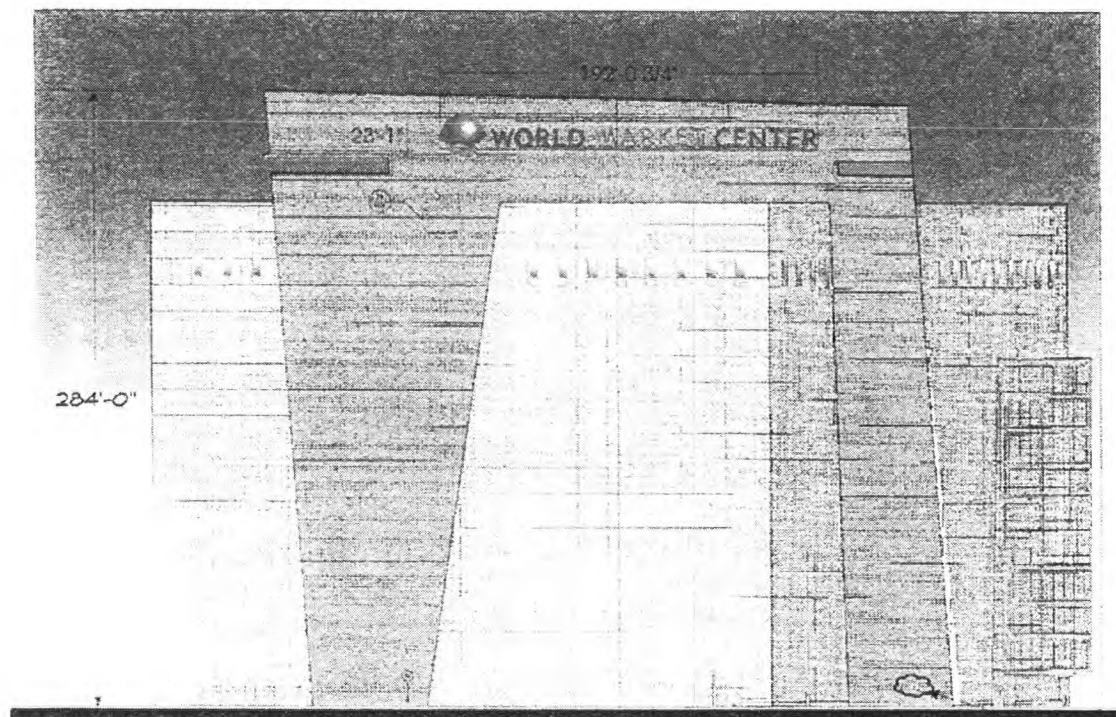
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475

12" COPY



ADDRESS LOCATION RECEIVED

SOUTH ELEVATION
1/64"=1'-0"

AUG 9 2006

MSP-15823

09/21/06 PC

C4

8

Casino

REVISIONS

INDUSTRIAL NOTICE

CUSTOMER APPROVAL

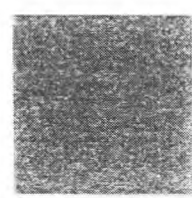
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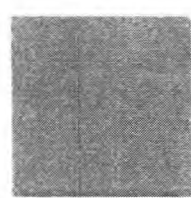
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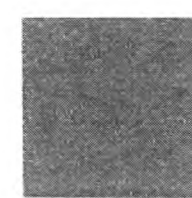
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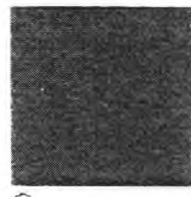
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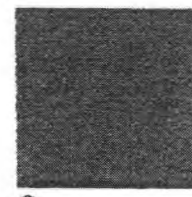
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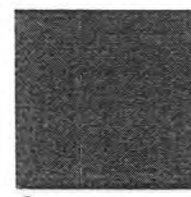
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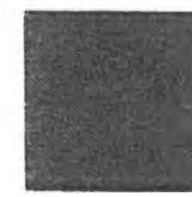
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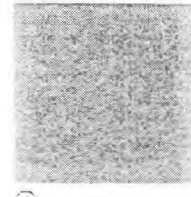
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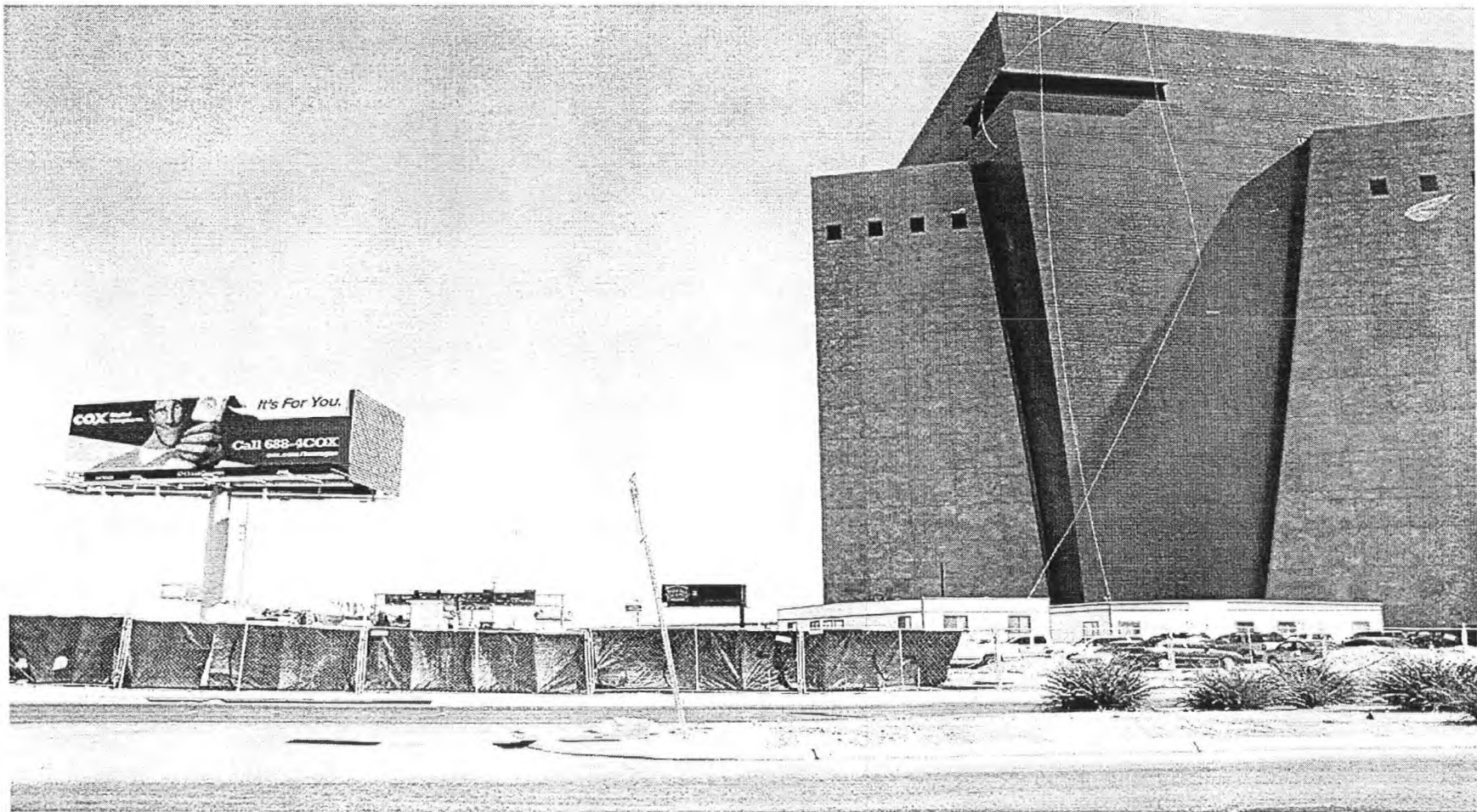


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MSP-15823 AUG 9 2006
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1	Casino
REVISIONS	INCIDENT NOTES
DATE	TIME
LOCATION	DESCRIPTION
REPORTED BY	INVESTIGATOR
APPROVED BY	DATE



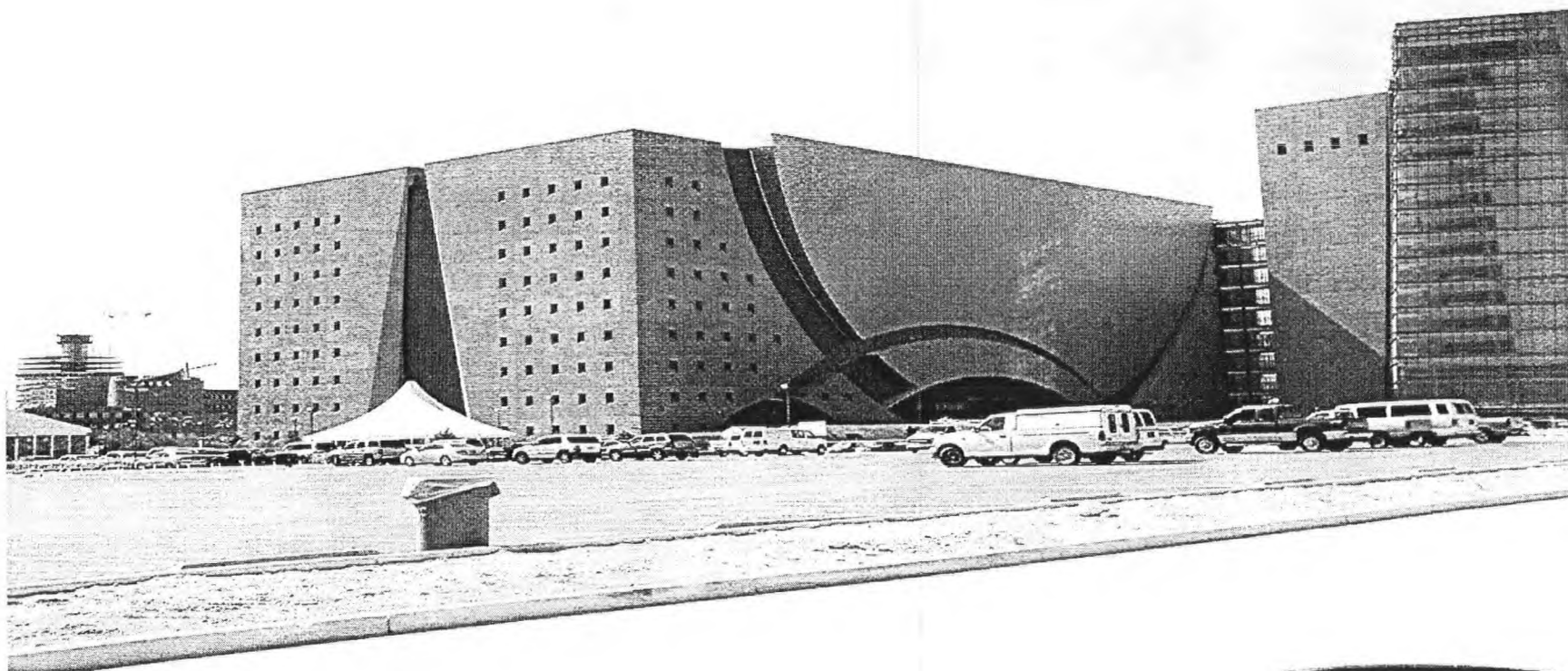
MSP-15823 - APPLICANT: WORLD MARKET CENTER - OWNER: WMCV PHASE 2, LLC, ET AL
475 AND 495 SOUTH GRAND CENTRAL PARKWAY
SEPTEMBER 21, 2006 PLANNING COMMISSION

8/22/06



MSP-15823 - APPLICANT: WORLD MARKET CENTER - OWNER: WMCV PHASE 2, LLC, ET AL
475 AND 495 SOUTH GRAND CENTRAL PARKWAY
SEPTEMBER 21, 2006 PLANNING COMMISSION

8/22/06



MSP-15823 - APPLICANT: WORLD MARKET CENTER - OWNER: WMCV PHASE 2, LLC, ET AL
475 AND 495 SOUTH GRAND CENTRAL PARKWAY
SEPTEMBER 21, 2006 PLANNING COMMISSION

8/22/06



MSP-15823 - APPLICANT: WORLD MARKET CENTER - OWNER: WMCV PHASE 2, LLC, ET AL
475 AND 495 SOUTH GRAND CENTRAL PARKWAY
SEPTEMBER 21, 2006 PLANNING COMMISSION

8/22/06

Casino

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AUG 09 2006

July 27, 2006

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

RE: Justification Letter & Sign Analysis Table
Master Sign Plan for World Market Center Las Vegas – Phase II

Dear Mr. Fagg,

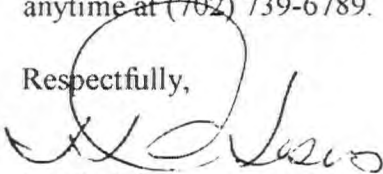
Please accept this revision to the existing Master Sign Plan submitted on behalf of our customer, **World Market Center Las Vegas** located at 495 South Grand Central Parkway.

World Market Center (WMC) is currently under construction with Phase II of the 57-acre home furnishings campus slated to become the largest trade complex of its kind in the world.

I have attached all the required documentation to assist you in reviewing and approving this Master Sign Plan Amendment request. From our analysis of your Downtown Centennial Plan Standards, the signage we are proposing in this plan does exceed the existing policies and regulations however, with a project of this magnitude and stature, it requires tasteful and noteworthy signage to efficiently assist visitors and vendors year around to negotiate a campus of this magnitude. We feel the signage designs in place are tasteful, created with the owners needs in mind, complimenting the buildings and keeping with the overall feel and look of Las Vegas as well. The people that live in and around the City and the millions of visitors that come will all appreciate the beauty of this architectural development. The details for the exterior signage for World Market Center Phase I and II - Las Vegas are listed on page 2 of this letter.

We look forward to your response. Should you have questions please contact me anytime at (702) 739-6789.

Respectfully,



Joe DeJesus
Vice President

MSP-15823
09/21/06 PC

SIGN ANALYSIS TABLE

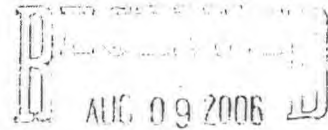
SIGNAGE	QTY	DESCRIPTION	LOCATION	ANIMATED
PROPOSED SIGNAGE:				
SIGN C1	1	Illuminated 10' H (OA) letters to read "WORLD MARKET CENTER" with a 23' H (OA) Logo with Underscore. This set of letters and logo are approximately 192'W (OA).	South elevation of Phase II building, approximately 260' (OC) above ground level.	NO
SIGN C2	1	Illuminated 10' H (OA) letters to read "WORLD MARKET CENTER" letters surface mounted to a flat non-illuminated logo painted silver.	North/East elevation of Phase II building, approximately 160' (OC)	NO
SIGN C3	1	Illuminated 10' H (OA) letters to read "WORLD MARKET CENTER" with a 23' H (OA) Logo with Underscore. This set of letters and logo are approximately 192'W (OA).	West elevation of Phase II building, approximately 260' (OC) above ground level.	NO
C4	2	Two (2) sets of 12" H, 2"D flat cut out non-illuminated sets of "Address Numbers".	S & E elevations at 14' above ground level.	NO

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MSP-15823
09/21/06 PC



054850



August 11, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGERMr. Jack Kashani
WMC 1 Associates, LLC
495 South Grand Central Parkway
Las Vegas, Nevada 89106RE: SDR-6593 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JULY 6, 2005

Dear Mr. Kashani:

The City Council at a regular meeting held July 6, 2005 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 1,619,219 SQUARE FOOT COMMERCIAL CENTER AND WAIVERS OF THE PERIMETER, PARKING LOT AND FOUNDATION LANDSCAPING STANDARDS on 7.21 acres adjacent to the northeast corner of I-15 and Bonneville Avenue (APN 139-33-610-005), PD (Planned Development) 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. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 04/27/05, except as amended by conditions herein.
3. A Waiver from the Parkway Center perimeter landscape requirements is hereby approved, to remove the requirement for a landscape buffer along the west property line.
4. A Waiver from Parkway Center streetscape requirement is hereby approved, to allow the development of a trail instead of the required streetscape treatment along the Bonneville Avenue and Grand Central Parkway frontages.
5. A Waiver from Parkway Center parking lot landscaping standards is hereby approved, to remove the requirement for landscaping in the surface parking lot located immediately south of the Phase II building.
6. A Waiver from the Parkway Center build-to line requirement is hereby approved, to allow the Phase II building to be located 148 feet from the front property line.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-08-05

CLV 7009

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09/21/06 PC

Mr. Jack Kashani
SDR-6593 – Page Two
August 11, 2005

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7. A Waiver from Parkway Center exterior materials requirement is hereby approved, to allow the use of synthetic stucco on the lower floors of the building.
8. The adequacy of the parking for this development shall be reviewed by the Planning Commission and City Council within two years of the issuance of a Certificate of Occupancy for the Phase II building, at which time the Planning Commission and City Council may require addition parking be provided for the facility.
9. The Off-Premise Advertising (Billboard) signs on the property shall be removed prior to the issuance of a Certification of Occupancy for the Phase II building.
10. This development is subject to the applicable conditions of the approved Review of Condition (ROC-6466) that allowed the required landscaping to be installed in phases.
11. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a structural building permit, to reflect a minimum 10-foot wide trail with amenity zones along the Bonneville Avenue and Grand Central Parkway frontages in accordance with the requirements of ROC-6467.
12. A permanent underground sprinkler system shall be installed in all landscape areas as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.
13. 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 structural building permit. The landscape plan shall include irrigation specifications.
14. Pre-planting and post-planting landscape inspections are required. 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. This is to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized.
15. Handicap parking spaces shall be provided in accordance with Code requirements.
16. Glazing shall be limited to a maximum of 15 percent reflectivity in accordance with the Parkway Center Development Standards Manual.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.

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Mr. Jack Kashani
SDR-6593 – Page Three
August 11, 2005

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18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
19. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
20. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
21. The approved Master Sign Plan for the development shall be amended to include the Phase II building, and shall be submitted for approval of the Planning Commission prior to the issuance of a Certificate of Occupancy for the Phase II building.
22. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
23. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

24. Remove all substandard 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.
25. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
26. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, with the exception of permits for the foundation and rough grading in support of the foundation, subject to the applicant providing to the City Engineer a letter acknowledging that such improvements are made at the applicant's sole risk, pending approval of the required Traffic Impact Analysis. 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

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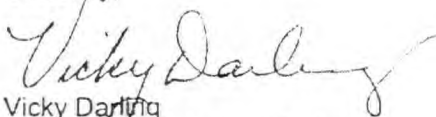
Mr. Jack Kashani
SDR-6593 - Page Four
August 11, 2005

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AUG 09 2006

unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

27. A Drainage Plan and Technical Drainage Study for the parcel must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first, with the exception, if allowed by the Flood Control Section of the Department of Public Works, based on available grading information, of permits for the foundation and rough grading in support of the foundation, subject to the applicant providing to the City Engineer a letter acknowledging that such improvements are made at the applicant's sole risk, pending approval of the required Drainage Study. 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.
28. Site development to comply with all applicable conditions of approval for Z-0100-97 and all other subsequent site-related actions.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Robert Hologate
World Market Center
495 South Grand Central Parkway
Las Vegas, Nevada 89106

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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:

SPECIAL USE PERMIT

SUP-14190 - PUBLIC HEARING - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC - Request for a Special Use Permit FOR THE CONVERSION OF AN EXISTING RESTAURANT TO A SUPPER CLUB at 9026 West Sahara Avenue (APN 163-05-410-004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). NOTE: To be heard in conjunction with Morning Session Item 76. 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 5

Motion made by STEVE WOLFSON 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 108 [SUP-14190] and Item 109 [SUP-14973].

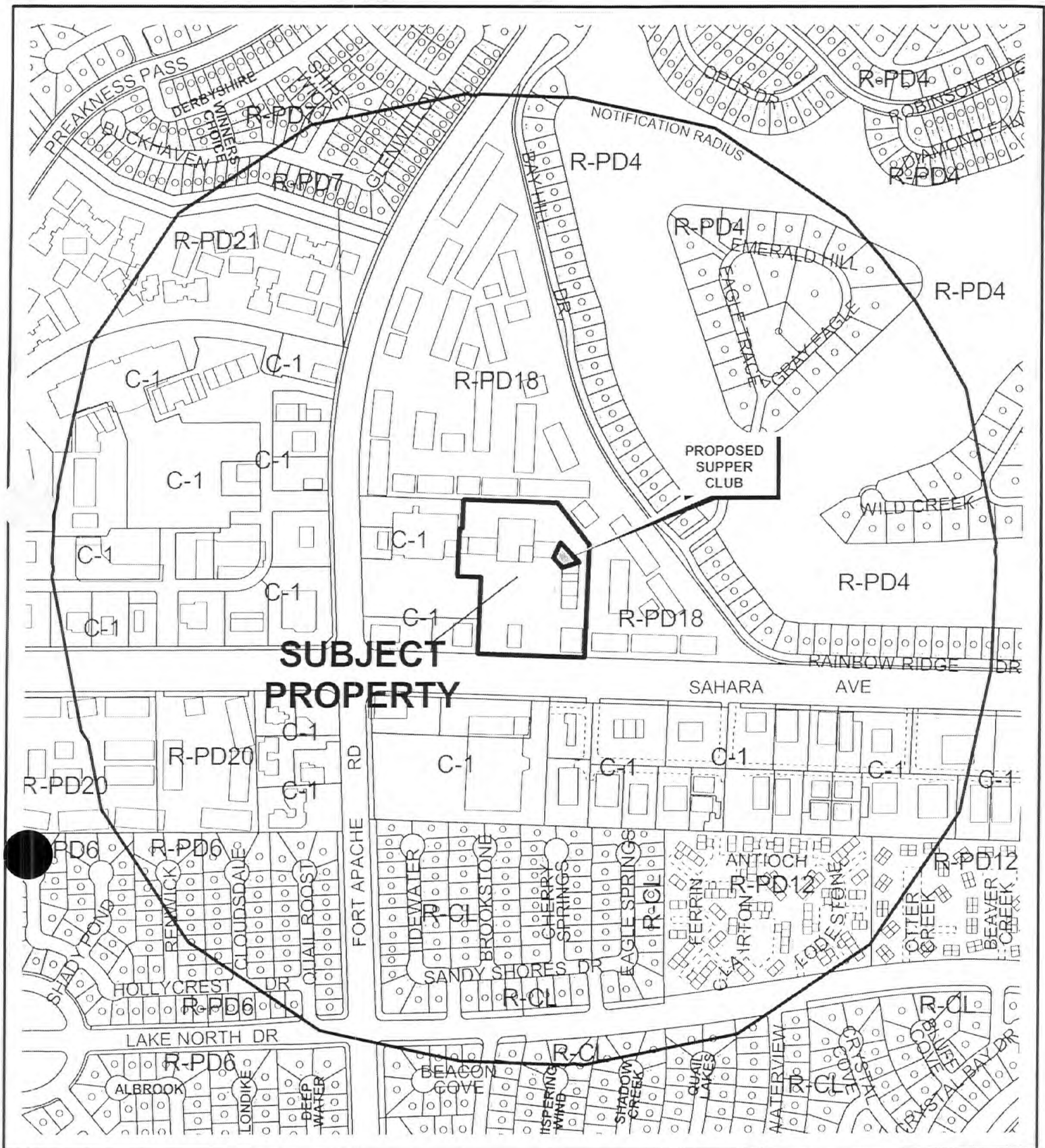
PYONG CHAL AN was present. He stated he is in the process of converting the existing building into a supper club with gaming.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

COUNCILMAN WOLFSON noted that the Las Vegas Metropolitan Police Department had not expressed any concerns regarding this applicant. JIM DiFIORE, Manager of Business Services, confirmed that the continuing construction on the building was the only reason the license application was requested to be held.

MAYOR GOODMAN declared the Public Hearing closed for Item 108 [SUP-14190] and Item 109 [SUP-14973].





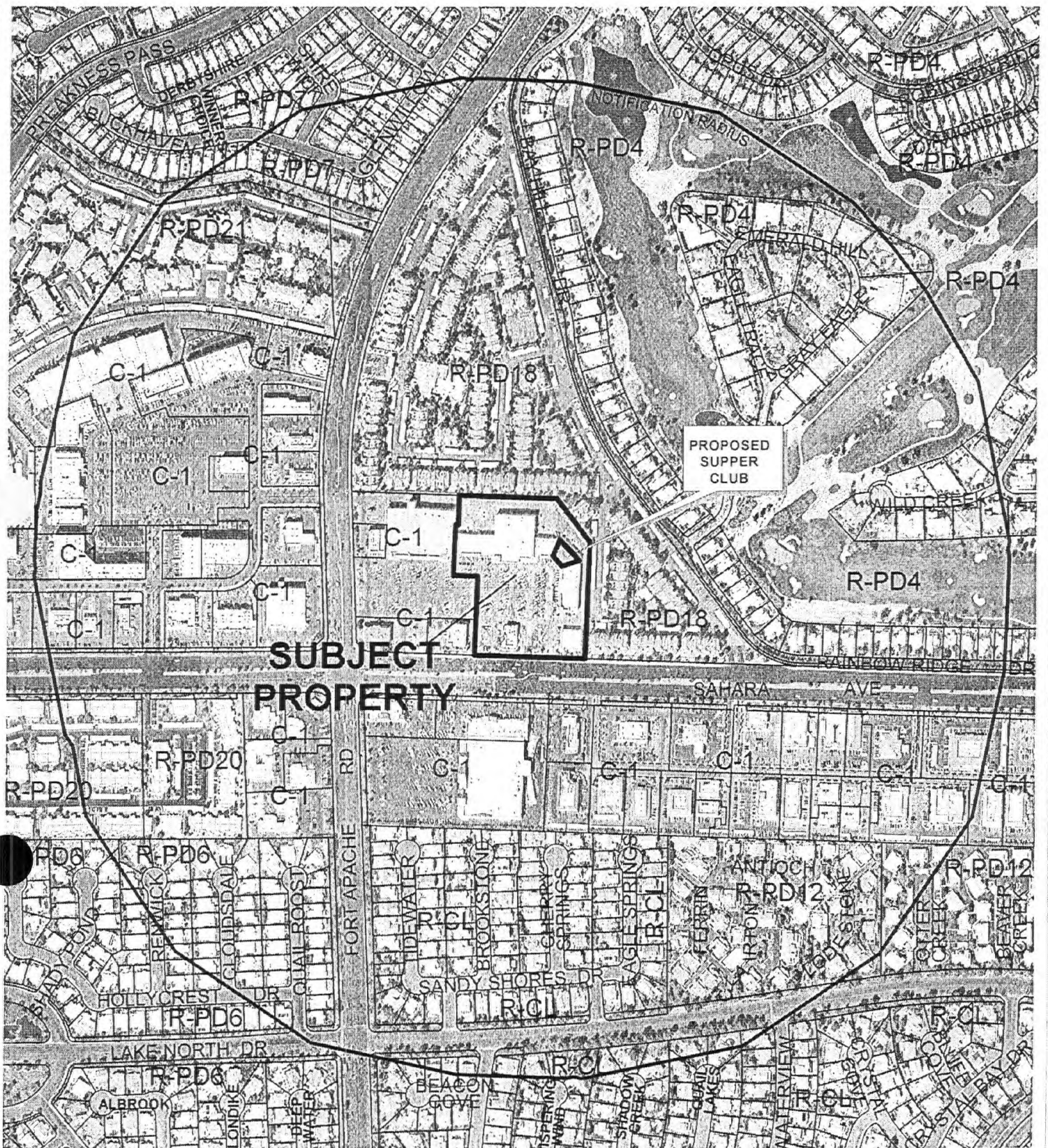
CASE: SUP-14190

RADIUS: 1500 FT

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

0 300 600 Feet





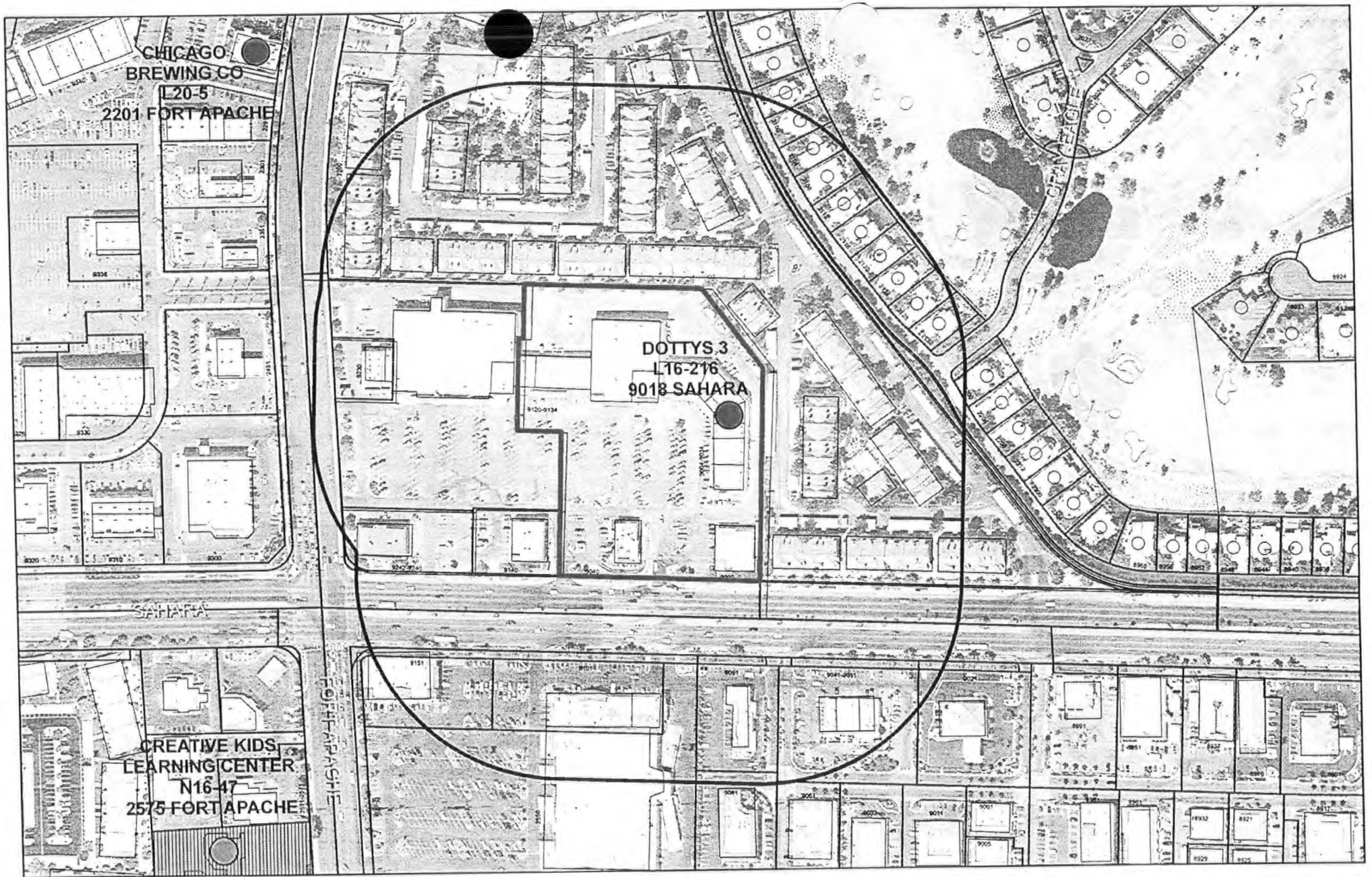
CASE: SUP-14190

RADIUS: 1500 FT

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

0 300 600 Feet





SUP-14190

Protected Landuses

-  CITY PARKS
-  RELIGIOUS
-  SCHOOLS

Business Licenses

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

 Subject Property

 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-14190 - APPLICANT: PYONG CHAL AN - OWNER:
CANYON LAKES GLASER, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Supper Club use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-14973) shall be required.
3. 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.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. 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 the conversion of an existing restaurant to a Supper Club at 9026 West Sahara Avenue.

EXECUTIVE SUMMARY

The conversion of an existing restaurant to a Supper Club is in compliance with all applicable plans and policies. The conversion will include the expansion of the restaurant into an adjacent suite. There is a companion Special Use Permit (SUP-14973) for General Business Related Gaming that will be heard concurrently with this item. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 08/15/90 | The City Council approved a Special Use Permit (U-0129-90) to allow the sale of Beer and Wine (On-Premise) for an existing restaurant. Staff recommended approval. |
| 09/19/90 | The City Council approved a Special Use Permit (U-0153-90) to allow the sale of Package Liquor as part of an existing drug store. |
| 10/23/91 | The City Council approved a Variance (V-0155-91) to allow 575 parking spaces where 589 Parking spaces are the minimum required. |
| 02/03/93 | The City Council approved a Special Use Permit (U-0207-92) to allow an additional five gaming machines, for a total of 20 machines, in an existing drug store. |
| 09/21/06 | The Planning Commission recommended approval of companion item SUP-14973 concurrently with this application. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #5/ng). |

B) Pre-Application Meeting

05/15/06 A pre-application meeting was held and elements of a Special Use Permit were discussed. Details noted included parking requirements, a parking analysis was requested, and the applicant was informed that a Development Impact Notification Assessment (DINA) would be required.

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: 5.57

B) Existing Land Use

Subject Property: Shopping Center
North: Multi-Family Residential
South: Shopping Center
East: Multi-Family Residential
West: Shopping Center

C) Planned Land Use

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

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
North: R-PD18 (Residential Planned Development – 18 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD18 (Residential Planned Development – 18 Units Per Acre)
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject property is designated as SC (Service Commercial) under the Southwest Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of commercial uses including the proposed use as a Supper Club. The proposal is in compliance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Canyon Gate	X	
Special Overlay District		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

Canyon Gate

The subject property is located in the Canyon Gate Master Planned Community. The Canyon Gate Community does not have specific guidelines regarding development standards and no special action is required regarding the proposed Supper Club use.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.04 and Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	63,247 SF.	1/250 GFA	253	7	318	9

This restaurant is located in a Shopping Center, which allows the entire site to be calculated at a ratio of 1:250. The site is in compliance with Title 19.04 and Title 19.10 parking requirements.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Supper Club	Shall be located a minimum of 400 feet from any church, synagogue, school, child care facility for more than 12 children, or city park.	Yes, the proposed establishment is located approximately 700 feet from the nearest protected use. In this case a school.

B) General Analysis and Discussion

- Zoning

The subject property is located in a C-1 (Limited Commercial) District. The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial, and the Neighborhood Center categories of the General Plan. The proposed conversion of an existing restaurant to a Supper Club is permissible in the C-1 (Limited Commercial) District with approval of a Special Use Permit. This application is intended to satisfy that requirement; if approved.

- Use

The proposal is to convert an existing restaurant to a Supper Club. The restaurant currently has a Special Use Permit (U-0129-90) for the sale of Beer and Wine (On-Premise). As part of this conversion the applicant would be expanding into an adjacent suite. Additionally the applicant is seeking a second Special Use Permit (SUP-14973) for General Business Related Gaming. The following requirements apply to the proposed Supper Club:

SUPPER CLUB [N-S THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- (1) No supper club use shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

(2) Except as otherwise provided in Subsection (3) below, the minimum distances referred to in Subsection (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed supper club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed supper club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

(a) Any leasehold parcel; or

(b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Subsection (1).

(3) In the case of a supper club proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Subsection (1) shall be measured in a straight line:

(a) From the nearest property line of the existing use to the nearest portion of the structure in which the supper club will be located, without regard to intervening obstacles; or

(b) In the case of a proposed supper club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the supper club will be located, without regard to intervening obstacles.

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

(*5) In the O District, a supper club is permitted only as an accessory use.

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

- Conditions

There are no special conditions related to this Special Use Permit application.

FINDINGS

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

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

The proposed use is a conversion of an existing restaurant to a Supper Club. This business is located in a shopping center. The proposed change will be harmonious and compatible with surrounding development. Approval of this request is recommended.

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

The subject site is part of a shopping center. The increase in intensity of the use is accommodated through the expansion of the restaurant into an adjacent suite. The subject site is physically suitable for this type of development.

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

The site gains access from Sahara Avenue and Fort Apache Road, both are 100-foot Primary Arterials. These streets are designed to handle a large traffic flow and are able to accommodate the proposed use.

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

Approval of this Special Use Permit will not compromise the public health or the General Welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 937 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-14190** APN: 163-05-410-004

Name of Property Owner: Ruben poplawski

Name of Applicant: Pyong C. An

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: _____

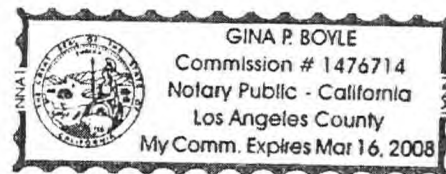
Signature of Property Owner: By Felicia T. Stacey **MANAGER**

Print Name: RUBEN POPLAWSKI

Subscribed and sworn before me

This 30 day of June, 2006

Guadalupe Boyle
Notary Public in and for said County and State
Los Angeles, California



Y
SITE PLAN

VICINITY MAP & KEY STANDING SIGN NOTES.

VICINITY MAP

SUP-14190
09/21/06 PC
FREE STANDING SIGN DETAIL

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PUMI RESTAURANT
9022 W. SAHARA AVE.
LAS VEGAS, NEVADA

SITE PLAN

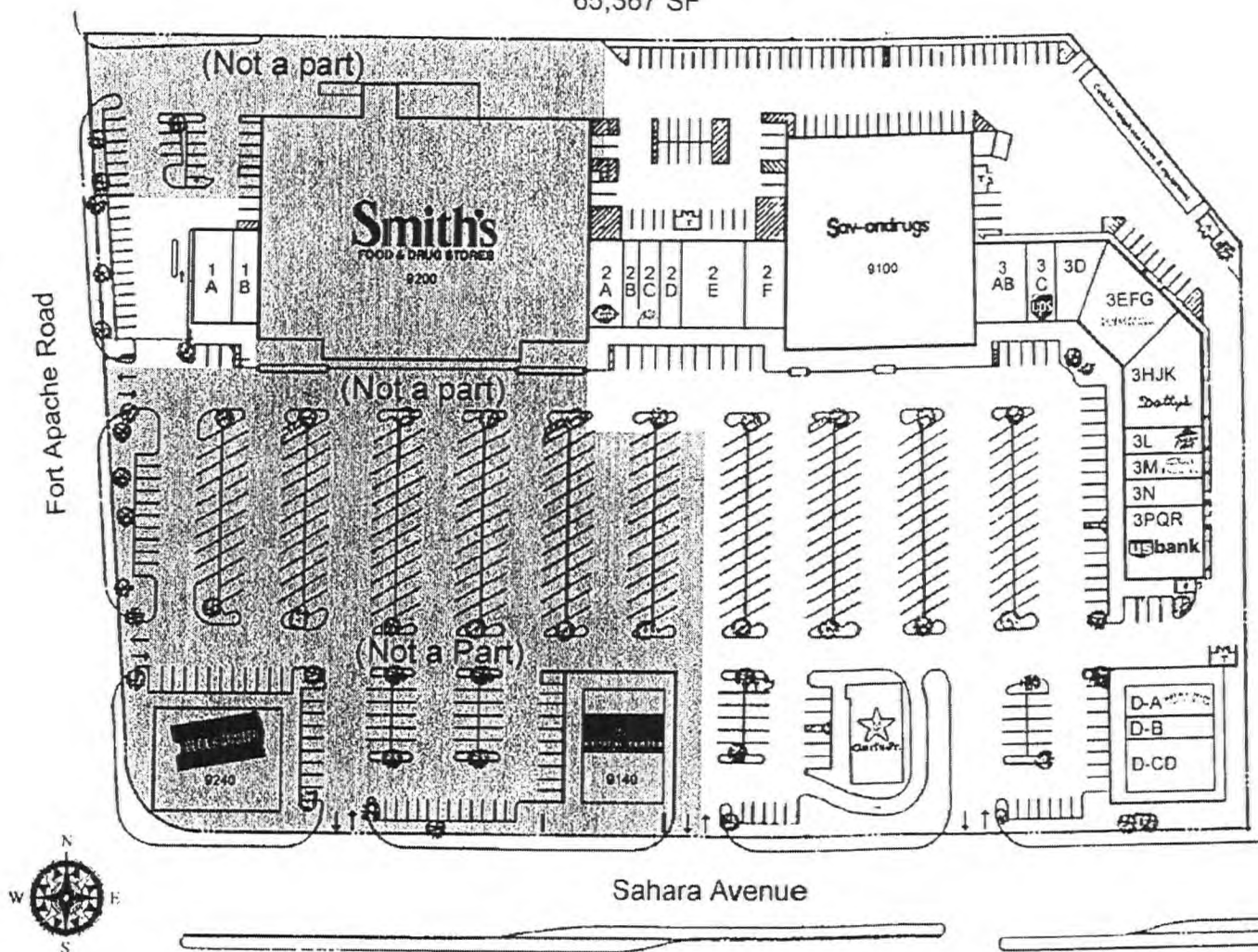
REVISIONS

DRAWN BY
A.C.C.
DATE
STATUS
DATE
25-02-2006
BY
SKE
A.S.S.A.

3-4

Canyon Lakes

9002 – 9232 W. Sahara Ave.
Las Vegas, NV 89117
65,367 SF



Address	Unit	Tenant	Sq Ft	Address	Unit	Tenant	Sq Ft
9232	1-A	Al Philips the Cleaner	2,100	9028	3-D	Red Rock Florist	1,646
9230	1-B	Wendall Waite	1,400	9026	3-EFG	Pumi Restaurant	3,686
9134	2-A	Dairy Queen	1,614	9020	3-HJK	Dotty's	4,252
9132	2-B	Red Rock Water Store	856	9014	3-L	Pizza Hut	1,200
9130	2-C	Farmers Insurance	1,056	9012	3-M	Gail Knits	1,140
9128	2-D	Smoke Shop	1,186	9010	3-N	Unique Hair	1,200
9120	2-E	Nationwide Pools	3,120	9004	3-PQR	US Bank	3,300
9110	2-F	Studio of Self Defense	1,593	9040	Pad C	Carl's Jr.	3,200
9100		Sav-On	22,278	9002	D-A	Aruba Juice	1,490
9032	3-AB	Mountain West Chiropractic	2,260	9002	D-B	Fashion Star Photo	990
9030	3-C	The UPS Store	1,200	9002	D-CD	Vacant	2,480

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09/21/06 PC

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June 14, 2006

PUMI RESTAURANT

SAHARA & FORT APACHE RD
EAST & NORTH CORNER. ADDITION OF BAR.
LAS VEGAS, NEVADA

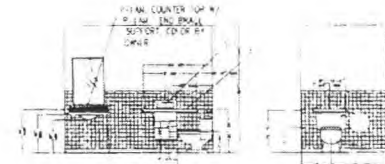
PROJECT DATA

CITY OF LAS VEGAS
V-B
YES
A-1
9022 W. SAHARA AVE. LV. NV
900 SQ FT
2 MIN IN NUMBER AND PROVIDED
10 3/8 IN. PROVIDED IN WIDTH
162 IN. PROVIDED IN WIDTH
TENANT IMPROVEMENT FOR RESTAURANT
ONE STORY
40 FT MAX. AND 30 FT. IN ACTUAL HEIGHT
YES
YES
41.50 FEET
59

DRAWING INDEX

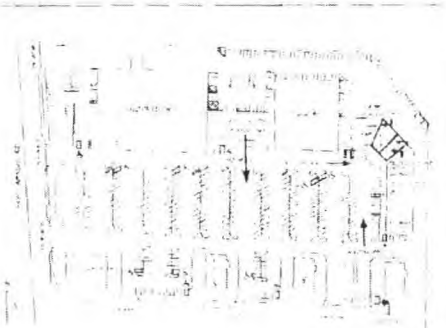


NOTE:
ENTRY DOORS TO HAVE A STAINLESS
STEEL HINGED GLASS DOOR WITH
FRAMES 17 1/8" DIA. MOUNTED TO
WALL. DOORS TO BE 17 1/8" DIA.
THICK. CONTRASTING COLORS AND
MOUNTED 6" TO 8" ABOVE FINISHED
FLOOR.



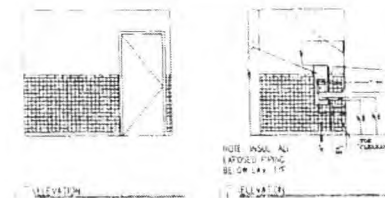
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PARKING LOT PLAN



- ① CLEAR FLOOR SPACE AT ENTRY DOOR FOR WALKWAY
- ② CLEAR FLOOR SPACE AT ENTRY DOOR FOR WALKWAY
- ③ CLEAR FLOOR SPACE AT ENTRY DOOR FOR WALKWAY APPROACH AND
WAY EXTEND A MINIMUM OF 10' UNDER THE JAIL AREA FOR
- ④ WALKWAY TURNING SPACE FOR WALKWAY APPROACH AND WAY EXTEND A MINIMUM OF 10' UNDER THE JAIL AREA FOR
- ⑤ CLEAR FLOOR SPACE AT RESTROOM TYP

TOILET ACCESSORY SCHEDULE				
NO.	DESCRIPTION	UNIT	FINISH	REMARKS
1	TOILET	1	WHITE	STANDARD
2	TOILET	1	WHITE	STANDARD
3	TOILET	1	WHITE	STANDARD
4	TOILET	1	WHITE	STANDARD
5	TOILET	1	WHITE	STANDARD
6	TOILET	1	WHITE	STANDARD
7	TOILET	1	WHITE	STANDARD
8	TOILET	1	WHITE	STANDARD
9	TOILET	1	WHITE	STANDARD
10	TOILET	1	WHITE	STANDARD



SUP-14190
09/21/06 PC

PINE CONSTRUCTION CO., I
GENERAL CONTRACTOR
IN LICENSE # 655857

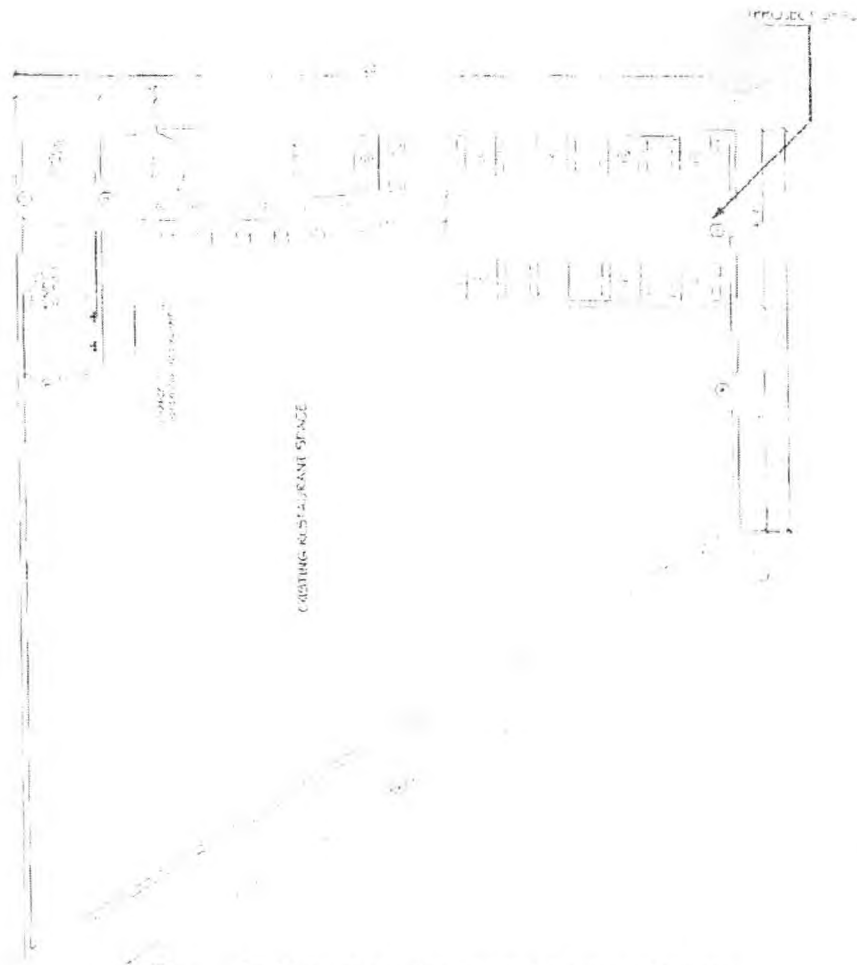
PUMI RESTAURANT
9022 W. SAHARA AVE.
LAS VEGAS, NEVADA

COVER SHEET/RESTROOM DETAILS
PROJECT

REVISIONS

DATE: 05-02-2006
PROJECT NO.:
DRAWN BY: AS BROWN

A-1



EXISTING AND PROJECT SPACE FLOOR PLAN



PROJECT SPACE FLOOR PLAN

DOOR SCHEDULE

DOOR	SIZE	TYPE	MATERIAL	FRAME	QUAN
A	2' x 7' 0" x 1' 0"	STILL DOOR WITH HANDLES AND LOCKS	CLAY TILE	WOODEN METAL	1
B	2' x 7' 0" x 1' 0"	FLUSH DOOR WITH HANDLES AND LOCKS	WOOD	FLA	1
C	2' x 7' 0" x 1' 0"	FLUSH DOOR WITH HANDLES AND LOCKS	WOOD	FLA	1

WINDOW SCHEDULE

WINDOW	SIZE	TYPE	QUAN
1	2' x 7' 0"	RESTROOM (NO OPEN)	1

INTERIOR FINISH SCHEDULE

SPACE	FLOOR	WALLS	CER
	CARPET	TILE	CONCRETE
	PAINT	PAINT	TEXTURE
	SMOOTH	TILE	HANG
DINING HALL			
BAR			
WOMEN'S RESTROOM			
STORAGE			
EXISTING RESTAURANT SPACE	EXISTING	EXISTING	EXISTING

GENERAL NOTES:

1. OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS BUILDING CODE AND THE NATIONAL BUILDING CODE.
3. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS BUILDING CODE AND THE NATIONAL BUILDING CODE.
7. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
8. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS BUILDING CODE AND THE NATIONAL BUILDING CODE.
11. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

INTERIOR FINISH AND DOOR & WINDOW DESIGN NOTES:

1. ALL EXISTING WORK SHALL BE REMOVED AND REPLACED WITH NEW WORK.
2. ALL NEW WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS BUILDING CODE AND THE NATIONAL BUILDING CODE.
3. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LAS VEGAS.
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10. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS BUILDING CODE AND THE NATIONAL BUILDING CODE.
11. ALL MATERIALS AND FINISHES SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
12. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

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PINE CONSTRUCTION CO., II
GENERAL CONTRACTOR
NV LICENSE # 855837

PUMI RESTAURANT
9022 W. SAHARA AVE.
LAS VEGAS, NEVADA

TITLE FLOOR PLAN

PROJECT

REVISIONS

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EXISTING AND PROJECT SPACE FLOOR PLAN

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE SAFETY MEASURES THROUGHOUT THE PROJECT.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DISPOSAL OF ALL DEBRIS AND WASTE MATERIAL.
 7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL WORK DONE.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING PLANTING AND LANDSCAPING.
 9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

INTERIOR FINISH AND DOOR & WINDOW DESIGN NOTES:

1. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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EXISTING AND PROJECT SPACE FLOOR PLAN

PROJECT SPACE FLOOR PLAN

DOOR SCHEDULE

DOOR	REL	TYPE	MATERIAL	FRAME	GLASS
1	DOOR	DOOR WITH TRANSOM	WALNUT	WOOD	GLASS
2	DOOR	DOOR WITH TRANSOM	WALNUT	WOOD	GLASS
3	DOOR	DOOR WITH TRANSOM	WALNUT	WOOD	GLASS
4	DOOR	DOOR WITH TRANSOM	WALNUT	WOOD	GLASS

INTERIOR FINISH SCHEDULE

SPACE	FLOOR	WALLS	CEILING
LIVING ROOM	0	0	0
KITCHEN	0	0	0
BEDROOM	0	0	0
BATH	0	0	0
HALL	0	0	0
CL. CHASE	0	0	0
POSSIBLE RESTROOM	0	0	0

WINDOW SCHEDULE

WINDOW	SIZE	TYPE	GLASS
1	6'0" x 6'0"	DOUBLE HUNG	GLASS
2	6'0" x 6'0"	DOUBLE HUNG	GLASS
3	6'0" x 6'0"	DOUBLE HUNG	GLASS
4	6'0" x 6'0"	DOUBLE HUNG	GLASS

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SUP-14190
09/21/06 PC

PINE CONSTRUCTION CO., I
GENERAL CONTRACTOR
NV LICENSE # BS5857

PUMI RESTAURANT
9022 W. SAHARA AVE.
LAS VEGAS, NEVADA

FLOOR PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
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4		

SCALE BY
DATE
BY
CHECKED BY
AS SHOWN

SCALE BY
DATE
BY
CHECKED BY
AS SHOWN

SCALE BY
DATE
BY
CHECKED BY
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SCALE BY
DATE
BY
CHECKED BY
AS SHOWN

SECTION A-A



RIGHT INTERIOR SECTION
A-A

LEFT INTERIOR SECTION
A-A

12



FLOOR PLAN SECTION SYMBOL

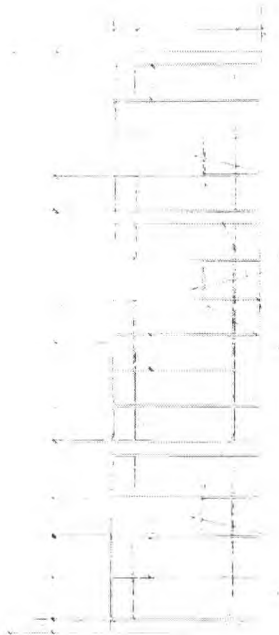
FRONT INTERIOR SECTION
A-A



REAR INTERIOR SECTION
A-A



FRONT EXTERIOR ELEVATION
A-A



REAR EXTERIOR ELEVATION
A-A



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SUP-14190

09/21/06 PC

PINE CONSTRUCTION CO., INC.
GENERAL CONTRACTOR
NV LICENSE # 855857

PUMI RESTAURANT
9022 W. SAHARA AVE
LAS VEGAS, NEVADA

ELEVATION AND SECTION PLANS

REVISIONS

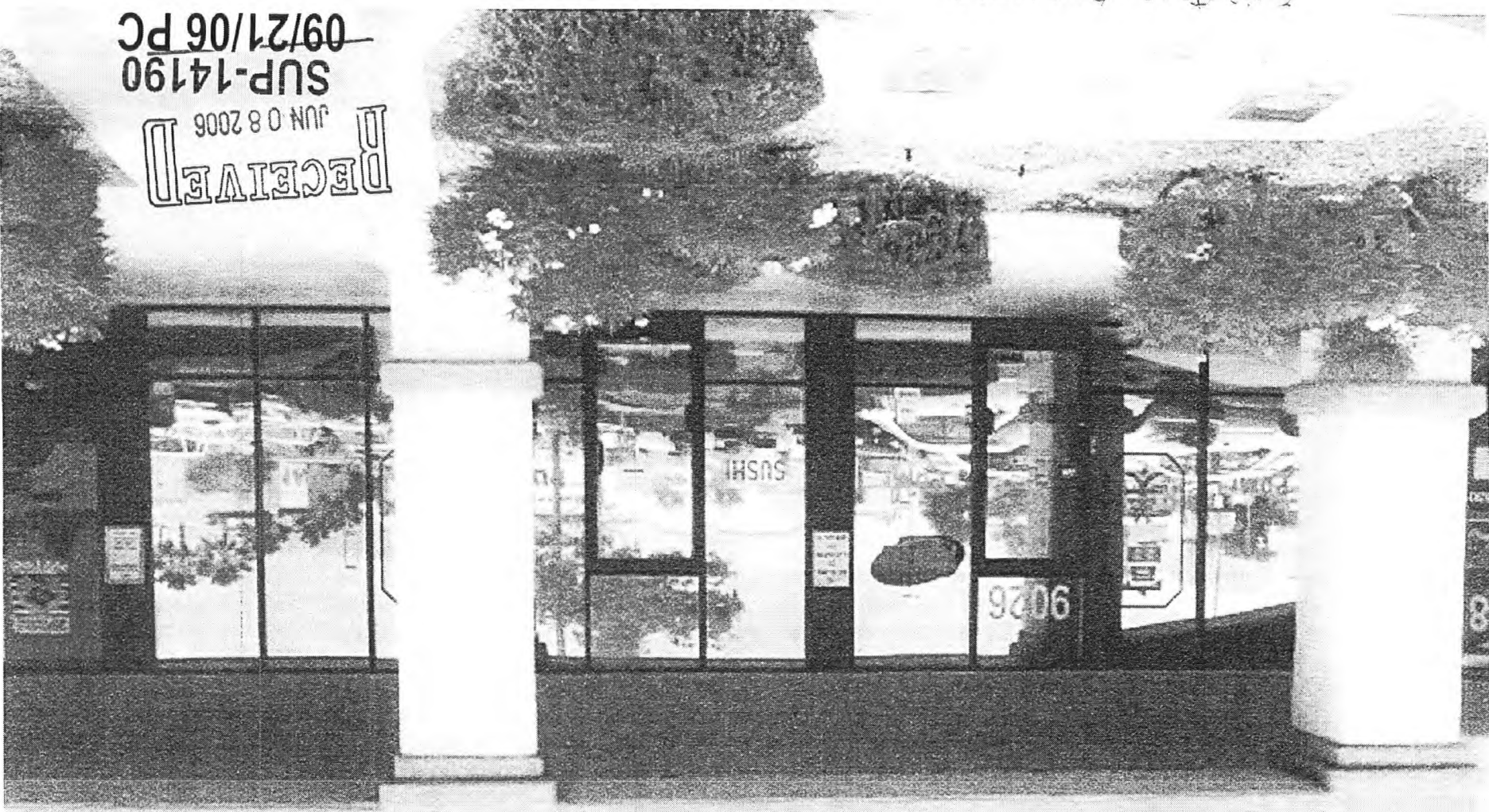
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STATUS
DATE
PROJECT NO
SCALE
AS SHOWN

A-4

Existing Business

SUP-14190
09/21/06 PC

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SUSHI
ORIENTAL
PUM RESTAURANT

(341 100)

123456789

9022

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SELF DEFENSE



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09/21/06 PC

propose space



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Parking Lot

SUSHI
PUMI ORIENTAL
RESTAURANT



Existing Business

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SUP-14190
09/21/06 PC

9022

UNITED STATES OF AMERICA
DEPARTMENT OF DEFENSE

UNITED STATES OF AMERICA
DEPARTMENT OF DEFENSE
68-4448

RECEIVED
JUN 08 2006

SUP-14190

09/21/06 PC

propose space



SUP-14190

09/21/06 PG

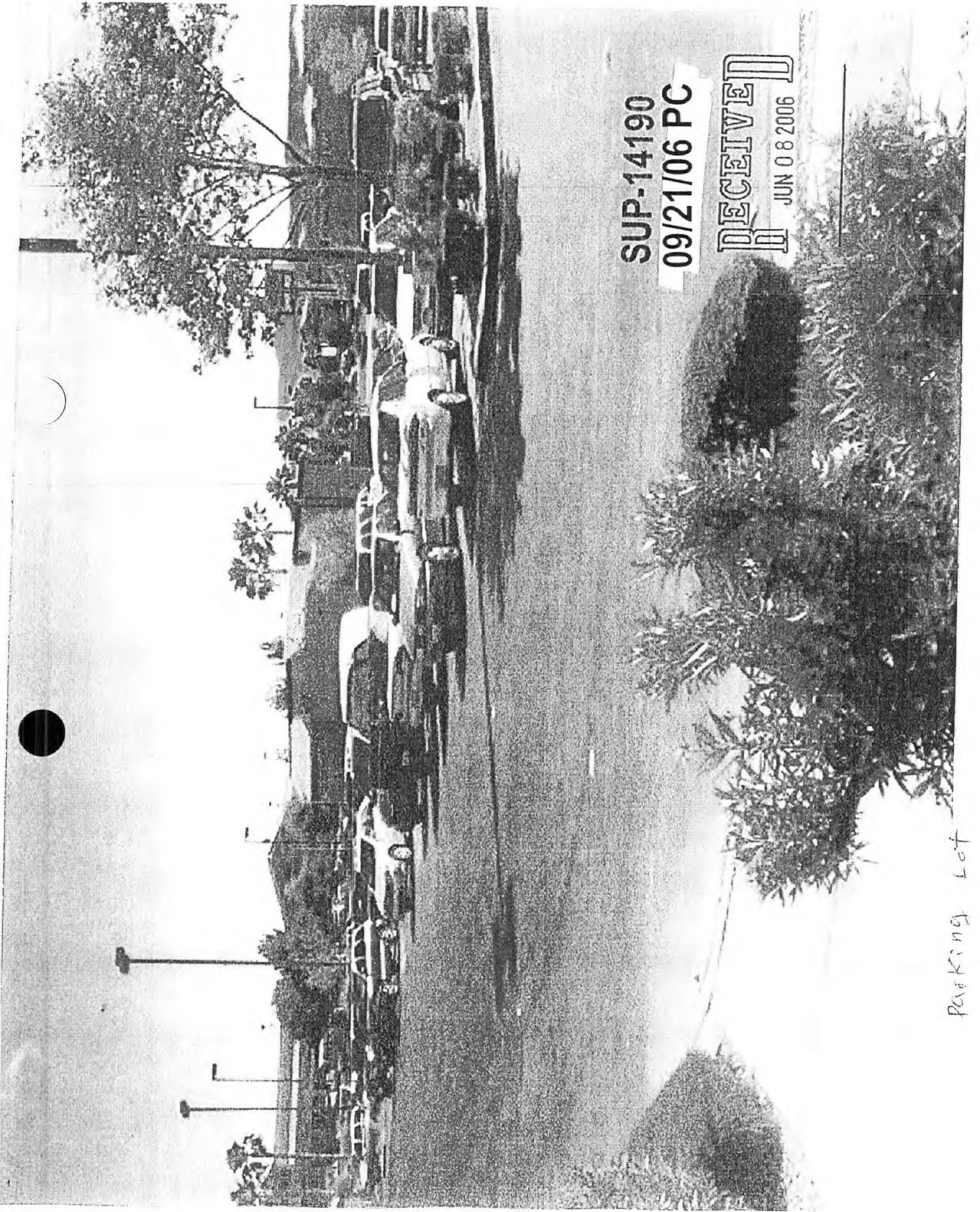
RECEIVED
JUN 08 2006

Parking Lot

SUP-14190
09/21/06 PC

RECEIVED
JUN 08 2006

Parking Lot



Justification Letter

Location Name : Pumi Sahara Chinese Restaurant, LLC
Location Address : 9026 W. Sahara AV. Las Vegas, NV89117
Existing Business Square Footage : 2786 SQF
Expend Business Square Footage : 900 SQF (Address:9022 W. Sahara AV.)
Total Business Square Footage : 3686 SQF

Due to increased business.
I propose to expand into the adjoining 900Sqf. space.
This space will be used for an additional 40 seats at tables and new bar.
An existing beer& wine license is in place and I am trying to add a full service bar to create a supper club.

June 7, 2006

Pyong Chal, An

A handwritten signature in cursive script, reading "Pyong Chal An". The signature is written in dark ink and is positioned below the printed name.

SUP-14190
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**

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: SUP-14190 - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **September 21, 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.

Pyong

C

AN

9. 18. 2006

Signature

Date

Pyong

C

AN

Please print name

Pumi Sahara Chinese Rest.

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:

SPECIAL USE PERMIT RELATED TO SUP-14190

SUP-14973 - PUBLIC HEARING - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC - Request for a Special Use Permit FOR A GENERAL BUSINESS-RELATED GAMING ESTABLISHMENT at 9026 West Sahara Avenue (APN 163-05-410-004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). 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. Backup referenced from the 09-21-06 Planning Commission meeting Item 6

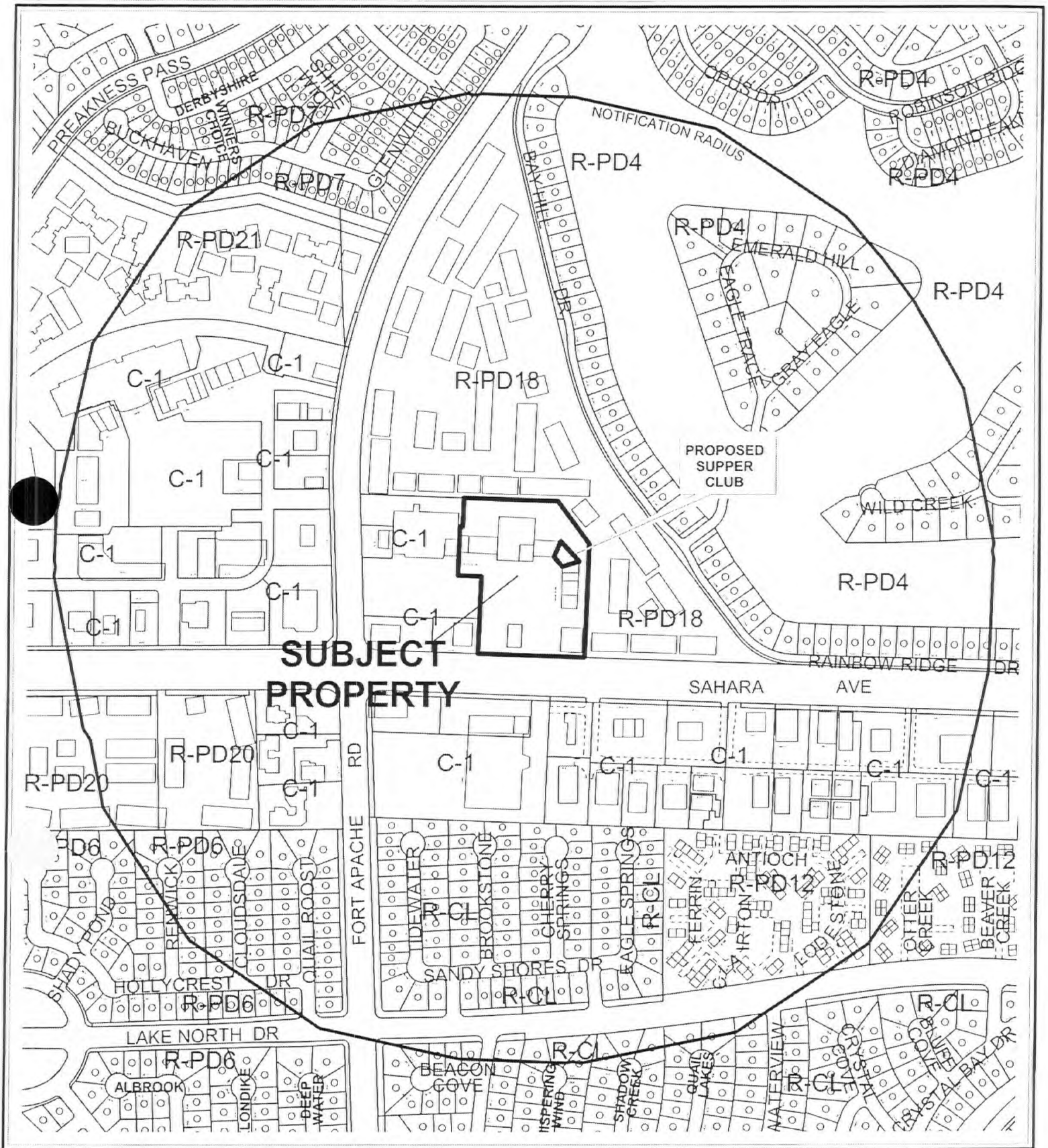
Motion made by STEVE WOLFSON to Approve subject to conditions

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 108 for all related discussion.



**SUBJECT
PROPERTY**

CASE: SUP-14973

RADIUS: 1500 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER:
CANYON LAKES GLASER, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for General Business-Related Gaming use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-14190) shall be required.
3. 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.
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 General Business-Related Gaming Establishment at 9026 West Sahara Avenue.

EXECUTIVE SUMMARY

The proposed General Business-Related Gaming use in conjunction with the conversion of an existing restaurant to a Supper Club is in compliance with all applicable plans and policies. The conversion will include the expansion of the restaurant into an adjacent suite. There is a companion Special Use Permit (SUP-14190) for the conversion of an existing restaurant to a Supper Club that will be heard concurrently with this item. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 08/15/90 | The City Council approved a Special Use Permit (U-0129-90) to allow the sale of Beer and Wine (On-Premise) for an existing restaurant. Staff recommended approval. |
| 09/19/90 | The City Council approved a Special Use Permit (U-0153-90) to allow the sale of Package Liquor as part of an existing drug store. |
| 10/23/91 | The City Council approved a Variance (V-0155-91) to allow 575 parking spaces where 589 Parking spaces are the minimum required. |
| 02/03/93 | The City Council approved a Special Use Permit (U-0207-92) to allow an additional five gaming machines, for a total of 20 machines, in an existing drug store. |
| 09/21/06 | The Planning Commission recommended approval of companion item SUP-14190 concurrently with this application. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/ng). |

B) *Pre-Application Meeting*

05/15/06 A pre-application meeting was held and elements of a Special Use Permit were discussed. Details noted included parking requirements, a parking analysis was requested, and the applicant was informed that a Development Impact Notification Assessment (DINA) would be required.

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: 5.57

B) *Existing Land Use*

Subject Property: Shopping Center
North: Multi-Family Residential
South: Shopping Center
East: Multi-Family Residential
West: Shopping Center

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: R-PD18 (Residential Planned Development – 18 Units Per Acre)
South: C-1 (Limited Commercial)
East: R-PD18 (Residential Planned Development – 18 Units Per Acre)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Southwest Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of commercial uses including the proposed General Business-Related Gaming in conjunction with the conversion of an existing restaurant to a Supper Club. The proposal is in compliance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Canyon Gate	X	
Special Overlay District		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

Canyon Gate

The subject property is located in the Canyon Gate Master Planned Community. The Canyon Gate Community does not have specific guidelines regarding development standards and no special action is required regarding the proposed General Business-Related Gaming in conjunction with the conversion of an existing restaurant to a Supper Club.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.04 and Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	63,247 SF.	1/250 GFA	253	7	318	9

This restaurant is located in a Shopping Center, which allows the entire site to be calculated at a ratio of 1:250. The site is in compliance with Title 19.04 and Title 19.10 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed General Business-Related Gaming use; however, there are Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed companion Supper Club use as noted in SUP-14190.

B) General Analysis and Discussion

- Zoning

The subject property is located in a C-1 (Limited Commercial) District. The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial, and the Neighborhood Center categories of the General Plan. The proposed General Business-Related Gaming use in conjunction with the conversion of an existing restaurant to a Supper Club is permissible in the C-1 (Limited Commercial) District with approval of a Special Use Permit. This application is intended to satisfy that requirement; if approved.

- Use

The proposed General Business-Related Gaming use allows a building or structure which is primarily used for some business other than gaming but in which restricted gaming is permitted pursuant to Title 6.

For the purposes of this request the gaming use would be permitted in conjunction with a Supper Club. There are no other requirements for a General Business-Related Gaming use pursuant to Title 19.04.

- Conditions

There are no special conditions related to this Special Use Permit request.

FINDINGS

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

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

The proposed use is a General Business-Related Gaming Establishment in conjunction with the conversion of an existing restaurant to a Supper Club. This business is located in a shopping center. The proposed change will be harmonious and compatible with surrounding development. Approval of this request is recommended.

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

The subject site is part of a shopping center. The increase in intensity of the use is accommodated through the expansion of the restaurant into an adjacent suite. The subject site is physically suitable for this type of development.

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

The site gains access from Sahara Avenue and Fort Apache Road, both are 100-foot Primary Arterials. These streets are designed to handle a large traffic flow and are able to accommodate the proposed use.

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

Approval of this Special Use Permit will not compromise the public health or the General Welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 937 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-14973** APN: 163-05-410-004

Name of Property Owner: Canyon Lake Plaza Prime, LLC

Name of Applicant: pyong c. An

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: _____

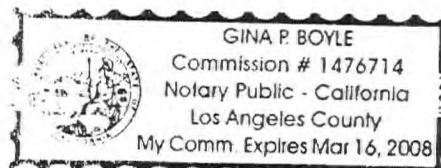
Signature of Property Owner: By Wilson F. Plummer

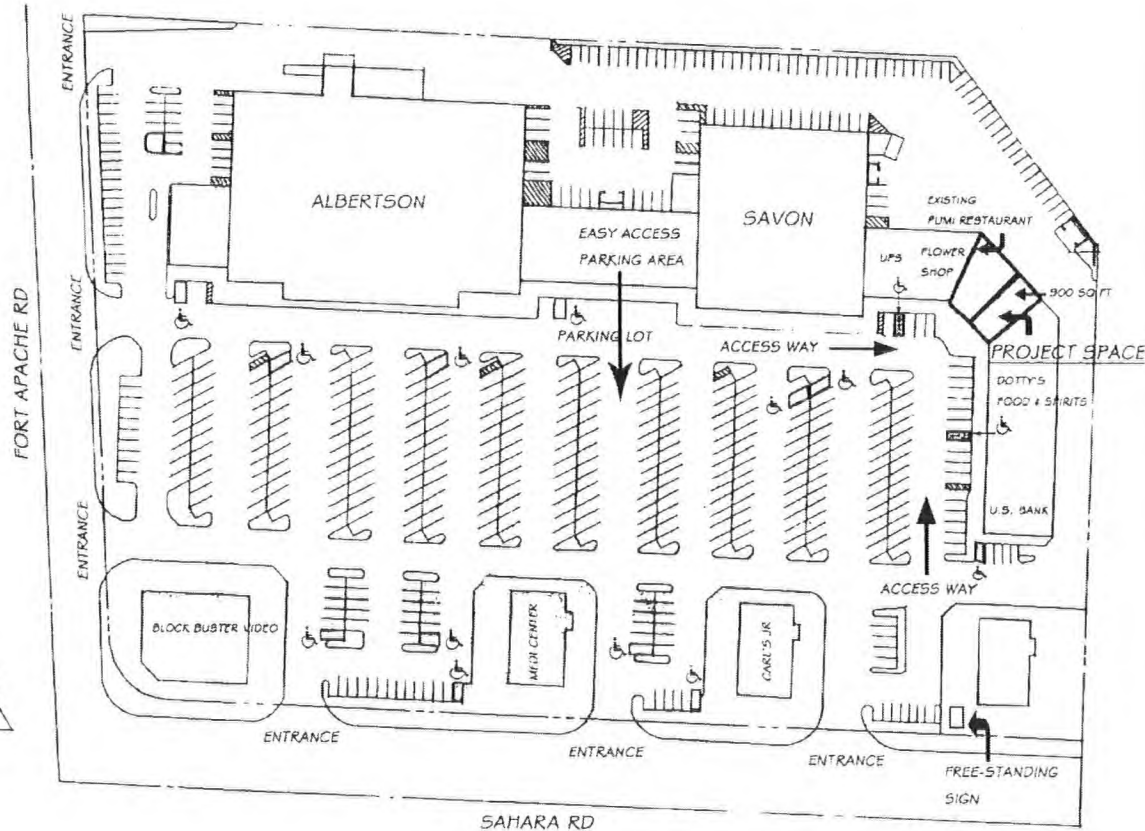
Print Name: RUBEN POLAWSKI

Subscribed and sworn before me

This 5 day of July, 2011

Notary Public in and for said County and State





GENERAL NOTES:

1. ALL ADJACENT BUILDINGS AND LAND USED ARE EXISTING
2. REQUIRED ENTRANCES ARE SHOWN
3. ALL LANDSCAPING AT BUILDING CORNERS AND BUILDING ENTRANCES ARE TO BE A MAXIMUM OF 3 FEET IN HEIGHT
4. ALL PARKING STALLS TO BE A MIN. OF 8 FT. WIDE BY 18 FT. DEEP FOR CENTER STALLS AND 9 FT. WIDE BY 18 FT. DEEP FOR END STALLS
5. ACCESSIBLE PARKING SPACE W/ 3 FT. SQ. INTERNATIONAL SYMBOL OF HANDICAPPED ACCESS BUILT IN BLUE PAINT AND A ONE-FOOT SIGN WITH THE MINIMUM VERBAGE OF "RESERVED PARKING" MOUNTED AT THE END OF THE STALL
6. CONT. 6" HIGH CONC. PARKING CURB LOCATED AT THE FORWARD END OF PARKING SPACES TO SERVE AS A WHEEL STOP
7. WHEELSTOPS IN PARKING SPACES IN FRONT OF LANDSCAPE AREA AND IN FRONT OF SIDEWALKS LESS THAN 7 FT. WIDE
8. WALK WAY IN FRONT OF THE PROJECT AREA 16 FT. WIDE
9. EXISTING PARKING LOTS AND SIDEWALKS, WALKWAYS ARE PAVEMENT
10. HANDICAPPED PARKING SPACES ARE CLOSELY ACCESSIBLE FROM THE PROJECT SPACE
11. MORE PARKING SPACES ARE AVAILABLE FOR WORKERS AT REAR AREA
12. EXISTING GAS METER AND GREASE INTERCEPTOR ARE AT REAR AREA TO BE USED FOR THE NEW TENANT SPACE
13. 35 STANDARD PARKING SPACES PROVIDED AND 5 HC PARKING SPACES (W/ VAN ACCESSIBLE) 140 TOTAL PARKING SPACES PROVIDED
14. THE PLAN COMPLY WITH CHAP. 11 OF THE IBC, AND 11.7.1, LOCAL ORDINANCES, OR FEDERAL (ADA) GUIDELINES, WHICHEVER IS MOST RESTRICTIVE

PINE CONSTRUCTION CO., INC.
GENERAL CONTRACTOR
NV LICENSE # 855857

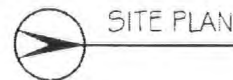
PUMI RESTAURANT
9022 W. SAHARA AVE.
LAS VEGAS, NEVADA

TITLE SITE PLAN
PROJECT

REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

THROWN BY
ACCC
DESIGNED BY
STATUS
DATE
FILE NO. 10000



SCALE 1" = 20'-0"

VICINITY MAP & FREE STANDING SIGN NOTES:

1. VICINITY MAP FOLLOW THE EXACT ROAD DIRECTION
2. A EXISTING FREE STANDING SIGN SHOW THE NAME OF THE EXISTING RESTAURANT INCLUDING THE PROJECT SPACE
3. AS FOR NUMBER 2, THE DIMENSION SHOWN ON THE DETAILS ARE EXACT SIZE
4. THE FEATURE AND CHARACTER STYLE OF THE SIGN MAY BE DIFFERENT AND NEED TO BE CHECKED AT THE AREA
5. ALL OTHER SIGNS NOT INCLUDING THE NAME OF THE PROJECT SPACE ARE NOT SHOWN IN THE SITE PLAN
6. THE EXISTING SIGN IS ON THE SLOPE EARTH FOR THE LANDSCAPING AND THE SLOPE IS NOT ON THE PLAN



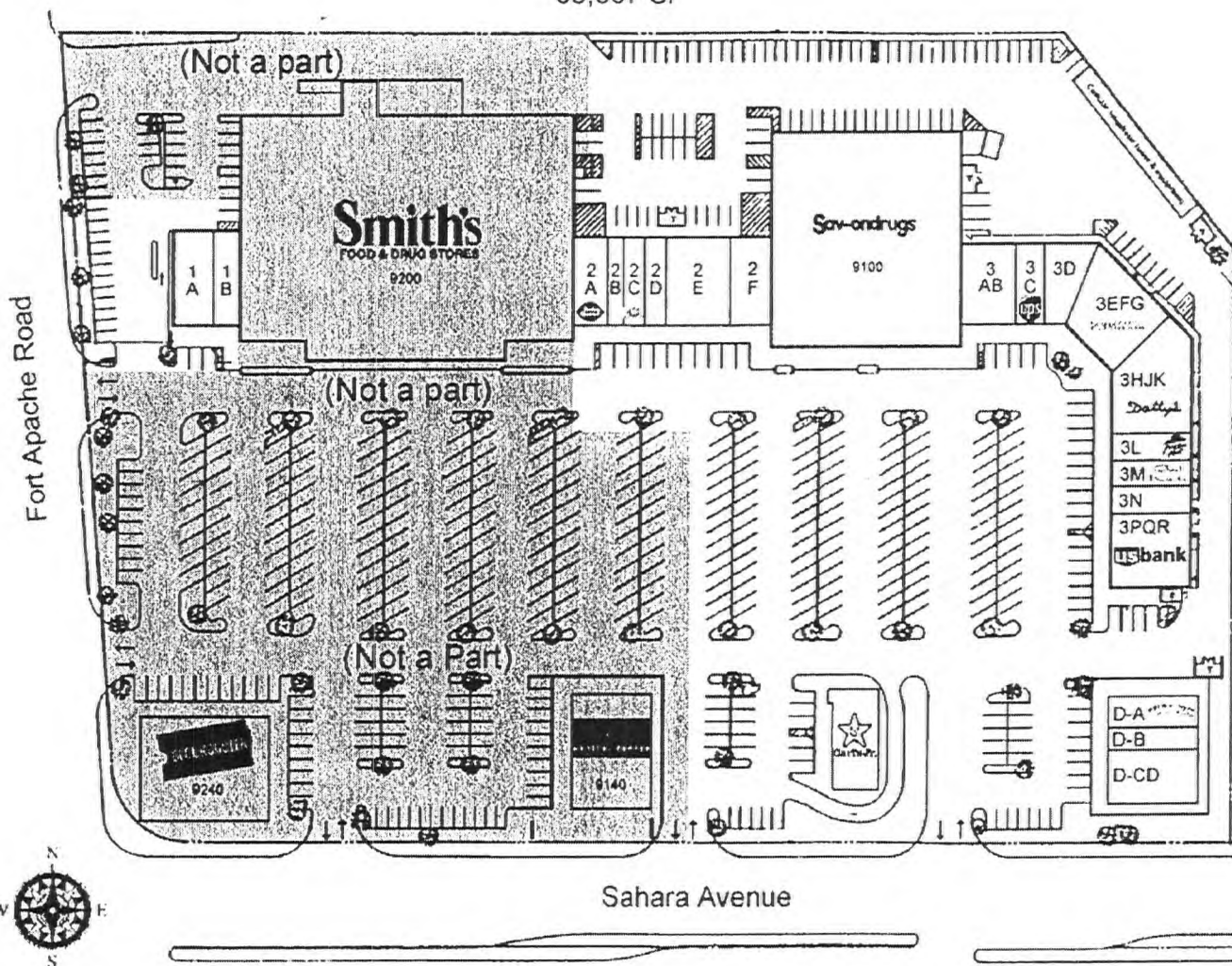
SUP-14973
09/21/06 PC

RECEIVED

FREE STANDING SIGN DETAIL

Canyon Lakes

9002 – 9232 W. Sahara Ave.
Las Vegas, NV 89117
65,367 SF



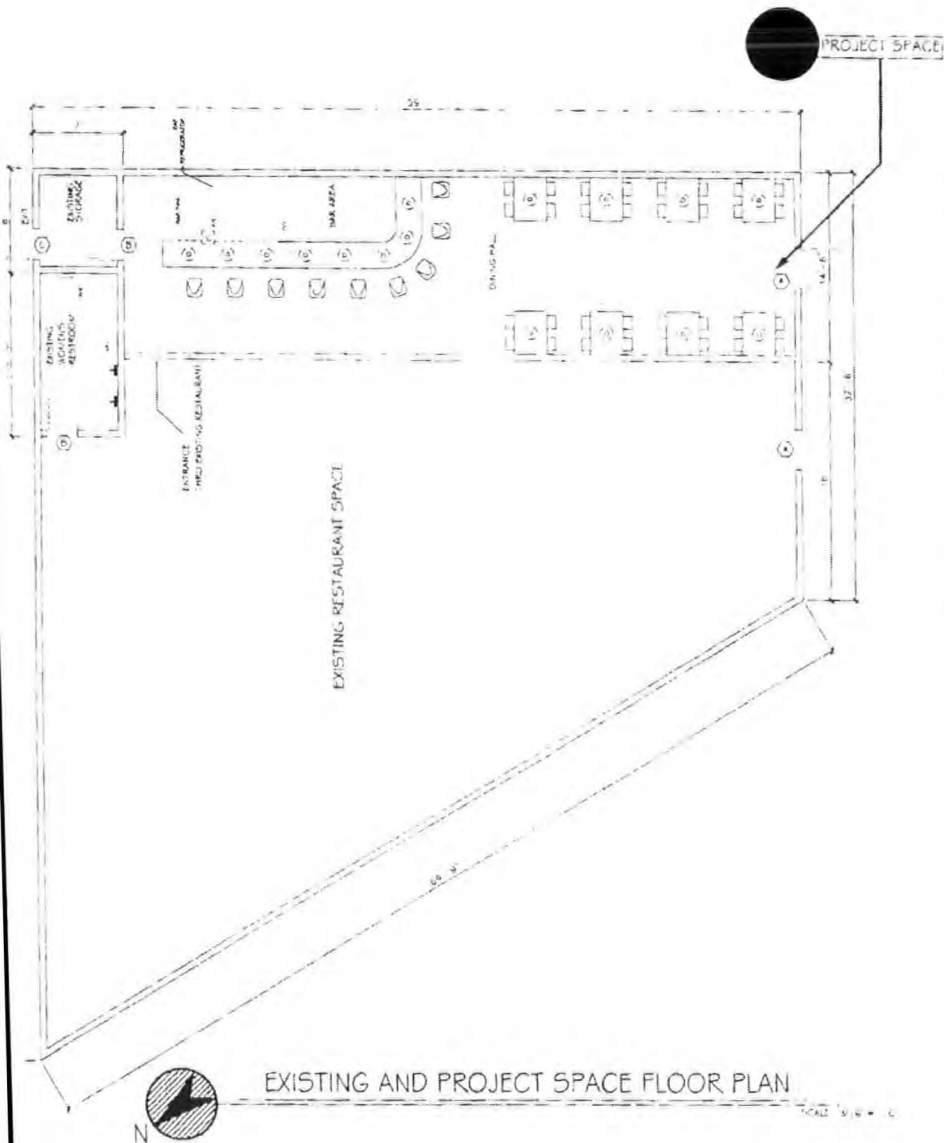
Address	Unit	Tenant	Sq Ft	Address	Unit	Tenant	Sq Ft
9232	1-A	Al Philips the Cleaner	2,100	9028	3-D	Red Rock Florist	1,646
9230	1-B	Wendall Waite	1,400	9026	3-EFG	Pumi Restaurant	3,686
9134	2-A	Dairy Queen	1,614	9020	3-HJK	Dotty's	4,252
9132	2-B	Red Rock Water Store	856	9014	3-L	Pizza Hut	1,200
9130	2-C	Farmers Insurance	1,056	9012	3-M	Gail Knits	1,140
9128	2-D	Smoke Shop	1,186	9010	3-N	Unique Hair	1,200
9120	2-E	Nationwide Pools	3,120	9004	3-PQR	US Bank	3,300
9110	2-F	Studio of Self Defense	1,593	9040	Pad C	Carl's Jr.	3,200
9100		Sav-On	22,278	9002	D-A	Aruba Juice	1,490
9032	3-AB	Mountain West Chiropractic	2,260	9002	D-B	Fashion Star Photo	990
9030	3-C	The UPS Store	1,200	9002	D-CD	Vacant	2,480

09/21/06 PC SUP-14973

RECEIVED

JUL 13 2006

June 14, 2006



GENERAL NOTES:

1. CONSTRUCTION MUST BE CONSULTED WITH GENERAL CONTRACTOR BEFORE WORKS ARE STARTED.
2. INTERIOR FINISH CONTRACTORS MUST FOLLOW GENERAL CONTRACTOR'S DIRECTION, UNLESS BEING SURE, DO NOT PROCEED THE WORK AND ASK TO GENERAL CONTRACTOR.
3. EQUIPMENTS NEED TO BE INSTALLED IN THE PROJECT SPACE WILL BE PROVIDED BY OWNER.
4. AS FOR NUMBER 3, A GENERAL CONTRACTOR MUST CONSULT WITH THE OWNER WHERE BEING INSTALLED.
5. EXISTING INTERIOR AND EXTERIOR FINISH SUCH AS FLOOR, CEILING, WALLS ARE NOT CHANGED UNLESS NOTICES ARE GIVEN.
6. EXISTING MIRRORS ATTACHED TO INTERIOR WALLS IN THE PROJECT SPACE SHOULD BE REMOVED.
7. ENTRANCE THRU THE EXISTING RESTAURANT SPACE SHOULD BE CONSULTED WITH THE GENERAL CONTRACTOR AND THE OWNER.
8. AS FOR NUMBER 7, THE ENTRANCE SHOULD BE 6' 0" X 7' 0" AT LEAST.
9. SUB-CONTRACTOR WHO IS RESPONSIBLE FOR INSTALLING WINDOWS MUST CONSULT WITH THE GENERAL CONTRACTOR BEFORE INSTALLATION.
10. ELECTRICAL SUB CONTRACTORS SHOULD CONSULT WITH THE OWNER FOR DECIDING FIXTURES TO BE INSTALLED.
11. SPACE BETWEEN BAR AND BAR REFRIGERATOR SHOULD BE 3'.
12. ALL SPACES AND MATERIALS EXCLUDING THE PROJECT AREA ARE EXISTING.

INTERIOR FINISH AND DOOR & WINDOW DESIGN NOTES:

1. ALL EXISTING DOORS ARE NOT CHANGED UNLESS SPECIAL NOTICES ARE GIVEN.
2. INTERIOR DOORS SHALL BE 3/8" FLUSH HOLLOW CORE DOORS AND EXTERIOR DOORS SHALL BE 3/4" FLUSH SOLID CORE DOOR AND STEEL FRAME DOOR WITH INS TEMPERED GLASS.
3. ALL FLOORS EXCLUDING RESTROOM, BAR AREA, STORAGE TO BE EXISTING CARPET.
4. CERAMIC TILE ON CEMENT BED WILL BE APPLIED FOR RESTROOM.
5. QUARRY TILE WILL BE APPLIED FOR BAR SPACE AND CONCRETE FLOORING TO BE APPLIED FOR STORAGE.
6. EXISTING WALL TO BE PAINTED.
7. EXISTING ACoustICAL TILES ARE NOT CHANGED UNLESS SPECIAL NOTICES ARE GIVEN.
8. WINDOW MUST BE INSTALLED BY AN QUALIFIED INSTALLER.

DOOR SCHEDULE				
DOOR	SIZE	TYPE	MATERIAL	QUAN
A	2'0" x 7'0" x 134"	STEEL DOORS WITH TEMPERED INS GLASS	GLASS STEEL	2
B	2'4" x 6'6" x 138"	FLUSH HOLLOW CORE	WOOD	1
C	2'0" x 6'6" x 134"	FLUSH SOLID CORE	WOOD	1

WINDOW SCHEDULE			
WINDOW	SIZE	TYPE	QUAN
1	1'0" x 5'0"	FLUSH WINDOW (NOT OPEN)	4

INTERIOR FINISH SCHEDULE				
SPACE	FLOOR	WALLS	CEIL	
	CARPET	TILE	HARDWOOD	CONCRETE
		PAINT	PAPER	TEXTURE
			SMOOTH	
DINING HALL				
BAR				
WOMEN'S RESTROOM				
STORAGE				
EXISTING RESTAURANT SPACE	EXISTING	EXISTING	EXISTING	

09/21/06 PC
SUP-14973

RECEIVED

PINE CONSTRUCTION CO., INC.
GENERAL CONTRACTOR
NY LICENSE # BS5557

PUMI RESTAURANT
9022 W. SAHARA AVE.
1.40 VECAP 1/1/06

TITLE FLOOR PLAN
PROJECT

REVISIONS	
1	
2	
3	
4	
5	
6	

DATE 09/21/06
BY PC



SUP-14190 & SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC
9026 WEST SAHARA AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/10/06



SUP-14190 & SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC
9026 WEST SAHARA AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/10/06



SUP-14190 & SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC
9026 WEST SAHARA AVENUE
SEPTEMBER 21, 2006 PLANNING COMMISSION

07/10/06

Justification Letter

Location Name : Pumi Sahara Chinese Restaurant, LLC
Location Address : 9026 W. Sahara AV. Las Vegas, NV89117
Existing Business Square Footage : 2786 SQF
Expend Business Square Footage : 900 SQF (Address:9022 W. Sahara AV.)
Total Business Square Footage : 3686 SQF

Due to increased business.
I propose to expand into the adjoining 900Sqf. space.
This space will be used for an additional 40 seats at tables and new bar.
An existing beer& wine license is in place and I am trying to add a full service bar to create a supper club.

June 7, 2006

Pyong Chal, An

SUP-14973
09/21/06 PC

RECEIVED

**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: SUP-14973 - APPLICANT: PYONG CHAL AN - OWNER: CANYON LAKES GLASER, LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **September 21, 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.

Pyong C An 9.18.2006
Signature Date

PYONG C AN
Please print name

Pumi Sahara Chinese Rest.
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:

SPECIAL USE PERMIT

SUP-15788 - PUBLIC HEARING - APPLICANT: BENJAMA TAECHANARONG - OWNER: B.E. UNO, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING RESTAURANT at 556 North Eastern Avenue, Suite H (APN 139-36-111-000), C-1 (Limited Commercial) Zone, Ward 3 (Reese). 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 7

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.

BENJAMA TAECHANARONG was present. She explained she was seeking this Special Use Permit in order to increase business.

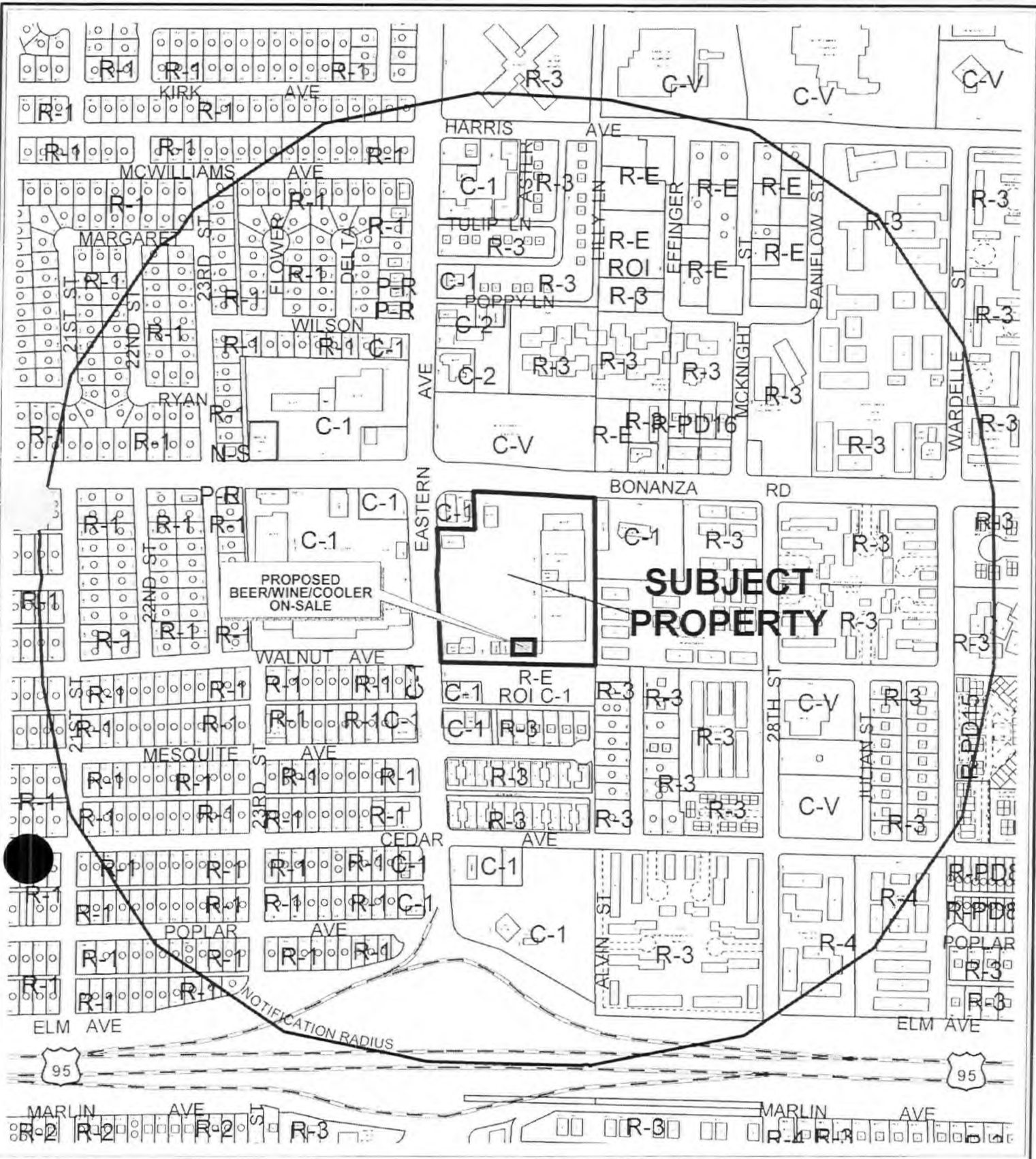
In response to COUNCILMAN REESE'S inquiry, JIM DiFIORE, Manager of Business Services, explained his department has not yet received a beer/wine license application from this applicant.

CITY COUNCIL MEETING OF: OCTOBER 18, 2006

MR. DiFIORE assured COUNCILMAN REESE that the applicant would be made aware of the conditions and requirements of a beer/wine license.

MAYOR GOODMAN declared the Public Hearing closed.



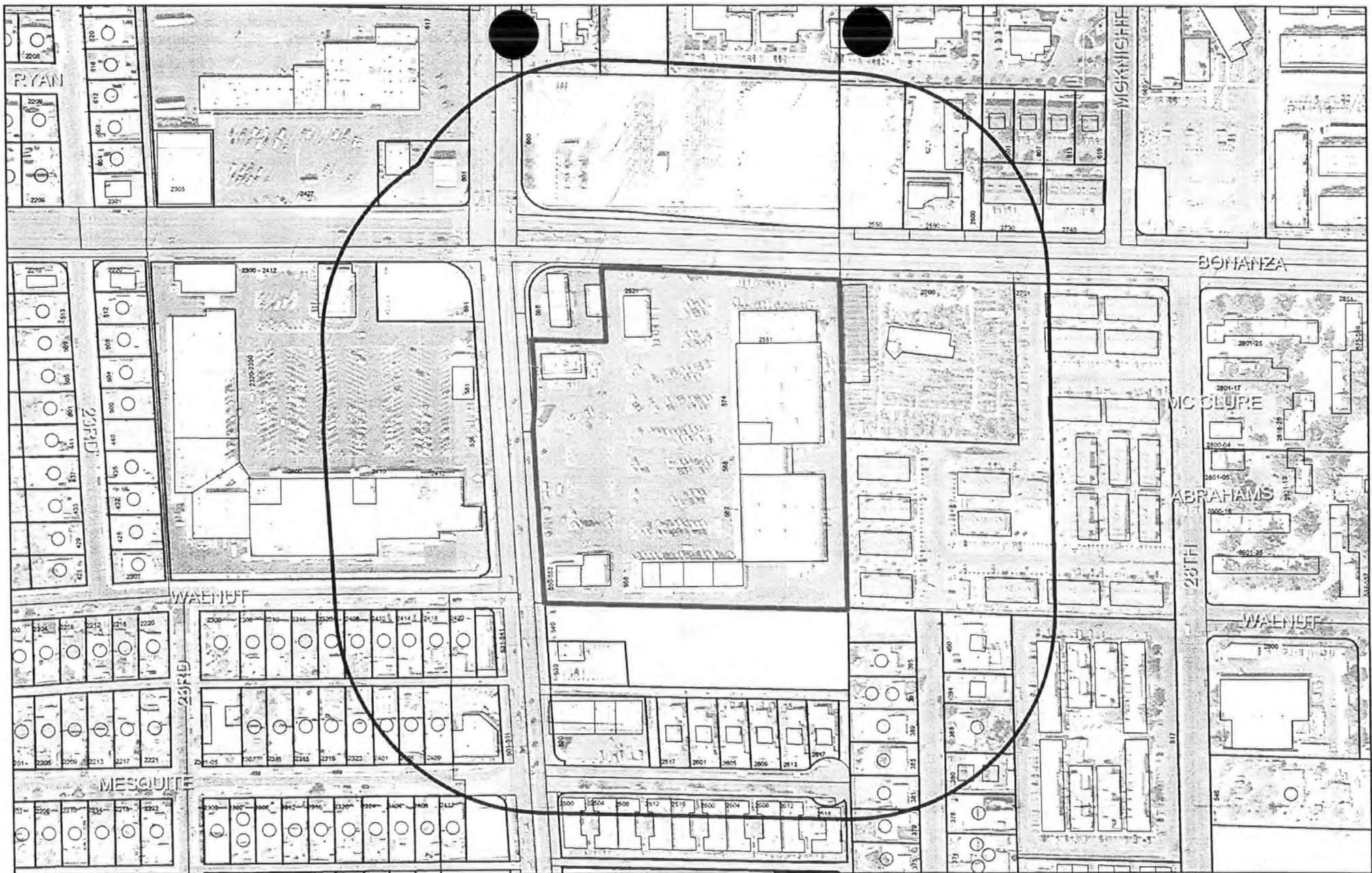


CASE: **SUP-15788**

RADIUS: 1500 FT

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





SUP-15788

Protected Landuses

-  CITY PARKS
-  RELIGIOUS
-  SCHOOLS

Business Licenses

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

 Subject Property

 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-15788 - APPLICANT: BENJAMA TAECHANARONG -
OWNER: B.E. UNO, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Beer/Wine/Cooler On-Sale Establishment 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 liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. 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 Beer/Wine/Cooler On-Sale Establishment in conjunction with an existing restaurant at 556 North Eastern Avenue, Suite H.

EXECUTIVE SUMMARY

The proposed addition of a Beer/Wine/Cooler On-Sale use to an existing restaurant is in compliance with all plans and policies. This will permit the applicant to offer Beer, Wine, and Coolers with meals. The restaurant is located in a shopping center and the additional use will not have a negative affect on the surrounding uses. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- 06/17/92 The City Council approved a Special Use Permit (U-0092-92) to allow the sale of Beer and Wine with an existing restaurant. The Board of Zoning Adjustment recommended approval of this request.
- 06/02/93 The City Council approved a Special Use Permit (U-0055-93) to allow a Tavern with a waiver of the 1,500-foot separation distance from a church. The Board of Zoning Adjustment recommended denial of this request.
- 09/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/ng).

It is noted that both of the Special Use Permits listed above are part of establishments that are no longer in business.

B) *Pre-Application Meeting*

- 07/27/06 A pre-application meeting was held and elements of a Special Use Permit were discussed. It was noted that the applicant is seeking a Beer/Wine/Cooler On-Sale use and that the development must comply with the requirements of Title 19.04 for said use.

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: 8.28

B) *Existing Land Use*

Subject Property: Shopping Center
North: Utility Substation
South: Undeveloped
East: Nursery
Multi-Family Residential
West: Shopping Center

C) *Planned Land Use*

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

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
North: C-V (Civic)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: C-1 (Limited Commercial)
R-3 (Medium Density Residential)
West: C-1 (Limited Commercial)

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Southeast Sector Plan of the General Plan. The Service Commercial land use designation allows a variety of commercial uses including the existing restaurant. The proposed increase in the intensity of use through adding a Beer/Wine/Cooler On-Sale permit is in compliance with the General Plan.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Redevelopment Plan Area	X	
Special Overlay District		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

Redevelopment Plan Area

The subject property is located in the Redevelopment Plan Area. The Special Use Permit to allow a Beer/Wine/Cooler On-Sale establishment as part of an existing restaurant is not affected by this Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.04 and 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	79,500 SF.	1/250 GFA	318	8	389	10

The development exceeds the requirements of Title 19.04 Parking Standards for Shopping Centers and title 19.10 for handicapped parking requirements.

A2) Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Liquor Establishment (On-premise)	Shall be located a minimum of 400 feet from any church, synagogue, school, child care facility licensed for more than twelve children, or City park.	Yes

B) General Analysis and Discussion

- Zoning

The subject property is located in a C-1 (Limited Commercial) District. The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial, and the Neighborhood Center categories of the General Plan. The proposed use as a Beer/Wine/Cooler On-Sale Establishment as part of an existing restaurant is permissible in the C-1 District with approval of a Special Use Permit. This application is intended to satisfy this requirement.

- Use

BEER/WINE/COOLER ON-SALE ESTABLISHMENT [C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

(1) Except as otherwise provided in this Chapter, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) Except as otherwise provided in Paragraph (3) below, the distances referred to in Paragraph (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles.

For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

(a) Any leasehold parcel; or

(b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph (1).

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

(a) From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

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

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

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

(a) An establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or

(b) A proposed establishment having more than fifty thousand square feet of retail floor space.

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

For the purposes of this project the applicant is proposing to add the Beer/Wine/Cooler On-Sale use to their existing restaurant. The restaurant has been in business at this location since April of 2004. The applicant meets all conditions and approval of this request is recommended.

- Conditions

There are no special conditions associated with this Special Use Permit request.

FINDINGS

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

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

The proposed use as a Beer/Wine/Cooler On-Sale Establishment would be part of an existing restaurant and located in a shopping center. The proposed use would be compatible with surrounding uses and the General Plan. Approval of this request is recommended.

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

The subject site is currently used as a restaurant. The only change would be the addition of the Beer/Wine/Cooler On-Sale use. This change will not increase the size of the restaurant or adversely affect the property. It will allow the applicant to offer Beer, Wine, and Coolers with the purchase of food. The site is physically suitable for this type and intensity of development.

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

The site gains access from Eastern Avenue and Bonanza Road. Both of these streets are 100-foot Primary Arterials. These streets provide adequate access to and from the shopping center.

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

Approval of this Special Use Permit will not be inconsistent with the General Plan and will not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 11

SENATE DISTRICT 2

NOTICES MAILED 561 by City Clerk

APPROVALS 0

PROTESTS 0

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

Case Number: **SUP-15788** APN: 139-36-111-003
Name of Property Owner: BE UNO, LLC
Name of Applicant: Benjama Taechanarong

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: Warren K. Kellogg, Manager

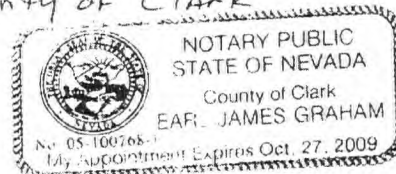
Print Name: WARREN K. KELLOGG

Subscribed and sworn before me

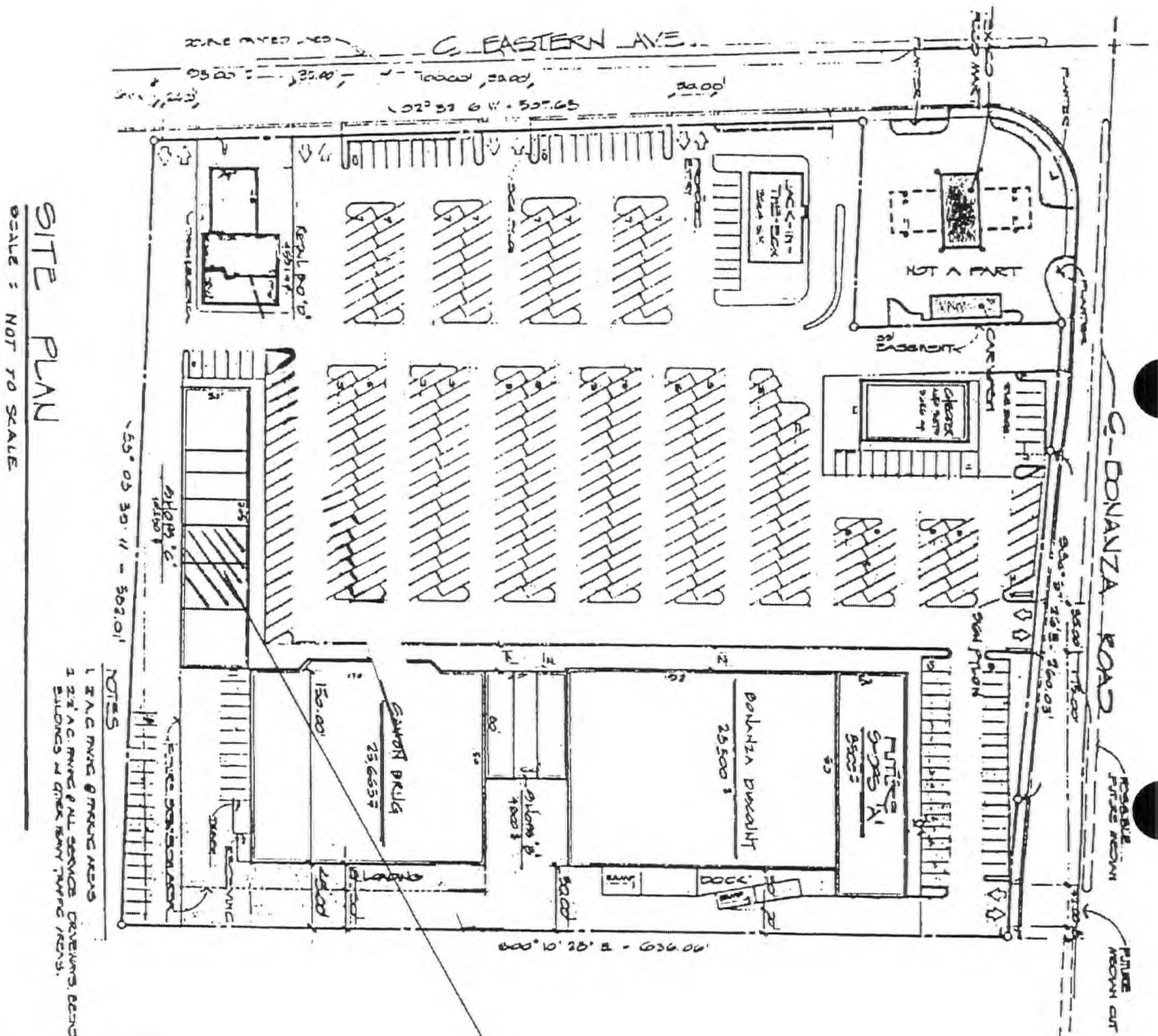
This 1st day of August, 2006

Earl James Graham
Notary Public in and for said County and State

STATE OF NEVADA
County of Clark



SITE PLAN



North

-Approximate
Location of
Leased
Property.

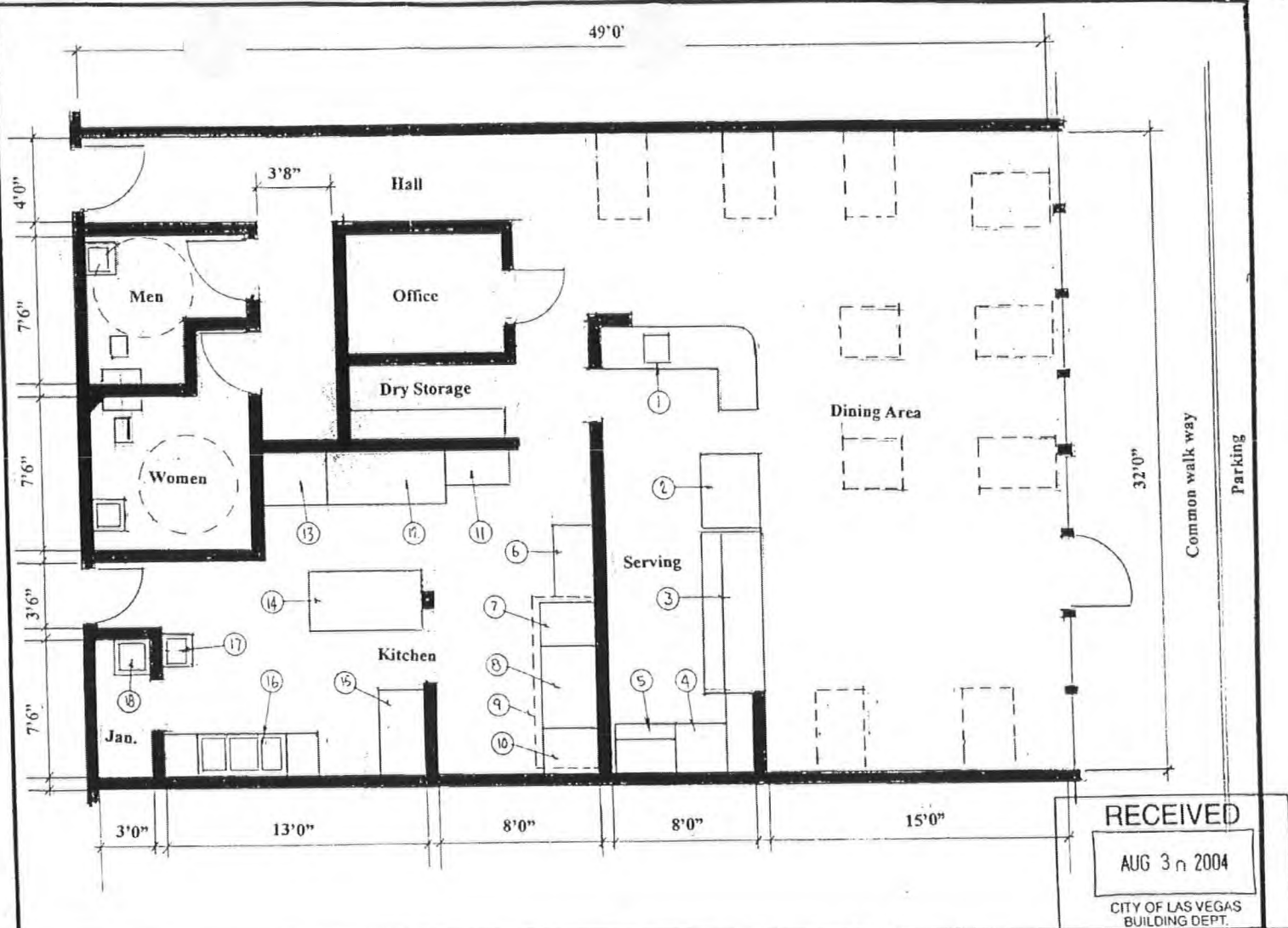
SITE PLAN

BEALZ : NOT TO SCALE

1. I A.C. MINE & MINE NEEDS
2. I A.C. MINE & ALL SERVICE DRIVERS. BECD
BUDGETS & OTHER MANY MINE NEEDS.

SUP-15788
09/21/06 PC

1. Cash register
2. Canned soft drinks
3. Service counter
4. Soft drink dispenser
5. Ice maker/bin
6. Dish rack
7. Wok stove
8. Range
9. Exhaust hood
10. Deep fryer
11. Non-refrigerated storage
12. Refrigerated storage
13. Refrigerated Storage
14. Preparation table
15. Refrigerated storage
16. Triple stainless sink unit
17. Hand wash basin
18. Service sink



RECEIVED
AUG 30 2004
CITY OF LAS VEGAS
BUILDING DEPT.

Legend

Floor Plan 3/16" = 1'0"

CLV

Dara Thai Restaurant
556 No. Eastern Ave. - Suite G-H Las Vegas, NV., 89101

L-4927-04

Existing Floor Plan
& Legend

1

SUP-15788
09/21/06 PC

2006



SUP-15788 - APPLICANT: BENJAMA TAECHANARONG - OWNER: B.E. UNO, LLC
556 NORTH EASTERN AVENUE, SUITE H
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/25/06



SUP-15788 - APPLICANT: BENJAMA TAECHANARONG - OWNER: B.E. UNO, LLC
556 NORTH EASTERN AVENUE, SUITE H
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/25/06

Dara Thai Restaurant
556-N Eastern Ave. Unit # G-H
Las Vegas, NV 89101
Contact # 661-607-5864 Scott

August 7, 2006

City Of Las Vegas
Planning & Development Department
731 South Fourth Street
Las Vegas, NV 89101

Subject: Request for Beer & Wine License

To Whom It May Concern:

Dara Thai Restaurant has been in business for over 2 years. I would like to apply for Beer & Wine License for this restaurant. I would like to provide beers and wines for my customers so they can enjoy our foods. We also want to complete our mission to have our foods and be able to serve beers and wines to our customers.

Thank you for your kindly consideration to this matter.

AUG 08 2006

Sincerely yours,

Benjama Taecharong

Benjama Taecharong
Owner

SUP-15788
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**

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: SUP-15788 - APPLICANT: BENJAMA TAECHANARONG - OWNER: B.E. UNO, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **September 21, 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.

Benjama Taechanarong
Signature

9-19-06

Date

Benjama Taechanarong.
Please print name

Dara Thai Restaurant.

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:

SPECIAL USE PERMIT

SUP-15840 - PUBLIC HEARING - APPLICANT: NOEL HERNANDEZ - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC., ET AL - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING RESTAURANT at 342 South Decatur Boulevard (APN 138-36-601-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). 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, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 8

Motion made by LOIS TARKANIAN 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)

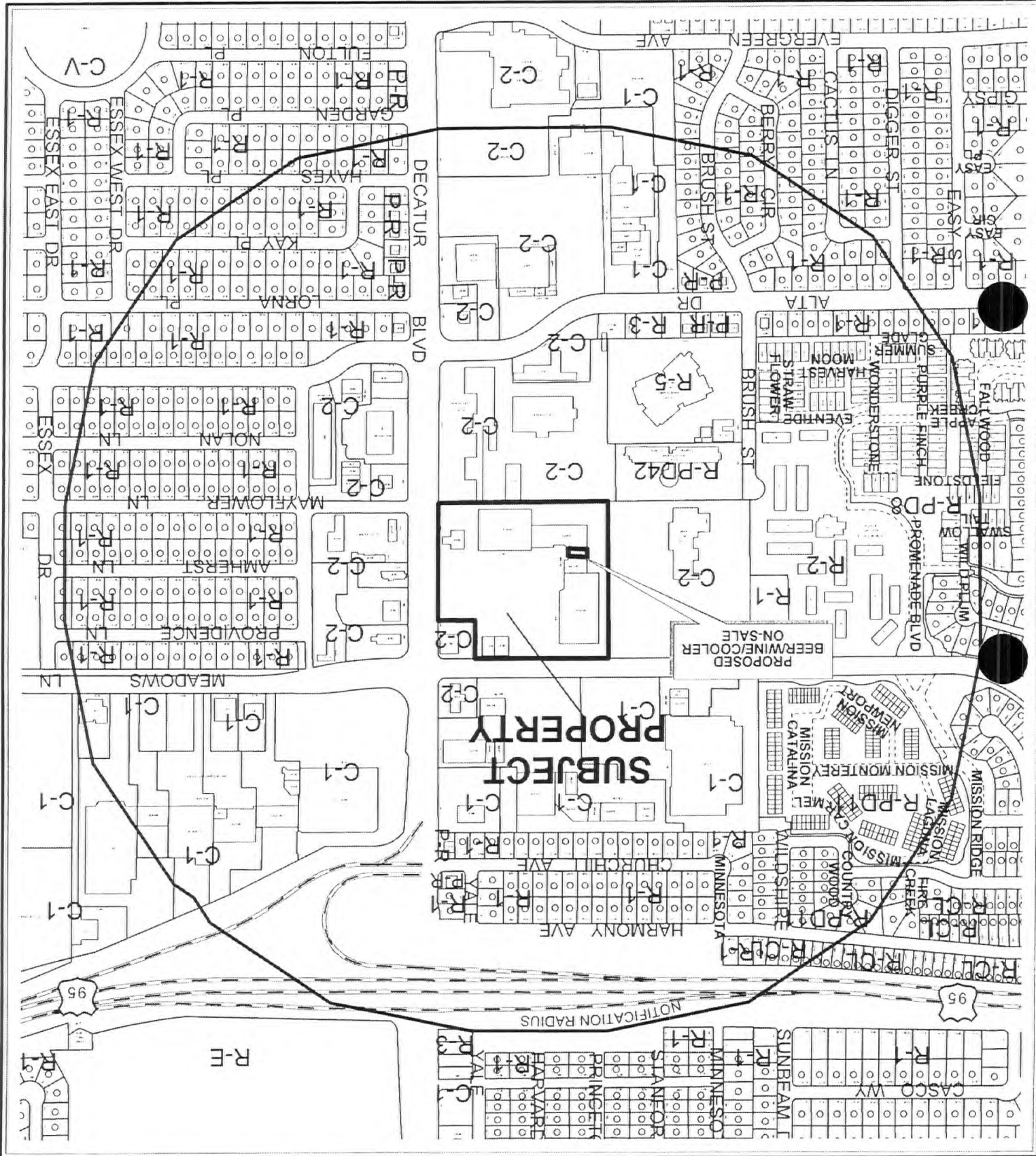
Minutes:

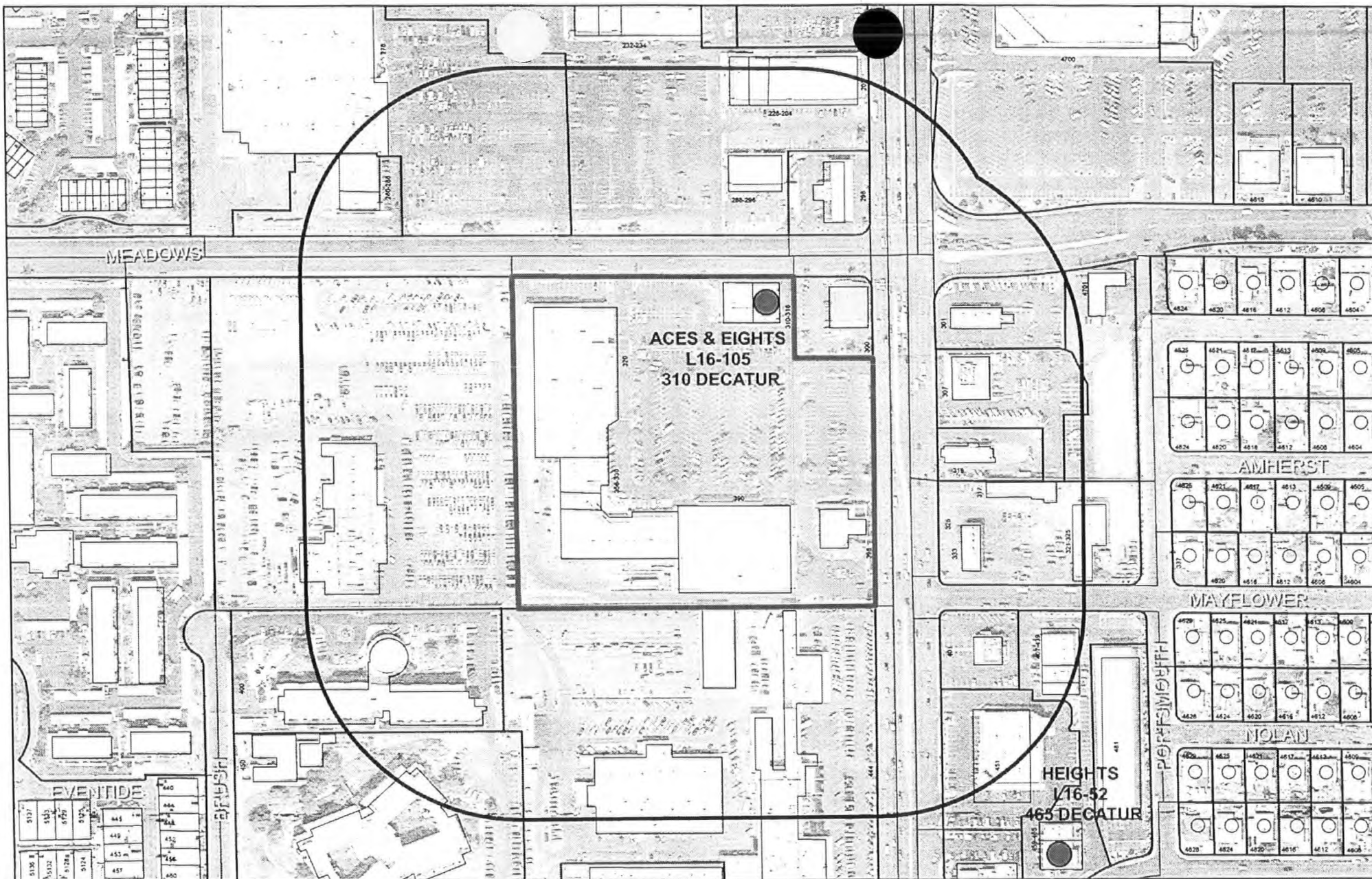
MAYOR GOODMAN declared the Public Hearing open. There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.

RADIUS: 1500 FT

CASE: SUP-15840

0 300 600 Feet





SUP-15840

Protected Landuses

- | | |
|--|---|
|  CITY PARKS |  RELIGIOUS |
|  SCHOOLS | |

Business Licenses

- | | |
|--|--|
|  Tavern |  Child Care/
Children Facility |
|  Supper Club/
Restaurant Service Bar | |

- | |
|--|
|  Subject Property |
|  400 foot buffer |



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-15840 - APPLICANT: NOEL HERNANDEZ - OWNER:
PAN PACIFIC RETAIL PROPERTIES, INC., ET AL**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Beer/Wine/Cooler On-Sale Establishment use.
2. This approval shall be void one year 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. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment in conjunction with an existing restaurant. at 342 South Decatur Boulevard.

EXECUTIVE SUMMARY

The proposed Beer/Wine/Cooler On-Sale Establishment in conjunction with an existing restaurant meets all conditions and is compatible with surrounding development. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 02/19/92 | The City Council approved a request for a Special Use Permit which allowed a tavern in conjunction with an existing restaurant; and a waiver which allowed the tavern to be within 1,500 feet of other taverns on property located at 310 S. Decatur Boulevard. |
| 07/07/93 | The City Council approved a request for an Extension of Time for a Special Use Permit which allowed a tavern in conjunction with an existing restaurant; and a waiver which allowed the tavern to be within 1,500 feet of other taverns on property located at 310 S. Decatur Boulevard. |
| 02/15/95 | The City Council approved a request for a Special Use Permit to allow a Class III secondhand dealership for the sale of used records, tapes, and compact discs on property located at 310 South Decatur Boulevard. |
| 10/27/97 | The City Council approved a request for a Special Use Permit to allow a secondhand furniture dealership on property located at 320 South Decatur Boulevard. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/jm). |

B) Pre-Application Meeting

07/24/06 A pre-application meeting was held elements of a Special Use Permit were discussed such as providing a current site plan showing the existing tenants, a parking analysis, a floor plan providing the dimensions of the building, seating/waiting areas, and photos of the front of the suite in lieu of elevations.

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: 9.35

B) Existing Land Use

Subject Property: Shopping Center
North: Shopping Center
South: Auto Dealership
East: Shopping Center
West: Auto Body Shop

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject property is designated as SC (Service Commercial) under the Southwest Sector Plan of the General Plan. The Service Commercial land use designation allows for a variety of commercial uses including the proposed Beer/Wine/Cooler On-Sale Establishment.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		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

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	111,600	1:250 GFA	446	9	483	13

The Shopping Center provides adequate for the site meeting all standards per Title 19.10.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Beer/Wine/Cooler On-Sale Establishment use.

B) *General Analysis and Discussion*

- Zoning

The subject property is zoned C-1 (Limited Commercial). The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors.

- Use

Beer/Wine/Cooler On-Sale Establishment means an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which forty-five or more people may be served with meals at any one time at tables or stools.

- Conditions

BEER/WINE/COOLER ON-SALE ESTABLISHMENT [C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

(1) Except as otherwise provided in this Chapter, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.

(2) Except as otherwise provided in Paragraph (3) below, the distances referred to in Paragraph (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

(a) Any leasehold parcel; or

(b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph (1).

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

(a) From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

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

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

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

(a) An establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or

(b) A proposed establishment having more than fifty thousand square feet of retail floor space.

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

FINDINGS

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

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

The proposed use will be located in the shopping plaza, which is intended to be a commercial center and contain a variety of commercial uses. This includes the proposed Beer/Wine/Cooler On-Sale Establishment. The proposed Beer/Wine/Cooler On-Sale Establishment can be conducted in a manner that is harmonious and compatible with surrounding land uses.

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

The subject site is located in a commercial building that is part of shopping plaza. This site is intended for uses of this type and intensity and is physically suitable for the proposed Beer/Wine/Cooler On-Sale Establishment in conjunction with a restaurant.

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.”**

Primary access to the shopping plaza is provided to the east of from Decatur Boulevard a 100-foot Primary Arterial. To the north Meadows Lane, an 80-foot Collector provides traffic flow for the site. These streets are adequate for the proposed development.

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

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 778 by City Clerk

APPROVALS 0

PROTESTS 0



Case Number: **SUP-15840** APN: *138-36-601-003*

Name of Property Owner: Pan Pacific Retail Properties Inc

Name of Applicant: NOEL HERNANDEZ

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: _____

Subscribed and sworn before me

This 21st day of August, 2006

Notary Public in and for said County and State

Stuart A. Tanz
Chairman, President and
Chief Executive Officer

CALIFORNIA JURAT

State of California

)

)

ss:

County of San Diego

)

Subscribed and sworn to [or affirmed] before me on this 8 day of August, 2006, by Stuart A. Tanz, personally known to me to or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Erin Blair
Erin Blair



DECATUR MEADOWS CENTER Las Vegas, NV

Major Tenants:

- Von's Supermarket
- Factory 2 U
- Cort Furniture
- Cycle Gear

Area Demographics (3 Miles):

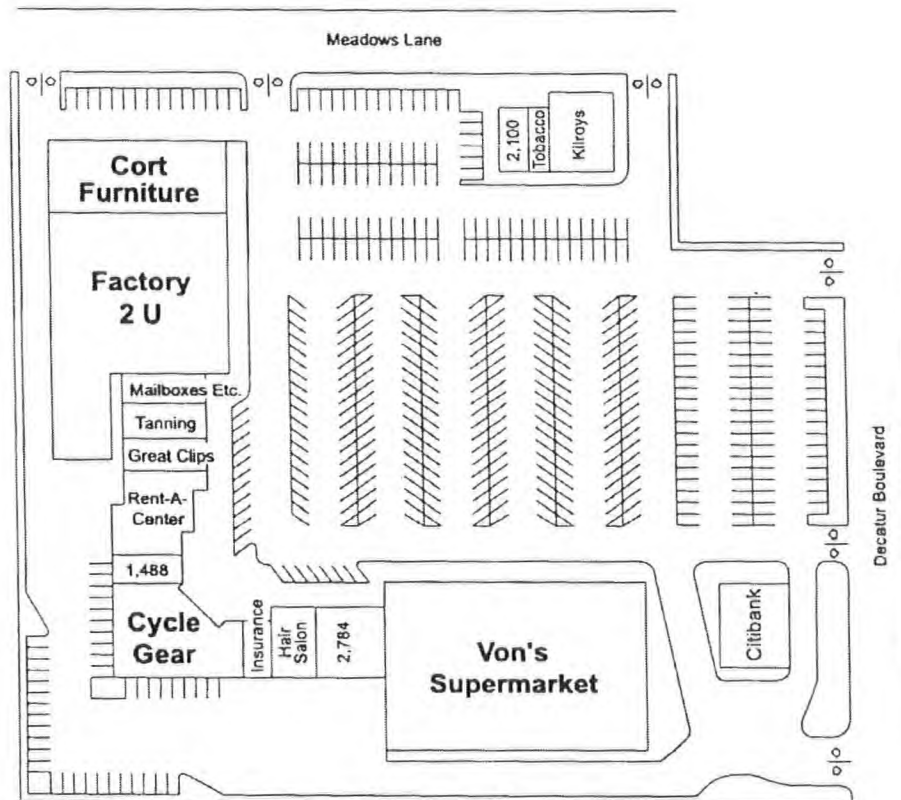
- Market Population: 195,100
- Average Household Income: \$62,500

Area Demographics (5 Miles):

- Market Population: 456,400
- Average Household Income: \$57,900

Site Data:

- Gross Leaseable Area: 111,246
- Major Tenants: 76,385
- Specialty Tenants: 34,861



RECEIVED
AUG 09 2006

Contact:

Michelle Bauer

Tel: (800) 736-4330 E-mail: mbauer@pprp.com

Steve Erhard

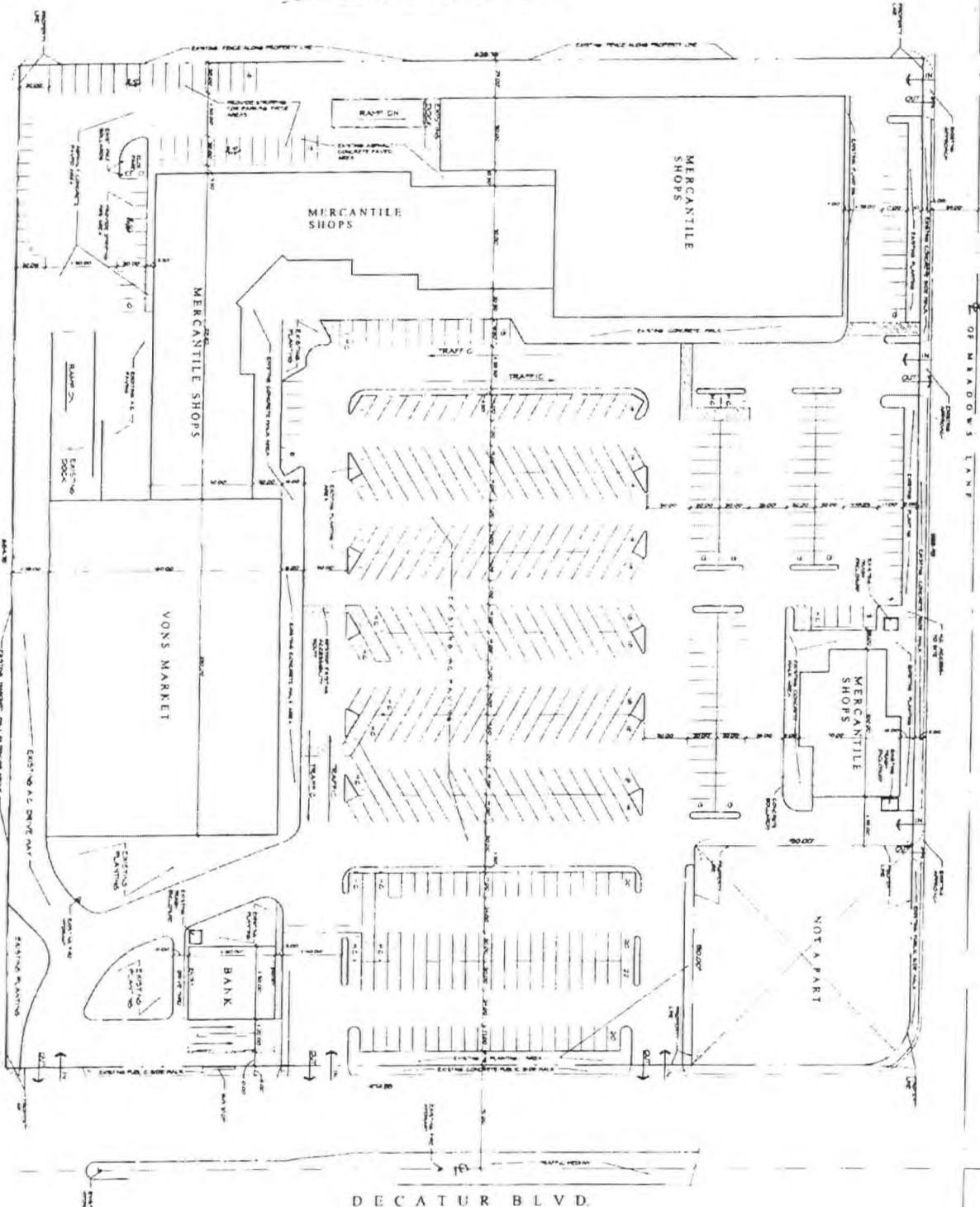
Tel: (800) 736-4330 E-mail: serhard@pprp.com

PAN PACIFIC
RETAIL PROPERTIES

OCTOBER 2003

SUP-15840
09/21/06 PC

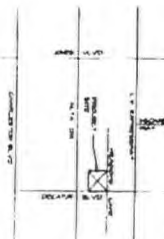
B.L. HEARD CHEVROLET PROPERTY



DECATUR BLVD.

RECEIVED
AUG 09 2006

VICINITY MAP



NOTE:
SEE LIST FOR ALL UNRECORDED TIES
EXISTING ADJACENT PROPERTY TO
BE EXISTING 7' SIDE A RIGHT HAND

SHOPPING CENTER

310-398 Decatur Blvd

Pan Pacific Retail Properties, Inc.

4760 W / Sahara Avenue, Suite 25
Las Vegas, Nevada 89102
Phone (702) 258-4330 Fax (702) 258-8549

ROULE
THOMAS F.
ROULE
ARCHITECT, LTD.
1000 S. Las Vegas Blvd.
Suite 1000 Las Vegas, NV 89101
Tel: (702) 735-0000

SITE PLAN

DATE: 08/09/2006

PROJECT: 15840

DESIGNER: P.P.R.P.

DATE: 08/09/2006

PROJECT: 15840

DESIGNER: P.P.R.P.

DATE: 08/09/2006

PROJECT: 15840

EXISTING SITE PLAN

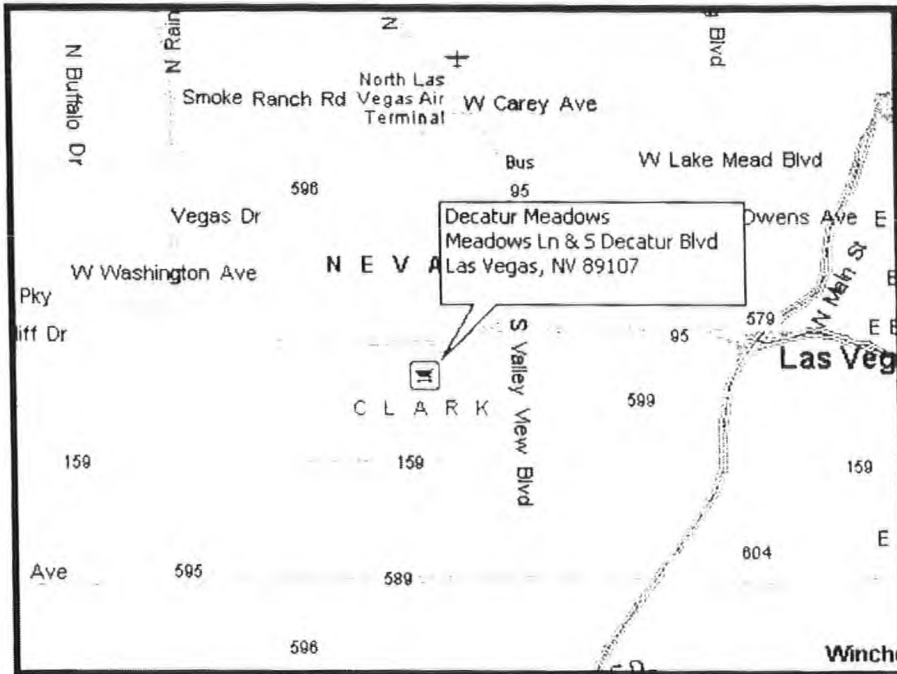


SUP-15840

09/21/06 PC

Location Map

Decatur Meadows Center



Macro View



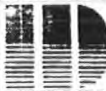
Micro View

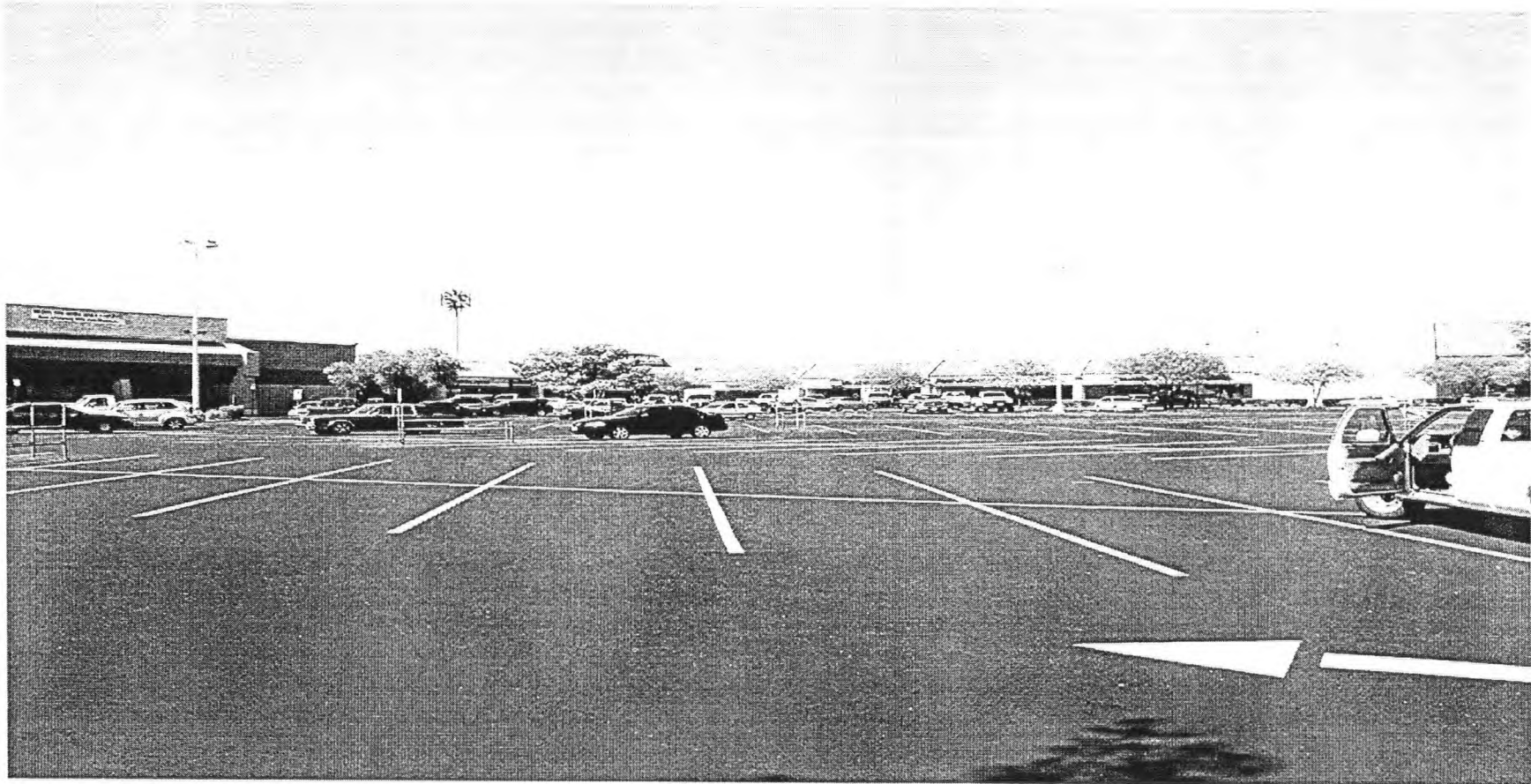
RECEIVED
AUG 09 2006



Location Address:
Meadows Lane & Decatur Blvd.
Las Vegas, NV

SUP-15840
09/21/06 PC

Plans produced by:	
ID Plans Corp	
7/27/2006	
(813) 657-2545	
	MAP IS NOT TO SCALE
© 2006	



SUP-15840 - APPLICANT: NOEL HERNANDEZ - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC., ET
AL
342 SOUTH DECATUR BOULEVARD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/21/06

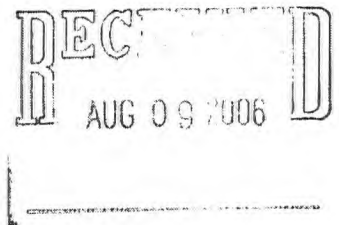


SUP-15840 - APPLICANT: NOEL HERNANDEZ - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC., ET
AL
342 SOUTH DECATUR BOULEVARD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/21/06

To: Whom might it Concern.

From: Noel Hernandez.



In Order to increas the economic solution of my family and to keep the culinary roots of my ansestor, with that. 1/11/05 I Opened this restaurant of cuban foot; "Cafe Cuban Breeze"; But also by tradition to must of the Cubans we like to accompany our menu with a cold beer or a tempting glass of wine. That is the reason by I have asked for the license to sell beer and wine in any premises, this way my clients would feel more satisfaid with our already efficient service, which also would work to my favor when increasing the affluence of people to this place.

Sincerely.

Noel Hernandez

8/4/06

x  .

SUP-15840
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**

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: SUP-15840 - APPLICANT: NOEL HERNANDEZ - OWNER: PAN PACIFIC RETAIL PROPERTIES, INC., ET AL

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *September 21, 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.

Carol Parker

Signature

9/19/06

Date

CAROL PARKER

Please print name

PAN PACIFIC RETAIL PROPERTIES

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:

SITE DEVELOPMENT PLAN REVIEW

SDR-15762 - PUBLIC HEARING - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD EVANGELICAL LUTHERAN CHURCH OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 12,480 SQUARE-FOOT PRIVATE SCHOOL AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS on 0.85 acres at 312, 318, 324, and 330 South 13th Street (APNs 139-35-410-001 through 004), R-4 (High Density Residential) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 09-21-06 Planning Commission meeting Item 11

Motion made by GARY REESE to Approve subject to conditions

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

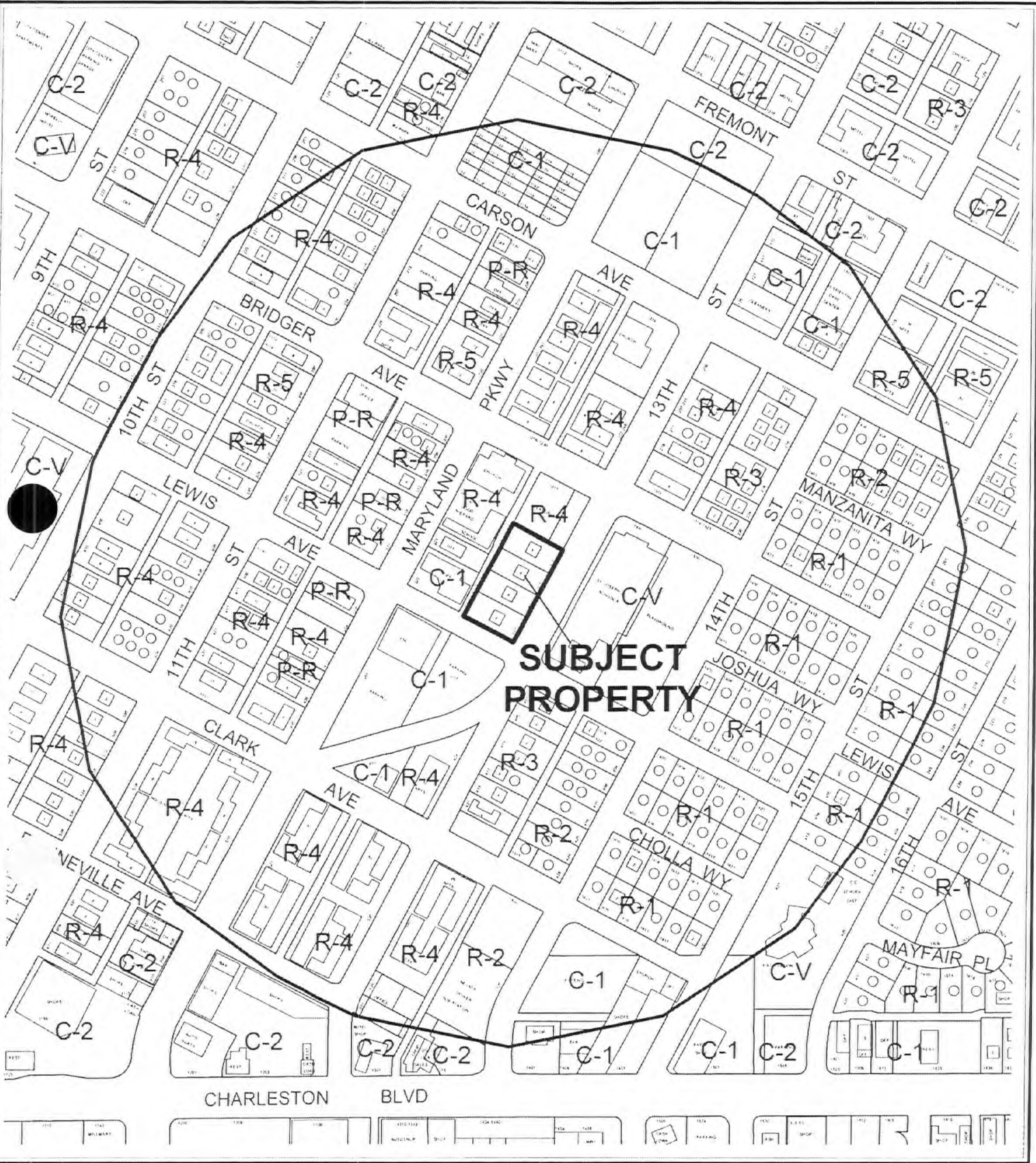
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

GREGORY MECK, Senior Pastor of First Good Shepherd Lutheran Church, appeared on behalf of the applicant. He informed COUNCILMAN REESE that the landscaping would be provided in the playground and the lawn area. He clarified that the application was not a request to avoid landscaping the property and pointed out landscaping would be provided in other areas.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **SDR-15762**

RADIUS: 1000 FT

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER:
FIRST GOOD SHEPHERD EVANGELICAL LUTHERAN CHURCH OF LAS VEGAS**

**** CONDITIONS ****

The Planning Commission (6-0-1/sd vote) and staff recommend 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 site plan, landscape plan, and building elevations, date stamped 08/08/06, except as amended by conditions herein.
3. A Waiver from perimeter landscape buffer width requirements is hereby approved, to allow an exterior landscape buffer width of 10 feet adjacent to the right-of-way where a 15-foot buffer is the minimum required, and an interior landscape buffer width of 6 feet where 8 feet is the minimum required.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect an additional parking island located within the designated parking area near the north property line of the site.
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. 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).
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
12. Dedicate a 20-foot radius on the northwest corner of Lewis Avenue and Thirteenth Street 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 Lewis Avenue and Thirteenth Street adjacent to this site concurrent with development of this site.
14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
15. The proposed entry gates shall remain open during pick-up and drop off times.
16. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
17. Landscape and maintain all unimproved rights-of-way, if any, on Lewis Avenue and Thirteenth Street adjacent to this site. 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.

18. Submit an Encroachment Agreement for all landscaping, if any, located in the Lewis Avenue and Thirteenth Street public rights-of-way adjacent to this site prior to the issuance of any building permits.
19. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests for a Site Development Plan Review for a proposed 12,480 square-foot private school and a Waiver of the perimeter landscape buffer width requirements on 0.85 acres at 312, 318, 324, and 330 South 13th Street.

EXECUTIVE SUMMARY

The applicant is proposing to build a 12,480 square foot primary private school (grades kindergarten through second grade) and a preschool. The land use is appropriate for the area as there are other institutional types of uses that surround the proposed school.

The applicant is also requesting a Waiver of the exterior perimeter landscape buffer on the along Thirteenth Street providing 10 feet where 15 feet is required, and a Waiver of the interior perimeter landscape buffer providing six feet where eight feet is required. Staff supports the request.

BACKGROUND INFORMATION

A) Related Actions

09/21/06 The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Item #11/jm).

B) Pre-Application Meeting

07/24/06 In the pre-application meeting, submittal requirements were discussed. Perimeter landscape buffer and parking requirements were also mentioned in detail. Public Works discussed ingress and egress access to the site and utilization of the alley way as a point of access.

C) Neighborhood Meetings

A Site Development Review does not require a neighborhood meeting, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.85

B) *Existing Land Use*

Subject Property: Duplex
North: School Playground
South: Commercial
East: Office and Church
West: Private School

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

The subject site is located within the Downtown Redevelopment Plan area. Within that area, it has a land use designation of MXU (Mixed Use). The Mixed Use designation allows 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) designations. The subject property is zoned R-4 (High Density Residential). This zoning category complies with the MXU (Mixed Use) designation.

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

Downtown Redevelopment Plan Area

The subject site is located within the Downtown Redevelopment Plan area. No additional development standards will be placed on the project as a result of this designation. Rather, this designation targets areas in need of heightened development efforts.

PROJECT DESCRIPTION

The applicant is proposing to build a 12,480 square foot Primary Private School (grades kindergarten through second grade) and a Preschool. The site provides a pickup/drop off near the main entrance. There are a total of 24 parking spaces provided. The security gates on the west side of the property off the alley are to remain open from 6:30 AM – 8:30 AM and 2:45 PM – 6 PM, Monday through Friday. The gate on the east side of the property off, Thirteenth Street, is to remain open from 6:00 AM – 6:00 PM.

The applicant is also requesting a Waiver of the exterior perimeter landscape buffer on the along Thirteenth Street to provide 10 feet where 15 feet is required, and a Waiver of the interior perimeter landscape buffer to provide six feet where eight feet is required.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 sq. ft.	37,026 sq. ft.	Y
Min. Lot Width	N/A	N/A	N/A
Min. Setbacks			
• Front	10 Feet	10 Feet	Y
• Side	5 Feet	6 Feet	Y
• Rear	20 Feet	120 Feet	Y
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	2 Stories / 35 Feet	24 Feet	Y
Trash Enclosure	50 Feet from residential property	242 Feet from residential property	Y
Mech. Equipment	Screened	Screened	Y
Loading Zone	I	I	Y

This project meets or exceeds the Development Standards required by Title 19.08.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Public or Private School, Primary	12,480	3 spaces per Classroom	21	1	22	2
Total			22	1	24	2

The project meets Title 19.10 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 Trees/6 Spaces	4 Trees	8 Trees
Buffer:			
• Min. Trees	1 Trees/20 Linear Feet	35 Trees	35 Trees
• Min. Zone Width (interior)	8 Feet		6 Feet
• Min. Zone Width (exterior)	15 Feet		10 Feet

The applicant is requesting a landscape waiver and a reduction of the perimeter landscape buffer in the interior and exterior landscape buffers. The applicant provides 10 feet of landscape buffer where 15 feet is required along Thirteenth Street. In addition, the applicant provides six feet of landscape buffer where eight feet is required along the north interior landscape buffer. The applicant is providing one tree per 20 linear feet for the entire perimeter of the project. The parking area is deficient one parking island. The applicant has the space to remove one parking space and replace it with a parking island. This deficiency has been conditioned.

B) General Analysis and Discussion

- Zoning

The applicant is proposing a primary private school on the 0.85 acre site. The property is zoned R-4 (High Density Residential) which requires a condition that the site must provide adequate pick-up and drop-off area. The site meets those requirements.

- Site Plan

This proposal is for a 12,480 square foot primary private school with trees buffering the perimeter. To the north is the parking lot which includes 24 parking spaces. The site is bound by churches to the east and west, a playground to the north and a commercial establishment across Lewis Street.

- Waivers

The applicant is requesting a landscape waiver and a reduction of the perimeter landscape buffer in the interior and exterior landscape buffers. This is discussed in detail in the analysis above.

- Landscape Plan

The landscape plan depicts 10 feet of landscape buffer where 15 feet is required along Thirteenth Street. In addition, the applicant provides six feet of landscape buffer where eight feet is required along the north interior landscape buffer. The applicant is also providing one tree per 20 linear feet for the entire perimeter of the project. The parking area is deficient one parking island. This deficiency has been conditioned.

- Elevation

The proposed one-story school is 24 feet tall at all elevations. The split-face CMU building will be a mixture of white at the lower half and mesa tan at the upper half. Since this building will be utilized as a private school, residential adjacency standards do not apply.

- Floor Plan

The floor plan depicts seven classrooms, a kitchen, conference room, multi-purpose room and administrative offices for staff and storage.

FINDINGS

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

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

The land use is appropriate for the area as there are other institutional types of uses that surround the proposed school.

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;"**

This proposed school complies with the MXU designation. The Mixed Use designation allows for a mix of uses that are normally allowed within the L, ML, M, H, O, SC, and GC designations. The subject property is zoned R-4 (High Density Residential) which is permitted by condition which states that the site must provide adequate pick-up and drop-off area. The site complies with this condition.

The site is however deficient in buffer landscaping per 19.12. The applicant is providing along the exterior landscape buffer 10 feet where 15 feet is required and in the interior landscape buffer 6 feet where eight feet is required.

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

The site gains access from Thirteenth Street and the alley to the west behind the proposed school. Thirteenth Street is a one way secondary collector, 80 feet in width, that flows north. By placing access points on Thirteenth Street and the alley to the west, the site adequately guides flow through the site and onto roadways.

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

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

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

The design of the elevations are appropriate to the use of the structure, and will be compatible with other development in the downtown area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 226 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15762** APN: 139-35-40-004,003,002,001
Name of Property Owner: CHURCH LUTHERAN EVANGELICAL
Name of Applicant: _____

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

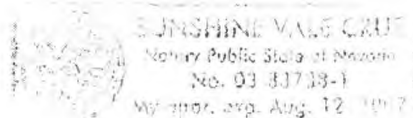
APN: _____

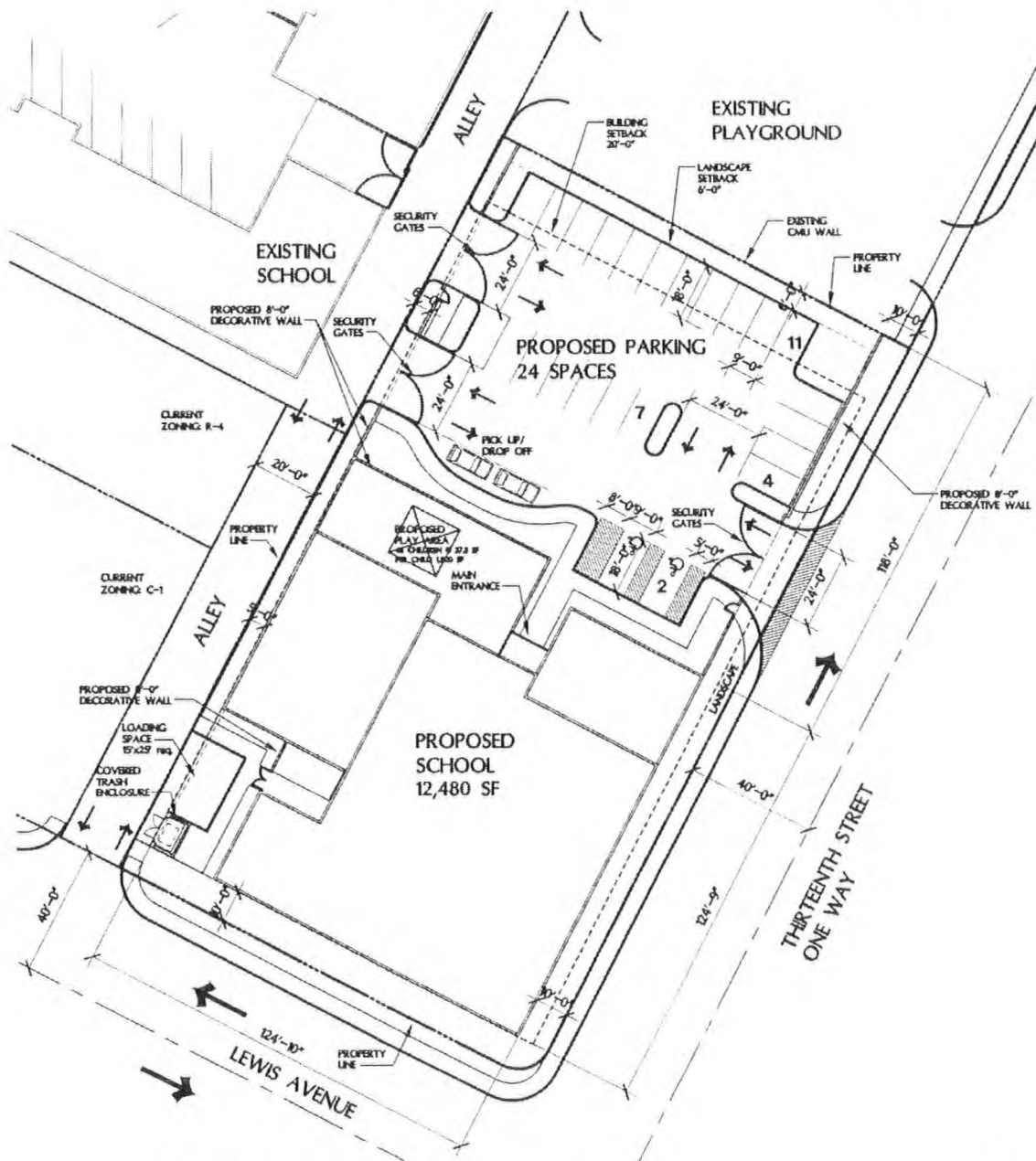
Signature of Property Owner: Gary L. Kopps

Print Name: Gary L. Kopps

Subscribed and sworn before me

This 2nd day of August, 2006
Sunshine Vale Crut
Notary Public in and for said County and State





OVERALL SITE PLAN

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



PROPERTY OWNER

FIRST GOOD SHEPHERD
301 SOUTH MARYLAND PARKWAY
LAS VEGAS, NEVADA 89101

CONTACT

KGA ARCHITECTURE
4456 SOUTH POLARIS AVENUE
LAS VEGAS, NEVADA 89101
702.367.6900

SITE ANALYSIS

APN: 130-36-410-001
130-36-410-002
130-36-410-003
130-36-410-004

CURRENT ZONING: R-4
SITE AREA (NET AND GROSS): 0.88 ACRES
LOT COVERAGE (NET): 33.7%
FLOOR AREA RATIO: 0.337

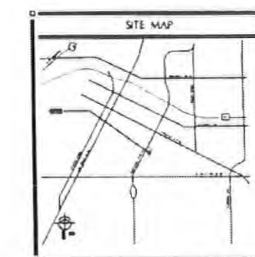
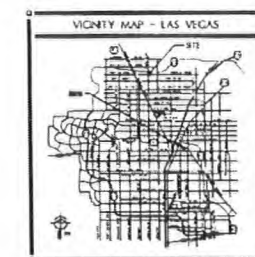
BUILDING ANALYSIS

GROSS AREA: 12,480 S.F.

PARKING ANALYSIS

PARKING REQUIRED: 37 SPACES
CHILD CARE: 11 SPACES
1 SPACE FOR EACH STAFF: 6 SPACES
+ 1 FOR EACH 10 CHILDREN: 8 SPACES
K-2 ELEMENTARY SCHOOL: 28 SPACES
2 SPACES FOR EACH CLASSROOM: 8 SPACES
30 FOR ADMIN. STAFF: 20 SPACES
PARKING PROVIDED: 34 SPACES

GENERAL NOTES



FIRST GOOD SHEPHERD
LAS VEGAS, NEVADA



PROJECT:
FIRST GOOD SHEPHERD - SDH
A VAS SUBMITTAL

DATE: 08/08/06
OVERALL SITE PLAN

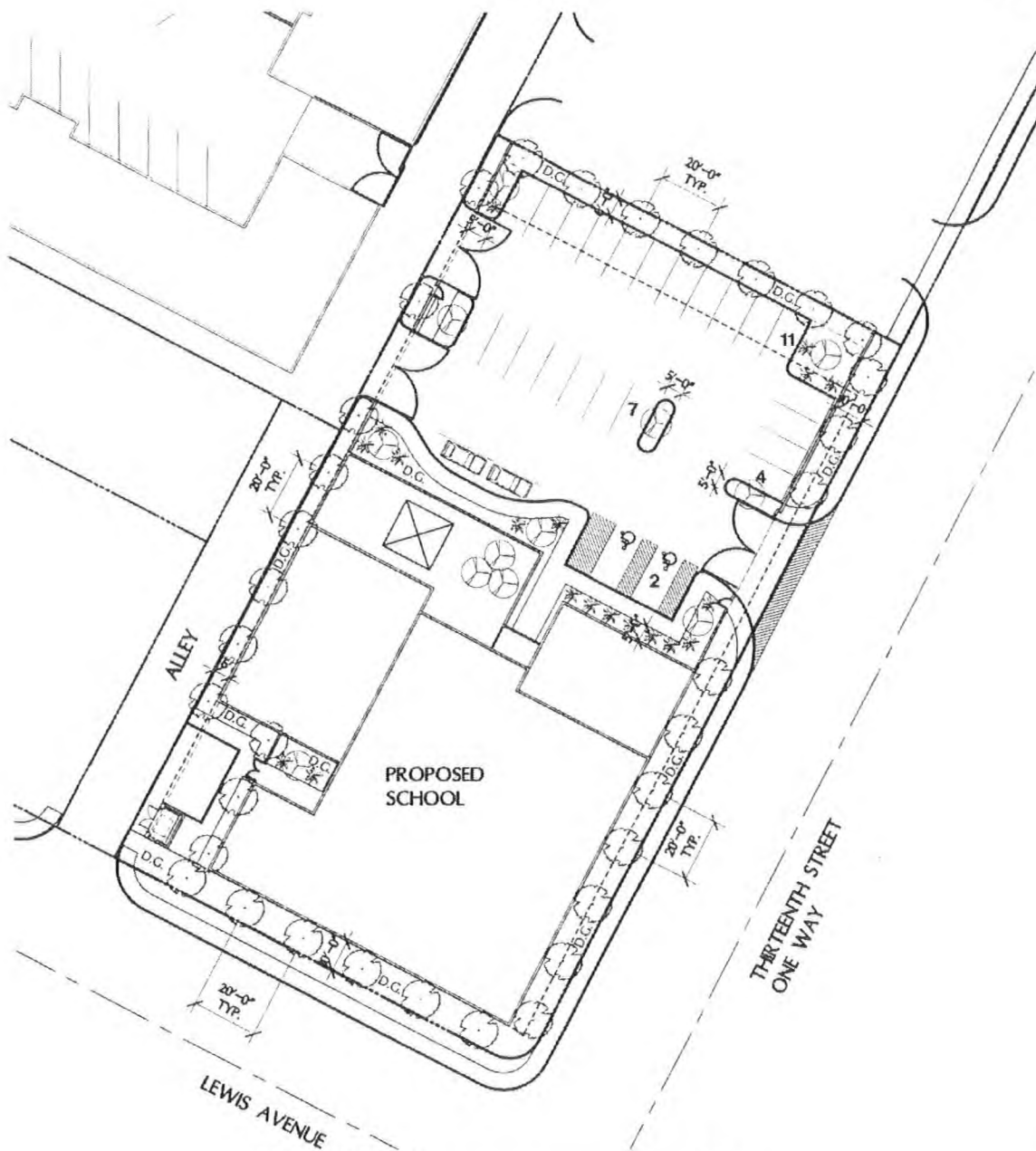
DATE: 8 AUGUST 06
BY: KGA
CHECKED: KGA

AS101

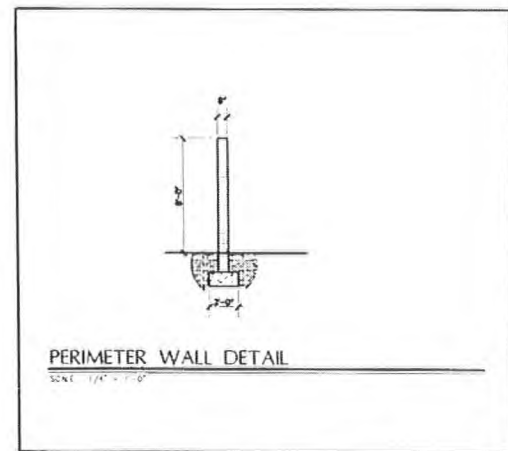
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LANDSCAPE PLAN
SCALE 1/16"=1'-0"



PERIMETER WALL DETAIL
SCALE 1/4"=1'-0"

PLANTING LEGEND

SYMBOL	SCIENTIFIC-COMMON NAME	SIZE
○	CHITALPA TASHKENTENSIS CHITALPA - ISALIT	24" BOX
○	QUERCUS VIRGINIANA "HERITAGE" HERITAGE LIVE OAK	24" BOX
*	LEUCOPHYLLUM LAMARCKIANUM "TWO BRAVO" TWO BRAVO SAGE	5 GALLON

GROUND COVER LEGEND

SYMBOL	TYPE	SIZE
D.G.	DECOMPOSED GRANITE (D.G.) NOTE: D.G. CONTINUOUS IN ALL PLANTERS, UNDER ALL TREES AND SHRUBS.	2'-4" MINIMUM

SUGGESTED SHRUBS

SCIENTIFIC-COMMON NAME	SIZE
HEPERALOE PARVIFLORA RED HEPERALOE	5 GALLON
LANTANA MONTEVIDEOENSIS PURPLE TRAILING LANTANA	5 GALLON
LANTANA SPECIES "NEW GOLD" NEW GOLD LANTANA	5 GALLON
MYRTUS COSSABENSIS "COSPECTA" DWARF MYRTLE	5 GALLON
TEUCORIUM CHAMAEDRIS "PROSTRATUM" PROSTRATE GERANIUM	5 GALLON

NOTE: FIVE GALLON SHRUBS WILL BE INSTALLED AT FOUR PER 24" BOX TREE

SITE ANALYSIS

TOTAL LANDSCAPE AREA:	7,800 SF
PARKING LOT TREES REQUIRED (1 TREE/6 STALLS):	4
PARKING LOT TREES PROVIDED:	8

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FIRST
GOOD
SHEPHERD
LAS VEGAS, NEVADA

KGA
ARCHITECTURE
KINGMAN, CALIFORNIA
1975-1980, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 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OVERALL FLOOR PLAN

12,480 SF

SCALE 1/8"=1'-0" 5' 10' 15'



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FIRST
GOOD
SHEPHERD

LAB VEGAS, NEVADA

KGA
ARCHITECTURE

RIVERVIEW, KANSAS
AND ASSOCIATES, P.C.

ONE SOUTH POLAR DRIVE
SUITE 1000, DENTON, TEXAS 76205
TEL: 817-380-1000 FAX: 817-380-1001
WWW.KGA-ARCHITECTURE.COM

DATE: 08/21/06

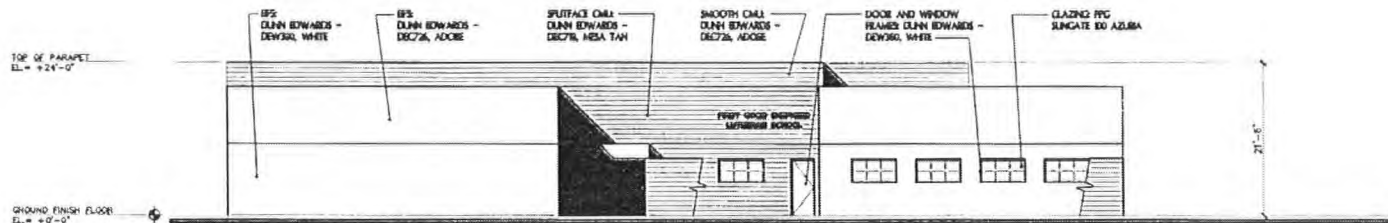
FIRST GOOD
SHEPHERD - SDR
& VAN SUBMITTAL

DATE: 08/21/06

OVERALL FLOOR PLAN

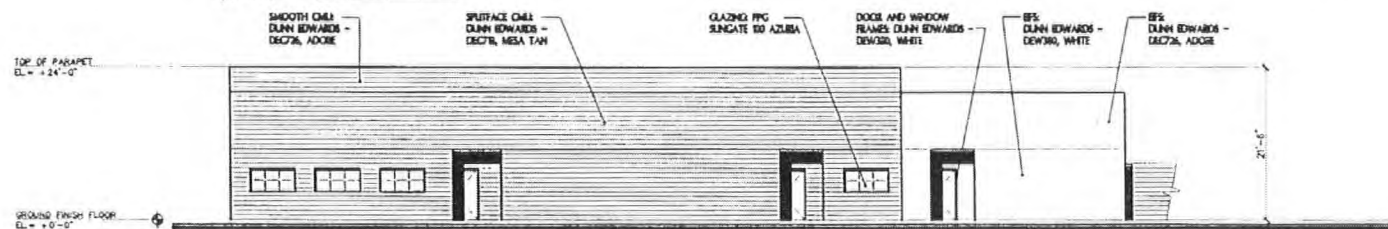
DATE: 8/21/06
BY: JG
CHK: JG

A101



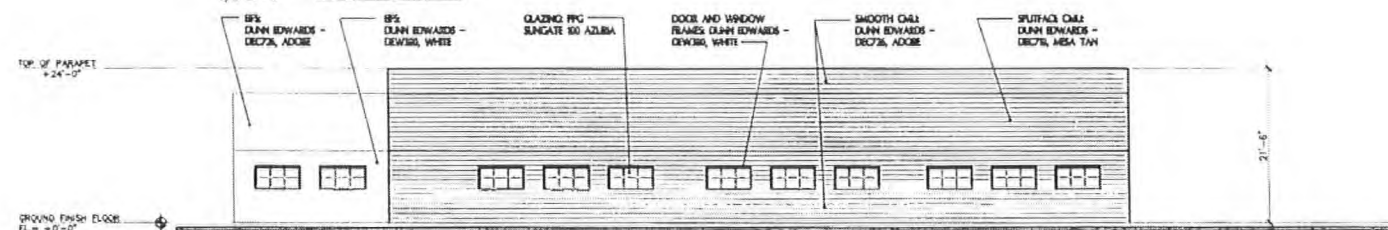
NORTH ELEVATION

SCALE
1/8"=1'-0" 5' 10' 15'



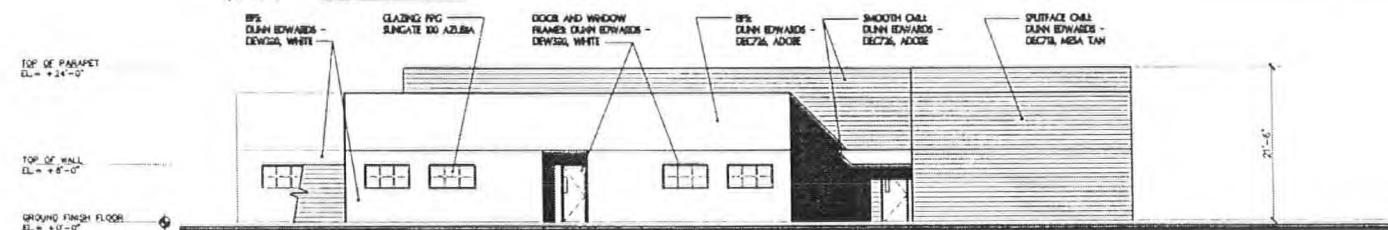
EAST ELEVATION

SCALE
1/8"=1'-0" 5' 10' 15'



SOUTH ELEVATION

SCALE
1/8"=1'-0" 5' 10' 15'



WEST ELEVATION

SCALE
1/8"=1'-0" 5' 10' 15'

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NEVADA
LAS VEGAS,
SHEPHERD
GOOD
FIRST

KGA
ARCHITECTURE
RITTENBERG, GILLESPIE
AND ASSOCIATES, PLLC

1400 SOUTH PULASKI AVENUE
LAS VEGAS, NEVADA 89102
PHONE: 702.735.1111
FAX: 702.735.1112
WWW.KGA-ARCH.COM

PROJECT
FIRST GOOD
SHEPHERD - SDR
& V&A SUBMITTAL

DATE
8 AUGUST 06

BY
SD-100

A6.01

First Good Shepherd Color Board



EIFS: Dunn Edwards -
DEC726, Adobe



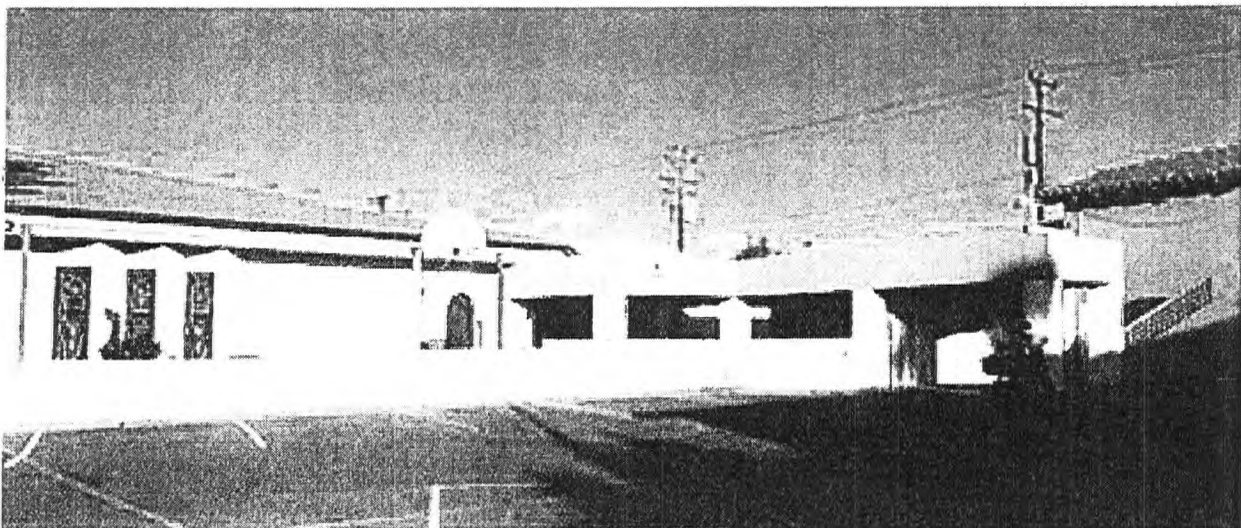
EIFS: Dunn Edwards -
DEW380, White



Splitface CMU: Dunn Edwards -
DEC718, Mesa Tan



Smooth CMU: Dunn Edwards -
DEC726, Adobe



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09/21/06 PC

Photograph of surrounding buildings
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SDR 15762

KGA Architecture

NWC Lewis & 13th Street

Proposed 12.48 thousand square foot private school expansion.

Traffic produced by proposed development:

New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ELEMENTARY SCHOOL, [1000SF]	12.48	14.49	181
AM Peak Hour			4.69	59
PM Peak Hour			3.13	39

(heaviest 60 minutes)

Existing traffic on all nearby streets: Counts not available for Lewis Avenue

Maryland Parkway

Average Daily Traffic (ADT) 6,960

PM Peak Hour 557

(heaviest 60 minutes)

Bridger Avenue

Average Daily Traffic (ADT) 2,147

PM Peak Hour 172

(heaviest 60 minutes)

13th Street

Average Daily Traffic (ADT) 12,872

PM Peak Hour 1030

(heaviest 60 minutes)

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity			
Maryland Parkway	29469			
Bridger Avenue	16200			
13th Street	29469			

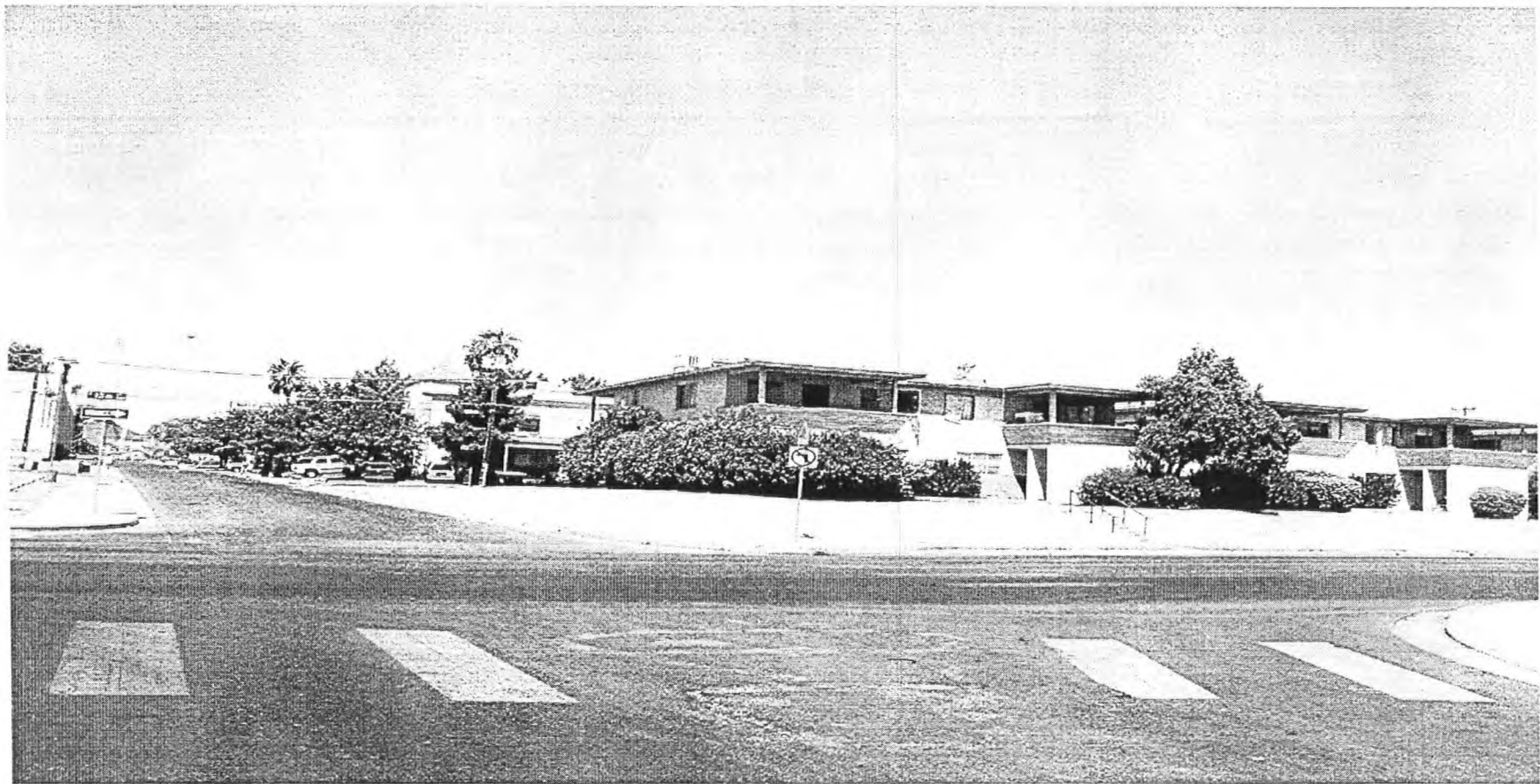
This project will add approximately 181 trips per day on Maryland, Bridger, Lewis and 13th. This will increase expected volumes by about 3 percent on Maryland, 8 percent on Bridger and 1 percent on 13th. Maryland is at about 24 percent of capacity, Bridger is about 13 percent of capacity and 13th is at about 44 per capacity. Counts are not available for Lewis, but it is believed to be under capacity.

Based on Peak Hour use, this development will add roughly 39 additional cars into the area; which works out to about two every three minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



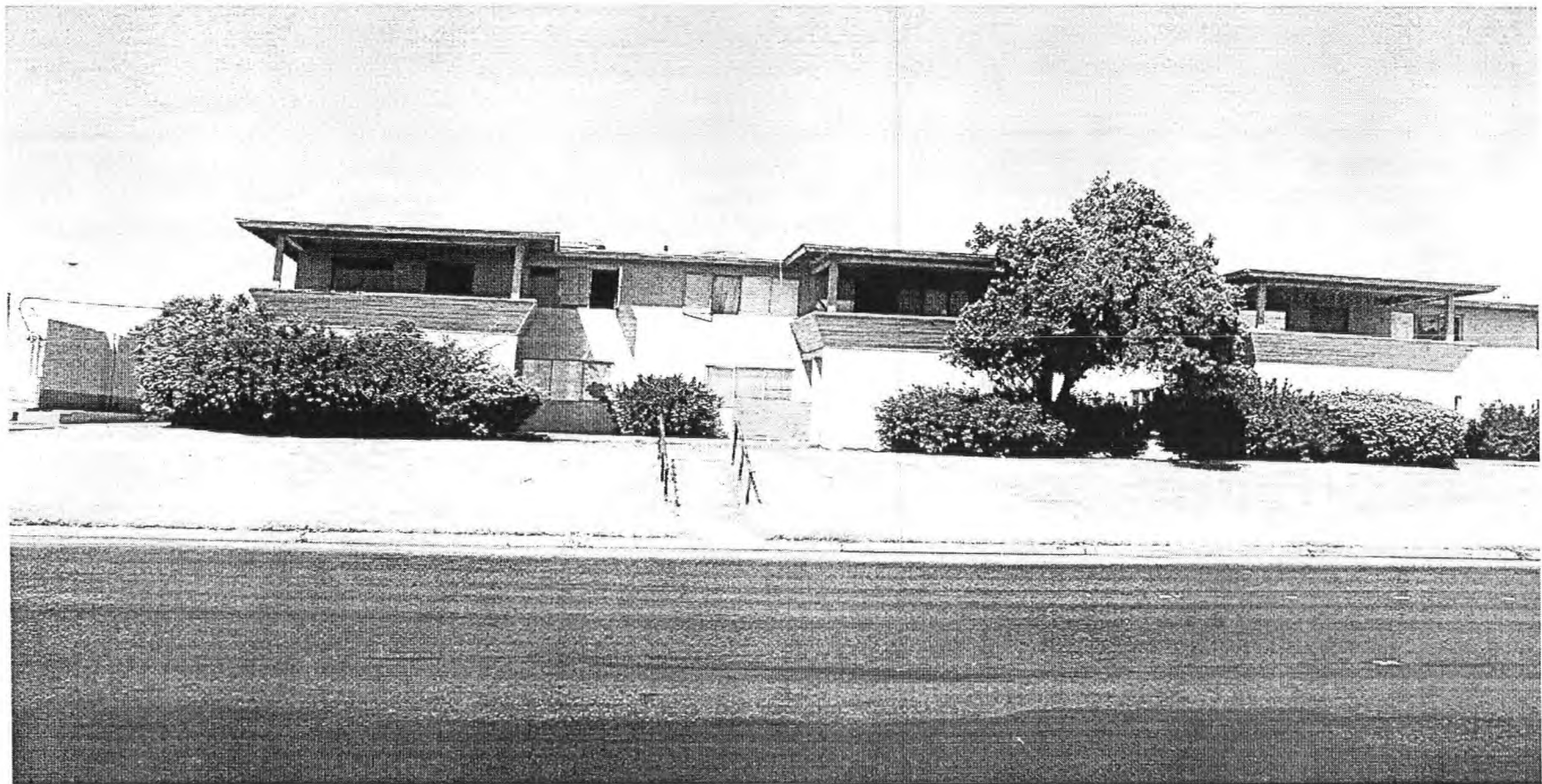
SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD EVANGELICAL
LUTHERAN CHURCH OF LAS VEGAS
312, 318, 324, AND 330 SOUTH 13TH STREET
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD EVANGELICAL
LUTHERAN CHURCH OF LAS VEGAS
312, 318, 324, AND 330 SOUTH 13TH STREET
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD EVANGELICAL
LUTHERAN CHURCH OF LAS VEGAS
312, 318, 324, AND 330 SOUTH 13TH STREET
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD EVANGELICAL
LUTHERAN CHURCH OF LAS VEGAS
312, 318, 324, AND 330 SOUTH 13TH STREET
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



ARCHITECTURE

KITTRELL GARLOCK
AND ASSOCIATES, AIA

August 8, 2006

City of Las Vegas Planning and Development
731 South Fourth Street
Las Vegas, Nevada 89101

Attn: Planning Staff

Re: First Good Shepherd Lutheran School - SDR

To whom it may concern:

Please accept this document as the justification letter for the above referenced project.

The accompanying application requests approval for a Site Development Plan Review for a Primary Private School located on the northwest corner of Lewis and Thirteenth Street.

The proposed building is a 12,480 SF Primary Private School (grades kindergarten thru second grade) and a Preschool. The site design provides a pick up/drop off near the main entrance and provides for 24 parking spaces. The security gates on the west side of the property off the alley are to remain open from and 6:30 AM- 8:30 AM and 2:45 PM – 6 PM, Monday thru Friday. The gate on the east side of the property off Thirteenth Street is to remain open 6:00 AM – 6:00 PM. The school believes it is in the children's best interest to limit circulation through the site during the school day.

We are asking for a parking lot landscape waiver and a reduction of the Perimeter Landscape Buffer. The building setback along Thirteenth Street is 5 feet and the Landscape Buffer is 15 feet. The design provides a 10 feet for the building setback and

Founding Principals

Ed Kittrell, Jr., AIA
George F. Garlock, AIA

Principals

David P. Brom, AIA
James C. Lord II, AIA

SDR-15762

09/21/06 PC

RECEIVED

AUG 08 2006

10 feet of landscaping along Thirteenth Street. We believe the Perimeter Landscape we have provided will not compromise the City's objective for landscaping. We are also asking for the interior Landscape Buffers to be reduced from 8 feet to 6 feet. The east interior lot line is adjacent to an alley with minimal landscaping opportunities. The north interior lot line is adjacent to property of the same owner, as well as we are providing 1 tree per 20 linear feet for the entire perimeter of the project. We are deficient one parking island on the north row of parking. We do however provide 8 trees plus the perimeter landscaping at the parking lot.

The applicant and owner appreciate your time and effort to review this application.

Should you have any questions regarding this request, please feel free to call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darcey Wenzel', written in a cursive style.

Darcey Wenzel, AIA
Associate

SDR-15762
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**

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: SDR-15762 - APPLICANT: KGA ARCHITECTURE - OWNER: FIRST GOOD SHEPHERD
EVANGELICAL LUTHERAN CHURCH OF LAS VEGAS

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the September 21, 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.

Signature

9-20-06

Date

Please print name

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:
VACATION

VAC-15514 - PUBLIC HEARING - APPLICANT: ROMANO REALTY - OWNER:
RANCHO DRIVE-TULE SPRINGS ROAD LIMITED PARTNERSHIP - Petition to Vacate a
40-foot public right-of-way between Sky Pointe Drive and Elkhorn Road, Ward 6 (Ross). 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. Backup referenced from the 09-21-06 Planning Commission meeting Item 9

Motion made by STEVEN D. ROSS to Approve subject to conditions

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

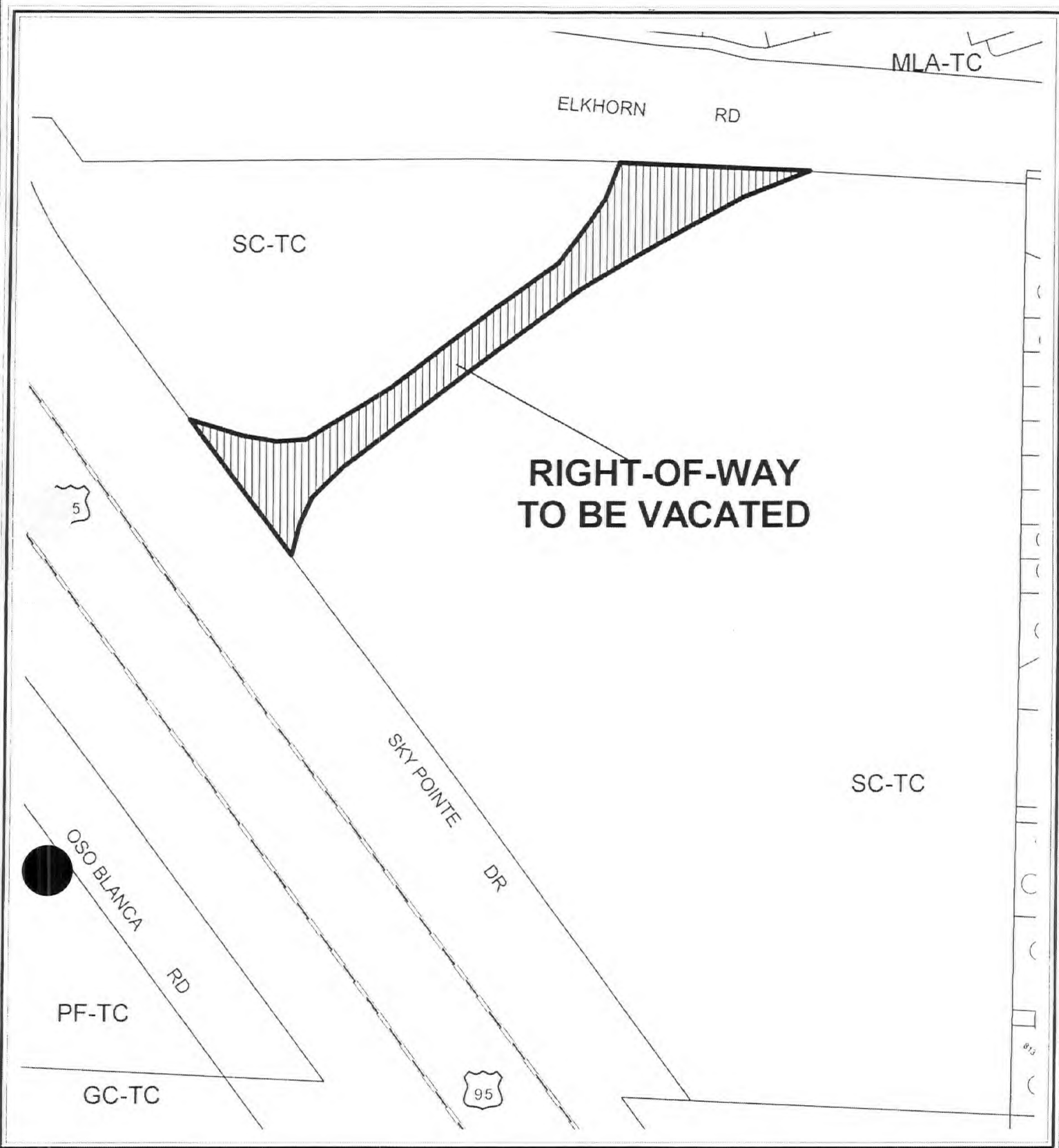
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

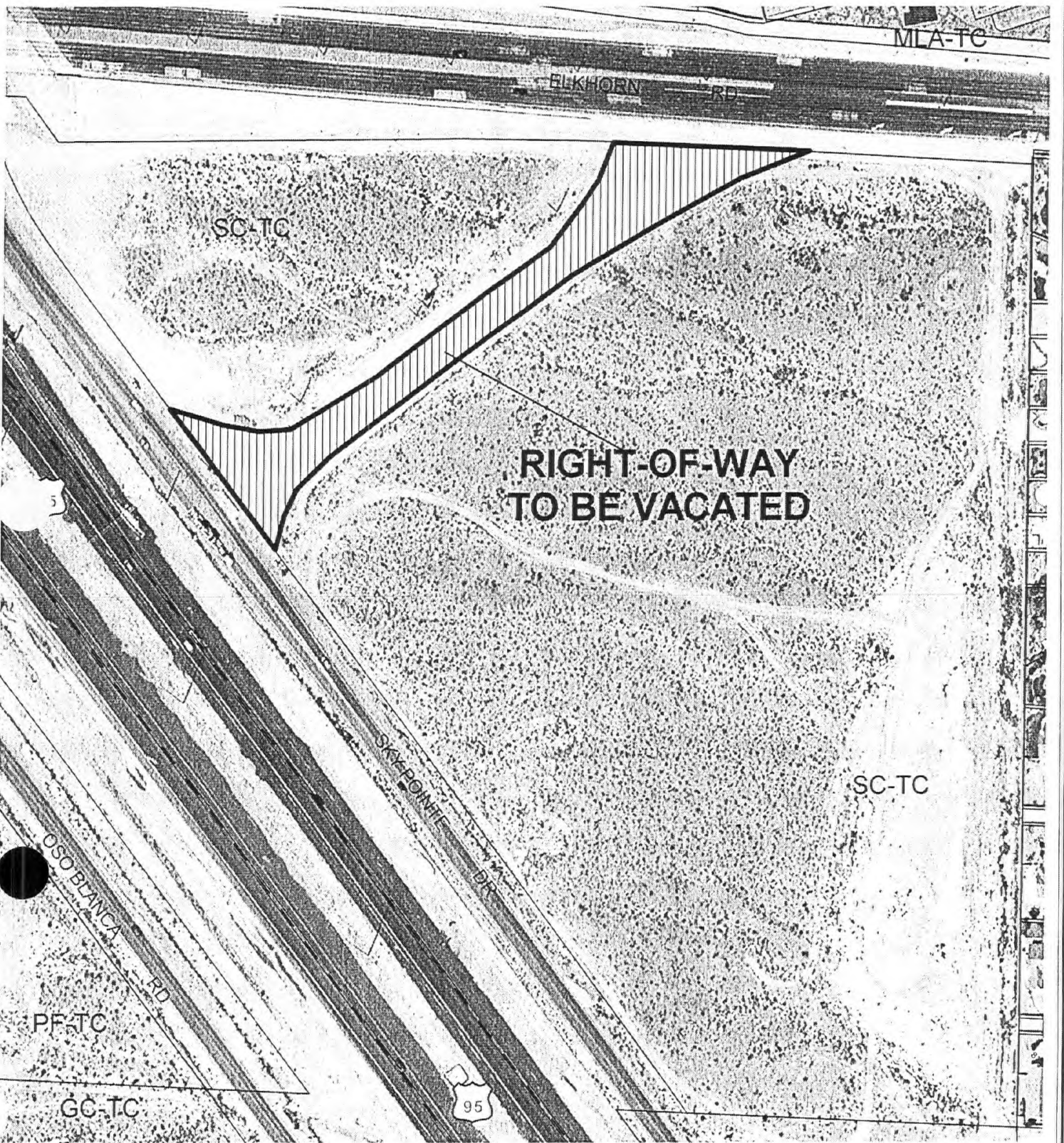
ATTORNEY JIM WORDOSKY and JIM VELTMAN, Studio VBM, appeared on behalf of the
applicant. MR. VELTMAN explained the applicant was requesting this vacation because the
street being used by cut-through traffic was becoming increasingly dangerous. He agreed to all
conditions.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **VAC-15514**





CASE: VAC-15514



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-15514 - APPLICANT: ROMANO REALTY - OWNER:
RANCHO DRIVE-TULE SPRINGS ROAD LIMITED PARTNERSHIP**

**** CONDITIONS ****

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

1. The limits of this Petition of Vacation shall be described as the entire roadway easement recorded by document 940714:01054, bounded to the north by the south edge of the Elkhorn Road right-of-way.
2. Coordinate with the City Engineer's Design Division to determine an alternate easement alignment for future Nevada Power service to Sky Pointe Road. Grant appropriate easements as recommended by the City Engineer prior to recordation of the Order of Vacation.
3. Prior to recordation of the Order of Vacation, meet with the Flood Control Section of the Department of Public Works to determine if reservation of Public Drainage Easements is required.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a petition to vacate a 40-foot public right-of-way between Sky Pointe Drive and Elkhorn Road.

EXECUTIVE SUMMARY

The proposed Vacation Petition will not have a negative effect on the area. This Vacation will allow the parcel to be developed as a single entity. The Planning Department and Department of Public Works support this Vacation Petition. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

9/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ng).

B) *Pre-Application Meeting*

A pre-application meeting is not required for a Vacation petition, nor was one held.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

The subject property is legally described as an unnamed right-of-way, forty feet (40') wide; said property being a portion of the Northwest Quarter (NW¹/₄) of the Northwest Quarter (NW¹/₄) of Section 21, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The Planning Department is able to support this Vacation petition as it will allow the subject property to be developed as a single entity. With the right-of-way in place the property is divided and a portion of the property is cut off from the rest making it difficult to utilize.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *Uniform; it is to eliminate a roadway access easement granted in 1994 that provided a connection from Sky Pointe Drive (frontage road) to Elkhorn Road before completion of the Elkhorn overpass.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, because the easement is no longer used and is not accessible for traffic.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes. The owner of this property requests to vacate the roadway easement in order to rejoin the property into one piece for future development.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-15514** APN: 125-21-102-001

Name of Property Owner: RANCHO DE/TULE SPRINGS RD LTD. PART.

Name of Applicant: DONALD T. ROMANO, GENERAL PARTNER

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: _____

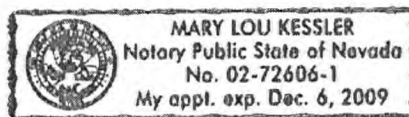
Signature of Property Owner: _____

Print Name: Donald T. Romano, General Partner

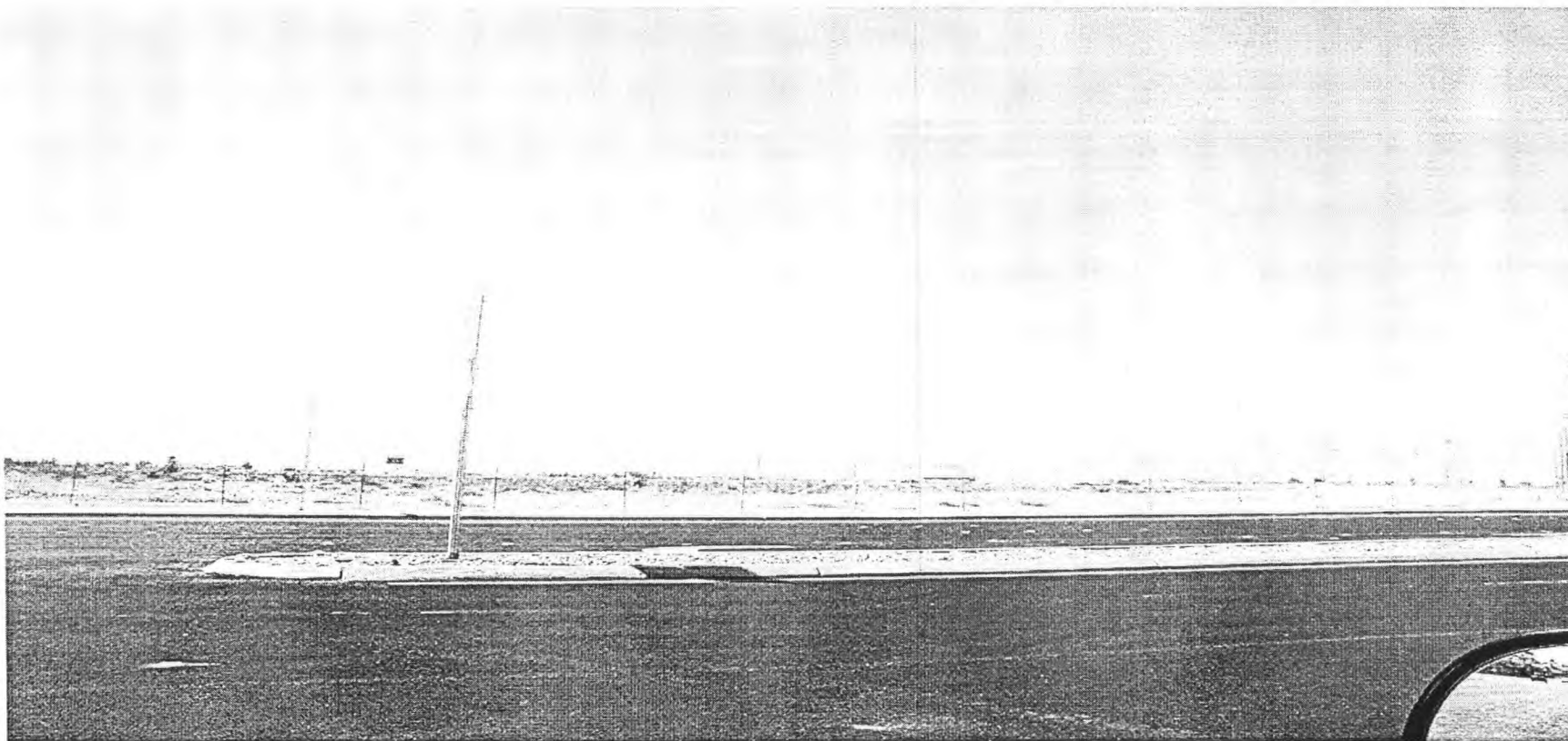
Subscribed and sworn before me

This 26 day of July, 2006

Mary Lou Kessler
Notary Public in and for said County and State

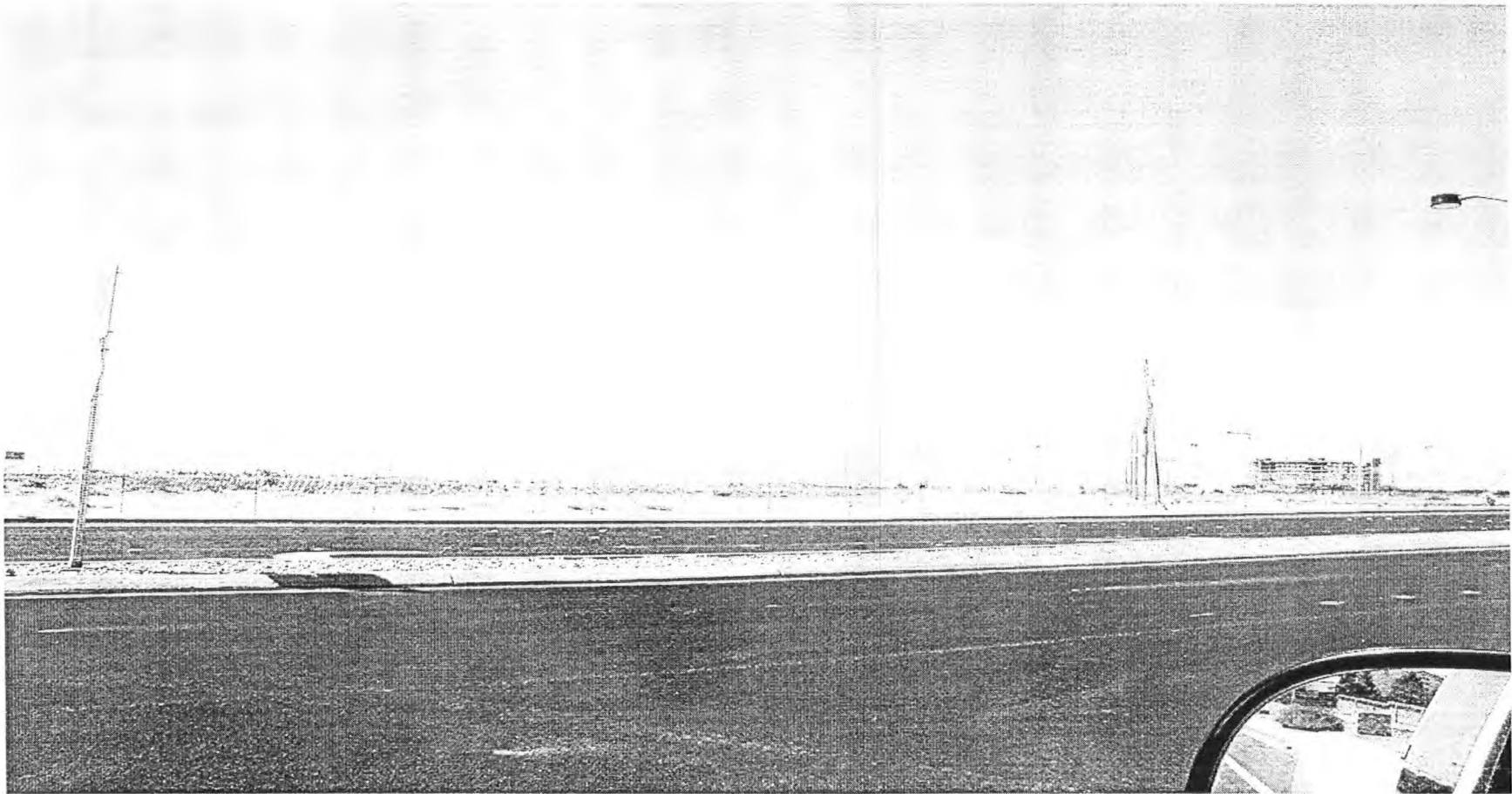


RECEIVED



VAC-15514 - APPLICANT: ROMANO REALTY - OWNER: RANCHO DRIVE-TULE SPRINGS ROAD
LIMITED PARTNERSHIP
BETWEEN SKY POINTE DRIVE AND ELKHORN ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



VAC-15514 - APPLICANT: ROMANO REALTY - OWNER: RANCHO DRIVE-TULE SPRINGS ROAD
LIMITED PARTNERSHIP
BETWEEN SKY POINTE DRIVE AND ELKHORN ROAD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



STUDIO VBM, LLC

Land Planning and

Landscape Architecture

1601 S. Rainbow Blvd. Suite 250

Las Vegas, NV 89146

702.396.1044

702.255-0466 fax

July 20, 2006

City of Las Vegas
Planning and Development
400 Stewart St.
Las Vegas, NV 89101

Re: Justification letter – Old Elkhorn Road at S.H.95
125-21-102-001

Planning Staff

Now that the Elkhorn Rd Bridge is complete and the permanent roadway has been constructed, the owners of the Elkhorn Rd/ Rancho Rd property desire to remove the R.O.W. established earlier in time across their land. At the present time the abandoned roadway is being used as a "short cut" from the new Elkhorn Rd. to the service Rd. now called Sky Pointe Dr.

The deed for the temporary Right of Way or Old Elkhorn was recorded May 6th 1994 for the purposes of a 40 foot temporary roadway use and contains approximately 0.993 acres of land. That use has now been terminated by the construction of the permanent Elkhorn Roadway and Bridge along the north property line of the property.

The owners of the property would like to rejoin their property into one piece again prior to any potential development in the future. They also would like to remove the nuisance use of the old roadway across their property.

We appreciate your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jim Veltman", written over a horizontal line.

James A. Veltman, Manager
Principle Planner for Studio VBM.

VAC-15514
09/21/06 PC

RECEIVED

**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**

09/18/2006 MON 15:08 FAX 702+877+3237 Romano Realty

002/005

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: VAC-15514 - APPLICANT: ROMANO REALTY - OWNER: RANCHO DRIVE-TULE SPRINGS ROAD LIMITED PARTNERSHIP

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *September 21, 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 those 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.

Signature

9/18/06

Date

Donald T. Romano

Please print name

Romano Realty, Inc.

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:

VACATION

VAC-15661 - PUBLIC HEARING - APPLICANT/OWNER: NERCES SARKIS HIMIDIAN LIVING TRUST - Petition to Vacate all portions of a radius corner generally located west of Hillside Place, south of Charleston Boulevard, Ward 3 (Reese). 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. Backup referenced from the 09-21-06 Planning Commission meeting Item 10

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)

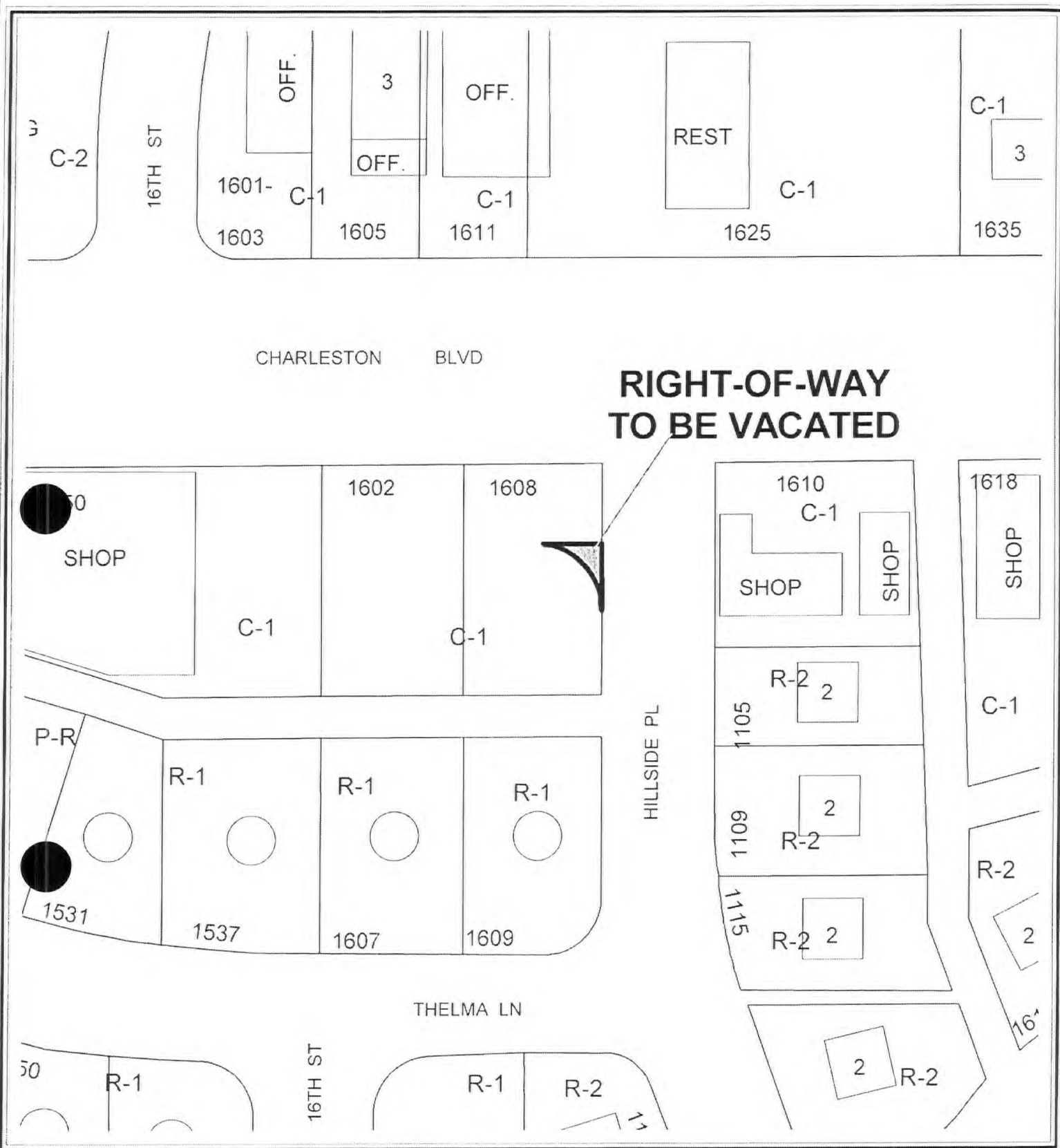
Minutes:

During the Business Items portion of the agenda, STEVE ESCALONA appeared on behalf of the applicant for Item 114 [VAC-15661] and requested the item be pulled forward for consideration. MAYOR GOODMAN agreed to the request.

MAYOR GOODMAN declared the Public Hearing open.

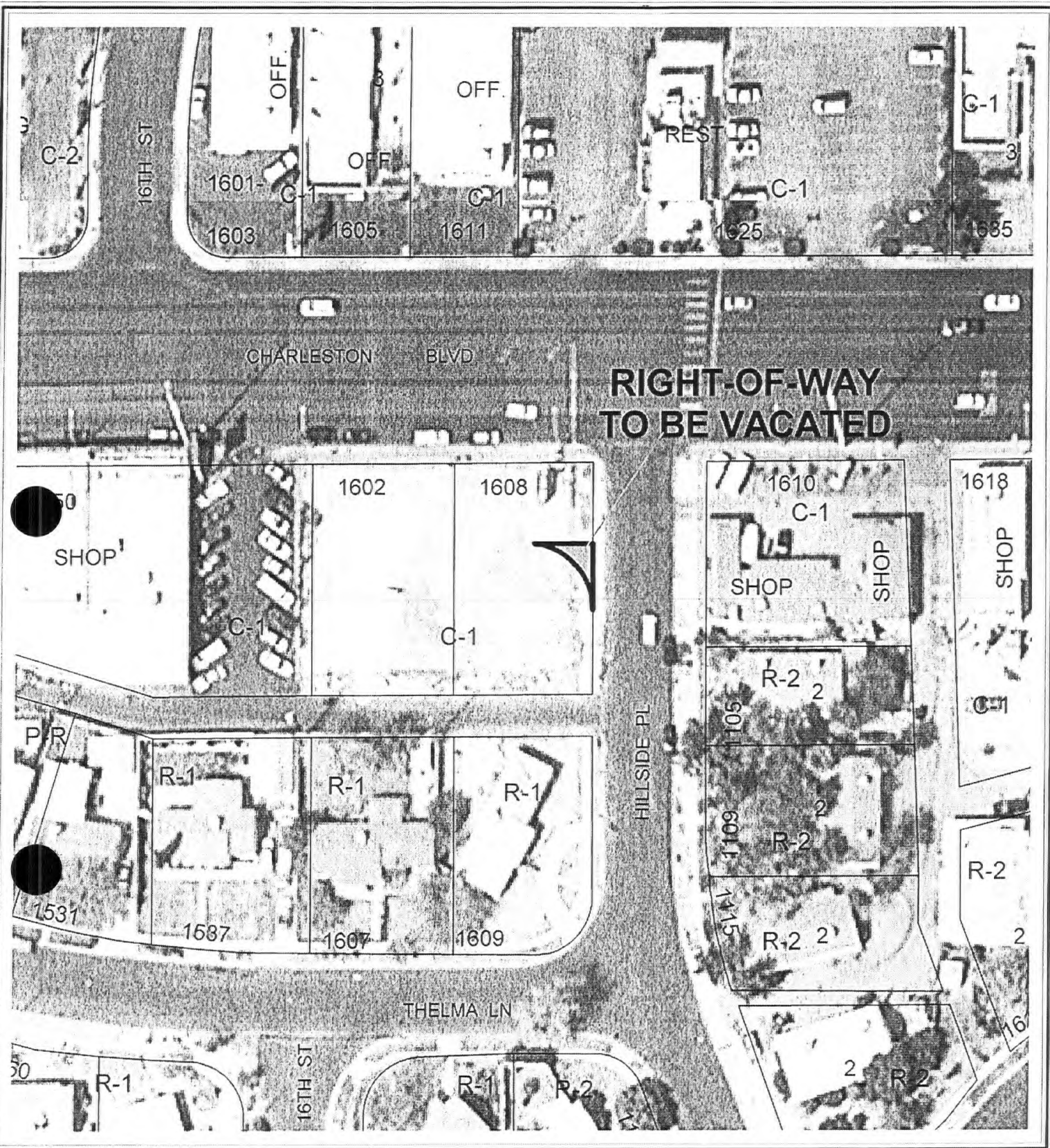
STEVE ESCALONA appeared on behalf of the applicant, NERCES HIMIDIAN, who was also present.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: VAC-15661





CASE: VAC-15661

0 40 80 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-15661 - APPLICANT/OWNER: NERCES SARKIS
HIMIDIAN LIVING TRUST**

**** CONDITIONS ****

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

1. The limits of this Vacation shall be the 30-foot radius corner located 40 feet south of Charleston Boulevard, along the west side of Hillside Place.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Petition to Vacate all portions of a radius corner generally located west of Hillside Place, south of Charleston Boulevard.

EXECUTIVE SUMMARY

The proposed Vacation Petition will not have a negative affect on the area. This Vacation will allow the currently undeveloped "infill" parcel to be developed. The Planning Department and Department of Public Works support this Vacation Petition. Approval of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

09/21/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ng).

B) *Pre-Application Meeting*

A pre-application meeting is not required for a Vacation Petition.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

The subject property is legally described as a thirty-foot (30') radius corner generally located forty feet (40') south of the south right-of-way line of Charleston Boulevard, at the west right-of-way line of Hillside Place; said property being a portion of the Northwest Quarter (NW¹/₄) of the Northeast Quarter (NE¹/₄) of the Northwest Quarter (NW¹/₄) of Section 2, Township 21 South, Range 61 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The vacation of a right turn radius at this location will not have an adverse affect on the surrounding area. This vacation will allow this currently undeveloped "infill" parcel to be developed. The Planning Department supports this Vacation Petition, approval of this request is recommended.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Uniform.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
No, however this vacation is to eliminate a piece of unnecessary right-of-way.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 3 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-15661** APN: 162-02-111-041
Name of Property Owner: HIMIDIAN NERCES SARKIS LIVING
HIMIDIAN NERCES SARKIS TRS
Name of Applicant: _____

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

Yes

☒ No

RECEIVED
AUG 04 2006

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

City Official: N/A

Partner(s): N/A

APN: 162-02-111-041

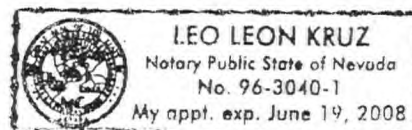
Signature of Property Owner: [Signature]

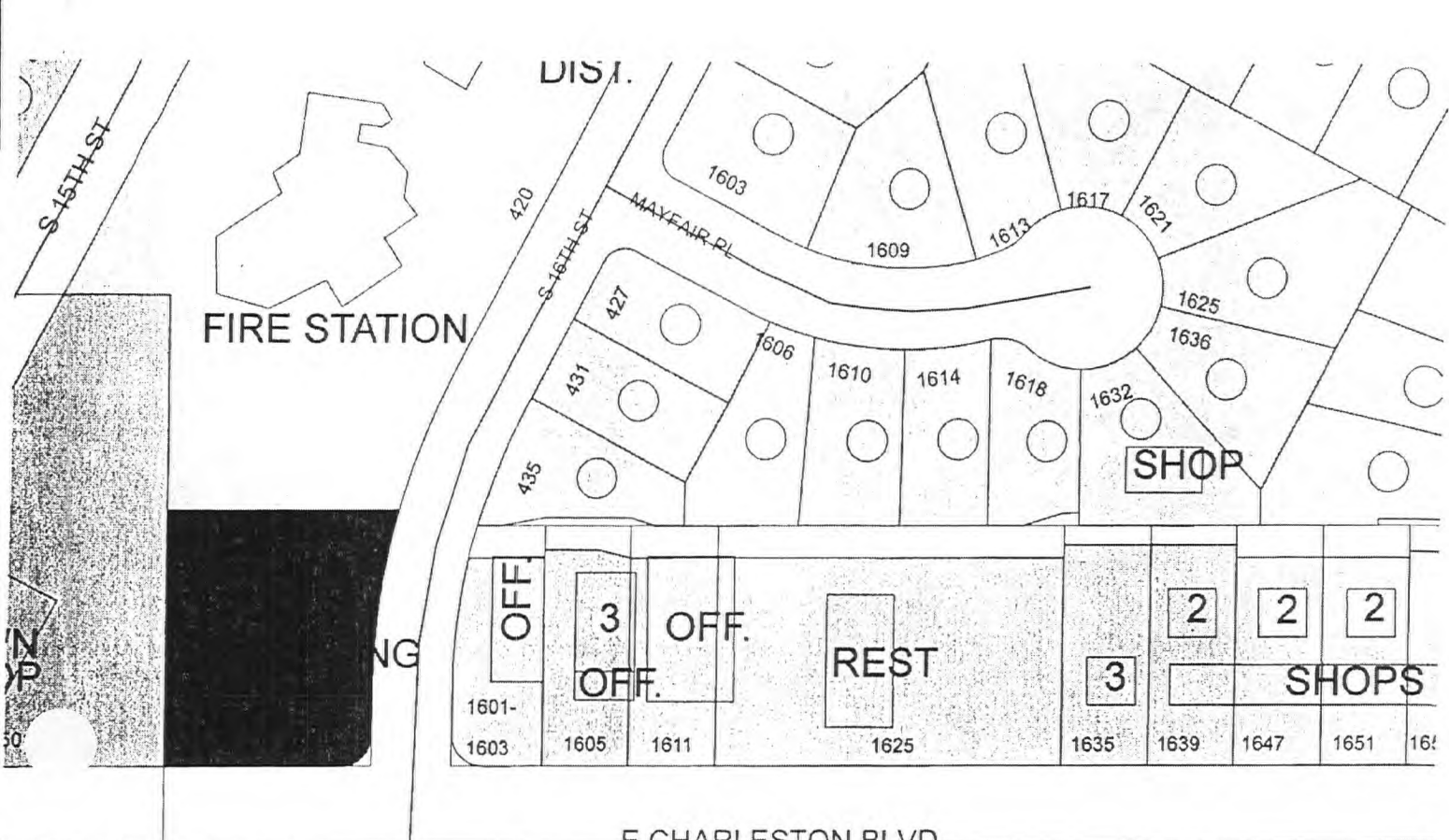
Print Name: NERCES HIMIDIAN

Subscribed and sworn before me

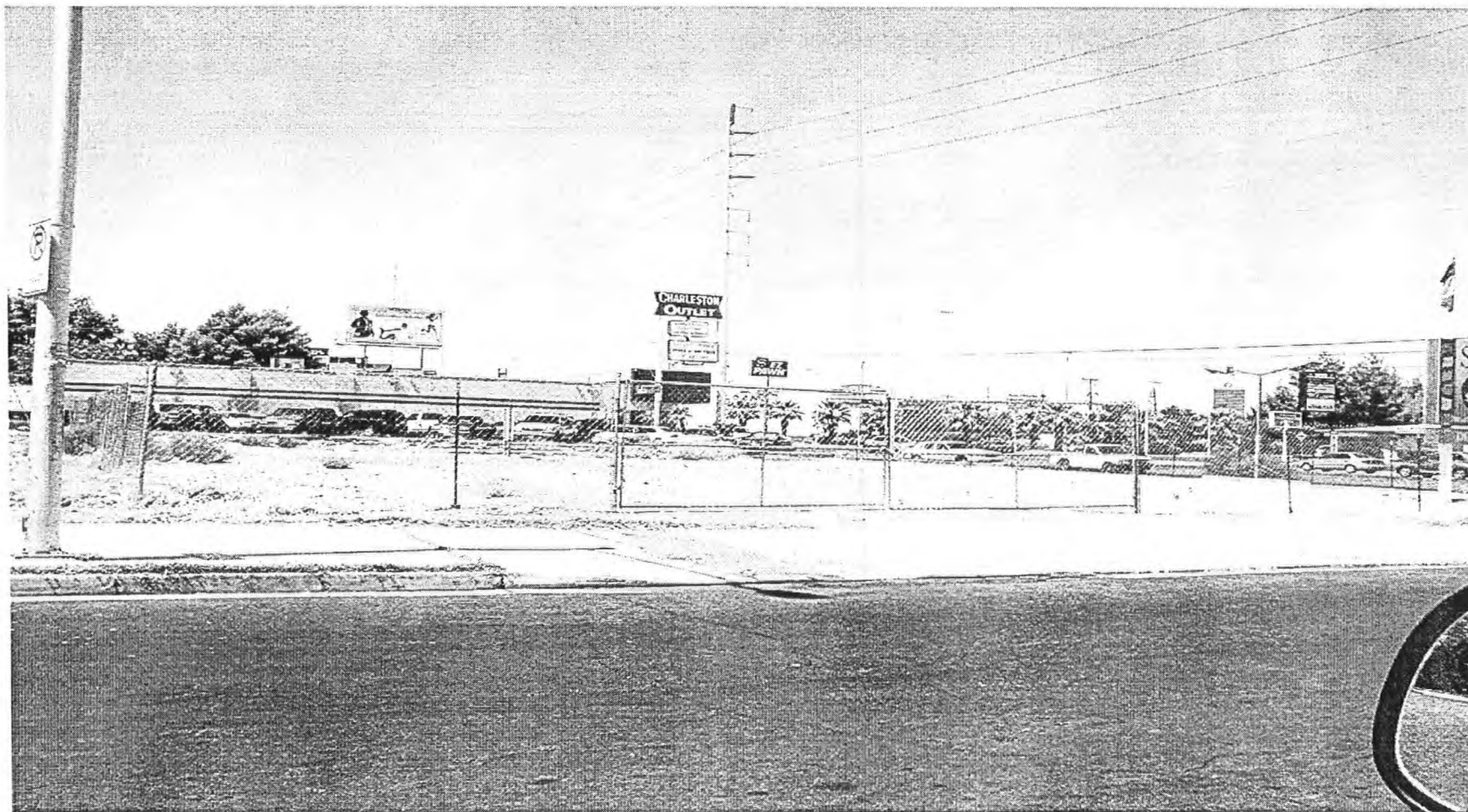
This 27 day of July, 2006

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



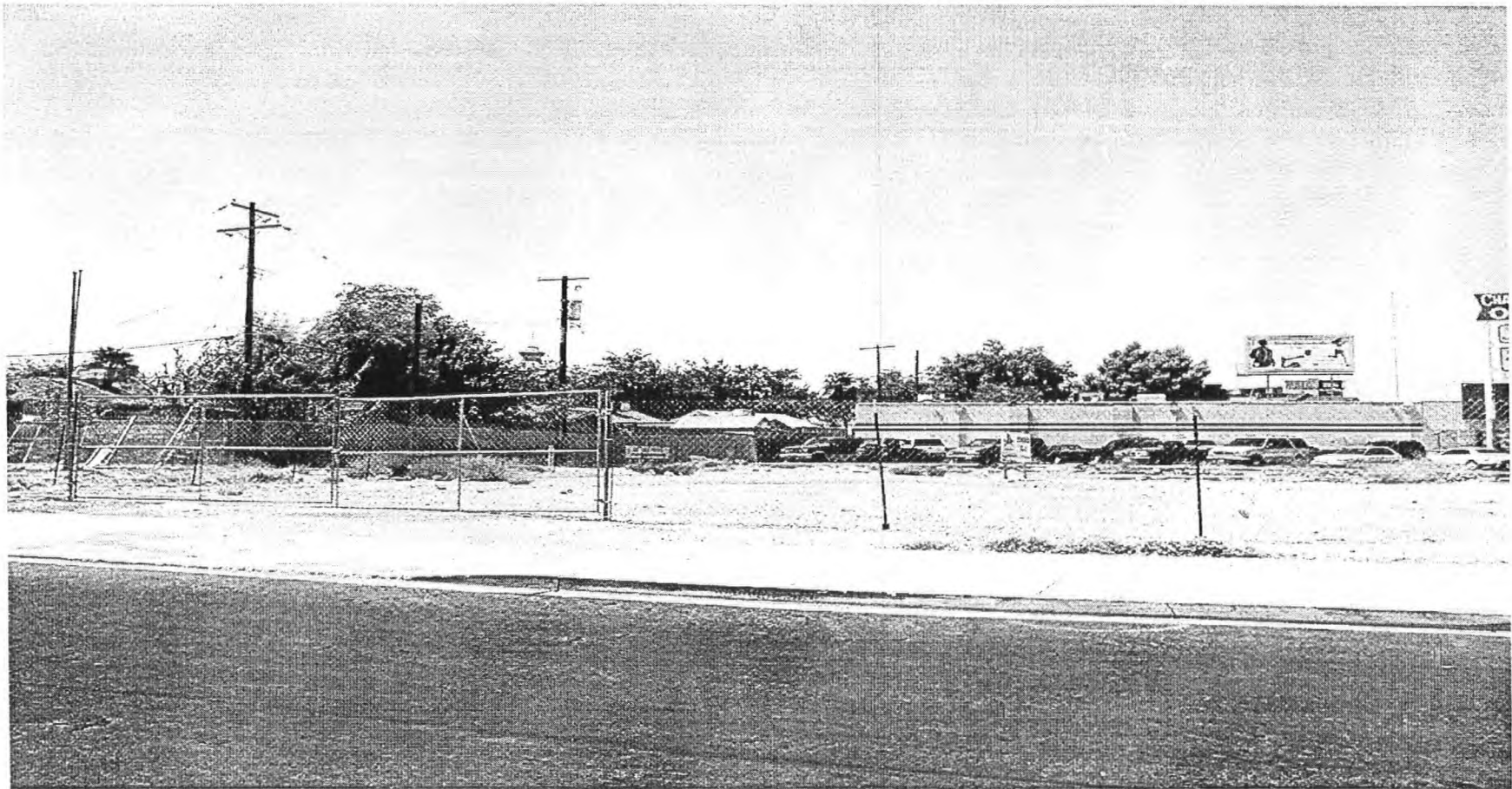


VAC-15661
09/21/06 PC



VAC-15661 - APPLICANT/OWNER: NERCES SARKIS HIMIDIAN LIVING TRUST
WEST OF HILLSIDE PLACE, SOUTH OF CHARLESTON BOULEVARD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



VAC-15661 - APPLICANT/OWNER: NERCES SARKIS HIMIDIAN LIVING TRUST
WEST OF HILLSIDE PLACE, SOUTH OF CHARLESTON BOULEVARD
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06

TO: THE PLANNING & DEVELOPMENT DEPARTMENT
CITY OF LAS VEGAS
NEVADA

RECEIVED
AUG 04 2006

FROM: NERCES HIMIDIAN
6931 SO. ARIVLLE ST
LAS VEGAS, NV 89118-5003

SUBJECT: JUSTIFICATION FOR VACATION

JULY 27, 2006

DEAR SIR:

I AM THE OWNER OF THE PROPERTY, LOCATED ON 1608 EAST
CHARLESTON BLVD, BEARING APN 162-02-111-041.

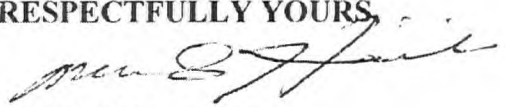
I HAVE BEEN UNAWARE OF THE RIGHT OF WAY BY THE CITY OF LAS
VEGAS ON SAID PROPERTY, A DESCRIPTION IS HEREBY ATTACHED.

I AM BEGGING YOU TO HAVE THE CITY VACATE THIS PORTION OF MY
PROPERTY SINCE THERE IS NO INDICATION THAT THE CITY HAS ANY
FURTHER USE OF THIS PORTION AS YOU CAN SEE ON THE MAP WHICH
IS HEREBY ATTACHED.

I THANK YOU FOR YOUR ATTENTION TO THIS MATTER AND YOUR
POSITIVE CONSIDERATION IS GREATLY APPRECIATED.

I AM

RESPECTFULLY YOURS,


NERCES HIMIDIAN
PROPERTY OWNER

7-27-06

VAC-15661
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**

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: VAC-15661 - APPLICANT/OWNER: NERCES SARKIS HIMIDIAN LIVING TRUST**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **September 21, 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.

Handwritten signature of Nick Himidian in black ink.

Signature

9-16-06

Date

Handwritten name NERCES HIMIDIAN in black ink.

Please print name

NERCES HIMIDIAN LIVING TRUST

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:

GENERAL PLAN AMENDMENT

GPA-14118 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: SC (SERVICE COMMERCIAL) AND M (MEDIUM DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway (APNs 125-25-601-022, 023; and 125-25-501-010), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1 vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL

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 (4-1 vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL

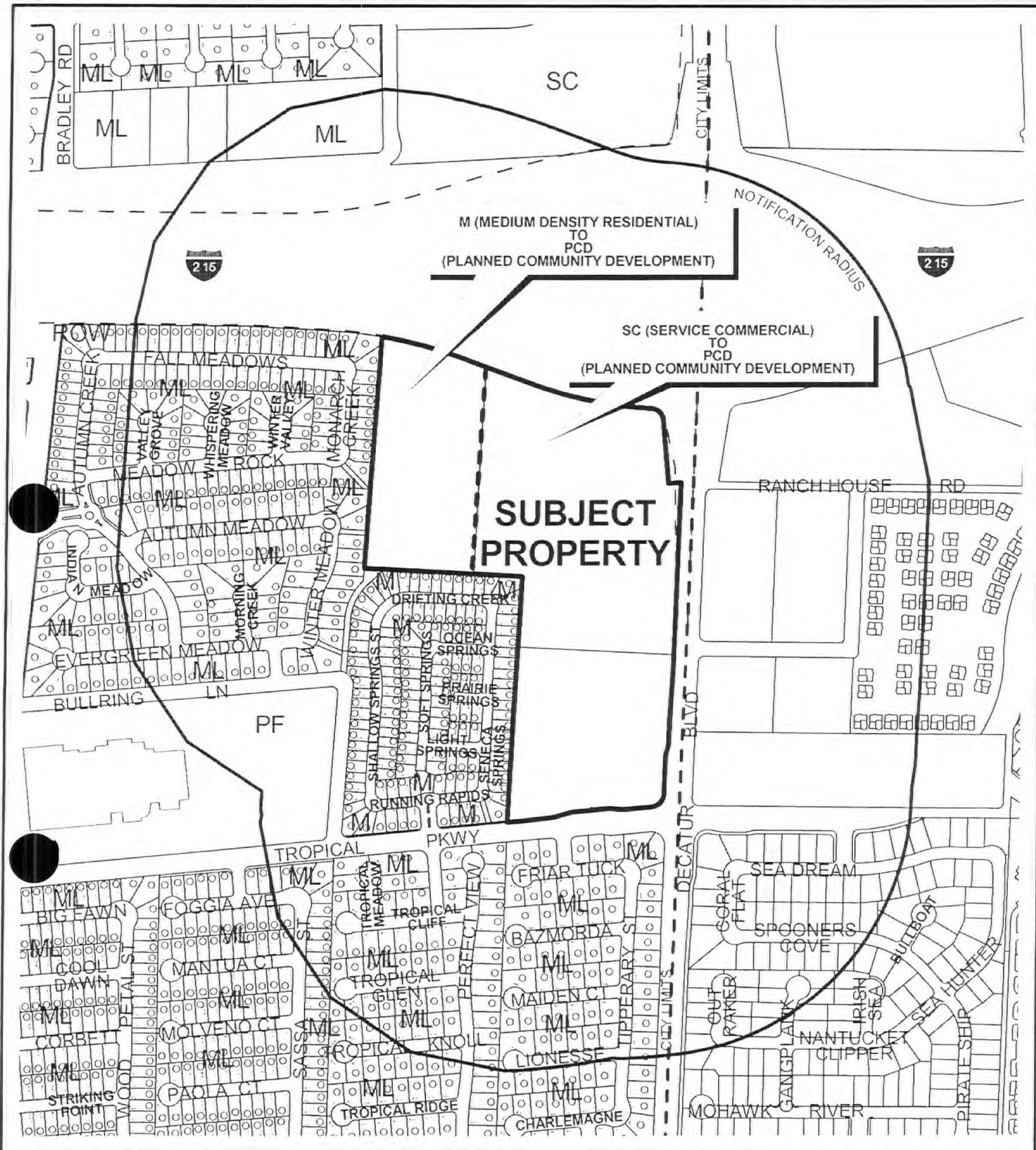
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting documentation
4. Justification Letter
5. Submitted after final agenda – Table request by Kummer Kaempfer Bonner Renshaw & Ferrario for Items 115-118

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: **GPA-14118**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

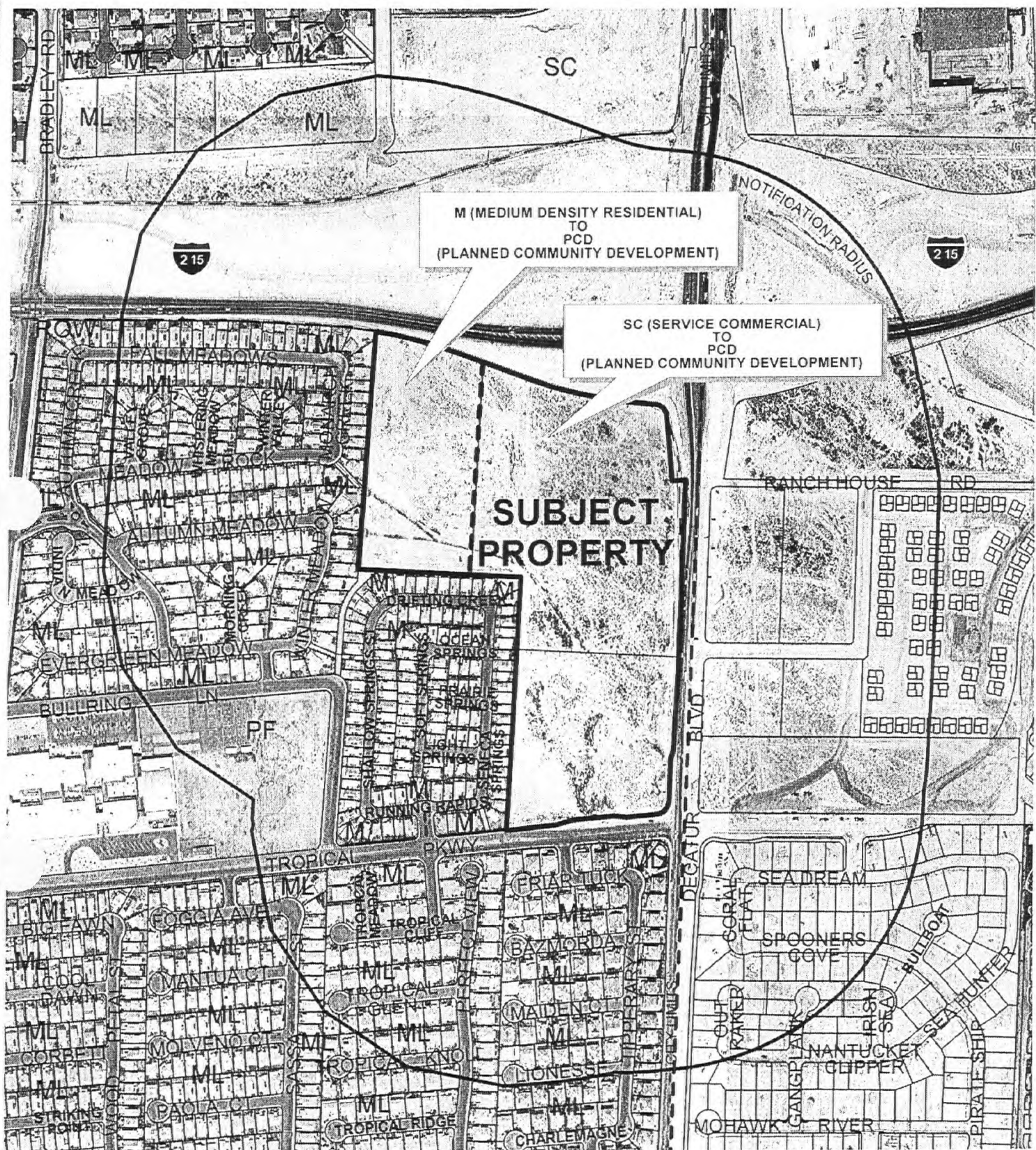
M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 400 800 Feet





CASE: **GPA-14118**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - GPA-14118 - APPLICANT: R & S

INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 4, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from SC (Service Commercial) and M (Medium Density Residential) to PCD (Planned Community Development) on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway

A related rezoning (ZON-14120) to PD (Planned Development) , Site Development Plan Review (SDR-14114), and a Variance to allow a parking reduction (VAR-14122) will be considered concurrently.

EXECUTIVE SUMMARY

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

BACKGROUND DATA:

- | | |
|----------|---|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses (if residential) with a maximum density of two dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. The site was designated for M (Medium Density Residential) and SC (Service Commercial) land uses. |
| 12/08/97 | The City Council approved rezonings (Z-109-97 and Z-110-97) of this site from R-E (Residence Estates) and C-1 (Limited Commercial) to R-PD 15 (Residential Planned Development) and C-1 (Limited Commercial). The Planning Commission and Planning and Development Department staff had recommended approval. |
| 05/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Centennial Hills Area as described in the Plan. |

- 07/27/06 The Planning Commission recommended approval of companion items ZON-14120, VAR-14122 and SDR-14114 concurrently with this application.
- 07/27/06 The Planning Commission (4-1/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL (PC Agenda Item #26/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 36.43 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	CC 215 Right of Way
South	Single Family Dwellings
East	Undeveloped - city of North Las Vegas
West	Single Family Dwellings

PLANNED LAND USE

Subject Property	M (Medium Density Residential) and SC (Service Commercial)
North	CC 215 Right of Way
South	ML (Medium Low Density Residential)
East	city of North Las Vegas – Regional commercial
West	M (Medium Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
	R-PD15 (Residential Planned Development - 15 Units Per Acre) to PD (Planned Development)
North	CC 215 Right of Way
South	R-1 (Single Family Residential)
East	city of North Las Vegas – C-1 (Neighborhood Commercial)
	C-2 (General Commercial)
West	R-PD8 (Residential Planned Development - 8 Units Per Acre)
	R-PD6 (Residential Planned Development - 6 Units Per Acre)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE	X	

Staff has determined that this proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas. As of the current date, no response has been received from North Las Vegas.

<i>EXISTING GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>
M	25.49 du/ac	PCD	8.0 du/ac

The west portion of the site (totaling 9.35 acres) is currently designated for M (Medium Density) land uses. The applicant is proposing 186 apartment units on this 36.43 acre site, for a density of 5.11 dwelling units per acre. This density is within the range permitted by the PCD (Planned Community Development) General Plan designation proposed for this site.

DEFINITIONS

ML (Medium Low Density Residential)(5.6 to 8 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

M (Medium Residential)(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

PCD (Planned Community Development)(2 to 8 dwelling units/gross acre.) The Planned Community Development category allows for a mix of residential uses that maintain an average overall density ranging from 2 to 8 dwelling units per gross acre, depending upon compatibility with adjacent uses (e.g. a density of 2 units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development).

Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

ROW (Right-of-Way) A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

INTERAGENCY ISSUES

PROJECTS OF REGIONAL SIGNIFICANCE IMPACT REPORT

The Southern Nevada Regional Policy Plan, approved February 22, 2001, set out a requirement for local entities to establish a means of identifying Projects of Regional Significance (PRS), and of addressing the impacts of these projects. The City of Las Vegas, through Ordinance No. 5477, has established such a process. Pursuant to this Ordinance, staff has determined that this proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas. As of this date, no comments have been received from the City of North Las Vegas.

The impact report prepared by the applicant addressed the impact of the proposed development on traffic, classroom size, emergency services, housing, mass transit, open space, and recreation facilities.

ANALYSIS

The request is for a General Plan Amendment from SC (Service Commercial) and M (Medium Density Residential) to PCD (Planned Community Development). The proposed designation is intended for a mix of residential uses that maintain an average overall density ranging from 2 to 8 dwelling units per gross acre and commercial, public facilities and office projects. The 36.43 acre site is currently undeveloped. The amendment was submitted in conjunction with a proposed Rezoning (ZON-14120) to the PD (Planned Development) district, a Variance to allow a parking reduction (VAR-14122) and a Site Development Plan Review (SDR-14114).

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The proposed General Plan Amendment to PCD (Planned Community Development) allows a maximum residential density of 8.0 dwelling units per acre and allows commercial and office development.. The residential and commercial development associated with the PCD designation is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this General Plan Amendment.

In regard to "2":

The applicant is proposing to rezone this site to PC (Planned Community). As noted previously, the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, and staff is unable to support this General Plan Amendment.

In regard to "3":

There are adequate facilities and infrastructure to accommodate a planned community on this site.

In regard to "4":

This request does not comply with Policy 3.5.2 of the 2020 Master Plan, which requires the developers of master planned communities to work with the City to ensure that the standards for these communities meet or exceed those for citywide development.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on June 26, 2006 a neighborhood meeting sponsored by the applicant was held at the Los Prados Country Club, 5150 Los Prados Circle. Twelve people attended and had the following concerns:

- Traffic - this project will compound current traffic problems
- School - student safety a concern with increased traffic
- Parking Garage - lighting, noise, exhaust, obstructed views a concern for adjacent homes
- Height of buildings/parking garage - will obstruct views, be unsightly from adjacent backyards
- 24 hour use - concern for 24 hour traffic, noise, congestion, crime
- Move or underground parking garage, build 10' perimeter walls

PLANNING COMMISSION ACTION

There were four speakers, two opposed and two in favor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 477 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-14118** APN: 125-25-501-010; 125-25-601-022,023
Name of Property Owner: Decatur III LLC & Decatur IV LLC
Name of Applicant: R & S Investment Group

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): _____

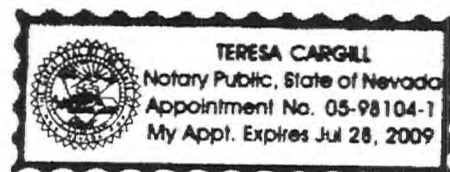
APN: _____

Signature of Property Owner: _____

Print Name: R. PHILLIP NOURAFCHIAN

Subscribed and sworn before me

This 18th day of May, 2006
Teresa Cargill
Notary Public in and for said County and State





Las Vegas • Newport Beach • Scottsdale

June 1, 2006

Ms. Margo Wheeler
Director of Planning and Development
City of Las Vegas
731 S. 4th Street
Las Vegas, NV. 89101

RE: Letter of Justification for the Lifestyle Center- located at the northwest corner of Decatur Blvd. and Tropical Parkway; APN: 125-25-501-010; 125-25-601-022, 023

Dear Ms. Wheeler:

On behalf of our clients, R & S Investment Group, we are requesting approval of the following applications for the Lifestyle Center, located on a 36.43 acre parcel on the northwest corner of Decatur Blvd. and Tropical Parkway:

- 1) General Plan Amendment to change the land use designation from SC and M to PCD
- 2) Rezoning from C-1 and RPD-15 to P-D.
- 3) Site Development Plan Review for a mixed use project
- 4) Variance to reduce required parking.

PROJECT DESCRIPTION

The Lifestyle Center is a unique mixed-use development project, unlike any other project in the City of Las Vegas. It will consist of the following components:

- 1) *Commercial:* The commercial component will consist of two phases; the first phase will provide a 108,000 square foot gymnasium, 71,100 square foot hotel, 450,600 square feet of offices, 140,030 square feet of retail, 43,300 square feet of restaurants for a total square footage of 813,030. The second phase will provide 35,600 square feet of offices, 61,200 square feet of retail uses, and 7200 square foot restaurant for a total square footage of 104,000. The total commercial square footage for both phases is: 917,030.
- 2) *Residential:* The residential component will consist of two phases, the first phase consists of a total of 144 units in two buildings with a maximum height of 4 stories, and all the units will be 2 bedroom units. The second phase consist of 42 units in one building with a maximum height of 4 stories, all the units will be 2 bedroom units.

GPA-14118
07/27/06 PC

- 3) *Parking*: The parking was determined by calculating the required parking for each individual office, restaurant, hotel, gym and retail use in the commercial component and by bedroom mix for the residential component. A total of 4,426 spaces are required for the commercial/residential component and 3,536 are provided. A total of 1,375 at grade spaces will be provided, with the remainder in above grade parking structures.
- 4) *Pedestrian Connectivity*: Pedestrian Plazas will be located at strategic points along the interior boulevard adjacent to the hotel, the restaurants, the gym, the offices and the residential units. The pedestrian plazas are connected by extensive network of pedestrian walkways which will provide access to all portions of the site. Enhanced paving will be provided to delineate the pedestrian crossings of the interior boulevard.
- 5) *Vehicular Access*: Three points of access are provided to Decatur Blvd; it is anticipated that one of these intersections will be signalized. There are two points of access to Tropical Parkway.

GENERAL PLAN AMENDMENT

In approving a General Plan Amendment, Chapter 19.18.030 states that the applicant must list reasons for the proposed amendment and state why the proposed amendment works to promote the public health, safety and general welfare of the community.

The proposed amendment has been filed for the following reasons:

- a. The proposed mixed use project could not be developed utilizing the existing General Plan designation.
- b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.

The proposed amendment will promote the public health, safety and general welfare of the community by:

- a. The proposed mixed use project will promote the public health by providing an extensive pedestrian walkway through-out the project.
- b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.
- c. The proposed mixed use project will promote the public safety by providing needed street improvements.

Additionally the applicant is required to comment of the following:

- 1) Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;
The development of the beltway (CC-215) has led to growth and development in the area which was not anticipated. The property located

GPA-14118
07/27/06 PC

directly to the east of the site is located within the City of North Las Vegas and is currently being developed with single family residential uses as well as commercial uses.

- 2) Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens imposed by the classification currently provided for under the General Plan;
The existing General Plan designations allow for both commercial development and commercial development but does not allow for the proposed mixed use project. The proposed P-D zoning will impose burdens consistent with the regulations imposed by the C-1 and RPD zoning designations which currently exist on the site.
- 3) Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.
The proposed amendment to PCD will continue to promote the objectives of the General Plan.

REZONING

In approving a rezoning Chapter 19.18040 requires the following findings:

- 1) The proposal conforms to the General Plan.
The proposed P-D zoning district conforms to the requested PCD general plan designation.
- 2) The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land use and zoning districts.
The mixed use project proposed on this site is compatible with the surrounding land use and zoning of residential and commercial in the immediate area.
- 3) Growth and development factors in the community indicate the need for or appropriateness of the rezoning.
The tremendous growth experienced by the Las Vegas valley indicates the need for a mixed use project and the appropriateness of the proposed rezoning.
- 4) Street or highway facilities providing access to the property are or will be adequate in size to meet requirements of the proposed zoning district.
Decatur Blvd., Tropical Parkway and CC-215 all provide access to the site and are adequate to accommodate the traffic generated by this project.

SITE DEVELOPMENT PLAN REVIEW

Chapter 19.18.050 (E) provides the following criteria for Site Development Plan Review:

- 1) The proposed development is compatible with adjacent development and development in the area;

**GPA-14118
07/27/06 PC**

- 2) The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall, and Buffer Standards, and other duly-adopted city plans, policies and standards;
- 3) Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
- 4) Building and landscape materials are appropriate for the area and for the city;
- 5) Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious with development in the area;
- 6) Appropriate measures are taken to secure and protect the public health, safety and general welfare.

This proposed mixed use project meets the criteria established for the approval of a Site Development Plan Review. The project proposes the development of the site as a mixed use project with a commercial component consisting of retail, offices, a gym, a hotel, restaurants and a residential component consisting of 186 units. The site is located immediately adjacent to CC-215 with a ramp on Decatur Blvd. providing direct access to the site. The architectural design of the buildings will compliment the existing development in the area. The landscaping will provide a buffer with the existing single family homes as well as provide a shaded tree lined interior boulevard for the use and enjoyment of the residents and visitors to the project.

The attached site plan depicts a proposed traffic signal at the intersection of Rice Ave. and Decatur Blvd. This signal will allow full traffic movements through the intersection as well as into and out of the main entryway of the proposed Lifestyle Center project. We believe that full traffic movements through this intersection are necessary to provide access to the property and reduce the possibility of traffic congestion and U-turn conflicts. It should be noted that a nearly identical situation exists north of the CC-215 Beltway with the signalization of the main entryways to the Costco/Wall-Mart properties.

VARIANCE

A variance has been submitted with this application to allow a reduction in the required parking. The number of parking spaces provided for Phase I is less than the minimum number of parking spaces required by the City of Las Vegas. The number of parking spaces provided for Phase II exceeds the minimum parking spaces required by the City of Las Vegas. The overall project does not provide the code required parking spaces. The City of Las Vegas does not have a mechanism to allow shared parking for a mixed use project therefore a variance has been filed currently with the Master Development Plan and Development Standards. Parking facilities may be used jointly when two different operations are not normally conducted during the same hours or when hours of peak use vary. Several of the buildings will have retail uses on the ground floor and office uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking. Also, several of the buildings have retail uses on the ground floor and residential uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking.

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Based upon Chapter 19.10 requirements the project is required to provide ³⁷⁹⁷~~3,845~~ parking spaces for phase I and 581 parking spaces for phase II for a total of 4,426 parking spaces. The site plan provides 2,854 parking spaces for phase I and 682 parking spaces for phase II for a total of 3,536 parking spaces. This is a difference of 890 parking spaces. Based upon the mixed use nature of the project and the fact that different uses have different peak hours the parking is adequate to serve the needs of the residents and visitors.

Chapter 19.18.070 states that a variance can be approved by the Planning Commission with the finding that "extraordinary and exceptional situation or condition of the piece of property, that the strict application of any zoning regulation would result in a peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from the strict application may be granted so as to relieve the difficulties or hardship."

Based upon the unique aspects of this project the variance can be approved and the necessary findings can be made. The project is a true mixed use project which provides a variety of uses on a single site and will reduce the need for parking and vehicles as the residents and visitors can walk to several of the uses without the need to use their vehicles.

SUMMARY

In summary, the proposal provides an imaginative site and building design while maximizing the use of the property, it provides commercial, office, recreational and employment services needed in this area of the City. It has adequate transportation and other services to accommodate a project of this scope and intensity. It is anticipated this mixed use project will be the central activity center in the area and can be constructed and operated in a manner that is harmonious and compatible with the existing and anticipated uses in the area.

We respectfully ask for your favorable consideration of this project. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,
Perlman Design Group



Sue Gray AICP
Entitlements Manager

GPA-14118
07/27/06 PC

**KUMMER
KAEMPFER**
**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

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Fax: 775.852.3982

 SUMMERLIN OFFICE
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Suite 150
Las Vegas, NV 89129
Tel: 702.893.4260
Fax: 702.899.9457

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

October 17, 2006

VIA FACSIMILE

382-4803

 Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

 Re: **Decatur/T-215**
GPA-14118; ZON-14120; VAR-14122; SDR-14114

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We respectfully request that these items be tabled from the presently scheduled City Council hearing of October 18, 2006.

Thank you for your cooperation and please call if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Robert J. Gronauer

RJG/mlt

 cc: Margo Wheeler (via fax: 385-7268)
Sheila Lambert (via fax: 382-8558)


255824_1 DOC

Submitted after final agenda

 Date 10/17/06 Item #115
116
117
118 13560.1

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-14118

ZON-14120 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE) TO: PD (PLANNED DEVELOPMENT) on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway (APNs 125-25-601-022, 023; and 125-25-501-010) [PROPOSED: PCD (Planned Community Development) Master Plan Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1 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 (4-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

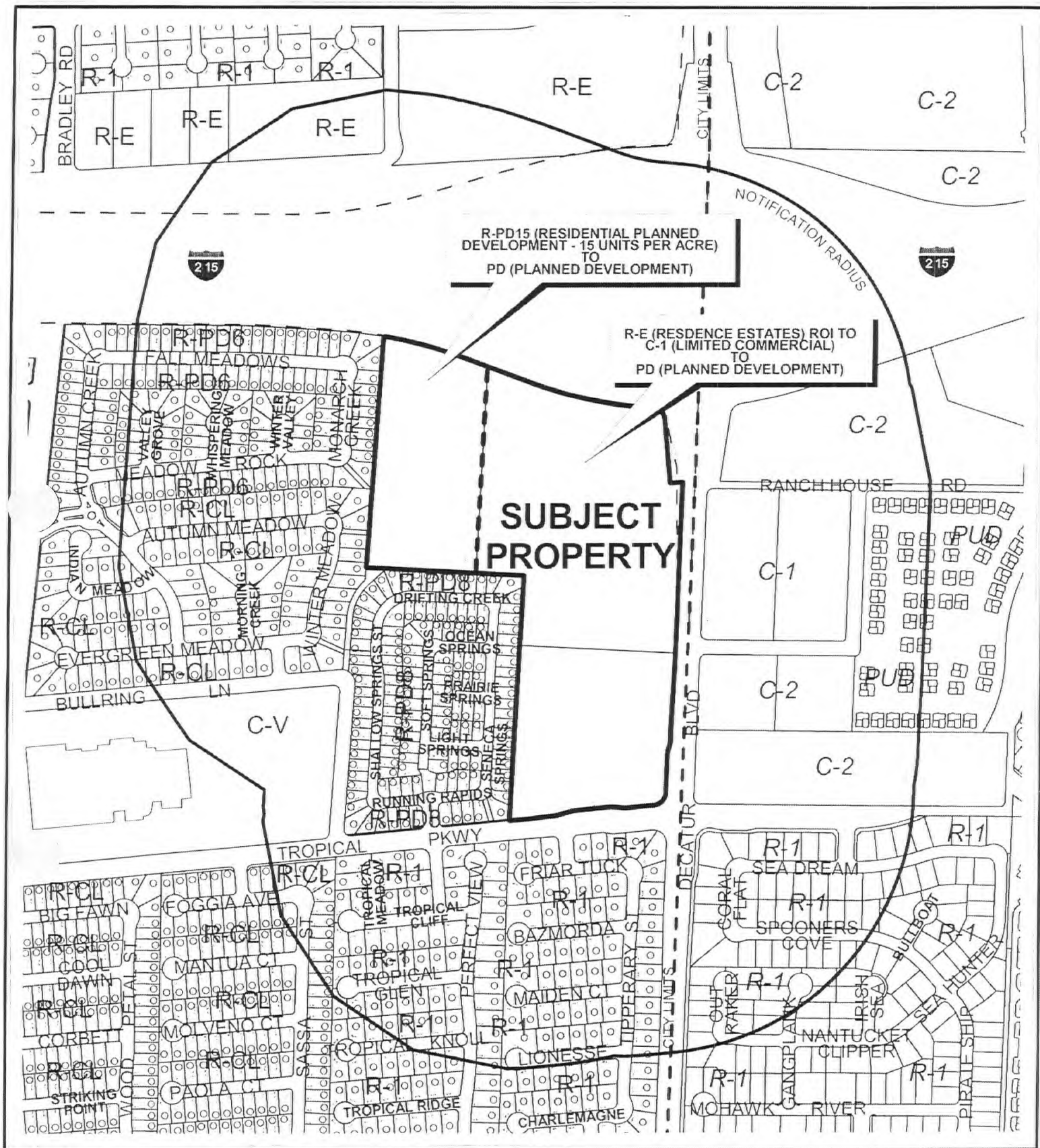
Motion made by GARY REESE to Table Item 115 [GPA-14118], Item 116 [ZON-14120], Item 117 [VAR-14122] and Item 118 [SDR-14114]; HOLD IN ABEYANCE Item 119 [ZON-15031], Item 120 [SDR-15030], Item 124 [SUP-13362], Item 131 [RQR-13989], Item 133 [ZON-14344], Item 134 [VAR-15323], Item 135 [SDR-14353] and Item 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)

Minutes:

See Item 115 for related backup.



CASE: ZON-14120

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

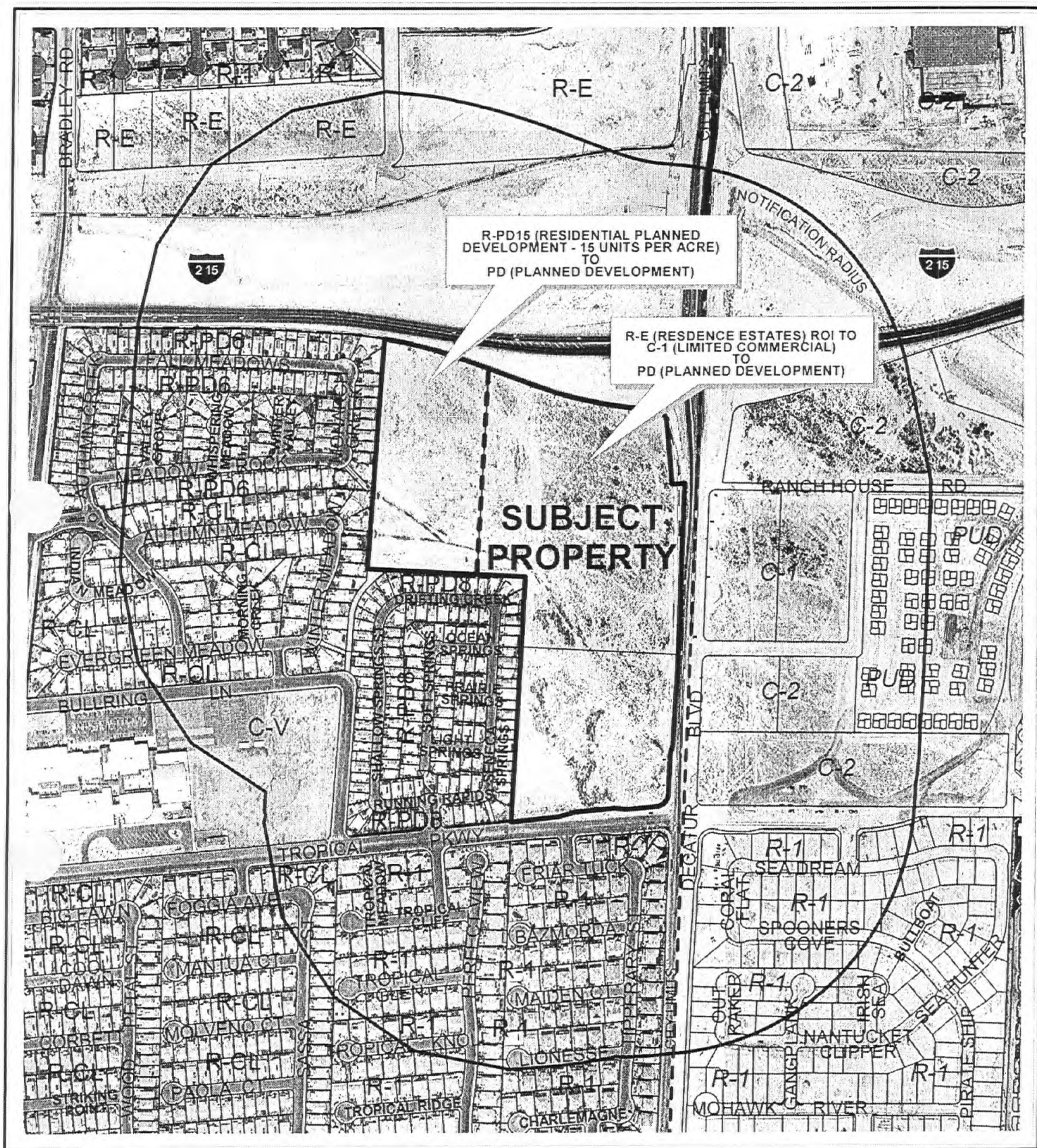
R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

0 400 800 Feet





CASE: **ZON-14120**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL) AND R-PD15 (RESIDENTIAL PLANNED DEVELOPMENT - 15 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

PD (PLANNED DEVELOPMENT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-14120 - APPLICANT: R & S
INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 4, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-14118) to a PCD (Planned Community Development) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-14114) 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.
4. The resolutions of intent for Z-109-97 and Z-110-97 are hereby expunged.

Public Works

5. Coordinate with the City Surveyor to determine the appropriate mapping method to eliminate the existing parcel lines within this site. Submit such map and a Petition of Vacation for the existing access easements, sewer and drainage easements that conflict with this site plan. A map for this site shall record prior to the recordation of the Order of Vacation.
6. Construct all incomplete half-street improvements on Decatur Boulevard, including appropriate overpaving (if legally able) and Tropical Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements

adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. We note that a new traffic signal is proposed on Decatur Boulevard. The Public Works Department may support the proposed traffic signal provided that the intersection meets warrants and is approved by the City of North Las Vegas. 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.
9. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and R-PD15 (Residential Planned Development - 15 Units per Acre) to PD (Planned Development) on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway

A related General Plan Amendment to PCD (Planned Community Development), Site Development Plan Review (SDR-14114), and a Variance to allow a parking reduction (VAR-14122) will be considered concurrently.

EXECUTIVE SUMMARY

The residential and commercial development associated with the PD (Planned Development) zoning district is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

Because the Master Development Plan associated with this request does not comply with the parking requirements of the Zoning Code, staff is unable to support this application.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 12/08/97 | The City Council approved rezonings (Z-109-97 and Z-110-97) of this site from R-E (Residence Estates) and C-1 (Limited Commercial) to R-PD 15 (Residential Planned Development – 15 Units Per Acre) and C-1 (Limited Commercial). The Planning Commission and Planning and Development Department staff had recommended approval. |
| 07/27/06 | The Planning Commission recommended approval of companion items GPA-14118, VAR-14122 and SDR-14114 concurrently with this application. |
| 07/27/06 | The Planning Commission voted 4-1/sd to recommend APPROVAL (PC Agenda Item #27/ar). |

B) *Pre-Application Meeting*

- | | |
|----------|---|
| 04/07/06 | Staff explained the requirements of the PD (Planned Community) zoning district. |
|----------|---|

C) *Neighborhood Meetings*

On June 26, 2006 a neighborhood meeting sponsored by the applicant was held at the Los Prados Country Club, 5150 Los Prados Circle to discuss the development of this site. Twelve people attended and had the following concerns:

- Traffic - this project will compound current traffic problems
- School - student safety a concern with increased traffic
- Parking Garage - lighting, noise, exhaust, obstructed views a concern for adjacent homes
- Height of buildings/parking garage - will obstruct views, be unsightly from adjacent backyards
- 24 hour use - concern for 24 hour traffic, noise, congestion, crime
- Move or underground parking garage, build 10' perimeter walls

DETAILS OF APPLICATION REQUEST

Site Area: 36.43 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	CC 215 Right of Way
South	Single Family Dwellings
East	Undeveloped - city of North Las Vegas
West	Single Family Dwellings

PLANNED LAND USE

Subject Property	M (Medium Density Residential) SC (Service Commercial)
North	CC 215 Right of Way
South	ML (Medium-Low Density Residential)
East	city of North Las Vegas – Regional commercial
West	M (Medium Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) and R-PD15 (Residential Planned Development - 15 Units Per Acre) to PD (Planned Development)
North	CC 215 Right of Way
South	R-1 (Single Family Residential)

East City of North Las Vegas – C-1 (Neighborhood Commercial)
 C-2 (General Commercial)
 West R-PD8 (Residential Planned Development - 8 Units Per Acre)
 R-PD6 (Residential Planned Development - 6 Units Per Acre)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE	X	

Staff has determined that the related proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas.

F) Density

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
Under resolution of intent to R-PD 15 (9.35 acres)	15.0 du/ac	PD 36.43 (acres)	8.0 du/ac	Proposed PCD	8.0 du/ac

The requested change will be in conformance with the proposed General Plan Amendment to PCD (Planned Community Development) as the applicant is proposing 186 apartment units on this 36.43 acre site, for a density of 5.11 dwelling units per acre.

INTERAGENCY ISSUES

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

- 1) Proximity to the City of North Las Vegas
- 2) A report generated by the applicant indicated that this project would generate a total of 21,310 vehicle trips per day.

As of the current date, no response has been received from the City of North Las Vegas.

A) *Zoning Code Compliance*

A1) Development Standards

Pursuant to Title 19.06.050, the applicant is required to submit the following in conjunction with a rezoning request to PD (Planned Development):

- a. A metes and bounds description of the proposed Planned Development District.
- b. A proposed master development plan for the entire site.
- c. Development standards that are proposed to be applied to the development. The development standards must include provisions regarding the installation of utility boxes and aboveground utilities that are at least as restrictive as those set forth in Section 19.12.050(D).
- d. Any proposed conditions, covenants and restrictions for the development, including easements and grants for public utility purposes.
- e. The location of primary and secondary thoroughfares proposed for the development, including right-of-way widths and the location of access points to abutting streets.
- f. Identification of all rights-of-way, easements, open spaces or other areas to be dedicated, deeded or otherwise transferred to the City.
- g. A plan for the extension of any necessary public services and facilities, including sewer facilities and facilities for flood control and drainage.
- h. Guidelines for the physical development of the property, including illustrations of proposed architectural, urban design, landscape, open space and signage concepts.
- i. The location and description of all buffering that is proposed between the development site and adjacent properties.

The applicant has provided documents and plans that address the specified requirements.

B) *General Analysis and Discussion*

The proposed density of development of 5.11 dwelling units per acre is compatible with adjacent properties. Additionally, all buildings will comply with the Residential Adjacency Standards. However, adequate on-site parking is not provided, and therefore staff finds that the master development plan and associated development standards prepared by the applicant are not appropriate for this location.

FINDINGS

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

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

This request does not comply with Policy 3.5.2 of the 2020 Master Plan, which requires the developers of master planned communities to work with the City to ensure that the standards for these communities meet or exceed those for citywide development.

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

The proposed rezoning allows a maximum residential density of 8.0 dwelling units per acre and allows commercial and office development. The residential and commercial development associated with the PD (Planned Development) zoning district is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

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

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this application.

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."

Adequate access to this site will be provided from Decatur Boulevard, a Primary Street as designated by the Master Plan of Streets and Highways, and Tropical Parkway, a Secondary Street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 477 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-14120** APN: 125-25-501-010; 125-25-601-022,023

Name of Property Owner: Decatur III LLC & Decatur IV LLC

Name of Applicant: R & S Investment Group

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: _____

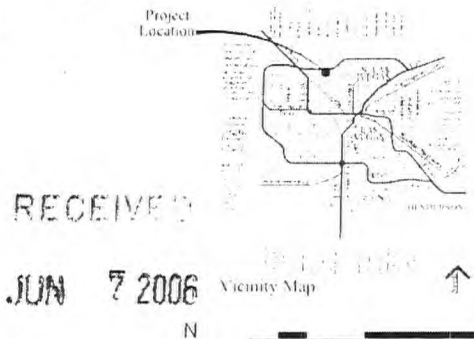
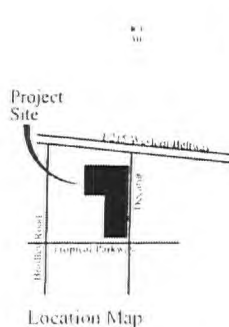
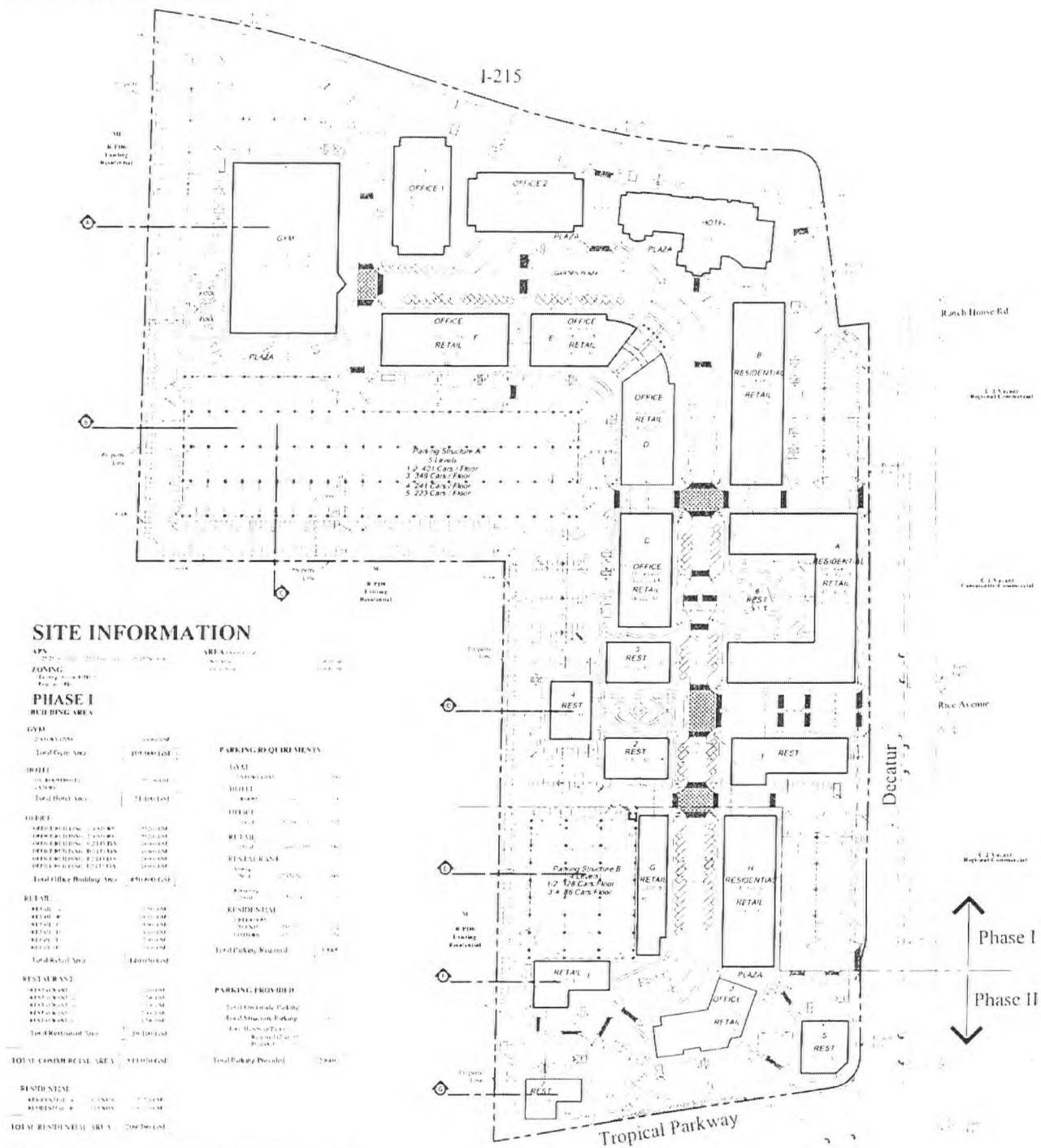
Print Name: R. PHILLIP NOURAFCHAN

Subscribed and sworn before me

This 18th day of May, 2006
Teresa Cargill
Notary Public in and for said County and State



Note
This plan has been prepared as a guide only and is not a complete plan.
It is Conceptual in Nature and No detailed calculations are implied.



CONCEPTUAL SITE PLAN

LIFESTYLE CENTER
Las Vegas, Nevada

ZON-14120
07/27/06 PC

Perlman

Project No 105149 June 07 2006

R&S INVESTMENT GROUP

June 1, 2006

Ms. Margo Wheeler
Director of Planning and Development
City of Las Vegas
731 S. 4th Street
Las Vegas, NV. 89101

RE: Letter of Justification for the Lifestyle Center- located at the northwest corner of Decatur Blvd. and Tropical Parkway; APN: 125-25-501-010; 125-25-601-022, 023

Dear Ms. Wheeler:

On behalf of our clients, R & S Investment Group, we are requesting approval of the following applications for the Lifestyle Center, located on a 36.43 acre parcel on the northwest corner of Decatur Blvd. and Tropical Parkway:

- 1) General Plan Amendment to change the land use designation from SC and M to PCD
- 2) Rezoning from C-1 and RPD-15 to P-D.
- 3) Site Development Plan Review for a mixed use project
- 4) Variance to reduce required parking.

PROJECT DESCRIPTION

The Lifestyle Center is a unique mixed-use development project, unlike any other project in the City of Las Vegas. It will consist of the following components:

- 1) *Commercial:* The commercial component will consist of two phases; the first phase will provide a 108,000 square foot gymnasium, 71,100 square foot hotel, 450,600 square feet of offices, 140,030 square feet of retail, 43,300 square feet of restaurants for a total square footage of 813,030. The second phase will provide 35,600 square feet of offices, 61,200 square feet of retail uses, and 7200 square foot restaurant for a total square footage of 104,000. The total commercial square footage for both phases is: 917,030.
- 2) *Residential:* The residential component will consist of two phases, the first phase consists of a total of 144 units in two buildings with a maximum height of 4 stories, and all the units will be 2 bedroom units. The second phase consist of 42 units in one building with a maximum height of 4 stories, all the units will be 2 bedroom units.

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07/27/06 PC

- 3) *Parking:* The parking was determined by calculating the required parking for each individual office, restaurant, hotel, gym and retail use in the commercial component and by bedroom mix for the residential component. A total of 4,426 spaces are required for the commercial/residential component and 3,536 are provided. A total of 1,375 at grade spaces will be provided, with the remainder in above grade parking structures.
- 4) *Pedestrian Connectivity:* Pedestrian Plazas will be located at strategic points along the interior boulevard adjacent to the hotel, the restaurants, the gym, the offices and the residential units. The pedestrian plazas are connected by extensive network of pedestrian walkways which will provide access to all portions of the site. Enhanced paving will be provided to delineate the pedestrian crossings of the interior boulevard.
- 5) *Vehicular Access:* Three points of access are provided to Decatur Blvd; it is anticipated that one of these intersections will be signalized. There are two points of access to Tropical Parkway.

GENERAL PLAN AMENDMENT

In approving a General Plan Amendment, Chapter 19.18.030 states that the applicant must list reasons for the proposed amendment and state why the proposed amendment works to promote the public health, safety and general welfare of the community.

The proposed amendment has been filed for the following reasons:

- a. The proposed mixed use project could not be developed utilizing the existing General Plan designation.
- b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.

The proposed amendment will promote the public health, safety and general welfare of the community by:

- a. The proposed mixed use project will promote the public health by providing an extensive pedestrian walkway through-out the project.
- b. The proposed mixed use project will provide a unique development which will provide the residents of the project the opportunity to live, work and play all on the same site.
- c. The proposed mixed use project will promote the public safety by providing needed street improvements.

Additionally the applicant is required to comment of the following:

- 1) Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;
The development of the beltway (CC-215) has led to growth and development in the area which was not anticipated. The property located

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07/27/06 PC

directly to the east of the site is located within the City of North Las Vegas and is currently being developed with single family residential uses as well as commercial uses.

- 2) Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens imposed by the classification currently provided for under the General Plan;
The existing General Plan designations allow for both commercial development and commercial development but does not allow for the proposed mixed use project. The proposed P-D zoning will impose burdens consistent with the regulations imposed by the C-1 and RPD zoning designations which currently exist on the site.
- 3) Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.
The proposed amendment to PCD will continue to promote the objectives of the General Plan.

REZONING

In approving a rezoning Chapter 19.18040 requires the following findings:

- 1) The proposal conforms to the General Plan.
The proposed P-D zoning district conforms to the requested PCD general plan designation.
- 2) The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land use and zoning districts.
The mixed use project proposed on this site is compatible with the surrounding land use and zoning of residential and commercial in the immediate area.
- 3) Growth and development factors in the community indicate the need for or appropriateness of the rezoning.
The tremendous growth experienced by the Las Vegas valley indicates the need for a mixed use project and the appropriateness of the proposed rezoning.
- 4) Street or highway facilities providing access to the property are or will be adequate in size to meet requirements of the proposed zoning district.
Decatur Blvd., Tropical Parkway and CC-215 all provide access to the site and are adequate to accommodate the traffic generated by this project.

SITE DEVELOPMENT PLAN REVIEW

Chapter 19.18.050 (E) provides the following criteria for Site Development Plan Review:

- 1) The proposed development is compatible with adjacent development and development in the area;

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- 2) The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall, and Buffer Standards, and other duly-adopted city plans, policies and standards;
- 3) Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
- 4) Building and landscape materials are appropriate for the area and for the city;
- 5) Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious with development in the area;
- 6) Appropriate measures are taken to secure and protect the public health, safety and general welfare.

This proposed mixed use project meets the criteria established for the approval of a Site Development Plan Review. The project proposes the development of the site as a mixed use project with a commercial component consisting of retail, offices, a gym, a hotel, restaurants and a residential component consisting of 186 units. The site is located immediately adjacent to CC-215 with a ramp on Decatur Blvd. providing direct access to the site. The architectural design of the buildings will compliment the existing development in the area. The landscaping will provide a buffer with the existing single family homes as well as provide a shaded tree lined interior boulevard for the use and enjoyment of the residents and visitors to the project.

The attached site plan depicts a proposed traffic signal at the intersection of Rice Ave. and Decatur Blvd. This signal will allow full traffic movements through the intersection as well as into and out of the main entryway of the proposed Lifestyle Center project. We believe that full traffic movements through this intersection are necessary to provide access to the property and reduce the possibility of traffic congestion and U-turn conflicts. It should be noted that a nearly identical situation exists north of the CC-215 Beltway with the signalization of the main entryways to the Costco/Wall-Mart properties.

VARIANCE

A variance has been submitted with this application to allow a reduction in the required parking. The number of parking spaces provided for Phase I is less than the minimum number of parking spaces required by the City of Las Vegas. The number of parking spaces provided for Phase II exceeds the minimum parking spaces required by the City of Las Vegas. The overall project does not provide the code required parking spaces. The City of Las Vegas does not have a mechanism to allow shared parking for a mixed use project therefore a variance has been filed currently with the Master Development Plan and Development Standards. Parking facilities may be used jointly when two different operations are not normally conducted during the same hours or when hours of peak use vary. Several of the buildings will have retail uses on the ground floor and office uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking. Also, several of the buildings have retail uses on the ground floor and residential uses on the upper floors, these two uses typically have different peak hours and can utilize the same parking.

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Based upon Chapter 19.10 requirements the project is required to provide ³⁷⁹⁷~~3,845~~ parking spaces for phase I and 581 parking spaces for phase II for a total of 4,426 parking spaces. The site plan provides 2,854 parking spaces for phase I and 682 parking spaces for phase II for a total of 3,536 parking spaces. This is a difference of 890 parking spaces. Based upon the mixed use nature of the project and the fact that different uses have different peak hours the parking is adequate to serve the needs of the residents and visitors.

Chapter 19.18.070 states that a variance can be approved by the Planning Commission with the finding that "extraordinary and exceptional situation or condition of the piece of property, that the strict application of any zoning regulation would result in a peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from the strict application may be granted so as to relieve the difficulties or hardship."

Based upon the unique aspects of this project the variance can be approved and the necessary findings can be made. The project is a true mixed use project which provides a variety of uses on a single site and will reduce the need for parking and vehicles as the residents and visitors can walk to several of the uses without the need to use their vehicles.

SUMMARY

In summary, the proposal provides an imaginative site and building design while maximizing the use of the property, it provides commercial, office, recreational and employment services needed in this area of the City. It has adequate transportation and other services to accommodate a project of this scope and intensity. It is anticipated this mixed use project will be the central activity center in the area and can be constructed and operated in a manner that is harmonious and compatible with the existing and anticipated uses in the area.

We respectfully ask for your favorable consideration of this project. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,
Perlman Design Group



Sue Gray AICP
Entitlements Manager

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07/27/06 PC