

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER, AICP** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

ZON-16609 - REZONING RELATED TO GPA-16538 - PUBLIC HEARING - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive (APNs 125-26-203-002, 003, and 004), Ward 6 (Ross).

C.C.: 11/15/06**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:Staff recommends **APPROVAL**.**BACKUP DOCUMENTATION:**

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

MOTION:

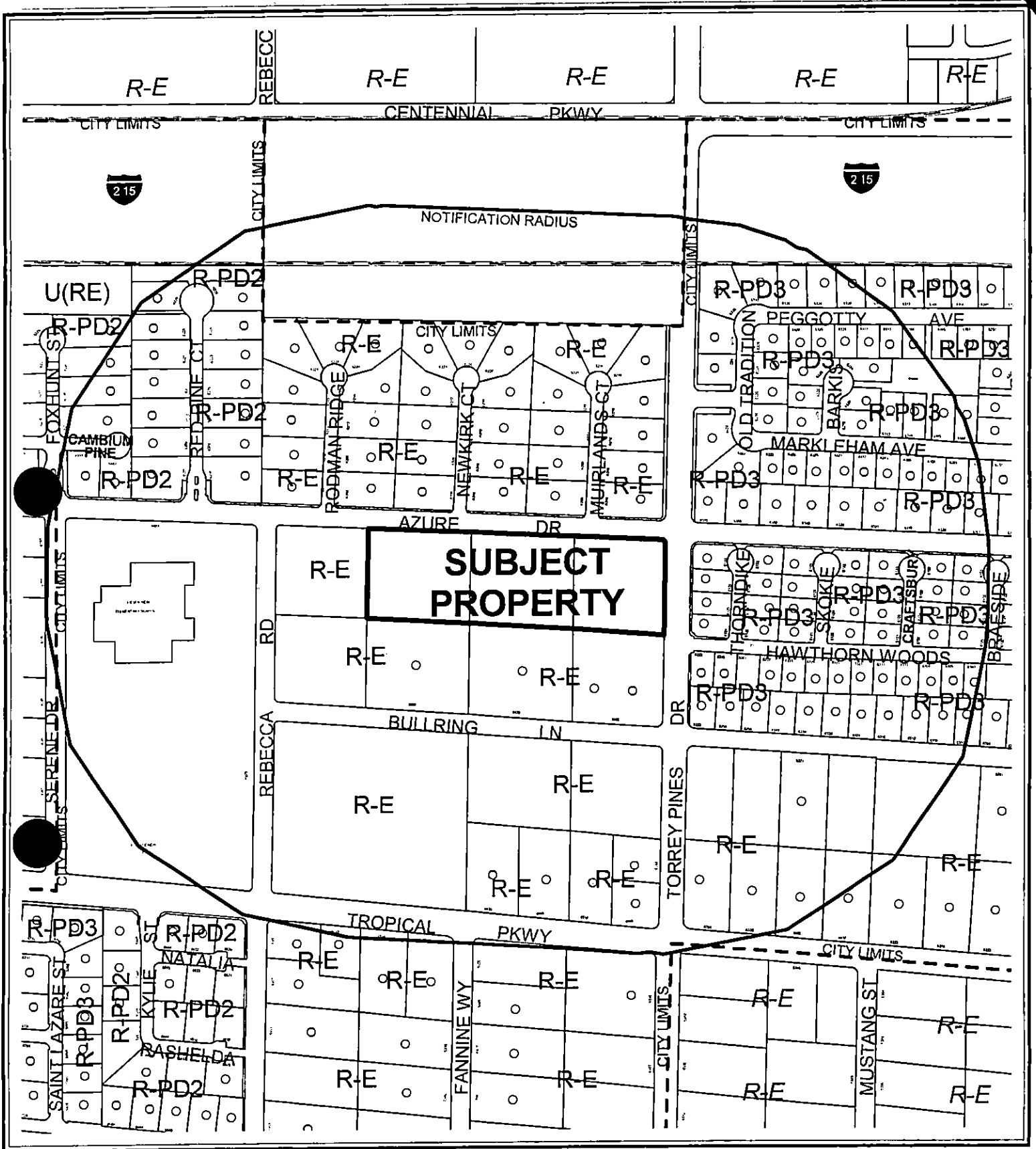
EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 43 – ZON-16609

MINUTES:

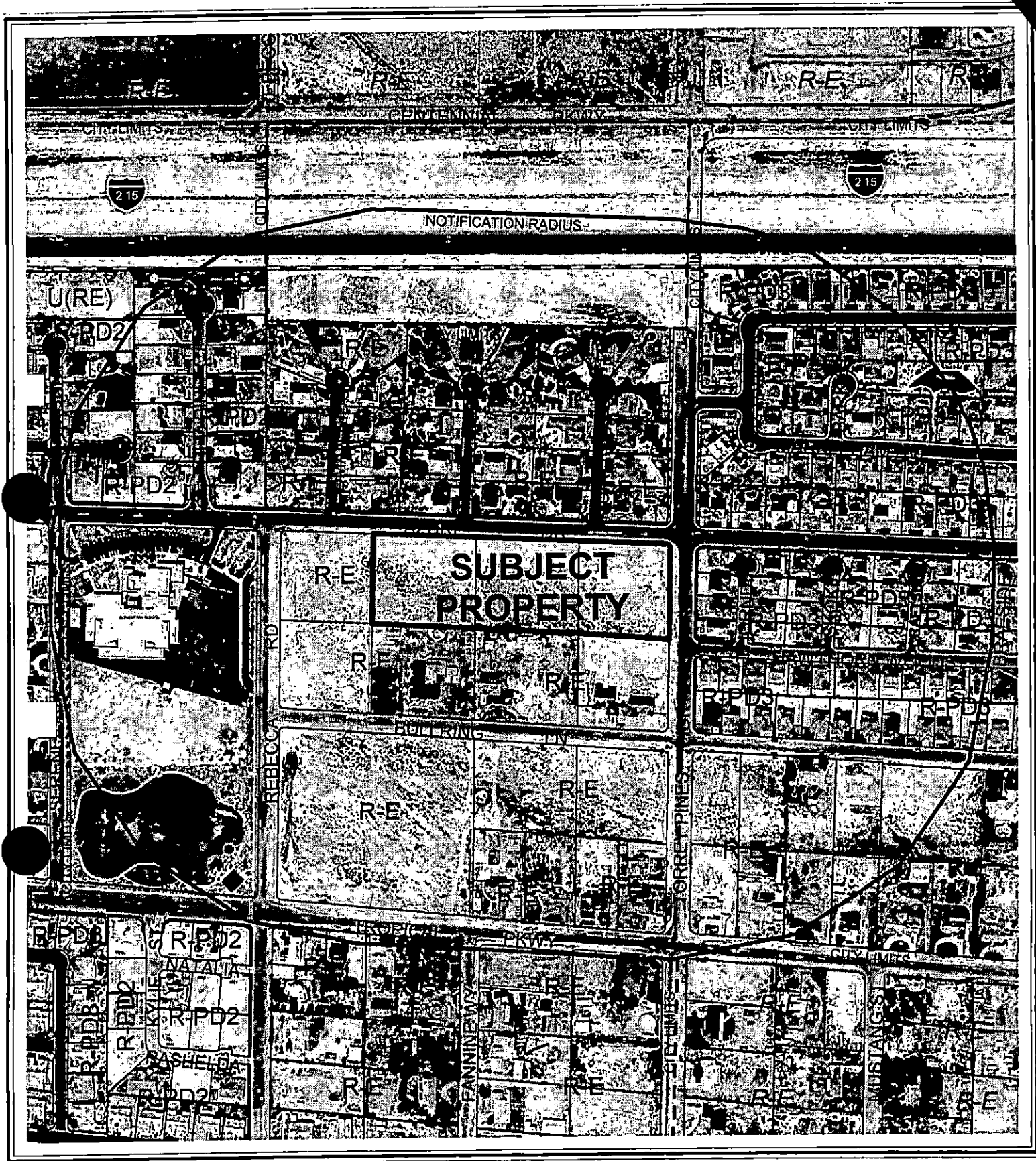
JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the elevations plans to add a different model for Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] asked to hold them to the 11/02/2006 Planning Commission meeting.

(6:09 – 6:17)
1-61



0 200 400 Feet





CASE: ZON-16609

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-16609 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL, subject to:****Planning and Development**

1. A General Plan Amendment (GPA-16538) and Waiver (WVR-16610) 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-16611) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct half-street improvements on Torrey Pines Drive and Azure Drive 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. 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% of the total units, or within 24 months of approval of construction drawings, whichever occurs first. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
5. 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

ZON-16609 - Conditions Page Two
October 19, 2006 - Planning Commission Meeting

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.

ZON-16609 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from RE (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive. A related General Plan Amendment (GPA-16538), Waiver (WVR-16610), and Site Development Plan Review (SDR-16611) will be considered concurrently with this request.

As the majority of surrounding properties have been zoned to allow for low-density residential development, there is a clear indication that this rezoning is appropriate and compatible with the surrounding area. Therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	City Council tabled a request for a Site Development Plan Review (SDR-3284) and a Variance (VAR-3360) to allow a 27-foot side yard setback where residential adjacency standards require a minimum setback of 78 feet for a proposed private school, primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road.
06/22/06	City Council tabled a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from DR (Desert Rural Density Residential) to L (Low Density Residential), a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential), and a Special Use Permit for a private streets in conjunction with a proposed single-family residential development on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.
<i>Related Building Permits/Business Licenses</i>	
	There are none pertaining to this site.
<i>Pre-Application Meeting</i>	
08/21/06	A pre-application meeting with the applicant was held and the following items were discussed. The applicant was given a variety of options regarding zoning possibilities for the site. Residential Planned Development open space requirements were discussed and the applicant was instructed that a Waiver of distance separation would be required. The applicant was then informed of the additional submittal requirements for the appropriate applications needed to develop the site.

ZON-16609 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Neighborhood Meeting	
09/25/06	A neighborhood meeting was held at 6:00 pm at the Lied Community School, 5340 West Tropical Parkway. Eleven citizens attended the meeting. The attendees were concerned about the 2-story height, traffic issues on Azure Drive and Torrey Pines Drive and the perimeter wall height being the same as surrounding properties. They preferred rural streetlight standards and lot sizes.

Details of Application Request	
Site Area	
Gross Acres	7.02
Net Acres	6.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	DR (Desert Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Standard	Provided	Compliance
Minimum Lot Size	7,647 SF	Y
Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	
• Corner	15 Feet	
• Rear	20 Feet	
Max. Building Height	21 Feet	Y

ZON-16609 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2.18 du/ac for a total of 15.30 units	R-PD3 (Residential Planned Development – 3 Units Per Acre)	3.59 du/ac for a total of 25.20 units	R (Rural Density Residential)	3.59 du/ac a total of 25.20 units

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/20 Linear Feet	46 Trees	46 Trees	Y
TOTAL		46 Trees	46 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.02	2.99	1.65	4.93	15,086	4.99	15,260	Y

ANALYSIS

The subject proposal changes the zoning on the subject site from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre). The surrounding properties are zoned R-E (Residence Estates) and R-PD3 (Residential Planned Development – 3 Units Per Acre). The site is also within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density is limited to three units per acre, unless good cause is shown. The density of the proposal is 2.99 units per acre; therefore, this proposal will be consistent with the surrounding land uses and zoning districts.

In addition, the applicant is requesting a Waiver to Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required. The Public Works Department has no objection to the request.

FINDINGS

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

JM

ZON-16609 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

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

The applicant is requesting in a related application an Amendment to the General Plan (GPA-16538) to R (Rural Density Residential). The Rural Density Residential Category is a rural or semi-rural environment with a lifestyle much like that of the DR (Desert Rural Density Residential). The category allows up to 3.59 units per acre. The subject proposal is consistent with the Rezoning request to R-PD3 (Residential Planned Development – 3 Units Per Acre).

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 surrounding land uses are DR (Desert Rural Residential). The surrounding zoning is R-PD3 (Residential Planned Development – 3 Units Per Acre) and R-E (Residence Estates).

The site is also within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown. The density of the proposal is 2.99 units per acre; therefore, this proposal will be consistent with the surrounding land uses and zoning districts.

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

As the majority of surrounding properties have been zoned to allow for low-density residential development, there is a clear indication that this rezoning is appropriate and compatible with the surrounding area.

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

The site is served by Torrey Pines Drive, a Secondary Collector 80-feet in width. The addition of twenty-one residential lots will not negatively affect this thoroughfare's ability to handle traffic flow.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

ZON-16609 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

NOTICES MAILED 186 [Mailed with GPA-16538, WVR-16610 & SDR-16611]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16609** APN: 25-26-203 002,003,004

Name of Property Owner: NEVADA MANAGEMENT HOLDING CO. LLC.

Name of Applicant: NATIONAL MANAGEMENT CORPORATION

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

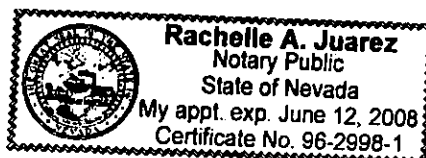
APN: _____

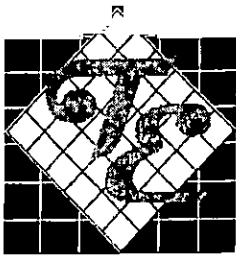
Signature of Property Owner: Gina Mackay

Print Name: GINA MACKAY

Subscribed and sworn before me

This 15th day of Sept, 20 06
Rachelle A. Juarez
Notary Public in and for said County and State





TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

September 25, 2006

City of Las Vegas
City Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

Re: Justification Letter for General Plan Amendment, Site Development Review, Zone Change to RPD-3, and Wavier of Title 18 for 7-acres at Azure & Torrey Pines SWC

To Whom It May Concern:

On behalf of our client, National Homes Corporation, we are proposing to change the General Plan Designation for 7.02 gross acres located at the southwest corner of Azure and Torrey Pines from Desert Rural to Rural. In recent years, many properties in the area have been built out as residential subdivisions; the ones adjacent to the east and northeast of the site were built out as R-PD3 subdivisions, similar to this requested application. The proposed amendment to the General Plan will allow a zoning classification (R-PD3) which imposes burdens similar to the burdens imposed by the classification currently provided for (R-E) under the General Plan. The proposed general plan change will allow for an additional 7 residential lots, which has a very small impact and burden on the existing infrastructure and public safety. The proposed R-PD3 residential subdivision is located on approximately 7.02 gross acres that are currently zoned R-E. The project site is bounded by Azure on the north, Torrey Pines on the east, existing residential homes on the south, and undeveloped R-E zoned property to the west. The proposed subdivision consists of 21 lots with a gross density of 2.99 dwelling units per acre. The residential subdivision is proposed to have the following setbacks:

Front – 20-ft from back of curb

Side – 5-ft

Corner – 15-ft

Rear – 20-ft (30-ft along south property line except cul-de-sac lots)

Patio Cover rear yard – 10-ft

Maximum Building Height is 35-ft

GPA-16538 WVR-16610

ZON-16609 SDR-16611

REVISED 10/19/06 PC

The proposed development will consist of homes ranging in size from 3000-sf to over 4000-sf size. Open space has been provided in accordance with city requirements in 3 centrally located areas. The subdivision consists of a cul-de-

sac with access from Torrey Pines right-of-way. The cul-de-sac is over the maximum length of 500-ft, and permission is being requested with the site plan review to allow this with a condition that emergency access be allowed to Azure in a manner that is suitable to the fire department. Perimeter landscaping will be provided abutting all public streets in conformance with City of Las Vegas Standards. A detached sidewalk is requested along Azure right-of-way, with a 6-ft landscape area located between the sidewalk and the back of curb, the sidewalk would abut the decorative perimeter wall. This is being done in an effort to increase the distance between pedestrians and traffic, this street serves as a main walking to the near by school and this was a concern of several neighbors at the previous meetings.

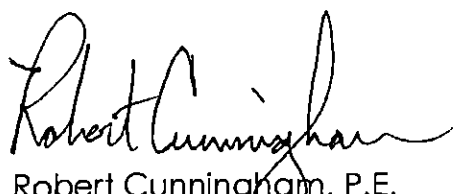
In addition, we are applying for a waiver of Title 18.12.160 which states that

"any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline".

We are requesting to allow the intersection of a 51-ft gated private entry street and a 60-ft public street (Azure Drive) to be approximately 173.14-ft, as well as to allow the intersection of a 51-ft gated private entry street and an 40-ft private street (Hawthorne Woods Avenue) to be approximately 175.72-ft for a proposed 21-lot subdivision. Since the project site is located in a low density surrounding area with low traffic volumes, we believe that the 220-ft minimum intersection offset should not be warranted. In addition, the request in minimizing the intersection offset would be a deviation of approximately 21% from Title 18. Approval of this request will have no adverse impact on the surrounding community.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,



Robert Cunningham, P.E.
Taney Engineering

**GPA-16538 WVR-16610
ZON-16609 SDR-16611
REVISED 10/19/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-16610 - WAIVER RELATED TO GPA-16538 AND ZON-16609 - PUBLIC HEARING - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 173 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive (APNs 125-26-203-002, 003, and 004), R-E (Residence Estates) Zone [PROPOSED R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone], Ward 6 (Ross).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

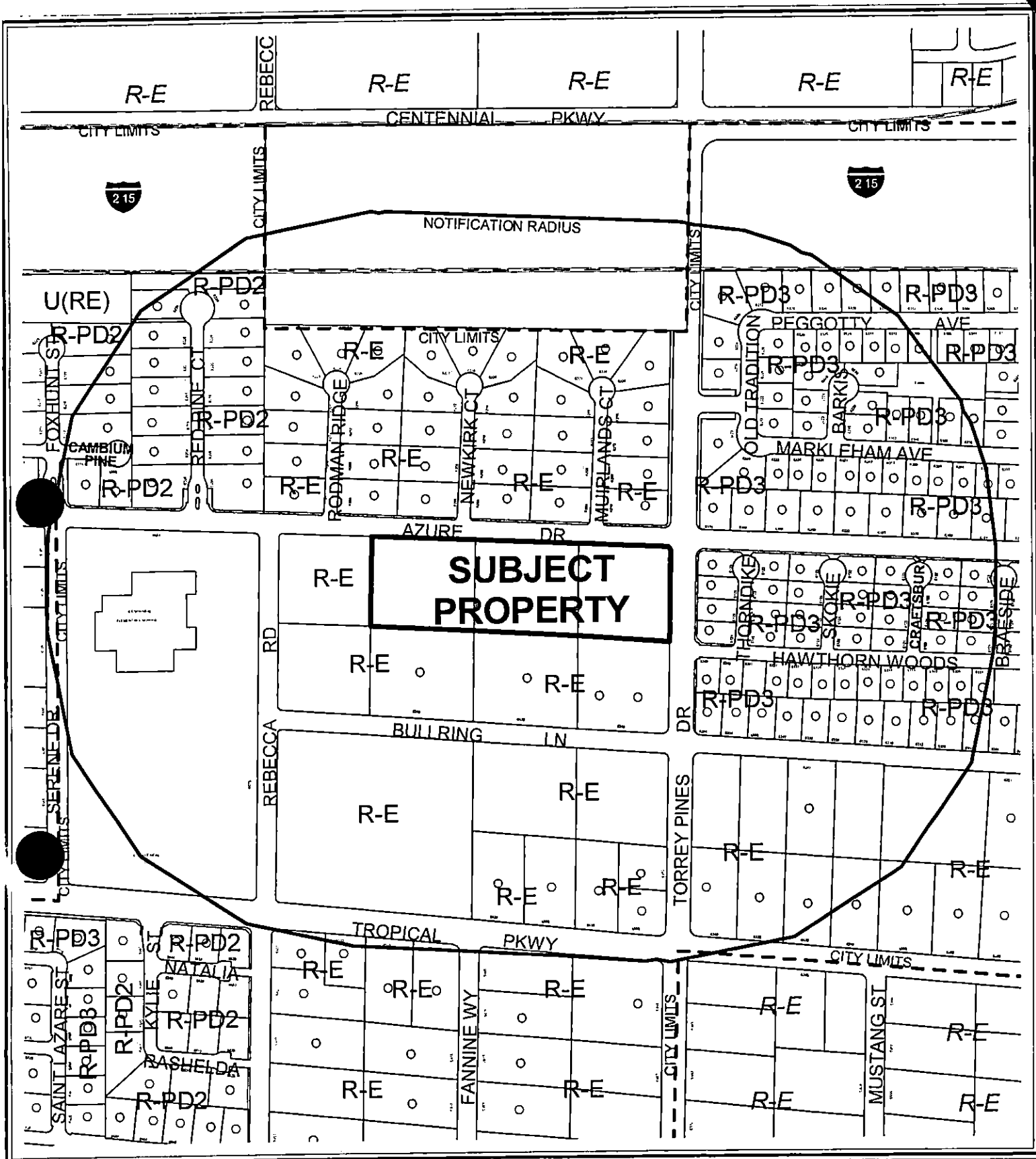
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 44 – WVR-16610

MINUTES:

JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the elevations plans to add a different model for Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] asked to hold them to the 11/02/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: **WVR-16610**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-16610 - APPLICANT: NATIONAL HOMES
CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for a General Plan Amendment (GPA-16538), Rezoning (ZON-16609), and Site Development Plan Review (SDR-16611), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

WVR-16610 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.

The Public Works Department has no objection to the request for a Waiver of Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.

A related General Plan Amendment (GPA-16538), Rezoning (ZON-16609) and Site Development Plan Review (SDR-16611) will be considered concurrently with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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<i>Related Building Permits/Business Licenses</i>	
	There are none pertaining to this site.
<i>Pre-Application Meeting</i>	
08/21/06	A pre-application meeting with the applicant was held and the following items were discussed. The applicant was given a variety of options regarding zoning possibilities for the site. Residential Planned Development open space requirements were discussed and the applicant was instructed that a Waiver of distance separation would be required. The applicant was then informed of the additional submittal requirements for the appropriate applications needed to develop the site.

WVR-16610 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Neighborhood Meeting

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Details of Application Request**Site Area**

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Net Acres	6.08

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South	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	DR (Desert Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Standard	Provided	Compliance
Minimum Lot Size	7,647 SF	Y
Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	
• Corner	15 Feet	
• Rear	20 Feet	
Max. Building Height	21 Feet	Y

WVR-16610 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2.18 du/ac for a total of 15.30 units	R-PD3 (Residential Planned Development – 3 units per acre)	3.59 du/ac for a total of 25.20 units	R (Rural Density Residential)	3.59 du/ac a total of 25.20 units

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/20 Linear Feet	46 Trees	46 Trees	Y
TOTAL		46 Trees	46 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.02	2.99	1.65	4.93	15,086	4.99	15,260	Y

ANALYSIS

This is a request for a Waiver of Title 18.12.100 to allow 173-foot intersection offset where 220 feet is the minimum offset allowed. Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet.”

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The Department of Public Works has no objection to this Waiver request.

JM

WVR-16610 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 186 [Mailed with ZON-16609, GPA-16538 & SDR-16611]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-16610** APN: 120-26-203-002,003,004
Name of Property Owner: NEVADA MANAGEMENT HOLDINGS CO. LLC
Name of Applicant: NATIONAL HOMES CORP.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

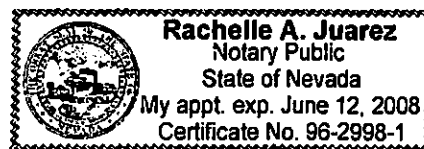
APN: _____

Signature of Property Owner: Gina Mackay

Print Name: GINA MACKAY

Subscribed and sworn before me

This 1st day of Sept, 2006
Rachelle A. Juarez
Notary Public in and for said County and State



[illegible]

SEP 25 2006

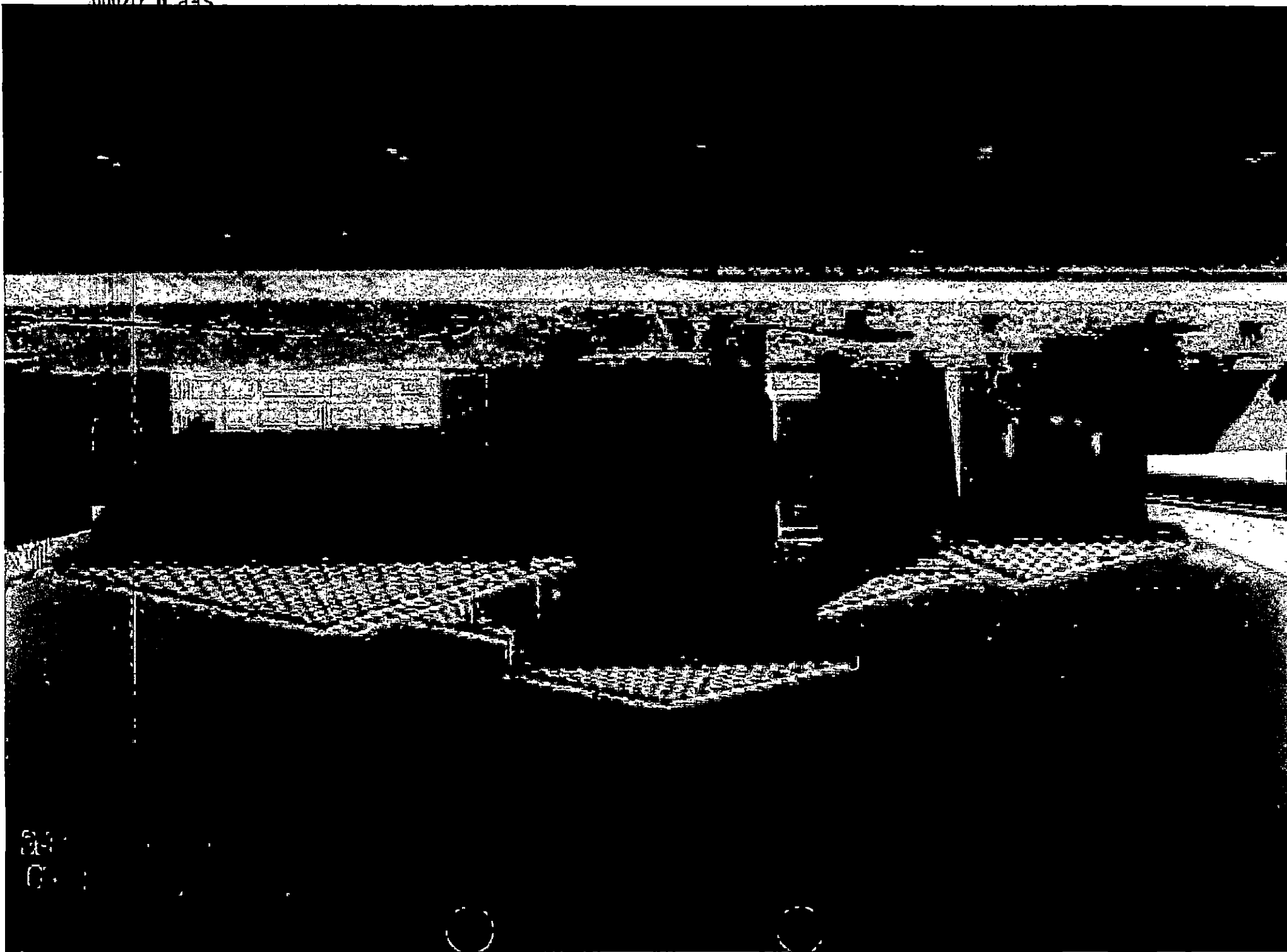
10/19/00 10:00 PC
SER 16611

SEP 07 2006

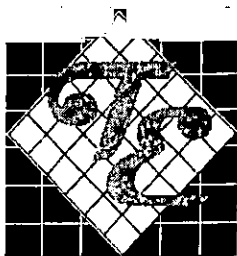
WYR-16610 ZONE 16609
SDR-16611 10/19/06 PC

SEP 07 2006

SEP 0 1 2000



SEP
0 1



TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

September 25, 2006

City of Las Vegas
City Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter for General Plan Amendment, Site Development
Review, Zone Change to RPD-3, and Wavier of Title 18 for 7-acres at Azure
& Torrey Pines SWC**

To Whom It May Concern:

On behalf of our client, National Homes Corporation, we are proposing to change the General Plan Designation for 7.02 gross acres located at the southwest corner of Azure and Torrey Pines from Desert Rural to Rural. In recent years, many properties in the area have been built out as residential subdivisions; the ones adjacent to the east and northeast of the site were built out as R-PD3 subdivisions, similar to this requested application. The proposed amendment to the General Plan will allow a zoning classification (R-PD3) which imposes burdens similar to the burdens imposed by the classification currently provided for (R-E) under the General Plan. The proposed general plan change will allow for an additional 7 residential lots, which has a very small impact and burden on the existing infrastructure and public safety. The proposed R-PD3 residential subdivision is located on approximately 7.02 gross acres that are currently zoned R-E. The project site is bounded by Azure on the north, Torrey Pines on the east, existing residential homes on the south, and undeveloped R-E zoned property to the west. The proposed subdivision consists of 21 lots with a gross density of 2.99 dwelling units per acre. The residential subdivision is proposed to have the following setbacks:

Front – 20-ft from back of curb

Side – 5-ft

Corner – 15-ft

Rear – 20-ft (30-ft along south property line except cul-de-sac lots)

Patio Cover rear yard – 10-ft

Maximum Building Height is 35-ft

GPA-16538 WVR-16610

ZON-16609 SDR-16611

REVISED 10/19/06 PC

The proposed development will consist of homes ranging in size from 3000-sf to over 4000-sf size. Open space has been provided in accordance with city requirements in 3 centrally located areas. The subdivision consists of a cul-de-

sac with access from Torrey Pines right-of-way. The cul-de-sac is over the maximum length of 500-ft, and permission is being requested with the site plan review to allow this with a condition that emergency access be allowed to Azure in a manner that is suitable to the fire department. Perimeter landscaping will be provided abutting all public streets in conformance with City of Las Vegas Standards. A detached sidewalk is requested along Azure right-of-way, with a 6-ft landscape area located between the sidewalk and the back of curb, the sidewalk would abut the decorative perimeter wall. This is being done in an effort to increase the distance between pedestrians and traffic, this street serves as a main walking to the near by school and this was a concern of several neighbors at the previous meetings.

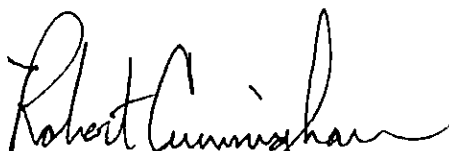
In addition, we are applying for a waiver of Title 18.12.160 which states that

"any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline".

We are requesting to allow the intersection of a 51-ft gated private entry street and a 60-ft public street (Azure Drive) to be approximately 173.14-ft, as well as to allow the intersection of a 51-ft gated private entry street and an 40-ft private street (Hawthorne Woods Avenue) to be approximately 175.72-ft for a proposed 21-lot subdivision. Since the project site is located in a low density surrounding area with low traffic volumes, we believe that the 220-ft minimum intersection offset should not be warranted. In addition, the request in minimizing the intersection offset would be a deviation of approximately 21% from Title 18. Approval of this request will have no adverse impact on the surrounding community.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,



Robert Cunningham, P.E.
Taney Engineering

**GPA-16538 WVR-16610
ZON-16609 SDR-16611
REVISED 10/19/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-16611 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16538, ZON-16609, AND WVR 16610 - PUBLIC HEARING - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC - Request for a Site Development Plan Review FOR A PROPOSED 21-UNIT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive (APNs 125-26-203-002, 003, and 004), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone], Ward 6 (Ross).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

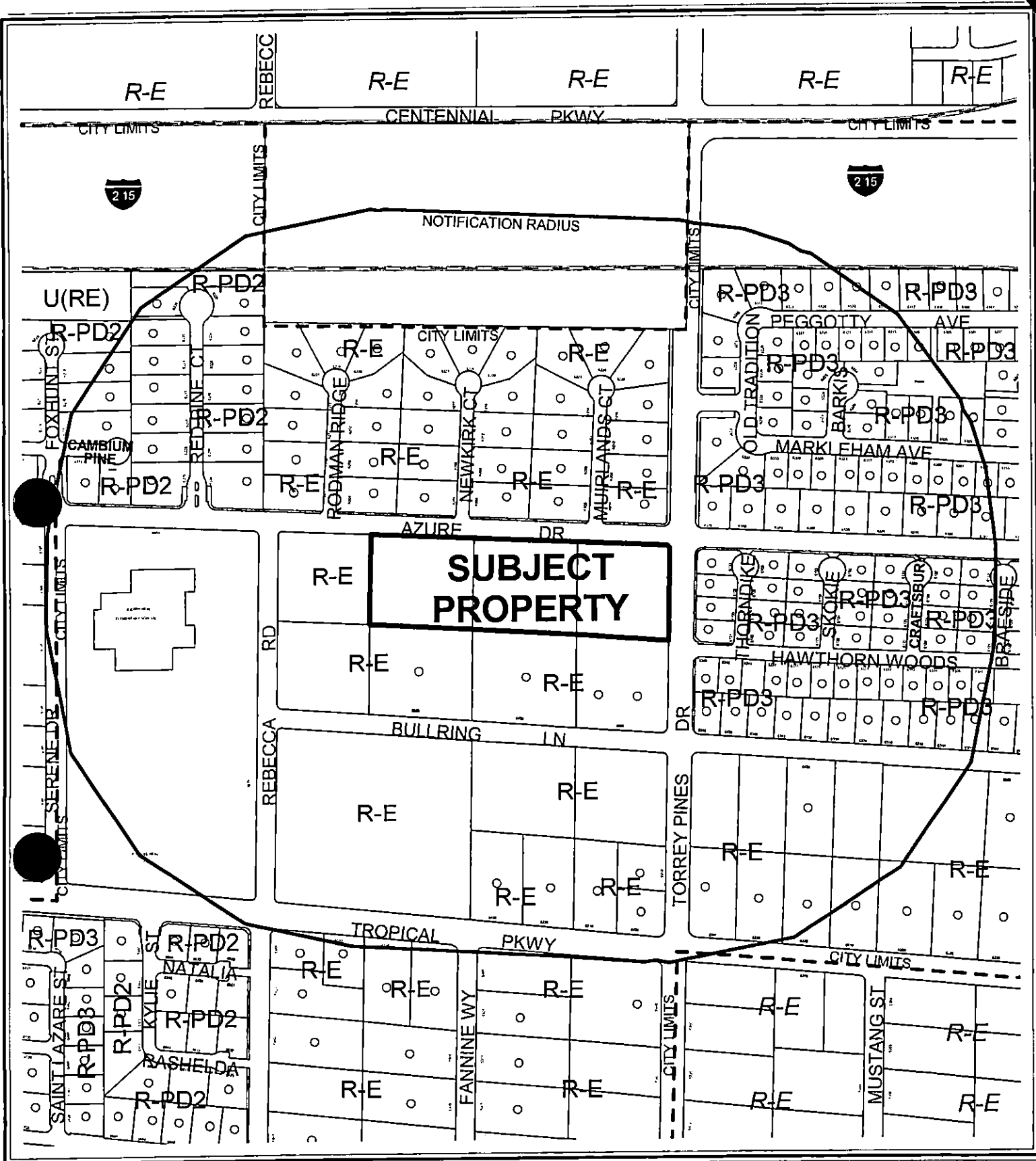
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 45 – SDR-16611

MINUTES:

JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the elevations plans to add a different model for Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] asked to hold them to the 11/02/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: SDR-16611

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-16611 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL, subject to:****Planning and Development**

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-16538), Rezoning (ZON-16609), and Waiver (WVR-16610), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 09/25/06, and building elevations date stamped 09/07/06, except as amended by conditions herein.
4. The standards for this development shall include a Minimum lot size of 7,647 square feet and a Building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 5 feet on the side, 15 feet on the corner side, and 20 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. 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.

JM

SDR-16611 - Conditions Page Two
October 19, 2006 - Planning Commission Meeting

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. 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.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. The applicant shall include a pedestrian gate adjacent to the crash gate located along Azure Drive.

Public Works

14. The entrance shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. Grant pedestrian walkway easements for the proposed sidewalk along Azure Drive lying outside of the public right-of-way.
16. Landscape and maintain all unimproved rights-of-way on Torrey Pines Drive and Azure Drive adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping located in the Torrey Pines drive and Azure Drive public right-of-way adjacent to this site prior to occupancy of this site.
18. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. Site development to comply with all applicable conditions of approval for ZON-16609 and all other site-related actions.

SDR-16611 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is request for a Site Development Plan Review for a proposed 21-unit single-family residential subdivision on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive. A related General Plan Amendment (GPA-16538), Waiver (WVR-16610), and Rezoning (ZON-16609) will be considered concurrently with this request.

Staff supports infill development projects such as this one as it will be compatible with the surrounding neighborhood and provide additional housing choices for residents and potential residents. This project will improve the surrounding neighborhood and will meet all of the applicable development standards for R-PD3 (Residential Planned Development – 3 Units Per Acre) developments. Staff supports the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	City Council tabled a request for a Site Development Plan Review (SDR-3284) and a Variance (VAR-3360) to allow a 27-foot side yard setback where residential adjacency standards require a minimum setback of 78 feet for a proposed private school, primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road.
06/22/06	City Council tabled a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from DR (Desert Rural Density Residential) to L (Low Density Residential), a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential), and a Special Use Permit for a private streets in conjunction with a proposed single-family residential development on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.
<i>Related Building Permits/Business Licenses</i>	
	There are none pertaining to this site.
<i>Pre-Application Meeting</i>	
08/21/06	A pre-application meeting with the applicant was held and the following items were discussed. The applicant was given a variety of options regarding zoning possibilities for the site. Residential Planned Development open space requirements were discussed and the applicant was instructed that a Waiver of distance separation would be required. The applicant was then informed of the additional submittal requirements for the appropriate applications needed to develop the site.

SDR-16611 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Neighborhood Meeting	
09/25/06	A neighborhood meeting was held at 6:00 pm at the Lied Community School, 5340 West Tropical Parkway. Eleven citizens attended the meeting. The attendees were concerned about the 2-story height, traffic issues on Azure Drive and Torrey Pines Drive and the perimeter wall height being the same as surrounding properties. They preferred rural streetlight standards and lot sizes.

Details of Application Request	
Site Area	
Gross Acres	7.02
Net Acres	6.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single Family Residential	DR (Desert Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Vacant	DR (Desert Rural Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Standard	Provided	Compliance
Minimum Lot Size	7,647 SF	Y
Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	
• Corner	15 Feet	
• Rear	20 Feet	
Max. Building Height	21 Feet	Y

SDR-16611 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2.18 du/ac for a total of 15.30 units	R-PD3 (Residential Planned Development – 3 Units Per Acre)	3.59 du/ac for a total of 25.20 units	R (Rural Density Residential)	3.59 du/ac a total of 25.20 units

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/20 Linear Feet	46 Trees	46 Trees	Y
TOTAL		46 Trees	46 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.02	2.99	1.65	4.93	15,086	4.99	15,260	Y

ANALYSIS

- Zoning

The applicant is requesting a Rezoning (ZON-16296) to R-PD3 (Residential Planned Development – 3 Units Per Acre). The proposal is consistent with the R-PD3 (Residential Planned Development – 3 Units Per Acre) District as it allows applicants some latitude in developing a site. The zoning is also consistent with the density in the area as there is R-PD3 (Residential Planned Development – 3 Units Per Acre) Zoning to the east across Torrey Pines.

- Site Plan

The applicant proposes a twenty-one lot subdivision on 7.02 acres. The lots range from 7,647 square feet to 11,329 square feet. The site gains access from Torrey Pines Drive, an 80-foot Secondary Collector street. Given that the applicant is requesting a private drive with a cul-de-sac greater than 500 feet, the applicant has provided an emergency access to Azure Drive.

SDR-16611 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

As the proposal is for an R-PD3 (Residential Planned Development – 3 Units Per Acre) zoned development, the development standards are set by the applicant. Staff finds the above standards to be consistent with development in the area and provides sufficient protection for adjacent properties. The development also meets the open space requirements imposed by this request, which are consistent with the surrounding area.

- **Waivers**

No Title 19 waivers are required as part of this application. However, a formal Title 18 Waiver (WVR-16610) has been requested to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required.

- **Landscape Plan**

On the perimeter of the development along Azure Drive and Torrey Pines Drive, the applicant provides six feet of landscape buffer with 24-inch Aleppo Pine trees at 30 feet on center and four, five-gallon Primrose Jasmine plants per tree.

The open space for this development consists of three separate parcels at the center of the development, totaling 15,260 square feet. The applicant provides Aleppo Pine trees, Primrose Jasmine plants, and a meandering trail. At the center roundabout, the applicant proposes benches, plants and trees.

- **Elevation**

The elevation plans depict a one-story product with a garage at the front. All structures will have a concrete tile roof, a stucco exterior, and make use of contrasting colors to reduce visual monotony.

- **Floor Plan**

Proposed for the lots are one-story homes ranging from 3,000 to 4,000 square feet in size with a two-car garage.

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;”**

SDR-16611 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

The site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown. The density of the proposal is 2.99 units per acre, therefore the proposed twenty-one lot residential subdivision is compatible with surrounding residential development in product type, density, and design

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.**

As an R-PD3 (Residential Planned Development – 3 Units Per Acre) development, the subject proposal meets all development standards per all relevant plans and documents. A Waiver of Title 18 is being requested for to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required.

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

The site is served by Torrey Pines Drive, a Secondary Collector 80 feet in width. Since the applicant is requesting a private drive with a cul-de-sac greater than 500 feet, the applicant has provided an emergency access to Azure Drive. The addition of twenty-one residential lots will not negatively affect this thoroughfare's ability to handle traffic flow.

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

Building and landscape materials are compatible with the surrounding area.

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

The proposed elevations are not undesirable and will be compatible with the surrounding area and consistent with developments of this type.

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

This project will not endanger the public health, safety, or general welfare.

SDR-16611 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 186 [Mailed with ZON-16609, WVR-16610 & GPA-16538]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16611** APN: 125-260-203-002, 003 004
Name of Property Owner: NEVADA Management Holding Co. LLC
Name of Applicant: NATIONAL Homes Corp.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

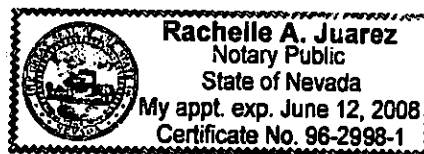
APN _____

Signature of Property Owner: _____

Print Name: GINA MACKAY

Subscribed and sworn before me

This 17 day of Sept, 2006
Rachelle A. Juarez
Notary Public in and for said County and State

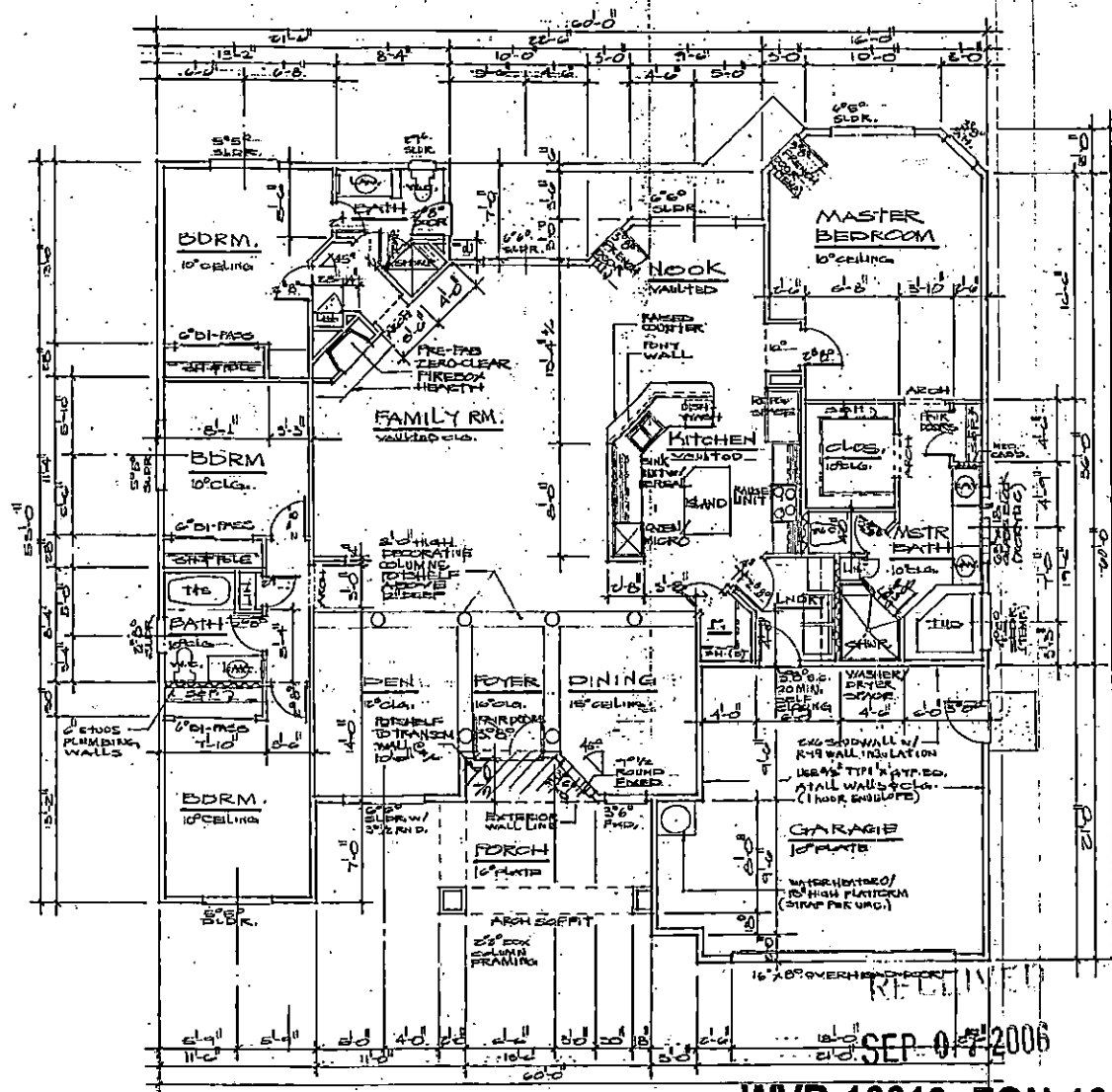


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All windows to be dual pane vinyl frame, insulated glass.	
U Values: Fixed	.57
Sliding	.60
Casement	.60
Glass Block	.77

All exterior doors to be solid core, 1 3/4" thick, with weatherstripping and threshold as value .55 . . .
(glazed doors)

02/10/2016



LIVING AREA 2992 sq. FT.

SDR-16611

10/19/06 P

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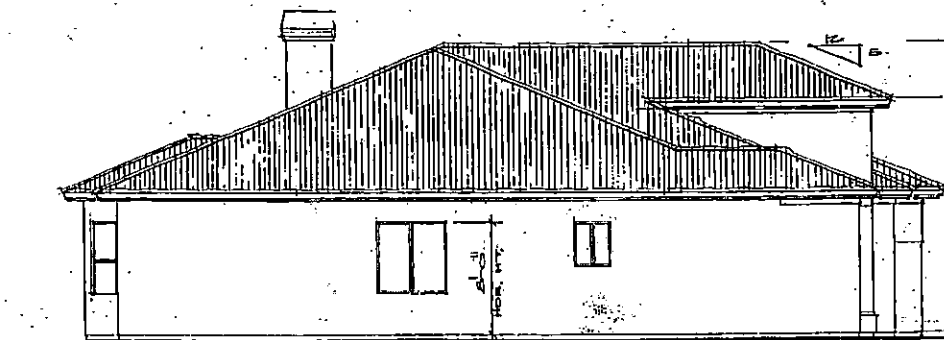
DATE: JAN. 6

NOTES **SAD** **REPORTS**

STATION

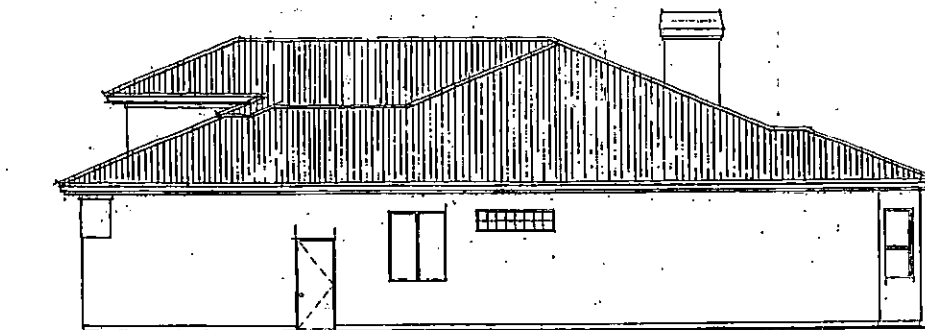
4-2

PEAK DEVELOPMENT SERVICES
4000 N. Green valley Parkway, Suite 300
Henderson, Nevada 89074



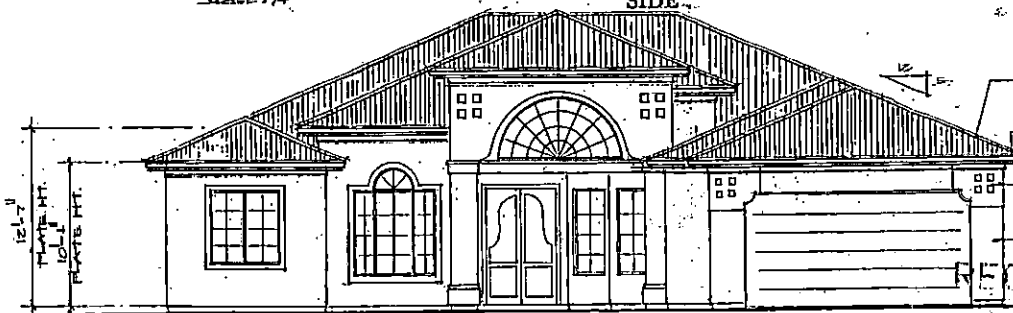
WEST ELEVATION

SIDE



EAST ELEVATION

SIDE



SOUTH ELEVATION

FRONT

CONCRETE
ACCOMMODATING
TILE
GUTTER FASCIA
(1/2" x 1/2")
BUILT-UP W/
KORROSION
RESISTANT
FINISH
(3 COAT)
FINISH
GRADE

SEP 07 2006

WVR-16610 ZON-16609
SDR-16611 10/19/06 PC

PEAK DEVELOPMENT SERVICES
1000 N. Green Valley Parkway, Suite 300
Henderson, Nevada 89074

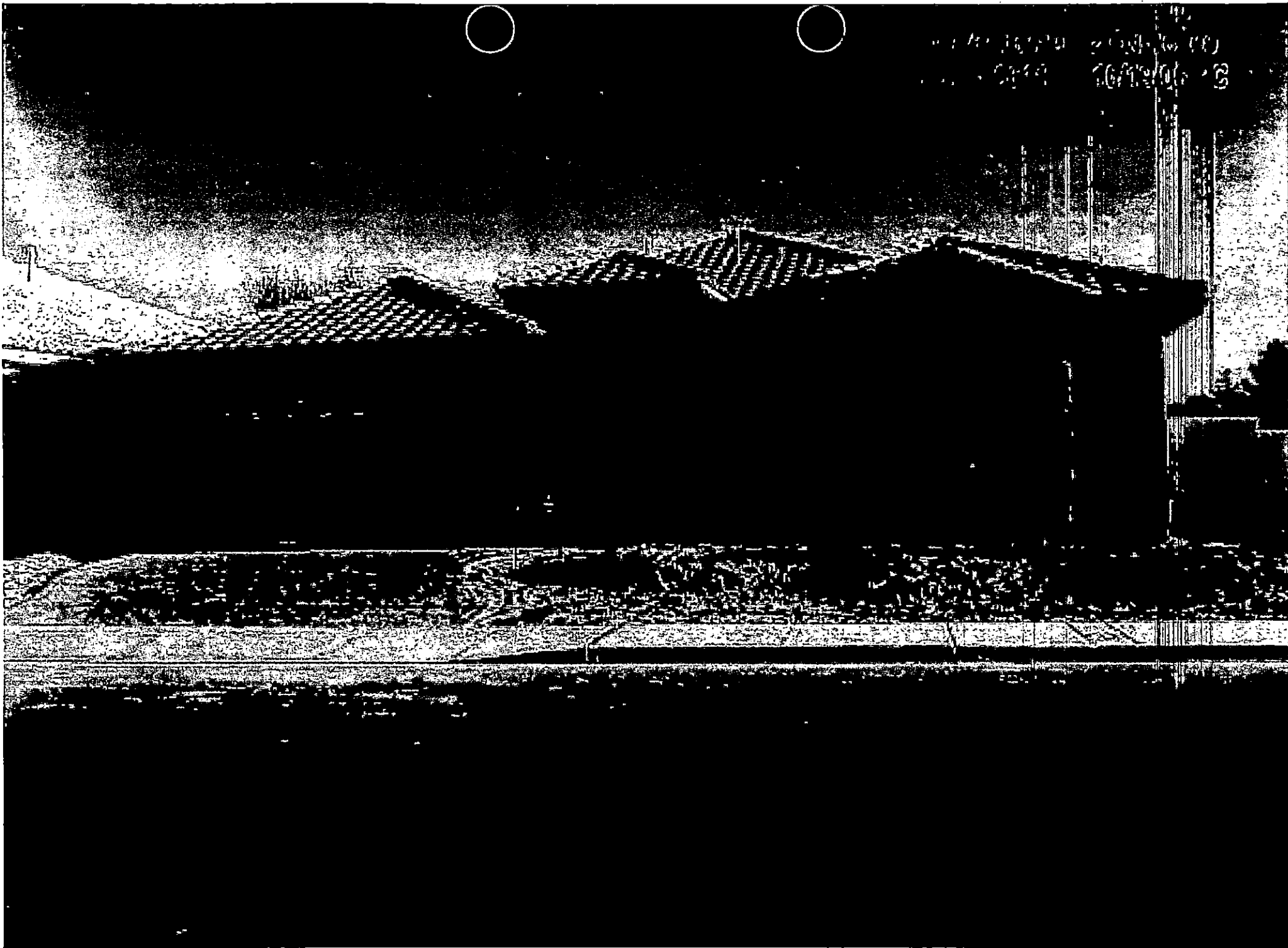
SADDLE ESTATES PLAN 2

EXTERIOR ELEVATIONS

DATE: JAN 06
SCALE: 1/4" = 1'-0"
100% PLAN 04-123 (C)

SECRET
A-4

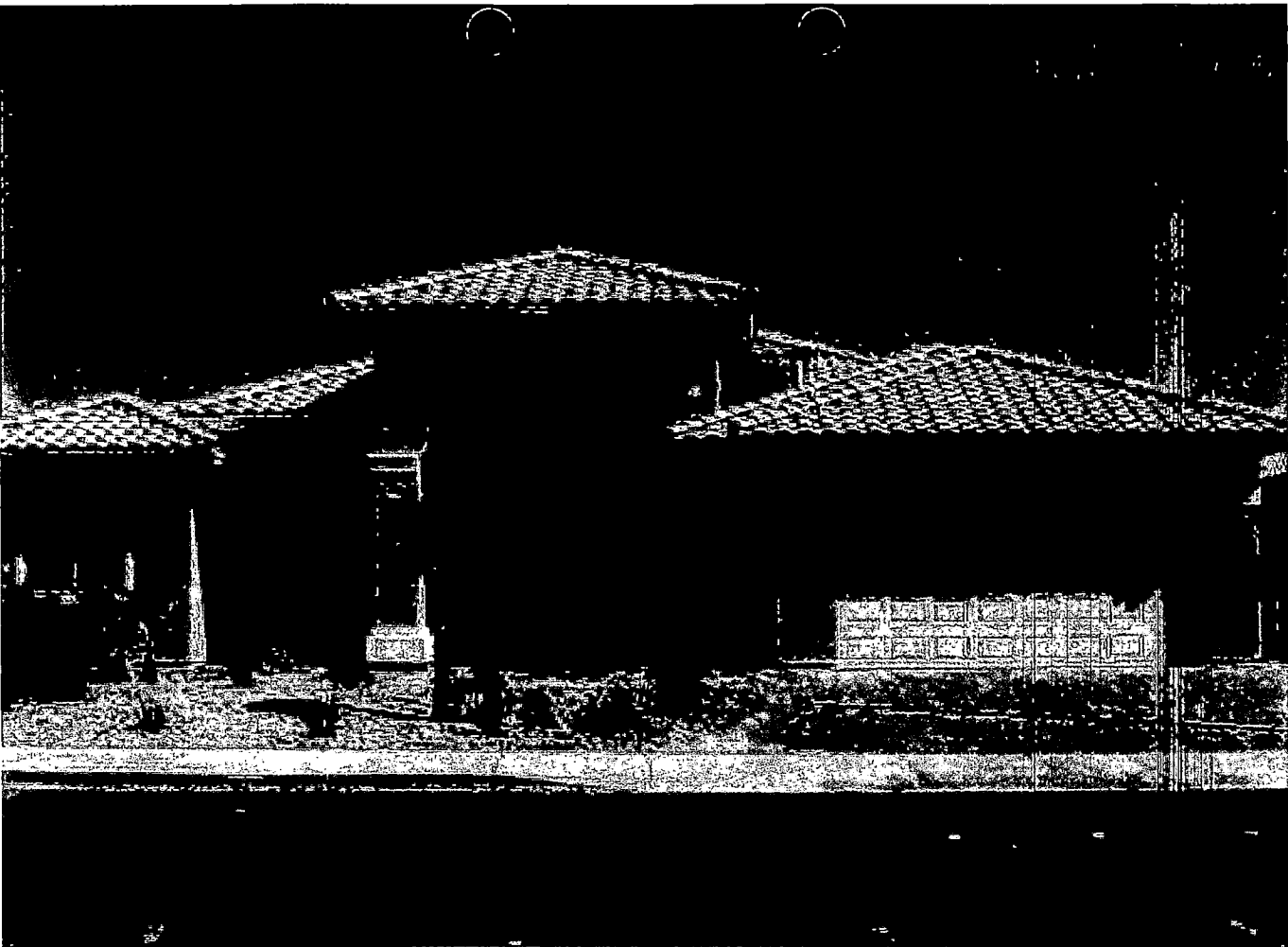
SDR 16611				
National Homes Corporation				
SWC Torrey Pines & Azure				
Proposed 21 unit single family development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	21	9.57	201
AM Peak Hour			0.75	16
PM Peak Hour <i>(heaviest 60 minutes)</i>			1.01	21
Existing traffic on all nearby streets:				
Torrey Pines Drive				
Average Daily Traffic (ADT)	1,062			
PM Peak Hour <i>(heaviest 60 minutes)</i>	85			
Azure Drive				
Average Daily Traffic (ADT)	2,958			
PM Peak Hour <i>(heaviest 60 minutes)</i>	237			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Torrey Pines Drive	32585			
Azure Drive	3000			
This project will add approximately 201 trips per day on Torrey Pines and Azure. This will increase expected volumes on Torrey Pines by about 19 percent and Azure by about 7 percent. Torrey Pines is at about 3 percent of capacity and Azure is at about 99 percent of capacity.				
Based on Peak Hour use, this development will add roughly 21 additional cars into the area; which works out to about one every three minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SEP 07 2006

WVR-16610 ZON 16610
SDR-16611 10/19/06 PC

SEP 07 2006

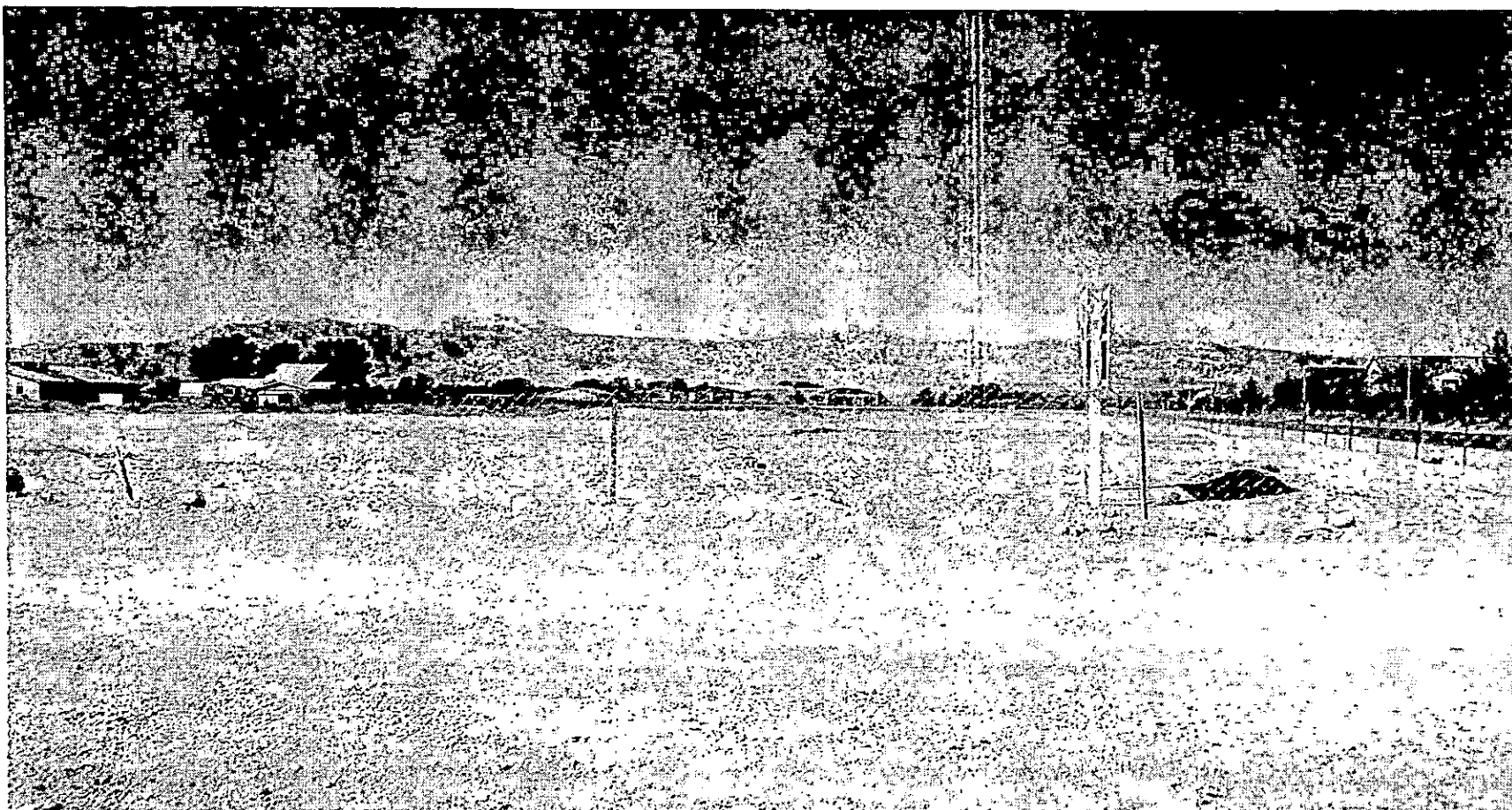


SEP 07 2008



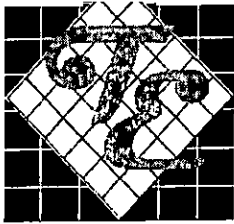
GPA-16538, ZON-16609, WVR-16610, & SDR-16611 - APPLICANT: NATIONAL HOMES CORP. -
OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC
SOUTHWEST CORNER OF TORREY PINES DRIVE AND AZURE DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/26/06



GPA-16538, ZON-16609, WVR-16610, & SDR-16611 - APPLICANT: NATIONAL HOMES CORP. -
OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC
SOUTHWEST CORNER OF TORREY PINES DRIVE AND AZURE DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/26/06



TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

September 25, 2006

City of Las Vegas
City Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter for General Plan Amendment, Site Development
Review, Zone Change to RPD-3, and Wavier of Title 18 for 7-acres at Azure
& Torrey Pines SWC**

To Whom It May Concern:

On behalf of our client, National Homes Corporation, we are proposing to change the General Plan Designation for 7.02 gross acres located at the southwest corner of Azure and Torrey Pines from Desert Rural to Rural. In recent years, many properties in the area have been built out as residential subdivisions; the ones adjacent to the east and northeast of the site were built out as R-PD3 subdivisions, similar to this requested application. The proposed amendment to the General Plan will allow a zoning classification (R-PD3) which imposes burdens similar to the burdens imposed by the classification currently provided for (R-E) under the General Plan. The proposed general plan change will allow for an additional 7 residential lots, which has a very small impact and burden on the existing infrastructure and public safety. The proposed R-PD3 residential subdivision is located on approximately 7.02 gross acres that are currently zoned R-E. The project site is bounded by Azure on the north, Torrey Pines on the east, existing residential homes on the south, and undeveloped R-E zoned property to the west. The proposed subdivision consists of 21 lots with a gross density of 2.99 dwelling units per acre. The residential subdivision is proposed to have the following setbacks:

Front – 20-ft from back of curb

Side – 5-ft

Corner – 15-ft

Rear – 20-ft (30-ft along south property line except cul-de-sac lots)

Patio Cover rear yard – 10-ft

Maximum Building Height is 35-ft

GPA-16538 WVR-16610

ZON-16609 SDR-16611

REVISED 10/19/06 PC

The proposed development will consist of homes ranging in size from 3000-sf to over 4000-sf size. Open space has been provided in accordance with city requirements in 3 centrally located areas. The subdivision consists of a cul-de-

sac with access from Torrey Pines right-of-way. The cul-de-sac is over the maximum length of 500-ft, and permission is being requested with the site plan review to allow this with a condition that emergency access be allowed to Azure in a manner that is suitable to the fire department. Perimeter landscaping will be provided abutting all public streets in conformance with City of Las Vegas Standards. A detached sidewalk is requested along Azure right-of-way, with a 6-ft landscape area located between the sidewalk and the back of curb, the sidewalk would abut the decorative perimeter wall. This is being done in an effort to increase the distance between pedestrians and traffic, this street serves as a main walking to the near by school and this was a concern of several neighbors at the previous meetings.

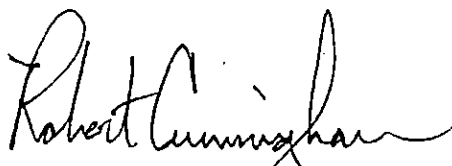
In addition, we are applying for a waiver of Title 18.12.160 which states that

"any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline".

We are requesting to allow the intersection of a 51-ft gated private entry street and a 60-ft public street (Azure Drive) to be approximately 173.14-ft, as well as to allow the intersection of a 51-ft gated private entry street and an 40-ft private street (Hawthorne Woods Avenue) to be approximately 175.72-ft for a proposed 21-lot subdivision. Since the project site is located in a low density surrounding area with low traffic volumes, we believe that the 220-ft minimum intersection offset should not be warranted. In addition, the request in minimizing the intersection offset would be a deviation of approximately 21% from Title 18. Approval of this request will have no adverse impact on the surrounding community.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,


Robert Cunningham, P.E.
Taney Engineering

**GPA-16538 WVR-16610
ZON-16609 SDR-16611
REVISED 10/19/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

GPA-16578 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW VISTA RANCH, INC. - Request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PCD (PLANNED COMMUNITY DEVELOPMENT) on 15.05 acres at 7875 North Rainbow Boulevard (APN 125-15-501-002), Ward 6 (Ross).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Supporting Documentation
4. Justification Letter

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

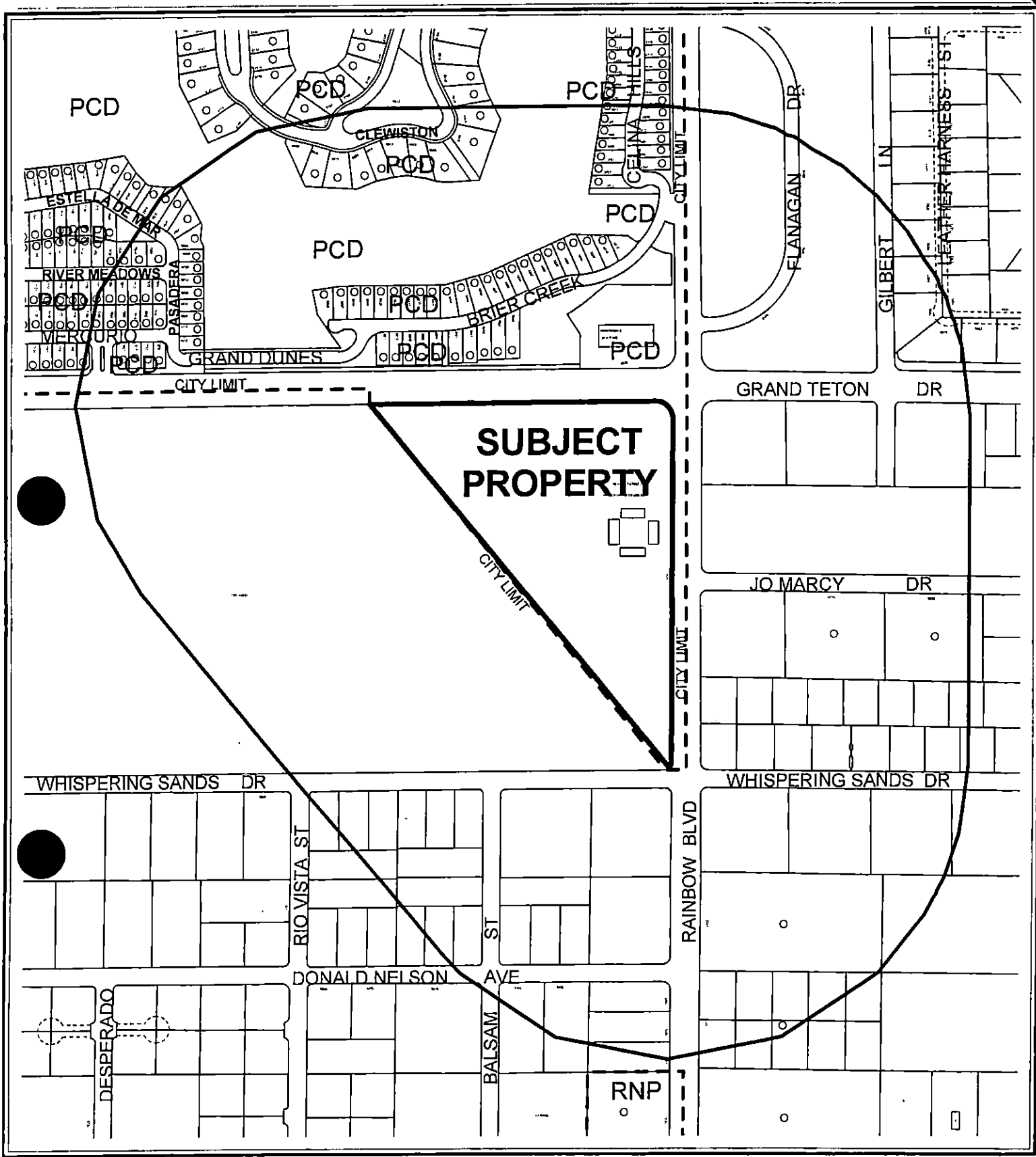
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 46 – GPA-16578

MINUTES:

JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the plans for Item 46 [GPA-16578], Item 47 [ZON-16580] and Item 48 [SDR-16581] and asked that the items be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61

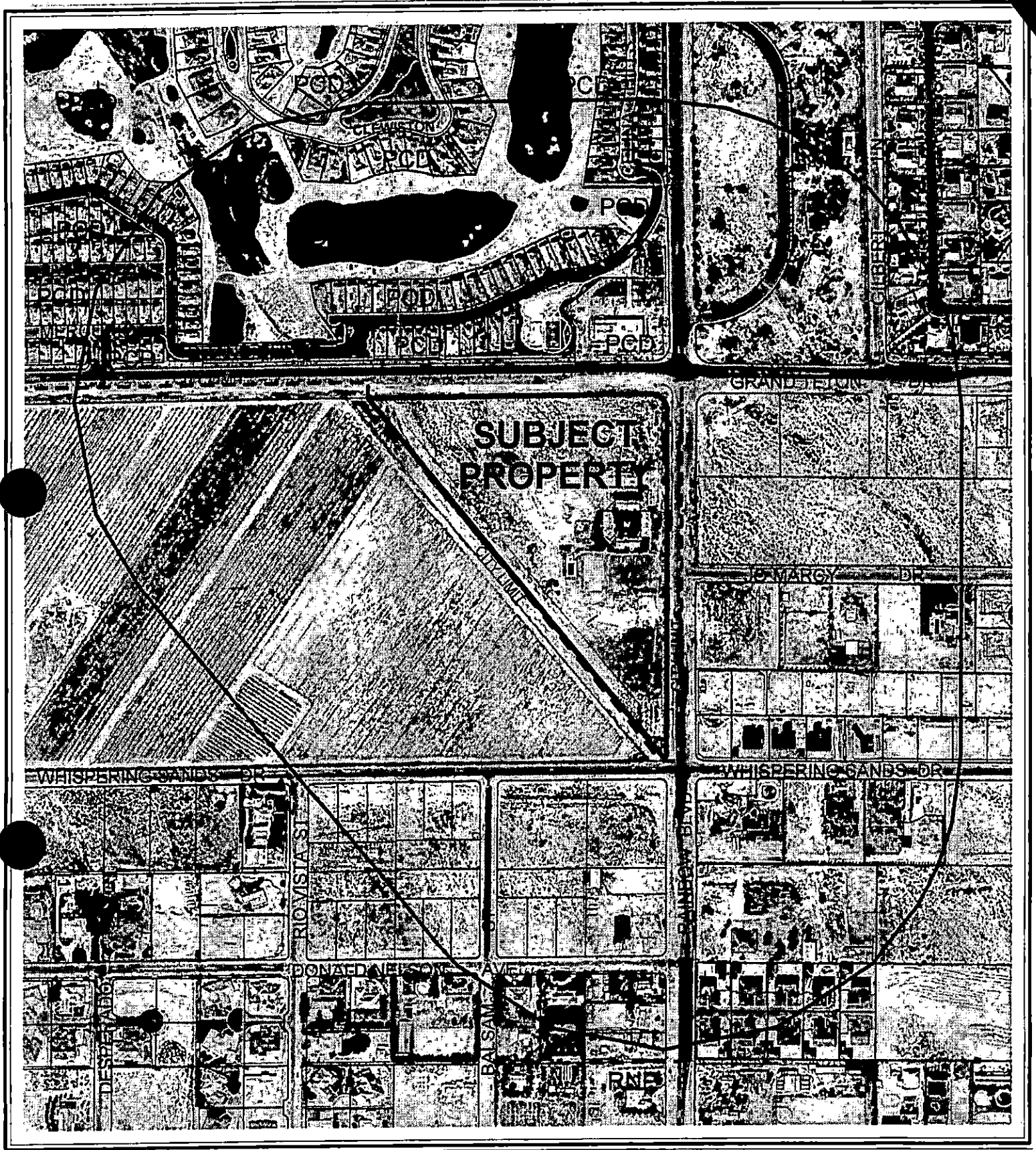


CASE: **GPA-16578**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PCD (PLANNED COMMUNITY DEVELOPMENT)

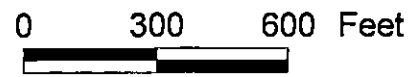


CASE: **GPA-16578**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PCD (PLANNED COMMUNITY DEVELOPMENT)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16578 - APPLICANT: JOHN DAVID BURKE ARCHITECT
- OWNER: NEW VISTA RANCH, INC.

***APPLICANT REQUESTS THIS ITEM BE HELD
IN ABEYANCE TO THE NOVEMBER 16, 2006
PLANNING COMMISSION MEETING***

KUMMER

KAEMPFER

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

TABITHA F. KEETCH

tkeetch@kkbf.com
702.792.7051

LAS VEGAS OFFICE
3808 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel. 702.782.7800
Fax: 702.788.7181

RENO OFFICE
8888 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3980
Fax: 775.852.3982

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89128
Tel: 702.683.4280
Fax: 702.939.8457

October 6, 2006

VIA FACSIMILE 385-7268

John Korkosz
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: Request for Hold – New Vista Ranch
GPA-16578; ZON-16580; SDR-16581**

Dear John:

Please be advised this office represents the applicant in the above referenced matter. We respectfully request this matter be continued for a period of thirty days from the presently scheduled City of Las Vegas Planning Commission hearing of Thursday, October 19, 2006, until Thursday, November 16, 2006.

Thank you for your kind consideration of this request. Please contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Tabitha F. Keetch

TFK/ljsj

cc: Nathan Goldberg





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-16578** APN: 125-15-501-002
Name of Property Owner: NEW VISTA RANCH, INC.
Name of Applicant: JOHN DAVID BURKE ARCHITECT

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?

X 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: SAMUEL DUNHAM, PLANNING COMMISSIONER

Partner(s): JOHN DAVID BURKE, BAAD INVESTMENTS, LLC

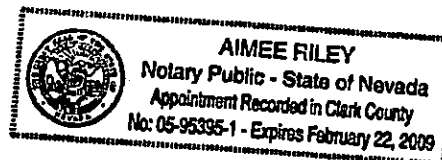
APN: 162-32-202-009

Signature of Property Owner: JOHN DAVID BURKE, MANAGING PARTNER
Print Name: BAAD INVESTMENTS, LLC

Subscribed and sworn before me

This 6th day of September, 2006

Aimee Riley
Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-16578** APN: 125-15-501-002

Name of Property Owner: NEW VISTA RANCH, INC.

Name of Applicant: JOHN DAVID BURKE ARCHITECT

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

Print Name:

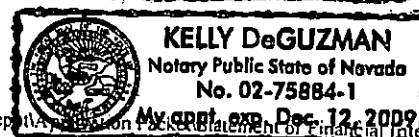
Ron Finken

Subscribed and sworn before me

This 6th day of September, 2006

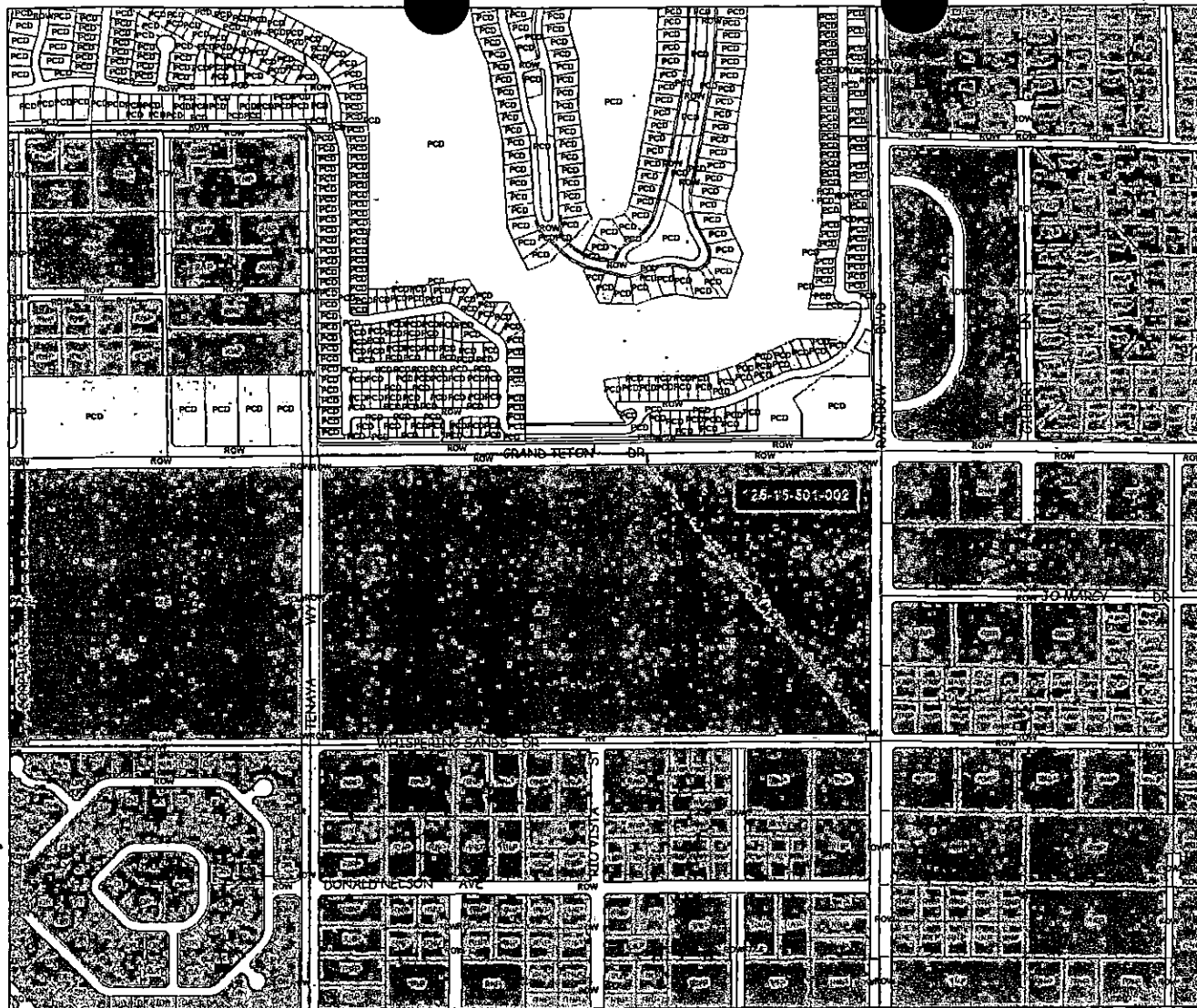
Kelly D. Lyman

Notary Public in and for said County and State



City of Las Vegas

Future Land Use Map



- ~ City Limits
- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Right-of-Way

Map Printed: June 1, 2006



GIS maps are normally produced
only to meet the needs of the City.
Due to continuous development activity
this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-226-5301



GPA-16578
10/19/06 PC

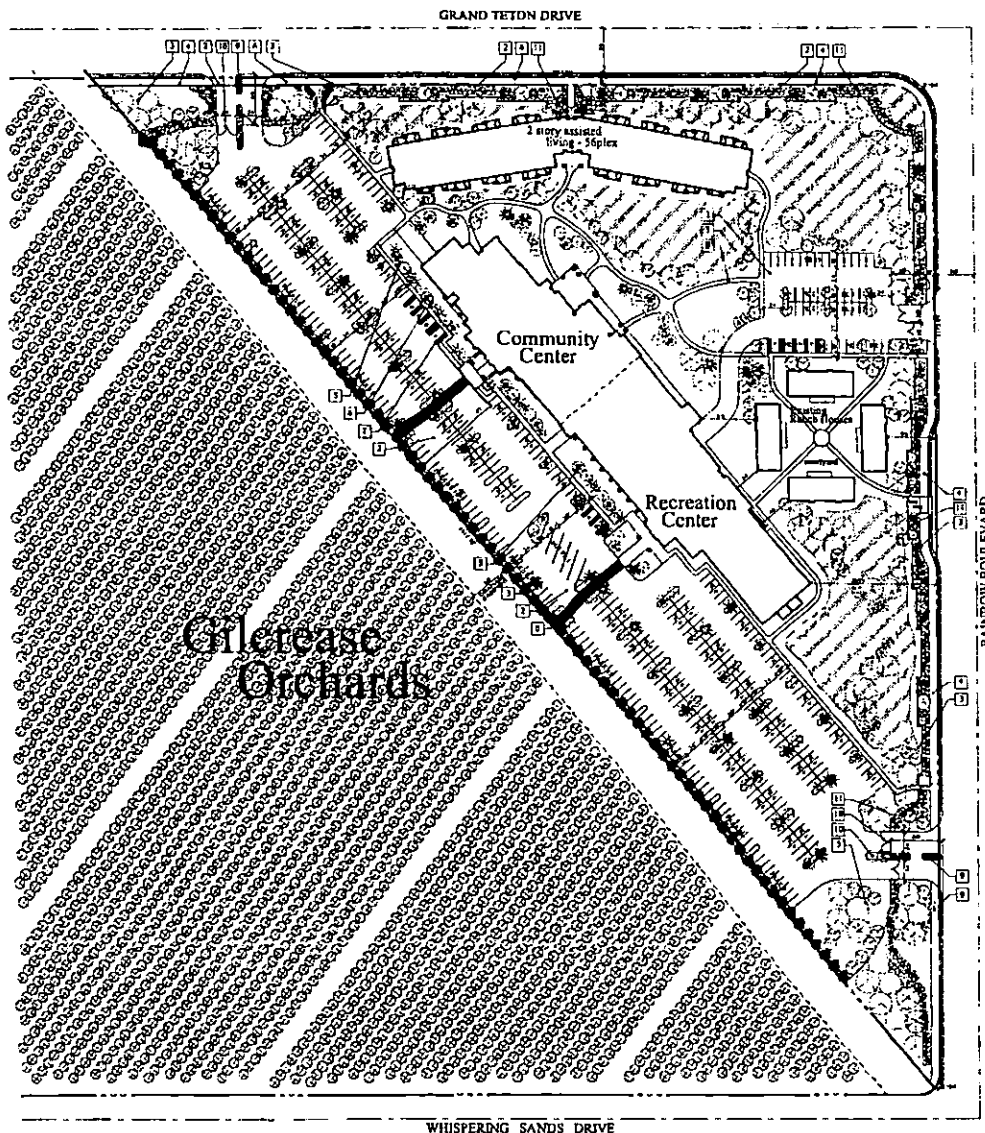
SEP 06 2006

RECEIVED
SEP 06 2006

LANDSCAPE LEGEND				KEYNOTES	
SYMBOL	PLANT NAME	TYPE	SIZE	#	DESCRIPTION
[Symbol]	SHADEMASTER HONEY LOCUST	LARGE DECIDUOUS	24" tree	11	2" HIGH CONCRETE BLOCK FENCE WITH PAIR OF STEEL TUBE GATES WITH STAMPED METAL BACKING AND LIFT FOR LOCK/UNLOCK
[Symbol]	ALABAMA IRONWOOD	LARGE EVERGREEN	24" tree	3	2" AC PAVING
[Symbol]	ARIZONA ASH	LARGE DECIDUOUS	24" tree	3	LANDSCAPED AREA - BY OTHERS
[Symbol]	SOUTHERN LIVE OAK	LARGE DECIDUOUS	24" tree	14	MULTI USE TRANSPORTATION TRAIL PER CITY OF LAS VEGAS
[Symbol]	CALIFORNIA PEPPER	MEDIUM EVERGREEN	15 gallon	15	4" CONCRETE SIDEWALK W/ROCKSA FINISH
[Symbol]	SHOESTRING A CACIA	MEDIUM EVERGREEN	15 gallon	6	FLUSH OUT SIDEWALK WITH PAVING FOR LANDSCAPE ACCESS
[Symbol]	CHARLETTREE	MEDIUM EVERGREEN	15 gallon	7	LANDSCAPE ACCESS ASSESS
[Symbol]	MEXICAN PALM VERDE	MEDIUM EVERGREEN	15 gallon	8	LANDSCAPE ACCESS ROUTE
[Symbol]	AFRICAN ELACAC	MEDIUM EVERGREEN	15 gallon	9	MONUMENT SIGN PER CLV STANDARDS
[Symbol]	THORNLESS MESQUITE	LARGE DECIDUOUS	24" tree	10	AUTOMATIC DECO STEEL TUB ENTRY GATE
[Symbol]	EVERGREEN BUNYMOUSE	2 GAL	2 GAL	11	RECREATIVE WROUGHT IRON SPLIT FACE BLOCK FENCE
[Symbol]	COMMON WINTER CREEPER	5 GAL	5 GAL		
[Symbol]	TEXAS RANGER	5 GAL	5 GAL		
[Symbol]	FLATLEAF CACTUS	5 GAL	5 GAL		
[Symbol]	GOLDEN BAYWOOD	2 GAL	2 GAL		
[Symbol]	AMERICAN PRIMEROSE	1 GAL	1 GAL		
[Symbol]	HYBRID GAZANIA	1 GAL	1 GAL		
[Symbol]	DWARF FIVEGOTT BUSH	1 GAL	1 GAL		
[Symbol]	BERMUDA GRASS	and FERT			

PROJECT DATA	
EXISTING ZONING	GP DRUG ZONING
REQUIRED ZONING	GP-LPD ZONING
EXISTING USE	RESIDENTIAL HOUSINGS
PERMITTED USE	ASSISTED LIVING/COMMUNITY RECREATIONAL CENTER
AREA SUMMARY:	
3 STORY SENIOR CITIZEN APT	3600 SF
RESIDENTIAL HOUSING	9,120 SF
COMMUNITY REC CENTER	14,320 SF
TOTAL BUILDING AREA	27,040 SF
PARKING SUMMARY:	
SENIOR CITIZEN APT	100 SPACES
RESIDENTIAL HOUSING	200 SPACES
COMMUNITY REC CENTER	100 SPACES
TOTAL PARKING REQUIRED	400
PARKING PROVIDED	400 SPACES
TOTAL SITE AREA	815,215.51 (19.55 AC) = 86,172,000 SF (1,171 AC) = 126,000,000 SF
BUILDING FOOTPRINT	876,477 SF
BUILDING COVERAGE	10.7%
APN#	125-113-00-002

LOCATION	



① SITE/LANDSCAPING PLAN
SCALE: 1" = 75'-0"

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

revisions

jon
dunne
architect

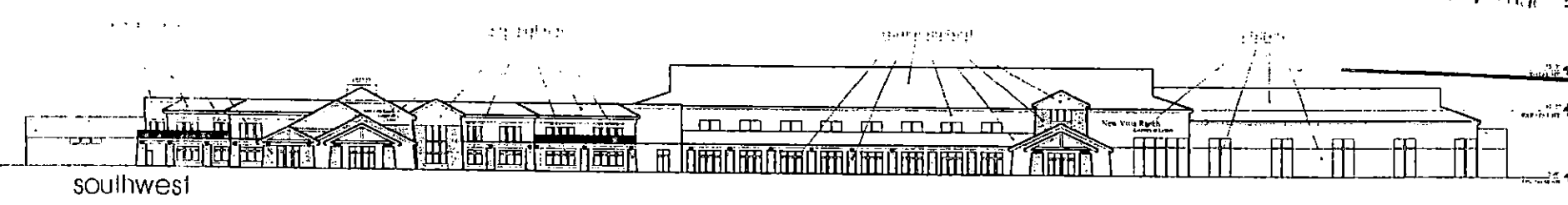
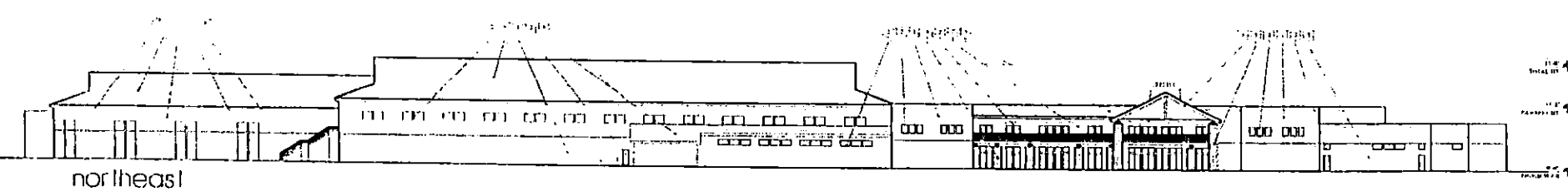
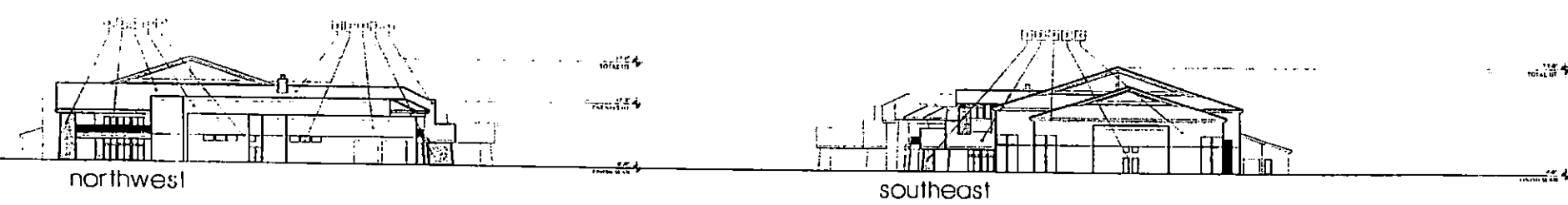
New Vista Community
Assisted Living Residential Units/
Community & Recreational Center
City of Las Vegas, Nevada

date
proj. no.
drawn by
checked by

steel no.
A1

KEYNOTES	
#	description
1	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
2	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
3	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
4	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
5	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
6	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
7	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
8	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
9	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)
10	EXISTING SITE ELEVATION SYSTEM (W/IN 10' TYPICAL)

revisions:
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10



1 ELEVATIONS
 SCALE: 1" = 30'-0"

RECEIVED
 10/17/06

GPA-16578 ZON-16580
 SDR-16581 REVISED
 10/19/06 PC

John
 adam
 burke
 architec

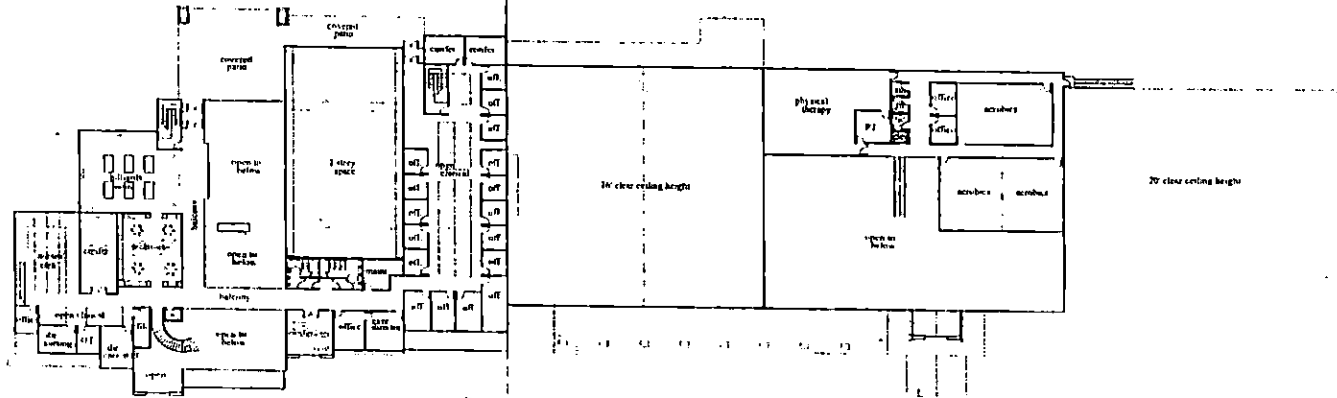
New Vista Community
 Assisted Living Residential Units
 Community & Recreational Center
 City of Las Vegas

sheet no. 1
 date: 10/19/06
 PROJ. NO.: 16578
 DWN. BY: JAB
 CHD. BY: JAB

A2

Community Center Area Summary

1st Floor Community Center: 37,689 s.f.
2nd Floor Community Center: 13,479 s.f.
Subtotal: 51,168 s.f.



2nd floor
Community Center/Recreation Center

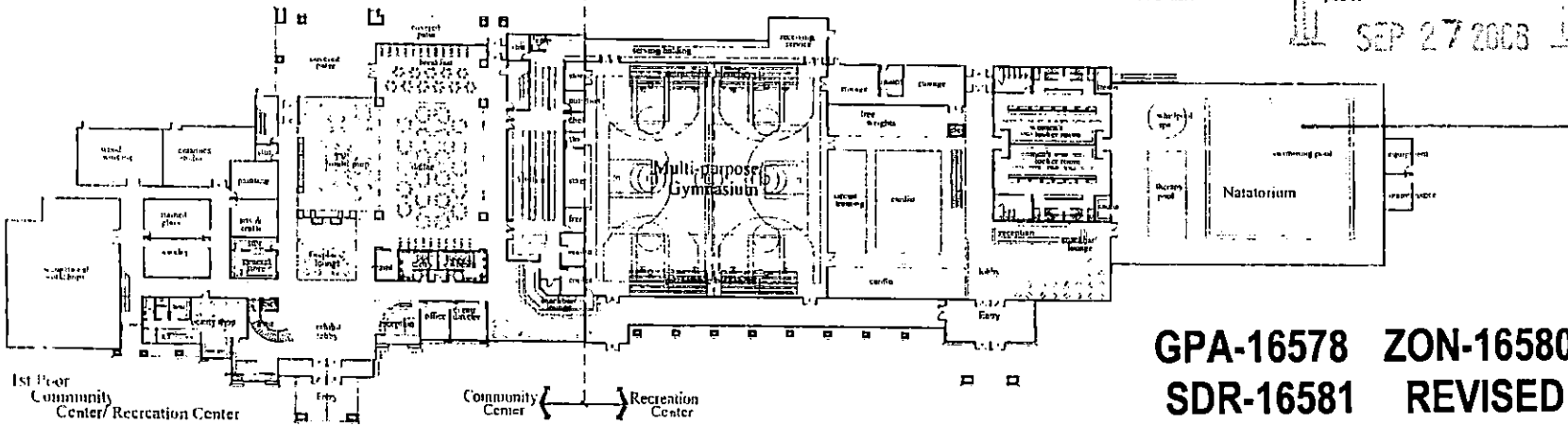
Community Center Recreation Center

Recreation Center Area Summary

1st Floor Recreation Center: 27,419 s.f.
2nd Floor Recreation Center: 6,154 s.f.
Subtotal: 33,573 s.f.

Natorium: 9,652 s.f.

SEP 27 2006



1st floor
Community Center/Recreation Center

Community Center Recreation Center

GPA-16578 ZON-16580
SDR-16581 REVISED

10/19/06 PC

Total Building Area: 84,363 s.f.

1 Community & Recreation Center Floor Plans
SCALE: 1" = 20'-0"

REVISIONS

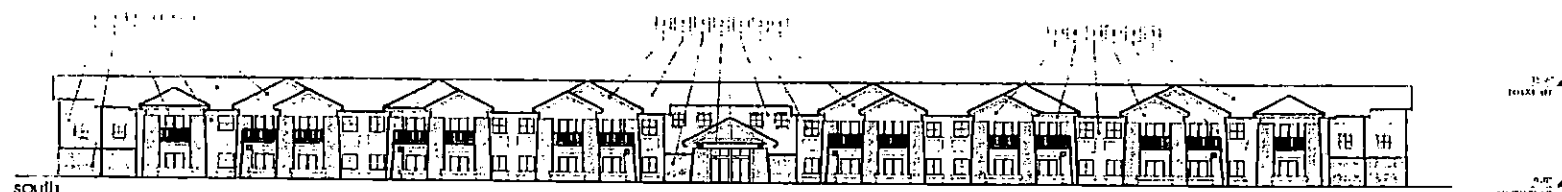
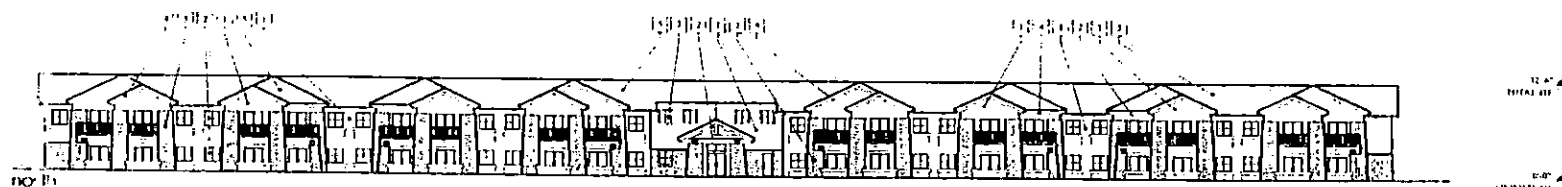
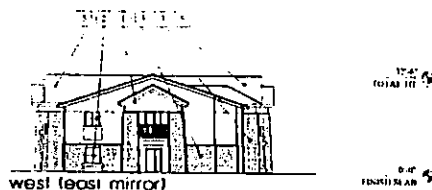
JOHN
DAVE
BURKE, ARCHITECT
1111 W. LAS VEGAS BLVD. #1111 LAS VEGAS, NV 89102

New Vista Community
Assisted Living Residential Units
Community & Recreation Center
City of Las Vegas Nevada

date: 10/19/06
proj. no.: 16578
dwg. by: JWB
chkd. by: JWB

sheet no.: A3

KEYNOTES	
#	description
1	SYNTHETIC STUCCO FINISH SYSTEM OF SHEETING AND 2X FRAMING
2	ALUMINUM STAFF FRONT DOOR OR WINDOW
3	CUT TILED STONE VENEER
4	STUCCO FASCIA
5	STANDING SEAM METAL ROOF
6	SIGNAGE



① EXTERIOR ELEVATIONS - assisted living apartments
SCALE 1" = 30'-0"

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

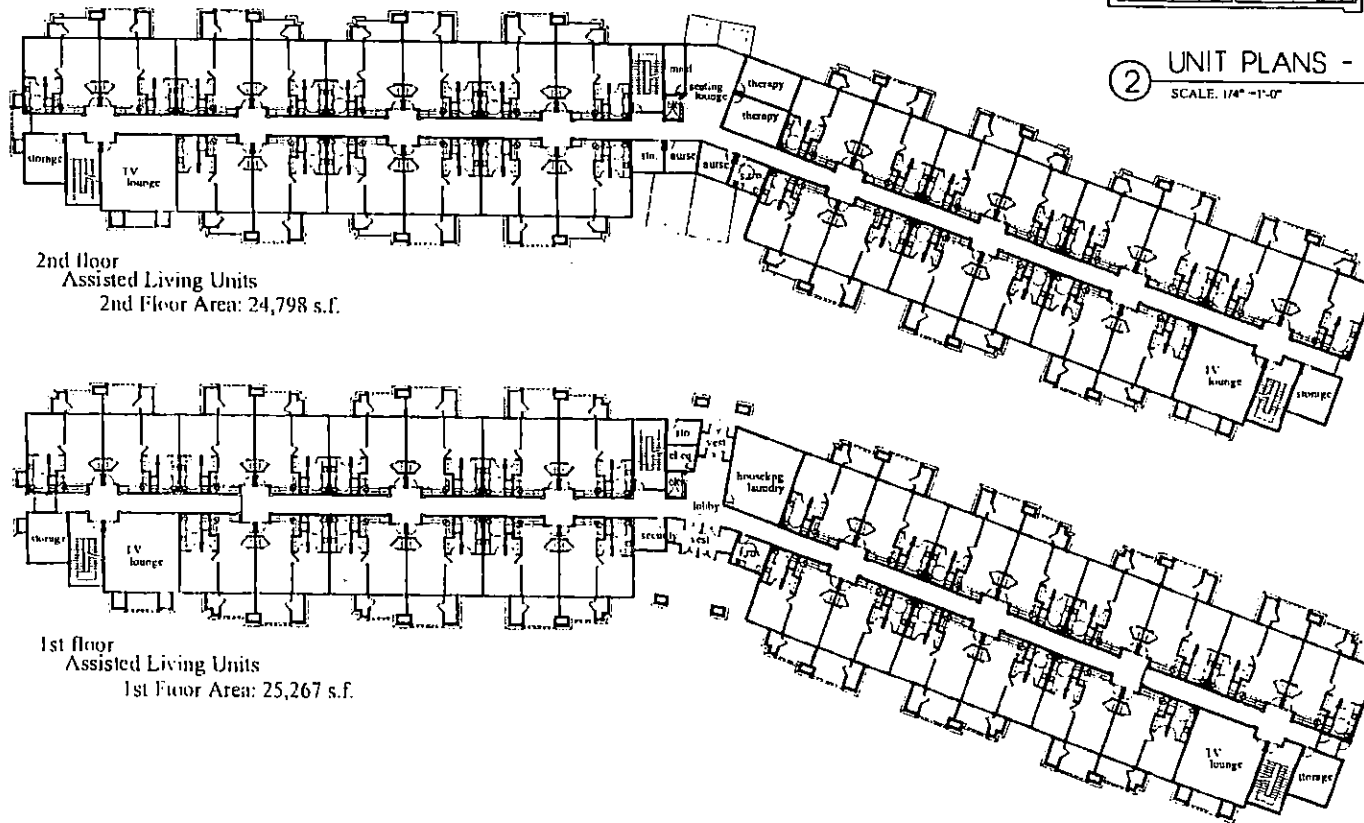


John
Ogden
Burke, architect

New Vista Community
Assisted Living Residential Units
Community & Recreational Center
City of Las Vegas

date
proj. no.
drawn by
checked by

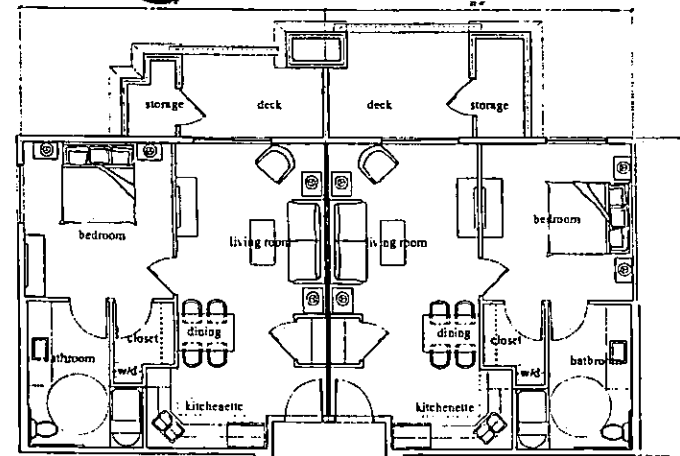
A4



① FLOOR PLANS - assisted living apartments

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

Total Building Area: 50,065 s.f.



② UNIT PLANS - assisted living

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

1 Bedroom Unit Area: 643 s.f.

RECEIVED
SEP 27 2003

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



REVISIONS

John
Dunne, architect

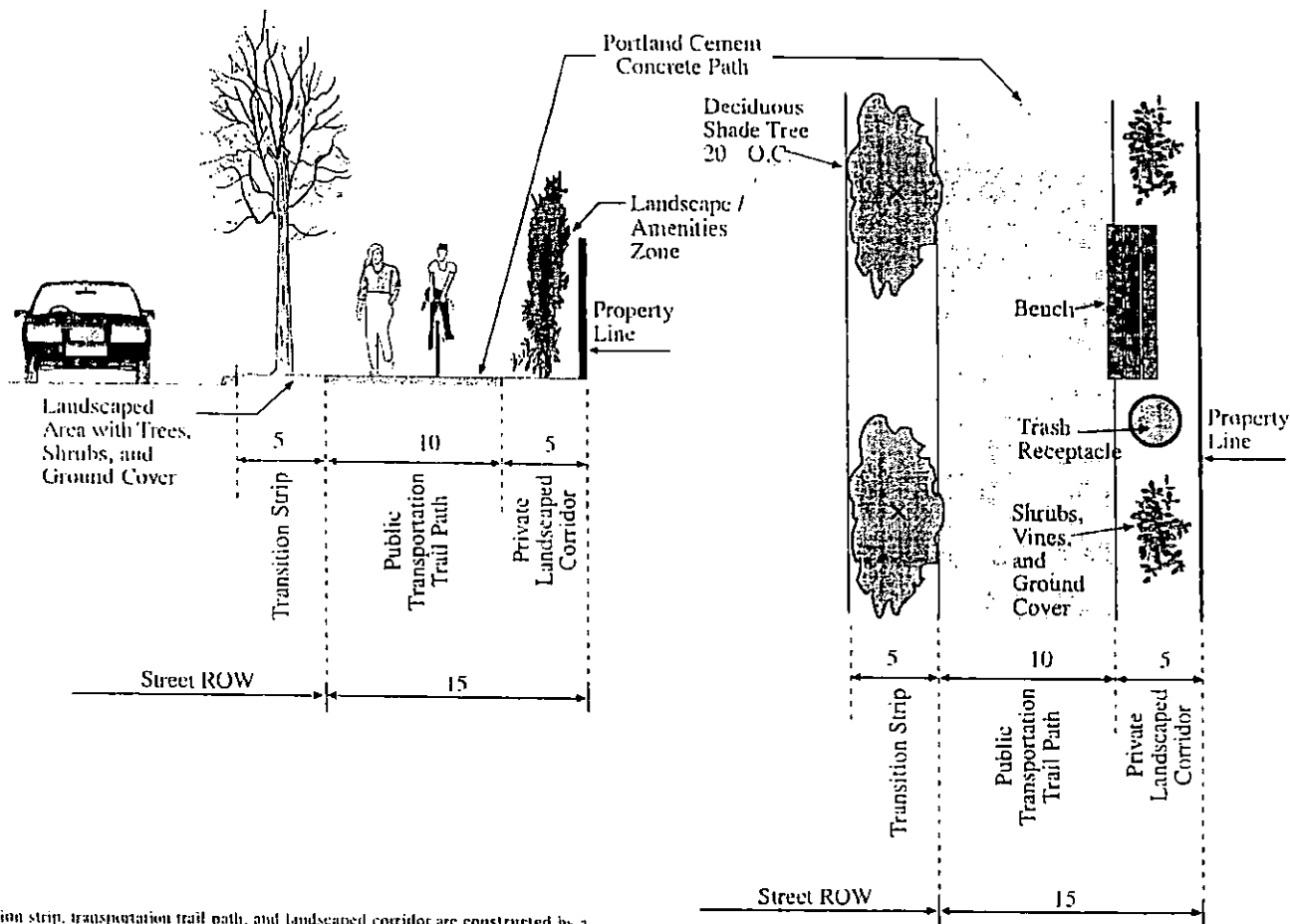
1000 W. EQUIPMENT BLVD. SUITE 100 LAS VEGAS, NV 89102

New Vista Community
Assisted Living Residential Unit
Community & Recreational Center
City of Las Vegas Nevada

sheet no. A5
date: 10/19/06
proj. no. 16581
drawn by
checked by

Exhibit I Multi-Use Transportation Trail

Adopted January 16, 2002



Notes:

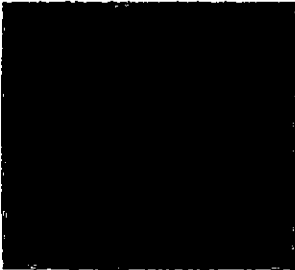
The transition strip, transportation trail path, and landscaped corridor are constructed by a developer. the landscaped corridor is established as a common lot and owned by an adjacent property owner or homeowners association; the transportation trail path is dedicated to the City; the transition strip, transportation trail path, and landscaped corridor are maintained by an adjacent maintenance or homeowners association.

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SEP 27 2006

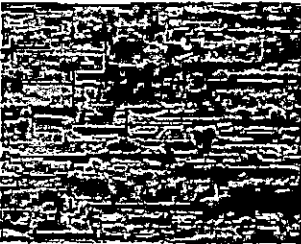
GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



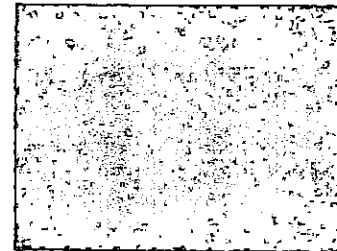
Berridge Standing Metal Seam Roof
Color: Hemlock Green



Paint Color:
'Frazee' Paint "8385D Brick Rose"



Split Faced CMU : Cultured Stone
Shale Pro-Ft Ledgesone (PF-8016)



Accents
'Frazee' - Custard

Storefront: White Kynar

Glass: Evergreen Tint

RECEIVED
SEP 27 2006

NEW VISTA COMMUNITY

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

September 5, 2006

**CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101**

**Re: Justification Letter – General Plan Amendment – DR to PCD
Zone Change – U to PD
Site Plan Development Review
Variance to reduce required parking**

**New Vista Community
Assisted Living Apartments
Community and Recreation Center
SW corner Rainbow and Grand Teton
Tax Assessor's Parcel No.: 125-15-501-002**

Overview

The plans and documents we are submitting today for your review depict proposed assisted living apartments (56 units) and a proposed community/recreation center. This is a 15.05 net acre, 17.81 gross acre site on the southwest corner of Rainbow Boulevard and Grand Teton Drive in the City of Las Vegas.

General Plan Amendment (DR to PCD) and Rezone (U to PD)

The is a request to amend the General Plan from DR (Desert Rural – 2 residential units per acre) to PCD (Planned Commercial District) and rezone from district U (Undeveloped) to PD (Planned Development). The range of uses being requested (see section 3.4 of the “Master Development Plan Document” for full description) requires the PD rezone and the PCD General Plan designation. The density of residential units being requested is 4.93 DUA.

Per the intent of the PD zoning district and PCD General Plan designation, the goals of this project are to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment, or to provide a single purpose or multi-use planned development. The General Plan Amendment of property to the PCD

GPA-16578

10/19/06 PC

designation and the PD zoning may be deemed appropriate if the development if the development proposed can accomplish one or more of the following goals:

1. **Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.**
2. **Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts.**
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4. **Promoting or allowing development to occur in accordance with a uniform set of standards, which reflect the specific circumstances of the site.**
5. **Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities.**
6. **Encouraging area sensitive site planning and design.**

Contribution to the health, safety and general welfare of the community and providing development, which is compatible with the City's goals and objectives

We believe these goals will be met by the proposed project as described in the "Master Development Plan Document".

Site Plan Development Review

The documents submitted depict a one and two story residential project with community and recreational facilities. All of the buildings are designed with consistent "Western" detail –

1.	Exterior Walls:	Stucco, Stone veneer, Painted concrete tilt-up walls, Split face masonry
2.	Glazing:	Green reflective/tinted glass
3.	Roofing:	Existing sloped roofs are to remain as is New sloped roofs to be concrete tile New flat roof are to be built-up roofing

**GPA-16578
10/19/06 PC**

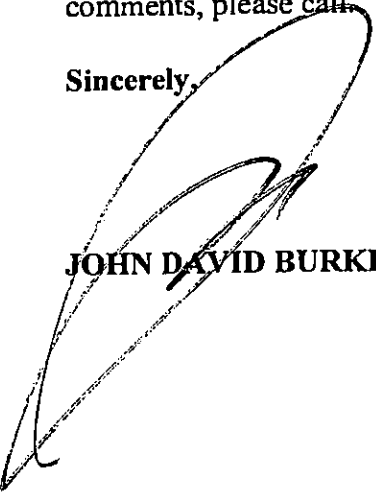
Page 3 of 3

All setbacks and design criteria are further described in the "Master Development Plan Document". There will be approximately half of the site fully landscaped with a desert tolerant plant palette. The project presents an attractive, consistent residential style that is appropriate to the neighborhood.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,



JOHN DAVID BURKE, ARCHITECT

**GPA-16578
10/19/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-16580 - REZONING RELATED TO GPA-16578 - PUBLIC HEARING - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW VISTA RANCH, INC. - Request for a Rezoning FROM: U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) on 15.05 acres at 7875 North Rainbow Boulevard (APN 125-15-501-002), Ward 6 (Ross).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Supporting Documentation
4. Justification Letter

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

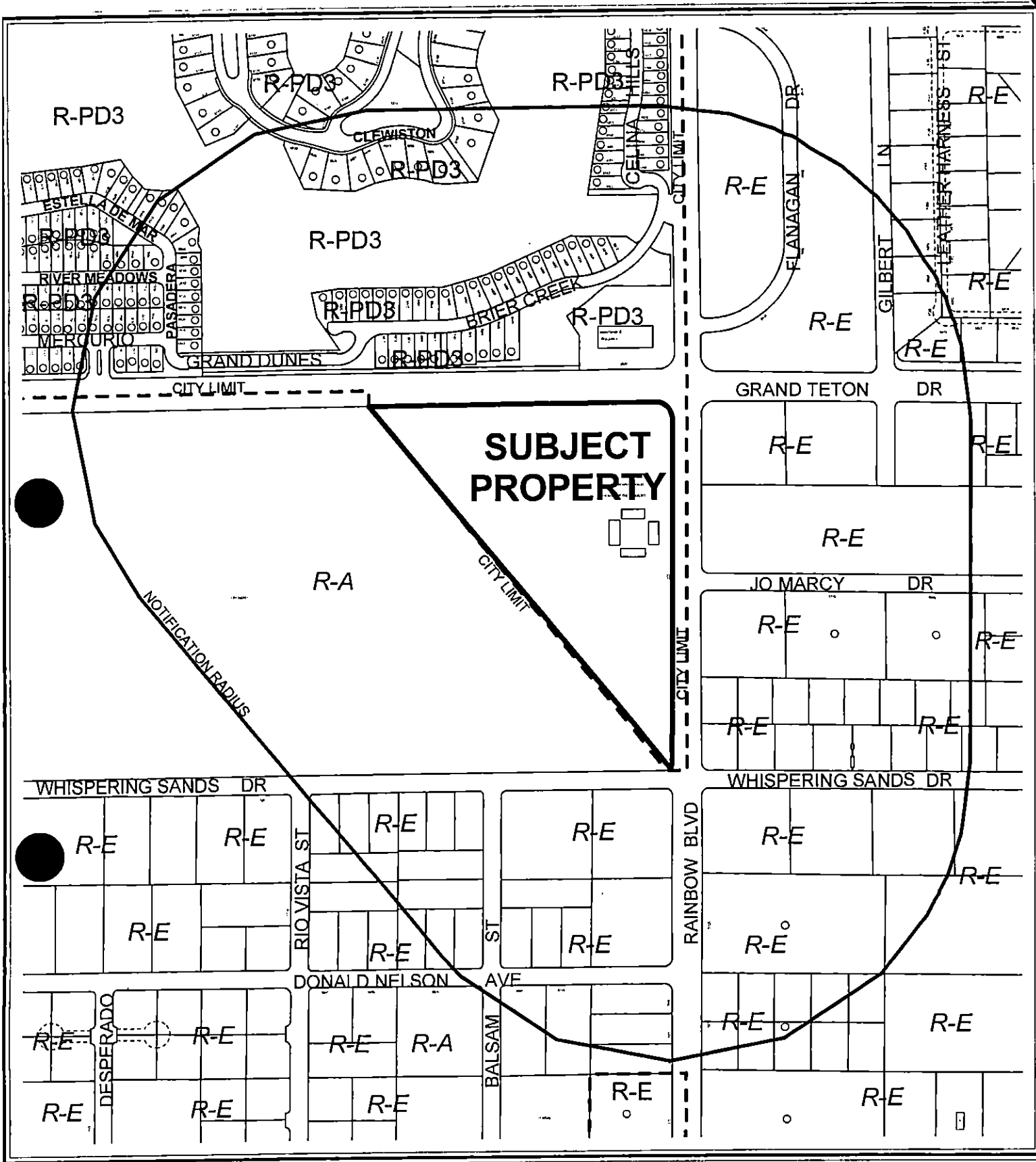
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 47 – ZON-16580

MINUTES:

JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the plans for Item 46 [GPA-16578], Item 47 [ZON-16580] and Item 48 [SDR-16581] and asked that the items be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: **ZON-16580**

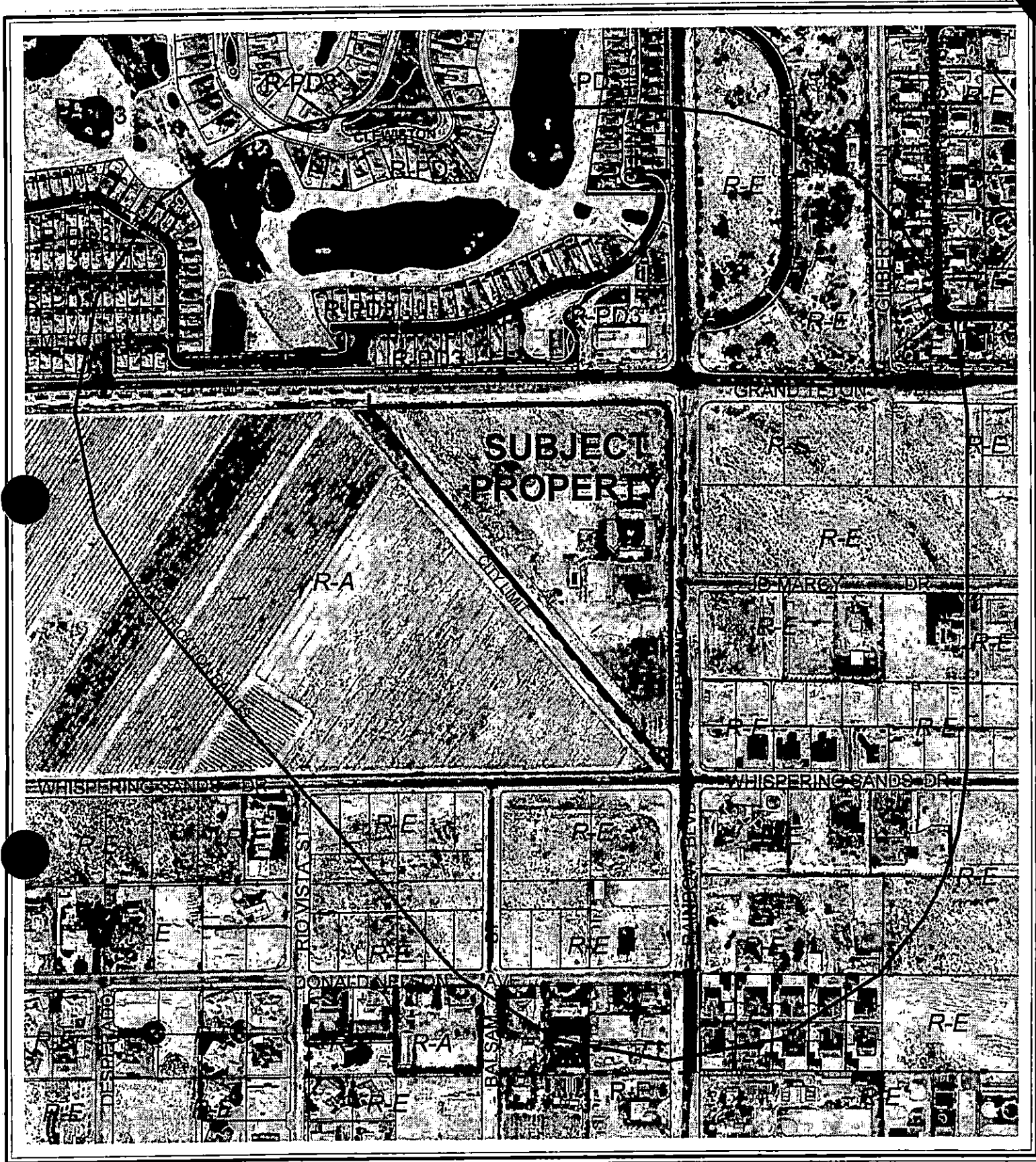
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-C (PLANNED COMMUNITY)



CASE: ZON-16580

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-C (PLANNED COMMUNITY)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16580 - APPLICANT: JOHN DAVID BURKE ARCHITECT
- OWNER: NEW VISTA RANCH, INC.

***APPLICANT REQUESTS THIS ITEM BE HELD
IN ABEYANCE TO THE NOVEMBER 16, 2006
PLANNING COMMISSION MEETING***

KUMMER

KAEMPFER

KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

TABITHA F. KEETCH

tkeetch@kkbmf.com
702.792.7051

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel. 702.792.7000
Fax: 702.798.7181

RENO OFFICE
8888 Kietzko Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 158
Las Vegas, NV 89128
Tel. 702.693.0280
Fax: 782.939.6457

October 6, 2006

VIA FACSIMILE 385-7268

John Korkosz
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: Request for Hold – New Vista Ranch
GPA-16578; ZON-16580; SDR-16581**

Dear John:

Please be advised this office represents the applicant in the above referenced matter. We respectfully request this matter be continued for a period of thirty days from the presently scheduled City of Las Vegas Planning Commission hearing of Thursday, October 19, 2006, until Thursday, November 16, 2006.

Thank you for your kind consideration of this request. Please contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Tabitha F. Keetch

TFK/ljsj

cc: Nathan Goldberg







PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16580** APN: 125-15-501-002
Name of Property Owner: NEW VISTA RANCH, INC.
Name of Applicant: JOHN DAVID BURKE ARCHITECT

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?

X 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: SAMUEL DUNNAN, PLANNING COMMISSIONER

Partner(s): JOHN DAVID BURKE, BAAD INVESTMENTS, LLC

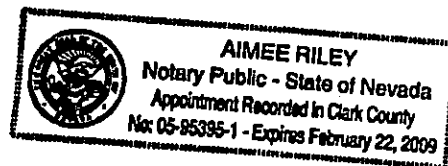
APN: 162-32-202-009

Signature of Property Owner: JOHN DAVID BURKE, MANAGING PARTNER
Print Name: BAAD INVESTMENTS, LLC

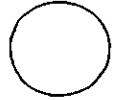
Subscribed and sworn before me

This 6th day of September, 2006

Aimee Riley
Notary Public in and for said County and State

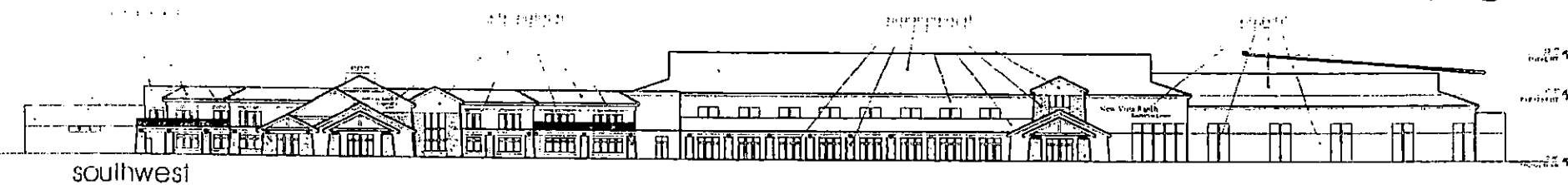
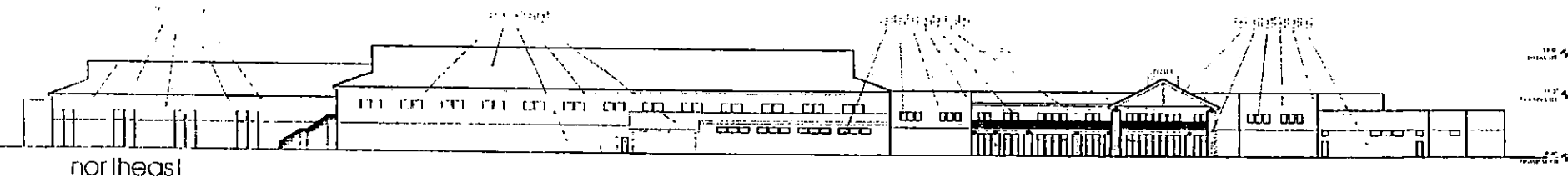


KEYNOTES	
#	description
1	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
2	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
3	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
4	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
5	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
6	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
7	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
8	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
9	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"
10	SEE PLAN FOR STUDY OF BUILDING EXTERIOR AT SCALE 1/8" = 1'-0"



revisions:
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10

jon
 adair
 burke
 architect
 1411 W. JEFFERSON ROAD, SUITE 100, LAS VEGAS, NV 89102



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 OCT 17 2006

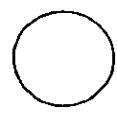
New Vista Community
 Assisted Living Residential Units
 Community & Recreational Center
 City of Las Vegas Nevada

date: 10/19/06
 proj. no.: 16578
 drawn by: [signature]
 checked by: [signature]

1 ELEVATIONS
 SCALE: 1" = 20'-0"

GPA-16578 ZON-16580
 SDR-16581 REVISED
 10/19/06 PC

sheet no. A2



1" = 20'-0"

REVISIONS
K K K K

JOHN ADAM BURKE, ARCHITECT
101 W. LINCOLN BLVD. 4TH FLOOR LAS VEGAS, NV 89104

SEP 27 2003

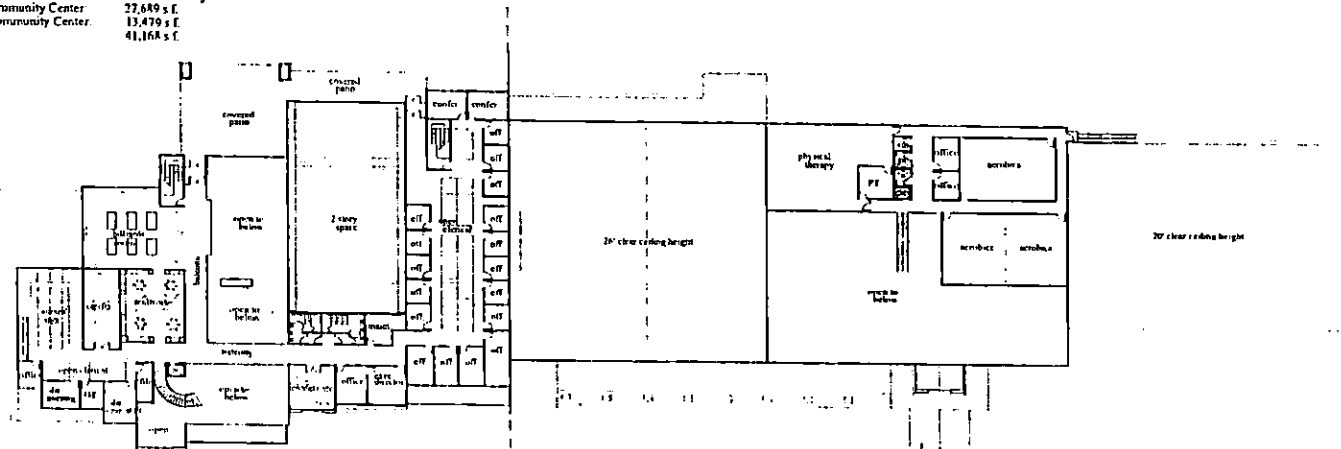
New Vista Community
Assisted Living Residential Unit
Community & Recreational Center
City of Las Vegas Nevada

date: 10/19/06
proj. no.: 16578
drawn by: [signature]
chkd. by: [signature]

sheet no.: A3

Community Center Area Summary

1st Floor Community Center 27,649 s.f.
2nd Floor Community Center 13,479 s.f.
Subtotal 41,168 s.f.



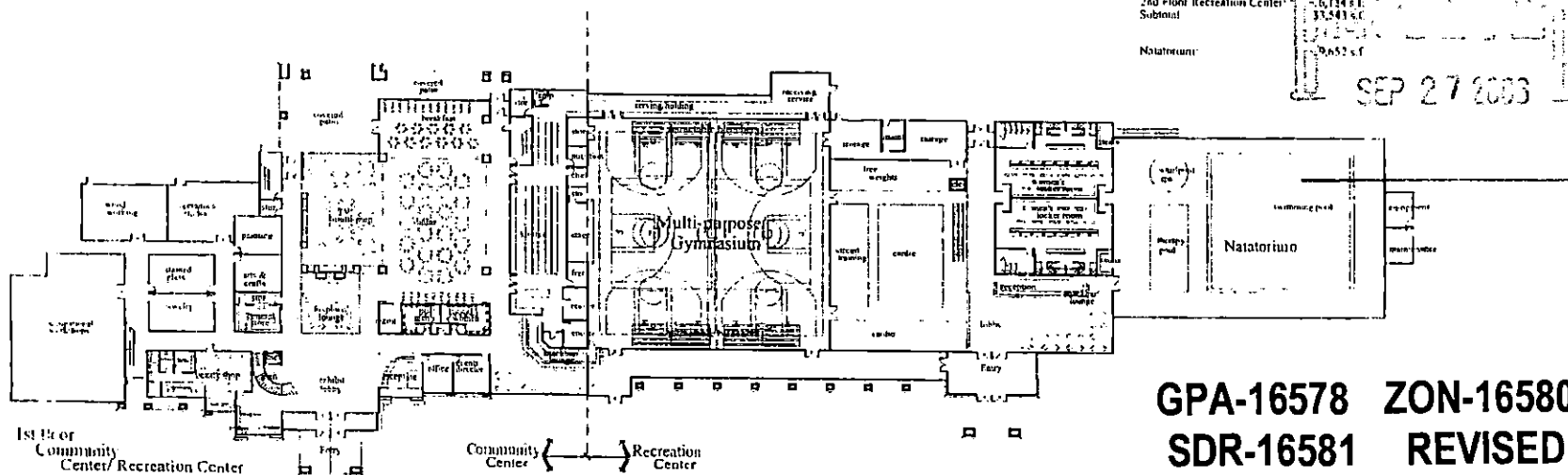
2nd floor Community Center/Recreation Center

Community Center Recreation Center

Recreation Center Area Summary

1st Floor Recreation Center 27,419 s.f.
2nd Floor Recreation Center 6,134 s.f.
Subtotal 33,553 s.f.

Natatorium 9,652 s.f.



1st floor Community Center/Recreation Center

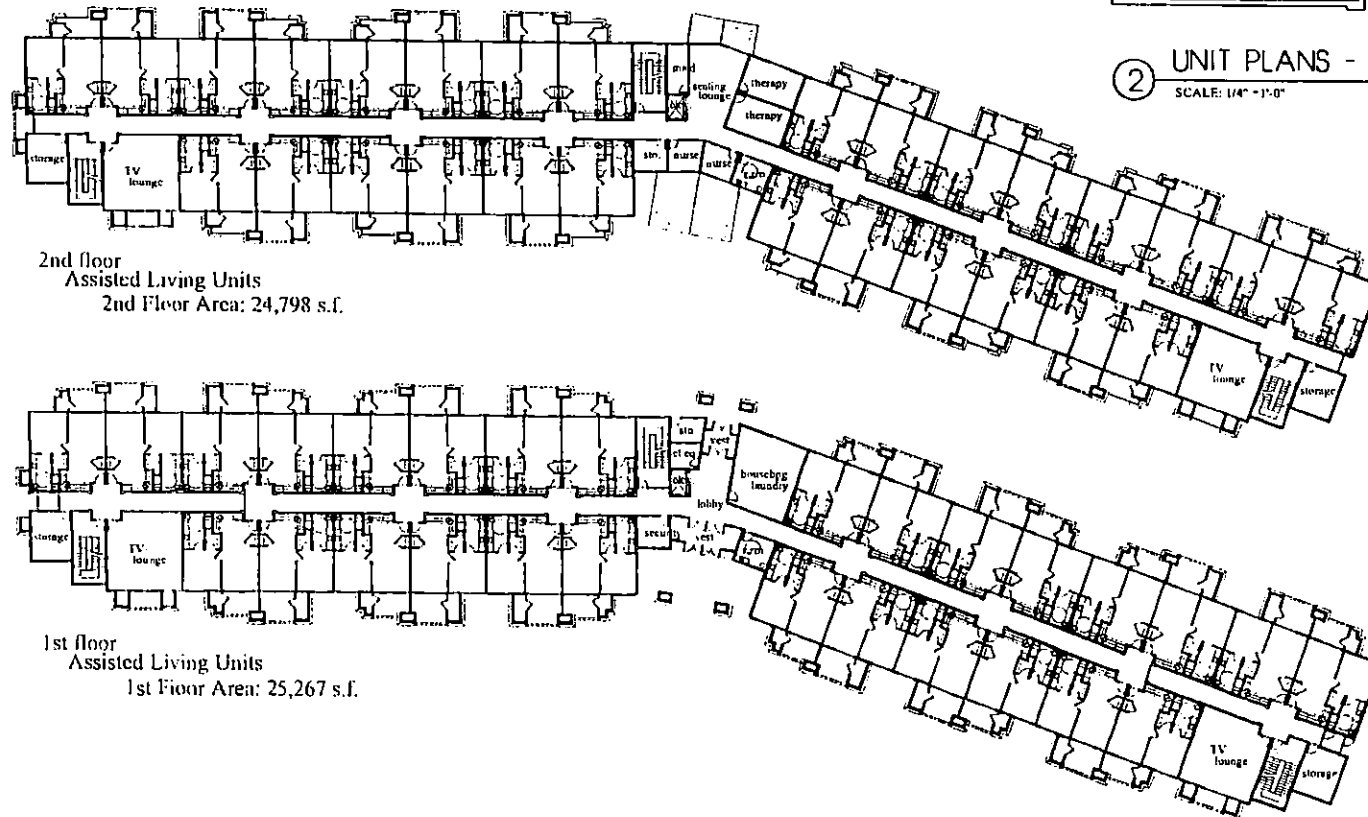
Community Center Recreation Center

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

Total Building Area: 84,363 s.f.

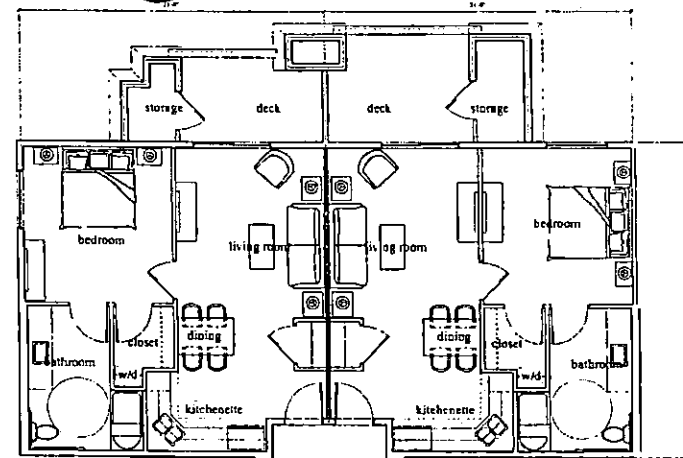
1 Community & Recreation Center Floor Plans
SCALE: 1" = 20'-0"





① FLOOR PLANS - assisted living apartments
SCALE 1/16" = 1'-0"

Total Building Area: 50,065 s.f.



1 Bedroom Unit Area: 643 s.f.

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



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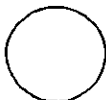
JOHN
DAVE
DUNCAN
architect
1415 W. HIGHLAND BLVD. SUITE 100 LAS VEGAS, NV 89102-1001

NEW VISTA COMMUNITY
ASSISTED LIVING RESIDENTIAL UNIT
COMMUNITY & RECREATIONAL CENTER

City of Las Vegas
No ada

date: 10/19/06
proj. no.: 16581
drawn by: A5
chkd. by:

KEYNOTES	
#	description
1	SYNTHETIC STEEL FINISH SYSTEM OF SHEETING AND 2X FRAMING
2	ALUMINUM STORM/PRIVACY DOOR OR WINDOW
3	CUT RED STONE VENEER
4	STUCCO FASCIA
5	STANDING SEAM METAL ROOF
6	SIGNAGE



revisions

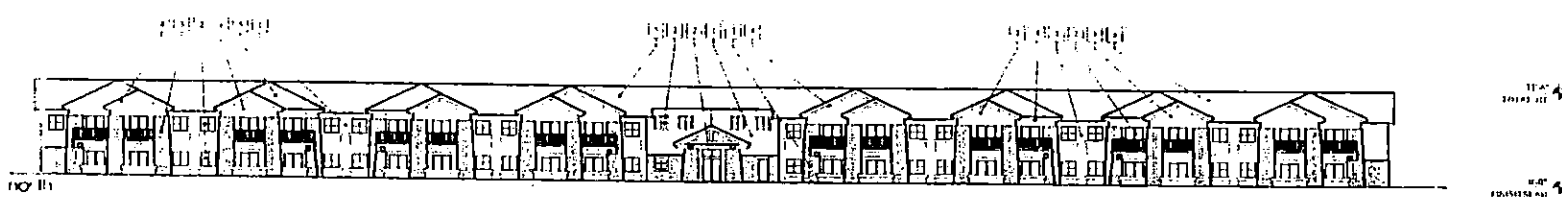
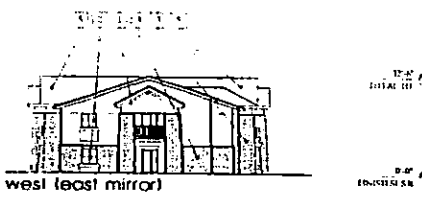
jon
danielle
durke, architect

1111 W. 10TH STREET, SUITE 100, LAS VEGAS, NV 89102

New Vista Community
Assisted Living Building
Community & Recreational Center
City of Las Vegas Nevada

date
proj. no.
drawn by
checked by

A4



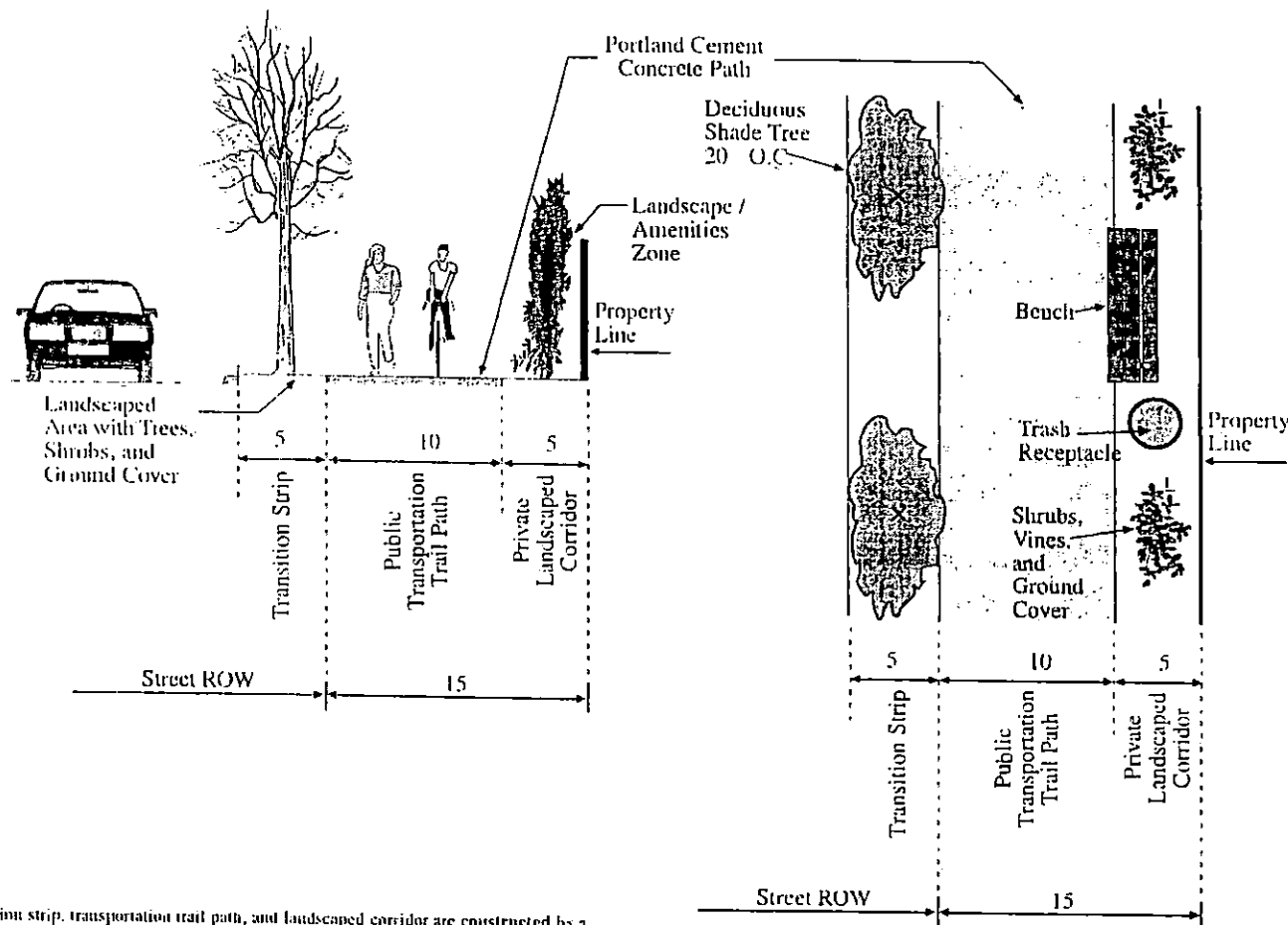
1 EXTERIOR ELEVATIONS - assisted living apartments
SCALE 1" = 16'-0"

RECEIVED
SEP 27 2006

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

Exhibit I Multi-Use Transportation Trail

Adopted January 16, 2002



Notes:

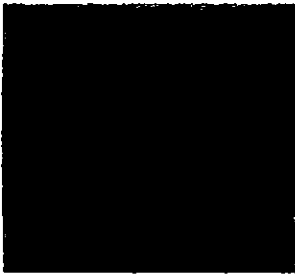
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SEP 27 2006

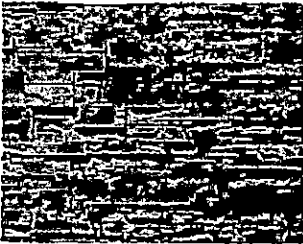
GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



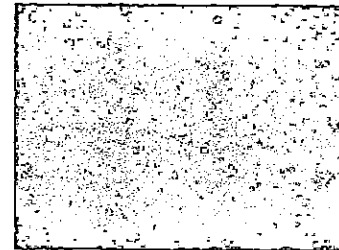
Berridge Standing Metal Seam Roof
Color: Hemlock Green



Paint Color:
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Shale Pro-Ft Ledgesone (PF-8016)



Accents
'Frazee' - Custard

Storefront: White Kynar

Glass: Evergreen Tint

RECEIVED
SEP 27 2006

NEW VISTA COMMUNITY

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

September 5, 2006

**CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT**
731 South Fourth Street
Las Vegas, Nevada 89101

**Re: Justification Letter – General Plan Amendment – DR to PCD
Zone Change – U to PD
Site Plan Development Review
Variance to reduce required parking**

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Assisted Living Apartments
Community and Recreation Center
SW corner Rainbow and Grand Teton
Tax Assessor's Parcel No.: 125-15-501-002**

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**ZON-16580
10/19/06 PC**

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**ZON-16580
10/19/06 PC**

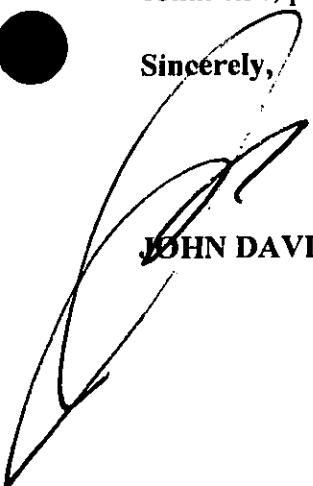
Page 3 of 3

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We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,



JOHN DAVID BURKE, ARCHITECT

ZON-16580
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-16581 - SITE DEVELOPMENT REVIEW RELATED TO GPA-16578 AND ZON-16580 - PUBLIC HEARING - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW VISTA RANCH, INC. - Request for a Site Development Review FOR A PROPOSED TWO-STORY, 56-UNIT ASSISTED LIVING APARTMENT DEVELOPMENT WITH A 43,283 SQUARE-FOOT COMMERCIAL AMUSEMENT/RECREATION (INDOOR) FACILITY, 3,024 SQUARE FEET OF MEDICAL OFFICE SPACE, AND 1,382 SQUARE FEET OF RETAIL SPACE on 15.05 acres at 7875 North Rainbow Boulevard (APN 125-15-501-002), U (Undeveloped) Zone [DR (Desert Rural Density Residential) Master Plan Designation] [PROPOSED: PCD (Planned Community Development) General Plan Designation] [PROPOSED: PD (Planned Development) Zone] Ward 6 (Ross).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions (Not Applicable) and Staff Report (Not Applicable)
3. Supporting Documentation
4. Justification Letter

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 48 – SDR-16581

MOTION - Continued:

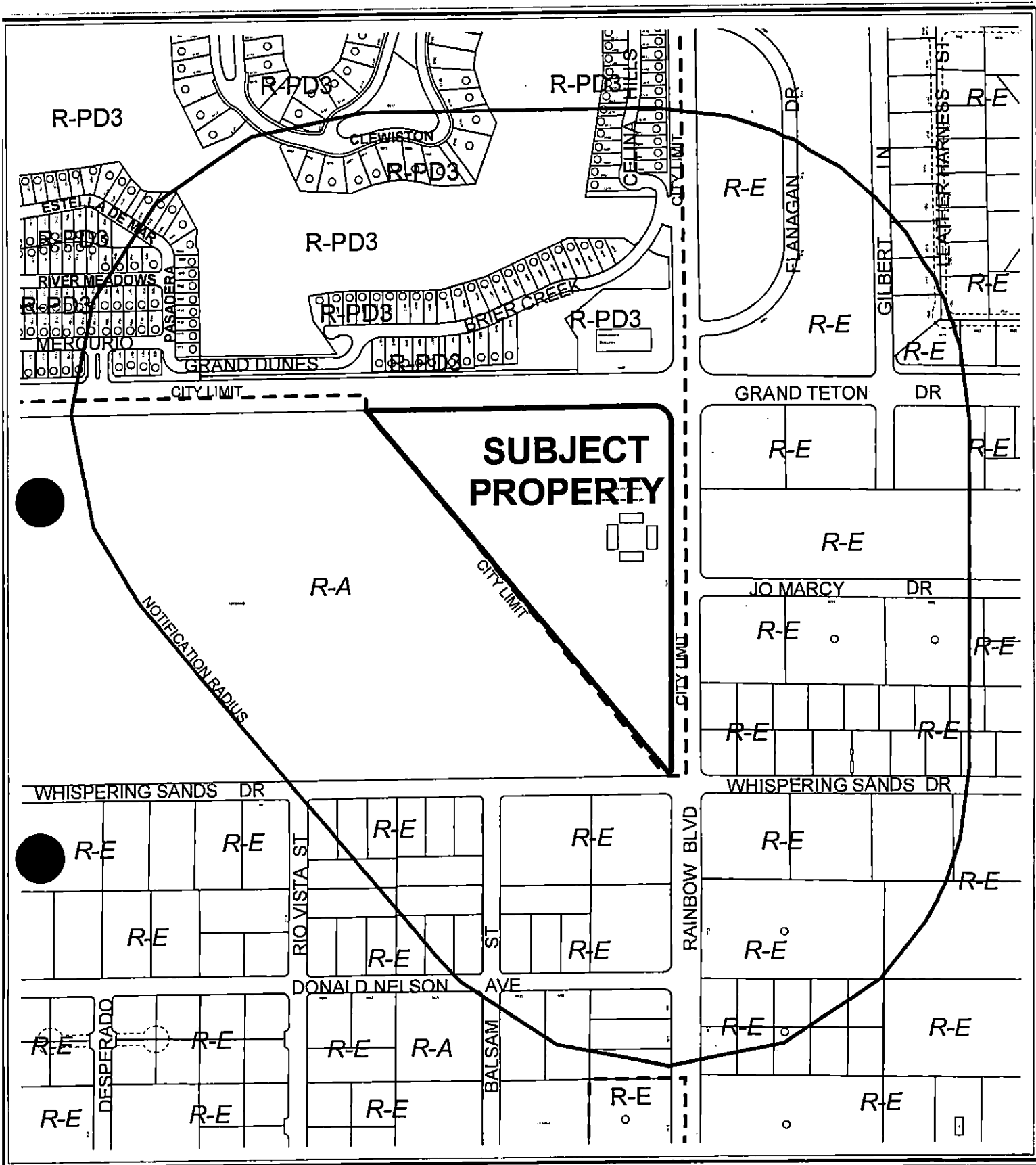
Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, pointed out that the applicant is revising the plans for Item 46 [GPA-16578], Item 47 [ZON-16580] and Item 48 [SDR-16581] and asked that the items be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: SDR-16581

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-C (PLANNED COMMUNITY)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16581 - APPLICANT: JOHN DAVID BURKE ARCHITECT
- OWNER: NEW VISTA RANCH, INC.

***APPLICANT REQUESTS THIS ITEM BE HELD
IN ABEYANCE TO THE NOVEMBER 16, 2006
PLANNING COMMISSION MEETING***

KUMMER**KAEMPFFER****KUMMER KAEMPFFER BONNER
RENSHAW & FERRARIO****ATTORNEYS AT LAW**

LAS VEGAS OFFICE

TABITHA F. KEETCHtkeetch@kkb7.com
702.792.7051LAS VEGAS OFFICE
3600 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel. 702.782.7000
Fax. 702.798.7181RENO OFFICE
5555 Klotzka Lane
Reno, NV 89511
Tel. 775.852.3900
Fax. 775.852.3982SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89128
Tel. 702.693.4280
Fax. 702.939.8457

October 6, 2006

VIA FACSIMILE 385-7268John Korkosz
CITY OF LAS VEGAS PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101**Re: Request for Hold – New Vista Ranch
GPA-16578; ZON-16580; SDR-16581**

Dear John:

Please be advised this office represents the applicant in the above referenced matter. We respectfully request this matter be continued for a period of thirty days from the presently scheduled City of Las Vegas Planning Commission hearing of Thursday, October 19, 2006, until Thursday, November 16, 2006.

Thank you for your kind consideration of this request. Please contact me should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFFER BONNER RENSHAW & FERRARIO



Tabitha F. Keetch

TFK/lcj

cc: Nathan Goldberg







PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16581** APN: 125-15-501-002
Name of Property Owner: NEW VISTA RANCH, INC.
Name of Applicant: JOHN DAVID BURKE ARCHITECT

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?

X 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: SAMUEL DUNNAN, PLANNING COMMISSIONER

Partner(s): JOHN DAVID BURKE, EAD INVESTMENTS, LLC

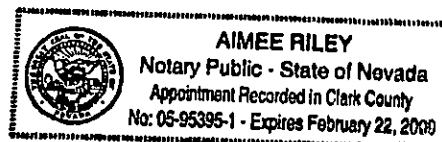
APN: 162-32-202-009

Signature of Property Owner: JOHN DAVID BURKE, MANAGING PARTNER
Print Name: EAD INVESTMENTS, LLC

Subscribed and sworn before me

This 6th day of September, 2006

Aimee Riley
Notary Public in and for said County and State





NOTE: UNLESS NOTED OTHERWISE - ALL REMAINING AREAS TO BE 1' TO 1" RIVER ROCK.

PROJECT DATA	
EXISTING ZONING	CP DIST ZONING
REQUIRED ZONING	CP LFD ZONING
EXISTING USE	RESIDENTIAL HOUSING
PROMISED USE	ASSISTED LIVING COMMUNITY RECREATIONAL CENTER
AREA SUMMARY:	
	AREA
1 STORY BENTON CITIZEN APT	50,063 SF
RESIDENTIAL HOUSING	8,120 SF
COMMUNITY REC CENTER	24,554 SF
TOTAL BUILDING AREA	82,737 SF

100

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

revisions

JOHN
DAVID
BURKE, arrested

New Vista Community
Assisted Living Residential Units/
Community & Recreational Center

date	DATE
proj. no.	PROJ. NO.
drawn by	
checked by	

sheet no.	A1

KEYNOTES

#	description
1	SYSTEM OF PROTECTION SYSTEM (FIRE, FLOOD, AND BURGLAR)
2	ALUMINUM STAIRCASES (FIRE AND BURGLAR)
3	GLASS DOOR SYSTEMS
4	GLASS WALL SYSTEMS
5	GLASS PARTITION SYSTEMS
6	GLASS CURTAIN WALL SYSTEMS
7	GLASS ROOF SYSTEMS
8	GLASS FLOOR SYSTEMS
9	GLASS CEILING SYSTEMS
10	GLASS ELEVATOR SYSTEMS
11	GLASS STAIRCASE SYSTEMS
12	GLASS STAIRCASE SYSTEMS
13	GLASS STAIRCASE SYSTEMS
14	GLASS STAIRCASE SYSTEMS
15	GLASS STAIRCASE SYSTEMS
16	GLASS STAIRCASE SYSTEMS
17	GLASS STAIRCASE SYSTEMS
18	GLASS STAIRCASE SYSTEMS
19	GLASS STAIRCASE SYSTEMS
20	GLASS STAIRCASE SYSTEMS

REVISIONS

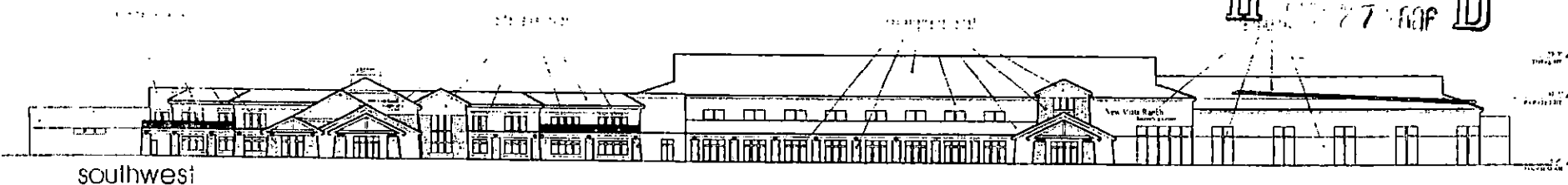
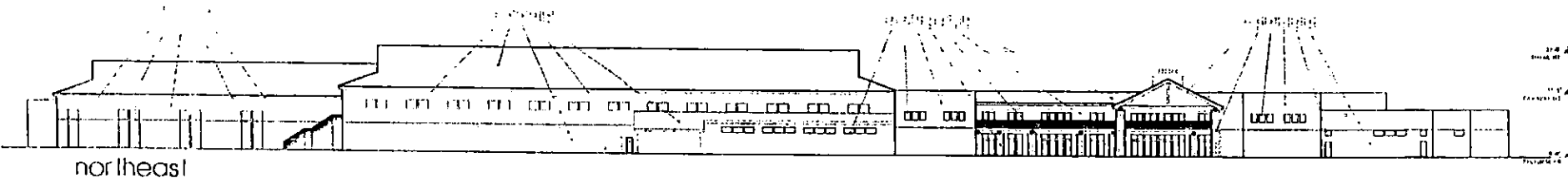
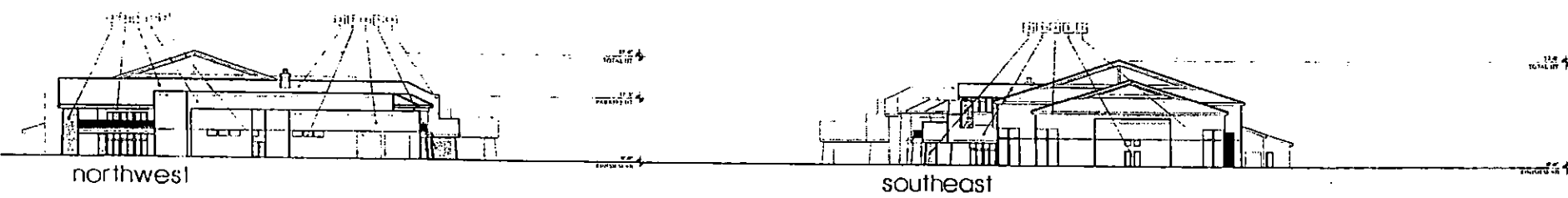
JOHN ADAM DURKE ARCHITECT

101 W. HIGHTWOOD ROAD, LAS VEGAS, NV 89102-1000

New Vista Community
Assisted Living Residential Units
Community & Recreational Center
Las Vegas, Nevada

date: 10/19/06
proj. no.: 16578
drawn by: SDR
checked by: A2

steel no.:
A2

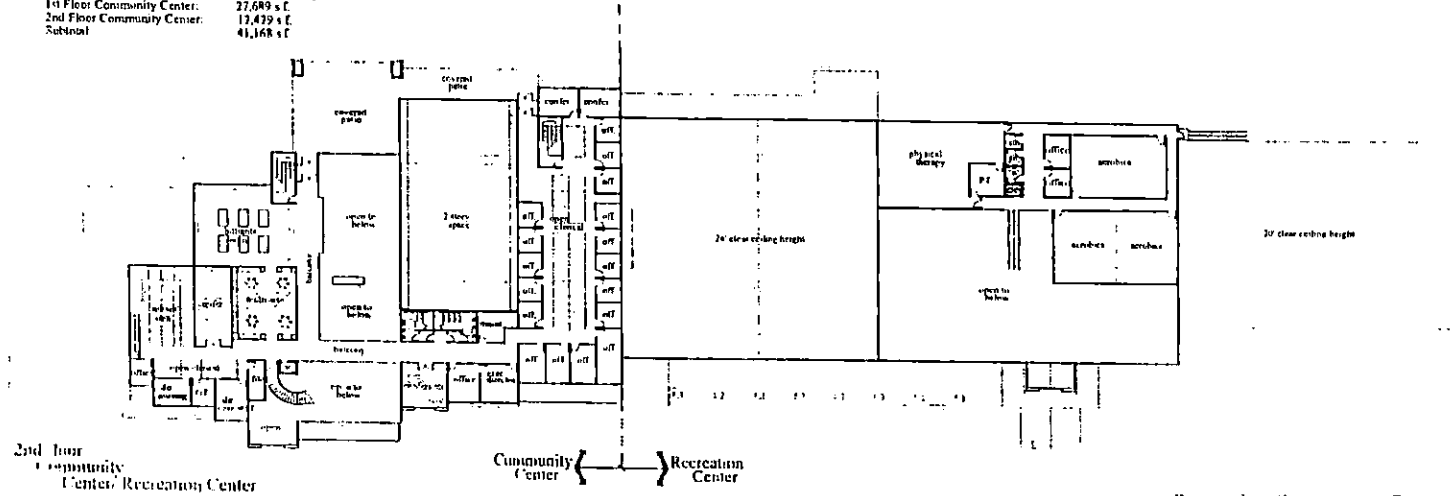


1 ELEVATIONS
SCALE: 1" = 20'-0"

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

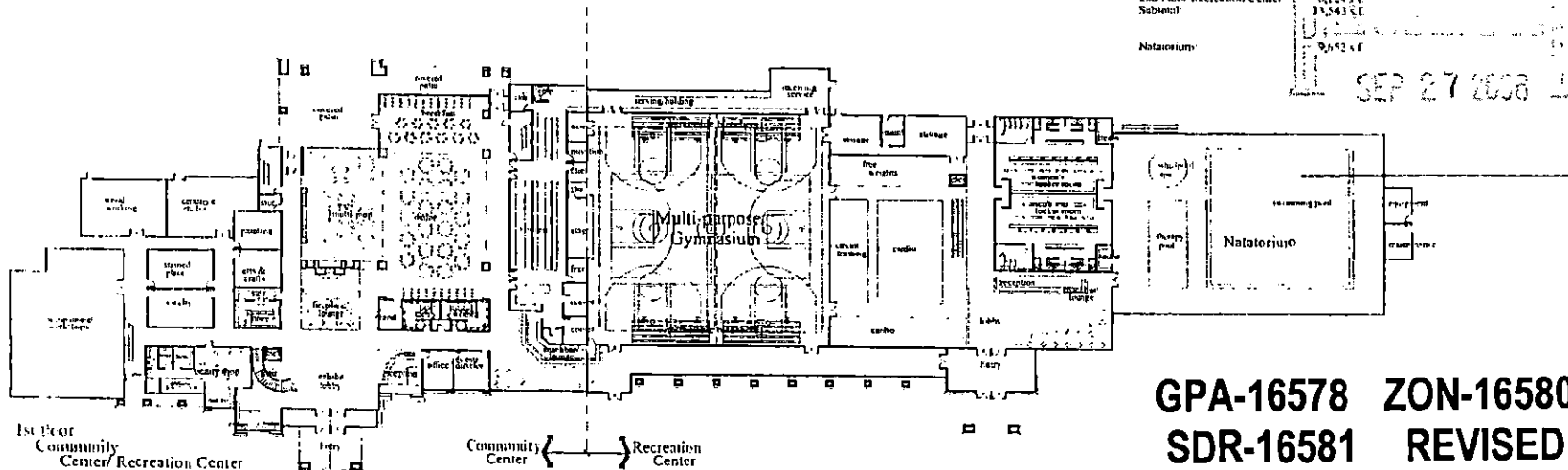
Community Center Area Summary

1st Floor Community Center: 27,689 s.f.
2nd Floor Community Center: 12,439 s.f.
Subtotal: 40,128 s.f.



Recreation Center Area Summary

1st Floor Recreation Center: 27,410 s.f.
2nd Floor Recreation Center: 6,124 s.f.
Subtotal: 33,534 s.f.
Natorium: 9,542 s.f.



GPA-16578 ZON-16580
SDR-16581 REVISED

10/19/06 PC

Total Building Area: 80,363 s.f.

① Community & Recreation Center Floor Plans
SCALE: 1" = 20'-0"

revisions
AKK

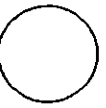
jon
cole
burke, architect
101 W. LAGUNA ROAD, SUITE 100, LAGUNA BEACH, CA 92653-1000

New Vista Community
Assisted Living Residential Units
Community & Recreation Center
Las Vegas, Nevada

date: 10/19/06
proj. no.: 16581
drawn by: [signature]
checked by: [signature]

sheet no.: A3

KEYNOTES	
#	description
1	SYNTHETIC STUCCO FINISH SYSTEM (SHEATHING AND 1X FRAMING)
2	ALUMINUM STUCCOED-TOE DOOR OR WINDOW
3	CLIFF RED STONE VENEER
4	STUCCO FASCIA
5	STANDING SEAM METAL ROOF
6	SIGNAGE



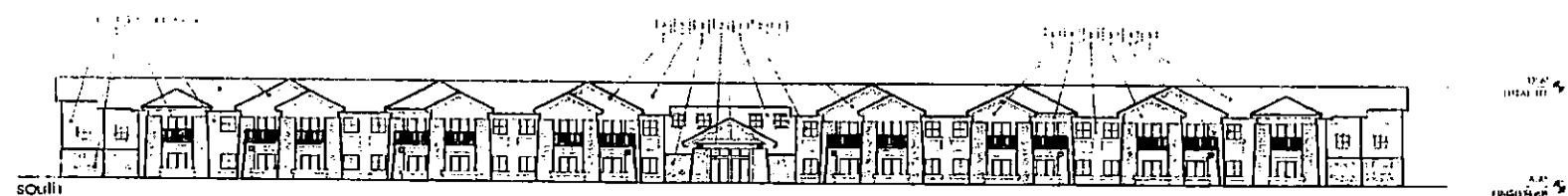
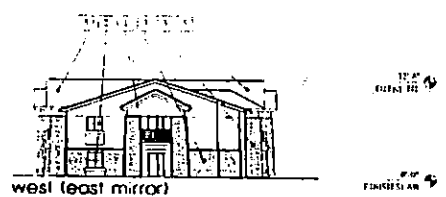
revisions
A A A

jon
oqui
burtc. architec
371 W. HIGHWAY 100, SUITE 100, LAS VEGAS, NV 89101

New Vista Community
Assisted Living Residential Units
Community & Recreational Center
City of Las Vegas

date
proj. no.
drawn by
chkd. by

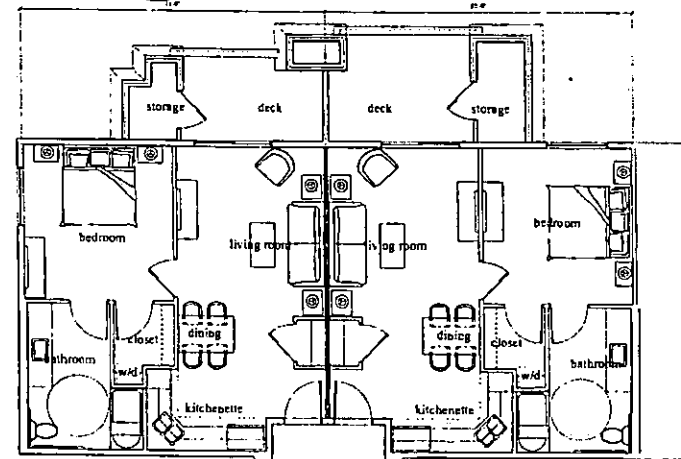
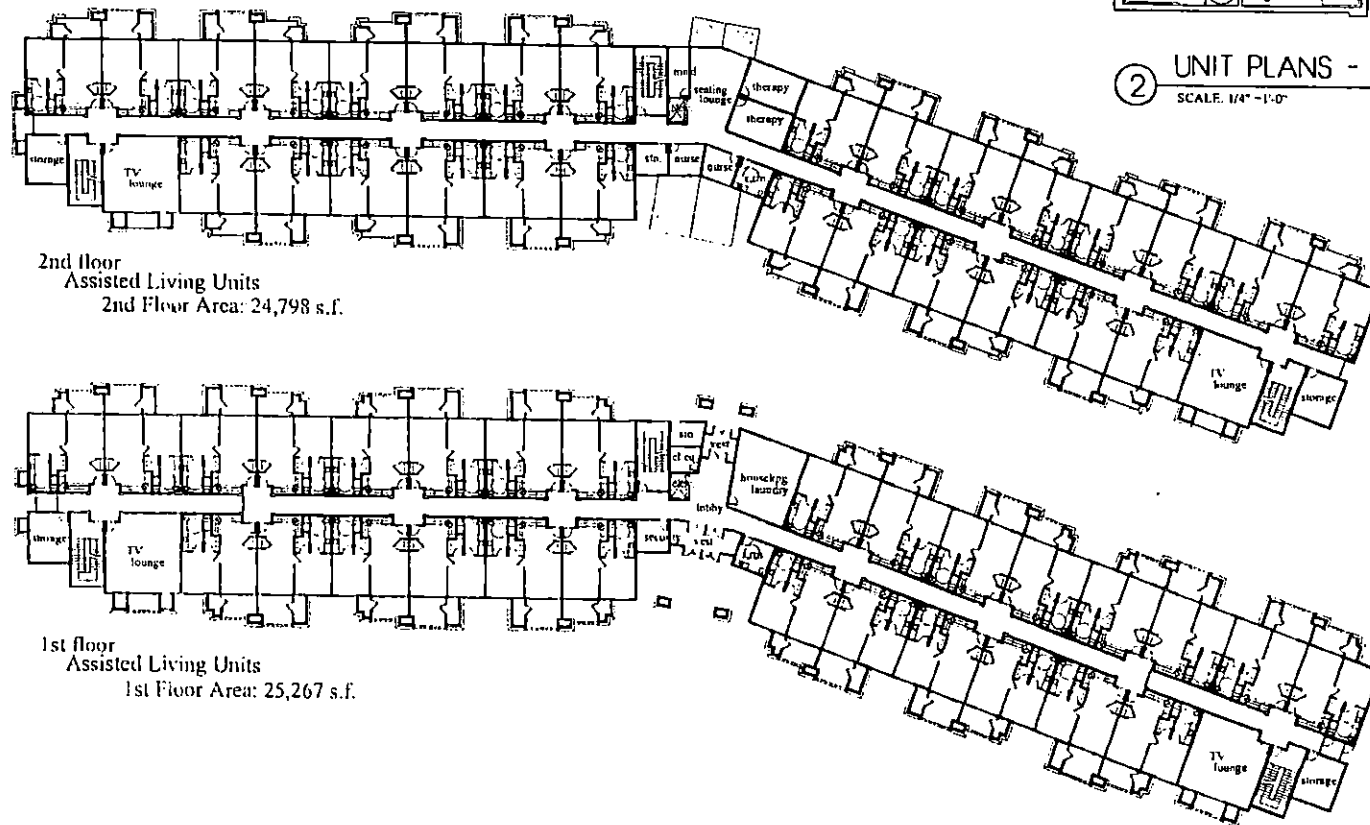
A4



RECEIVED
SEP 27 2006

1 EXTERIOR ELEVATIONS - assisted living apartments
SCALE 1/8" = 1'-0"

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



② UNIT PLANS - assisted living
SCALE: 1/4" = 1'-0"
1 Bedroom Unit Area: 643 s.f.

① FLOOR PLANS - assisted living apartments
SCALE: 1/16" = 1'-0"

Total Building Area: 50,065 s.f.

GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

REVISIONS

JOHN
DAVE
BUTTE, ARCHITECT

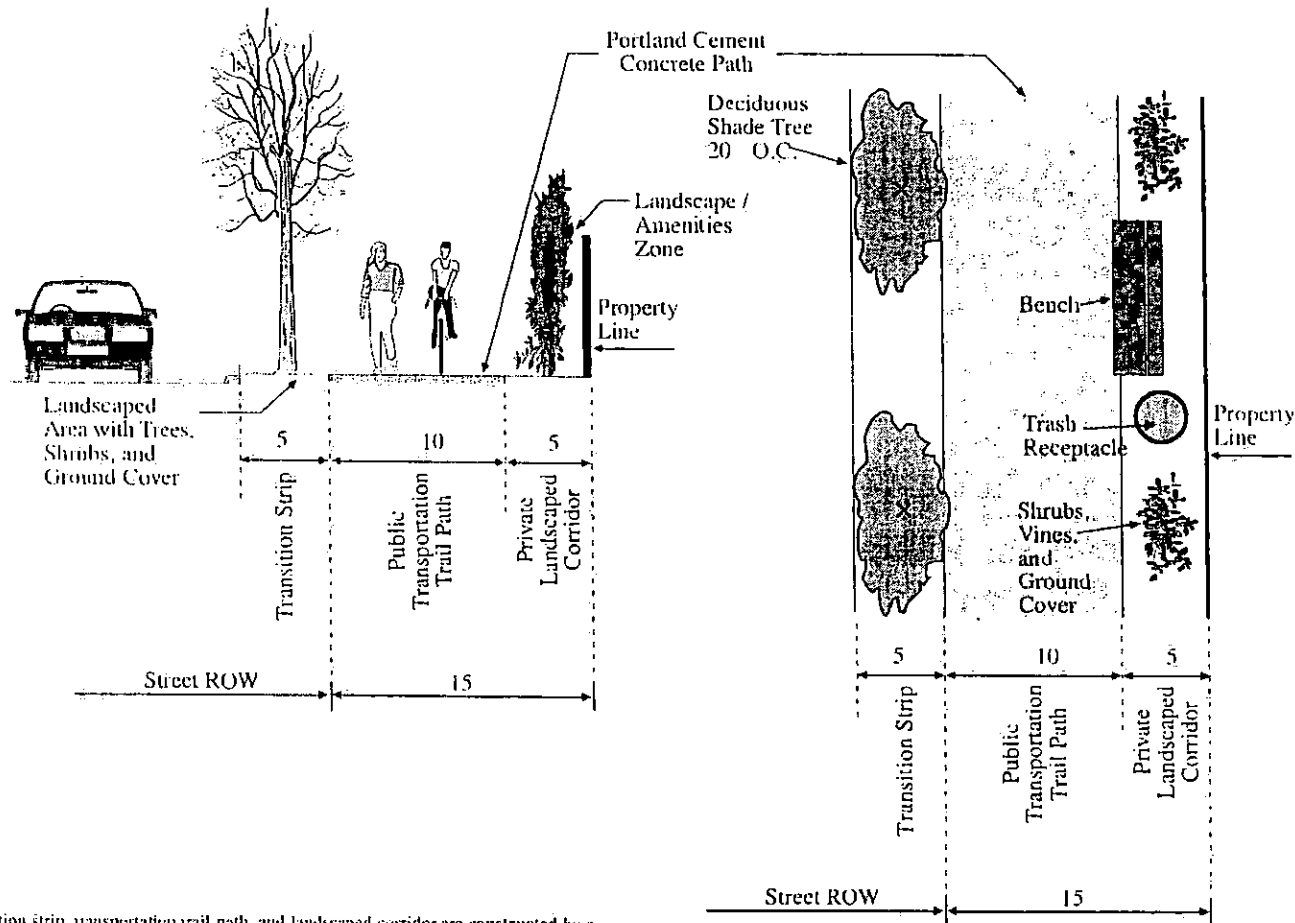
New Vista Community
Assisted Living Residential Units/
Community & Recreational Center
City of Las Vegas Nevada

sheet no. A5
date: 10/19/06
proj. no.: 16581
drawn by:
checked by:

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SEP 27 2006

Exhibit I Multi-Use Transportation Trail

Adopted January 16, 2002



Notes:

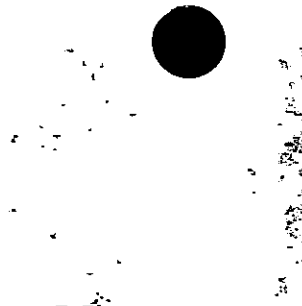
The transition strip, transportation trail path, and landscaped corridor are constructed by a developer; the landscaped corridor is established as a common lot and owned by an adjacent property owner or homeowners association; the transportation trail path is deeded to the City; the transition strip, transportation trail path, and landscaped corridor are maintained by an adjacent maintenance or homeowners association.

RECEIVED
SEP 27 2006

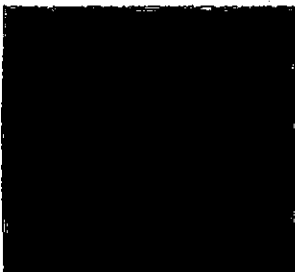
GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC



**Berridge Standing Metal Seam Roof
Color: Hemlock Green**

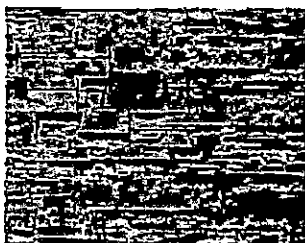


Stucco Finish

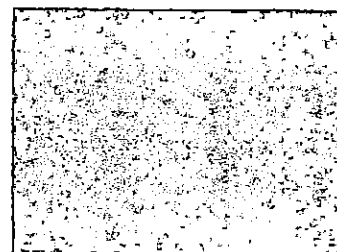


**Paint Color:
'Frazee' Paint "8385D Brick Rose"**

**Accents / Plant-ons
'Frazee' Crystal Ball - 8780W**



**Split Faced CMU : Cultured Stone
Shale Pro-Ft Ledgesone (PF-8016)**



**Accents
'Frazee' - Custard**

Storefront: White Kynar

Glass: Evergreen Tint

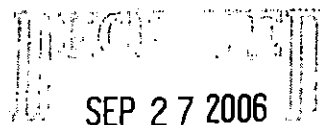
RECEIVED
SEP 27 2006

NEW VISTA COMMUNITY

**GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC**

Area Summary of Uses

1. Existing residences	9,120 s.f.
2. Assisted Living Apartments	49,044 s.f.
3. New Vista admin. offices	9,491 s.f.
4. Professional Med. Care	
a. Health monitoring	509 s.f.
b. Minor med.care	512 s.f.
c. PT and OT	2,882 s.f.
d. Medical admin. offices	3,024 s.f.
5. Training workshops	9,182 s.f.
6. Dining/banquet facilities	11,152 s.f.
Kitchen	5,349 s.f.
7. Recreational Facilities	
a. Gymnasium	12,320 s.f.
b. Pool/spa	9,652 s.f.
c. Fitness/aerobics	16,988 s.f.
d. Multi-use recreation	2,941 s.f.
8. Beauty salon	1,382 s.f.
Total building:	143,548 s.f.



GPA-16578 ZON-16580
SDR-16581 REVISED
10/19/06 PC

SDR 16581				
John David Burke Architect				
SWC Grand Teton & Rainbow				
Proposed 84.363 thousand square foot recreational/community center.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	84.363	22.88	1,930
AM Peak Hour			1.62	137
PM Peak Hour			1.64	138
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ASSISTED LIVING [BEDS]	56	2.66	149
AM Peak Hour			0.14	8
PM Peak Hour			0.22	12
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RECREATIONAL COMM CTR [1000SF]	84.363		2,079
AM Peak Hour				145
PM Peak Hour				151
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Rainbow Boulevard in this location				
Grand Teton Drive				
Average Daily Traffic (ADT)	5,437			
PM Peak Hour	435			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Grand Teton Drive	51700			
This project will add approximately 2,079 trips per day on Grand Teton and Rainbow. Note that this is based on the trip generation for a standard recreational community center. The actual proposed use is expected to				

generate substantially less traffic than shown. This will increase expected			
volumes by about 38 percent on Grand Teton. Grand Teton at about 11			
percent of capacity. Counts are not available for Rainbow in this vicinity,			
but it is believed to be under capacity.			
Based on Peak Hour use, this development will add roughly 151 additional			
cars into the area; which works out to about five every two minutes.			
Note that this report assumes all traffic from this development uses all named streets.			



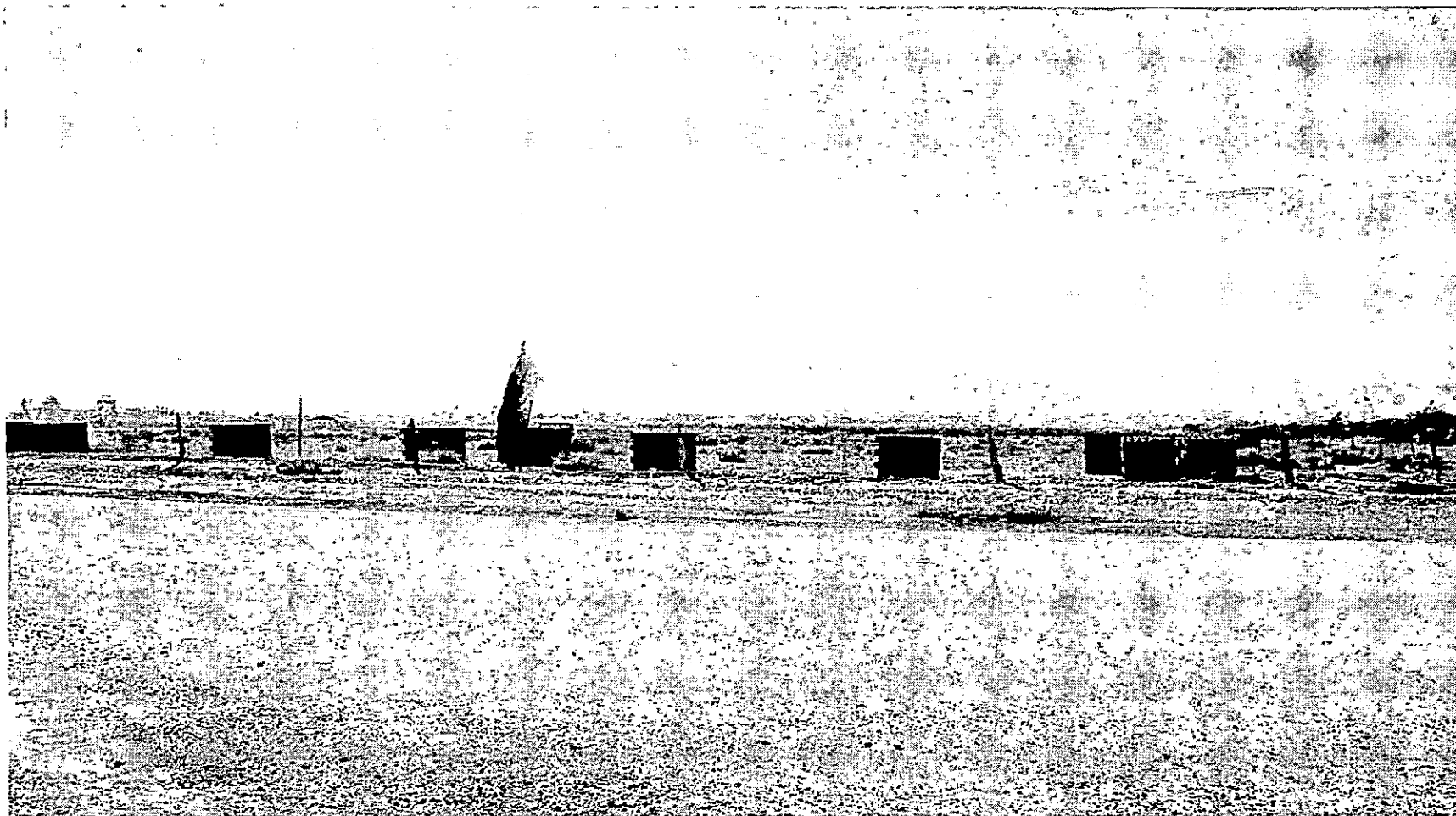
GPA-16578, ZON-16580 & SDR-16581 - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW
VISTA RANCH, INC.
7875 NORTH RAINBOW BOULEVARD
OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16578, ZON-16580 & SDR-16581 - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW
VISTA RANCH, INC.
7875 NORTH RAINBOW BOULEVARD
OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16578, ZON-16580 & SDR-16581 - APPLICANT: JOHN DAVID BURKE ARCHITECT - OWNER: NEW
VISTA RANCH, INC.
7875 NORTH RAINBOW BOULEVARD
OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



September 5, 2006

**CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT**
731 South Fourth Street
Las Vegas, Nevada 89101

**Re: Justification Letter – General Plan Amendment – DR to PCD
Zone Change – U to PD
Site Plan Development Review
Variance to reduce required parking**

**New Vista Community
Assisted Living Apartments
Community and Recreation Center
SW corner Rainbow and Grand Teton
Tax Assessor's Parcel No.: 125-15-501-002**

Overview

The plans and documents we are submitting today for your review depict proposed assisted living apartments (56 units) and a proposed community/recreation center. This is a 15.05 net acre, 17.81 gross acre site on the southwest corner of Rainbow Boulevard and Grand Teton Drive in the City of Las Vegas.

General Plan Amendment (DR to PCD) and Rezone (U to PD)

The is a request to amend the General Plan from DR (Desert Rural – 2 residential units per acre) to PCD (Planned Commercial District) and rezone from district U (Undeveloped) to PD (Planned Development). The range of uses being requested (see section 3.4 of the “Master Development Plan Document” for full description) requires the PD rezone and the PCD General Plan designation. The density of residential units being requested is 4.93 DUA.

Per the intent of the PD zoning district and PCD General Plan designation, the goals of this project are to permit and encourage comprehensively planned developments whose purpose is redevelopment, economic development, cultural enrichment, or to provide a single purpose or multi-use planned development. The General Plan Amendment of property to the PCD

**SDR-16581
10/19/06 PC**

designation and the PD zoning may be deemed appropriate if the development if the development proposed can accomplish one or more of the following goals:

1. Providing for an orderly and creative arrangement of land uses that are harmonious and beneficial to the community.
2. Providing for flexibility in the distribution of land uses, in the density of development, and in other matters typically regulated in zoning districts.
3. Providing for cultural, civic, educational, medical, religious or recreational facilities, or any combination thereof, in a planned or a unique setting and design.
4. Promoting or allowing development to occur in accordance with a uniform set of standards, which reflect the specific circumstances of the site.
5. Avoiding premature or inappropriate development that would result in incompatible uses or would create traffic and public service demands that exceed the capacity of existing or planned facilities.
6. Encouraging area sensitive site planning and design.

Contribution to the health, safety and general welfare of the community and providing development, which is compatible with the City's goals and objectives

We believe these goals will be met by the proposed project as described in the "Master Development Plan Document".

Site Plan Development Review

The documents submitted depict a one and two story residential project with community and recreational facilities. All of the buildings are designed with consistent "Western" detail –

1.	Exterior Walls:	Stucco, Stone veneer, Painted concrete tilt-up walls, Split face masonry
2.	Glazing:	Green reflective/tinted glass
3.	Roofing:	Existing sloped roofs are to remain as is New sloped roofs to be concrete tile New flat roof are to be built-up roofing

**SDR-16581
10/19/06 PC**

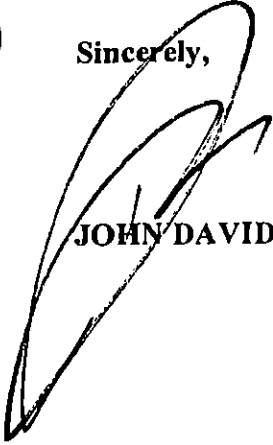
Page 3 of 3

All setbacks and design criteria are further described in the "Master Development Plan Document". There will be approximately half of the site fully landscaped with a desert tolerant plant palette. The project presents an attractive, consistent residential style that is appropriate to the neighborhood.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,



JOHN DAVID BURKE, ARCHITECT

**SDR-16581
10/19/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

**GPA-17129 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE MINISTRIES -
Request for a Rezoning FROM: MLA (MEDIUM-LOW ATTACHED DENSITY
RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 0.69 acres at 1316 and 1352 Miller Avenue
and 1329 West Carey Avenue (APNs 139-21-510-007, 073 and 074), Ward 5 (Weekly).**

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter

MOTION:

GOYNES – APPROVED – UNANIMOUS

To be heard by City Council on 11/15/2006

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 49 [GPA-17129], Item 50 [ZON-16632] and Item 51 [SDR-15034].

JOHN KORKOSZ, Planning and Development Department, indicated that the church would be located within the West Las Vegas Plan. The request is to change the land use to Public Facility and the zoning to CV (Civic). The proposed church will benefit the area as two of the three parcels are undeveloped.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 49 – GPA-17129

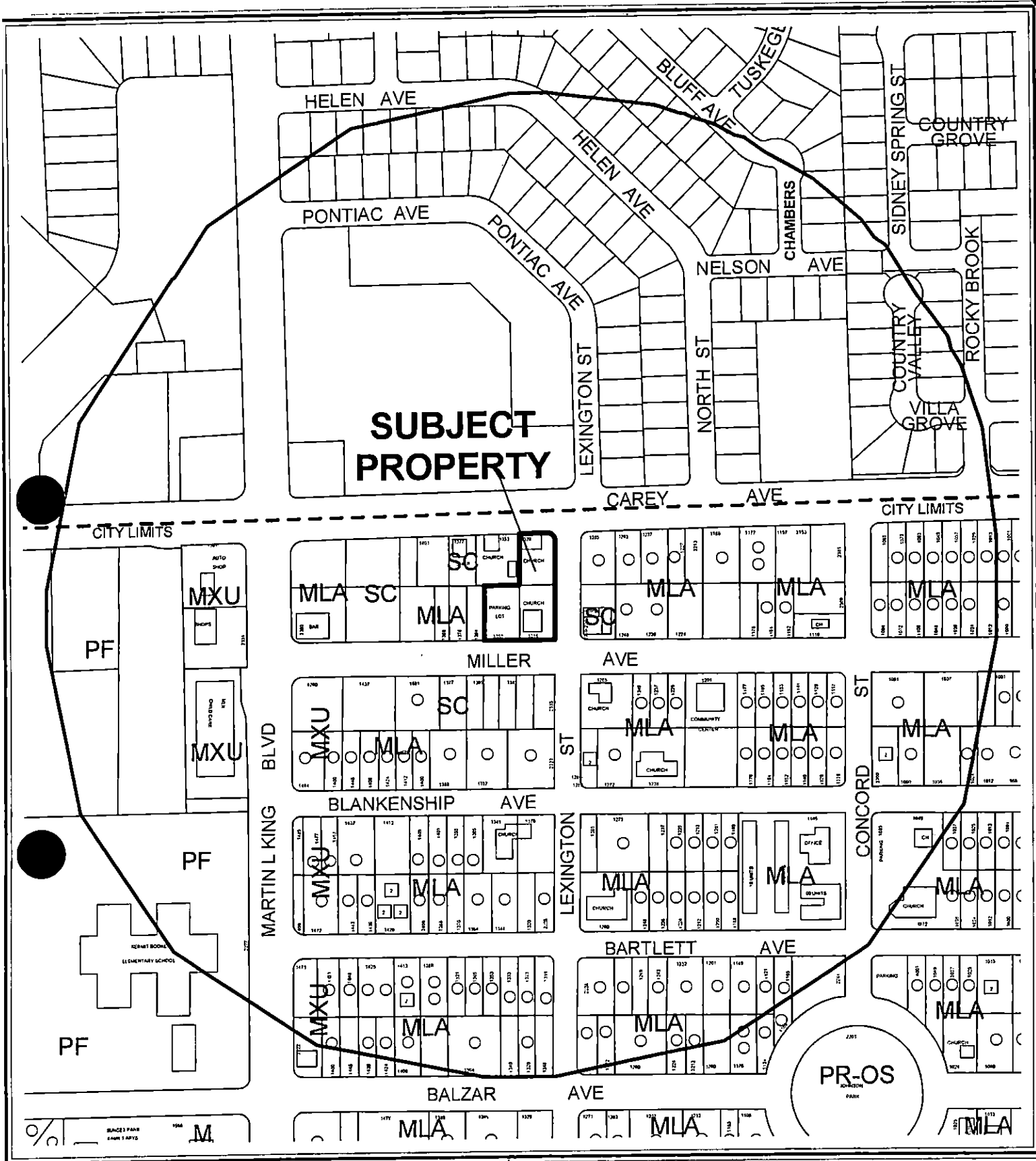
MINUTES – Continued:

COMMISSIONER GOYNES agreed that the proposed church will enhance the area. MARGO WHEELER, Director of Planning and Development Department, stated she attended the community meeting and there were no person in attendance from the public.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 49 [GPA-17129], Item 50 [ZON-16632] and Item 51 [SDR-15034].

(7:42 – 7:47)

2-110



CASE: **GPA-17129**

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)



CASE: GPA-17129

RADIUS: 1000 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-17129 - APPLICANT/OWNER: PRAYER CENTER
REVIVAL CRUSADE MINISTRIES

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

GPA-17129 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend the Southeast Sector Plan from MLA (Medium-Low Attached Density Residential) to PF (Public Facilities) on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. There are two companion items (ZON-16632 & SDR-15034) to Rezone this land to C-V (Civic) and a Site Development Plan Review for the expansion of an existing church.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
06/19/06	The applicant was informed at the pre-application meeting that rezoning the C-1 (Limited Commercial) and C-2 (General Commercial) zoned parcels to R-2 (Medium-Low Density Residential) with a Special Use Permit for the Church and a Site Development Plan Review were necessary. Additionally, the applicant was informed that a Project of Regional Significance Questionnaire would be required for this project. The applicant was also informed of the setback requirements for the zoning district. Public Works informed the applicant about the required dedications and drainage issues.
09/19/06	The applicant was informed that by requesting a General Plan Amendment and a Rezoning to the C-V (Civic) zoning district would eliminate the need for a Special Use Permit and the Variance the applicant originally filed. This project is no longer a Project of Regional Significance since the Special Use Permit has been eliminated.
<i>Neighborhood Meeting</i>	
10/09/06	A neighborhood meeting was held on Monday, October 9, 2006 at 6:00 p.m. at the Prayer Center Revival Church, 1316 Miller Avenue, Las Vegas, Nevada. There were two people representing the applicant, one staff member from Planning & Development in attendance. No members of the public came to participate in the meeting.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69

GPA-17129 - Staff Report Page Two
 October 19, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	MLA (Medium Low Attached)	C-1 (Limited Commercial) & C-2 (General Commercial)
North	Government Facility	City of North Las Vegas	C-1 (North Las Vegas)
South	Undeveloped & Single-family Residential	MLA (Medium Low Attached)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
East	Undeveloped & Single-family Residential	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
West	Undeveloped & Tavern	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area		N	N/A
West Las Vegas Plan	Y		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		
C-V Civic District			Y
A-O Airport Overlay District	Y		Y
Trails		N	N/A
Rural Preservation Overlay District		N	N/A
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

GPA-17129 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.06, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	0.68 ac	Y or N
Min. Lot Width	N/A	244 Feet	Y or N
Min. Setbacks • Front • Side • Corner • Rear	N/A N/A N/A N/A	32.75 Feet 55.5 Feet 8 Feet 11 Feet	N/A
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	N/A	24.6%	N/A
Max. Building Height	N/A	28.75 Feet	N/A
Trash Enclosure	N/A	7 Feet	N/A
Mech. Equipment	N/A		N/A

Per Title 19.12, the following landscape requirements apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Trees/Space	N/A	Zero	N/A
Buffer:				
Min. Trees	N/A Trees/Linear Feet	N/A	39	N/A
TOTAL	N/A	N/A	42	N/A
Min. Zone Width	N/A		3 Feet/ 12.4 Feet	N/A
Wall Height	N/A		N/A	N/A

Per Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church	7,423 sq. ft.		N/A	N/A	33	2	Y
SubTotal							
TOTAL (including handicap)							
Loading Spaces	N/A						

GPA-17129 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

ANALYSIS

The purpose of this application is to change the Southeast Sector Plan from MLA (Medium Low Attached) to P-F (Public Facilities). There are companion applications for a Rezoning (ZON-16632) to reclassify 0.68 acres from C-1 and C-2 to C-V and a Site Development Review Plan (SDR-15034) for the expansion of an existing 1,664 square-foot church to a 7,423 square-foot church. This property is located within the West Las Vegas Plan Area, which is a plan for neighborhood revitalization by halting and revising the decline of some older areas by stabilizing and improving this area via protecting the area from the intrusion of incompatible non-residential land uses.

The building construction will consist of CMU block and stucco with stucco and wood trim. The building field will be painted in a light blue color with accent and trim colors in a dark blue. The roofing materials used in this project will consist of slate shingles and the color of the slate is a medium-toned gray. The landscaping for this site will consist of Raywood Ash, Mondel Pine, and Modesto Ash trees, and a ground cover of Green Desert Spoon, Trailing Indigo Bush, Fortnight Lilly, and Red Hesperaloe.

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 development is consistent with the General Plan and will be a much need addition to the area by helping to revitalize this portion of the West Las Vegas Plan Area.

GPA-17129 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

In regard to "2":

The zoning and the proposed development is consistent and compatible with surrounding area. Additionally, this development will significantly improve the design of the existing building and the landscaping of the property, which currently doesn't have landscaping on it.

In regard to "3":

Since this is a small church, the affect to the existing roadways should not be significant. Moreover, the church, being more of a neighborhood church, is situated such that people in the neighborhood can easily walk to church without affecting the existing street system.

In regard to "4":

The proposed amendment conforms to the adopted plans and the West Las Vegas Plan Area. Moreover, Goal 6 of the West Las Vegas Plan is addressed as two of the three parcels are undeveloped or in disrepair.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 [Mailed with ZON-16632 & SDR-15034]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-17129** APN: **139-21-510 -073,074,007.**
 Name of Property Owner: **Prayer Center.**
 Name of Applicant: **Mike Hatch.**

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 _____

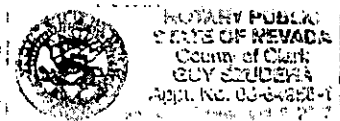
Signature of Property Owner: _____

Print Name: **Michael H Hatch**

Subscribed and sworn before me

This **26** day of **September**, 20**06**

Notary Public in and for said County and State



MART

MARTIN L KING BLVD

LEXINGTON ST

NORTH ST

NELSON AVE

AVE

COUNTRY VALLEY CT

ROCKY BROOK ST

COUNTRY ORCHARD ST

VILLA GROVE AVE

GAREY AVE

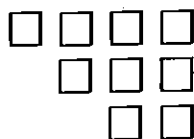
MILLER AVE

BLANKENSHIP AVE

CONCORD ST

BARTLETT AVE

GPA-17129
10/19/06 PC



MELVIN GREEN ARCHITECT, AIA



MELVIN GREEN ARCHITECT, LIMITED

September 26, 2006

Planning and Development Department
Development Services
731 South 4th Street

RE: REVISED Justification Letter for APN 139-215-100-07, 139-215-100-073 and 074, for General Plan Amendment Submittal.

To Whom It May Concern:

Melvin Green Architect, Ltd., acting as authorized agent for the applicant/property owners, are pleased to submit this justification letter in support of our request for General Plan Amendment Submittal for the above-referenced project. There is an existing church on the proposed project location.

The proposed project consists of a single-storey, 7,423 sq. ft. church, fully described in the Architectural exhibits that are part of the Site Development Review.

The proposed church will be compatible with the surrounding area. The main building entrance will be located adjacent to Lexington Street. Landscaping compliments the building exterior façade. Additional intense landscaping will be added to screen the proposed parking lot.

General Plan Amendment

We are requesting a change from MLA to Public Facility to allow the expansion of an existing church; CV zoning is allowed in a Public Facility designation. The Church will not create any adverse to the community and will be in conformance with CV zoning requirements.

If you have any questions or comments regarding this matter, please feel free to contact my office.

Thank you,

Melvin D. Green, AIA, NCARB
Owner
Melvin Green Architect, Ltd.

GPA-17129
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-16632 - REZONING RELATED TO GPA-17129 - PUBLIC HEARING -
APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE MINISTRIES -
Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) AND C-2 (GENERAL COMMERCIAL) TO: C-V (CIVIC) on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue (APNs 139-21-510-007, 073 and 074), Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 11/15/2006

MINUTES:

NOTE: See Item 49 [GPA-17129] for all related discussion.

(7:42 – 7:47)

2-110

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-17129) to a P-F (Public Facilities) Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.

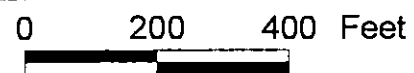
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 50 – ZON-16632

CONDITIONS – Continued:

3. A Site Development Plan Review (SDR-15034) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 20-foot radius on the northwest corner of Miller Avenue and Lexington Street and an additional 5-foot for a total radius of 25 feet on the southwest corner of Carey Avenue and Lexington 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.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)





CASE: **ZON-16632**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-V (CIVIC)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-16632 - APPLICANT/OWNER: PRAYER CENTER
REVIVAL CRUSADE MINISTRIES**

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. A General Plan Amendment (GPA-17129) to a P-F (Public Facilities) 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-15034) 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.

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5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

ZON-16632 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Rezone from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic) on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. There are two companion items (GPA-17129 & SDR-15034) to Amend the Southeast Sector Plan on this land to P-F (Public Facilities) and a Site Development Plan Review for the expansion of an existing church.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
06/19/06	The applicant was informed at the pre-application meeting that rezoning the C-1 (Limited Commercial) and C-2 (General Commercial) zoned parcels to R-2 (Medium-Low Density Residential) with a Special Use Permit for the Church and a Site Development Plan Review were necessary. Additionally, the applicant was informed that a Project of Regional Significance Questionnaire would be required for this project. The applicant was also informed of the setback requirements for the zoning district. Public Works informed the applicant about the required dedications and drainage issues.
09/19/06	The applicant was informed that by requesting a General Plan Amendment and a Rezoning to the C-V (Civic) Zoning District would eliminate the need for a Special Use Permit and the Variance the applicant originally filed. This project is no longer a Project of Regional Significance since the Special Use Permit has been eliminated.
<i>Neighborhood Meeting</i>	
10/09/06	A neighborhood meeting was held on Monday, October 9, 2006 at 6:00 p.m. at the Prayer Center Revival Church, 1316 Miller Avenue, Las Vegas, Nevada. There were two people representing the applicant, one staff member from Planning & Development in attendance. No members of the public came to participate in the meeting.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69

ZON-16632 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	MLA (Medium Low Attached)	C-1 (Limited Commercial) & C-2 General Commercial)
North	Government Facility	City of North Las Vegas	C-1 (North Las Vegas)
South	Undeveloped & Single-family Residential	MLA (Medium Low Attached)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
East	Undeveloped & Single-family Residential	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
West	Undeveloped & Tavern	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area		N	N/A
West Las Vegas Plan	Y		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		
C-V Civic District			Y
A-O Airport Overlay District	Y		Y
Trails		N	N/A
Rural Preservation Overlay District		N	N/A
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

DEVELOPMENT STANDARDS

Per Title 19.06, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	0.68 ac	Y or N
Min. Lot Width	N/A	244 Feet	Y or N

ZON-16632 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Min. Setbacks			
• Front	N/A	32.75 Feet	
• Side	N/A	55.5 Feet	N/A
• Corner	N/A	8 Feet	
• Rear	N/A	11 Feet	
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	N/A	24.6%	N/A
Max. Building Height	N/A	28.75 Feet	N/A
Trash Enclosure	N/A	7 Feet	N/A
Mech. Equipment	N/A		N/A

Per Title 19.12, the following landscape requirements apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Trees/Space	N/A	Zero	N/A
Buffer:				
Min. Trees	N/A Trees/Linear Feet	N/A	39	N/A
TOTAL	N/A	N/A	42	N/A
Min. Zone Width	N/A		3 Feet/ 12.4 Feet	N/A
Wall Height	N/A		N/A	N/A

Per Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church	7,423 sq. ft.		N/A	N/A	33	2	Y
SubTotal							
TOTAL (including handicap)							
Loading Spaces	N/A						

ZON-16632 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

ANALYSIS

The purpose of this application is to rezone this property from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic). There are companion applications for a General Plan Amendment from MLA (Medium Low Attached) to P-F (Public Facilities) and a Site Development Review Plan (SDR-15034) for the expansion of an existing 1,664 square-foot church to a 7,423 square-foot church. This property is located within the West Las Vegas Plan Area, which is a plan for neighborhood revitalization by halting and revising the decline of some older areas by stabilizing and improving this area via protecting the area from the intrusion of incompatible non-residential land uses. The building construction will consist of CMU block and stucco with stucco and wood trim. The building field will be painted in a light blue color with accent and trim colors in a dark blue. The roofing materials used in this project will consist of slate shingles and the color of the slate is a medium-toned gray. The landscaping for the site will consist of Raywood Ash, Mondel Pine, and Modesto Ash trees, and a ground cover of Green Desert Spoon, Trailing Indigo Bush, Fortnight Lilly, and Red Hesperaloe.

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 development is consistent with the General Plan and will be a much need addition to the area by helping to revitalize this portion of the West Las Vegas Plan Area.

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 zoning and the proposed development is consistent and compatible with surrounding area. Additionally, this development will significantly improve the design of the existing building and the landscaping of the property, which currently doesn't have landscaping on it.

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

One of the parcels has an existing church on it, but the other two parcels are undeveloped or in disrepair; therefore, rezoning and development of this site is not only appropriate, but a benefit to the area.

ZON-16632 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

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.”**

Since this is a small church, the affect to the existing roadways should not be significant. Moreover, the church, being more of a neighborhood church, is situated such that people in the neighborhood can easily walk to church without affecting the existing street system.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 [Mailed with GPA-17129 & SDR-15034]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16632** **139-215-100 - 07**
APN: **139-215-100-73 & 74**
Name of Property Owner: **PRAYER CENTER**
Name of Applicant: **PRAYER CENTER**

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: **Michael H. Hines**

Subscribed and sworn before me

This **13th** day of **June**, 2006

STATE OF **Nevada**

COUNTY OF **Clark**

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



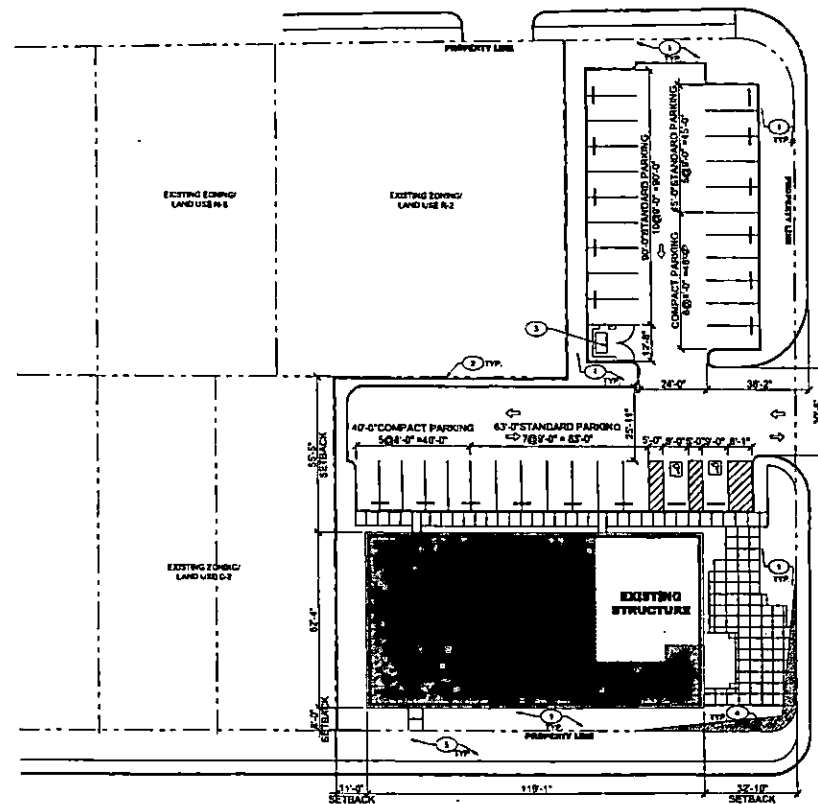
Shanti B. Ford

Notary Public, State of Nevada
Appointment No. 03-83105-1
My Appt. Expires July 17, 2007

CAREY AVE

LEXINGTON

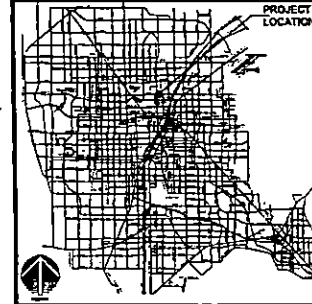
MILLER



OVERALL SITE PLAN

SCALE: 1" = 20'-0"

VICINITY MAP



PROJECT SITE ANALYSIS

SITE AREA = 30,000 S.F.
BUILDING AREA = 7,423 S.F.
SITE COVERAGE = 25%
OCCUPANCY GROUP = "A-3"
TYPE OF CONSTRUCTION = TYPE S-A
PROJECT PROPERTY = SITE DEVELOPMENT
SPECIAL USE PERMIT = C-1, C-2 EXISTING

PARKING ANALYSIS

REQUIRED:
CHURCH / HOUSE OF WORSHIP
1 SPACE PER 100 S.F. OF NON FIXED SEATING AREA IN WORKSHOP AREA = 2,967/100 S.F. = 29
OFFICE MEDICAL AND DENTAL
1 SPACE PER 200 S.F.
OFFICES = 483 / 200 S.F. = 3
CLASSROOM
2 SPACE 8' FOR EACH CLASSROOM
3 CLASSROOMS X 3 = 6
HANDICAPPED PARKING (20-50 = 2 PARKING SPACES)
HANDICAPPED SPACES REQUIRED = 2 SPACES
TOTAL PARKING REQUIRED = 40
PARKING PROVIDED
STANDARD PARKING STALLS 9' X 18' = 22 SPACES
COMPACT PARKING STALLS 5' X 16' = 11 SPACES
= 30% OF TOTAL PARKING SPACES
HANDICAPPED SPACES = 2 SPACES
TOTAL PARKING PROVIDED = 35 SPACES

KEYNOTES

- 1 LANDSCAPE AREA
- 2 6" CMU PERIMETER WALL
- 3 TRASH ENCLOSURE
- 4 SIGHT DISTANCE SETBACK
- 5 STREET RIGHT OF WAY

GENERAL NOTES

1. REFER TO CIVIL DRAWINGS FOR HORIZONTAL DIMENSIONS NOT SHOWN
2. FOLLOW ALL RECOMMENDATIONS AND REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT
3. CONCRETE CONTRACTOR SHALL COORDINATE WITH FENCING CONTRACTOR
4. CONCRETE PAVING PER SOLS REPORT
5. TURF, LANDSCAPING AND IRRIGATION SYSTEMS TO BE INSTALLED BY CONTRACTOR. COORDINATE W/ LANDSCAPE DRAWINGS
6. COORDINATE WITH CIVIL DRAWINGS FOR RETAINING WALLS
7. COORDINATE WITH CIVIL DRAWINGS FOR PARKING STALL DIMENSIONS AND PLANTER AREAS
8. CHANGES IN LEVEL ALONG AN ACCESSIBLE ROUTE SHALL COMPLY WITH ANSI A117.1 SEC. 3.01. CHANGES IN LEVEL OF 1/4" HIGH MAXIMUM ARE PERMITTED TO BE VERTICAL. WITHOUT EDGE TREATMENT; CHANGES BETWEEN 1/4" AND 1/2" HIGH MAXIMUM ARE TO BE REVEALED WITH SLOPE NOT STEEPER THAN 1:2. CHANGES GREATER THAN 1/2" ARE TO BE ACCOMPLISHED WITH CURB RAMP, RAMP OR ELEVATOR, ANSI A117.1 SEC. 3.02.
9. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20.
10. PORTIONS OF AN ACCESSIBLE ROUTE WITH RUNNING SLOPE STEEPER THAN 1:20 ARE RAMP AND SHALL COMPLY WITH ANSI A117.1 SEC. 4.8. THE CROSS SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT BE STEEPER THAN 1:48. ANSI A117.1 SEC. 4.03.3
11. ALL MASONRY WALLS TO MATCH IN SIZE AND COLOR TO EXISTING MASONRY WALLS
12. SLOPE ALL SLABS 1/8" FT ANA7 FROM BUILDING
13. (E) INDICATES EXISTING



MGA Michael Green Architect, Ltd.
1316 MILLER AVE
LAS VEGAS, NEVADA 89108

PROJECT PRAYER CENTER REVIVAL MINISTRIES
1316 MILLER AVE
LAS VEGAS, NEVADA 89108

DATE: 8/10/06
SCALE: AS INDICATED
DRAWN: PA
JOB NO. 06-001

SHEET
AS1.01

OF SHEETS

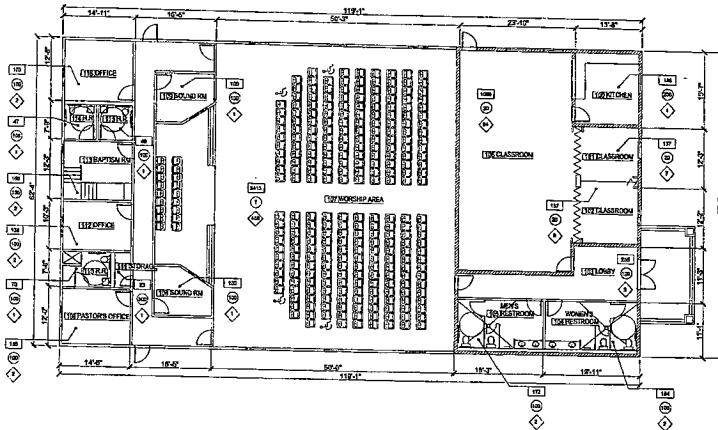


ZON-16632

10/19/06 PC

RECEIVED

SEP 07 2006



1 OVERALL FLOOR PLAN
10-119



RECEIVED
10/19/06

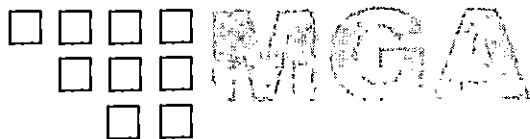
RECEIVED
11 SEP 08 2006

ZON-16632 SDR-15034
REVISED 10/19/06 PC

LEGEND	
XXX	AREA
XX	OCCUPANT LOAD FACTOR
X	NUMBER OF OCCUPANTS

TOTAL OCCUPANTS: 570

PRAYER CENTER REVIVAL MINISTRIES 1318 MILLER AVE LAS VEGAS, NEVADA 89106	
OVERALL FLOOR PLAN	
10/19/06	
A1.01	
OF SHEETS	
MGAs 1318 MILLER AVE LAS VEGAS, NEVADA 89106 TEL: 702-735-1111 FAX: 702-735-1112 WWW.MGAS.COM	



  **MELVIN GREEN ARCHITECT, LIMITED**

September 5, 2006

Planning and Development Department
Development Services
731 South 4th Street

RE: REVISED Justification Letter for APN 139-215-100-07, 139-215-100-073 and 074, for Site Development Review, Variance and Waiver of Development Standards, Rezoning, and Special Use Permit for Proposed Church Addition

To Whom It May Concern:

Melvin Green Architect, Ltd., acting as authorized agent for the applicant/property owners, are pleased to submit this justification letter in support of our request for Site Development Review, Special Use Permit and Waiver of Conditions and Zoning approval for the above-referenced project in a C-2/C-1 Zoning designation. There is an existing church on the proposed project location.

The proposed project consists of a single-storey, 7,423 sq. ft. church, fully described in the Architectural exhibits that are part of this Site Development Review.

The proposed church will be compatible with the surrounding area. The main building entrance will be located adjacent to Lexington Street. Landscaping compliments the building exterior façade. Additional intense landscaping will be added to screen the proposed parking lot.

Waiver of Development Standards

We are requesting a waiver to reduce the north setback perimeter landscaping to 3'-0" from residential property line. We propose to provide a more intense landscape with trees, shrubs, and ground cover to compensate for the decrease in landscape width.

Variance of Development Standards

We are requesting a variance to reduce the required front yard setback from 20'-0" to 8'-0" on Miller Street because of the location of the existing building we are attaching to. And also the space is limited on the north due to the 3 to 1 residential adjacency setback rule. We will provide intense landscaping as required to minimize the impact, including trees, shrubs, and ground cover along Miller.

Special Use Permit

We are requesting a Special Use Permit to allow a church in the designated zoning. The original church never required a Special Use Permit in the past; but because of the proposed new church addition the SUP is required.

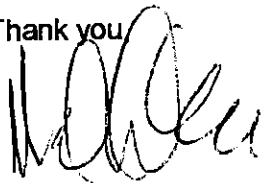
ZON-16632
10/19/06 PC

Rezoning from C1,C2 to R2

We are requesting to have the C1 and C2 zoned parcels rezoned to R2 (medium-low density residential) so that parcels will be in conformance with the designation of the General Plan.

If you have any questions or comments regarding this matter, please feel free to contact my office.

Thank you



Melvin D. Green, AIA, NCARB
Owner
Melvin Green Architect, Ltd.

ZON-16632
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-15034 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-17129 AND ZON-16632 - PUBLIC HEARING - APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE MINISTRIES - Request for a Site Development Plan Review FOR A PROPOSED 5,750 SQUARE-FOOT ADDITION TO AN EXISTING 1,673 SQUARE-FOOT CHURCH AND A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue (APNs 139-21-510-007, 073 and 074), C-1 (Limited Commercial) Zone and C-2 (General Commercial) Zone [PROPOSED: C-V (Civic) Zone], Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 11/15/2006

MINUTES:

NOTE: See Item 49 [GPA-17129] for all related discussion.

(7:42 – 7:47)

2-110

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-16632) shall be required.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 51 –SDR-15034

CONDITIONS – Continued:

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, date stamped 07/17/06, the landscape plan, date stamped 07/18/06, and the building elevations, date stamped 07/11/06 except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. 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 mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. 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.

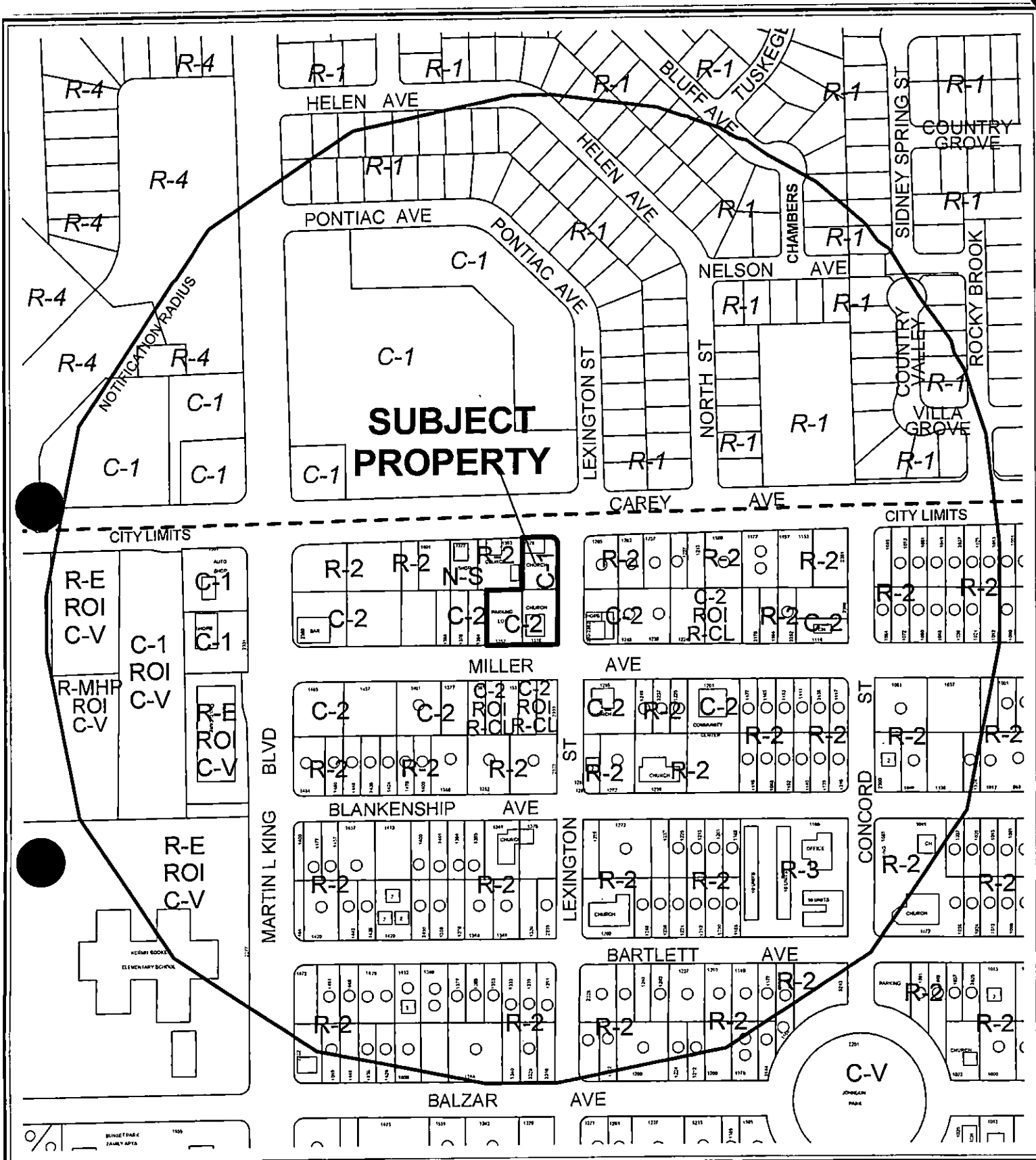
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 51 –SDR-15034

CONDITIONS – Continued:

10. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Coordinate with the City Surveyor to determine if Mapping is necessary; comply with the recommendations of the City Surveyor.
13. Provide a copy of a recorded Joint Access Agreement between the parcels that comprise this site prior to the issuance of any permits, unless the parcels are legally joined into one parcel.
14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
16. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16632 and all other site-related actions.



CASE: **SDR-15034**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
C-V (CIVIC)

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-15034 - APPLICANT/OWNER: PRAYER CENTER
REVIVAL CRUSADE MINISTRIES**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL, subject to:****Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-16632) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, date stamped 07/17/06, the landscape plan, date stamped 07/18/06, and the building elevations, date stamped 07/11/06 except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. 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 mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

SDR-15034 - Conditions Page Two
October 19, 2006 - Planning Commission Meeting

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
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SDR-15034 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the expansion of an existing church on 0.69 acres at 1316 and 1352 Miller Avenue and 1329 West Carey Avenue. There are two companion items (GPA-17129 & ZON-16632) to Amend the Southeast Sector Plan to P-F (Public Facilities) and to Rezone this land to C-V (Civic).

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
06/19/06	The applicant was informed at the pre-application meeting that rezoning the C-1 (Limited Commercial) and C-2 (General Commercial) zoned parcels to R-2 (Medium-Low Density Residential) with a Special Use Permit for the Church and a Site Development Plan Review were necessary. Additionally, the applicant was informed that a Project of Regional Significance Questionnaire would be required for this project. The applicant was also informed of the setback requirements for the zoning district. Public Works informed the applicant about the required dedications and drainage issues.
09/19/06	The applicant was informed that by requesting a General Plan Amendment and a Rezoning to the C-V (Civic) Zoning District would eliminate the need for a Special Use Permit and the Variance the applicant originally filed. This project is no longer a Project of Regional Significance since the Special Use Permit has been eliminated.
<i>Neighborhood Meeting</i>	
10/09/06	A neighborhood meeting was held on Monday, October 9, 2006 at 6:00 p.m. at the Prayer Center Revival Church, 1316 Miller Avenue, Las Vegas, Nevada. There were two people representing the applicant, one staff member from Planning & Development in attendance. No members of the public came to participate in the meeting.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69

SDR-15034 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church	MLA (Medium-Low Attached Density Residential)	C-1 (limited Commercial) & C-2 (General Commercial)
North	Government Facility	City of North Las Vegas	C-1 (North Las Vegas)
South	Undeveloped & Single-family Residential	MLA (Medium Low Attached)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
East	Undeveloped & Single-family Residential	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)
West	Undeveloped & Tavern	MLA (Medium Low Attached) & SC (Service Commercial)	C-2 (General Commercial) & R-2 (Medium-Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area		N	N/A
West Las Vegas Plan	Y		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		
C-V Civic District			Y
A-O Airport Overlay District	Y		Y
Trails		N	N/A
Rural Preservation Overlay District		N	N/A
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

DEVELOPMENT STANDARDS

Per Title 19.06, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	0.68 ac	Y or N

JK

SDR-15034 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Min. Lot Width	N/A	244 Feet	Y or N
Min. Setbacks			
• Front	N/A	32.75 Feet	
• Side	N/A	55.5 Feet	N/A
• Corner	N/A	8 Feet	
• Rear	N/A	11 Feet	

Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	N/A	24.6%	N/A
Max. Building Height	N/A	28.75 Feet	N/A
Trash Enclosure	N/A	7 Feet	N/A
Mech. Equipment	N/A		N/A

Per Title 19.12, the following landscape requirements apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Trees/Space	N/A	Zero	N/A
Buffer:				
Min. Trees	N/A Trees/Linear Feet	N/A	39	N/A
TOTAL	N/A	N/A	42	N/A
Min. Zone Width	N/A		3 Feet/ 12.4 Feet	N/A
Wall Height	N/A		N/A	N/A

Per Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Church	7,423 sq. ft.		N/A	N/A	33	2	Y
SubTotal							
TOTAL (including handicap)							
Loading Spaces	N/A						

SDR-15034 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

ANALYSIS

The purpose of this application is for a Site Development Review Plan to expand an existing 1,664 square foot church to a 7,423 square foot church. There are companion applications for a General Plan Amendment (GPA-17129) to amend the southeast sector plan from MLA (Medium Low Attached) to P-F (Public Facilities) and a Rezoning (ZON-16632) to reclassify 0.68 acres from C-1 (Limited Commercial) and C-2 (General Commercial) to C-V (Civic). This property is located within the West Las Vegas Plan Area, which is a plan for neighborhood revitalization by halting and revising the decline of some older areas by stabilizing and improving this area via protecting the area from the intrusion of incompatible non-residential land uses. The building construction will consist of CMU block and stucco with stucco and wood trim. The building field will be painted in a light blue color with accent and trim colors in a dark blue. The roofing materials used in this project will consist of slate shingles and the color of the slate is a medium-toned gray. The landscaping for the site will consist of Raywood Ash, Mondel Pine, and Modesto Ash trees, and a ground cover of Green Desert Spoon, Trailing Indigo Bush, Fortnight Lilly, and Red Hesperaloe.

FINDINGS

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

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

The proposed development is an expansion of an existing church, which serves the spiritual needs of the people within the immediate area and is compatible with the development within the immediate 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 proposed development is consistent with the General Plan and with Title 19. Additionally, this development will significantly improve the design of the existing building and the landscaping of the property, which currently doesn't have landscaping on it.

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

Since this is a small church, the affect to the existing roadways should not be significant. Moreover, the church, being more of a neighborhood church, is situated such that people in the neighborhood can easily walk to church without affecting the existing street system.

SDR-15034 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

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

The building and landscape materials are not only appropriate for this area, they may help in the revitalization of this portion of the West Las Vegas Plan Area.

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

The building design is harmonious and compatible with development in the area and may help generate further interest in revitalizing this area.

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

Development of this site should not negatively affect the public health, safety, and general welfare of the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 [Mailed with GPA-17129 & ZON-16632]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15034** 139-215-100 - 07
APN: 139-215-100-73 & 74

Name of Property Owner: PRAYER CENTER

Name of Applicant: PRAYER CENTER

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

Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Michael Hartz

Subscribed and sworn before me

This 13th day of June, 2006

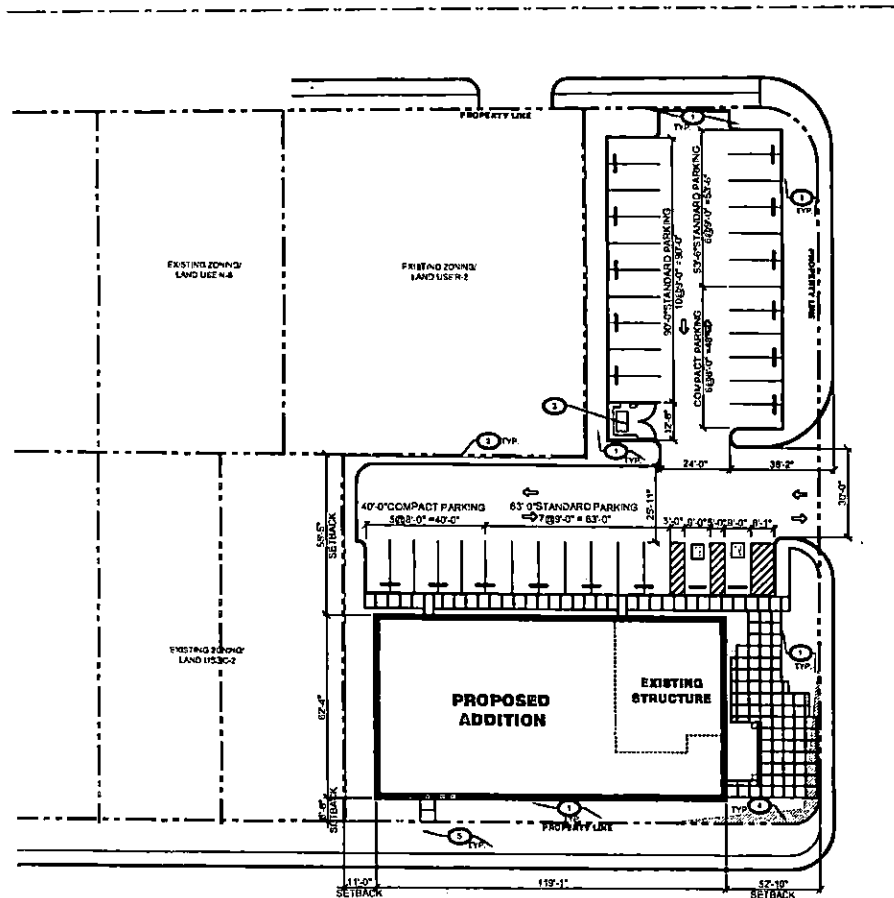
STATE OF Nevada

COUNTY OF Clark

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



CAREY AVE

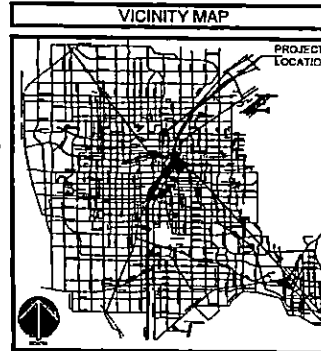


MILLER

LEXINGTON

OVERALL SITE PLAN

SCALE: 1" = 20'-0"



PROJECT SITE ANALYSIS

SITE AREA =	30,633 S.F.
EXISTING STRUCTURE	1,673 S.F.
PROPOSED ADDITION	5,750 S.F.
BUILDING AREA	7,423 S.F.
SITE COVERAGE =	25%
OCCUPANCY GROUP	"A-3"
TYPE OF CONSTRUCTION	TYPE 5-A
PROJECT PROPERTY =	SITE LEVEL PLAN
SPECIAL USE PERMIT	C-1, C-2 (EXISTING)

PARKING ANALYSIS

REQUIRED:

CHURCH / HOUSE OF WORSHIP
1 SPACE PER 100 S.F. OF NON-FIXED SEATING AREA IN
WORSHIP AREA = 2,967/100 S.F. = 30

CLASSROOM
2 SPACES FOR EACH CLASSROOM
5 CLASSROOMS X 2 = 10

HANDICAPPED PARKING (25.50 = 2 PARKING SPACES)
HANDICAPPED SPACES REQUIRED = 2 SPACES

TOTAL PARKING REQUIRED = 36

PARKING PROVIDED:

STANDARD PARKING STALLS 9' X 18' = 22 SPACES
COMPACT PARKING STALLS 8' X 16' = 11 SPACES
= 33% OF TOTAL PARKING SPACES

HANDICAPPED SPACES = 2 SPACES

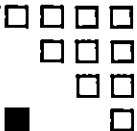
TOTAL PARKING PROVIDED = 30 SPACES

KEYNOTES

- LANDSCAPE AREA
- 8" CMU PERIMETER WALL
- TRASH ENCLOSURE
- SIGHT DISTANCE SETBACK
- STREET RIGHT OF WAY

GENERAL NOTES

- REFER TO CIVIL DRAWINGS FOR HORIZONTAL DIMENSIONS NOT SHOWN
- FOLLOW ALL RECOMMENDATIONS AND REQUIREMENTS OF THE GEOTECHNICAL INVESTIGATION REPORT
- CONCRETE CONTRACTOR SHALL COORDINATE WITH FENCING CONTRACTOR
- CONCRETE PAVING PER GOLS REPORT
- TURF, LANDSCAPING AND IRRIGATION SYSTEMS TO BE INSTALLED BY CONTRACTOR. COORDINATE W/ LANDSCAPE DRAWINGS
- COORDINATE WITH CIVIL DRAWINGS FOR RETAINING WALLS
- COORDINATE WITH CIVIL DRAWING FOR PARKING STALL DIMENSIONS AND PLANTER AREAS
- CHANGES IN LEVEL ALONG AN ACCESSIBLE ROUTE SHALL COMPLY WITH ANSI A117.1 SEC. 3.01. CHANGES IN LEVEL OF 1/4" HIGH MAXIMUM ARE PERMITTED TO BE VERTICAL WITHOUT EDGE TREATMENT; CHANGES BETWEEN 1/4" AND 1/2" HIGH MAXIMUM ARE TO BE BEVELED WITH SLOPE NOT STEEPER THAN 1:2. CHANGES GREATER THAN 1/2" ARE TO BE ACCOMPLISHED WITH CURB RAMP, RAMP OR ELEVATOR. ANSI A117.1 SEC. 3.03.
- THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20.
- PORTIONS OF AN ACCESSIBLE ROUTE WITH RUNNING SLOPES STEEPER THAN 1:20 ARE RAMP AND SHALL COMPLY WITH ANSI A117.1 SEC. 4.8. THE CROSS SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT BE STEEPER THAN 1:48. ANSI A117.1 SEC. 4.03.3
- ALL MASONRY WALLS TO MATCH IN SIZE AND COLOR TO EXISTING MASONRY WALLS
- SLOPE ALL SLABS 1/8" FT AWAY FROM BUILDING
- (E) INDICATES EXISTING



Urbana Green Architects, Ltd. 2004

DATE: 06/10/06

BY: [Signature]

PROJECT: PRAYER CENTER REVIVAL MINISTRIES

1316 MILLER AVE

LAS VEGAS, NEVADA 89106

PROJECT TITLE: OVERALL SITE PLAN

DATE: 06/10/06

BY: [Signature]

PROJECT: PRAYER CENTER REVIVAL MINISTRIES

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DATE: 06/10/06

BY: [Signature]

PROJECT: PRAYER CENTER REVIVAL MINISTRIES

1316 MILLER AVE

LAS VEGAS, NEVADA 89106

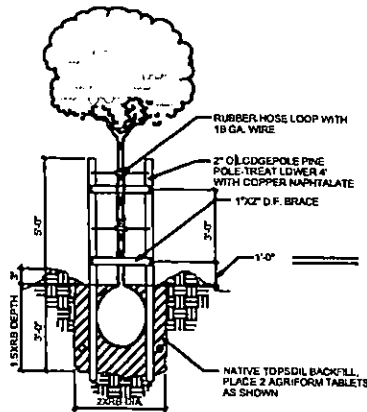
PROJECT TITLE: OVERALL SITE PLAN

DATE: 06/10/06

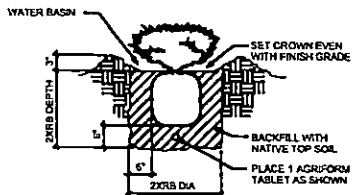
BY: [Signature]

PROJECT: PRAYER CENTER REVIVAL MINISTRIES

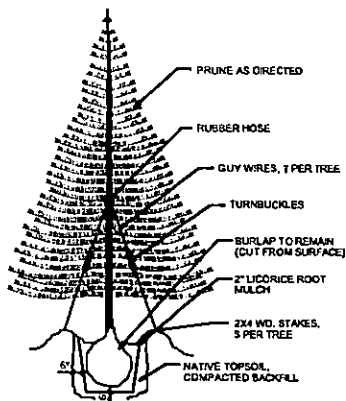
VAR-15036 SDR-15034 RECEIVED
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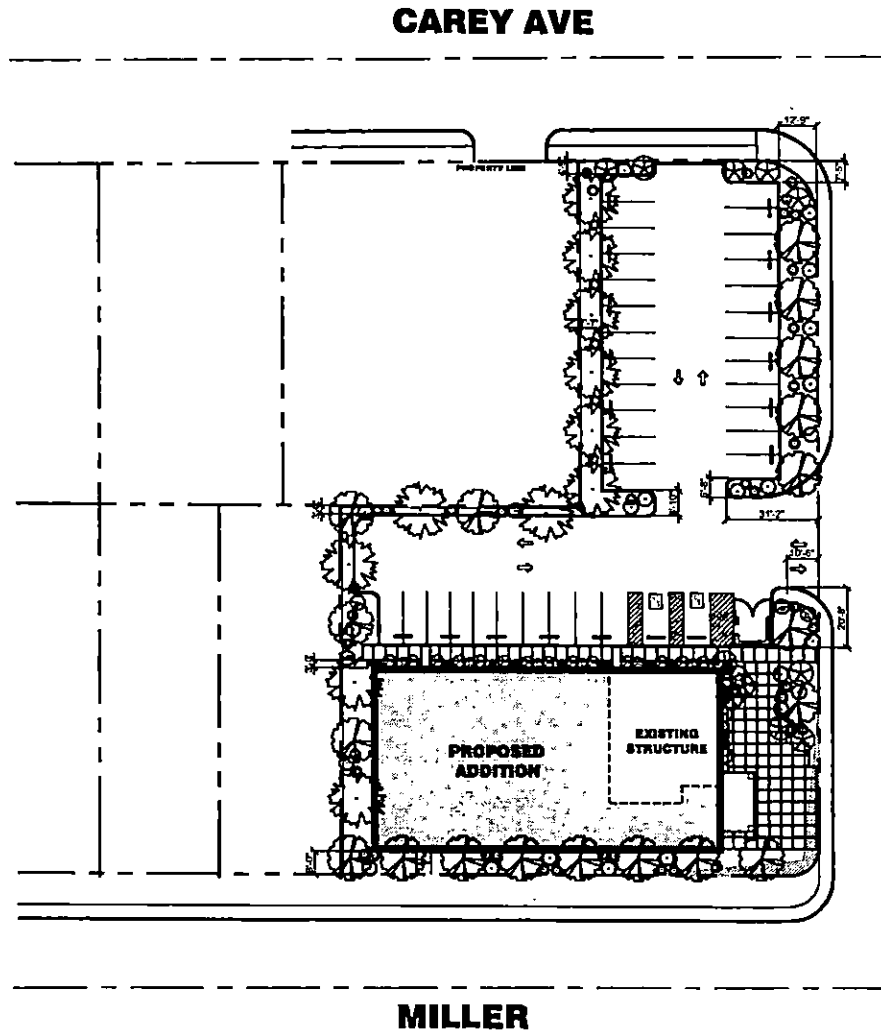
TYPICAL TREE PLANTING
SCALE: NOT TO SCALE



TYPICAL SHRUB PLANTING
SCALE: NOT TO SCALE



TYPICAL CONIFER PLANTING
SCALE: NOT TO SCALE



OVERALL LANDSCAPE PLAN
SCALE: 1" = 20'-0"

LANDSCAPE NOTES

1. THE SPRINKLER SYSTEM DESIGN WILL BE BASED ON THE MINIMUM OPERATING PRESSURE AND THE MAXIMUM FLOW DEMAND SHOWN ON THE SHOP DRAWINGS AT EACH POINT OF CONNECTION. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION. REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE SHOP DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE CONTRACTOR. IN THE EVENT PRESSURE DIFFERENCES ARE NOT REPORTED PRIOR TO START OF CONSTRUCTION, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.
2. THIS SHOP DRAWING DESIGN WILL BE DIAGRAMMATIC. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS IS FOR DESIGN CLARITY ONLY AND SHALL BE INSTALLED IN PLANTING AREAS. AVOID ANY CONFLICTS BETWEEN THE SPRINKLER SYSTEM, PLANTING AND ARCHITECTURAL FEATURES.
3. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ANY GRADE DIFFERENCES, LOCATION OF WALLS AND RETAINING WALLS.
4. THE IRRIGATION CONTRACTOR SHALL FLUSH AND ADJUST ALL SPRINKLER HEADS FOR OPTIMUM PERFORMANCE AND TO PREVENT OVERSPRAY ONTO WALKS, ROADWAYS AND/OR BUILDING AS MUCH AS POSSIBLE.
5. ALL POP-UP SPRINKLERS SHALL BE INSTALLED SO THAT UPON RETRACTION OF THE RISER PISTON, NO DEBRIS OR SOIL OF ANY KIND WILL BE BACKWASHED INTO THE SPRINKLER CAUSING THE RISER PISTON TO STICK IN THE "UP" POSITION.
6. ALL SPRINKLER HEADS SHALL BE SET PERPENDICULAR TO FINISH GRADE OF THE AREA TO BE IRRIGATED UNLESS SITE CONDITIONS REQUIRE DIFFERENT ADJUSTMENTS TO BE MADE.

LANDSCAPE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	FAIRBANKS LILAC	FAIRBANKS LILAC	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	
	PRUNUS ELAEOCARPA	PRUNUS ELAEOCARPA	24" HGT.	

Mark Green Architects, LLC 221

REVISIONS

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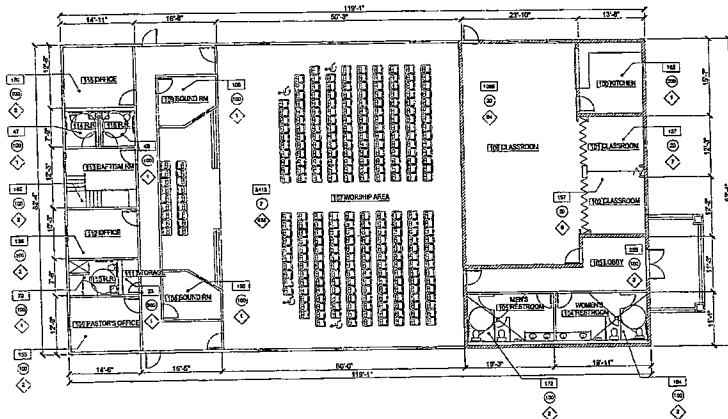
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1 OVERALL FLOOR PLAN
10'-0"

RECEIVED
SEP 08 2006

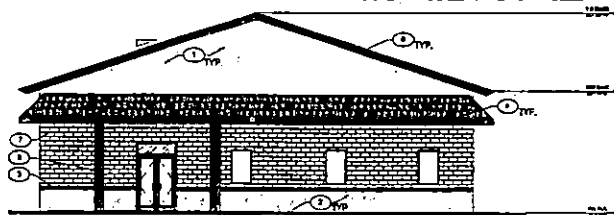
LEGEND	
XXX	AREA
XX	OCCUPANT LOAD FACTOR
X	NUMBER OF OCCUPANTS

TOTAL OCCUPANTS: 878

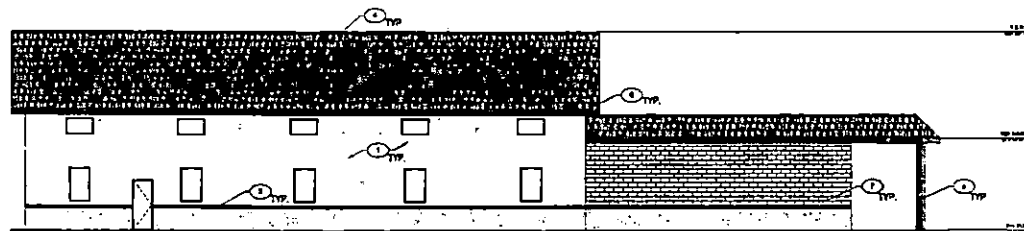
ZON-16632 SDR-15034
REVISED 10/19/06 PC

RECEIVED
SEP 08 2006

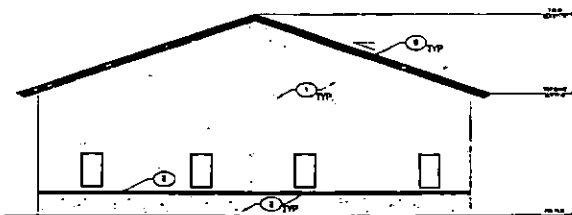
1. If Other, Check Applicable Box (ES)	
REVISIONS	BY
1. If Other, Check Applicable Box (ES)	
MGA Multi Group Architects, Ltd. 134 MILLER AVE. LAS VEGAS, NEVADA 89108	
PRAYER CENTER REVIVAL MINISTRIES 134 MILLER AVE. LAS VEGAS, NEVADA 89108	
OVERALL FLOOR PLAN	
DATE:	10/19/06
SCALE:	1/8"=1'-0"
PROJECT:	10/19/06
JOB NO.:	10/19/06
10/19/06	
A1.01	
10/19/06	



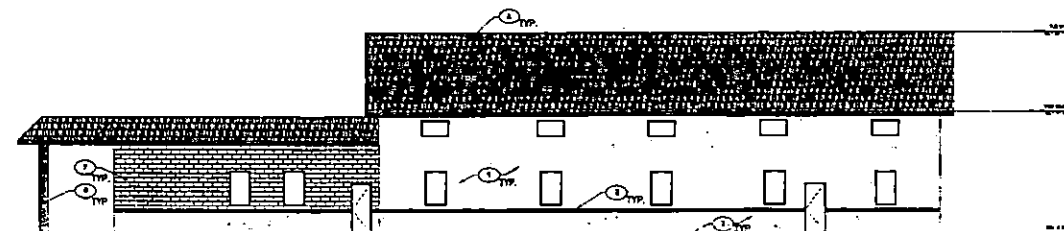
1 EAST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



2 SOUTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"

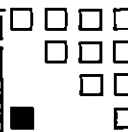


3 WEST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



4 NORTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"

EXTERIOR FINISH SCHEDULE		
MATERIAL	FINISH	DESCRIPTION / COLOR
1 STUCCO - TOP	TEXTURED	VISTA PAINT/7325 LRV 16
2 STUCCO - BOTTOM	TEXTURED	VISTA PAINT/7323 LRV 72
3 TRIM	SMOOTH	VISTA PAINT/3328 LRV 14
4 ROOF SHINGLES	TEXTURED	VISTA PAINT/5527 LRV 11
5 COLUMN	TEXTURED	VISTA PAINT/3328 LRV 14
6 ROOF EAVE TRIM	SMOOTH	VISTA PAINT/3328 LRV 14
7 DIAL WALL	SMOOTH	N/A



MGA MGA Design Group, Inc.
1316 MILLER AVE.
LAS VEGAS, NEVADA 89105
702.735.1111
www.mgaarchitect.com

PRAYER CENTER RENAISSANCE MINISTRIES
1316 MILLER AVE.
LAS VEGAS, NEVADA 89105
702.735.1111
www.mgaarchitect.com

DATE: 06-19-06
SCALE: AS INDICATED
DRAWN: P/B
JOB NO: 06-008
SHEET: A2.01
OF: 04-075

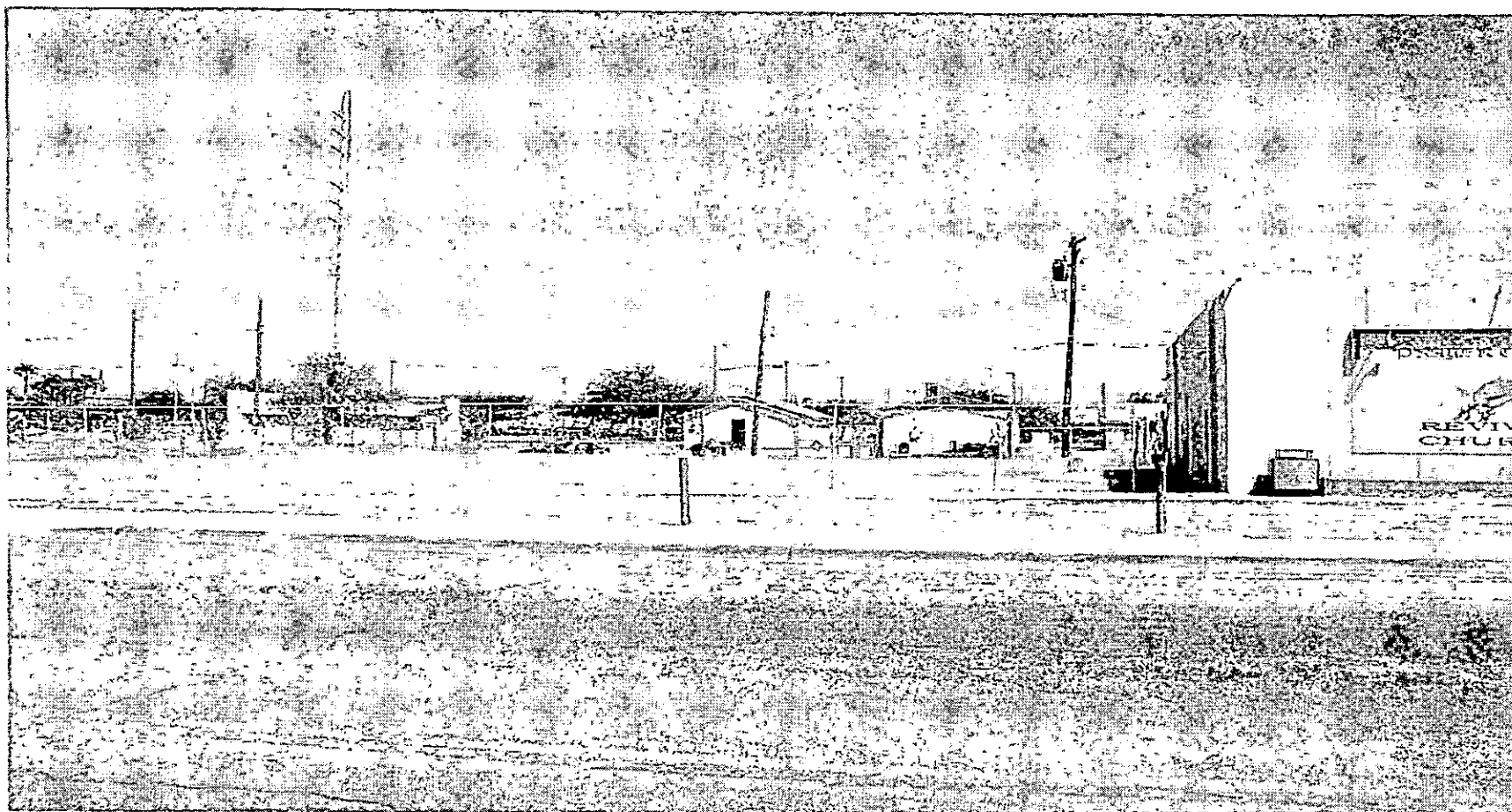
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JUL 11 2006

SDR-15034
10/19/06 PC

EXTERIOR ELEVATIONS

SDR 15034				
Prayer Center Revival Crusade Ministries				
1316 & 1352 Miller				
Proposed 5.75 thousand square foot church expansion.				
Traffic produced by proposed development:				
New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	5.75	9.11	52
AM Peak Hour			0.72	4
PM Peak Hour			0.66	4
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Lexington or Miller				
Martin L. King Boulevard				
Average Daily Traffic (ADT)	33,971			
PM Peak Hour	2718			
(heaviest 60 minutes)				
Carey Avenue				
Average Daily Traffic (ADT)	20,576			
PM Peak Hour	1646			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Martin L. King Boulevard	34300			
Carey Avenue	34300			
This project will add approximately 52 trips per day on Martin L. King, Carey, Lexington and Miller. This will increase expected volumes by less than one percent on Martin L. King and Carey. Martin L. King is at about 99 percent capacity and Carey is at about 60 percent of capacity. Counts are not available for Lexington or Miller, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 4 additional cars into the area; which works out to about one every fifteen minutes.				
Note that this report assumes all traffic from this development uses all named streets.				

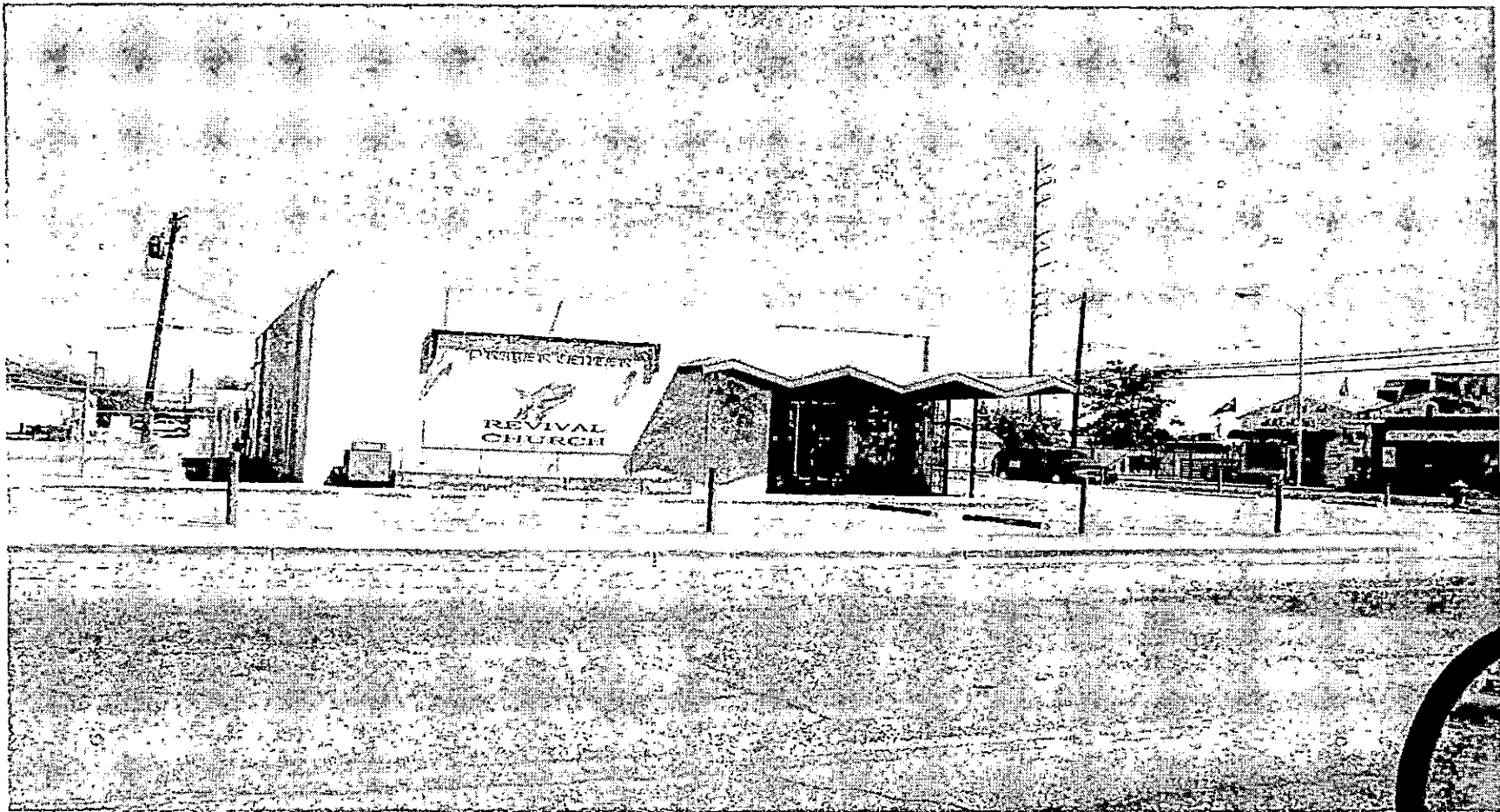


GPA-17129, ZON-16632 & SDR-15034 - APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE
MINISTRIES

1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE

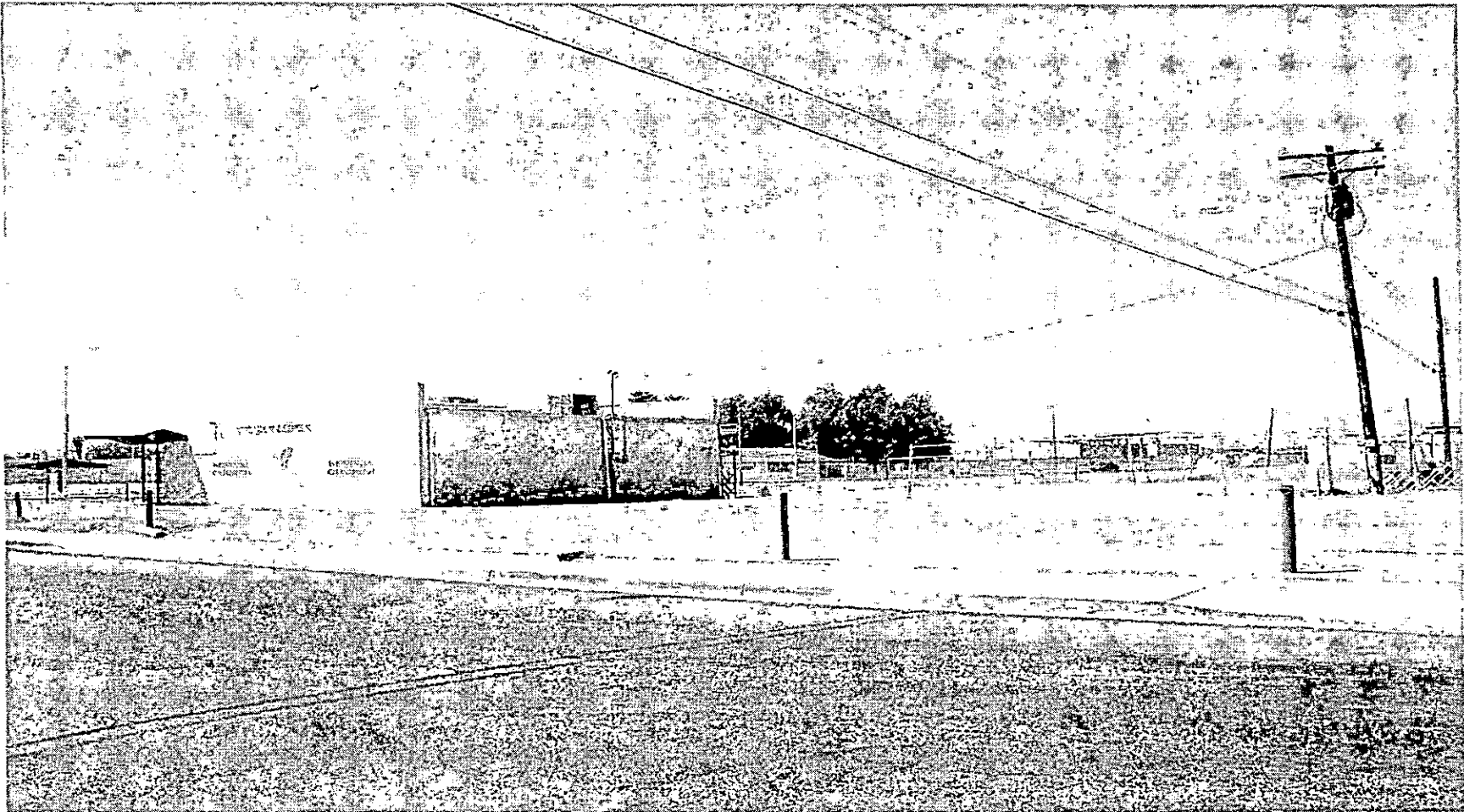
OCTOBER 19, 2006 PLANNING COMMISSION

08/22/06



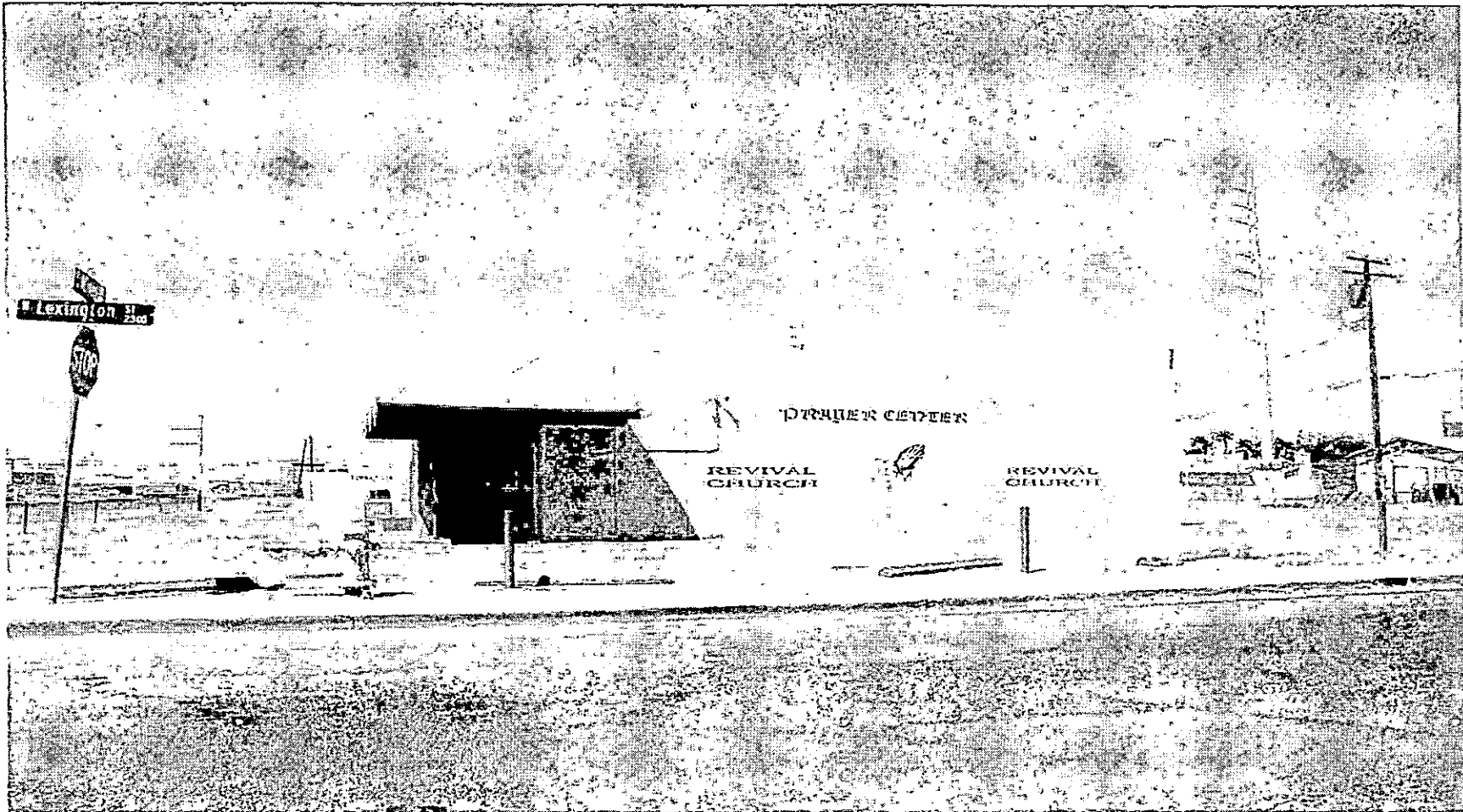
GPA-17129, ZON-16632 & SDR-15034 - APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE
MINISTRIES
1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 19, 2006 PLANNING COMMISSION

08/22/06



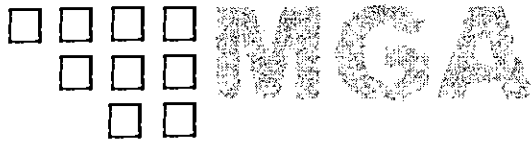
GPA-17129, ZON-16632 & SDR-15034 - APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE
MINISTRIES
1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 19, 2006 PLANNING COMMISSION

08/22/06



GPA-17129, ZON-16632 & SDR-15034 - APPLICANT/OWNER: PRAYER CENTER REVIVAL CRUSADE
MINISTRIES
1352 MILLER AVENUE AND 1329 WEST CAREY AVENUE
OCTOBER 19, 2006 PLANNING COMMISSION

08/22/06



MELVIN GREEN ARCHITECT, LIMITED

July 11, 2006

Planning and Development Department
Development Services
731 South 4th Street

RE: Justification Letter for APN 139-215-100-07, 139-215-100-073 and 074, for Site Development Review, Variance and Waiver of Development Standards for Proposed Church Addition

To Whom It May Concern:

Melvin Green Architect, Ltd., acting as authorized agent for the applicant/property owners, are pleased to submit this justification letter in support of our request for Site Development Review and Waiver of Conditions approval for the above-referenced project in a C-2/C-1 Zoning designation. There is an existing church on the proposed project location.

The proposed project consists of a single-storey, 7,423 sq. ft. church, fully described in the Architectural exhibits that are part of this Site Development Review.

The proposed church will be compatible with the surrounding area. The main building entrance will be located adjacent to Lexington Street. Landscaping compliments the building exterior façade. Additional intense landscaping will be added to screen the proposed parking lot.

Waiver of Development Standards

We are requesting a waiver to reduce the north setback perimeter landscaping to 3'-0" from residential property line. We propose to provide a more intense landscape with trees, shrubs, and ground cover to compensate for the decrease in landscape width.

Variance of Development Standards

We are requesting a variance to reduce the required front yard setback from 20'-0" to 8'-0" on Miller Street because of the location of the existing building we are attaching to. And also the space is limited on the north due to the 3 to 1 residential adjacency setback rule. We will provide intense landscaping as required to minimize the impact, including trees, shrubs, and ground cover along Miller.

If you have any questions or comments regarding this matter, please feel free to contact my office.

Thank you,

Melvin D. Green, AIA, NCARB
Owner
Melvin Green Architect, Ltd.

SDR-15034
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-16510 - REZONING - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Rezoning FROM: U (UNDEVELOPED) [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] TO: C-1 (LIMITED COMMERCIAL) on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

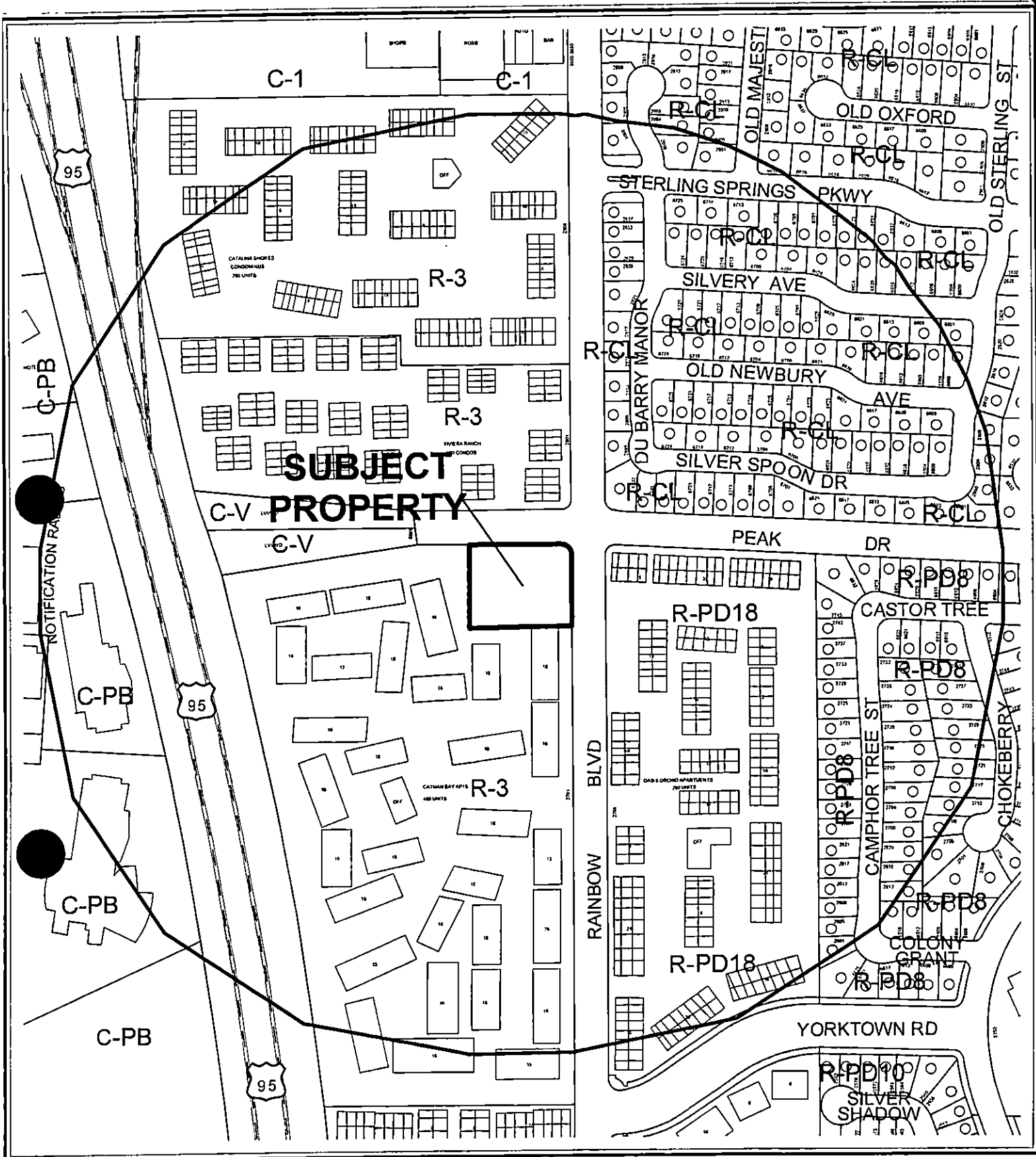
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 52 – ZON-16510

MINUTES:

JOHN KORKOSZ, Planning and Development Department, explained that staff needs to re-advertise related waivers; therefore, asked that Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: **ZON-16510**

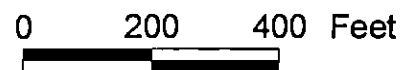
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)



C-1 (LIMITED COMMERCIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-16510 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-16520), Variance (VAR-16512), and Variance (VAR-16516), if approved.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16508) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Peak Drive and Rainbow Boulevard adjacent to this site concurrent with development of this site.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
6. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

ZON-16510 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Rezoning to reclassify this property from the U (Undeveloped)[Service Commercial General Plan Designation] to C-1 (Limited Commercial Development) for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency in conjunction with a mixed-use project as well as companion items for variances (VAR-16512 & VAR-16516) for increased percentage of lot coverage and reduced parking, as well as a Site Development Plan Review and Special Use Permit (SDR-16508 SUP-16520) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [PROPOSED: C-1 (Limited Commercial) Zone].

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.05
Net Acres	0.97

ZON-16510 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Condominiums	M (Medium Density Residential)	R-PD18 (Residential Planned development – 18 Units Per Acre)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		Y
A-O Airport Overlay District	Y		Y
Trails			N
Rural Preservation Overlay District			N
Development Impact Notification Assessment			N
Project of Regional Significance			N

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	.97	Y
Min. Lot Width	60 Feet	190 Feet	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	
• Corner	15	15	
• Rear	20	25	
Min. Distance Between Buildings	N/A	N/A	Y
Max. Lot Coverage	50%	68%	N
Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

ZON-16510 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Per 19.08.060, the following development standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	140	60 Feet Most Intrusive	N
Adjacent development matching setback			
Trash Enclosure	50	In Garage	Y
1:1 Step-back Mixed-use			Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
U(SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	31 Trees	31 Trees	Y
TOTAL		31 Trees	31 Trees	Y
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
	Regular		Handi-capped	Regular	Handi-capped		
Residential	32 d/u	1.75/du + 1/6du	62	2	44	2	N
Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2	N
SubTotal			122	5	88	4	N
TOTAL (including handicap)			122		88		
Loading Spaces			1	N/A	1	N/A	Y
Percent Deviation (VAR only)			27.47%				

ZON-16510 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Landscaping (Depth)	15 & 20 Feet	Approval w/conditions
Landscaping (Tree Requirement)	31 Trees	Denial
Landscaping (Shrubs)	5 Shrubs per Tree	Denial

ANALYSIS

The applicant is proposing to develop a five-story, mixed-use project, consisting of two commercial tenant spaces totaling 10,500 square feet and 32 residential units. The first level of the project will contain the retail uses and a portion of the parking garage and a trash collection area. The entire second level of the building will be dedicated entirely to a parking garage. The third, fourth, and fifth levels of the building will contain 32 condominium units with four different floor plans, all of which will have two bedrooms and two bathrooms.

The height of the building is 70 feet tall. The applicant has taken time to provide attractive architectural fenestration. Window sizes are staggered so as to balance the building and give the center of the building a greater level of prominence. The applicant has accomplished this by utilizing wire grates to conceal the opened wall areas of the second level, which is a parking level. The first level has a metal awning with wire support braces along the Rainbow Boulevard frontage with a stucco finish on the majority of this level and a gray square CMU block finish on south corner of the building. The second level of the Rainbow Boulevard frontage will be a continuation of the same materials used on the first level. The residential levels along the Rainbow Boulevard frontage and the west (rear) elevation have stucco finishing. The color of this treatment is sandstone in color bordering on light gray to tan. Polycarbon railings are being used for the balconies. Metal awnings are depicted over windows on the Rainbow Boulevard frontage.

The central residential units fronting Rainbow Boulevard have French Doors opening on to balconies. The awnings and French Doors are finished in a dark olive color. A metal-roofed arch is depicted on the north and south 25% of the Rainbow Boulevard frontage and along the west elevation. This arched roof is treated in a light gray/olive slate color. While much thought has gone into the design elements of the Rainbow Boulevard frontage and the west elevation, the same level of detail can not be said of the north and south elevations, with the exception of that portion of the north elevation east of the entry to the garage. Additionally, the use of flat CMU block, while not rectangular in shape does not provide the same level of architectural detail that a split-faced CMU block would provide.

This project does not have to meet any residential adjacency requirements for the trash collection facility since it is located within the parking structure. Another element in the design of the project that falls short of ideal is the location of the truck loading zone. While the truck loading zone would functionally meet the developments needs, it is designed in a manner that will require trucks to back out onto Peak Drive. Peak Drive, however, does dead-end into a Las Vegas Valley Water District facility.

ZON-16510 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

The building meets the 1:1 step-back ratio requirement along an arterial street (Rainbow Boulevard); however the 3:1 residential adjacency requirements on the northern portion of the building are not met. The north elevation of the building intrudes into the 3:1 residential adjacency requirement from the condominiums on the north side of Peak Drive by 115 feet and the 3:1 residential adjacency requirement from the single-family home on the northeast corner of Peak Drive and Rainbow Boulevard has an intrusion of 60 feet. There is an intrusion into the residential adjacency requirement to the condominiums on the east side of Rainbow Boulevard of 110 feet. The apartment complex to the south and west does not have a residential adjacency standard requirement because the units in this complex are not condominiums. However, SDR-10620 was approved on March 1, 2006 by the City Council and TMP-12228 was approved by the Planning Commission on April 27, 2006 to convert this apartment complex to a condominium complex.

The landscape amenity zone along the Rainbow Boulevard frontage consists of a CMU block planter, extended 15 feet from the building, which leaves a five-foot sidewalk attached to the curb. The attachment of a five-foot sidewalk to a curb along a busy 80-foot wide Secondary Collector street like Rainbow Boulevard is not inviting to pedestrians due to the speed of travel along such roads. A more preferable alternative to this design would be to provide five feet of landscaping along at the curb edge, a five-foot wide sidewalk and a ten-foot, elevated planter with several openings in the landscape planter. This will provide more integration between the pedestrians and the building. Additionally, the applicant does not meet the tree requirement along the Rainbow Boulevard frontage, which requires a waiver. Along the Peak Drive frontage, the applicant has placed the sidewalk adjacent to the curb, which is less attractive to a pedestrian as a walking environment. Along the Peak Drive frontage the applicant is also seeking a waiver to provide ten feet of landscaping where 15 feet is required. Again, the more appropriate alternative along Peak Drive would be a five-foot wide landscape buffer with a five-foot sidewalk and five feet of foundational landscaping. Moreover, the landscaping along both Rainbow Boulevard and Peak Drive lack the required tree spacing of one tree for every 20 linear feet. The applicant can meet this requirement utilizing a variety of palm trees that do not attain a large trunk diameter.

FINDINGS

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

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

The proposed Rezoning conforms to the General Plan.

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

ZON-16510 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

Uses within the C-1 (Limited Commercial) zoning district would be compatible at this location; however, the proposed use in this application is not compatible with the surrounding land uses.

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

The request for this Rezoning is inappropriate because this property is surrounded by residential development on both sides of Rainbow Boulevard.

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.”**

At this location, Rainbow Boulevard is an 80-foot wide right-of-way as is Peak Drive. Public Works indicates that this development shouldn't negatively affect traffic.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 [Mailed with VAR-16512, VAR-16516, SUP-16520 & SDR-16508]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-16510 APN: 13815701002
Name of Property Owner: Mayer Trust
Name of Applicant: NOVISION Holdings, LLC

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

 Yes

 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: _____

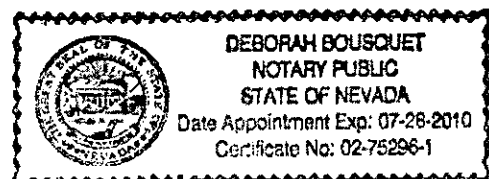
Signature of Property Owner: Robert Franklin Mayer TRUSTEE

Print Name: ROBERT FRANKLIN MAYER MOYER TRUST 3-12-88

Subscribed and sworn before me

This 12 day of July, 2006

Deborah Bousquet
Notary Public in and for said County and State

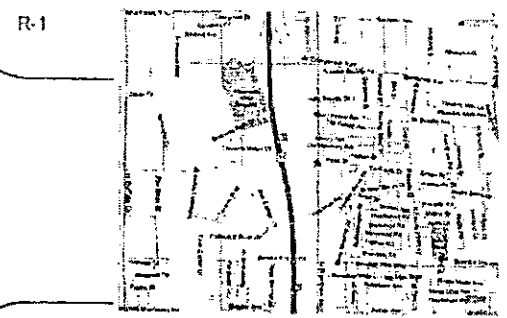
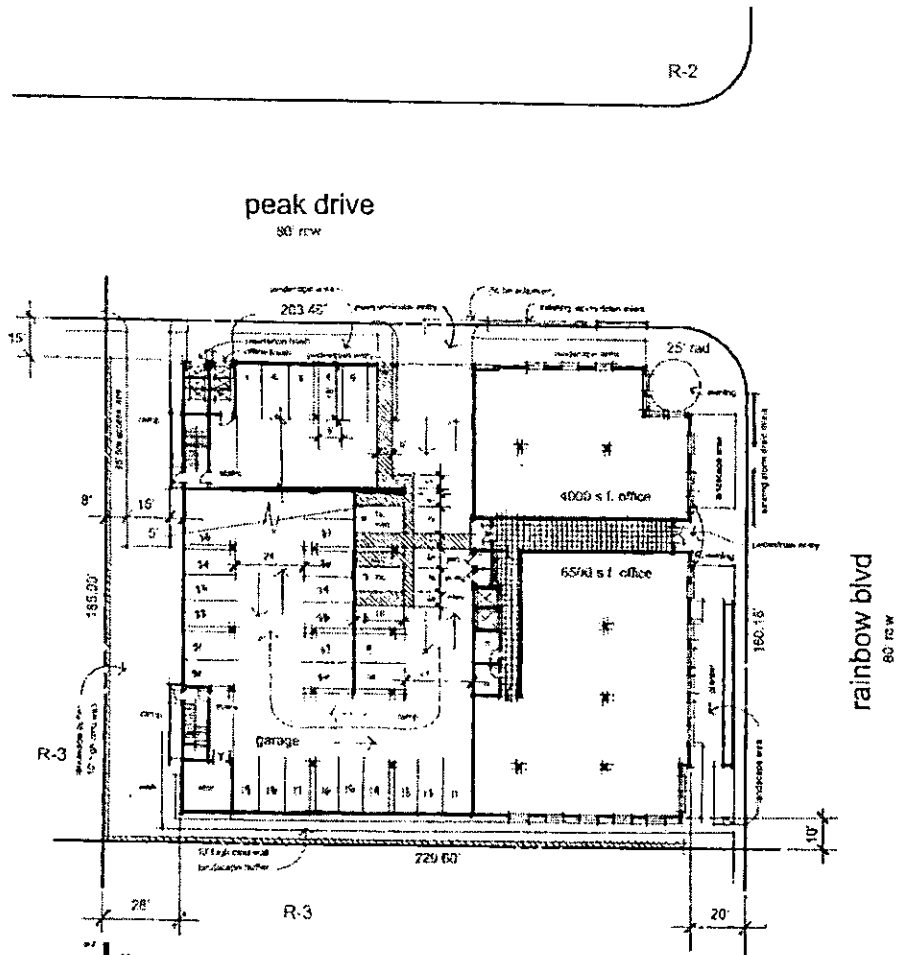


RAINBOW PEAK MIXED USE

KK&E architects, Inc. 4775 edmond street, Suite 260, las vegas, nevada 89118 702.269.4415 702.269.4415 fax www.kk&e.com

A PROJECT FOR
EMIL KHALILI

14522 SHERMAN WAY BLDG
4451100
CARELL AREA
71475



site analysis

.67 net acres (42,253.20 s.f.)
(.68 acre coverage)
first floor area = 28,707 s.f.
second floor area = 28,617 s.f.
third floor area = 17,338 s.f.
fourth floor area = 18,696 s.f.
fifth floor area = 18,496 s.f.
total building = 112,854 s.f.

parking analysis

total space 10,500 s.f.
2,000 / 200 = 10 spaces (2 HC)
8,500 / 175 = 49 spaces
total required = 59 spaces
residential 32 units @ 75 = 2,400 spaces (2 HC)
32 / 8 = 4 spaces
total required = 62 spaces (4 HC)
total - mechanical = 121 spaces required
80 spaces provided (4 HC)
(32 shared parking spaces)

F.A.R. analysis

office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	12,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	36,000 s.f.
actual	72,000 s.f. (apartment)
	108,000 s.f.
F.A.R.	51,926 / 105,000 = .48 <1 (okay)

Conceptual Site Plan
April 12, 2006

NOTE: This development is a conceptual site plan. It is not intended to be used for any regulatory purposes. It is not intended to be used for any regulatory purposes. It is not intended to be used for any regulatory purposes.

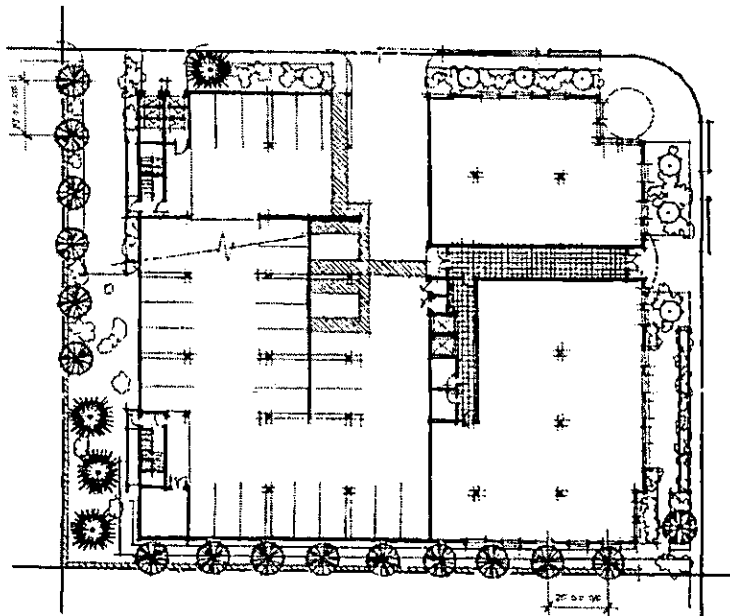
ZON-16510
10/19/06 PC



RAINBOW PEAK MIXED USE

A PROJECT FOR:
EMIL KHALIL

1402 SHERMAN WAY BLVD
VAN NUYS
CALIFORNIA
91405



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	..	1-1/2" Caliper Balled & Burlapped	PNIS ELDERICA - STD MONDEL PINE
	..	1-1/2" Caliper Balled & Burlapped	BLUE PALM VERDE
	..	24" Box	PRUNUS CERASIFERA 'AUTROBIFURCA' - STD PURPLE LEAF PLUM
	..	N/A	Ornamental Ground Shrub and Cover
	..	N/A	Crush Rock and Aggregate



NOTE: This is a conceptual drawing and is subject to
all approvals pending further verification and Client, Council
and Government Agency Approval. No warranty is
guaranteed of any kind and any claims or losses by the Applicant.

ZON-16510
10/19/06 PC



KKE of Nevada, Inc.

6770 Edmond St
Suite 100
DeVore, CA 95118
202-200-6616
202-200-6623 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Zone Change Request

Dear Sirs:

NuVision Holdings, LLC is requesting a Zone Change from (U(SC) use to C-1 use with a Special Use Permit for a Mixed Use Project, Office with Residential Above.

The proposed Office use will compliment the surrounding neighborhood asw will the proposed 32 du/ac Residential Development above the Office use.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Ahlstrom', written over a horizontal line.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

ZON-16510
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-16512 - VARIANCE RELATED TO ZON-16510 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST -
Request for a Variance TO ALLOW 68 PERCENT LOT COVERAGE WHERE 50 PERCENT LOT COVERAGE IS THE MAXIMUM PERMITTED on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 53 – VAR-16512

MINUTES:

JOHN KORKOSZ, Planning and Development Department, explained that staff needs to re-advertise related waivers; therefore, asked that Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-16512 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-16510), Special Use Permit (SUP-16520), Site Development Plan Review (SDR-16508), Variance (VAR-16516) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-16512 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Variance to increase the percentage of lot coverage to 68% where a maximum of 50% is permitted for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency in conjunction with a mixed-use project as well as companion items for a Rezoning (ZON-16510) from U (Undeveloped) to C-1 (Limited Commercial District), a Variance (VAR-16516) for reduced parking, as well as and a Special Use Permit (SUP-16520 and SDR-16508) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [PROPOSED: C-1 (Limited Commercial) Zone].

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this .97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

VAR-16512 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Condominiums	M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		Y
A-O Airport Overlay District	Y		Y
Trails			N
Rural Preservation Overlay District			N
Development Impact Notification Assessment			N
Project of Regional Significance			N

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	.97	Y
Min. Lot Width	60 Feet	190 Feet	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	
• Corner	15	15	
• Rear	20	25	
Min. Distance Between Buildings	N/A	N/A	Y

VAR-16512 - Staff Report Page Three
 October 19, 2006 - Planning Commission Meeting

Max. Lot Coverage	50%	68%	N
Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

Per 19.08.060, the following development standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	140	60 Feet Most Intrusive	N
Adjacent development matching setback			
Trash Enclosure	50	In Garage	Y
1:1 Step-back Mixed-use			Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
U(SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Trees/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential	32 d/u	1.75/du + 1/6du	61	2	44	2	N

VAR-16512 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2	N
SubTotal			121	5	88	4	N
TOTAL (including handicap)			121		88		
Loading Spaces			1	N/A	1	N/A	Y
Percent Deviation (VAR only)			27.47%				

Waivers		
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VAR-16512 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

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VAR-16512 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a project that exceeds the sites buildable area. Alternatively, the proposed development could be scaled back, which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 [Mailed with ZON-16510, VAR-16516, SUP-16520 & SDR-16508]

APPROVALS 0

PROTESTS 0



VAR-16512

Name of Applicant: NuVision Holdings, LLC

X No

APN: _____

Print Name: Robert Franklin MOYER MOYER TRUST 7-12-88

Isabel Bragante
Notary Public in and for said County and State



RAINBOW PEAK MIXED USE

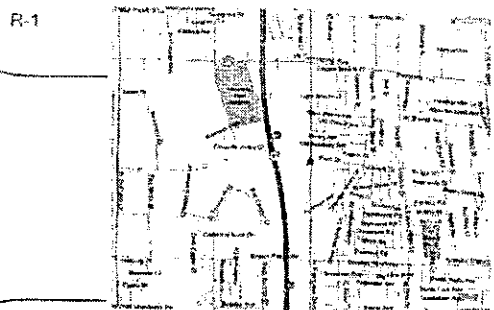
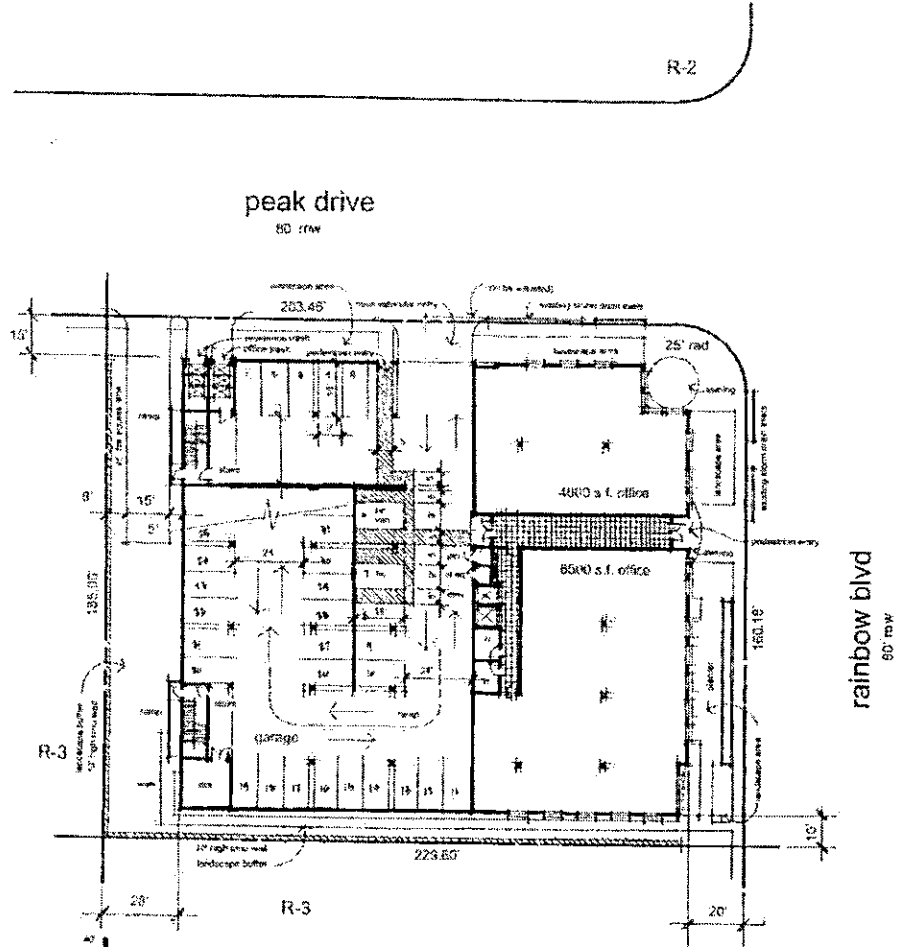
(10/19/06, 10/19/06)

NO. 015-100001

K&E architects, Inc. 4725 edmond street, Suite 260, las vegas, nevada 89118 702.269.6415 702.269.4475 fax www.k&e.com

A PROJECT FOR:
EMIL KHALILI

14225 SHANAN WAY BLVD.
VANDERBILT
CHURCH
91405



site analysis

.97 net acres (47,253.20 s.f.)
first floor area = 28,707 s.f.
second floor area = 28,817 s.f.
third floor area = 17,336 s.f.
fourth floor area = 18,046 s.f.
fifth floor area = 16,496 s.f.
total building = 109,202 s.f.
(.68 site coverage)

F.A.R. analysis

office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	10,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	38,000 s.f.
actual	73,000 s.f. (sprinklered)
	108,000 s.f.
F.A.R.	51,528 / 108,000 = .48 <1 (okay)

parking analysis

retail space 10,500 s.f.
2,000 / 200 = 10 spaces (2 HC)
total required = 60 spaces
residential 32 units @ 75 = 56 spaces (2 HC)
total required = 62 spaces (4 HC)
retail + residential = 122 spaces required
89 spaces provided (4 HC)
(32 shared parking spaces)

RECEIVED

SEP 05 2006

Conceptual Site Plan
10/19/06

NOTES: This preliminary conceptual site plan is intended to illustrate the project location and general site layout. It is not intended to be used for any other purpose. The project is subject to the final design and construction. The project is subject to the final design and construction. The project is subject to the final design and construction.

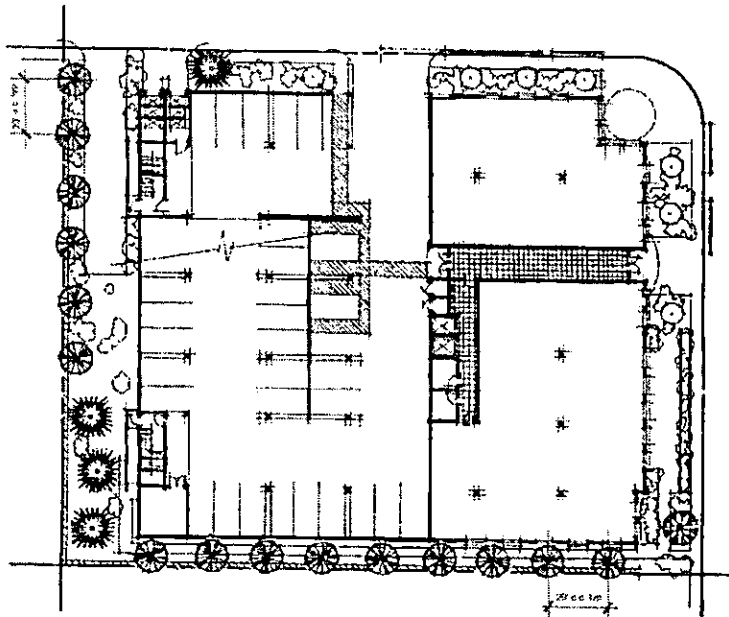
VAR-16512
10/19/06 PC



RAINBOW PEAK MIXED USE

08/19/06 10:00:00 No. 0715 10000

A PROJECT FOR:
EMIL KHALILI
 14523 SHERMAN WAY BLVD.
 VAN HOUTS
 CALIFORNIA
 91402



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	--	1-1/2" Caliper Balled & burlapped	PRINUS ELDERICA-BTD MONDEL PINE
	--	1-1/2" Caliper Balled & burlapped	BLUE PALM VERDE
	--	24" Box	PRUNUS CERASIFERA 'AUTOCORPUSCULA' - BTD PURPLE LEAF PLUM
	--	N/A	Onsite Ground Seeds and Cover
	--	N/A	Crush Rock and Aggregate

RECEIVED

SEP 05 2006

08/19/06 10:00:00 No. 0715 10000

NOT: The information is confidential and is to be used only for the project for which it was prepared. It is not to be used for any other project without the written consent of the Architect. No warranties or guarantees are given by the Architect.

VAR-16512
 10/19/06 PC



KKE of Nev. Inc.

6775 edmond st
suite 200
las vegas, nv 89118
702/291-6015
702/291-6016
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Variance for % of Lot Coverage

Dear Sirs:

NuVision Holdings, LLC is requesting variance to increase the required % of Lot Coverage for a Mixed Use Project, Office with Residential Above.

The request is for an increase in the required Lot Coverage from 50% to 68%

The setbacks have all been met or exceeded to provide the maximum amount of landscape area at the ground level. In addition to the ground level, the residential plaza level above the garage structure will provide an additional 19% of open space, effectively creating 51% open to air for the residential use of the project.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Ahlstrom', written over a horizontal line.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

VAR-16512
10/19/06 PC
expanding the vision

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-16516 - VARIANCE RELATED TO ZON-16510 AND VAR-16512 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Variance TO ALLOW 89 PARKING SPACES WHERE 121 PARKING SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to **HOLD IN ABEYANCE** Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and **WITHDRAW WITHOUT PREJUDICE** Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – **UNANIMOUS**

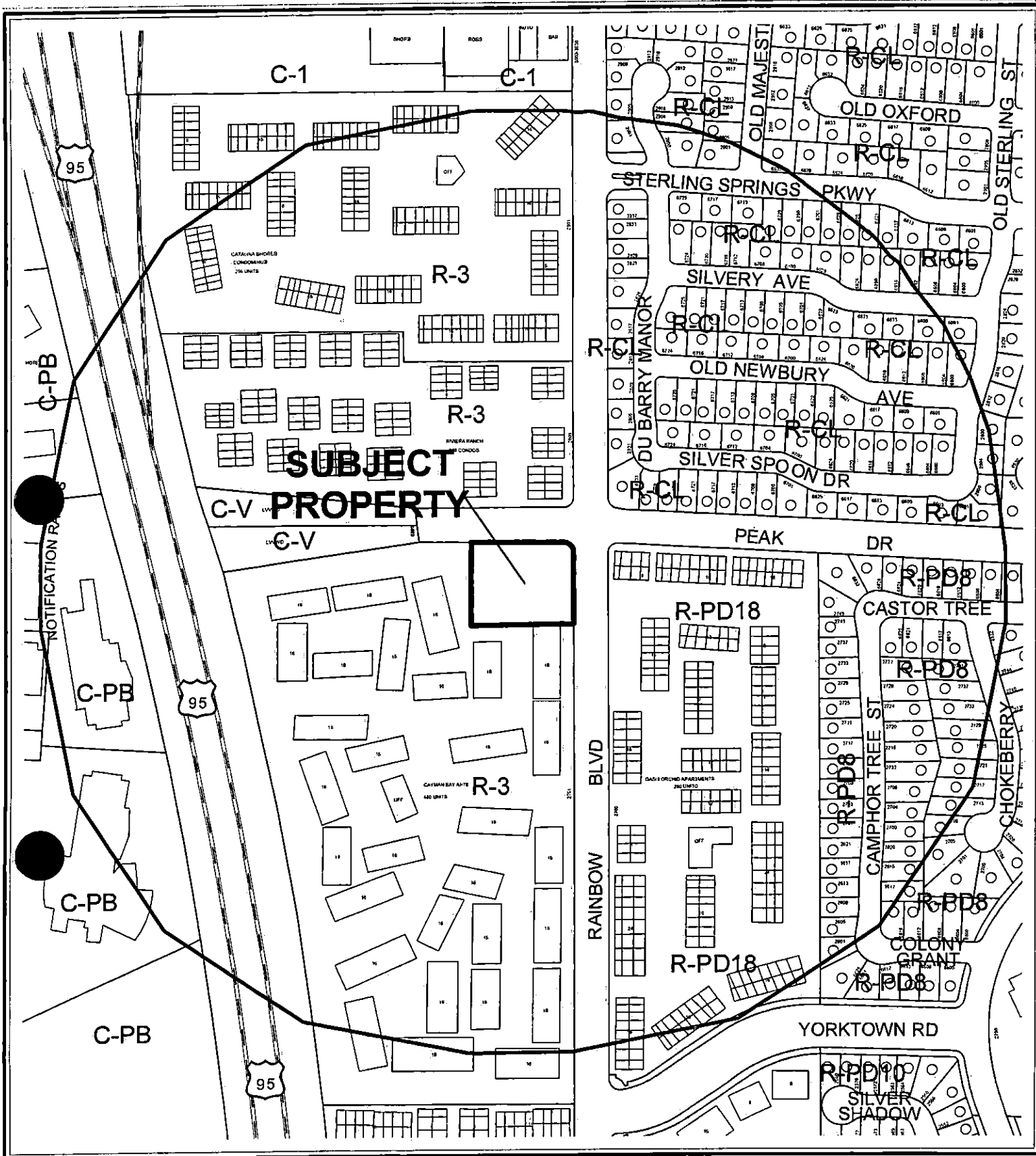
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 54 – VAR-16516

MINUTES:

JOHN KORKOSZ, Planning and Development Department, explained that staff needs to re-advertise related waivers; therefore, asked that Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: **VAR-16516**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-16516 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-16510), Special Use Permit (SUP-16520), Site Development Plan Review (SDR-16508), Variance (VAR-16512) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-16516 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Variance to reduce the amount of required parking to 88 spaces where 122 spaces are required for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency in conjunction with a mixed-use project as well as companion items for a Rezoning (ZON-16510) from U (Undeveloped) to C-1 (Limited Commercial), Variance (VAR-16512) for increased percentage of lot coverage, as well as and a Special Use Permit and Site Development Plan Review (SUP-16520 and SDR-16508) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [Proposed: C-1 (Limited Commercial) Zone].

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

VAR-16516 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Condominiums	M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	Y		
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		Y
A-O Airport Overlay District	Y		Y
Trails			N
Rural Preservation Overlay District			N
Development Impact Notification Assessment			N
Project of Regional Significance			N

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	0.97	Y
Min. Lot Width	60 Feet	190 Feet	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	
• Corner	15	15	
• Rear	20	25	
Min. Distance Between Buildings	N/A	N/A	Y

VAR-16516 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Max. Lot Coverage	50%	68%	N
Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

Per 19.08.060, the following development standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	140	60 Feet Most Intrusive	N
Adjacent development matching setback			
Trash Enclosure	50	In Garage	Y
1:1 Step-back Mixed-use			Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
U(SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential	32 d/u	1.75/du + 1/6du	62	2	44	2	N
Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2	N

VAR-16516 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

SubTotal			121	5	88	4	N
TOTAL (including handicap)			122		88		
Loading Spaces			1	N/A	1	N/A	Y
Percent Deviation (VAR only)			27.47%				

Waivers		
Request	Requirement	Staff Recommendation
Landscaping (Depth)	15 & 20 Feet	Approval w/conditions
Landscaping (Tree Requirement)	31 Trees	Denial
Landscaping (Shrubs)	5 Shrubs per Tree	Denial

ANALYSIS

The applicant is proposing to develop a five-story, mixed-use project, consisting of two commercial tenant spaces totaling 10,500 square feet and 32 residential units. The first level of the project will contain the retail uses and a portion of the parking garage and a trash collection area. The entire second level of the building will be dedicated entirely to a parking garage. The third, fourth, and fifth levels of the building will contain 32 condominium units with four different floor plans, all of which will have two bedrooms and two bathrooms.

The height of the building is 70 feet tall. The applicant has taken time to provide attractive architectural fenestration. Window sizes are staggered so as to balance the building and give the center of the building a greater level of prominence. The applicant has accomplished this by utilizing wire grates to conceal the opened wall areas of the second level, which is a parking level. The first level has a metal awning with wire support braces along the Rainbow Boulevard frontage with a stucco finish on the majority of this level and a gray square CMU block finish on south corner of the building. The second level of the Rainbow Boulevard frontage will be a continuation of the same materials used on the first level. The residential levels along the Rainbow Boulevard frontage and the west (rear) elevation have stucco finishing. The color of this treatment is sandstone in color bordering on light gray to tan. Polycarbon railings are being used for the balconies. Metal awnings are depicted over windows on the Rainbow Boulevard frontage.

The central residential units fronting Rainbow Boulevard have French Doors opening on to balconies. The awnings and French Doors are finished in a dark olive color. A metal-roofed arch is depicted on the north and south 25% of the Rainbow Boulevard frontage and along the west elevation. This arched roof is treated in a light gray/olive slate color. While much thought

VAR-16516 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

has gone into the design elements of the Rainbow Boulevard frontage and the west elevation, the same level of detail can not be said of the north and south elevations, with the exception of that portion of the north elevation east of the entry to the garage. Additionally, the use of flat CMU block, while not rectangular in shape does not provide the same level of architectural detail that a split-faced CMU block would provide.

This project does not have to meet any residential adjacency requirements for the trash collection facility since it is located within the parking structure. Another element in the design of the project that falls short of ideal is the location of the truck loading zone. While the truck loading zone would functionally meet the developments needs, it is designed in a manner that will require trucks to back out onto Peak Drive. Peak Drive, however, does dead-end into a Las Vegas Valley Water District facility.

The building meets the 1:1 step-back ratio requirement along an arterial street (Rainbow Boulevard); however the 3:1 residential adjacency requirements on the northern portion of the building are not met. The north elevation of the building intrudes into the 3:1 residential adjacency requirement from the condominiums on the north side of Peak Drive by 115 feet and the 3:1 residential adjacency requirement from the single-family home on the northeast corner of Peak Drive and Rainbow Boulevard has an intrusion of 60 feet. There is an intrusion into the residential adjacency requirement to the condominiums on the east side of Rainbow Boulevard of 110 feet. The apartment complex to the south and west does not have a residential adjacency standard requirement because the units in this complex are not condominiums. However, SDR-10620 was approved on March 1, 2006 by the City Council and TMP-12228 was approved by the Planning Commission on April 27, 2006 to convert this apartment complex to a condominium complex.

The landscape amenity zone along the Rainbow Boulevard frontage consists of a CMU block planter, extended 15 feet from the building, which leaves a five-foot sidewalk attached to the curb. The attachment of a five-foot sidewalk to a curb along a busy 80-foot wide Secondary Collector street like Rainbow Boulevard is not inviting to pedestrians due to the speed of travel along such roads. A more preferable alternative to this design would be to provide five feet of landscaping along at the curb edge, a five-foot wide sidewalk and a ten-foot, elevated planter with several openings in the landscape planter. This will provide more integration between the pedestrians and the building. Additionally, the applicant does not meet the tree requirement along the Rainbow Boulevard frontage, which requires a waiver. Along the Peak Drive frontage, the applicant has placed the sidewalk adjacent to the curb, which is less attractive to a pedestrian as a walking environment. Along the Peak Drive frontage the applicant is also seeking a waiver to provide ten feet of landscaping where 15 feet is required. Again, the more appropriate alternative along Peak Drive would be a five-foot wide landscape buffer with a five-foot sidewalk and five feet of foundational landscaping. Moreover, the landscaping along both Rainbow Boulevard and Peak Drive lack the required tree spacing of one tree for every 20 linear feet. The applicant can meet this requirement utilizing a variety of palm trees that do not attain a large trunk diameter.

VAR-16516 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a project that exceeds the sites ability to have adequate parking. Alternatively, the proposed development could be scaled back, which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 [Mailed with ZON-16510, VAR-16512, SUP-16520 & SDR-16508]

APPROVALS 0

PROTESTS 0



RAINBOW PEAK MIXED USE

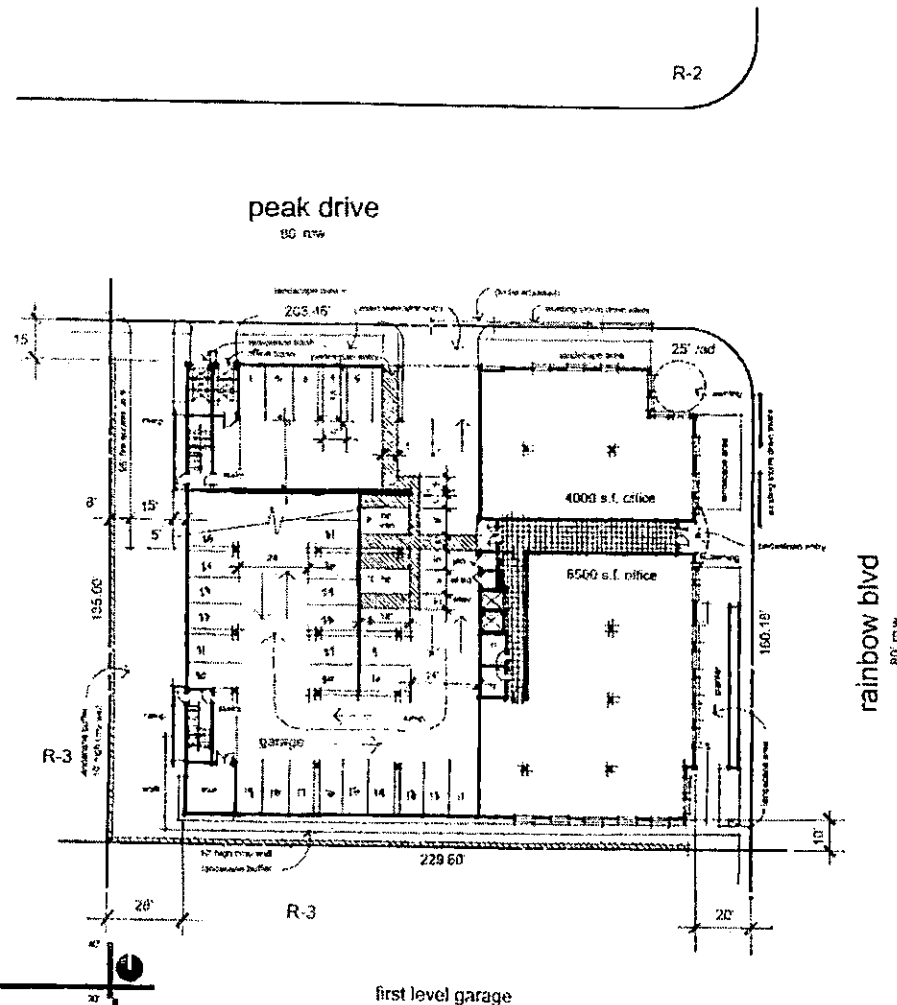
© K&K Architects, Inc.

4775 Edmond Street, Suite 260, Las Vegas, Nevada 89118

K&K architects, Inc. 4775 Edmond Street, Suite 260, Las Vegas, Nevada 89118 702.269.6615 702.269.6625 fax www.kka.com

A PROJECT FOR:
EMIL KHALILI

14525 THERMAN WAY BLVD
LAS VEGAS
NEVADA
89130



Conceptual Site Plan

DATE: 10/19/06

NOT: This is a conceptual site plan and should not be used for construction purposes. It is intended for informational purposes only. The client is responsible for obtaining all necessary permits and approvals from the local government. The architect is not responsible for the accuracy of the information provided by the client.

R-1



R-2

site analysis

97 net acres (42,253.20 s.f.)
first floor area = 28,767 s.f. (60 site coverage)
second floor area = 28,817 s.f.
third floor area = 17,335 s.f.
fourth floor area = 18,095 s.f.
fifth floor area = 16,495 s.f.
total building = 109,512 s.f.
10,500 s.f. office space
32 - 2 bed/2 ba dwelling units (32 duplex)

parking analysis

retail space 10,500 s.f.
2,000 / 200 = 10 spaces (2 HC)
8,500 / 175 = 49 spaces
total required = 59 spaces
residential 32 units 75 = 56 spaces (2 HC)
32 / 16 = 2 spaces
total required = 62 spaces (4 HC)
retail + residential = 121 spaces required
49 spaces provided (4 HC)
(32 shared parking spaces)

F.A.R. analysis

office	type I construction
allowable gross	unlimited s.f. 13,000 s.f.
F.A.R.	10,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable gross	36,000 s.f. 72,000 s.f. (max/level) 108,000 s.f.
actual	51,928 s.f.
F.A.R.	51,928 / 108,000 = .48 <1 (okay)

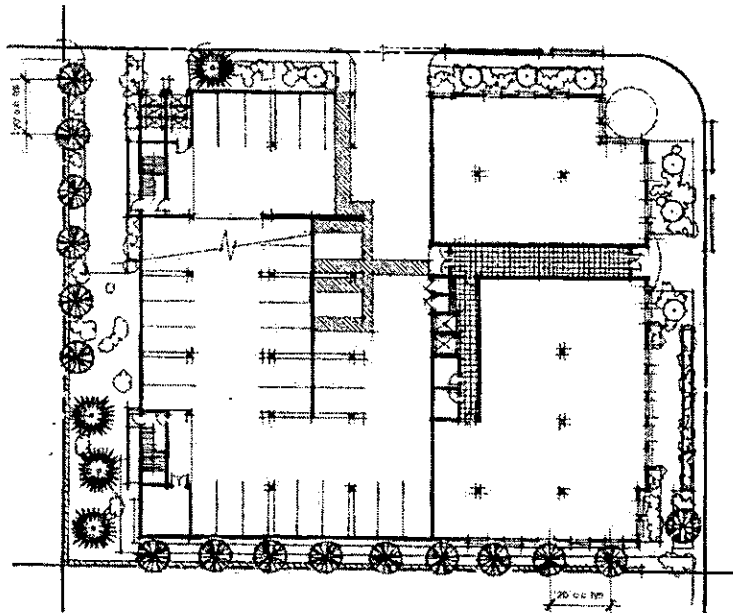
VAR-16516
10/19/06 PC



K&K architects

RAINBOW PEAK MIXED USE

A PROJECT FOR:
EMIL KHALILI
 14522 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	--	1-1/2" Caliper Balled & Burlapped	PIKE ELDERICA - STD MONDEL PINE
	--	1-1/2" Caliper Balled & Burlapped	BLUE PALM VERDE
	--	24" Box	PHALAIS GERANIIFERA - "AUTROPHALUREA" - STD PURPLE LEAF PLUM
	--	N/A	Ornamental Ground Grubs and Cover
	--	N/A	Crush Rock and Aggregate

CONSTRUCTION OF LANDSCAPE
 August 21, 2006

NOTE: This information is conceptual in nature and is subject to
 field verification pending further verification and design. Landscaping
 and construction of landscape is subject to field verification and
 quantities of any kind are given or implied by the Architect.

VAR-16516
10/19/06 PC



KKE of Nevada, Inc.

6775 Edmond St.
Suite 200
Las Vegas, NV 89118
702.259.6215
202.259.6215
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Parking Variance

Dear Sirs:

NuVision Holdings, LLC is requesting a Parking Variance for a Mixed Use Project, Office with Residential Above.

The proposed mixed use project requires a combination of parking requiring 121 spaces. The variance is for a reduction in the required parking to 89 provided spaces.

The 32 spaces will be shared spaces in an agreement between the Office Use and the Residential Use due to the operating hours of the Office and the peak use of the Residential.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Ahlstrom', written over a horizontal line.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

VAR-16516
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-16520 - SPECIAL USE PERMIT RELATED TO ZON-16510, VAR-16512 AND VAR-16516 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and **WITHDRAW WITHOUT PREJUDICE** Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – **UNANIMOUS**

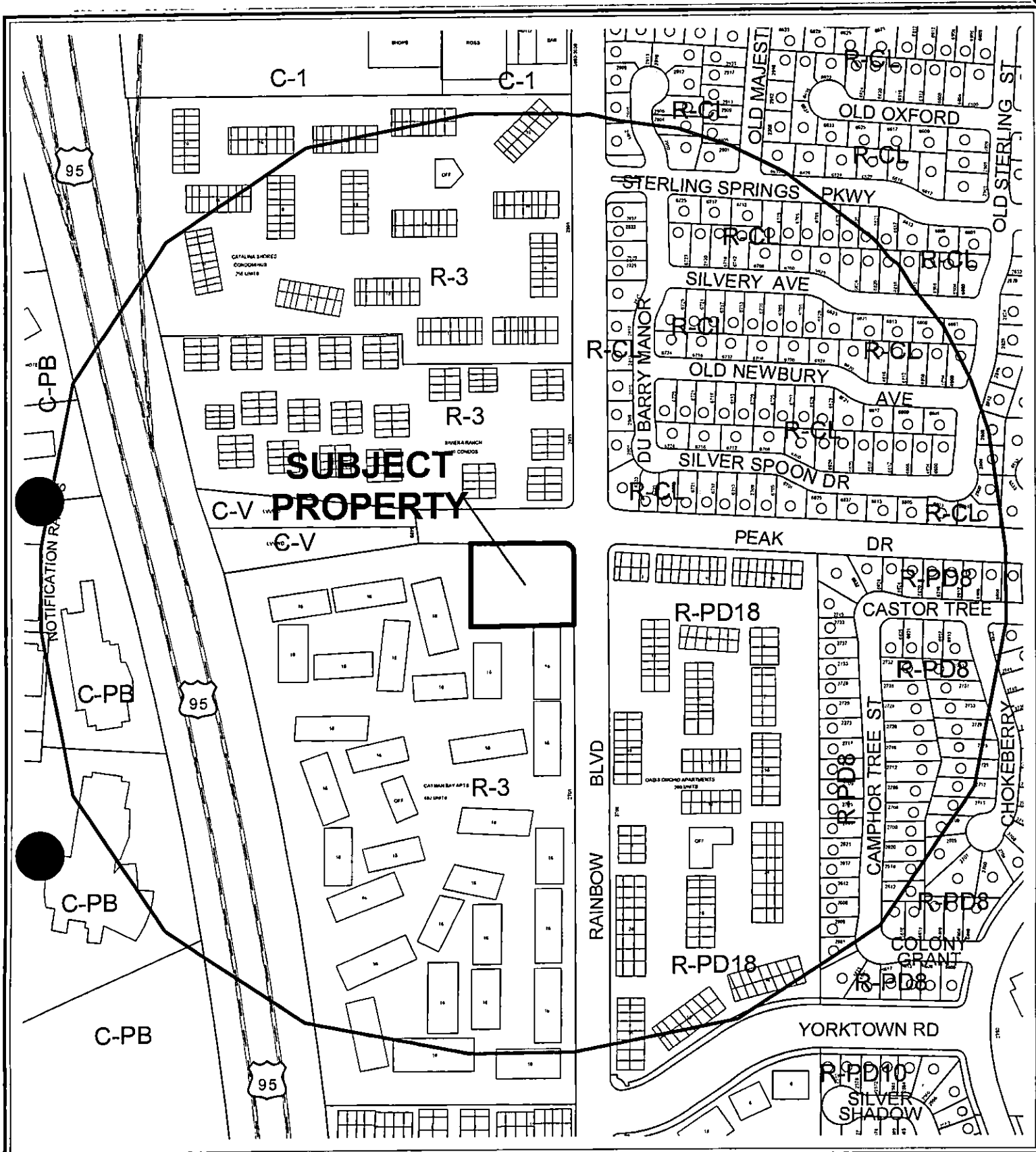
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 55 – SUP-16520

MINUTES:

JOHN KORKOSZ, Planning and Development Department, explained that staff needs to re-advertise related waivers; therefore, asked that Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: SUP-16520

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-16520 - APPLICANT: NUVISION HOLDINGS, LLC -

OWNER: THE MOYER TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for mixed-use developments.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-16510), Site Development Plan Review (SDR-16508), Variance (VAR-16512), and Variance (VAR-16516) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-16520 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Special Use Permit for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency in conjunction with a mixed-use project as well as companion items for a Rezoning (ZON-16510) from U (Undeveloped) to C-1 (Limited Commercial District), Variances (VAR-16512 & VAR-16516) for increased percentage of lot coverage and reduced parking, as well as and a Site Development Plan Review (SDR-16508) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [Proposed: C-1 (Limited Commercial) Zone].

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

SUP-16520 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Condominiums	M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units Per Acre)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	Y		
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		Y
A-O Airport Overlay District	Y		Y
Trails			N
Rural Preservation Overlay District			N
Development Impact Notification Assessment			N
Project of Regional Significance			N

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	0.97	Y
Min. Lot Width	60 Feet	190 Feet	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	
• Corner	15	15	
• Rear	20	25	
Min. Distance Between Buildings	N/A	N/A	Y
Max. Lot Coverage	50%	68%	N

SUP-16520 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

Per 19.08.060, the following development standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	140	60 Feet Most Intrusive	N
Adjacent development matching setback			
Trash Enclosure	50	In Garage	Y
1:1 Step-back Mixed-use			Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
U (SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Residential	32 d/u	1.75/du + 1/6du	62	2	44	2	N
Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2	N
SubTotal			122	5	88	4	N

SUP-16520 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

TOTAL (including handicap)			122		88		
Loading Spaces			1	N/A	1	N/A	Y
Percent Deviation (VAR only)			27.47%				

Waivers		
Request	Requirement	Staff Recommendation
Landscaping (Depth)	15 & 20 Feet	Approval w/conditions
Landscaping (Tree Requirement)	31 Trees	Denial
Landscaping (Shrubs)	5 Shrubs per Tree	Denial

ANALYSIS

The applicant is proposing to develop a five-story, mixed-use project, consisting of two commercial tenant spaces totaling 10,500 square feet and 32 residential units. The first level of the project will contain the retail uses and a portion of the parking garage and a trash collection area. The entire second level of the building will be dedicated entirely to a parking garage. The third, fourth, and fifth levels of the building will contain 32 condominium units with four different floor plans, all of which will have two bedrooms and two bathrooms.

The height of the building is 70 feet tall. The applicant has taken time to provide attractive architectural fenestration. Window sizes are staggered so as to balance the building and give the center of the building a greater level of prominence. The applicant has accomplished this by utilizing wire grates to conceal the opened wall areas of the second level, which is a parking level. The first level has a metal awning with wire support braces along the Rainbow Boulevard frontage with a stucco finish on the majority of this level and a gray square CMU block finish on south corner of the building. The second level of the Rainbow Boulevard frontage will be a continuation of the same materials used on the first level. The residential levels along the Rainbow Boulevard frontage and the west (rear) elevation have stucco finishing. The color of this treatment is sandstone in color bordering on light gray to tan. Polycarbon railings are being used for the balconies. Metal awnings are depicted over windows on the Rainbow Boulevard frontage.

The central residential units fronting Rainbow Boulevard have French Doors opening on to balconies. The awnings and French Doors are finished in a dark olive color. A metal-roofed arch is depicted on the north and south 25% of the Rainbow Boulevard frontage and along the west elevation. This arched roof is treated in a light gray/olive slate color. While much thought has gone into the design elements of the Rainbow Boulevard frontage and the west elevation, the same level of detail can not be said of the north and south elevations, with the exception of that portion of the north elevation east of the entry to the garage. Additionally, the use of flat CMU block, while not rectangular in shape does not provide the same level of architectural detail that a split-faced CMU block would provide.

SUP-16520 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

This project does not have to meet any residential adjacency requirements for the trash collection facility since it is located within the parking structure. Another element in the design of the project that falls short of ideal is the location of the truck loading zone. While the truck loading zone would functionally meet the developments needs, it is designed in a manner that will require trucks to back out onto Peak Drive. Peak Drive, however, does dead-end into a Las Vegas Valley Water District facility.

The building meets the 1:1 step-back ratio requirement along an arterial street (Rainbow Boulevard); however the 3:1 residential adjacency requirements on the northern portion of the building are not met. The north elevation of the building intrudes into the 3:1 residential adjacency requirement from the condominiums on the north side of Peak Drive by 115 feet and the 3:1 residential adjacency requirement from the single-family home on the northeast corner of Peak Drive and Rainbow Boulevard has an intrusion of 60 feet. There is an intrusion into the residential adjacency requirement to the condominiums on the east side of Rainbow Boulevard of 110 feet. The apartment complex to the south and west does not have a residential adjacency standard requirement because the units in this complex are not condominiums. However, SDR-10620 was approved on March 1, 2006 by the City Council and TMP-12228 was approved by the Planning Commission on April 27, 2006 to convert this apartment complex to a condominium complex.

The landscape amenity zone along the Rainbow Boulevard frontage consists of a CMU block planter, extended 15 feet from the building, which leaves a five-foot sidewalk attached to the curb. The attachment of a five-foot sidewalk to a curb along a busy 80-foot wide Secondary Collector street like Rainbow Boulevard is not inviting to pedestrians due to the speed of travel along such roads. A more preferable alternative to this design would be to provide five feet of landscaping along at the curb edge, a five-foot wide sidewalk and a ten-foot, elevated planter with several openings in the landscape planter. This will provide more integration between the pedestrians and the building. Along the Peak Drive frontage the applicant is seeking a waiver to provide ten feet of landscaping where 15 feet is required. The applicant does not meet the tree requirement along the Rainbow Boulevard frontage, which requires an additional waiver. Again, the applicant has placed the sidewalk adjacent to the curb, which is less attractive to a pedestrian as a walking environment. The more appropriate alternative along Peak Drive would be a five-foot wide landscape buffer with a five-foot sidewalk and five feet of foundational landscaping. Moreover, the landscaping along both Rainbow Boulevard and Peak Drive lack the required tree spacing of one tree for every 20 linear feet. The applicant can meet this requirement utilizing a variety of palm trees that do not attain a large trunk diameter.

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:

SUP-16520 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

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

The proposed land-use can not be conducted in a manner that is harmonious and compatible with existing and surrounding land uses. At a height of 70 feet, the proposed development will be at least 35 feet taller than any of the residential developments in the area. Moreover, a shortage of parking could necessitate retail customers to park on Peak Drive.

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

The site is not physically suitable for the intensity of the proposed development. The applicant is overbuilding the site by building to a height of 70 feet, seeking a parking variance, and a variance for increased lot coverage.

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."**

At this location, Rainbow Boulevard is an 80-foot wide right-of-way as is Peak Drive. Public Works indicates that this development should not negatively affect traffic.

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 project is inconsistent for this area by proposing a development that is out of scale with the surrounding land uses due to the height of the project. Moreover, the health, safety and welfare of the public would be compromised by the height of the building by reducing light (casting shadows) upon the existing apartments to the west.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed use does not meet the necessary parking for this type of project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SUP-16520 - Staff Report Page Seven
October 19, 2006 - Planning Commission Meeting

SENATE DISTRICT 3

NOTICES MAILED 177 [Mailed with ZON-16510, VAR-16512, VAR-16516 & SDR-16508]

APPROVALS 0

PROTESTS 0



RAINBOW PEAK MIXED USE

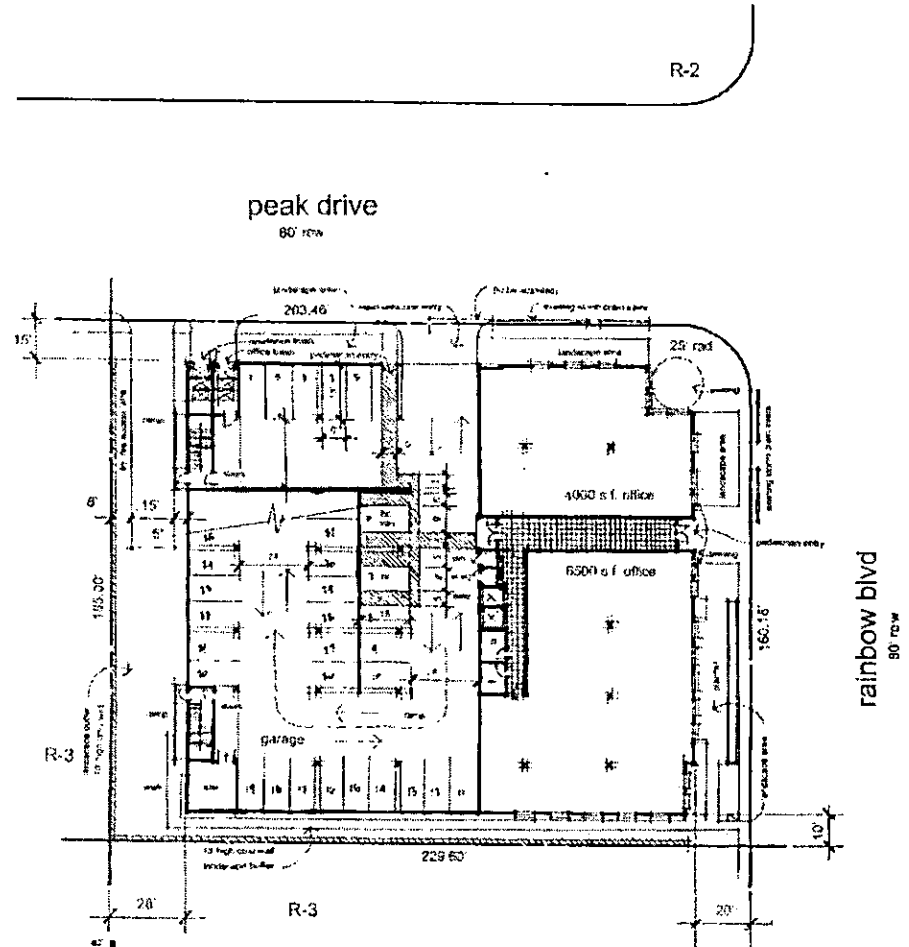
1/11/2006, 10:00 AM

NO. 1012.10.01.1

K&E architects, Inc. 4775 edmond street, Suite 260, las vegas, nevada 89118 702.269.4415 702.269.4425 fax www.k&e.com

A PROJECT FOR:
EMIL KHALILI

1425 STEPHAN WAY BLVD
DANFORTH
CALIFORNIA
91415



Conceptual Site Plan

August 15, 2006

NOTE: This is a conceptual site plan. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose. It is not intended to be used for any other purpose.

R-1



R-2

site analysis

.97 net acres (42,253.00 s.f.)
first floor area = 28,707 s.f. (66 sdn. courtyard)
second floor area = 28,817 s.f.
third floor area = 17,336 s.f.
fourth floor area = 18,096 s.f.
fifth floor area = 10,529 s.f.
total building = 109,512 s.f.

parking analysis

total space 10,510 s.f.
2,000 / 200 = 10 spaces (2 HC)
8,510 / 175 = 48.57 spaces
total required = 59 spaces
residential 32 units 75 = 56 spaces (2 HC)
32 / 6 = 5 spaces
total required = 62 spaces (4 HC)
retail + residential = 121 spaces required
18 spaces provided (4 HC)
(32 shared parking spaces)

F.A.R. analysis

office	type i construction
alternative	unimproved s.f.
actual	13,000 s.f.
F.A.P.	13,000 / unimproved = 1 (okay)
residential	type VA (R-2)
allowable	36,000 s.f.
	+ 72,000 s.f. (apartment)
	108,000 s.f.
actual	51,529 s.f.
F.A.R.	51,529 / 108,000 = 48.1 (okay)

RECEIVED

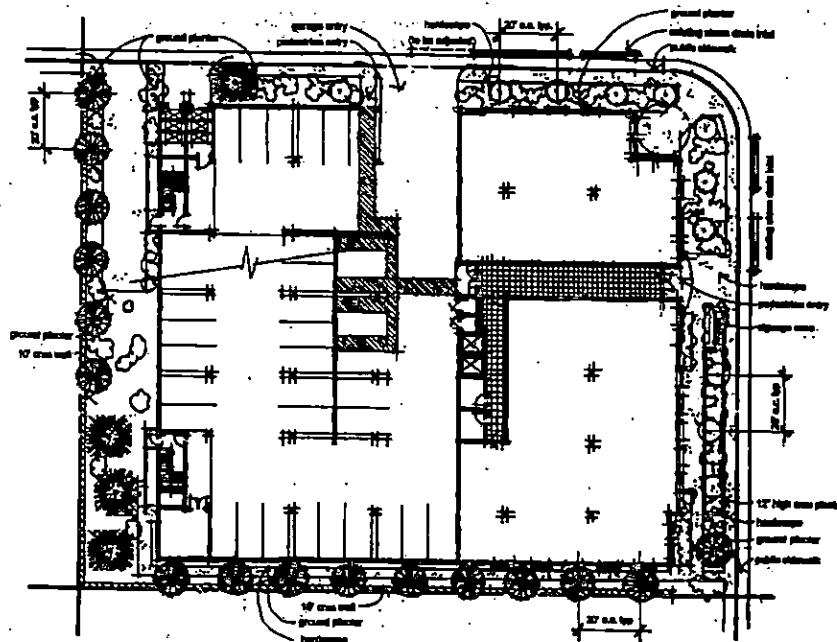
SEP 05 2006

SUP-16520
10/19/06 PC



K&E architects

A PROJECT FOR:
EMIL KHALIL
 14223 SHERMAN WAY BLVD
 VAN NUYS
 CALIFORNIA
 91405



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	--	1-1/2" Caliper Ballad & Surplanted	PNUS ELDERICA-STD MONSIEUR PINE
	--	1-1/2" Caliper Ballad & Surplanted	BLUE PALMS VERDE
	--	24" Box	PRUNUS CERASIFERA 'AUTROFURFUREA' - STD PURPLE LEAF PLUM
	--	N/A	Overmatted Ground Strips and Carver
	--	N/A	Crush Rock and Aggregate

REVISED

RECEIVED

SEP 27 2006

SUP-16520

REVISED

10/19/06 PC



NOTES: This information is conceptual in nature and is subject to
 adjustments pending further verification and Client, Vendor,
 and Governmental Agency approval. No warranties or
 guarantees of any kind are given or implied by the Architect.

KKE of Nevada, Inc.

6775 Edmund St.
Suite 200
Las Vegas, NV 89119
702-260-8811
702-260-8811 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Special Use Permit

Dear Sirs:

NuVision Holdings, LLC is requesting your review and approval for a Special Use Permit for a Mixed Use Project, Office with Residential Above.

The existing Parcel, APN# 138-15-701-002, is located at the SWC of Peak Drive and Rainbow Blvd.

Adjacent land uses are R-2 to the North and East, R-1 to the Northeast and R-3 to the South and West.

The Special Use is an approved application for this zoning.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Ahlstrom', written over a printed name.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

SUP-16520
10/19/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR:** M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SDR-16508 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-16510, VAR-16512, VAR-16516 AND SUP-16520 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Site Development Plan Review FOR A PROPOSED 5-STORY, MIXED-USE DEVELOPMENT CONSISTING OF 10,500 SQUARE FEET OF COMMERCIAL SPACE AND 32 RESIDENTIAL UNITS on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 11/15/06**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – Motion to HOLD IN ABEYANCE Item 26 [GPA-16294], Item 27 [ZON-16296], Item 28 [VAR-16298], Item 29 [SDR-16292], Item 38 [GPA-16511], Item 39 [ZON-16519], Item 40 [VAR-16525], Item 41 [SDR-16522], Item 42 [GPA-16538], Item 43 [ZON-16609], Item 44 [WVR-16610] and Item 45 [SDR-16611] to the 11/02/2006 Planning Commission Meeting; Item 12 [SUP-13490], Item 46 [GPA-16578], Item 47 [ZON-16580], Item 48 [SDR-16581], Item 52 [ZON-16510], Item 53 [VAR-16512], Item 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] to the 11/16/2006 Planning Commission Meeting; Item 17 [VAR-13851], Item 18 [VAR-16021] and Item 19 [SUP-13849] to the 12/07/2006 Planning Commission Meeting; Item 3 [SDR-15322] to the 12/21/2006 Planning Commission Meeting; and WITHDRAW WITHOUT PREJUDICE Item 8 [GPA-13372], Item 9 [ZON-13491], Item 10 [SUP-13494] and Item 11 [SUP-13495] – UNANIMOUS

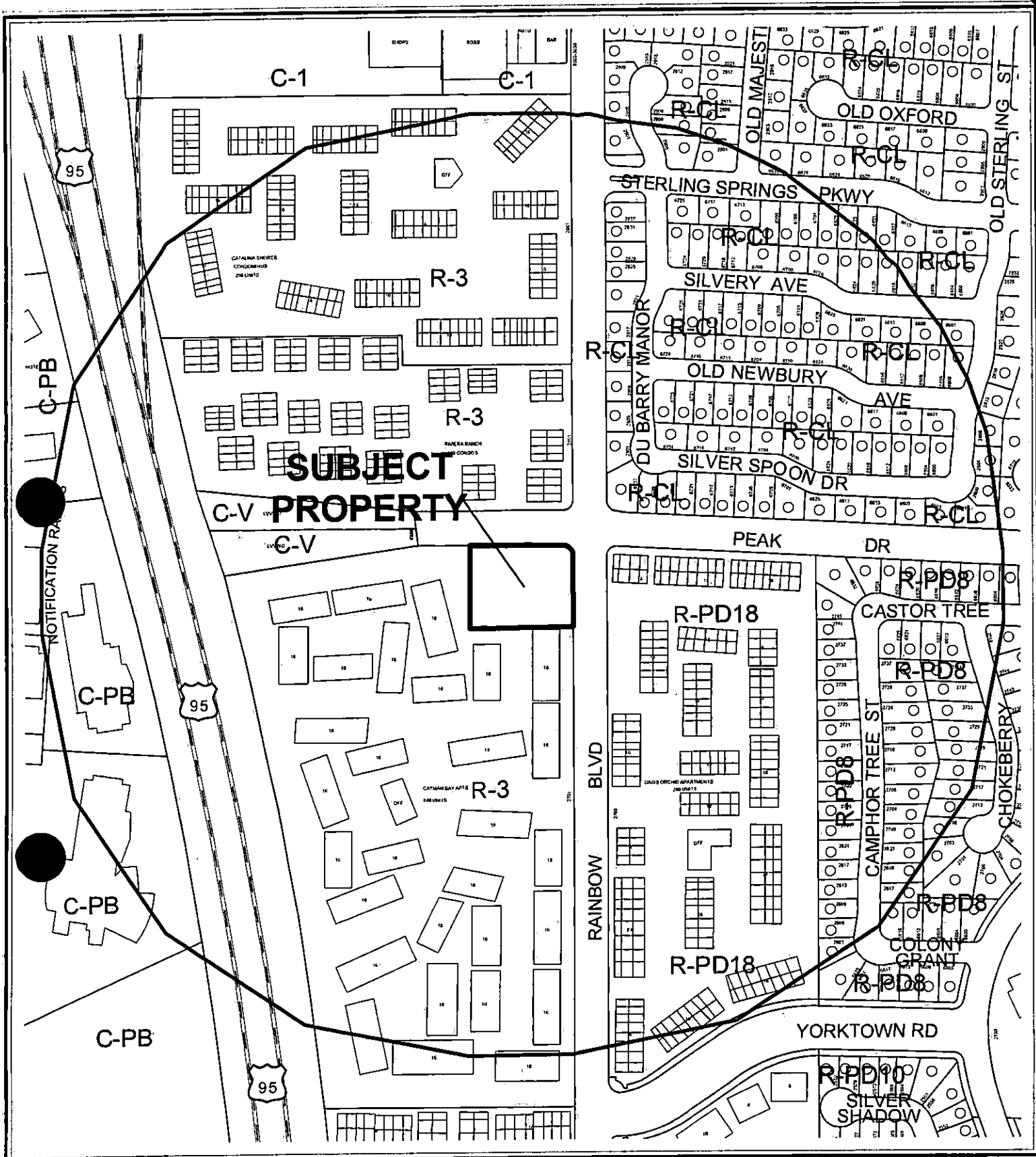
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 56 – SDR-16508

MINUTES:

JOHN KORKOSZ, Planning and Development Department, explained that staff needs to re-advertise related waivers; therefore, asked that Item 52 [ZON-16510], Item 53 [VAR-16512], Item, 54 [VAR-16516], Item 55 [SUP-16520] and Item 56 [SDR-16508] be held to the 11/16/2006 Planning Commission meeting.

(6:09 – 6:17)

1-61



CASE: **SDR-16508**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-16508 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Rezoning (ZON-16510), Special Use Permit (SUP-16520), Variance (VAR-16512), and Variance (VAR-16516).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 09/05/06, the landscape plan, date stamped 09/27/06, except as amended by conditions herein.
4. A Waiver from 19.12.040 is hereby approved, to allow a ten-foot landscape buffer along the Peak Drive frontage consisting of a five-foot landscape area adjacent to the curb, a five-foot detached sidewalk and five feet of foundational landscaping along the building. Along the Rainbow Boulevard frontage there shall be a five-foot landscape buffer adjacent to the curb, a five-foot sidewalk and an elevated landscape planter up to ten-foot in width as shown on the revised landscape plan, dated September 27, 2006; the planter shall include openings in the planter to provide connectivity to the building from the sidewalk in more than one location.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan. The Peak Drive frontage shall have a ten-foot landscape buffer with a variety of palm trees located 20 feet on center between a detached sidewalk and the curb. There shall be a ten-foot landscape buffer between a detached sidewalk and the curb plus a landscape planter as shown on the existing landscape plan with openings in the planter and a raised outside amenity area for the proposed restaurant.

SDR-16508 - Conditions Page Two
October 19, 2006 - Planning Commission Meeting

6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect split-faced CMU block in the areas where flat-faced block is used.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
16. Conformance with revised landscape plan dated September 27, 2006.
17. Perimeter walls shall not exceed a maximum height of eight feet.

SDR-16508 - Conditions Page Three
October 19, 2006 - Planning Commission Meeting

Public Works

18. 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.
19. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16510 and all other applicable site-related actions.

SDR-16508 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Site Development Plan Review for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency in conjunction with a mixed-use project as well as companion items for a Rezoning (ZON-16510) from U (Undeveloped) to C-1 (Limited Commercial District), Variances (VAR-16512 & VAR-16516) for increased percentage of lot coverage and reduced parking, as well as and a Special Use Permit (SUP-16520) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [PROPOSED: C-1 (Limited Commercial) Zone.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
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01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

SDR-16508 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Condominiums	M (Medium Density Residential)	R-PD18 (Residential Planned Development - 18 Units Per Acre)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	Y		
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	Y		Y
A-O Airport Overlay District	Y		Y
Trails			N
Rural Preservation Overlay District			N
Development Impact Notification Assessment			N
Project of Regional Significance			N

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	0.97	Y
Min. Lot Width	60 Feet	190 Feet	Y
Min. Setbacks			
• Front	20	20	Y
• Side	10	10	
• Corner	15	15	
• Rear	20	25	

SDR-16508 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Min. Distance Between Buildings	N/A	N/A	Y
Max. Lot Coverage	50%	68%	N
Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

Per 19.08.060, the following development standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	140	60 Feet Most Intrusive	N
Adjacent development matching setback			
Trash Enclosure	50	In Garage	Y
1:1 Step-back Mixed-use			Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
U (SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Trees/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement						
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking	
			Regular	Handi-capped	Regular	Handi-capped
Residential	32 d/u	1.75/du + 1/6du	61	2	44	2
Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2
SubTotal			121	5	88	4

JK

SDR-16508 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

TOTAL (including handicap)			121		88		
Loading Spaces			1	N/A	1	N/A	Y
Percent Deviation (VAR only)			27.47%				

Waivers		
Request	Requirement	Staff Recommendation
Landscaping (Depth)	15 & 20 Feet	Approval w/conditions
Landscaping (Tree Requirement)	31 Trees	Denial
Landscaping (Shrubs)	5 Shrubs per Tree	Denial

ANALYSIS

The applicant is proposing to develop a five-story, mixed-use project, consisting of two commercial tenant spaces totaling 10,500 square feet and 32 residential units. The first level of the project will contain the retail uses and a portion of the parking garage and a trash collection area. The entire second level of the building will be dedicated entirely to a parking garage. The third, fourth, and fifth levels of the building will contain 32 condominium units with four different floor plans, all of which will have two bedrooms and two bathrooms.

The height of the building is 70 feet tall. The applicant has taken time to provide attractive architectural fenestration. Window sizes are staggered so as to balance the building and give the center of the building a greater level of prominence. The applicant has accomplished this by utilizing wire grates to conceal the opened wall areas of the second level, which is a parking level. The first level has a metal awning with wire support braces along the Rainbow Boulevard frontage with a stucco finish on the majority of this level and a gray square CMU block finish on south corner of the building. The second level of the Rainbow Boulevard frontage will be a continuation of the same materials used on the first level. The residential levels along the Rainbow Boulevard frontage and the west (rear) elevation have stucco finishing. The color of this treatment is sandstone in color bordering on light gray to tan. Polycarbon railings are being used for the balconies. Metal awnings are depicted over windows on the Rainbow Boulevard frontage.

The central residential units fronting Rainbow Boulevard have French Doors opening on to balconies. The awnings and French Doors are finished in a dark olive color. A metal-roofed arch is depicted on the north and south 25% of the Rainbow Boulevard frontage and along the west elevation. This arched roof is treated in a light gray/olive slate color. While much thought has gone into the design elements of the Rainbow Boulevard frontage and the west elevation, the same level of detail can not be said of the north and south elevations, with the exception of that portion of the north elevation east of the entry to the garage. Additionally, the use of flat CMU block, while not rectangular in shape does not provide the same level of architectural detail that a split-faced CMU block would provide.

SDR-16508 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

This project does not have to meet any residential adjacency requirements for the trash collection facility since it is located within the parking structure. Another element in the design of the project that falls short of ideal is the location of the truck loading zone. While the truck loading zone would functionally meet the developments needs, it is designed in a manner that will require trucks to back out onto Peak Drive. Peak Drive, however, does dead-end into a Las Vegas Valley Water District facility.

The building meets the 1:1 step-back ratio requirement along an arterial street (Rainbow Boulevard); however the 3:1 residential adjacency requirements on the northern portion of the building are not met. The north elevation of the building intrudes into the 3:1 residential adjacency requirement from the condominiums on the north side of Peak Drive by 115 feet and the 3:1 residential adjacency requirement from the single-family home on the northeast corner of Peak Drive and Rainbow Boulevard has an intrusion of 60 feet. There is an intrusion into the residential adjacency requirement to the condominiums on the east side of Rainbow Boulevard of 110 feet. The apartment complex to the south and west does not have a residential adjacency standard requirement because the units in this complex are not condominiums. However, SDR-10620 was approved on March 1, 2006 by the City Council and TMP-12228 was approved by the Planning Commission on April 27, 2006 to convert this apartment complex to a condominium complex.

The landscape amenity zone along the Rainbow Boulevard frontage consists of a CMU block planter, extended 15 feet from the building, which leaves a five-foot sidewalk attached to the curb. The attachment of a five-foot sidewalk to a curb along a busy 80-foot wide Secondary Collector street like Rainbow Boulevard is not inviting to pedestrians due to the speed of travel along such roads. A more preferable alternative to this design would be to provide five feet of landscaping along at the curb edge, a five-foot wide sidewalk and a ten-foot, elevated planter with several openings in the landscape planter. This will provide more integration between the pedestrians and the building. Additionally, the applicant does not meet the tree requirement along the Rainbow Boulevard frontage, which requires a waiver. Along the Peak Drive frontage, the applicant has placed the sidewalk adjacent to the curb, which is less attractive to a pedestrian as a walking environment. Along the Peak Drive frontage the applicant is also seeking a waiver to provide ten feet of landscaping where 15 feet is required. Again, the more appropriate alternative along Peak Drive would be a five-foot wide landscape buffer with a five-foot sidewalk and five feet of foundational landscaping. Moreover, the landscaping along both Rainbow Boulevard and Peak Drive lack the required tree spacing of one tree for every 20 linear feet. The applicant can meet this requirement utilizing a variety of palm trees that do not attain a large trunk diameter.

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October 19, 2006 - Planning Commission Meeting

FINDINGS (SDR)

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;**

Staff finds the proposed development is out of character with the surrounding land uses. At a height of 70 feet, the proposed development will be as much as 35 feet taller than any of the adjacent residential developments. Additionally, the proposed development has a residential density of 35.5 units per acre.

- 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;**

While the proposed development is a permitted land-use within the Service Commercial land-use category, the proposed use is out of character for the area. Additionally, the landscaping for this development is substandard along the Rainbow Boulevard and the Peak Drive frontages. Moreover, the proposed development does not meet the parking requirements established for mixed-use projects.

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

Access to the site is gained via Peak Drive, which is a 80-foot wide street that provides two access points for the condominium complex to the north. Peak Drive dead-ends into a Las Vegas Valley Water District facility, adjacent to Interstate 95. The truck loading zone has the potential for a conflict with one of the access points to the condominium complex to the north because trucks will have to back out onto the street.

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

The building and landscape materials for the most part are appropriate for the area. However, the use of flat-faced CMU block is not an appropriate building material for a mixed-use project and the landscaping along the Rainbow Boulevard and Peak Drive frontages do not meet development standards. The use of split-faced CMU block would be a more appropriate building material and the use of a variety of palm trees along the Rainbow Boulevard and Peak Drive frontages would allow for the use of a landscape planter while still meeting the required number of trees along a right-of-way.

SDR-16508 - Staff Report Page Seven
October 19, 2006 - Planning Commission Meeting

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

The proposed development has incorporated a number of attractive design elements; however, as stated in Finding Number Four, the use of flat-faced CMU block is an inappropriate building material in a mixed-use project and the use of split-faced CMU block is a more appropriate design alternative.

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

In general this project may negatively affect the health, safety, and general welfare of the public by increasing traffic along Rainbow Boulevard. Additionally, the height of the proposed building will cast shadows on the adjacent apartments (soon to be condominiums) to the south and west. Moreover, parking for this project, if successful, has the potential to force retail patrons (restaurant specifically) onto the street (Peak Drive).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

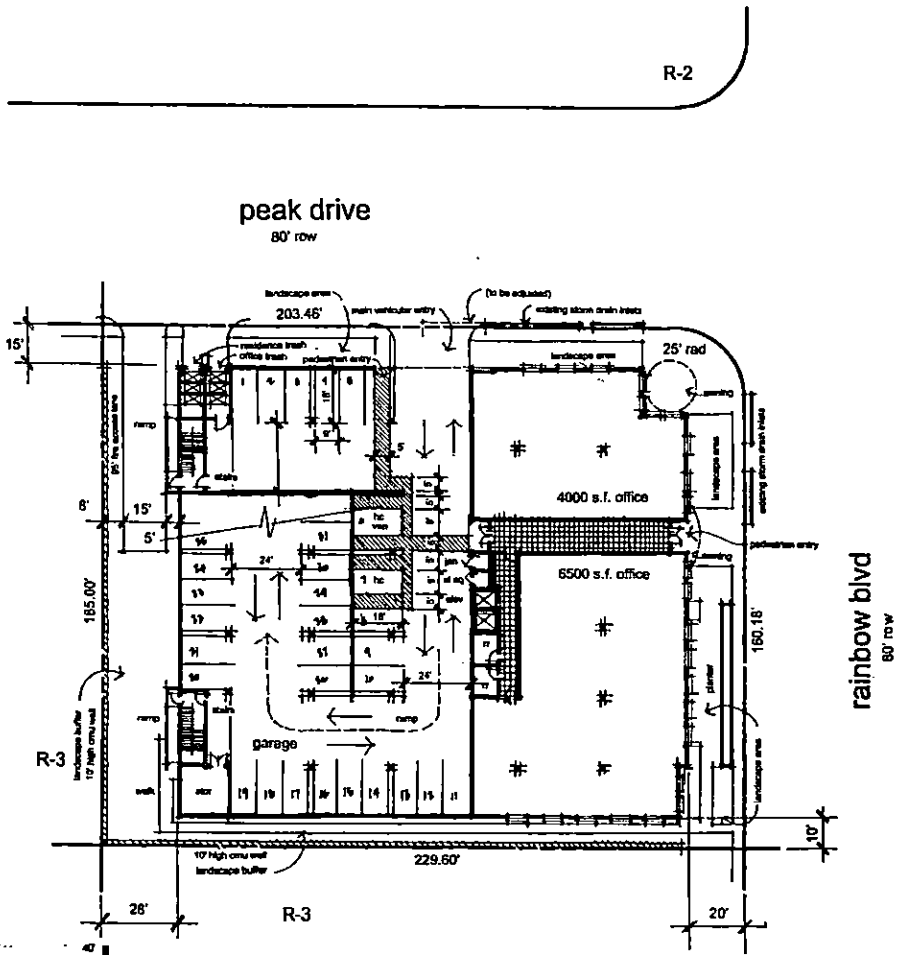
NOTICES MAILED 177 [Mailed with ZON-16510, VAR-16512, VAR-16516 & SUP-16520]

APPROVALS 0

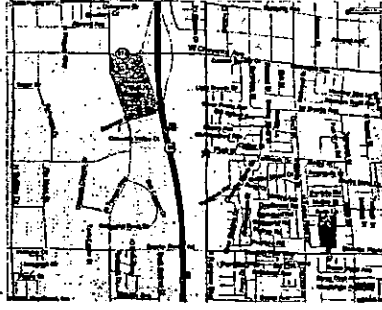
PROTESTS 0



A PROJECT FOR:
EMIL KHALIL
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91403



R-1



R-2

site analysis

.97 net acres (42,253.20 s.f.)
 first floor area = 28,767 s.f. (.68 site coverage)
 second floor area = 28,917 s.f.
 third floor area = 17,336 s.f.
 fourth floor area = 18,096 s.f.
 fifth floor area = 18,496 s.f.
 total building = 109,512 s.f.

10,500 s.f. office space
 32 - 2 bed/2 ba dwelling units (32 du/ac)

parking analysis

retail space 10,500 s.f.
 2,000 / 200 = 10 spaces (2 HC)
 8,500 / 175 = 49 spaces
 total required = 59 spaces
 residential 32 units x .75 = 24 spaces (2 HC)
 32 / 6 = 6 spaces
 total required = 62 spaces (4 HC)
 retail + residential = 121 spaces required
 89 spaces provided (4 HC)
 (32 shared parking spaces)

F.A.R. analysis

	office	type I construction
allowable	unlimited s.f.	
actual	13,000 s.f.	
F.A.R.	13,000 / unlimited = <1 (okay)	
residential	type VA (R-2)	
allowable	39,000 s.f.	
	+ 72,000 s.f. (sprinklered)	
	188,000 s.f.	
actual	51,928 s.f.	
F.A.R.	51,928 / 108,000 = .48 <1 (okay)	

RECEIVED

SEP 05 2006

Conceptual Site Plan
 10/15/06

NOTE: This information is conceptual in nature and is subject to adjustment pending further verification and Client, Tenant, and Governmental Agency approval. No warranties or guarantees of any kind are given or implied by the Architect.

SDR-16508
10/19/06 PC



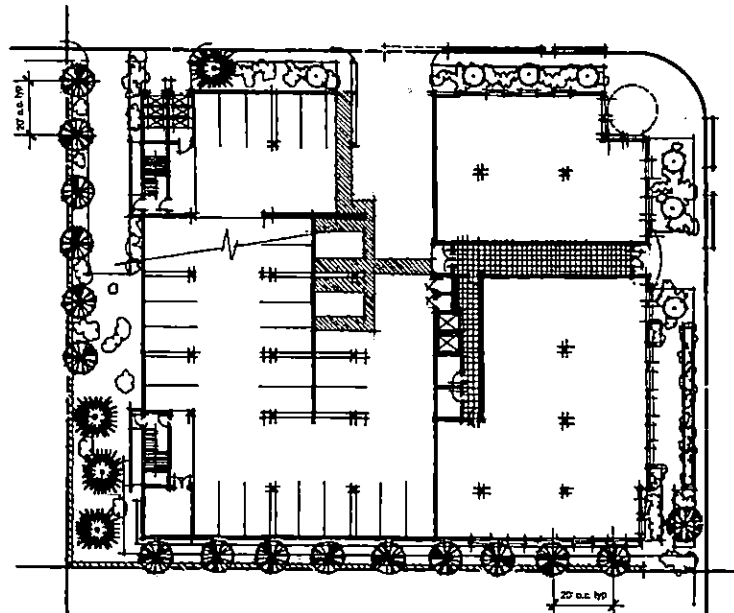
RAINBOW PEAK MIXED-USE

Las Vegas, Nevada

No. 0715105201

A PROJECT FOR:
EMIL KHALILI

14523 SHERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91405

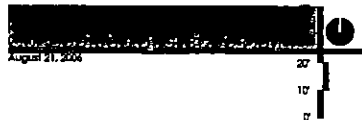


TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	--	1-1/2" Caliper Balled & Burlapped	PNIS ELDERICA - STD MONDEL PINE
	--	1-1/2" Caliper Balled & Burlapped	BLUE PALMS VERDE
	--	24" Box	FRAXUS CERASIFERA 'AUTROPURPUREA' - STD PURPLE LEAF PLUM
	--	N/A	Ornamental Ground Shrub and Cover
	--	N/A	Crush Rock and Aggregate

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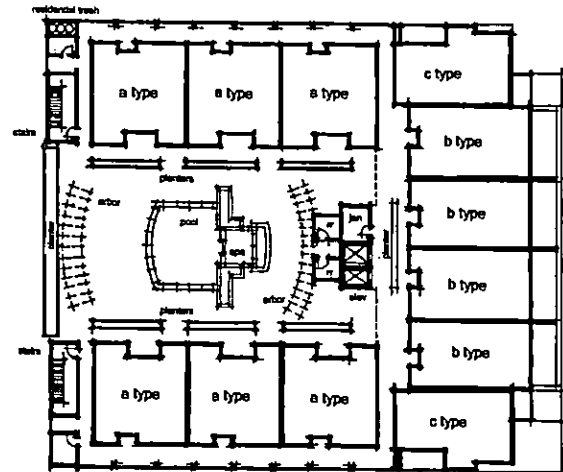
SDR-16508
10/19/06 PC



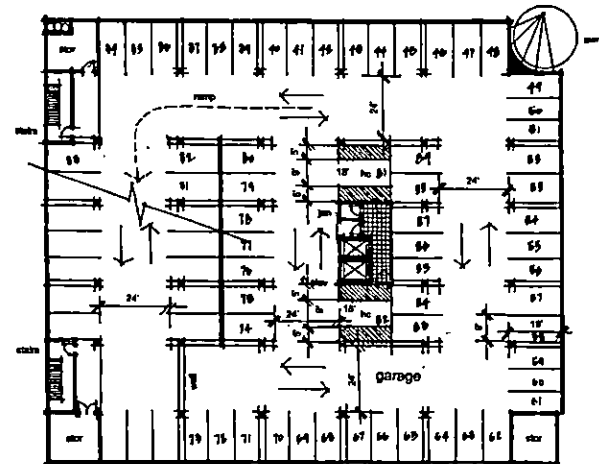
RAINBOW PEAK MIXED USE
 Los Vegas, Nevada No. 0715.1000.01

KKE architects, inc. 6375 Edmond Street Suite 200, Las Vegas, Nevada 89118 702-267-8615 702-787-8675 fax www.kke.com

A PROJECT FOR:
EMIL KHALIL
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



first level residential/plaza level



second level garage

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SEP 05 2006

Conceptual Building Plan

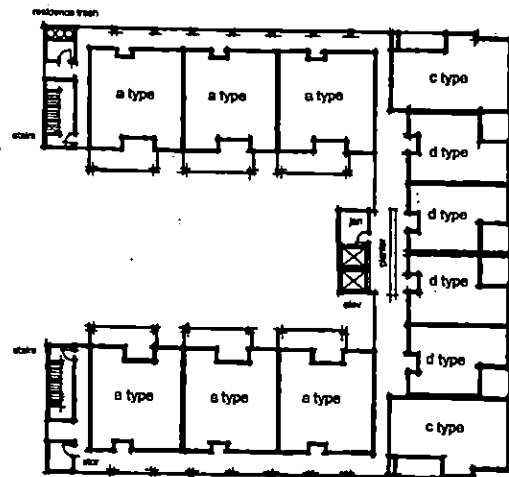
August 15, 2004

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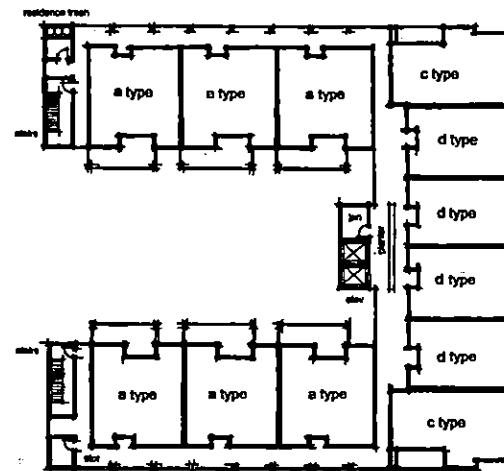
SDR-16508
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EMIL KHALIL
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



third level residential



second level residential

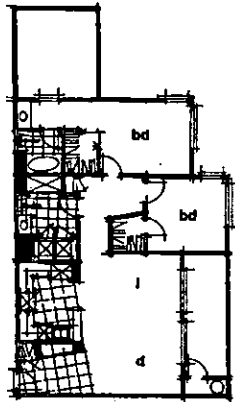
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SEP 05 2006

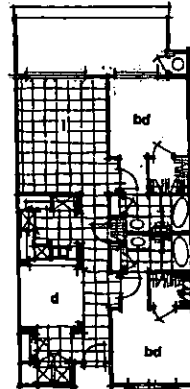
SDR-16508
10/19/06 PC



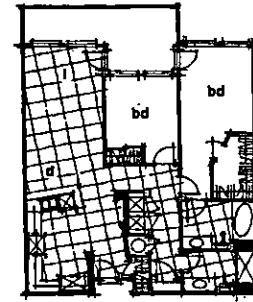
A PROJECT FOR:
EMIL KHALIL
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



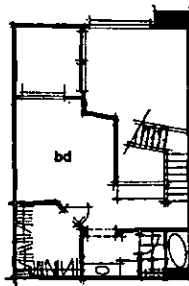
c type unit
 +/- 1110 s.f.



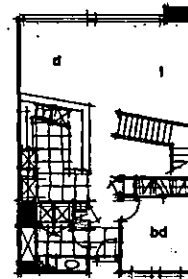
b type unit
 +/- 1075 s.f.



a type unit
 +/- 1100 s.f.



second floor



first floor

d type unit
 +/- 1400 s.f.

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 SEP 05 2006

SDR-16508
10/19/06 PC

RAINBOW PEAK MIXED USE

Las Vegas, Nevada

No. 0711.1034.01

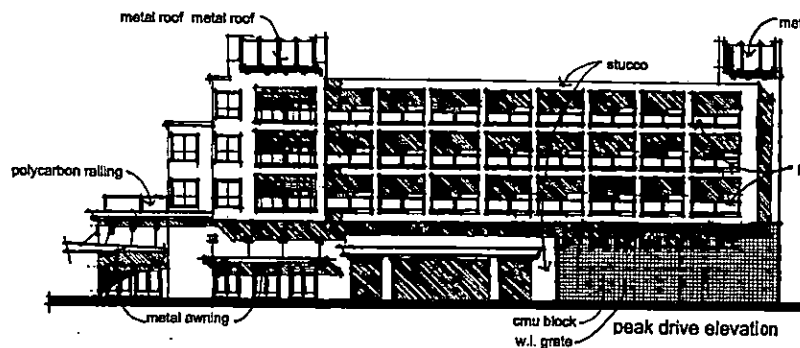
KK Architects, Inc. 4775 Edmond Street, Suite 240, Las Vegas, Nevada 89118 702-265-6316 702-265-4475 fax 702-265-4476

A PROJECT FOR:
EMIL KHALILI

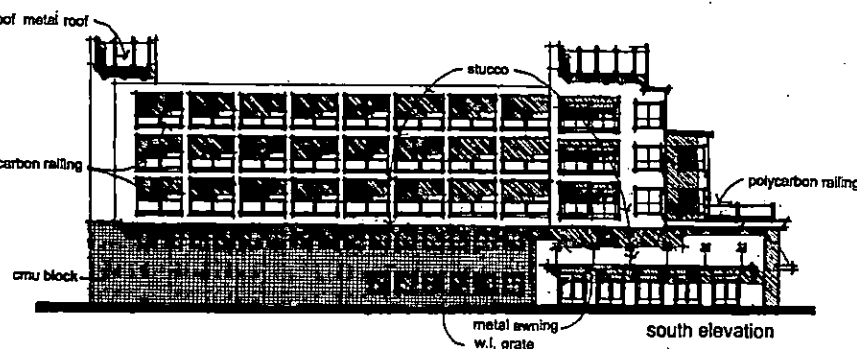
14523 SHERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91405



rainbow blvd elevation



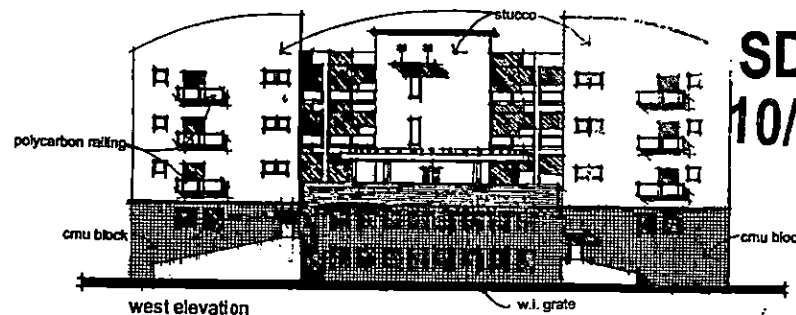
peak drive elevation



south elevation

Colors

CMU natural gray
stucco frazee 8711W misty mica
awnings frazee 8166N hawthorne valley
door/window frazee 8166N hawthorne valley
metal roofing everlast roofing burnished slate



west elevation

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SEP 05 2006

SDR-16508

10/19/06 PC

KK architects

Conceptual Elevations/Sections

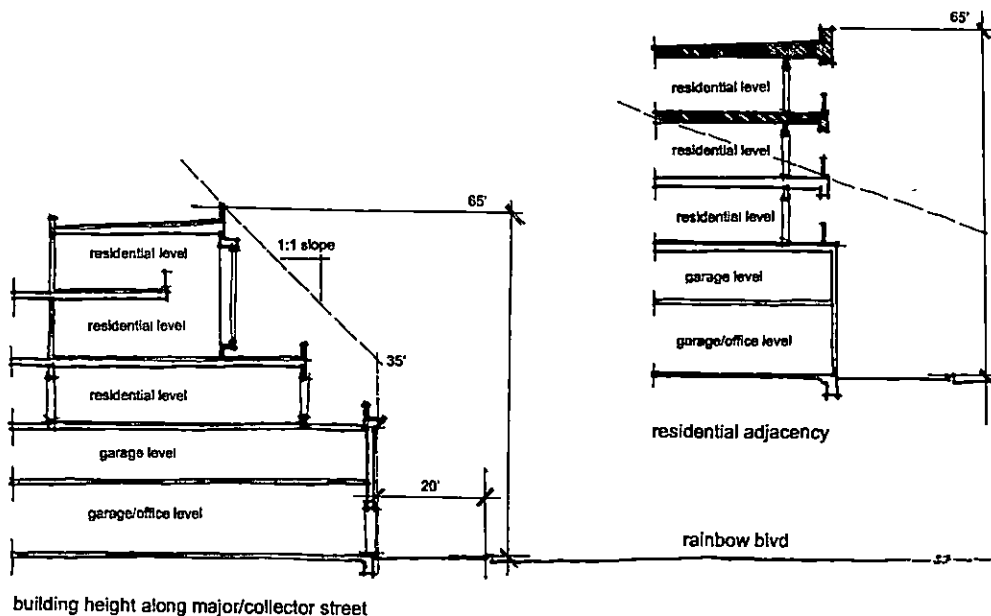
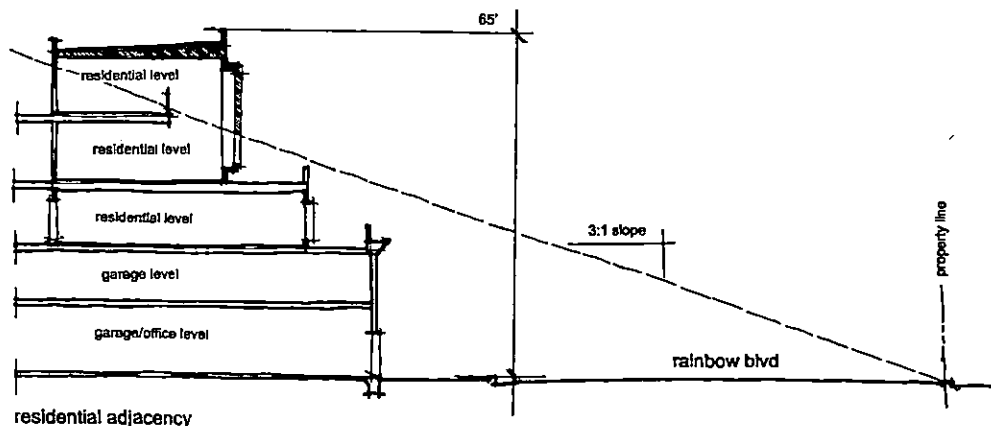
August 15, 2006

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RAINBOW PEAK MIXED USE

Las Vegas, Nevada NO. 0715.1034.01

A PROJECT FOR:
EMIL KHALILI
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



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SDR-16508
10/19/06 PC

KK
 architects

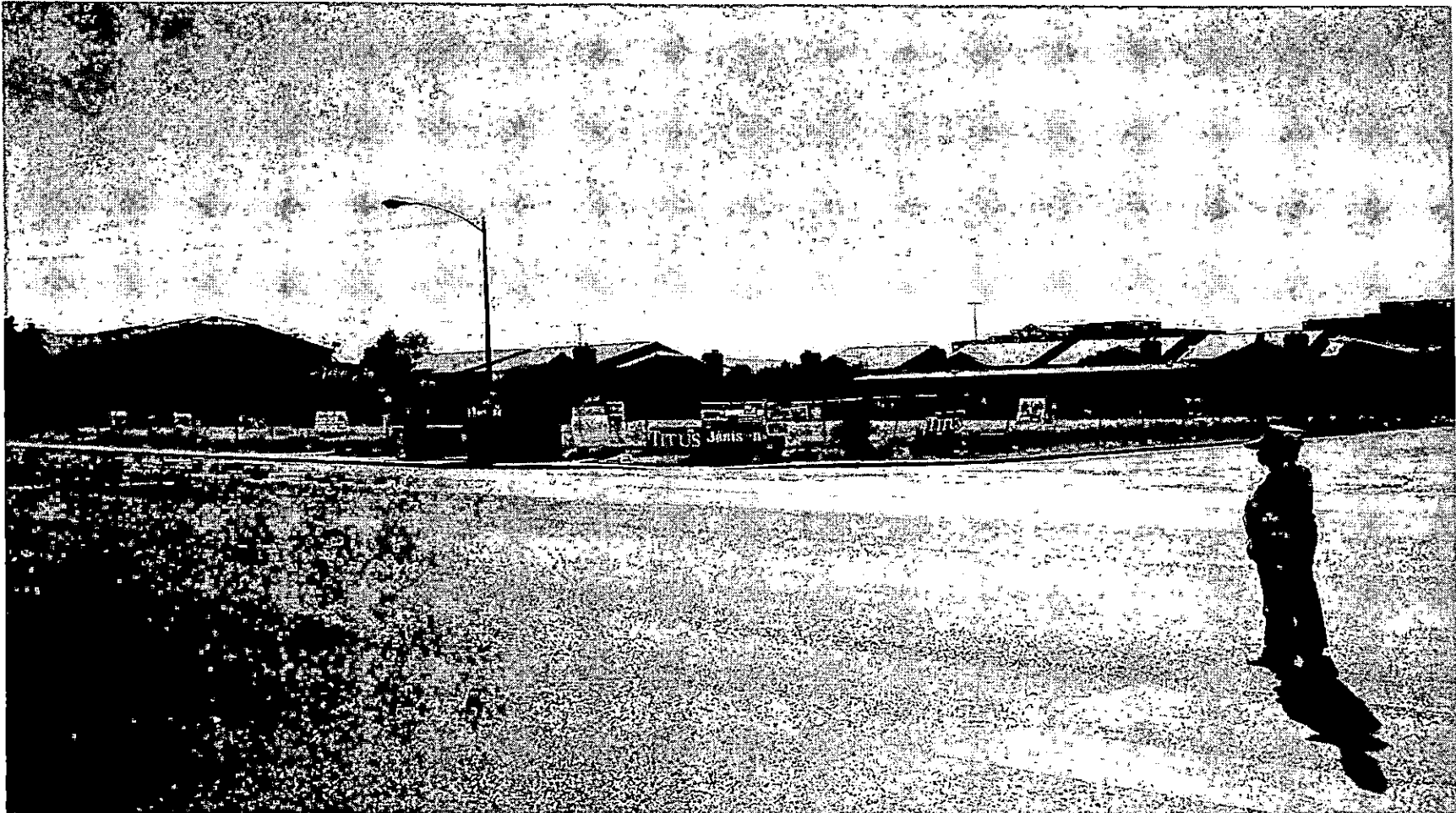
SDR 16508				
Nuvision Holdings, LLC				
SWC Peak & Rainbow				
Proposed 10.5 thousand square foot mixed-use commercial development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	10.5	42.94	451
AM Peak Hour			1.03	11
PM Peak Hour			3.75	39
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	32	5.86	188
AM Peak Hour			0.44	14
PM Peak Hour			0.52	17
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	10.5		638
AM Peak Hour				25
PM Peak Hour				56
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Peak Drive				
Average Daily Traffic (ADT)	1,375			
PM Peak Hour	110			
(heaviest 60 minutes)				
Rainbow Boulevard				
Average Daily Traffic (ADT)	21,913			
PM Peak Hour	1753			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				

	Adjacent street ADT			
	Capacity			
Peak Drive	32585			
Rainbow Boulevard	32585			
This project will add approximately 638 trips per day on Peak and Rainbow. This will increase expected volumes by about 46 percent on Peak and less than one percent on Rainbow. Peak is at about 4 percent of capacity and Rainbow is at about 67 percent of capacity.				
Based on Peak Hour use, this development will add roughly 56 additional cars into the area; which works out to about one every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-16510, VAR-16512, VAR-16516, SUP-16520 & SDR-16508 - APPLICANT: NUVISION HOLDINGS,
LLC - OWNER: THE MOYER TRUST
SOUTHWEST CORNER OF RAINBOW BOULEVARD AND PEAK DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/18/06



ZON-16510, VAR-16512, VAR-16516, SUP-16520 & SDR-16508 - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST
SOUTHWEST CORNER OF RAINBOW BOULEVARD AND PEAK DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/18/06

KKE of Nevada, Inc.
6775 Edmond St.
Suite 260
Las Vegas, NV 89110
702/269-6615
702/269-6625 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Site Development Review

Dear Sirs:

NuVision Holdings, LLC is requesting your review and approval for a Zone Change from (U)(SC) use to C-1 use with a Special Use Permit for a Mixed Use Project, Office with Residential Above.

The existing Parcel, APN# 138-15-701-002, is located at the SWC of Peak Drive and Rainbow Blvd. The site is currently undeveloped with full offsite improvements existing. The site area is .98 acres net and currently zoned Undeveloped (Neighborhood) Service Commercial.

Adjacent land uses are R-2 to the North and East, R-1 to the Northeast and R-3 to the South and West.

The proposed zoning for the parcel is C-1, Limited Commercial with a Special Use Permit for a Mixed Use development of Residential over Office/Garage Structure.

The total proposed lot coverage is .68 with a F.A.R. of .48 for the Residential; component and unlimited for the Commercial component.

The Residential component is proposed at 32 du/ac composed of all two-bedroom/two-bath units.

The proposed project's parking requirement and impact to the surrounding neighborhood of 121 required spaces is proposed at 89 spaces with the difference of 32 spaces substantiated by a shared parking agreement between the two major uses of the proposed project due to peak residential use and commercial establishment hour of operation.

The proposed project is located on a major arterial with public transportation to residential amenities directly to the North and South of the project on Rainbow Blvd.

SDR-16508
10/19/06 PC

The proposed project is to be built of sustainable materials that blend into the surrounding neighborhood, in simple forms to be constructed to meet attainable goals of the proposed future residents.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Ahlstrom', written over a horizontal line.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

SDR-16508
10/19/06 PC

KKE of Nev. Inc.
6775 edmond st
suite 260
las vegas, nv 89115
702/269-6615
702/269-6625 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

Re: SWC Peak and Rainbow
APN 138-15-701-002

Residential Adjacency Waiver

Dear Sirs:

NuVision Holdings, LLC is requesting a Waiver for the Residential Adjacency Standards for a Mixed Use Project, Office with Residential Above.

This request is for the adjacency to the multifamily project to the north of Peak Drive and the multifamily project to the east of Rainbow Blvd. Due to the nature of the project, that being a mixed use development of Office with Residential above, the 3:1 slope line will only intersect the residential components of the project.

Thank you for your consideration in this manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Ahlstrom", written over a series of horizontal lines.

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

SDR-16508

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-16497 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KEN BERRYDANE - Request for a Variance TO ALLOW A NINE-FOOT SETBACK IN THE FRONT YARD WHERE 25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A FIVE-FOOT SETBACK IN THE REAR YARD WHERE 15 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENCE on 0.48 acres at 2521 Driftwood Drive (APN 139-32-512-016), R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 1 (Tarkanian).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

10

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protest Log
6. Submitted at meeting – A protest letter and petition with six signatures for Items 57 and 58

MOTION:

TRUESDELL – ABEYANCE to 11/16/2006 – Motion carried with DAVENPORT abstaining because he resides in Rancho Bel Air Estates and serves on the Board of Rancho Bel Air Estates

To be heard by the Planning Commission meeting on 11/16/2006

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 57 [VAR-16497] and Item 58 [SUP-16498].

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 57 – VAR-16497

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the applicant is proposing to build a single family home with a porte-cochere. Both of these structures encroach into the front and rear setbacks. The front setback represents a 64 percent deviation from the standards. The rear has a habitable accessory structure as defined by Title 19 as the structure contains a kitchen. The applicant indicated it would be a pool house. This also encroaches into the rear yard setbacks and represents a 66 percent deviation from standards. Staff found these to be self-imposed hardships; therefore, recommended denial. MR. RANKIN noted that the address in the application is incorrect. The correct address is 2520 Driftwood Drive. MR. RANKIN also submitted a protest petition with six signatures.

JOOST VANDERMAAS, 4921 Clear Creek Road, appeared together with KEN BERRYDANE, 2521 Driftwood Drive. MR. VANDERMAAS indicated that MR. BERRYDANE wants to build the same porte-cochere of the home that he owns at 2521 Driftwood Drive. Half of the homes in this development have a porte-cochere within nine or eight feet of the curb and he showed photographs of those homes. The homeowners association does not have any objection, as well as the neighbors. MR. VANDERMAAS agreed that it is possible to turn the pool house sideways.

MR. VANDERMAAS verified for MARGO WHEELER, Director of Planning and Development Department, that the homeowners association is in favor of this request.

JANET FERRIS, 2401 Windjammer Way, Rancho Bel Air Estates, Chairman of the Architectural Committee for Rancho Bel Air, indicated that she does not support the application, but clarified that the community would support it as long as it receives the City's support of the current setbacks.

MR. VANDERMAAS reiterated for CHAIRMAN TROWBRIDGE that the applicant would be amenable to re-orienting the pool house. CHAIRMAN TROWBRIDGE questioned if the photographs show the encroachment in front of the home as a typical situation in the neighborhood. MS. FERRIS replied that is incorrect, inasmuch as fewer than half of the homes have porte-cocheres.

COMMISSIONER EVANS asked if the home could be redesigned to meet the required setbacks. MR. VANDERMAAS replied that it cannot be done if the original design is maintained. COMMISSIONER TRUESDELL stated that the focus should be on this application and whether the information presented creates a self-made hardship. He commented that the house is too large for the lot.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 57 – VAR-16497

MINUTES – Continued:

MR. BERRYDANE disagreed that the site would be overbuilt. The house he currently owns at 2521 Driftwood Drive is over 7,000 square feet and an adjacent home is 11,000 square feet. He questioned the objections about the porte-cochere, especially since other homes in the neighborhood also have porte-cocheres.

COMMISSIONER STEINMAN stated that the porte-cochere at MR. BERRYDANE'S present home is 13 feet from the street and the other ones are not closer than 15 feet. Because this would be the only home in the nine-foot range, he would not support the request. COMMISSIONER EVANS asked if the applicant would consider an abeyance and come back with a redesign that meets the City's standards or preferably the homeowners association architectural review committee's standards.

CHAIRMAN TROWBRIDGE verified that the applicant would be willing to rotate the pool house 90 degrees and that would eliminate half the problem. The remaining problem is simply the encroachment of the porte-cochere. MR. VANDERMAAS asked if it would be permissible to push the house two or three feet, but CHAIRMAN TROWBRIDGE replied that would provide 11 feet where 25 feet is required and would not make much of a difference.

MR. BERRYDANE stated he put a lot of effort and money into this project. When he talked with the neighbors no one had an objection. He was still puzzled on the specific objection. CHAIRMAN TROWBRIDGE reiterated that the support letter from the homeowners association was conditioned upon the City's approval of the front and back setback encroachments. The issue with the front porte-cochere is how far back it needs to go to be consistent with the neighborhood. It would be inconsistent on behalf of the homeowners association to say this has to be back 25 feet while one in five has a 12 or 13 feet.

COMMISSIONER STEINMAN suggested the home across the street with a 13-foot setback be a target they try to obtain to make it work. MR. BERRYDANE replied that he would try to work out an agreement with the homeowners association.

COMMISSIONER TRUESDELL recommended the applicant hold the items for 30 days so that he can meet with the neighbors and the architectural review committee and return with a solution that addresses all concerns.

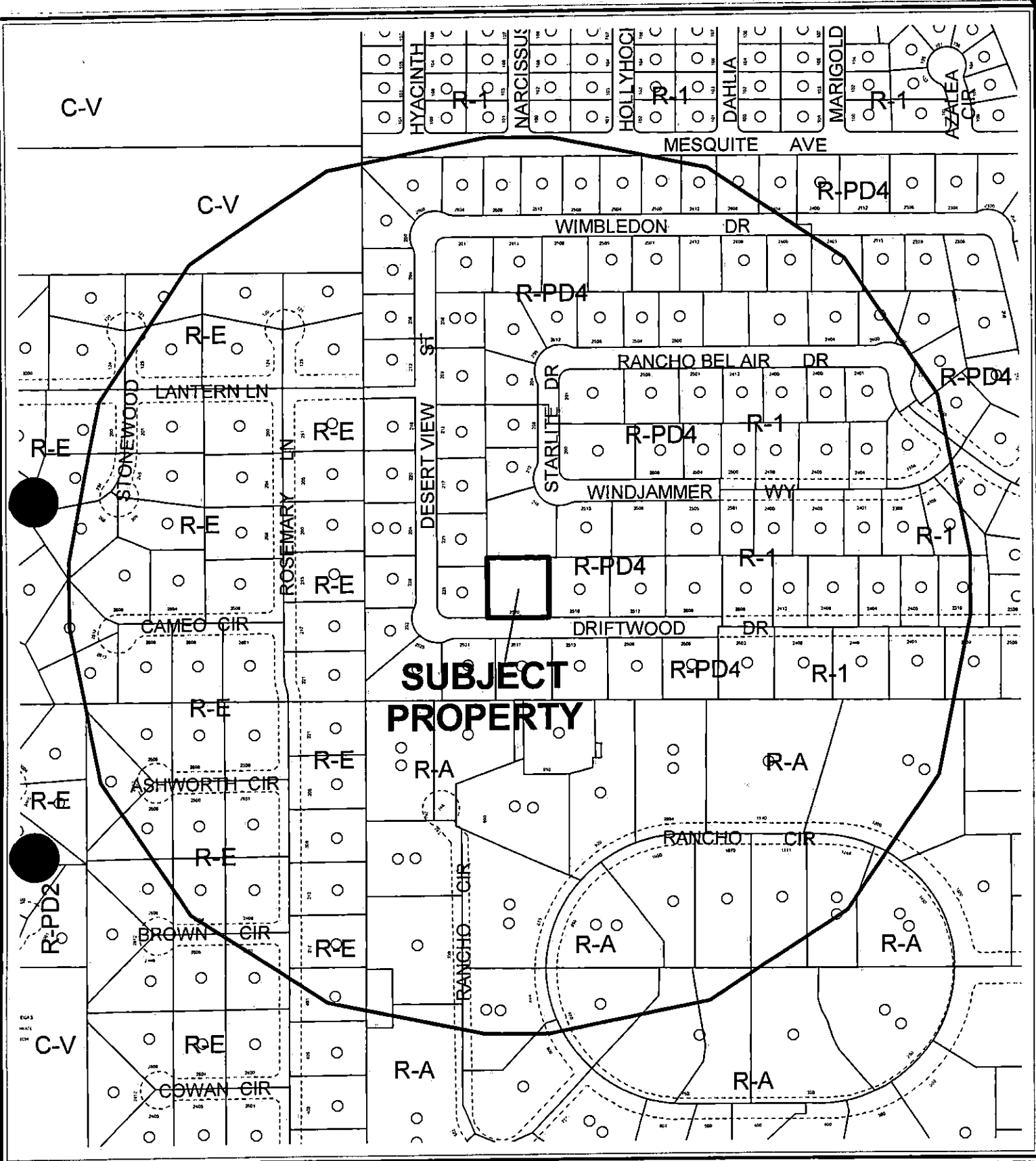
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 57 – VAR-16497

MINUTES – Continued:

CHAIRMAN TROWBRIDGE declared the Public Hearing closed Item 57 [VAR-16497] and Item 58 [SUP-16498].

(7:47 – 8:08)

2-201

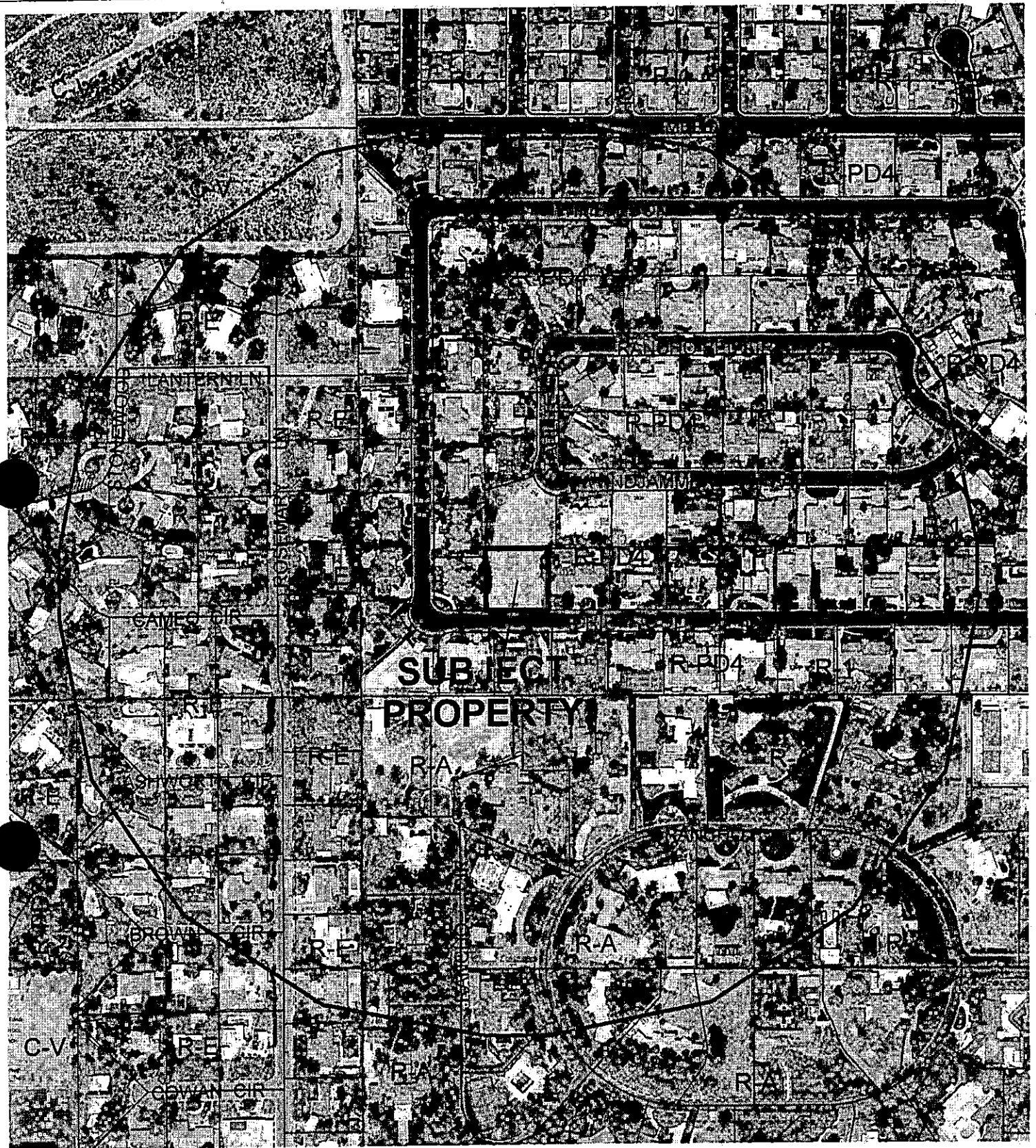


CASE: **VAR-16497**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)



CASE: **VAR-16497**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-16497 - APPLICANT/OWNER: KEN BERRYDANE

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-16498), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-16497 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

As part of the construction of a new single-family residence, the applicant is seeking to build a porte-cochere and a Habitable Accessory Structure (pool house). Both of these structures encroach into the required setbacks for this Residential Planned Development or R-PD. The standards were established by Z-0057-78. The applicant has followed the required process of the Rancho Bel Air Architectural Committee as part of this process. The applicant is seeking a 64 percent deviation from standards in the front yard and a 66 percent deviation in the rear yard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/19/06	A companion Special Use Permit (SUP-16498) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this site.	
<i>Pre-Application Meeting</i>	
05/16/06	A pre-application meeting was held and elements of this project were discussed. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this project, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
North	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
South	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)

NG

VAR-16497 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

West	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)

<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		
A-O Airport Overlay District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Z-57-78 and Title 19.08 the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	25 Feet	9 Feet	N
• Side	7.5 Feet	9 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	5 Feet	N
Min. Distance Between Buildings	6 Feet	19 Feet	Y
Max. Building Height	30 Feet	30 Feet	Y

ANALYSIS

The rules concerning accessory structures in the Rancho Bel Air development were established by Z-0057-78. The process requires that the applicant gain the permission of the Home Owners Association/Architectural Committee first and then take appropriate action with the City of Las Vegas. This Variance application and the related Special Use Permit (SUP-16498) are intended to satisfy that requirement.

There is sufficient room in the rear yard to allow the Habitable Accessory Structure (pool house) to meet the setbacks required by the Rancho Bel Air development. In this case that is a minimum of 15 feet as the Site Development Plan Review did not distinguish between the primary structure and any potential accessory structures. As the location of the Habitable Accessory Structure is per the applicants design choices, this is considered a self-imposed hardship and denial of this request is recommended.

VAR-16497 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

The porte-cochere in the front yard is being added as an aesthetic feature. This is also a design choice on the part of the applicant and is considered a self-imposed hardship. Denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 3

SENATE DISTRICT 6

VAR-16497 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

NOTICES MAILED 174 [Mailed with SUP-16498]

APPROVALS 0

PROTESTS 2

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16497** APN: 139-325-12016

Name of Property Owner: Ken Berrydane

Name of Applicant: Ken Berrydane

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: R. B. Adams

Print Name: Ken Berrydane

Subscribed and sworn before me

This 25th day of MAY, 2004

Notary Public in and for said County and State

Los Angeles, CALIFORNIA

State of California, County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me
on this 25th day of MAY, 2006.

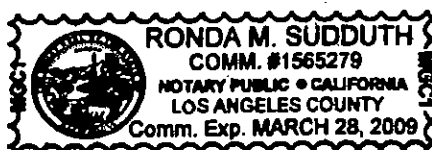
by KEN BERRY DANE

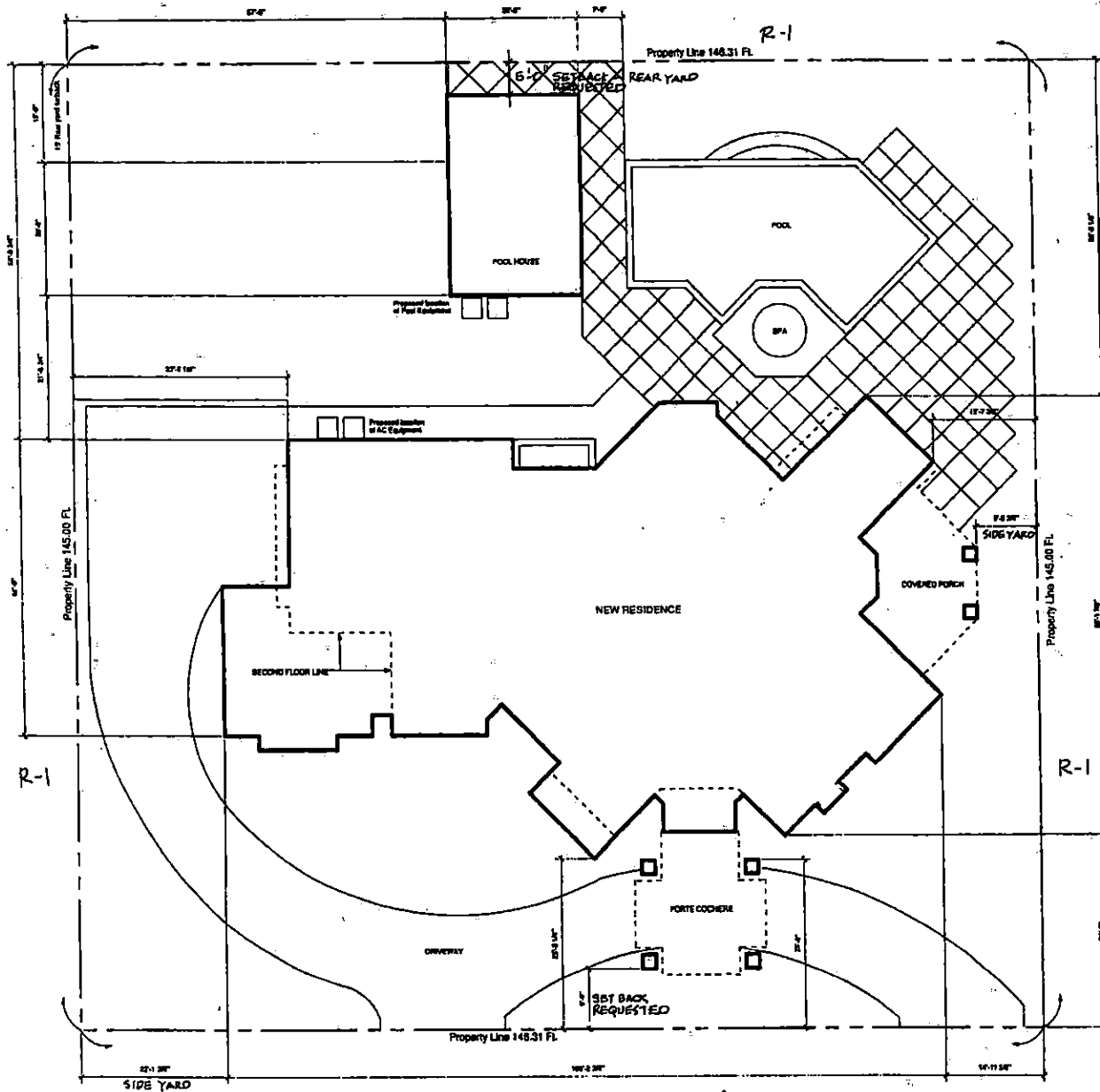
personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: 

Revised 12-03-04

C:\Depot\Application Packet\Statements of Financial Interest.doc





Site Plan



1/8" = 1'-0"

Legal Description

Lot 18 of Unit 64
Block 7
Subdivision of Rancho del Air Trust
APN 129-33-017-016

Project Data

Lot Area	21,215 sq. ft.
Residence Footprint (Including Garage)	4,968 sq. ft.
Residence Second Floor Area	4,776 sq. ft.
Total Residence	9,764 sq. ft.
Pool House	680 sq. ft.
Porch Cochers	440 sq. ft.
Total Lot Coverage	10,804 sq. ft.
Percent Lot Coverage	50.9%

Sheet Index

Sheet No.	Sheet Title
U-1	Title Sheet
U-2	Grading Plan
U-3	Specifications
U-4	Specifications
A-1	First Floor Plan
A-2	Second Floor Plan
A-3	Schedule
A-4	Roof Plan
A-5	Elevations
A-6	Elevations
A-7	Building Cross Sections
A-8	Building Cross Sections
A-9	Interior Elevations
A-10	Pool House
A-11	Architectural Details
A-17	Architectural Details
S-1	Notes and Details
S-2	Details
S-3	Details
S-4	Foundation Plan
S-5	Second Floor Framing Plan
S-6	Roof Framing Plan
M-1	Notes
M-2	Schedules and Notes
M-3	First Floor Lighting
M-4	Second Floor Lighting
P-1	Details
P-2	Schedule
P-3	First Floor Water
P-4	Second Floor Water
P-5	First Floor Water & Vents
P-6	Second Floor Water & Vents
P-7	First Floor Gas
P-8	Second Floor Gas
E-1	Notes and Schedules
E-2	First Floor Power and Lighting
E-3	Second Floor Power and Lighting

Vicinity Map

* 2524 Driftwood Dr
Las Vegas, NV 89107-2321, US



SEP 9 2006

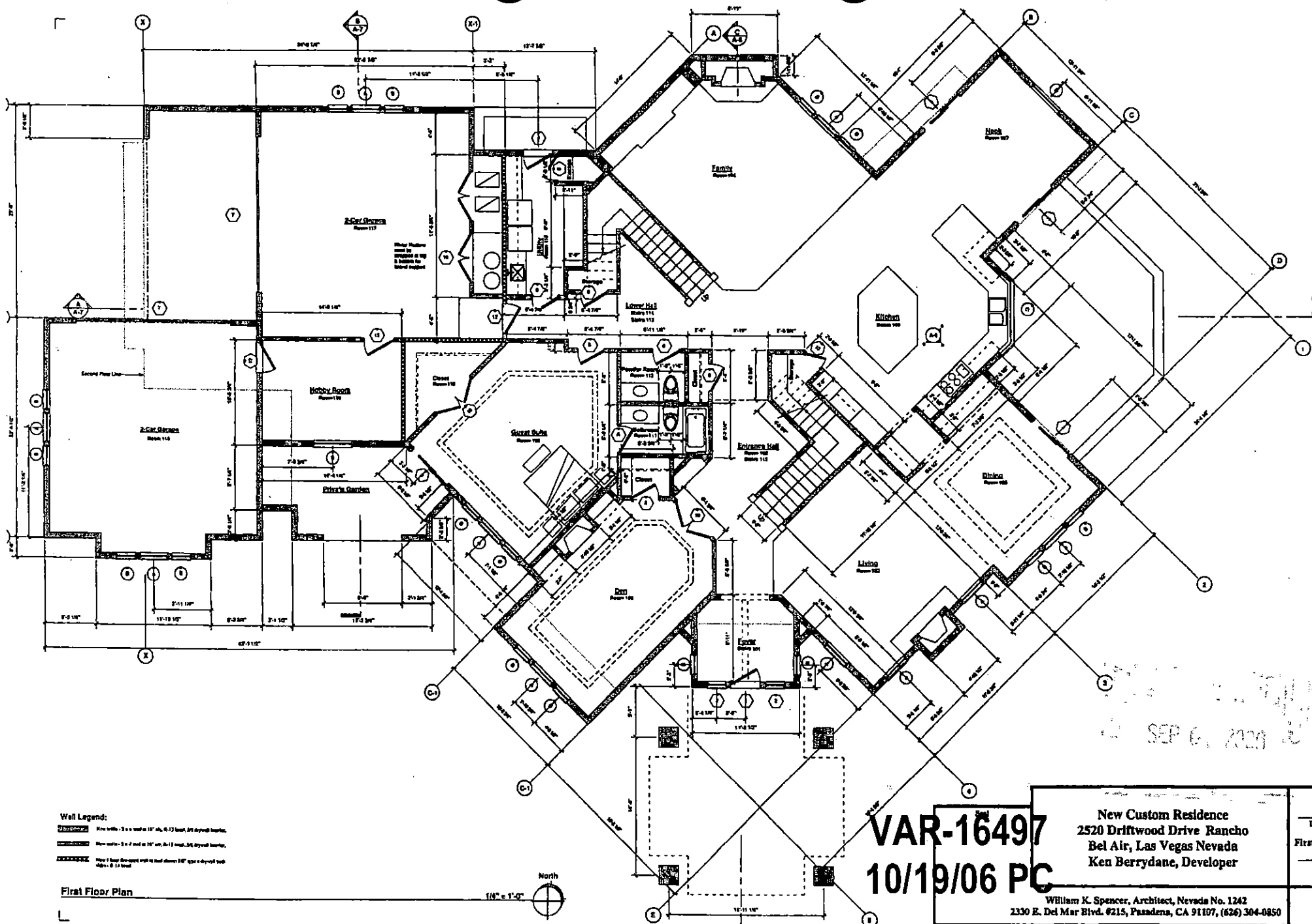
VAR-16497

10/19/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
del Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
C-
Description
Title S
Date
12-04



Well Legend:
 [Symbol] Fire walls - 2 x 8 in wall at 16" o.c., 6-12 inch, 3/4 drywall backup.
 [Symbol] Non-fire walls - 2 x 4 in wall at 16" o.c., 5/8 inch, 3/4 drywall backup.
 [Symbol] Non-fire walls - 2 x 4 in wall at 16" o.c., 5/8 inch, 3/4 drywall backup.

First Floor Plan

1/8" = 1'-0"



SEP 6, 2009

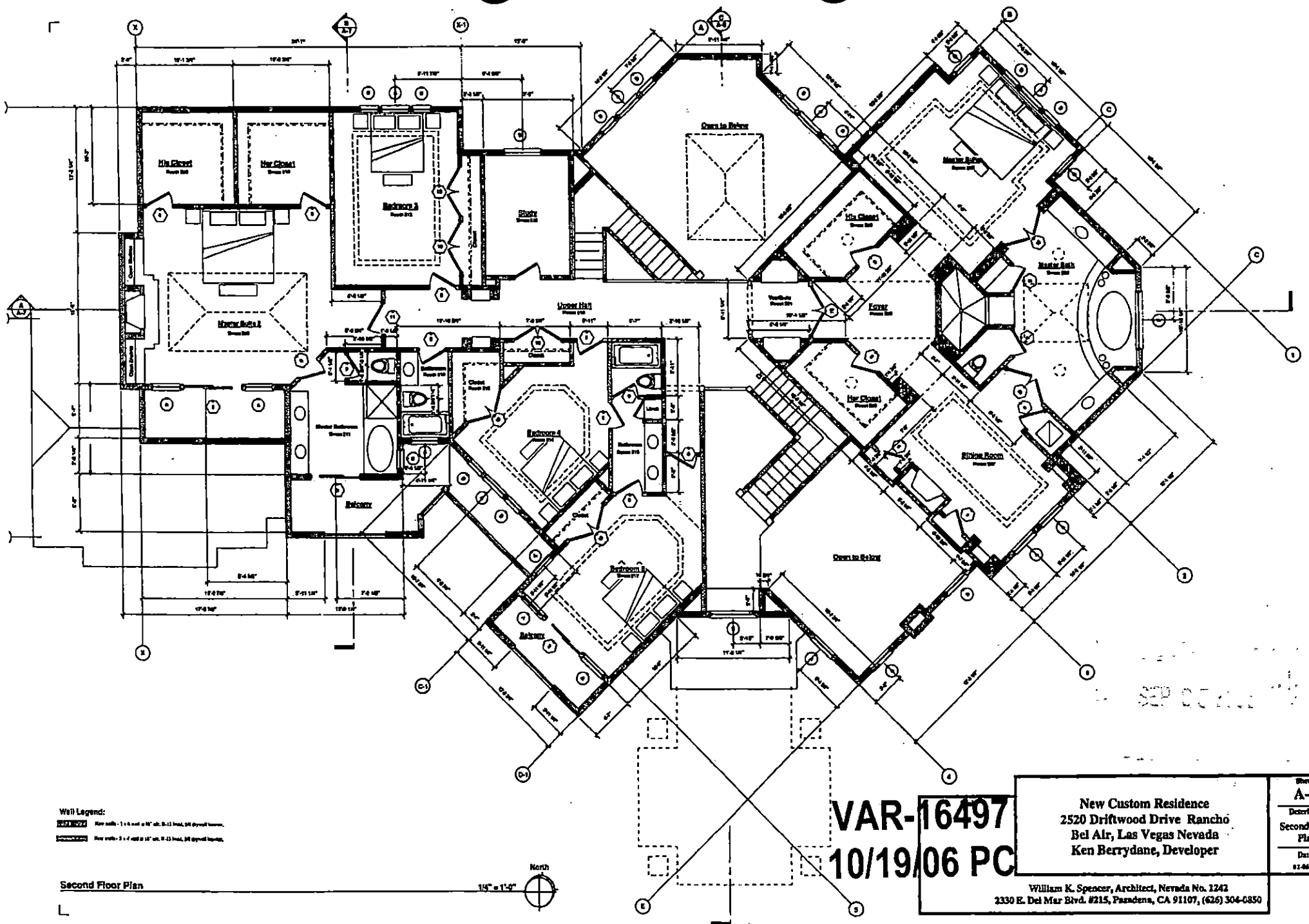
VAR-16497

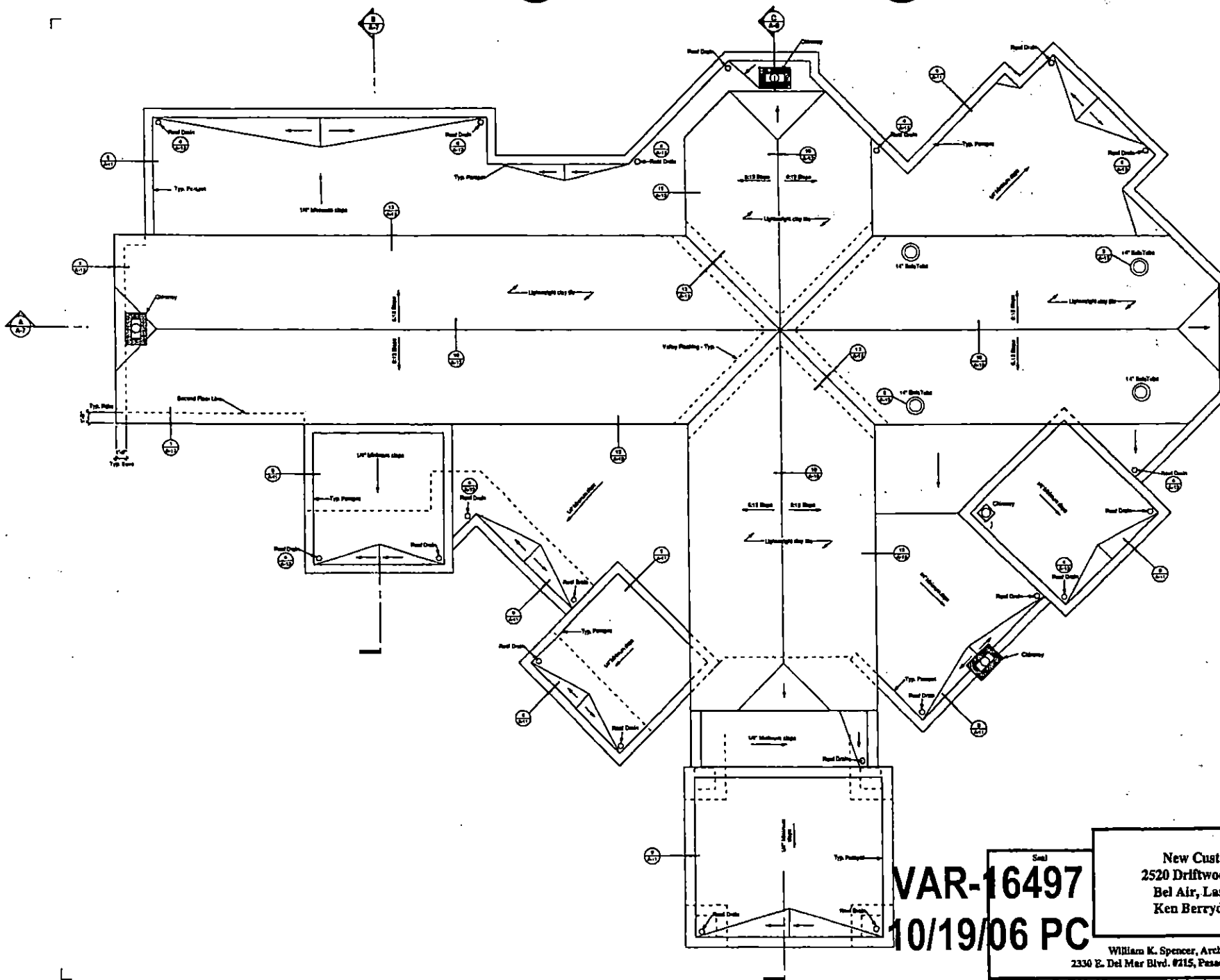
10/19/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-1
 Descr
 First Floor
 Date
 02-06-4





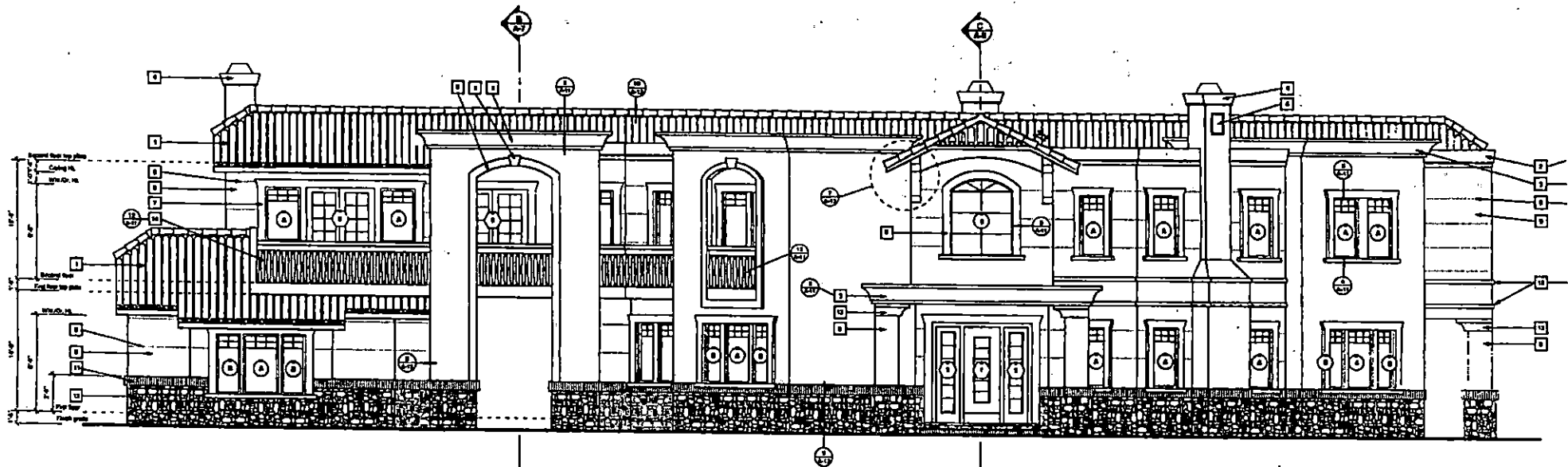
VAR-16497

10/19/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

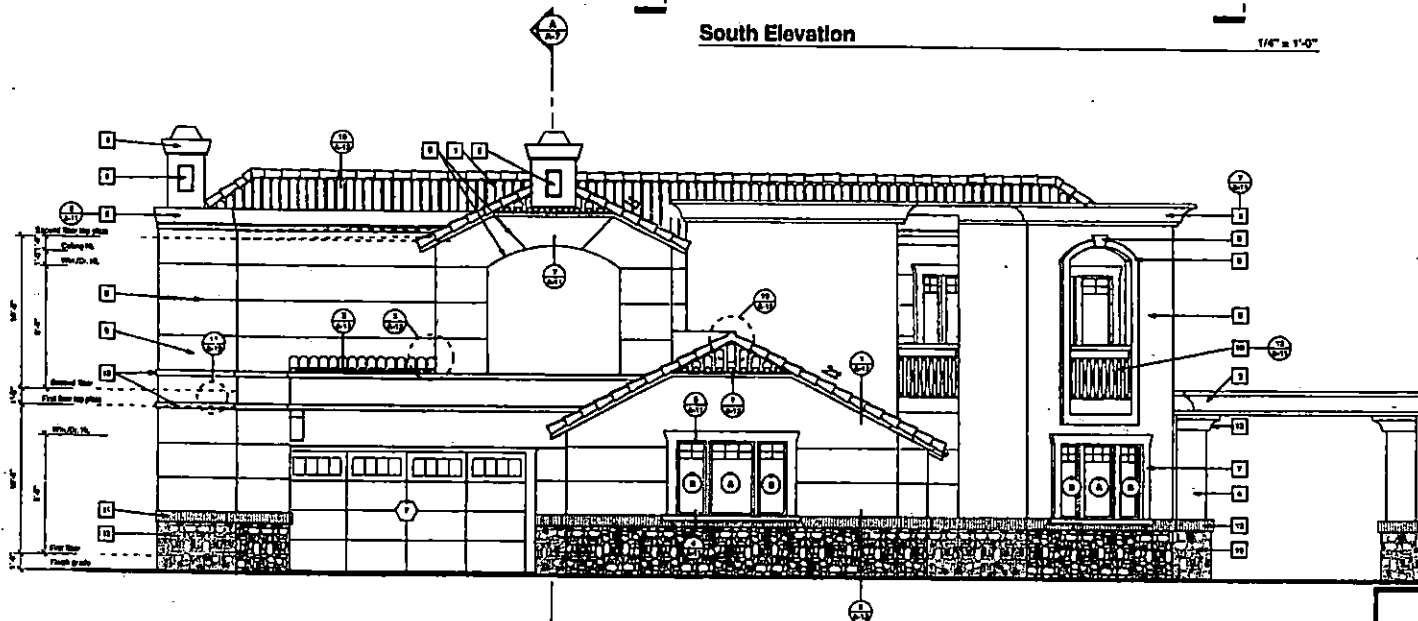
William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-4
Descript
Roof Pl
Date
02-16-06



South Elevation

1/4" = 1'-0"



West Elevation

1/4" = 1'-0"

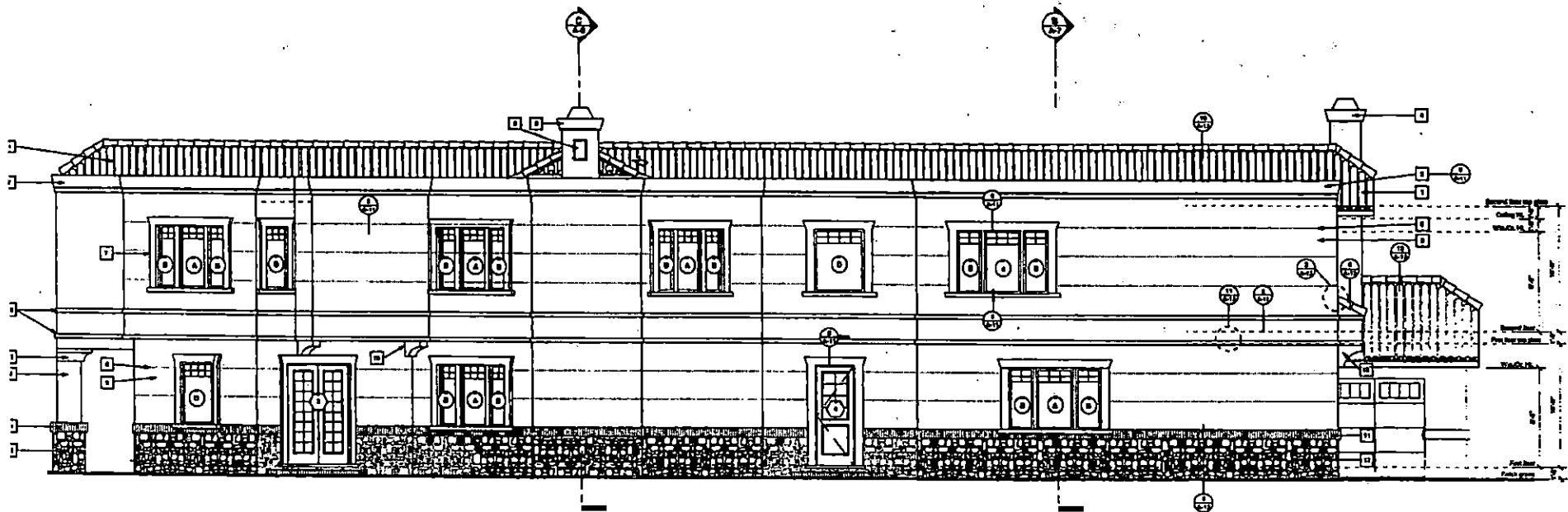
1	Lightweight clay tile roofing
2	Custom Front Quonset #1
3	Custom Front Quonset #2
4	Custom Front Quonset #3
5	Decorative brackets - Custom Design Inc. #211 add'd
6	Roof eave end Lin.
7	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
8	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
9	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
10	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
11	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
12	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
13	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
14	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
15	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
16	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
17	Decorative eave end Lin. (Custom Design Inc. #211 add'd)
18	Decorative eave end Lin. (Custom Design Inc. #211 add'd)

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0350

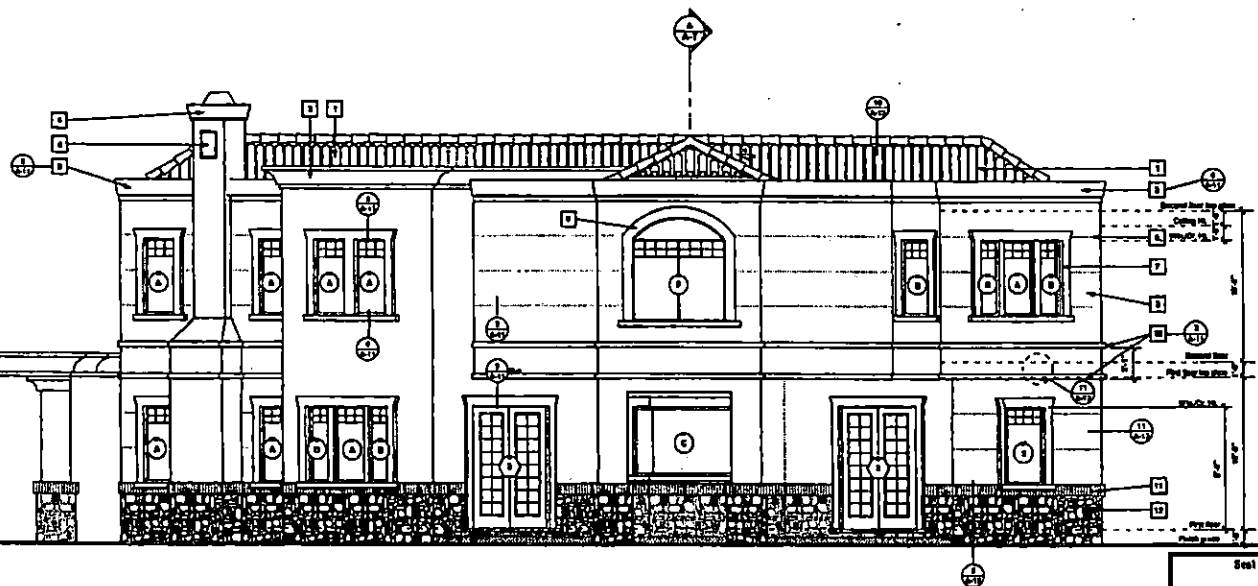
VAR-16497
10/19/06 PC

Sheet
A-1
Describe
Elevation
Date
02-04-07



North Elevation

1/4" = 1'-0"



East Elevation

1/4" = 1'-0"

1	Lightweight clay tile roofing
2	Custom Paint Country #1
3	Custom Paint Country #2
4	Custom Paint Country #3
5	Decorative hardware - Custom Design Inc. #12 1/4" x 1/4"
6	Acrylic paint color
7	Medium density fiberboard (MDF) - Custom Design Inc. #12 1/4" x 1/4"
8	Medium density fiberboard (MDF) - Custom Design Inc. #12 1/4" x 1/4"
9	Small Translucent acrylic solid color
10	Small Translucent acrylic solid color over 1/2" board
11	Brick Saddle Course
12	Brick Veneer
13	Custom Paint Country #1
14	Custom Paint Country #2
15	Custom Paint Country #3

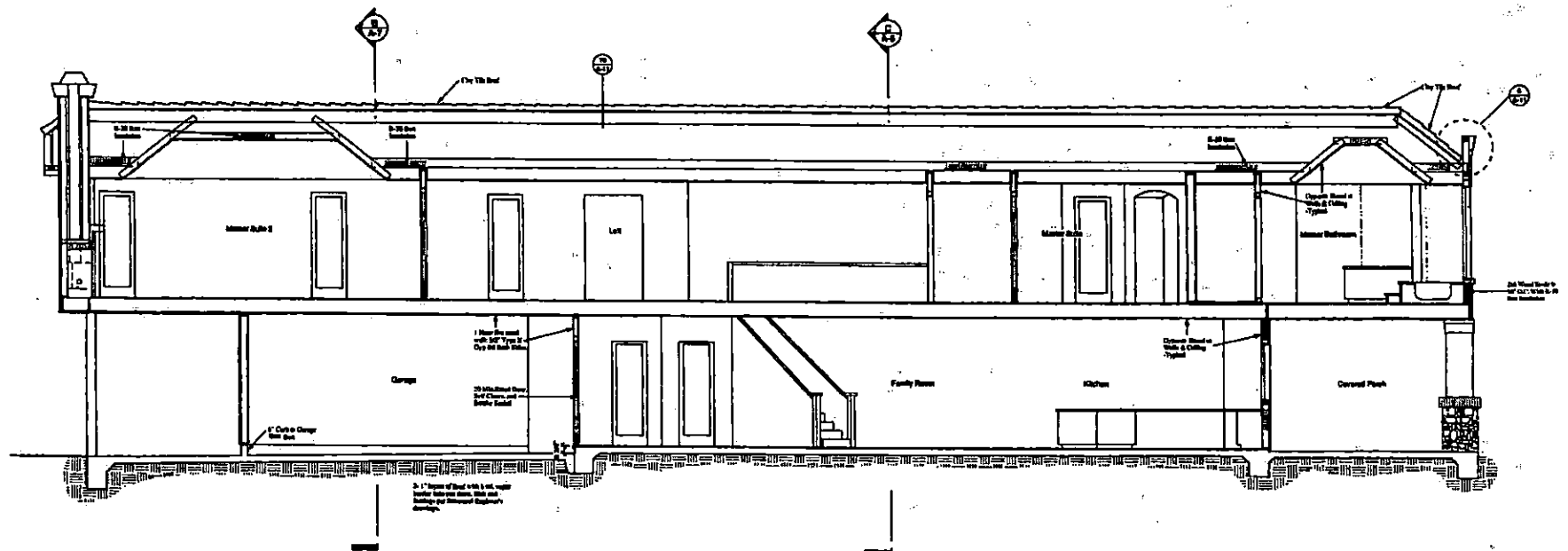
SEP 05 2006

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

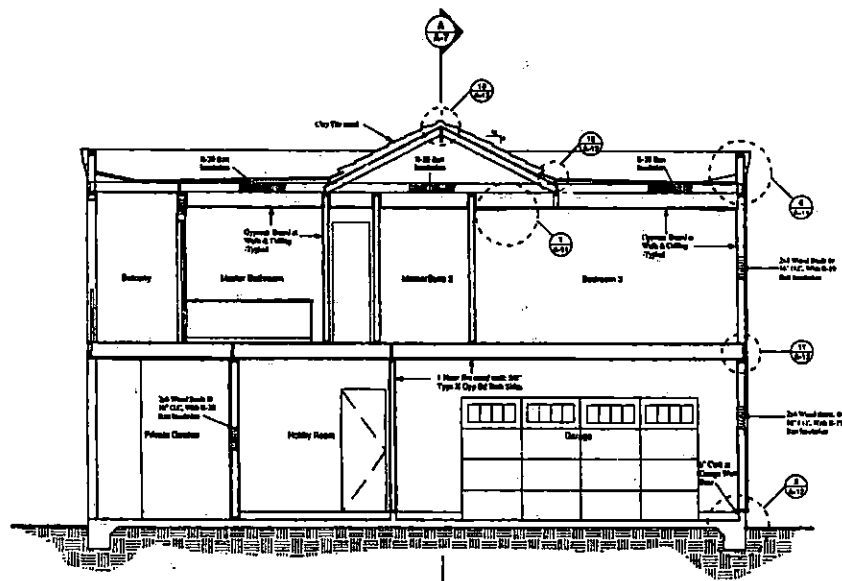
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Section A

1/4" = 1'-0"



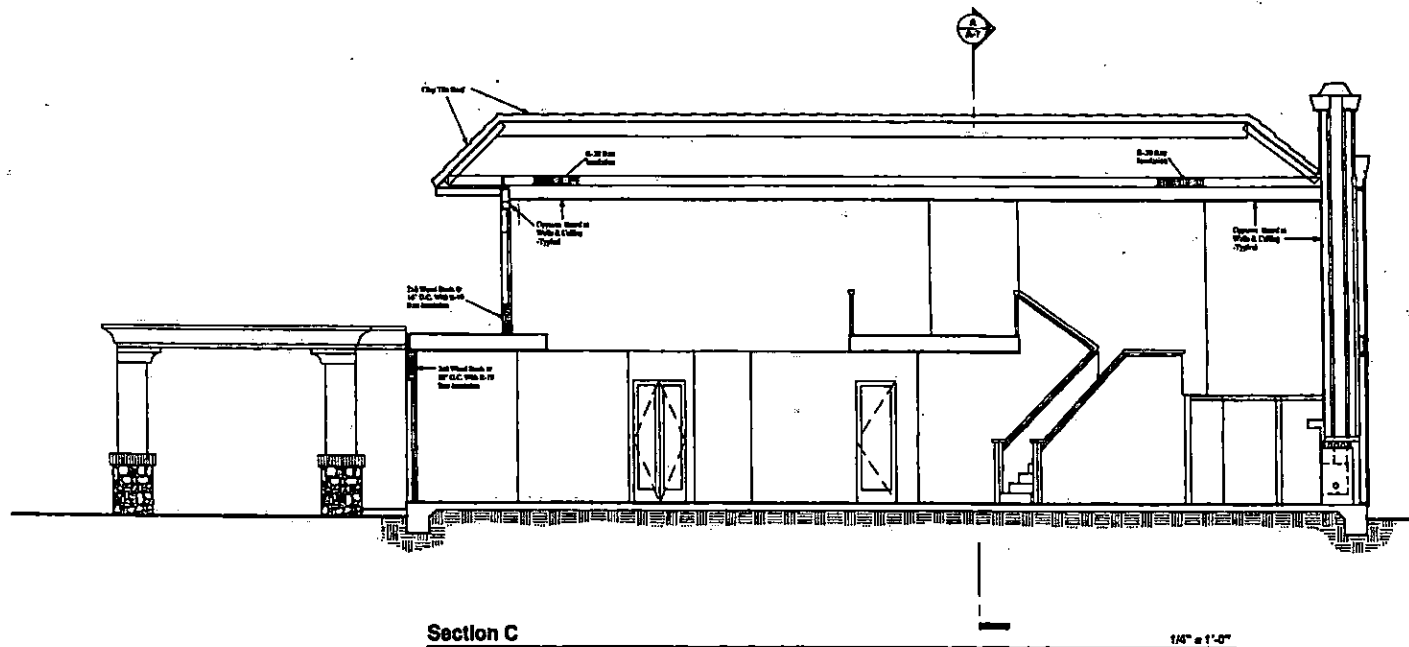
Section B

1/4" = 1'-0"

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VAR-16497
10/19/06 PC

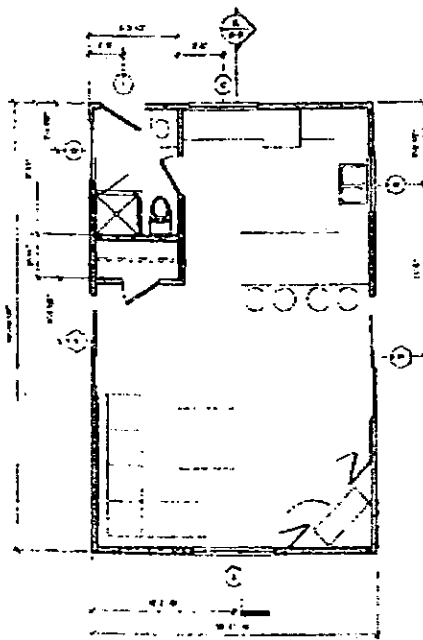
Seal	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet A-1 Description Building Section Date 03-06-0
William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850		



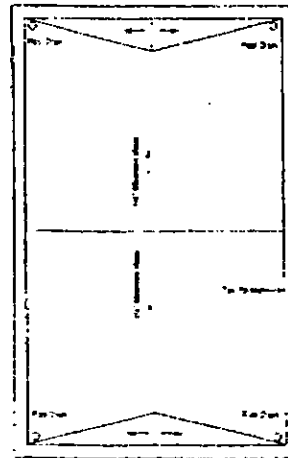
SEP 05 2006

VAR-16497
10/19/06 PC

Seal	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet
		A-1
		Description
		Building Section
	William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850	Date
		02-06-1



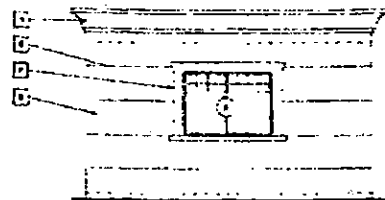
FLOOR PLAN



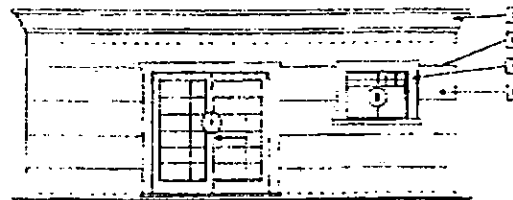
ROOF PLAN

No.	Size Height Width	Type	Material Finish	Notes Remarks	Quantity Cubic Feet
Roofing					
1	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
2	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
3	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
Roofing					
4	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
5	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
Roofing					
6	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
7	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
8	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
9	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
10	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
11	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
12	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
13	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
14	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
15	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
16	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
17	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
18	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
19	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft
20	24' x 36'	Asph/Flt Shingles	Asph/Flt	Shingles	144 sq ft

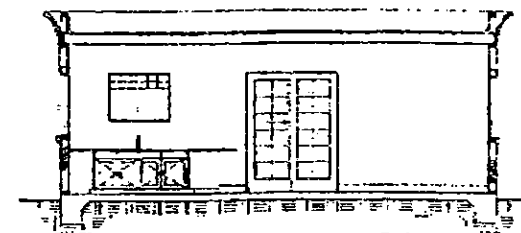
Notes: 1. All quantities are for materials only and do not include labor.



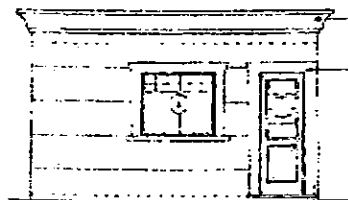
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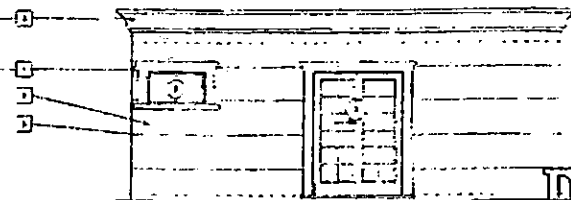
FRONT



SECTION



SIDE



REAR

VAR-16497
REVISED
10/19/06 PC

RECEIVED
SEP 05 2006

New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer		Sheet A-10 Description Pool House Date 10/19/06
William K. Spencer, Architect, Nevada No. 8242 2230 E. Del Mar Blvd. #115, Pasadena, CA 91107, (626) 304-0634		



KEN BERRYDANE - RESIDENCE
LAS VEGAS

SEP 15 2006

VAR-16497
10/19/06 PC

Joost van der Maas

4921 Clear Creek Rd, Las Vegas, NV. 89110

Telephone 702-453 4923

Email: jvandermaas@hotmail.com

September 11, 2006

PLANNING AND DEVELOPMENT DEPARTMENT

JUSTIFICATION LETTER

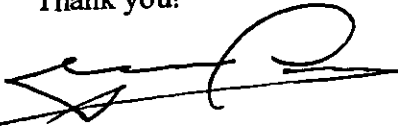
I am submitting this letter of justification on behalf of the owner, Ken Berrydane and William K. Spencer, Architect for the residential property on 2521 Driftwood Dr. Las Vegas, Nevada.

A setback variance is sought to allow the owner to enjoy all of the property like any of several other residences that have a porte-co chere in the front setback.

The Home Owners Association is in favor of this and have indicated so in writing, a document that is included.

Please allow this setback variance.

Thank you!



Joost Vandermaas

RECEIVED
SEP 11 2006

VAR-16497
REVISED
10/19/06 PC

Telephone Protest/Approval Log

Meeting Date: Oct 19, 2006

Case Number: VAR 16497

Date: 10/19/2006
Name: Eddie Haddad
Address: 221 Desert View St
Las Vegas NV 89107
Phone: 702-491-5812
☒ PROTEST ☐ APPROVE

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

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

City of Las Vegas
Attn: Margo Wheeler
Fax: 474-7463

October 9th, 2006

Eddie Haddad
221 Desert View St./ APN 139-32-512-018
Las Vegas, NV 89107
702-491-5812

Regarding: SUP 16498 and
VAR 16497

Dear Margo,

I would like to give my opposition to the above applications.

We at Rancho Bel Air Community have purchased in an area that has open spaces, and we enjoy these open spaces because of the large lots we share. To allow a builder to encroach on our open space is like owning a smaller lot, which takes away our favor.

Especially at this end of the community, we are at or close to 2 corners, one inner corner and one outer corner. The subject property backs up to the north, and will be followed with another built home backing up to the south, which will further crowd everyone's yard.

My next door neighbors and I back up east to both of these home lots. There are 2 additional homes located east of the subject that will also be affected negatively if this variance is granted. Therefore, allowing this variance will negatively affect in all 4 directions, all 5 homes.

Typically, lots are deeper in nature than they are wider. My lot, on Desert View St. is the opposite, a little wide, but not deep. This negatively impacts me further in that my backyard is not open and wide enough, and will be affected even more severely.

Finally, the land owner has ½ acre, plenty of land to build as large of a house as possible, with all the extras like a guest house. Just because he wants to get more space between his buildings doesn't mean we should get less space. Especially in our corners of the community, there are irregular sized lots and potential for overcrowding.

Please don't hesitate to contact me if you have any further questions.

Eddie Haddad- Adjoining Resident

City of Las Vegas
Attn: Carman Burney
Fax: 385-7268

October 9th, 2006

Eddie Haddad
221 Desert View St./ APN 139-32-512-018
Las Vegas, NV 89107
702-491-5812

Regarding: SUP 16498 and
VAR 16497

Dear Carman,

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Especially at this end of the community, we are at or close to 2 corners, one inner corner and one outer corner. The subject property backs up to the north, and will be followed with another built home backing up to the south, which will further crowd everyone's yard.

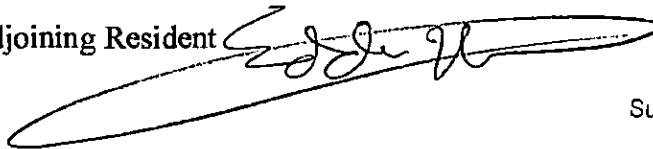
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Please don't hesitate to contact me if you have any further questions.

Eddie Haddad- Adjoining Resident



Submitted at Planning Commission

Date 10/19/06 Item #57+58

City of Las Vegas
Planning Dept. Director
Attn: Margo Wheeler

October 17, 2006

Fran Dweck
217 Desert View St
Las Vegas, NV 89107
702-525-4233

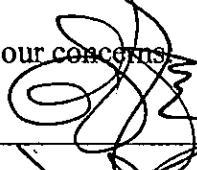
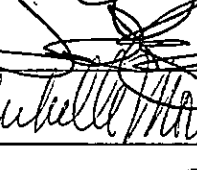
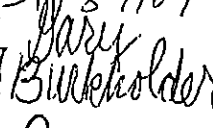
Regarding SUP 16498 &
VAR 16497

Dear Ms. Wheeler,

Attached is a copy of the letter sent by Eddie Haddad (voicing his concerns about the property at 2520 Driftwood owned by Ken Berrydane) to Ms Carman Burney.

I will be attending the meeting on Thursday, Oct 18, 2006 to oppose.

The following neighbors also support our concerns:

Gary Sepede  224 Desert View St.
Janet Sepede  224 Desert View St
Michelle Morton  228 Desert View St 89107
GARY BURKHOLDER 228 DESERT VIEW ST 89107 
Fran Dweck 217 Desert View St
Nancy Jewslakim 220 Desert View Street

Please do not hesitate to contact me if you have any questions.

Fran Dweck - Adjoining Resident

Submitted at Planning Commission

Date 10/19/06 Item # 57+58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-16498 - SPECIAL USE PERMIT RELATED TO VAR-16497 - PUBLIC HEARING - APPLICANT/OWNER: KEN BERRYDANE - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 2521 Driftwood Drive (APN 139-32-512-016), R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 1 (Tarkanian).

C.C.: 11/15/06

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

10

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protest Log
6. Submitted at meeting – A protest letter and petition with six signatures for Items 57 and 58 filed under Item 57

MOTION:

TRUEDELL – ABEYANCE to 11/16/2006 – Motion carried with DAVENPORT abstaining because he resides in Rancho Bel Air Estates and serves on the Board of Rancho Bel Air Estates

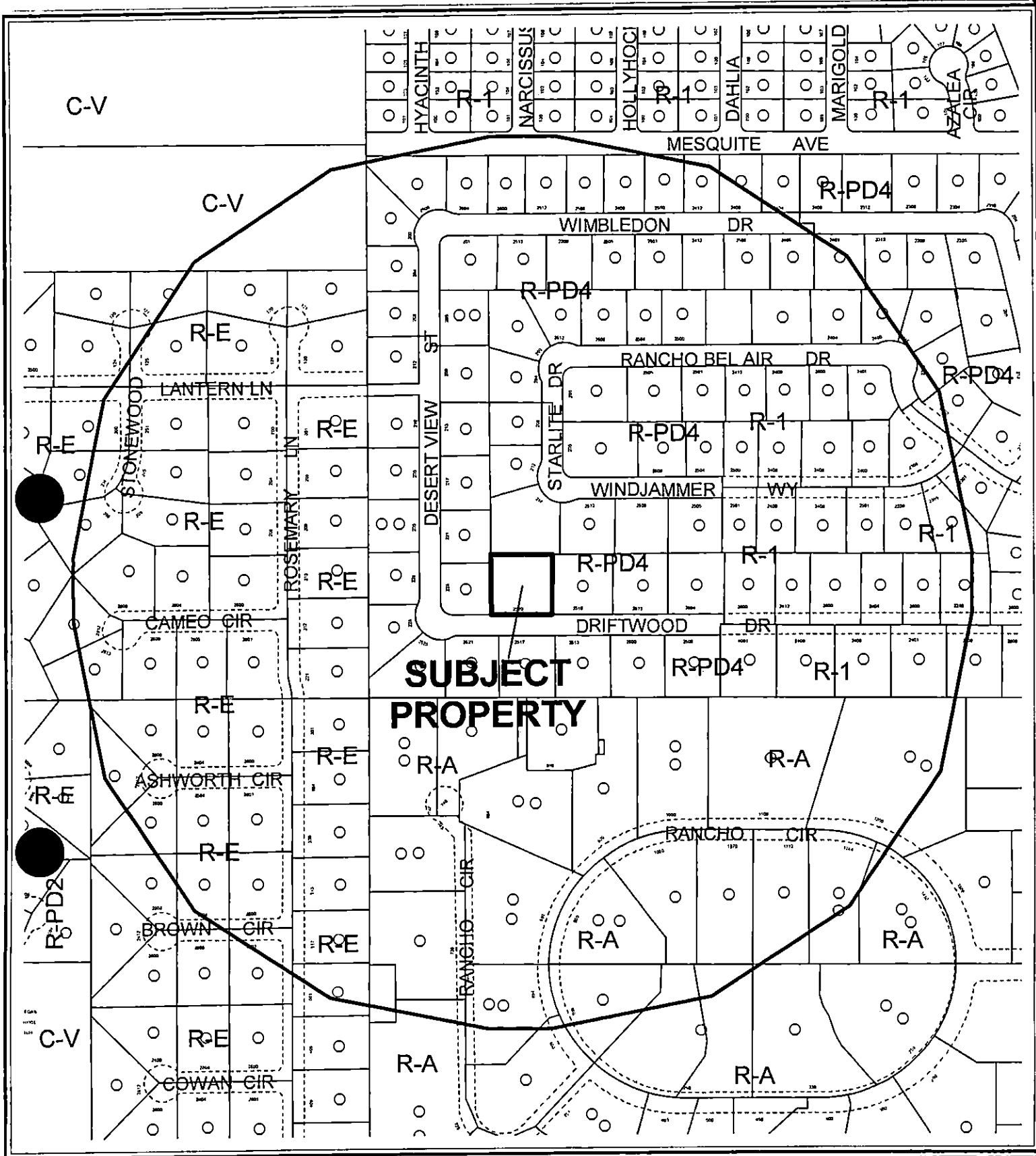
To be heard by the Planning Commission meeting on 11/16/2006

MINUTES:

NOTE: See Item 57 [VAR-16497] for all related discussion.

(7:47 – 8:08)

2-201



CASE: **SUP-16498**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Habitable Accessory Structure use.
2. Conformance to the conditions for Variance (VAR-16497), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-16498 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

As part of the construction of a new single-family, residence the applicant is seeking to build a porte-cochere and a Habitable Accessory Structure (pool house). The Rancho Bel Air standards state that the applicant must first have the permission of the Rancho Bel Air Architectural Committee and if that is granted follow the City of Las Vegas requirements for the proposed use. The requirement for the Habitable Accessory Structure, in this case a pool house in the rear yard, is to obtain a Special Use Permit. This application is intended to satisfy that requirement; however, due to the Variance for setbacks it cannot be supported.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/19/06	A companion Special Use Permit (SUP-16498) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this site.	
<i>Pre-Application Meeting</i>	
05/16/06	A pre-application meeting was held and elements of this project were discussed. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this project, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
North	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
South	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)

NG

SUP-16498 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

West	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)

<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		
A-O Airport Overlay District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Z-57-78 and Title 19.08 the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	25 Feet	9 Feet	N
• Side	7.5 Feet	9 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	5 Feet	N
Min. Distance Between Buildings	6 Feet	19 Feet	Y
Max. Building Height	30 Feet	30 Feet	Y

ANALYSIS

The proposed Habitable Accessory Structure is located in the rear yard and is approximately 600 square feet. The structure will contain a kitchen and thus is considered habitable. The proposed location of the structure is in close proximity to the adjacent lot to the north that is currently undeveloped. While this structure would not have a significant affect on the area, the location of the structure on the site requires a Variance (VAR-16497) that is considered a self-imposed hardship and cannot be supported.

HABITABLE ACCESSORY STRUCTURE

- (1) The size of the lot or parcel must exceed six thousand five hundred square feet.
- (2) Unless the principal dwelling is owner-occupied, a habitable accessory structure may not be offered or occupied as a rental unit.

SUP-16498 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

- (3) A habitable accessory structure may contain one kitchen, but otherwise must comply with all provisions of Section 19.08.040 applicable to accessory structures.
- (4) A minimum of one additional on-site parking space must be provided beyond the number of spaces normally required.

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 Habitable Accessory Structure could be conducted in a manner that is harmonious and compatible with the surrounding area if located in an area that meets setback requirements. Due to the location of the structure in close proximity to another lot and the required Variance (VAR-16497), the structure is not considered compatible with the surrounding uses.

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

The subject site is physically suitable for the type and intensity of land-use proposed. The lot is 21,215 square feet and sufficient room is available in the rear yard to accommodate the proposed structure in a location that meets setback requirements.

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 property is a single-family residence and gains access from a standard residential street, in this case Driftwood Drive. This street provides adequate access to and from the subject property.

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 would not compromise the public health or the general welfare of the surrounding area if the structure was located in an area that met the requirements of the Rancho Bel Air development standards.

5. **The use meets all of the applicable conditions per Title 19.04.**

SUP-16498 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

The use meets all of the required conditions of Title 19.04 for Habitable Accessory Structure use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 3

SENATE DISTRICT 6

NOTICES MAILED 174 [Mailed with VAR-16497]

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-16498** APN: 139-32-512-016

Name of Property Owner: Ken Berrydane

Name of Applicant: Ken Berrydane

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

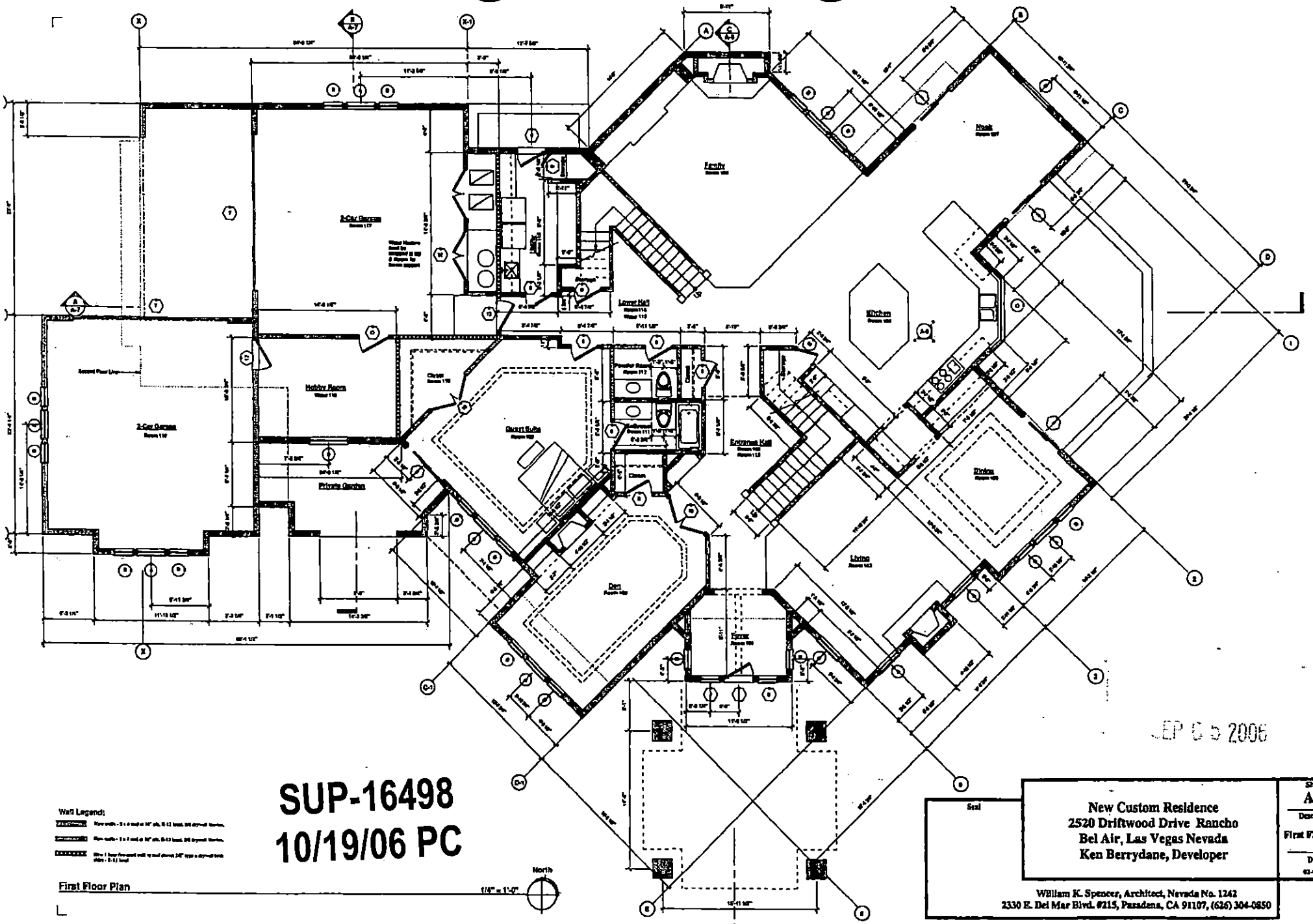
Signature of Property Owner:

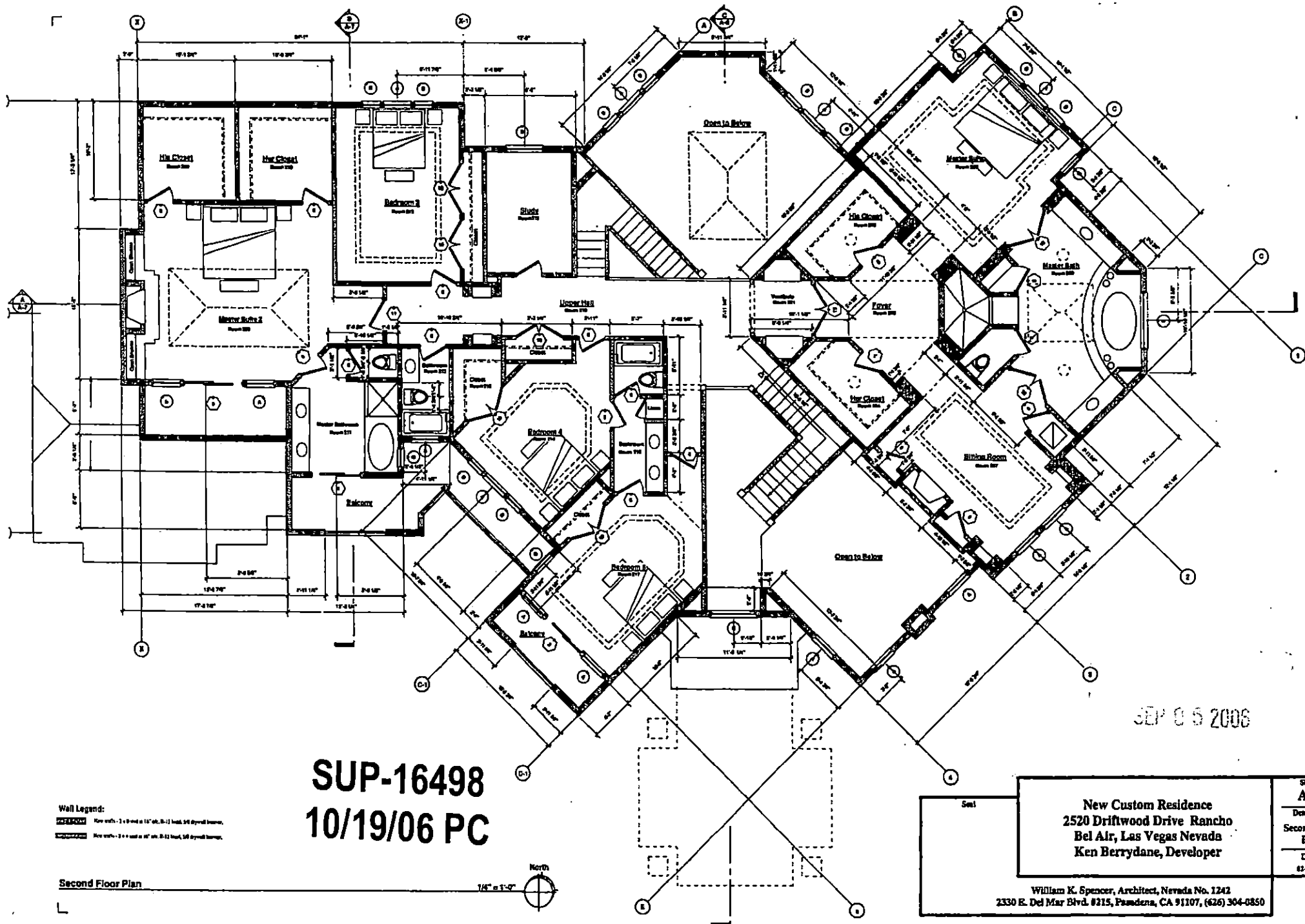
Print Name:

Subscribed and sworn before me

This 25th day of SEPT, 2006
 Notary Public in and for said County and State
 Los Angeles, CALIFORNIA



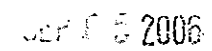




SEP 05 2006

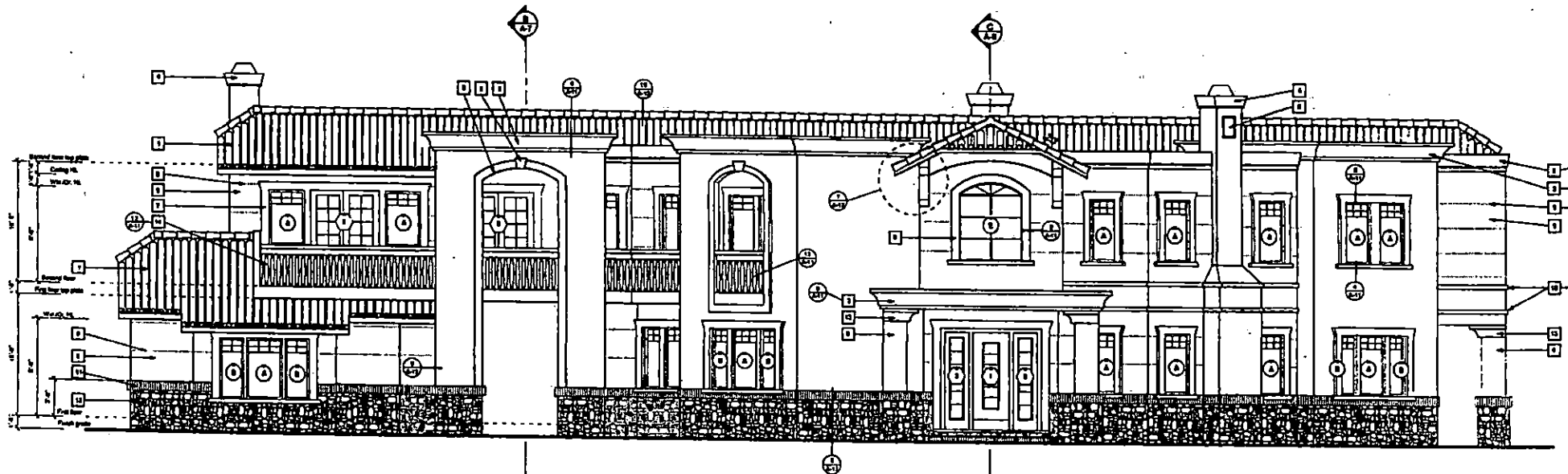
SUP-16498
10/19/06 PC

New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850	Sheet
	A-1
	Describe
	Second Floor Plan
Date	02-04-06



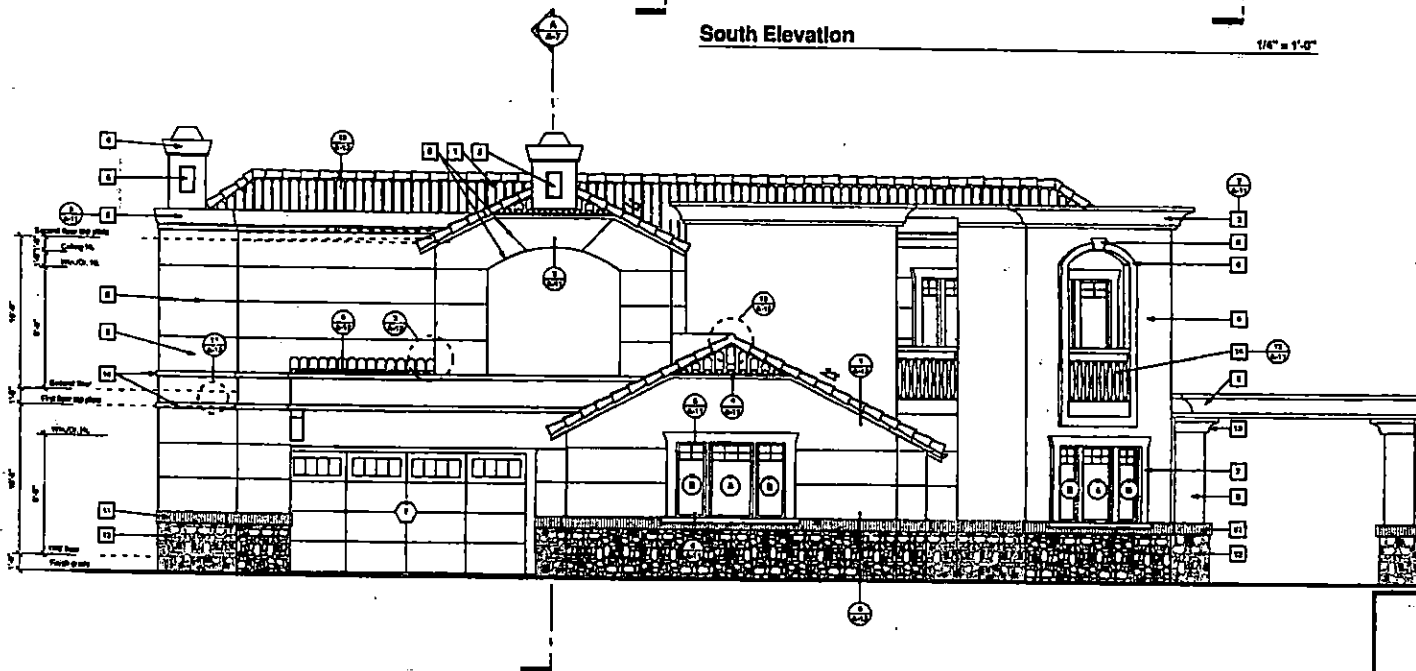
Seal New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Show A-
	Description Roof Date 03-06

William K. Spencer, Architect, Nevada No. 1242
 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850



South Elevation

1/4" = 1'-0"



West Elevation

1/4" = 1'-0"

1	Lightweight concrete block masonry
2	Custom Painted Concrete S1
3	Custom Painted Concrete S2
4	Custom Painted Concrete S3
5	Decorative Limestone - Concrete Designer Inc. #12, #14, #16
6	Arched Window Lintel
7	Weatherstripping - Universal Weathering Systems - Ridge Inc. #13, #14, #15, #16, #17, #18, #19, #20, #21, #22, #23, #24, #25, #26, #27, #28, #29, #30, #31, #32, #33, #34, #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51, #52, #53, #54, #55, #56, #57, #58, #59, #60, #61, #62, #63, #64, #65, #66, #67, #68, #69, #70, #71, #72, #73, #74, #75, #76, #77, #78, #79, #80, #81, #82, #83, #84, #85, #86, #87, #88, #89, #90, #91, #92, #93, #94, #95, #96, #97, #98, #99, #100
8	Steel Transomed window with shutters
9	Steel Transomed window with shutters over 3rd level
10	Steel Transomed window with shutters over 3rd level
11	Back Siding - Concrete
12	Stone Veneer
13	Custom Painted Concrete S1
14	Decorative Limestone - Concrete Designer Inc. #12, #14, #16, #18, #20, #22, #24, #26, #28, #30, #32, #34, #36, #38, #40, #42, #44, #46, #48, #50, #52, #54, #56, #58, #60, #62, #64, #66, #68, #70, #72, #74, #76, #78, #80, #82, #84, #86, #88, #90, #92, #94, #96, #98, #100
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17	Custom Painted Concrete S1

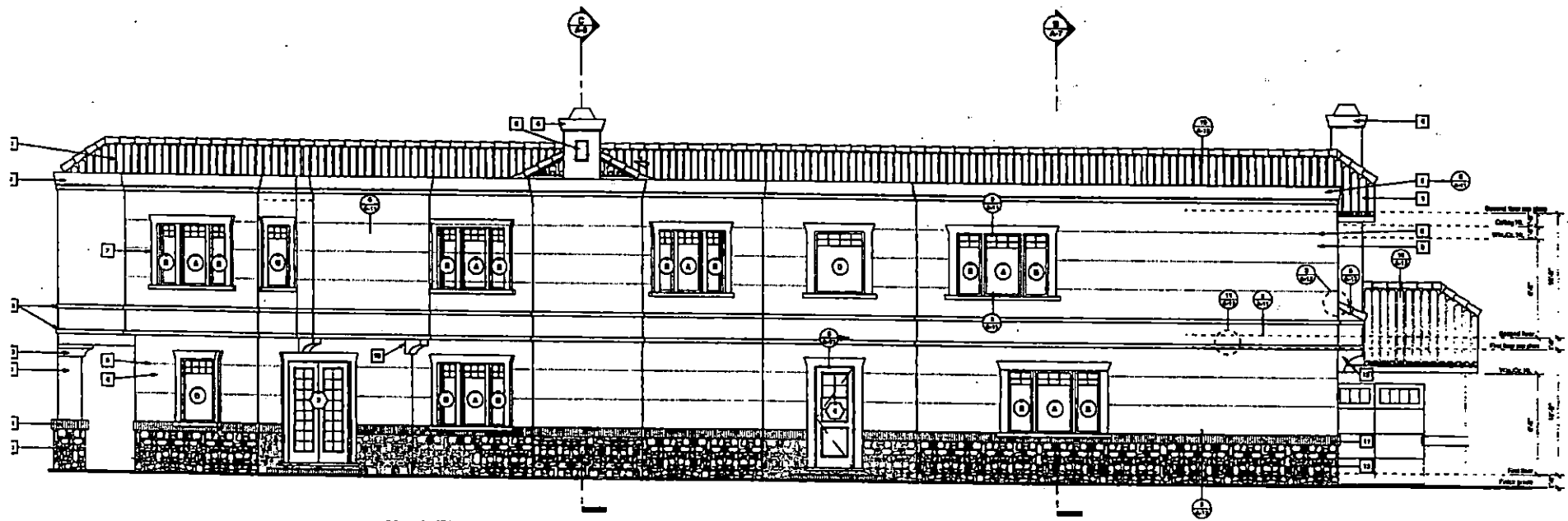
SEP 05 2006

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

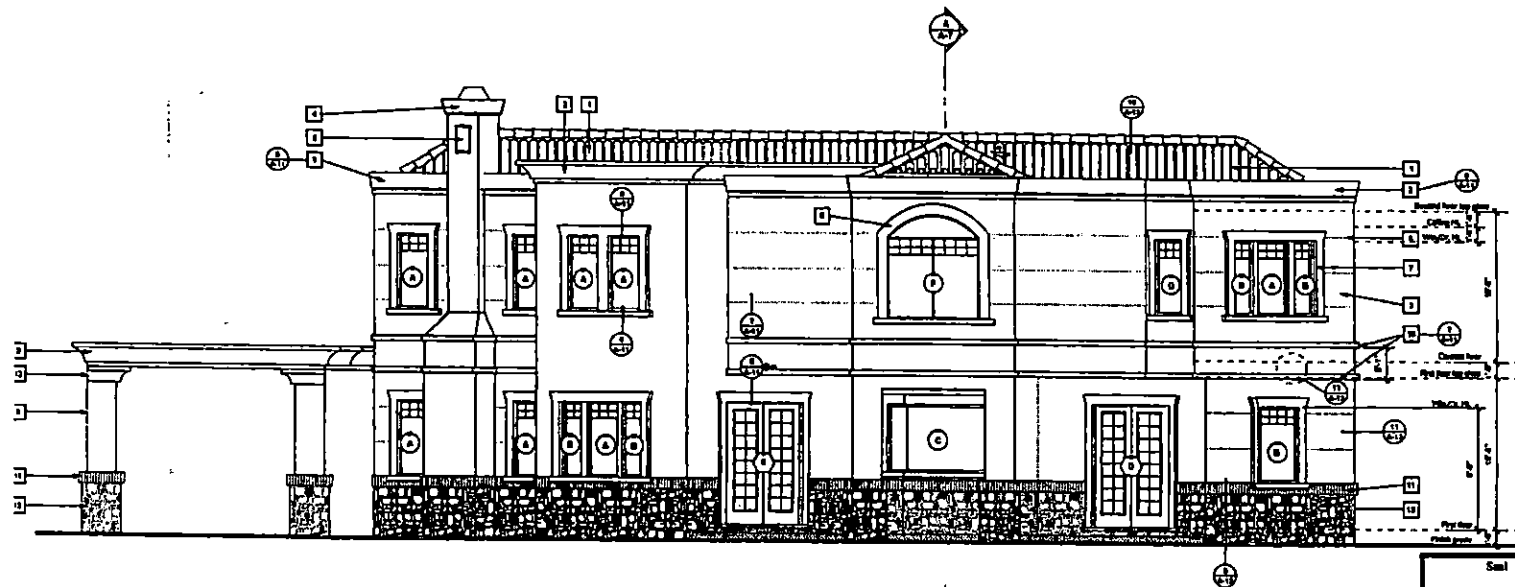
SUP-16498
10/19/06 PC

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02-06



North Elevation

1/8" = 1'-0"



East Elevation

1/8" = 1'-0"

1	Lightweight clay tile roofing
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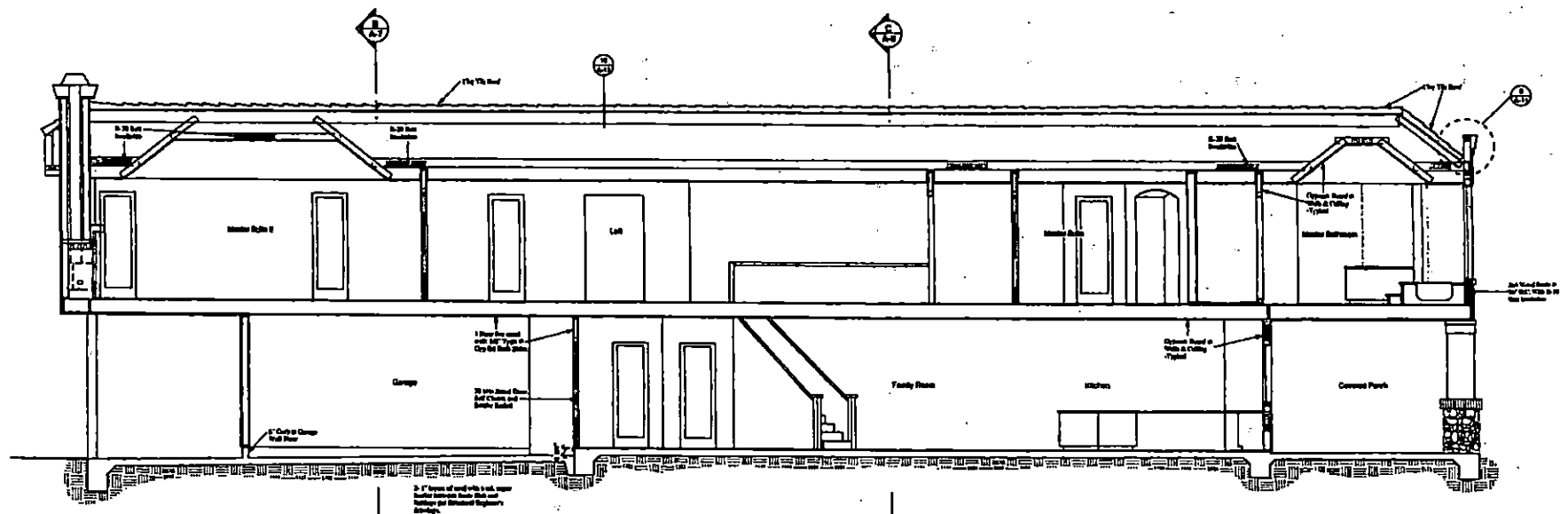
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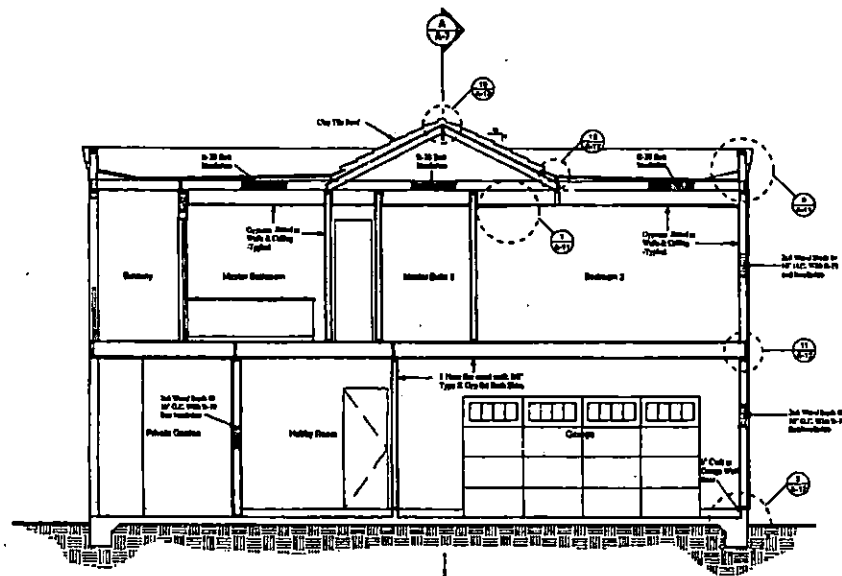
SUP-16498
10/19/06 PC

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Date
03-06-



Section A

1/4" = 1'-0"

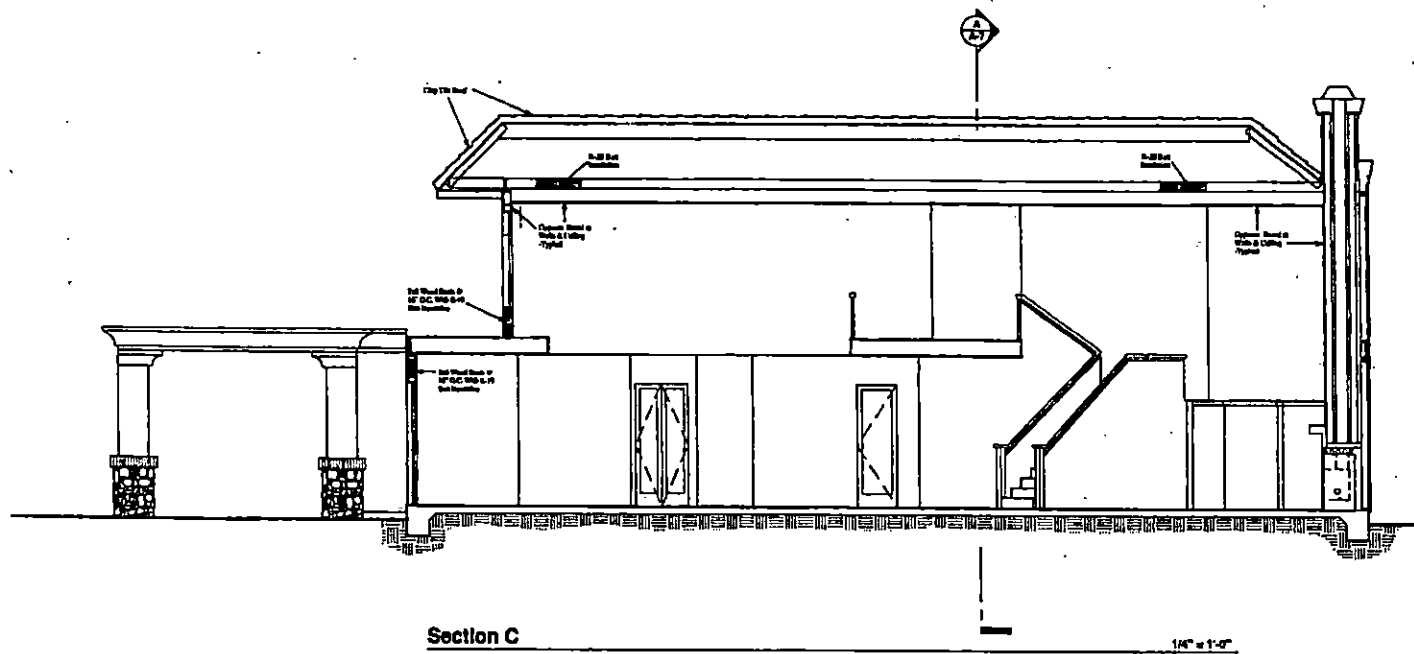


Section B

1/4" = 1'-0"

SUP-16498
10/19/06 PC

Sheet A Drawn Building Sect Date 03-04	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	
	William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850	
	Scale	
	Notes	



SEP 05 2006

SUP-16498
10/19/06 PC

Rev	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet A-1 Discy Building Section Date 03-04-06
	William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850	



KEN BERRYDANE - RESIDENCE
LAS VEGAS

SUP-16498
10/19/06 PC

SEP 6 5 2006



VAR-16497 & SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE
2521 DRIFTWOOD DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21606



VAR-16497 & SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE
2521 DRIFTWOOD DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21606

Joost van der Maas

4921 Clear Creek Rd, Las Vegas, NV. 89110

Telephone 702-453 4923

Email: jvandermaas@hotmail.com

September 11, 2006

PLANNING AND DEVELOPMENT DEPARTMENT

JUSTIFICATION LETTER

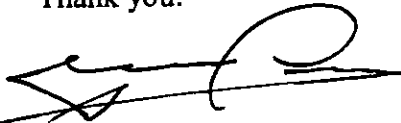
I am submitting this letter of justification on behalf of the owner, Ken Berrydane and William K. Spencer, Architect for the residential property on 2521 Driftwood Dr. Las Vegas, Nevada.

A setback variance is sought to allow the owner to enjoy all of the property like any of several other residences that have a porte-co chere in the front setback.

The Home Owners Association is in favor of this and have indicated so in writing, a document that is included.

Please allow this setback variance.

Thank you!



Joost Vandermaas

RECEIVED
SEP 11 2006

SUP-16498
REVISED
10/19/06 PC

Telephone Protest/Approval Log

Meeting Date: Oct 19, 2006

Case Number: Sup 16498

Date: 10/19/2006
Name: Eddie Haddad
Address: 221 Desert View St.
Las Vegas, NV 89107
Phone: 702-491-5812
☒ PROTEST ☐ APPROVE

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

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

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

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

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

City of Las Vegas
Attn: Margo Wheeler
Fax: 474-7463

October 9th, 2006

Eddie Haddad
221 Desert View St./ APN 139-32-512-018
Las Vegas, NV 89107
702-491-5812

Regarding: SUP 16498 and
VAR 16497

Dear Margo,

I would like to give my opposition to the above applications.

We at Rancho Bel Air Community have purchased in an area that has open spaces, and we enjoy these open spaces because of the large lots we share. To allow a builder to encroach on our open space is like owning a smaller lot, which takes away our favor.

Especially at this end of the community, we are at or close to 2 corners, one inner corner and one outer corner. The subject property backs up to the north, and will be followed with another built home backing up to the south, which will further crowd everyone's yard.

My next door neighbors and I back up east to both of these home lots. There are 2 additional homes located east of the subject that will also be affected negatively if this variance is granted. Therefore, allowing this variance will negatively affect in all 4 directions, all 5 homes.

Typically, lots are deeper in nature than they are wider. My lot, on Desert View St. is the opposite, a little wide, but not deep. This negatively impacts me further in that my backyard is not open and wide enough, and will be affected even more severely.

Finally, the land owner has ½ acre, plenty of land to build as large of a house as possible, with all the extras like a guest house. Just because he wants to get more space between his buildings doesn't mean we should get less space. Especially in our corners of the community, there are irregular sized lots and potential for overcrowding.

Please don't hesitate to contact me if you have any further questions.

Eddie Haddad- Adjoining Resident

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-16505 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK
- Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

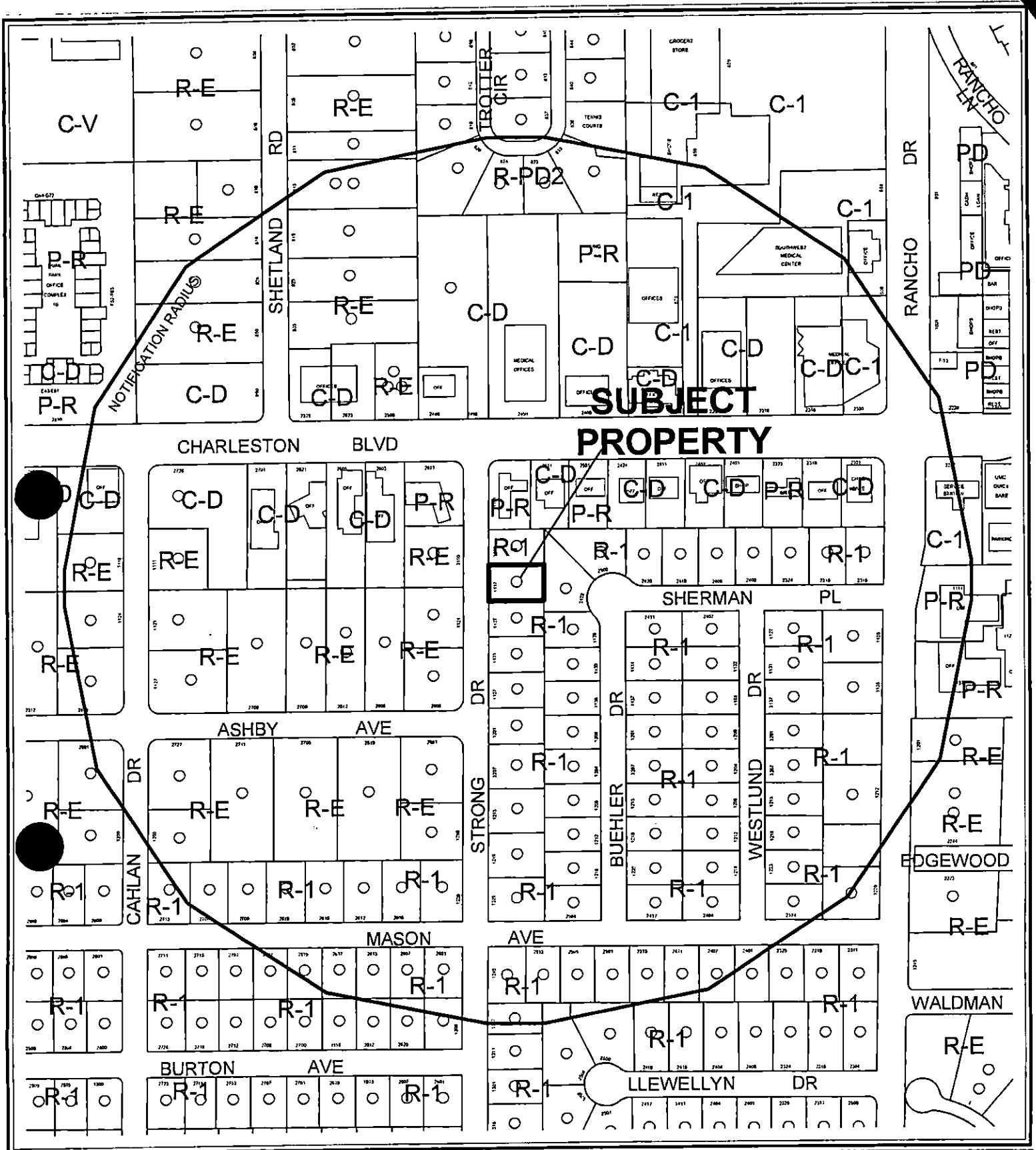
TRUESDELL – ABEYANCE to 11/02/2006 – UNANIMOUS

To be heard by the Planning Commission meeting on 11/16/2006

MINUTES:

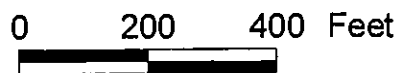
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, indicated the applicant is proposing to add a 932-foot addition to the rear yard, which encroaches into the setback by 10 feet. Staff recommended denial as this is a self-imposed hardship. A telephone protest was received from a resident on Strong Drive.



0 200 400 Feet





RADIUS: 1000 FT

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-16505 - APPLICANT/OWNER: ALVY COOK

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

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

VAR-16505 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a rear yard setback of five feet where 15 feet is the minimum setback required for a proposed room addition at 1117 Strong Drive.

The applicant has created a self-imposed hardship by proposing to overbuild the site. As there is no indication of a hardship associated with the site's physical characteristics, the recommendation is for denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
	No City actions have taken place on this site.
<i>Related Building Permits/Business Licenses</i>	
	There are no permits that pertain to this site.
<i>Pre-Application Meeting</i>	
08/25/06	A pre-application was held. The applicant was informed that his request to build a house addition in the backyard would require a Variance. Staff then discussed the required materials needed to apply for the Variance.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting was not held, nor is one required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
South	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
East	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
West	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

VAR-16505 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500	11,088	Y
Min. Lot Width	65 Feet	84 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	15 Feet	5 Feet	Y
Max. Lot Coverage	50%	35%	Y
Max. Building Height	2 stories or 35 Feet	15.75 Feet	Y

ANALYSIS

The applicant is proposing to expand their 2,256 square-foot house by adding 625 square feet in the front part of the house and 932 square feet in the back of the house for a total of 1,626 square feet of addition. Per the site plans received, the house addition in the backyard, which forms an L-shape around the existing pool. This is the section of the house that the applicant is requesting a Variance for a five-foot rear yard setback where 15 feet is required.

FINDINGS

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

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

VAR-16505 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 160

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16505** APN: 162-05-511-005

Name of Property Owner: Alvy Cook

Name of Applicant: _____

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

____ Yes

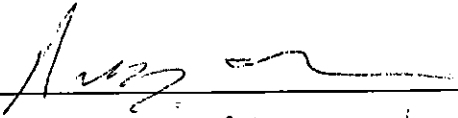
☒ No

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

City Official: _____

Partner(s): _____

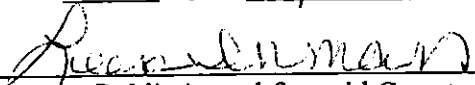
APN: _____

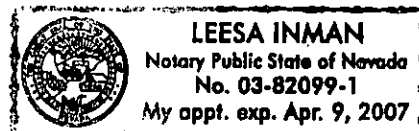
Signature of Property Owner: 

Print Name: Alvy Cook

Subscribed and sworn before me

This 5 day of September, 2006


Notary Public in and for said County and State



LAS VEGAS, NEVADA

A PORTION OF THE NE 1/4, NE 1/4
SECTION 5, T21S, R61E, M.D.B. & M.
CLARK COUNTY, NEVADA

ENGINEER'S CERTIFICATE

[illegible]

Frederick B. L.
Registered Professional Engineer and Licensed
Land Surveyor, Nevada Certificate No. 4114

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That the Las Vegas Development Co., Inc., a Nevada Corporation, holder of the property platted herein, has caused the same to be surveyed and platted into lots, blocks, streets, alleys, and squares as shown herein, and hereby dedicates the streets or shown to and for the use of the public herein. Easements as shown are reserved for the construction and maintenance of public utilities only.

In witness whereof we have hereto set our hands and affixed the Corporate Seal this 13th day of July, 1953

LAS VEGAS DEVELOPMENT CO., INC.

James J. Brown President James E. Franklin Secretary

ACKNOWLEDGEMENT

STATE OF KENTUCKY) ss.
COUNTY OF CLAY)
On this 12th day of May, 1935, personally appeared before me, the undersigned, a Notary Public in and for said County and State, Thomas T. Brown and George C. Frensdorff, known to me and to be the President and Secretary of the Corporation that executes the foregoing instrument, and upon oath, each made before me to be the author of this said Corporation as above designated; that he is acquainted with the real of said Corporation and the nature and contents of the instrument in the presence of said Corporation; that the signature to said instrument was made by officers of said Corporation as indicated on said signature; and that the said Corporation is a legal corporation under Kentucky law and for the purposes herein stated.

Very Public to and for said County and State
My commission expires August 10, 1950

CITY ENGINEER'S CERTIFICATE

4. J.D. Boyette, Jr., editor
F.C. Boyette, Jr., Engineer of the City of Las Vegas, Nevada, in a letter dated 1/22/68 has mentioned the first map of Nevada Trust No.2, and the subdivision on same serves to substantiate the same as it appeared in the foregoing copy, and appearing elsewhere, that all provisions of the Planning Commission Act, and any local ordinance or ordinance of the town of the approval of the tentative map have been complied with, and that I am satisfied that this map is lawfully correct.

Date 5-29-58

John H. Outlette, Jr.
C. C. Boyer City Engineer
Reg. Prof. Engr. Nevada Cert. No. 563
OT: J. D. Seals, Jr., Reg. Prof. Engineer
Nevada Cert. No. 564

APPROVALS

Approved this 22nd day of May, 1923 by the National Executive Committee of Clark County, Nevada

J. E. Hayward

Adopted and accepted this 20th day of May, 1933 by the Board of Commissioners of the City of Las Vegas, Clark County, Nevada.

APPROVED: Henry Springer CO. 3rd

OK. @ N. H. H. H. H.

VAR-16505
10/19/06 PC

SEP 05 1963

The undersigned, as Trustee under the Deed of Trust dated December 18, 1972, executed by Los Vegas Development Co., Inc., a Nevada Corporation, as Pioneer Title Insurance and Trust Company, Trustee, and recorded December 10, 1973 as Document No. 287717, Clark County Records, hereby takes note of the following:

PIONEER TITLE INSURANCE AND TRUST COMPANY, TRUSTEE

Date May 13, 1958

Name W. H. H. H.
and T. Secretary

SCALE: 1" = 100'

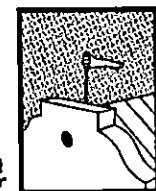
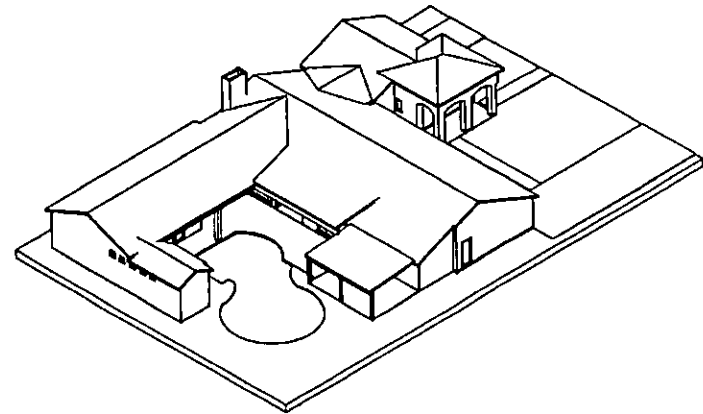
Public Utility Easements,
if such exist, list here.

Base of Bearing: Centerline of Charleston Blvd.,
North Trestle No. 1.

STATE OF NEVADA }
COUNTY OF CLARK } ss.

On this 19th day of May, 1953, personally known to me, the undersigned, a Notary Public in and for said County and State, M. H. Shepley and Jerome Underhill known to me to be the Vice President and Assistant Secretary of the Corporation that executed the foregoing instrument, and upon and in each deposed that he is the officer of the said Corporation as herein designated; that he is acquainted with the deed of said Corporation and that the said deed is valid instrument in that Corporation and of said Corporation; that the signatures to said instrument were made by officers of said Corporation as indicated after said depositions; that the said Corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

J. E. McManis
County Public & Social Welfare Officer and State
My commission expires *August 10, 1954*



Cook Addition
1117 Strong Dr
Las Vegas, Nevada 89102

Site Plan

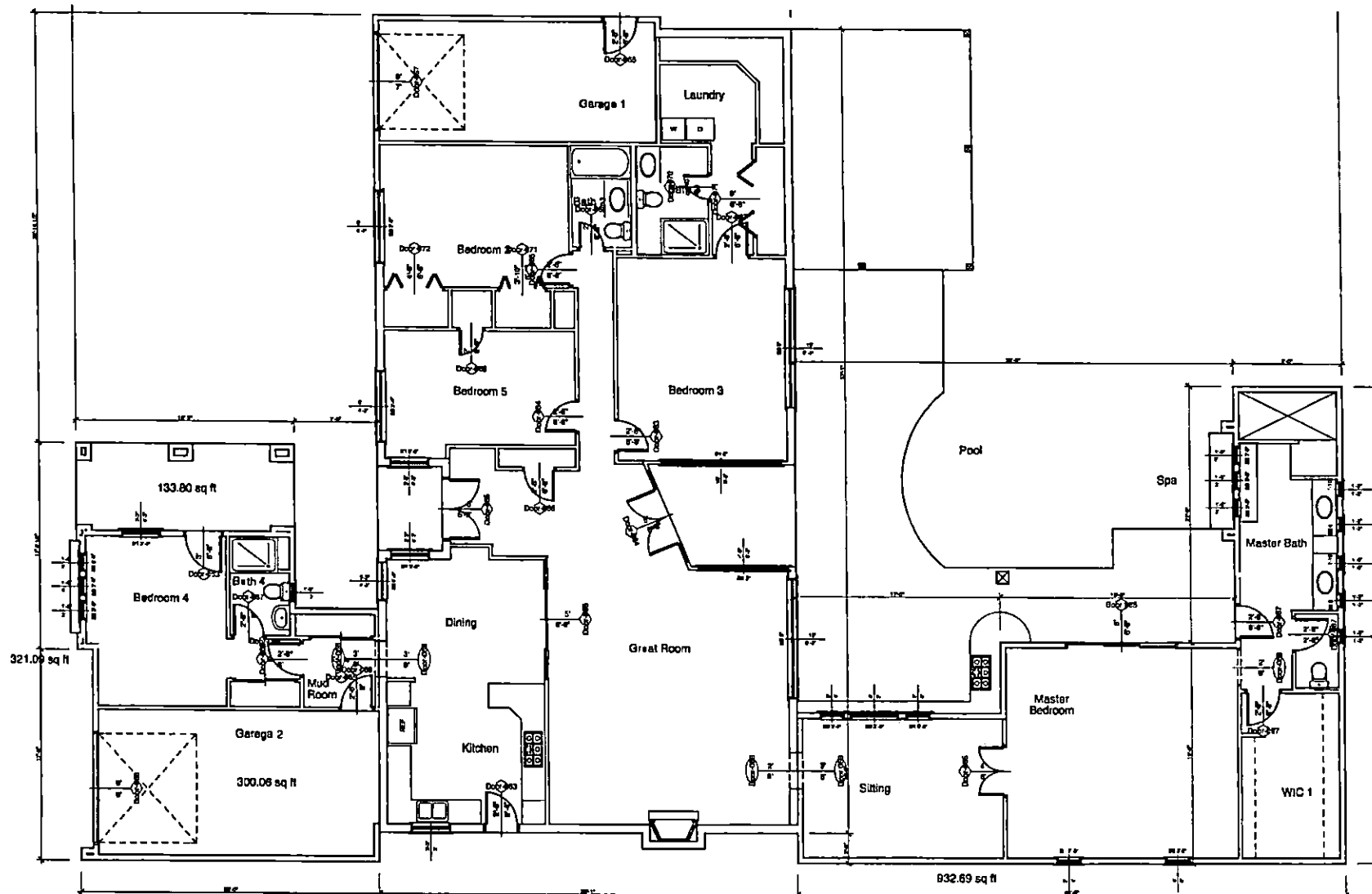
[illegible]

John Mackey
Residential Designer
Lic # 113-P
5315 N. El Capitan Way
Las Vegas, NV 89149
jrmackey4@com.net
fax 702.229.0198
702.657.2277

C1

VAR-16505
10/19/06 PC

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

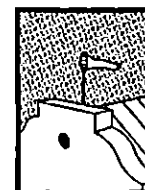


Cook Addition 1117 Strong Dr Las Vegas, Nevada 89102	
Floor Plan	
REVNO	DESCRIPTION
DATE	BY
DATE	9/19/06

RECEIVED
SEP 02 2006

VAR-16505
10/19/06 PC

SEP 03 2006 Floor Plan
Scale: 1/4" = 1'-0"



John Mackey
Residential Designer
Lic # 1133-P
3315 N. El Capitan Way
Las Vegas, NV 89149
mackey4@com.net
702.228.0166
702.657.2277

A1



Cook Addition
1117 Strong Dr
Las Vegas, Nevada 89102

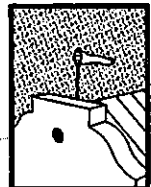
Elevations

REVNO	DESCRIPTION	DATE	BY

DATE: 9/1/06

RECEIVED
SEP 05 2006

Elevations
Scale: 1/4" = 1'-0"



John Mackey
Residential Designer
Lic # 113-P
5315 N El Capitan Way
Las Vegas, NV 89148
jrmackey4@cox.net
702.657.2277

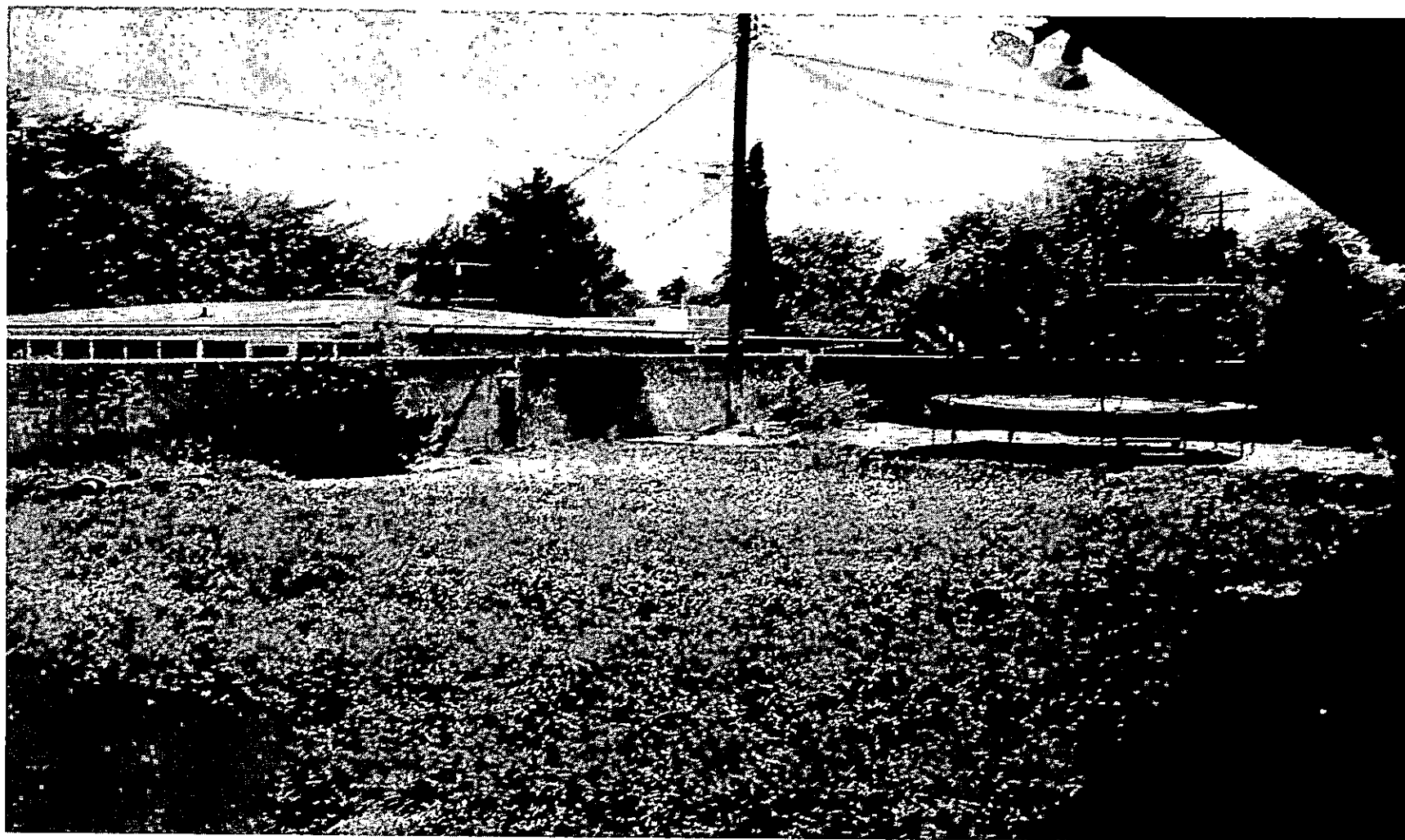
A2

VAR-16505
10/19/06 PC



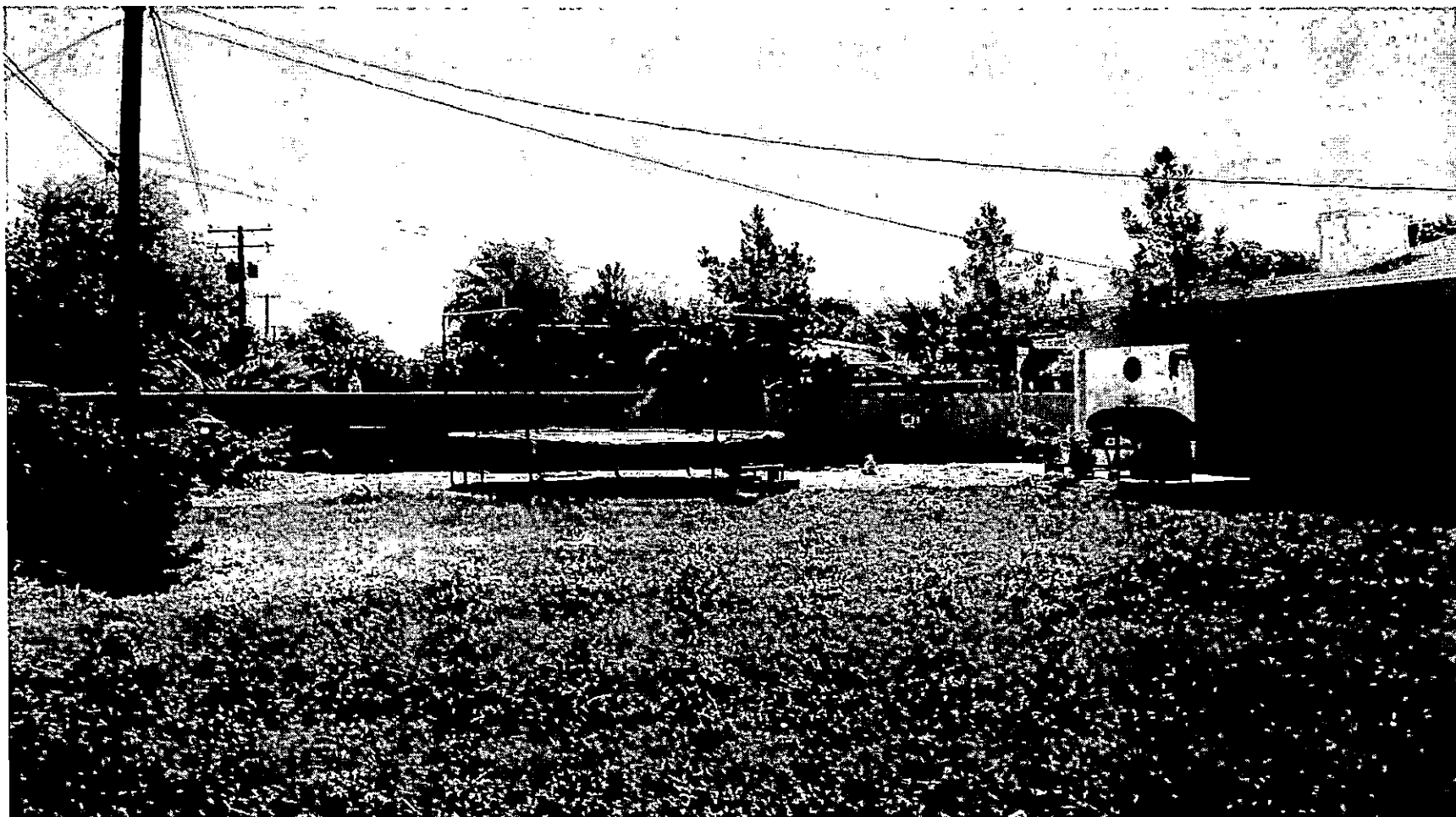
VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21/06



VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21/06



VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21/06

Just a short note about why we would like to get these variances, if we can get the extra 9' it would allow us to put in an 'L' shape courtyard with a pool that would give us and our neighbors more privacy. The new part of the house would have no view windows on the east side, therefore it should not be an intrusion on anybody and like I said would actually give more privacy to all parties. Without the variance, part of the existing structure would have to be cut in to and would still leave limited space. We are primarily trying to improve the livability of the property. This house is located in the Mcneil Estates a very nice older neighborhood, bu the houses are getting a little age on them and need to be renovated to keep the neighborhood up to the shape it should be. Your consideration would be appreciated.

Thank you,

VAR-16505
10/19/06 PC

Telephone Protest/Approval Log

Meeting Date: 10/19/06

Case Number: VAR 16505

Date: 10/12/06

Name: Marsha Pippin

Address: 1130 Bueller

Las Vegas, NV 89102

Phone: 702-768-9655

☒

PROTEST

☐

APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____

☐

PROTEST

☐

APPROVE

Date: _____

me: _____

Address: _____

Phone: _____

☐

PROTEST

☐

APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____

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PROTEST

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APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____

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Date: _____

Name: _____

Address: _____

Phone: _____

☐

PROTEST

☐

APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-16483 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PAWN PLACE - OWNER: DECATUR REAL ESTATE HOLDINGS, LLC - Request for a Special Use Permit FOR A PAWN SHOP AND WAIVERS OF THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE AND OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM SIX SIMILAR USES at 1940 North Decatur Boulevard (APN 139-19-301-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly)

IF APPROVED: C.C.: 11/15/06

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letters and telephone protest log

MOTION:

DAVENPORT – DENIED – Motion carried with TROWBRIDGE and GOYNES voting NO

This is Final Action

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, explained that the application is for a pawn shop located within a thousand feet of six similar uses and within 200 feet of a residential development. Staff does not believe this to be appropriate; therefore, recommended denial.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 60 – SUP-16483

MINUTES – Continued:

ATTORNEY BILL CURRAN, Ballard Spahr Andrews & Ingersoll, 300 South Fourth Street, appeared on behalf of CRAIG McCALL, owner of Pawn Plus, who operates pawn stores in Arizona and Nevada. He bought several stores in Las Vegas located in undesirable locations, including the one he wishes to relocate at the subject property. An issue relating to the proposed pawn shop is its adjacency to other financial institution services. The proposed store is primarily a high end jewelry store of 6,000 square feet necessary for display of merchandise and a secure storage area for the high jewelry value. ATTORNEY CURRAN showed a photograph of the building and of another shopping center that will separate the pawn shop from the nearest residential. He reiterated that there are other financial institutions within the 1000-foot distance separation, which are regulated by the State. The proposed pawn shop is not. MR. McCALL'S integrity and operation of his stores is highly regarded by Metro. ATTORNEY CURRAN stated he was not aware of any oppositions, and accepted all conditions.

DAVID CLARK, 4950 Sawyer Avenue, stated he resides adjacent to the proposed pawn shop and appeared on behalf of several neighbors, who do not support the request. He urged the Planning Commission hold the item for 30 days so that all residents may be notified. MR. CLARK pointed out there is an existing pawn shop one mile west of Lake Mead Boulevard and Jones Boulevard that service this neighborhood. Crime is already an issue and adding another pawn shop to existing uses, such as liquor stores and bars will add to that problem. Within a two-mile radius there are other pawn shops and auto title loans. His property is on a half-acre parcel and adjacent properties are all single story residences. He does not see the need to waive the distance requirements.

ATTORNEY CURRAN responded that several months ago there was neighborhood opposition to this request, but he worked with those neighbors and satisfied their concerns. He and the applicant would be happy to work with MR. CLARK and his neighbors between now and the City Council meeting.

CHAIRMAN TROWBRIDGE pointed out that the residents most impacted seem to be those residing on St. Lawrence. He does not see the intent of the 1000-foot separation to be a business protection plan. He felt there is a difference between a full service pawn shops that provides for secured loans that are offered at a rate lower than pay-day loans.

COMMISSIONER GOYNES indicated that the applicant made a clear distinction from what his business does versus a financial institution. The pawn shop industry has changed to be along the

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 60 – SUP-16483

MINUTES – Continued:

lines of a retail establishment. He could support the application because of the distinction of the use. The main emphasis of this business is not to obtain a loan. COMMISSIONER EVANS disagreed in that by allowing this use would create a proliferation and saturation of businesses that require the Special Use Permit. Pawn shops, title loan, pay-day loans and liquor stores do not enhance a neighborhood. He questioned why these successful types of businesses cannot find a location where it meets the distance requirements. The intention of the Code was to prevent the saturation in one neighborhood of these types of businesses. Although the applicant may be an exceptional business operator, COMMISSIONER EVANS could not support the application.

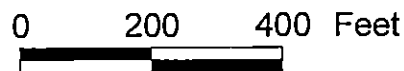
COMMISSIONER DUNNAM agreed with COMMISSIONER EVAN'S comments. He disagreed with ATTORNEY CURRAN'S statement that it would be a high end product pawn shop. The shopping center across the street is old and there are existing financial institutions. The homes on the northeast of this site have been there longer than any of the commercial and consideration should be given to these residents and protect them from these type of uses.

COMMISSIONER DAVENPORT pointed out that the code requiring a 1000-foot separation did not include pawn shops and the City Council specifically went back and amended the text to include pawn shops. Obviously, there are the same types of businesses that fall within the 1000-foot separation, and due to a saturation, he would not support the request.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:17 – 8:36)

2-1278



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





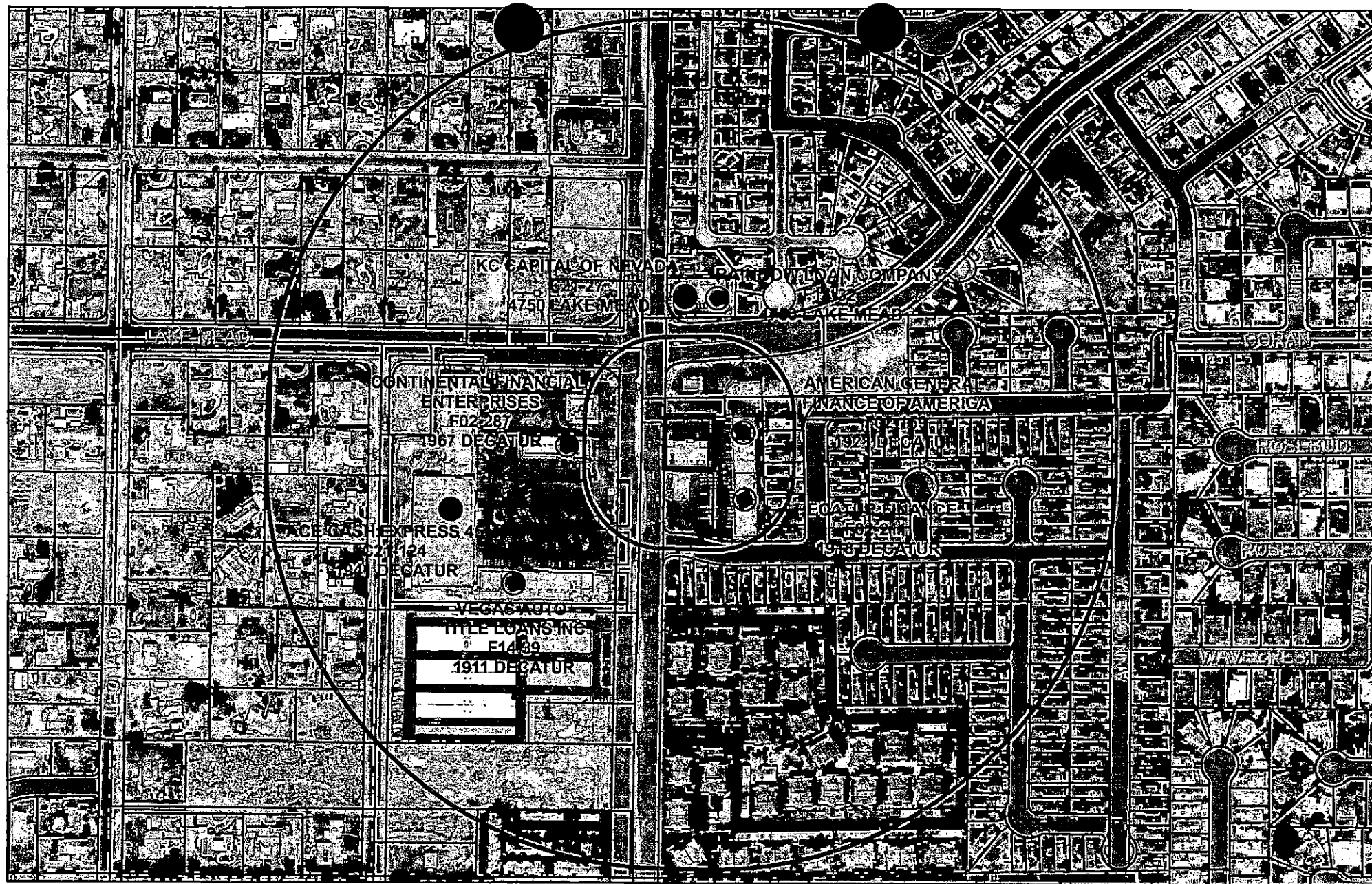
CASE: SUP-16483

RADIUS: 1000 FT

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

0 200 400 Feet





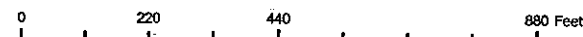
SUP-16483
Pawnshops

Financial Business Locations

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

-  Subject Property
 Residential Property

O Buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16483 - APPLICANT: PAWN PLACE - OWNER:
DECATUR REAL ESTATE HOLDINGS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Pawn Shop 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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
4. The use shall comply with the applicable requirements of LVMC Chapter 6.60.
5. No outdoor display, sales or storage of any merchandise shall be permitted.

SUP-16483 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Pawn Shop and Waivers of the 200-foot distance separation requirement from a residential use and of the 1,000-foot distance separation requirement from six similar uses at 1940 North Decatur Boulevard.

The applicant seeks approval of a Special Use Permit for a Pawn Shop to be located in a commercial building in an existing shopping center on the southeast corner of Lake Mead Boulevard and Decatur Boulevard. The subject site does not meet the minimum distance requirements from residential use as the parcel is located zero feet from the boundary of a single-family residential development to the east. Additionally, six Financial Institution, Specified uses are located less than 1,000 feet from the proposed use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/18/84	The City Council approved a Rezoning (Z-0014-84) on the site from R-E (Residence Estates) to C-1 (Limited Commercial).
03/18/87	The City Council approved a Plot Plan review of the subject site.
12/17/87	The City Council approved a SP-0002-87, a Shared parking agreement between the property owners of the commercial parcels around, and including, and the subject site. The agreement pertains to the commercial development that is located between Lake Mead Boulevard to the north, Decatur Boulevard to the west, and Concord Drive to the south. The parking agreement was approved, but never recorded.
04/06/88	The City Council approved a Reinstatement and Extension of Time for the subject site.
8/22/89	The Planning Commission approved a Review of Condition (conditions #5 and #7 of approved Plot Plan Review to allow a six-foot slump stone wall and 10-foot setbacks adjacent to Concord Village Drive).
02/12/04	The Planning Commission tabled a request for a Site Development Plan Review (SDR-2997) for a 6,500 square-foot general retail building and a reduction of the front yard setback to allow 10 feet where 20 feet is the minimum required, a reduction in the side yard setback to allow 5 feet where 10 feet is the minimum required, and a reduction in the required amount of perimeter landscaping.
04/06/05	The Planning Commission tabled a request for a Site Development Plan Review (SDR-6025) and Waivers of front setback, foundation, buffer, and parking lot landscaping standards on 0.83 acres adjacent to the northeast corner of Decatur Boulevard and Concord Village Drive.

JM

SUP-16483 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Related Building Permits/Business Licenses	
02/01/05	1918 Decatur – Decatur Finance
10/01/05	1928 Decatur – American General Finance of America
Pre-Application Meeting	
8/15/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for a pawn shop at the proposed location. In addition, the applicant was informed that this would constitute a project of regional significance, as well as require waivers for the distance requirements for residential uses and financial institution, specified.
Neighborhood Meeting	
	A neighborhood meeting was not held, nor was one required.

Details of Application Request	
Site Area	
Net Acres	2.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store w/ gasoline	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact Lot)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact Lot)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

SUP-16483 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Minimum Distance Separation Requirements

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

Standards	Code Requirement	Provided
Pawn Shop	200-Feet from any parcel zoned or used for residential use. 1,000-Feet from any other pawn shop or specified financial institution.	The subject site does not meet the minimum distance requirements from residential use as the parcel is located zero feet from the boundary of a single-family residential development to the east. Additionally, six financial institution specified are located less than 1,000 feet from the proposed use: • 1911 Decatur – Vegas Auto Title Loans • 1918 Decatur – Decatur Finance • 1928 Decatur – American General Finance of America • 1941 Decatur – Ace Cash Express • 1967 Decatur – Cashland • 4750 W. Lake Mead – Rainbow Loan

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	26,100	1 per 250	100	5	145	5	Y
SubTotal			100	5	145	5	
TOTAL			105		150		

ANALYSIS

The applicant seeks approval of a Special Use Permit for a Pawn Shop to be located in a 6,000 square foot commercial building in an existing shopping center on the southeast corner of Lake Mead Boulevard and Decatur Boulevard. The proposed Pawn Shop does not meet the distance separation requirement from residential property nor from a financial institution, specified. A waiver of these requirements has been requested.

SUP-16483 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

- Zoning

The existing zoning is C-1 (Limited Commercial). This zoning is appropriate for the General Plan Land Use designation of C (Commercial). The proposed Pawn Shop use is allowed under that designation with approval of a Special Use Permit.

- Use

Pawn Shop is defined as follows:

A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

The use as proposed by the applicant will meet this definition as outlined in the Code, and is a permitted use in the C-1 (Limited Commercial) Zoning district with a Special Use Permit as sought by this application.

- Conditions

Pursuant to Title 19.04.050 the following conditions must be met for a Pawn Shop:

- The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
- No outdoor display, sales or storage of any merchandise shall be permitted.
- No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The proposed Pawn Shop use will be established in an existing building and will be compatible with the adjacent commercial uses. The proposed use will not be in conformance with the requirements set forth in Title 19. This request will require a Waiver from the separation requirement from residential land uses.

In addition, the applicant is seeking Waivers from the separation requirement of 1,000 feet from six similar specified financial institution uses.

SUP-16483 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

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 Pawn Shop would be in an existing suite within an existing shopping center, which already has an active cash loan business license, and therefore the proposed use cannot meet the separation requirements from a Financial Institution, Specified. There are five additional Financial Institution, Specified which are also within the 1,000-foot separation buffer creating an additional incompatibility. Furthermore, the parcel is less than the required 200 feet from single-family residential to the east and south. As a result of the failure to meet separation requirements on these many conflicts, staff cannot recommend approval for this Special Use Permit.

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

There are no physical constraints to the location of the proposed Pawn Shop use within the existing building on the site.

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

The primary access to the site is via two access aisles entering off Decatur Boulevard, designated as a (100-foot) Primary Arterial roadway on the Master Plan of Streets and Highways, which will adequately serve the proposed Pawn Shop use.

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

The Special Use Permit for a Pawn Shop requires separation from residential uses as well as from financial institutions, specified. As the subject site fails to meet these separation requirements, the public welfare protections required in Title 19 may be compromised.

SUP-16483 - Staff Report Page Six
October 19, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 576

APPROVALS 0

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-16483** APN: 139-19-301-005
 Name of Property Owner: DECATUR REAL ESTATE HOLDINGS LLC
 Name of Applicant: PAWN PLACE, CRAIG MCALL

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

_____ Yes

_____ ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

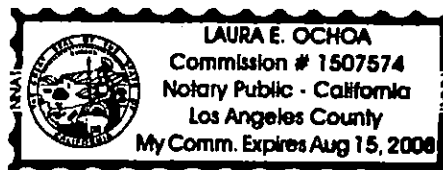
Signature of Property Owner: [Signature]

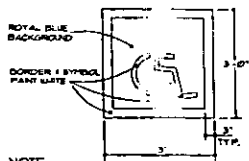
Print Name: DECATUR REAL ESTATE HOLDINGS LLC
DAVID - RAMIN FARSI

Subscribed and sworn before me

This 29 day of AUGUST, 2006

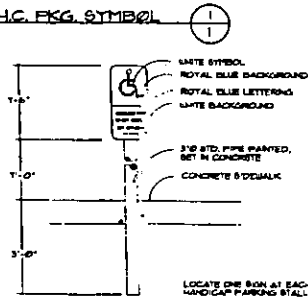
LAURA E. OCHOA NOTARY PUBLIC
 Notary Public in and for said County and State



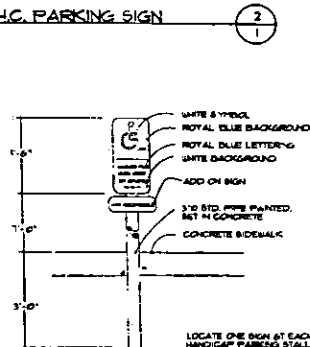


NOTE:
1. ALL STRIKES TO BE 1/4" x 3/8" WIDE FIELD. ROYAL BLUE SYMBOL ON WHITE BACKGROUND.
2. PROVIDE TWO COATS OF PAINT, FIRST BETWEEN COATS.
3. LOCATE SYMBOL AT CENTER OF STALL WHERE SHOWN ON SITE PLAN.
4. HANDICAP SYMBOL TO COMPLY CURRENTLY HANDICAP REQUIREMENTS OF LOCAL PUBLIC AGENCY ETC.

H.C. PKG. SYMBOL



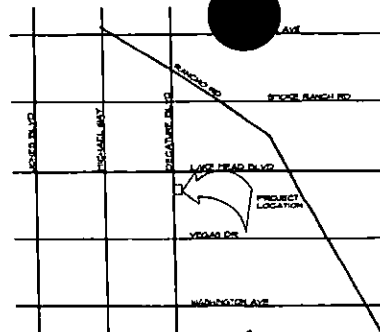
H.C. PARKING SIGN



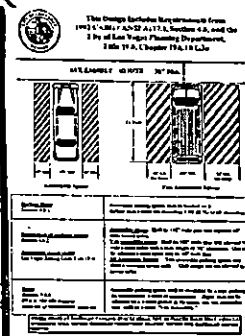
VAN ACCESSIBLE SIGN

ACCESSIBILITY KEY

1. NEW CONCRETE SIDEWALK MAX 2% PITCH MAX 24 CROSS PITCH 1/4" x 3/8" WIDE
2. DEPRESS SIDEWALK CURB AT ASPHALT/CONCRETE JUNCTION
3. ACCESSIBLE ASILE AND PARKING SPACE MAX 24 PITCH IN ANY DIRECTION PROVIDE PARKING SPACE 14' 6" WIDE PER DETAIL 3A AND 14' 6" PAVED ON INTERNATIONAL SYMBOL OF ACCESSIBILITY PER DET. 14
4. VAN ACCESSIBLE ASILE AND PARKING SPACE MAX 24 PITCH IN ANY DIRECTION PROVIDE PARKING SPACE 14' 6" WIDE PER DETAIL 3A AND 14' 6" PAVED ON INTERNATIONAL SYMBOL OF ACCESSIBILITY PER DET. 14
5. NEW CONCRETE RAMP SLOPE 1" PER FOOT UP 30" MAX RUN MAX 30" 6" PROVIDE HANDRAILS BOTH SIDES OF EACH RAMP
6. EXIST CONCRETE DEPRESS RAMP
7. EXIST CONCRETE RAMP UP MAX 8" x 14' 6"
8. NEW CONCRETE LANDINGS 10' 6" x 10' 6" IN DIRECTION OF TRAVEL MAX 2% PITCH ALL DIRECTIONS
9. NEW CONCRETE SIDEWALK 34" PITCH MAX 24 CROSS PITCH 1/4" x 3/8" WIDE
10. NEW CONCRETE LANDINGS 10' 6" x 10' 6" IN TRAVEL DIRECTION
11. NEW CONCRETE RAMP SLOPE 1" PER FOOT UP 30" MAX RUN MAX 30" 6" PROVIDE HANDRAILS BOTH SIDES OF EACH RAMP
12. NEW CONCRETE RAMP SLOPE 1" PER FOOT UP 30" MAX RUN MAX 30" 6" PROVIDE HANDRAILS BOTH SIDES OF EACH RAMP
13. PROVIDE 1/4" x 3/8" WIDE CROSS WALK DIAGONAL BLUE STRIPES 40" x 60" AND BLUE PERIMETER STRIPES MAX 1/4" PITCH AND MAX 24 CROSS PITCH
14. EXISTING PUBLIC SIDEWALK USED FOR ACCESSIBILITY (SHADED)



VICINITY MAP



PROJECT DATA

AREA MOORE'S PARCEL NUMBER	155-19-301-006
CADASTRAL AREA	0.34 ACRES
NET ACRES	0.34 ACRES
CURRENT ZONING	CLV
PROPOSED ZONING	CLV
LAND USE	RETAIL
SITE COORDINATES	CLV
BUILDING SQUARE FOOTAGE	143,000 SQ FT
PARKING REQUIRED FOR ENTIRE SITE	143 SPACES
PARKING PROVIDED ON SITE	143 SPACES

CODE ANALYSIS

CONSTRUCTION	RETAIL	MIN. HEIGHT	10' 0"
OCCUPANCY	RETAIL	MAX. HEIGHT	10' 0"
USE	RETAIL	MAX. HEIGHT	10' 0"
ALLOWABLE BUILDING AREA	143,000 SQ FT		
ACTUAL BUILDING AREA	143,000 SQ FT		
ALLOWABLE HEIGHT IN STORES	10' 0"		
ACTUAL HEIGHT IN STORES	10' 0"		
ALLOWABLE HEIGHT IN FEET	10' 0"		
ACTUAL HEIGHT IN FEET	10' 0"		
NO WALL PROTECTION OR OPENING PROTECTION IS REQUIRED DUE TO PROXIMITY TO PROPERTY LINE			

RECEIVED
03 05 2004 735 007
CITY OF LAS VEGAS
C-152-02

REVISIONS
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3. 03/05/04
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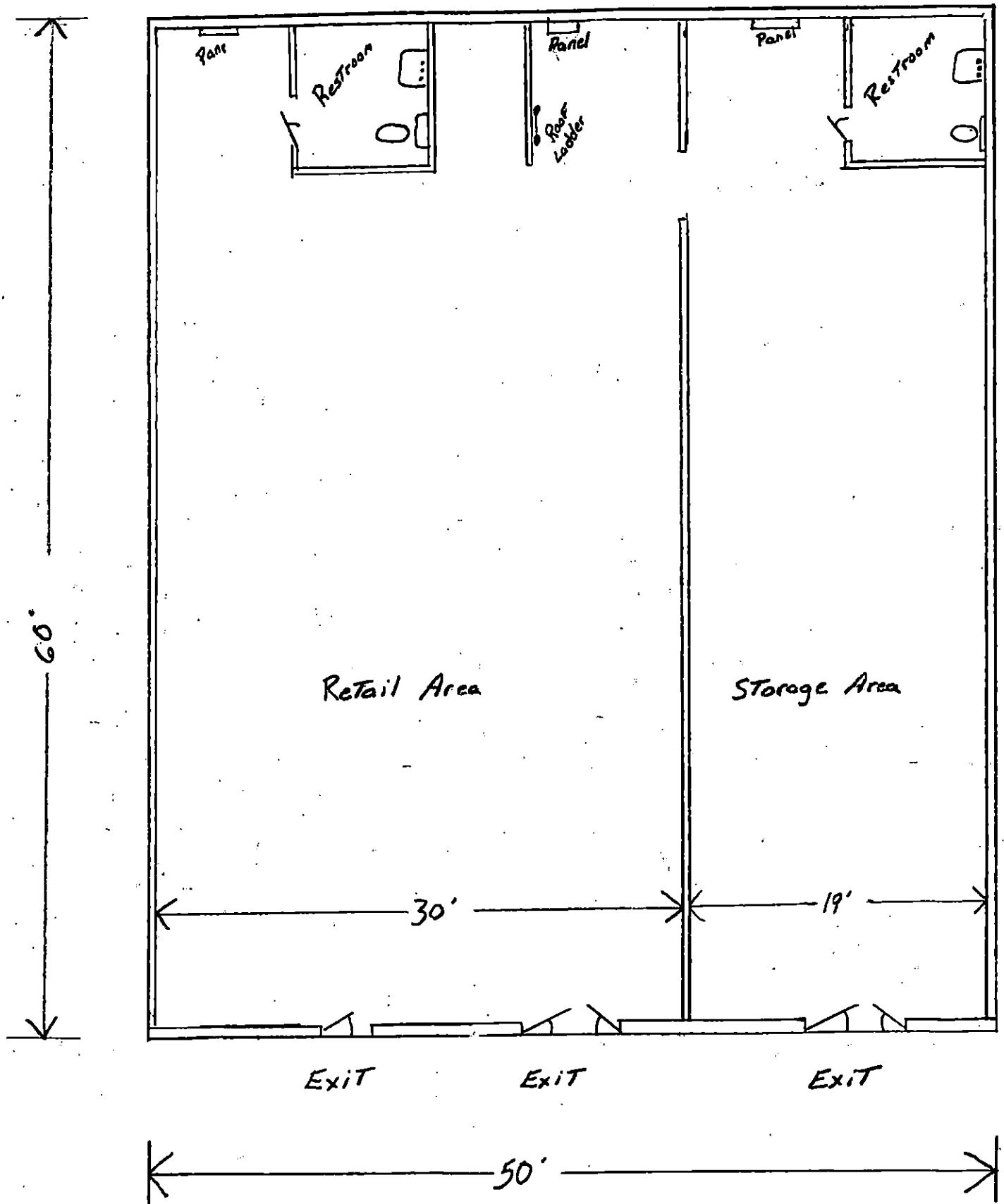
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SUP-16483
10/19/06 PC

SIP 01 2006



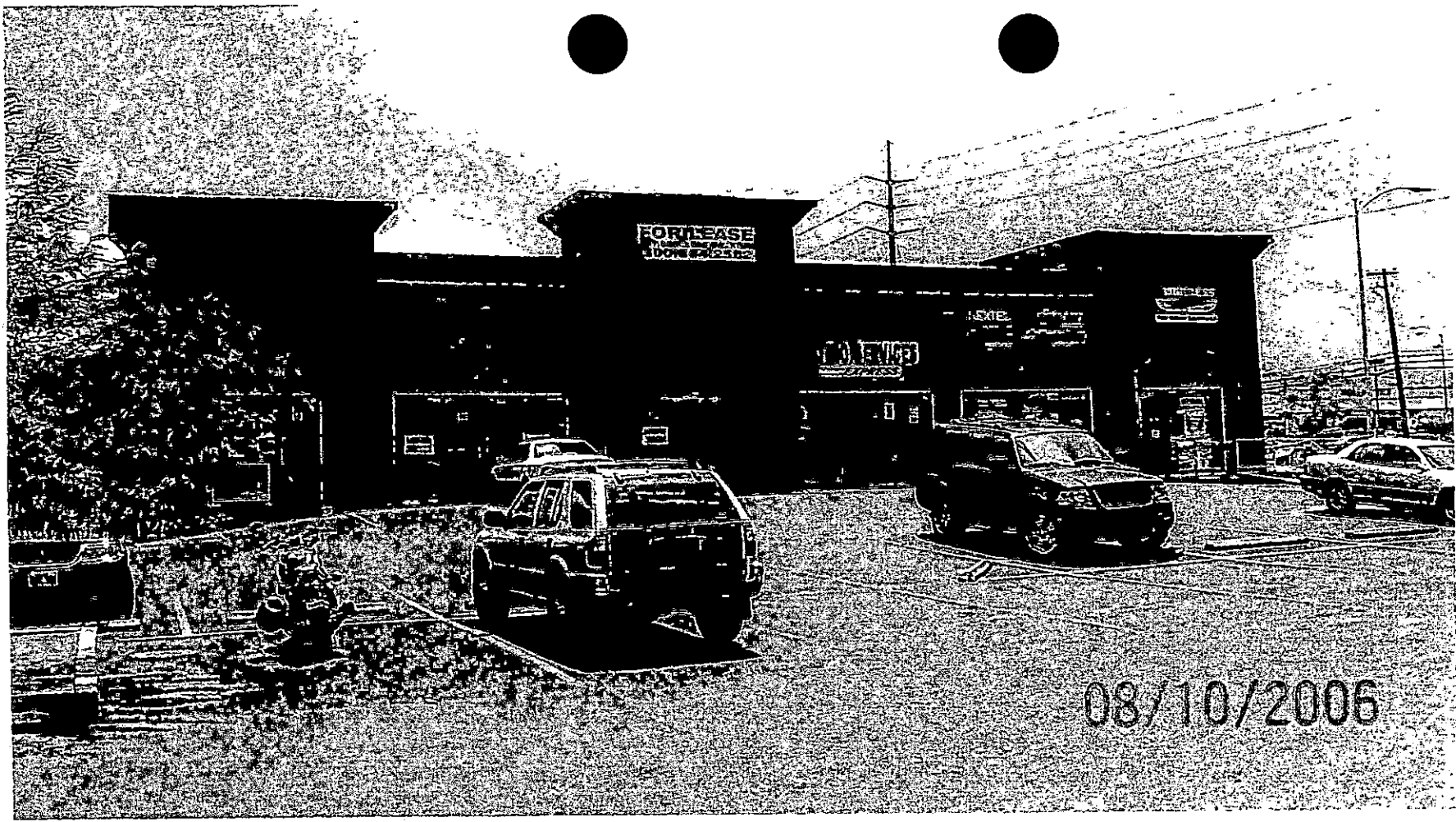
1940 S. DECHUR FLOOR PLAN

SCALE 1/2" = 1'

SUP-16483

10/19/06 PC

SEP 01 2006



10/19/06 PC
SUP-16483

SEP 01 2006



08/10/2006

SUP-16483
10/19/06 PC

SEP 01 2006



08/10/2006



08/10/2006

SUP-16483

10/19/06 PC

SEP 01 2006



SUP-16483 - APPLICANT: PAWN PLACE - OWNER: DECATUR REAL ESTATE HOLDINGS, LLC
1940 NORTH DECATUR BOULEVARD
OCTOBER 19, 2006 PLANNING COMMISSION

09/26/06



SUP-16483 - APPLICANT: PAWN PLACE - OWNER: DECATUR REAL ESTATE HOLDINGS, LLC
1940 NORTH DECATUR BOULEVARD
OCTOBER 19, 2006 PLANNING COMMISSION

09/26/06



August 31, 2006

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

RE: Special Use Permit for APN: 139-19-301-005

We are requesting a SUP for a pawn shop use at the 1940 N. Decatur Boulevard location. We realize that staff's recommendation for approval will require applying the waiver option to the separation requirements from other finance businesses and residential zoned parcels.

We have enclosed an exhibit that maps the location of the finance businesses in Las Vegas that are covered by the separation requirement. This exhibit displays the proliferation of these types of businesses and the difficulty in finding locations that will meet the separation requirements. We have put forth an extremely large amount of time to identify a location that meets the City's separation requirements before presenting this location.

The request for staff approval and waiver of separation requirements is based on the following points:

- This is not a new business but the moving of an existing pawn shop currently located at 2416 Tam Drive. The move is necessary due to the landlord not being willing to provide lease extensions in light of condominium development potential on or near the existing location.
- The proliferation of the finance businesses makes meeting the distance requirements extremely difficult.
- Finding a location for a pawnshop is further challenged by the fact this business needs significant space for storage of collateral. Our standard store size is 6,000 square feet.
- There are not any pawn shops within the distance requirement of the proposed location.
- Pawn shops interest rates are regulated by state law unlike the other financial institutions in the area. This results in loans being available at a lower interest rate for those people in the neighborhood who need short term loans.

SUP-16483

10/19/06 PC

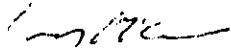
- The vacancy rate for retail buildings in this part of the Las Vegas valley is 1.6% according to the survey by Restrepo Consulting and Colliers Real Estate Co. effective June 30, 2006. This limited availability certainly contributes to the difficulty in finding locations that meet separation requirements and still enable the business to succeed.

Our hours of operation are as follows: Monday through Saturday 9:00 a.m. – 7:00 p.m. and Sunday 10:00 a.m. – 5:00 p.m.

Enclosed is the staff report pertaining to the building's approval for construction in 2002. The report indicates "Total Parking Provided: 150 spaces. Total Parking Required: 143 spaces". In addition the building was built for general retail use with a parking requirement of 1 space for every 175 square feet. The pawn shop requirement for parking is 1 space for every 250 feet. Although we will initially only use the 3000 square feet that is currently vacant, we have made arrangements to occupy the remaining 3000 square feet as the respective lease agreements expire. This will eventually result in a net reduction in required spaces of ten parking spaces.

This property is zoned commercial which is the appropriate zoning for a pawnshop use. We believe the unique circumstances associated with this request warrant the staff's application of the waiver option to recommend approval for this special use permit. If you have any questions please call me at 497-1226 or our contact person Bill Curran, Curran & Parry, at 471-7000

Thank you,



Craig McCall

cc Bill Curran

SUP-16483
10/19/06 PC

DeAnn Stout
4949 Sawyer Ave.
Las Vegas, NV 89108

October 16, 2006

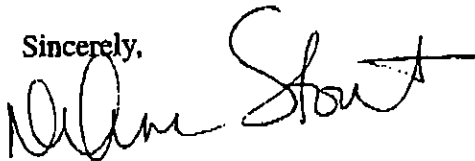
Leo Davenport
Planning Commission
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV

Dear Mr. Davenport:

I am most concerned about SUP-16483. I am opposed to another Pawn Shop in this neighborhood. There is a SuperPawn already located on Lake Mead Blvd near Jones, approximately one mile west of this proposal. I am also opposed to the waivers that are requested with this permit.

Thank you for your time with this matter. The neighborhood is working diligently in keeping our area clean, safe, and attractive and we thank you for your effort in making this happen.

Sincerely,

A handwritten signature in black ink, appearing to read "DeAnn Stout", with a stylized flourish at the end.

DeAnn Stout
Concerned Neighbor

Barb Clark
4050 Sawyer Ave.
Las Vegas, NV 89108

October 16, 2006

Leo Davenport
Planning Commission
City of Las Vegas
400 Stewart Ave.
Las Vegas, NV

Dear Mr. Davenport:

I am most concerned about SUP-16483. I am opposed to another Pawn Shop in this neighborhood. There is a SuperPawn already located on Lake Mead Blvd near Jones, approximately one mile west of this proposal. I am also opposed to the waivers that are requested with this permit.

I am increasingly concerned that we have to continually fight to preserve our neighborhood. We are always getting notices for variances that would ultimately hurt our property values and lifestyle. These types of variance would probably never be considered in "newer" neighborhoods. We even have a person running a carpet cleaning business out of a home near ours. We have taken them to court and his vans are still parked in the street and the empty lot at the end of our street. We have come before the commission on many occasions. We must soon come in front of the commission again in another matter the involves the three lots at the end of our street. We have drivers racing down our street to avoid the light at Lake Meade and Decatur. Now we must contend with a pawn shop. We would like to preserve our "older neighborhood" and would appreciate your support.

Thank you for your time with this matter. The neighborhood is working diligently in keeping our area clean, safe, and attractive and we thank you for your effort in making this happen.

Sincerely,



Barb Clark
Concerned Neighbor

382-8558

474-0352

Telephone Protest/Approval Log

Meeting Date: 10/19/06

Case Number: SUP-16483

Date: 10/16/06
Name: Larry Pupo
Address: 1846 N Decatur Blvd # 104
Las Vegas, NV 89108
Phone: 610 872 2676
☒ PROTEST ☐ APPROVE

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

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

Date: _____
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☐ PROTEST ☐ APPROVE

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

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

Telephone Protest/Approval Log

Meeting Date: 10/19/06

Case Number: 507 16483

Date: 10/10/06
Name: De Ann Stout
Address: 4949 Sawyer Ave
Las Vegas, NV 89108
Phone: 648-0891
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-16500 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: WINGS TO GO - OWNER: FORT APACHE COMMONS, LTD., LLC. -
Request for a Site Development Plan Review FOR A 580 SQUARE-FOOT RESTAURANT
ADDITION TO AN EXISTING SERVICE STATION (WITHOUT INCIDENTAL AUTO
REPAIR) on 1.86 acres at 1101 South Fort Apache Road (APN 163-05-110-006), C-1 (Limited
Commercial) Zone, Ward 2 (Wolfson).

P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated that the proposed fast-food restaurant is in conjunction with an existing gasoline station and convenience store within a shopping center located in Peccole Ranch. The request is appropriate, as there is adequate parking, and staff recommended approval.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 61 -- SDR-16500

MINUTES – Continued:

DAVE TRUMAN, Pinnacle Architectural Studio, 9755 West Charleston Boulevard, appeared on behalf of the applicant and questioned a condition regarding the air conditioning unit not being mounted on rooftops. DOUG RANKIN, Planning and Development Department, clarified that the condition has been amended to reflect that it needs to be screened from views.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:36 – 8:38)

2-2002

CONDITIONS:

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 09/05/06, except as amended by conditions herein.
3. 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).
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
6. 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.
7. Prior to the Certificate of Occupancy, a revised parking plan shall be submitted ensuring that one handicapped parking space is provided on the project site with a striped and/or detectable pedestrian access.

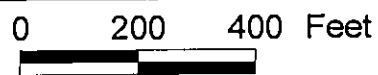
PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 61 – SDR-16500

CONDITIONS – Continued:

8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
11. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-139-88 and all other applicable site-related actions.



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





CASE: **SDR-16500**

RADIUS: 1000 FT

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

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-16500 - APPLICANT: WINGS TO GO - OWNER: FORT APACHE COMMONS, LTD., LLC.**

**** CONDITIONS ******STAFF RECOMMENDATION: 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 09/05/06, except as amended by conditions herein.
3. 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).
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
6. 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.
7. Prior to the Certificate of Occupancy, a revised parking plan shall be submitted ensuring that one handicapped parking space is provided on the project site with a striped and/or detectable pedestrian access.
8. 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.

SDR-16500 - Conditions Page Two
October 19, 2006 - Planning Commission Meeting

9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
11. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-139-88 and all other applicable site-related actions.

SDR-16500 - Staff Report Page One
October 19, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for the construction of a 580 square-foot fast food restaurant addition to an existing gas station with a convenience store on a 1.86 acre parcel in an existing commercial center, located at 1101 South Fort Apache Road, being the southwest corner of Charleston Boulevard and Fort Apache Road and within Peccole Ranch.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/15/89	The City Council approved a request (Z-0139-88) for the Reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, from N-U (Non Urban) Zone under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units per Acre), P-R (Professional Office & Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development – 7 Units per Acre), R-3 (Limited Multiple Residence), and C-1 (Limited Commercial). The Planning Commission recommended approval.
01/12/98	The City Council approved a Special Use Permit (U-122-97) to allow a full service car wash with auto detailing, gasoline sales and minor automotive repair. The Planning Commission and Staff recommended approval.
01/25/99	The City Council approved a Special Use Permit (U-144-98) to allow general a business-related gaming establishment for four slot machines in conjunction with an existing 8,200 square-foot carwash.
12/04/02	The City Council approved a request for a Special Use Permit (SUP-1047) and a Site Development Plan Review (SDR-1048) for a tavern and a waiver of separation distance requirements between taverns. The Planning Commission recommended approval.
02/05/03	The City Council approved a Site Development Plan (SDR-1318) for a retail building addition to an existing shopping center. The Planning Commission recommended approval.
04/16/03	The City Council approved a request for a Master Sign Plan for a 58,040 square-foot retail center. The Planning Commission and Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this request.	
<i>Pre-Application Meeting</i>	
06/20/06	A pre-application meeting was held to discuss planning issues for this project. The applicant was informed that the building addition would be required to show that the addition did not impair the parking for this site.

JA

SDR-16500 - Staff Report Page Two
October 19, 2006 - Planning Commission Meeting

Neighborhood Meeting

A pre-application meeting is not required for this application type, nor was one held.

Details of Application Request**Site Area**

Net Acres 1.86

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Carwash/Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Per Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	280 Feet	Y
Min. Setbacks	20	220	Y
• Front	10	150	Y
• Side	15	280	Y
• Corner	20	60	Y
• Rear			
Min. Distance Between Buildings			Y or N
Max. Lot Coverage			Y or N

JA

SDR-16500 - Staff Report Page Three
October 19, 2006 - Planning Commission Meeting

Max. Building Height			Y or N
Trash Enclosure			Y or N
Mech. Equipment			Y or N

Per Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Existing	65,380 SF	1 Space/ 250 SF	262	7	628	17	Y
New	580 SF	1 space/ 250 SF	3	1	3	Zero	N
TOTAL (including handicap)	65,960SF		264	7	628	17	Y

While this site provides more regular and handicapped parking that is required by code, the site plan shows that no handicapped parking is located in front of the building in this Site Development Plan Review.

ANALYSIS

The proposed project requests approval of a Site Development Plan Review to construct a new 580 square-foot addition to an existing gasoline service station with a convenience store. The project is designed to complement the existing convenience store by using materials that will match the existing building. The project complies with the Title 19 as identified below:

- **Zoning:**

The project is consistent with the land-use designation for the Southwest Sector of the Las Vegas 2020 Master Plan as well as complies with the Title 19, C-1 (Limited Commercial) Zone development standards.

- **Site Plan:**

The project site plan adequately addresses all required setbacks as well as bulk and scale standards for commercial development. The project is designed to be compatible with the existing convenience store structure.

SDR-16500 - Staff Report Page Four
October 19, 2006 - Planning Commission Meeting

- **Parking:**

The proposed project does not meet the requirements for handicapped parking. In accordance with Title 19.10, the handicapped parking for this project requires, one on-site handicapped parking space. The project shall be conditioned to require a revised parking plan showing compliance with Title 19 and the Americans with Disabilities Act.

- **Landscape Plan:**

This project is currently landscaped and no additional landscaping is required for this proposal.

- **Elevation:**

The proposed restaurant would be a ground-floor addition to an existing one-story convenience store. As such, the addition is designed to complement the existing convenience store as well as surrounding commercial development.

- **Floor Plan:**

This project is designed as a one-story restaurant. The project is conditioned to operate interior walk-up service as well as exterior waiting areas shall not permitted.

- **Prior Approval:**

This project would substantially conform to the Conditions of Approval of Zoning Reclassification Z-139-88 and all other applicable site-related actions.

FINDINGS

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

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

The proposed restaurant addition is compatible with the existing commercial uses on the site and within the shopping center. This project is consistent with the allowed uses of the C-1 (Limited Commercial) Zone, the Southwest Sector of the Las Vegas 2020 Master Plan.

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;**

SDR-16500 - Staff Report Page Five
October 19, 2006 - Planning Commission Meeting

This proposal complies with the General Plan and Title 19, as well as the Design Standards Manual. This project does not require any new landscaping, walls, or buffers.

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

This project gains access vehicular access via Charleston boulevard and Fort Apache Road.

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

Thee proposed commercial addition will be constructed consistent with the Commercial District Development Standards for urban design and architecture and would complement the style of the existing convenience store as well as the surrounding commercial buildings.

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 bulk, scale, and architectural design proposed for the restaurant structure would not adversely affect community aesthetics.

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

The proposed restaurant would not adversely affect human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 210

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-16500

Case Number: _____ APN: 103-03-110-000

Name of Property Owner: 15

Name of Applicant: W1795 10 00

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: _____

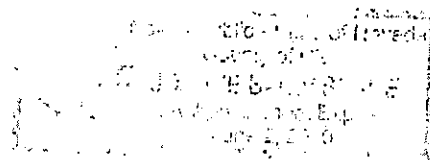
Print Name: Ernest A. Miller

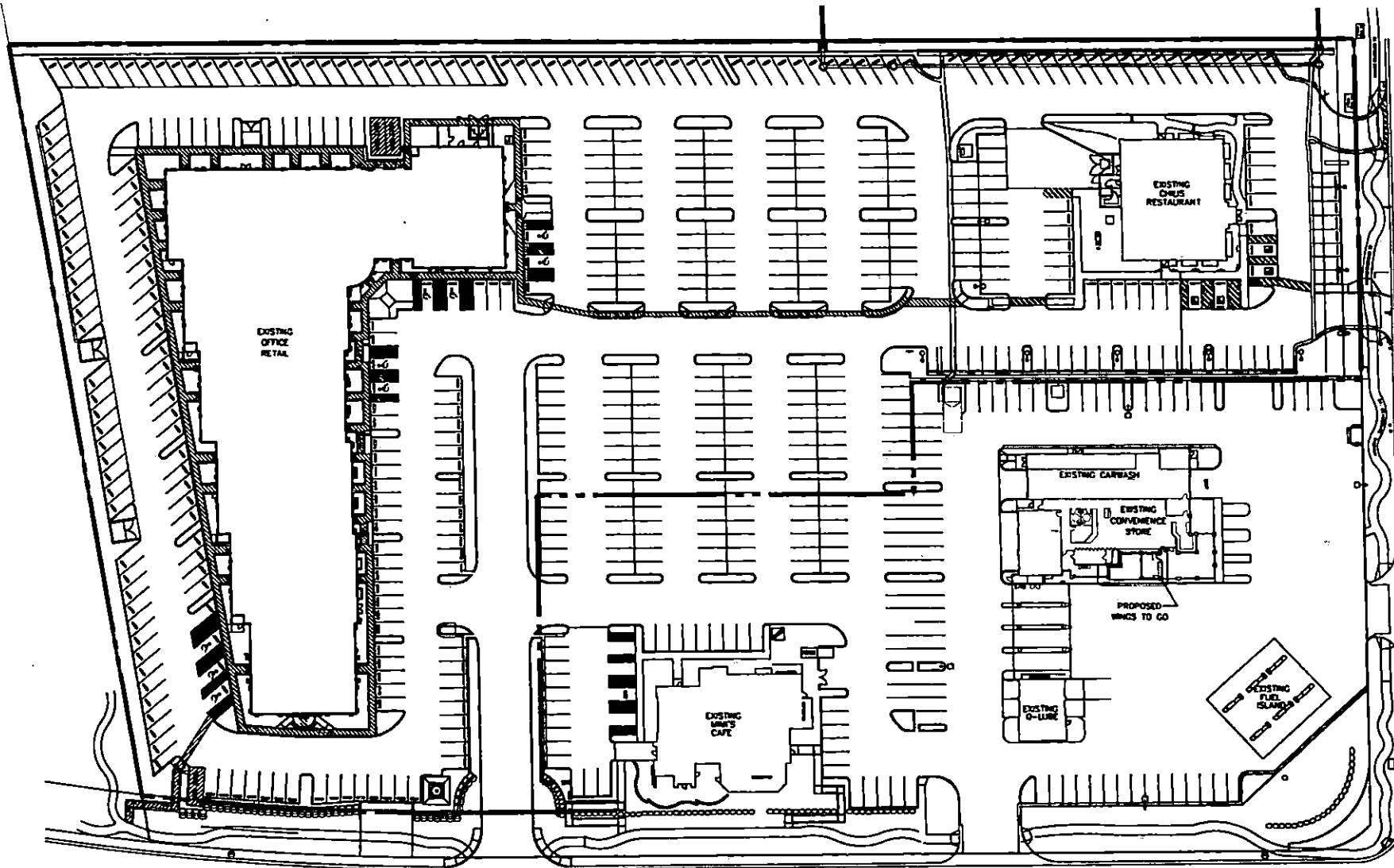
Subscribed and sworn before me

This 21st day of August, 2006.

Joanne Balassone

Notary Public in and for said County and State





PARKING TABULATION

WINGS - 6,600 SQ. FT. (ESTIMATES)	
SEATING - 4,600 SQ. FT. (2/3 OF TOTAL)	4,600 SQ. FT./50 = 92
OTHER - 2,300 SQ. FT. (1/3 OF TOTAL)	2,300 SQ. FT./200 = 12
TOTAL	104
CONVENIENCE STORE	3,600 SQ. FT./250 = 15
CAR WASH	3,300 SQ. FT./150 = 22
DETAILING	8
LUBE	8
WINGS TO GO	
SEATING/WAITING	100 SQ. FT./50 = 2
WINGS TO GO	580 SQ. FT./200 = 3
TOTAL	3
TOTAL REQUIRED	165
TOTAL PROVIDED	176



SDR-16500
10/19/06 PC

SEP 05 2006

CHARLESTON BOULEVARD

FORT APACHE RD

PINNACLE ARCHITECTURAL STUDIO, INC.

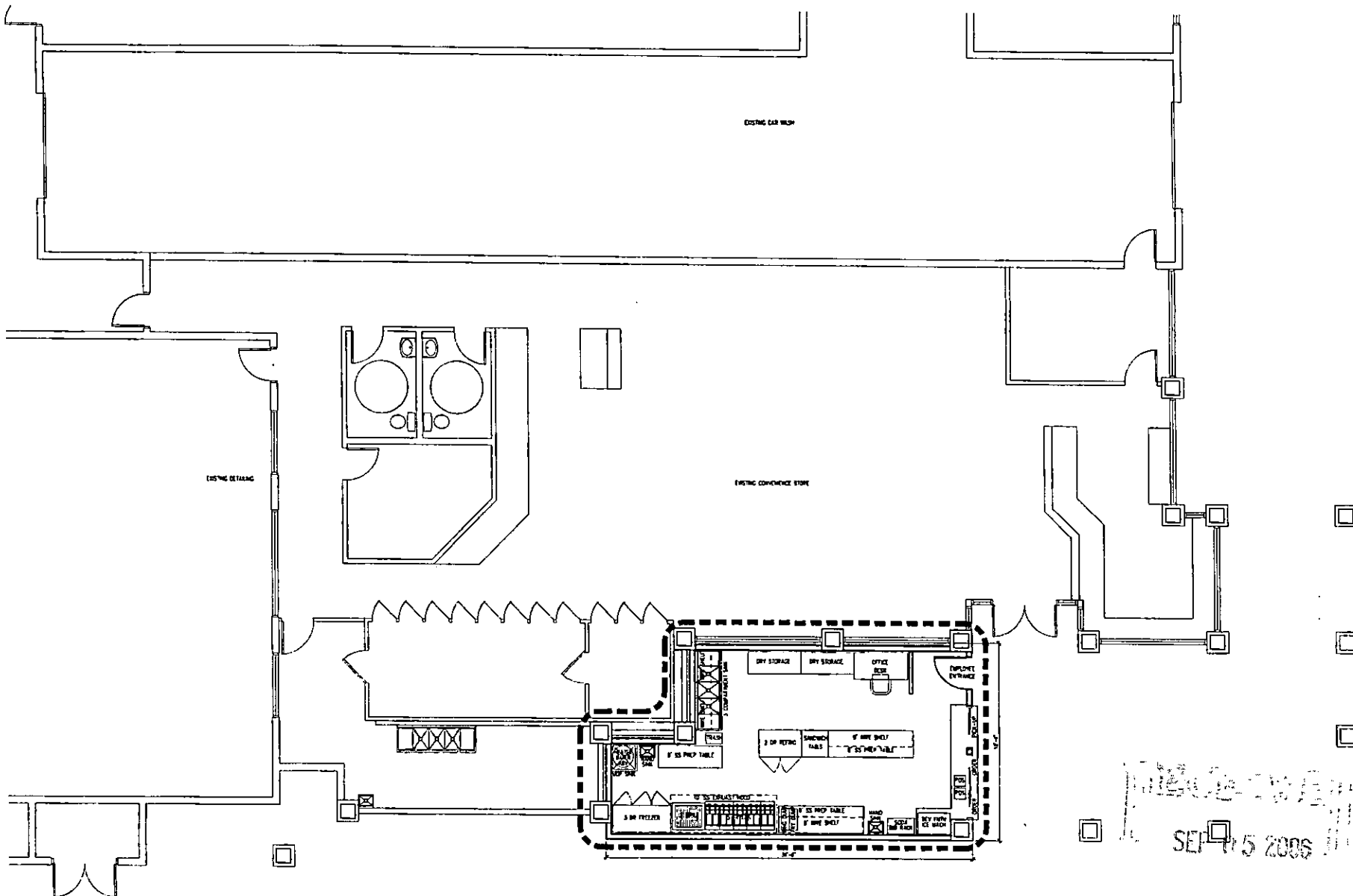
CHARLES O. KAPLAN ARCHITECT
Principal
1913 West Charleston Boulevard, Suite 100
Las Vegas, NV 89102
Phone: 702.580.0020 Fax: 702.580.0021
www.pinnacle-studio.com

WINGS TO GO
ADDITION TO FABULOUS FREDDY'S

ARCHITECTURAL SITE PLAN

Revisions	
1	SCALE: 1/4" = 1'-0"
2	DATE: 10/19/06
3	BY: [Signature]
4	CHECKED: [Signature]
5	DATE: 10/19/06

A1.1



1 FLOOR PLAN 580 S.F.
SCALE: 1" = 1'-0"

SDR-16500
10/19/06 PC

SEP 05 2006

PINNACLE ARCHITECTURAL STUDIO, INC.
Charles G. Pinnacle, Architect
8355 West Charleston Boulevard, Las Vegas, NV 89117
Phone: (702) 880-8822 Fax: (702) 880-8821
www.pinnaclestudio.com

WINGS TO GO
ADDITION TO FABIOUS FREDDY'S
FLOOR PLAN

Revisions	DATE	BY	NO.

A2.1



2 NORTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

RECEIVED
SEP 05 2006

SEP 04 2006

SDR-16500
10/19/06 PC

PINNACLE ARCHITECTURAL STUDIO, INC.
David B. Pinnacle Architect
3753 West Dupont Street, Suite 100
Chicago, IL 60644
Phone: 773.840.8820 Fax: 773.840.8821
www.pinnacle-studio.com

WINGS TO GO
ADDITION TO FABIOUS FREDDY'S
1/10/06 1/10/06
EXTERIOR ELEVATIONS

Revised:
1/10/06 1/10/06
1/10/06 1/10/06
1/10/06 1/10/06

A4.1

SDR 16500				
Wings To Go				
SWC Charleston & Fort Apache				
Proposed 0.58 thousand square foot restaurant addition.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/O DRIVE THRU [1000 SF]	0.58	716.00	415
AM Peak Hour			43.87	25
PM Peak Hour <i>(heaviest 60 minutes)</i>			26.15	15
Existing traffic on all nearby streets:				
Fort Apache Road				
Average Daily Traffic (ADT)	40,138			
PM Peak Hour <i>(heaviest 60 minutes)</i>	3211			
Charleston Boulevard				
Average Daily Traffic (ADT)	41,550			
PM Peak Hour <i>(heaviest 60 minutes)</i>	3324			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Sky Pointe Drive	51700			
Kyle Canyon Road	51700			
This project will add approximately 415 trips per day on Fort Apache and Charleston. This will increase expected volumes on Fort Apache and Charleston by about 1 percent. Fort Apache is at about 78 percent of capacity and Charleston is at about 80 percent of capacity.				
Based on Peak Hour use, this development will add roughly 15 additional cars into the area; which works out to about one every four minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-16500 - APPLICANT: WINGS TO GO - OWNER: FORT APACHE COMMONS, LTD., LLC.
1101 SOUTH FORT APACHE ROAD
OCTOBER 19, 2006 PLANNING COMMISSION

09/18/06

September 5, 2006
City of Las Vegas
Current Planning Department
731 S. Fourth Street
Las Vegas, NV 89101

RE: Justification Letter for Wings To Go Peccole

To Whom It May Concern:

Wings To Go is a thriving, growing food service business, expanding in the Las Vegas area. This proposed project will be located adjacent to the existing Fabulous Freddie's Car Wash in the Fort Apache Commons Center on the southwest corner of Charleston and Fort Apache. The owners of those two companies work closely together to make sure that both will benefit. The new addition will match the existing building in color, material and scale. Peccole Design Review Committee has approved this project.

The target customer for Wings To Go is the person who has brought his car in for a wash, a lube, a detailing, or to buy gas or goodies at the Convenience Store. Thus, there will be minimal impact to parking and traffic from this addition; most customers will already be on site, and will visit Wings To Go on impulse. There is adequate parking on the site to accommodate this addition. There is no drive-through, so all traffic will be on foot. No outdoor eating area is planned.

We are confident this project will be a desirable addition to the area, and respectfully request your approval.

Sincerely,

Dave Truman

Dave Truman, Architect

SDR-16500

10/19/06 PC

Pinnacle Architectural Studio

9775 West Sahara Avenue, Suite 200, Las Vegas, NV 89135-4000, Phone: (702) 735-1100, Fax: (702) 735-1101, www.pinnaclestudio.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-17138 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend the Las Vegas Zoning Code to update and revise various Title 19 requirements and make corrections and clarifications as appropriate.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Conditions and Staff Report

MOTION:

EVANS – APPROVED with the revision of Section 19.12.075(G)(3)(b) as follows: “and the resulting gap between walls shall be capped with a cementitious material that will not add any additional load to the walls, as approved by the Planning Department and the Building and Safety Department – **UNANIMOUS**

To be forward to City Council in Ordinance Form

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the Text Amendment would correct conditions to Title 19. Those items were presented in a table made available to the Commission in the staff report. He amended Section 19.12.075(G) (3)(b) to delete the words “and the resulting gap between the walls shall be filed and capped” to “and the resulting gap between walls shall be capped with a cementitious material that will not add any additional load to the walls, as approved by the Planning Department and the Building and Safety Department.”

In addition, **MR. RANKIN** noted that sections were inadvertently deleted when the land use table was adopted. Staff recommended approval of those changes.

PLANNING COMMISSION MEETING OF OCTOBER 19, 2006
Planning and Development Department
Item 62 – TXT-17138

MINUTES – Continued:

TED RUSSELL, Las Vegas resident, was skeptical about the cementitious material being weightless. MR. RANKIN replied that it would not add additional weight to the wall. Usually, it is chicken wire constructed with a stucco-type material. It could involve Styrofoam or Styrofoam filler capped with cement, stucco or grout.

COMMISSIONER EVANS commented that these provisions will put some teeth into the codes about nuisances, number of automobiles in yards. MR. RANKIN reiterated that that section was inadvertently deleted, but that it would be reestablished. COMMISSIONER EVANS was pleased that the liaison seems to have a grasp of what is going on in the neighborhoods, but has been discouraged by the incredible proliferation of junk cars in people's yards and some people using their front yards as used car lots. He feels this Text Amendment would provide some teeth to ensure that, particularly the older neighborhoods, maintain its integrity and beauty.

MARGO WHEELER, Director of Planning and Development Department, commented that the Planning Department has invited the Neighborhood Services Code Enforcement staff to a training session in November. A variety of zoning code matters will be reviewed to ensure that the field staff is familiar with the zoning code requirements.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:38 – 8:45)

2-2103

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 19, 2006
 DEPARTMENT: PLANNING AND DEVELOPMENT
 ITEM DESCRIPTION: TXT-17138 - APPLICANT: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

- Title 19.04.010, Table 2 – Land Use Table, is hereby amended as follows:

Table 2 – Land Use Table
 Residential & Lodging

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Habitable Accessory Structure	U	R - A	R - E	R - D	R - 1	R - C L	R - 2	R - 3	R - 4	R - 5	R - MH	R - MH P	P - R	N - S	O	C - D	C - 1	C - 2	C - P B	C - M	M
	S	S	S	S	S																
Description: An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters for the occupants of the principal dwelling or their temporary guests, tenants or domestic employees.																					
Minimum Special Use Permit Requirements: 1. The size of the lot or parcel must exceed 6,500 square feet. 2. Unless the principal dwelling is owner-occupied, a habitable accessory structure may not be offered or occupied as a rental unit. 3. A habitable accessory structure may contain one kitchen but otherwise must comply with all provisions of Section 19.08.040 applicable to accessory structures.																					
On-site Parking Requirement: Two spaces per site.																					

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Manufactured Home (Qualifying for Treatment as Single Family Detached Dwelling)	U	R - A	R - E	R - D	R - 1	R - C L	R - 2	R - 3	R - 4	R - 5	R - MH	R - MH P	P - R	N - S	O	C - D	C - 1	C - 2	C - P B	C - M	M
	C	C	C	C	C	C	C	C	C	C	C										
	Description: A structure (as defined in NRS 489.113) that meets the Conditional Use Regulations listed below.																				
Conditional Uses: 1. In order to qualify for treatment as a Single Family Detached Dwelling, a manufactured home must: a. Have been constructed or manufactured within the 5 years immediately preceding the date on which it is affixed to the residential lot; b. Consist of at least 1200 square feet of living area, unless the Director approves a reduction in size; c. Be permanently affixed to the residential lot; d. Have its foundation masked architecturally or by landscaping, berming or planters; and e. Be demonstrated to be compatible with homes in the immediate vicinity, in terms of siding material, roofing, color, building configuration, design features, etc.																					
On-site Parking Requirement: Two spaces per site.																					

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USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Non-Habitable Accessory Structure	U	R-A	R-E	R-D	R-1	R-C L	R-2	R-3	R-4	R-5	R-MH	R-MH P	P-R	N-S	O	C-D	C-1	C-2	C-P B	C-M	M
	C	C	C	C	C	C	C	C	C	C	C	C									
Description: An accessory structure which is detached from the principal structure, is located on the same lot, is incidental or subordinate to the principal structure, and is not designed or intended for human habitation.																					
Conditional Use Regulations: 1. The use shall comply with all provisions of Section 19.08.040 applicable to accessory structures. 2. Uses that do not comply with the provisions of Section 19.08.040 shall require review by means of a Variance.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site.																					

Table 2 – Land Use Table
Retail & Personal Services

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
General Personal Service	U	R-A	R-E	R-D	R-1	R-C L	R-2	R-3	R-4	R-5	R-MH	R-MH P	P-R	N-S	O	C-D	C-1	C-2	C-P B	C-M	M
														P	A	P	P	P	S	P	P
Description: A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instruction arts studio, photography studio, hand-crafted art studio, safe deposit boxes, travel-bureau, house cleaning service, weight reduction center, day spa, florist (excluding greenhouses), and permanent makeup establishment.																					
On-site Parking Requirement: Barber/Beauty Shop For a use located in a shopping center with more than 25,000 square feet of gross floor area, one space for each 250 square feet of gross floor area. Otherwise, two spaces for each barber chair and three spaces for each beautician station. Tanning Salon Two spaces per tanning bed. Nail Salon Two spaces per chair/station. Other Uses Not Listed One space for each 250 square feet of gross floor area.																					

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Open Air Vending/ Transient Sales Lot	U	R-A	R-E	R-D	R-1	R-C L	R-2	R-3	R-4	R-5	R-MH	R-MH P	P-R	N-S	O	C-D	C-1	C-2	C-P B	C-M	M
																	C	C		C	C
Description: An area that is used exclusively for the sale or taking of orders for any merchandise where: 1. Such merchandise is displayed or sold in the open area; 2. The activity is not part of the operation of an established business; and 3. No permanent physical structures or facilities are used as integral parts of the sales or order taking operations. This use includes the display or sale of merchandise in or in connection with a truck, trailer or movable building of any type.																					
Conditional Use Regulations: 1. No signage, including temporary signage, is allowed, except that which is permanently affixed to a vehicle or cart from which the sales activity takes place. 2. The site must be kept free of any litter or debris at all times. 3. No structures shall be allowed within the public right-of-way.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal uses(s) on the site.																					

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USE		RESIDENTIAL											COMMERCIAL					INDUSTRIAL			
Package Liquor Off-Sale Establishment	U	R-A	R-E	R-D	R-1	R-C L	R-2	R-3	R-4	R-5	R-MH	R-MH P	P-R	N-S	O	C-D	C-1	C-2	C-P B	C-M	M
																	S	S		S	S
Description: An establishment, other than a retail establishment with package liquor off-sale, whose license to sell alcoholic beverages authorizes their sale to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold. This use includes an establishment that provides on-premises wine, cordial and liqueur tasting if the licensee also holds a wine, cordial and liqueur tasting license for that location.																					
Minimum Special Use Permit Requirements: *1. Except as otherwise provided, no package liquor off-sale establishment (herein after "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park. *2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 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 Requirement 1. *3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 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. The minimum distance requirements in Requirement 1 do not apply to: a. An establishment which has no restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or b. A proposed establishment having more than 50,000 square feet of retail floor space. *5. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site. 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area. 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.																					

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Storage and/or Display of Products/Equipment	U	R - A	R - E	R - D	R - 1	R - C L	R - 2	R - 3	R - 4	R - 5	R - MH	R - MH P	P - R	N - S	O	C - D	C - 1	C - 2	C - P B	C - M	M
													C	C	C	C	C	C	C	C	C
Description: The outdoor storage or display of equipment or merchandise for sale or rent.																					
Conditional Use Regulations: 1. N-S, P-R, O and C-1 Districts. Unless otherwise permitted in this Title, all storage or display of merchandise or equipment in the N-S, P-R, O and C-1 Districts shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes. Live nursery products may be displayed and stored outdoors in the C-1 District, provided the outside storage is screened from view of adjacent properties and streets, and the screening is architecturally consistent with the principal building in terms of materials, colors and details. 2. C-D District. All storage or display of merchandise or equipment in the C-D District shall be within a completely enclosed permanent building. No trailers or other portable structures may be used for storage purposes. 3. C-2 District. Unless otherwise permitted in this Title, all storage and display of merchandise or equipment in the C-2 District shall be within a completely enclosed permanent building unless the merchandise or equipment is appropriately screened as determined by the Director of Planning and Development; provided however, that the screening shall not be required for a franchised new car dealership or for those uses which are permitted in the C-2 District by way of a Special Use Permit. Furthermore, incidental items which are normally associated with operations which are permitted as a matter of right in the C-2 District shall be allowed without screening or being within a completely enclosed building. No trailers or other portable structures may be used for storage purposes. 4. C-M, C-PB, and M Districts. Unless otherwise permitted in this Title, all outdoor storage and display of merchandise and equipment in the C-M, C-PB and M Districts shall be screened from view from the public rights-of-way and adjacent residential districts.																					
On-site Parking Requirement: No additional parking required beyond that which is required for the principal uses(s) on the site.																					

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Table 2 – Land Use Table
Auto & Marine Related

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Motor Vehicle Sales (Used)	U	R - A	R - E	R - D	R - 1	R - C L	R - 2	R - 3	R - 4	R - 5	R - MH	R - MH P	P - R	N - S	O	C - D	C - 1	C - 2	C - P B	C - M	M
																		S		C	C
Description: A facility or area used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters. This use includes service bays and auto body shops which are incidental and accessory to the sales use.																					
Conditional Uses: 1. The minimum site area dedicated to this use shall be 25,000 square feet. 1.2. The installation and use of an outside public address or bell system is prohibited. 2.3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. 3.4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land. 4.5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. 5.6. Accessory automobile rental is permitted.																					
Minimum Special Use Permit Requirements: 1. The minimum site area designated for this use shall be 25,000 square feet. 2. The installation and use of an outside public address or bell system is prohibited. 3. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. 4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land. 5. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. 6. Accessory automobile rental is permitted.																					
On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area designated for this use. Vehicles that are on display may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of this Table 2. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.																					

Table 2 – Land Use Table
Utilities, Communications & Transportation

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Sound Stage	U	R - A	R - E	R - D	R - 1	R - C L	R - 2	R - 3	R - 4	R - 5	R - MH	R - MH P	P - R	N - S	O	C - D	C - 1	C - 2	C - P B	C - M	M
																	S	S	S	S	S
	Description: A building or portion of a building used for the production of movies.																				
	On-site Parking Requirement: One space per 300 square feet of gross floor area.																				

2. Title 19.08.040(B)(4)(a), "Patio Covers," is hereby amended as follows:

- a. **Patio Covers.** As illustrated in Figure 4 below, a patio cover may encroach to within five feet from the rear and side property lines in the R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH, and R-MHP zoning districts and may encroach to within 15 feet from the rear and side property lines in the U, R-A and R-E zoning districts. No patio cover may be located within a corner side yard. In no case shall the setback for a patio cover be more restrictive than the minimum required setback for the principal structure.

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3. Title 19.08.050(H), "Illustrations," is hereby amended as follows:

Figure 26 ~~Discouraged~~ Non-Conforming Enclosure Design

Figure 27 ~~Encouraged~~ Conforming Enclosure Design

4. Title 19.10.010, "On-Site Parking Standards," is hereby amended as follows:

J. Vehicles – Residential Districts

1. Except as otherwise provided in Paragraphs 2 to 13, inclusive, motor vehicles, including passenger cars, trucks and motorcycles which are not designed or used for racing or for purposes other than transportation, may be parked, stored or repaired on any property in a residential district, provided the same do not constitute a nuisance, health or fire hazard offense under the provisions of this Code and do not have a detrimental effect on the neighborhood. The motor vehicles shall be stored:

a. Within a completely enclosed structure;

b. In the front yard, either on an approved driveway, or on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the vehicle; or

c. In the side yard, either obscured by a six-foot high fence to adequately screen the vehicles from view, stored on an approved driveway or stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length of the vehicle; provided, however, that the vehicle storage complies with the other provisions set out in Paragraphs 1 to 13 inclusive.

2. Except as otherwise provided in Paragraph 10 below, on a single-family residential lot:

a. No more than three operable vehicles may be stored, or one vehicle per 1,250 square feet of lot area, whichever allows the greater number of vehicles.

b. No more than fifty percent of the front yard area may be used for the storage of vehicles; and

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- c. No more than six vehicles, whether operable or inoperable may be stored at one time.
- 3. In any residential district, a recreational vehicle or trailer, or combination thereof, may be stored only as follows:
 - a. Within an enclosed structure;
 - b. In a rear yard, if stored on a surface of concrete or asphaltic paving, gravel or chat which extends the full length and width of the stored item; and
 - c. In a front yard, provided that:
 - i. The side and rear yards are not reasonably accessible for storage purposes. A corner lot shall be deemed to have reasonable access, and the existence of a fence or block wall, by itself, shall not be deemed to prevent reasonable access to the side or rear yards; or
 - ii. The recreational vehicle or trailer, or combination thereof, is stored entirely in the yard area with no portion of the unit located closer than one foot from an adjacent public street or sidewalk; and
 - iii. The recreational vehicle or trailer, or combination thereof, is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.
 - d. In a side yard, if the recreational vehicle or trailer, or combination thereof, does not extend closer to the street than the front of the main building on the property, and if it is stored on a surface of concrete or asphaltic paving that is adjacent and parallel to an approved driveway and that extends the full length and width of the stored item.
- 4. Any vehicle being repaired, stored or parked for more than four hours on property in a residential district shall have a manufacturer's rated carrying capacity not to exceed one tone, and any vehicle being repaired must be owned by a permanent resident at the location where the repair takes place, except as provided in Paragraph 9 below.

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5. Except as otherwise provided in Paragraph 10 below:

- a. Any vehicle that is located in a residential district and is in mechanically inoperable condition shall be stored or repaired in a garage, shed or other enclosure; in a driveway; or in a rear yard that is enclosed by a six-foot high fence to adequately screen the vehicle from view; provided, however, that if the abutting property is undeveloped, the fencing shall not be required until the adjacent property is developed.
- b. In a residential district, no repair outside of an enclosure may occur later than nine p.m. or earlier than seven a.m.

6. Except as otherwise provided in Paragraph 10 below:

- a. In a residential district, no more than one vehicle that is in a mechanically inoperable condition shall be stored or repaired at any time outside of a fully enclosed building on the premises, and there shall be no repair of vehicles or storage of mechanically inoperable vehicles in the side yards.
- b. A vehicle shall not be stored in a mechanically inoperable condition in a residential district for more than ninety days.

7. There shall be no storage of junked vehicles, or parts thereof, in any residential district. Only serviceable parts for owned vehicles may be stored on the premises. Such storage shall not be permitted in the front or side yards but shall be permitted in the rear yard only if such storage is either fully enclosed by a six-foot high fence to adequately screen the parts from view, or in a fully-enclosed building; provided however, that if the abutting property is undeveloped, the fence or enclosed building shall not be required until the adjacent property is developed. No more than two hundred square feet of outside space shall be used for the storage of serviceable parts.

8. On any lot within a residential district, the following are prohibited, except in connection with an approved construction yard or except as necessary to perform grading or construction work on the premises pursuant to a development permit:

- a. The repair or storage of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction, or industrial equipment; or

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- b. The parking for more than four hours, of any vehicle whose primary function is other than the transportation of passengers, including but not limited to forklifts, backhoes, tractors, tow trucks and similar types of machinery, construction or industrial equipment.
- 9. Nothing in Paragraphs 1 to 13, inclusive shall be construed to permit the operation of a business as defined in Title 6. There shall be no repair, restoration or modification non-owned vehicles for money or barter on residential property. However, nothing in Paragraphs 1 to 13, inclusive, prohibits the temporary emergency repair of owned or non-owned vehicles which have become mechanically inoperable while on the property or in the street.
- 10. On any residential lot owned by a member of a duly-recognized organization of automobile collectors or restorers, the owner may exceed the limitations on vehicle storage and repair set forth in Paragraphs 2, 5(a) and 6 above with respect to the restoration, refurbishing or rebuilding of his or her own classic or antique vehicle if any such vehicle is covered with a fitted full-vehicle pullover cover when it is not being worked on.
- 11. In order to facilitate vehicle inspection and enforcement under Paragraphs 1 to 13 inclusive, any person engaged in the storage, repair, restoration or modification of any vehicle shall, upon request, provide to any authorized enforcement office:
 - a. Evidence regarding the ownership of the vehicle, such as current registration, title, bill of sale or other documentation;
 - b. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate the person's membership in a duly-recognized organization of automobile collectors or restorers; and
 - c. As applicable to the exception set forth in Paragraph 10, evidence sufficient to indicate that the vehicle or vehicles in question are actually and currently in the process of being restored, refurbished or rebuilt.
- 12. The provisions of Paragraphs 1 to 13, inclusive, shall apply to any person in control or lawful possession of any real property within a residential district, including an owner, tenant, occupant, lessee or otherwise.
- 13. For purposes of Paragraphs (1) and (3), an "Approved driveway" means a driveway that complies with all applicable curb cut requirements that have been established by the City.

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(All following Sections shall be renumbered accordingly)

5. Title 19.12.075(B) through 19.12.075(E) is hereby amended as follows:

(B) Perimeter and Screen Walls.

(1) General. For commercial properties, a wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. In all other cases, there is no requirement to construct a wall or fence. However, all walls and fences must comply with applicable building code requirements. Walls and fences adjacent to commercial or industrial zoning districts or property used for commercial or industrial uses shall be limited to a maximum of eight feet in height. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

~~(B)~~(2) Height. The minimum height of a screening perimeter wall shall be six feet and the maximum height shall be eight feet. The maximum height of a screen wall shall be eight feet.

- (C) Except as otherwise provided in Subsection (E), if the natural slope of a parcel that will contain a screening wall/perimeter wall is two percent or less, and a retaining wall will be required:

- (1) The maximum height of the retaining wall shall be four feet;
- (2) The minimum height of the screening perimeter wall shall be six feet, with the maximum height eight feet for screening walls/perimeter walls; and
- (3) The total vertical plane of both walls shall not exceed ten feet, measured from the finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 6)

- (D) Except as otherwise provided in Subsection (E), if the natural slope of a parcel that will contain a screening wall/perimeter wall is greater than two percent and a retaining wall will be required:

- (1) The maximum height of the retaining wall shall be six feet;

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- (2) The minimum height of the screening perimeter wall shall be six feet, with the maximum height eight feet for screening walls/perimeter walls; and
 - (3) The total vertical plane of both walls shall not exceed twelve feet, measured from the finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 7)
- (E) In cases where it is necessary to use retaining walls that exceed the height limitations contained in subsections (C) and (D), the following standards shall apply in order to reduce the visual impact of screening walls, perimeter walls and retaining walls, as illustrated in Figure 8:
 - (1) For each four feet of vertical height of the retaining wall, a minimum five-foot stepback, or horizontal offset, shall be provided, as measured from the front of the wall plane to the front of the next wall plane, with the landscaping to be provided within the offset area.
 - (2) The height of the wall plane of the wall located at the highest grade shall be a minimum of six feet and a maximum of eight feet.
- 6. Title 19.12.075(G), "Fences Walls and Architectural Character," is hereby amended as follows:
 - (G) Fences, Walls and Architectural Character
 - (1) Perimeter Walls. Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump stone, and wrought iron, and shall have a minimum of twenty percent contrasting material. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variation as may be required by the Department, including pilaster, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center (See Figures 9 and 11). ~~No voids or spaces shall be permitted between an existing perimeter wall and a new perimeter wall.~~ All perimeter walls shall:

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- a. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed;
 - ~~b. Be sealed by an approved method to prevent leaching or transmission of mineral deposits through the wall; and~~
 - ~~e.b.~~ Be maintained by the property owner, the developer, a business association or other similar organization, or by such means as may be approved by the City.
- (2) Retaining Walls. Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate and textured-finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. ~~All walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the wall.~~ All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.
- (3) Wall Separation. Where screen walls/perimeter walls abut another screen wall/perimeter wall, the separation shall be:
- a. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or
 - b. A maximum of eight inches, and the resulting gap between the walls shall be filled and capped.

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7. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

~~"Auxiliary Kitchen" means a second kitchen in a single family detached dwelling that is:~~

- ~~(1) Intended solely for use by members of the household for private dinner parties or social gatherings; and~~
- ~~(2) Not located within an accessory structure and is directly accessible from the rest of the dwelling.~~

"Habitable accessory structure" means a structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters with a kitchen for the occupants of the principal dwelling or their temporary guests, tenants or domestic employees.

~~Kitchen. Any room in a dwelling which is used, designed, or intended to be used for the cooking and preparation of food, including "kitchenette." That portion of a dwelling unit devoted to the preparation and/or cooking of food for the purpose of consumption by residents of the dwelling unit. A kitchen indicates the presence of complete cooking facilities (i.e., stove, oven and/or microwave oven, refrigerator, and sink) as differentiated from a "kitchenette" or "wet bar" that provides a maximum of a counter-top hot plate, counter-top grill or microwave oven together with an under-counter refrigerator and sink. A gas stub and/or a two hundred twenty volt electrical outlet/wiring shall classify any food preparation area as a kitchen.~~

~~"Wall, Perimeter" means an opaque structure constructed in accordance with Section 19.08.070 19.12.075 with the purpose of providing security or a visual buffer within the property line of a residential subdivision, or parcel commercial subdivision or any property zoned for commercial and industrial uses and separating the subdivision or parcel from right-of-way, another land use or another property.~~

~~"Wall, Screening" means an opaque structure constructed in accordance with Section 19.08.070 19.12.075 with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise or visual impact.~~

~~"Wall/Fence, Front Yard" means a structure which is designed to delineate or provide security along within the front property line setback area of a residential parcel.~~

Yard. The area on a lot unoccupied by structures, except for projections and the specific accessory uses or structures allowed in such area under the provisions of this Title.

Yard, Corner Side. The yard of a corner lot extending from the front yard to the rear yard and between the street and the primary structure.

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Yard, Side. The yard extending ~~along the entire length of the side property line and the~~
~~depth~~ from the front yard to the rear yard and between the side property line and the
primary structure.

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**** STAFF REPORT ****

BACKGROUND INFORMATION

The proposed text amendment is intended to correct elements of Title 19 of the Las Vegas Municipal Code that were omitted from previous text amendments, to clarify sections of the code that are currently subject to interpretation, and to revise the standards for certain uses where appropriate.

ANALYSIS

The table below summarizes the changes and corrections that are proposed to Title 19:

Habitable Accessory Structures	Existing	Proposed
Title 19.04.010 Minimum Standards	Minimum lot size must exceed 6,500 square feet	Minimum lot size requirement is non-waivable
Title 19.20.020 Definitions	- Definition does not specify whether or not a kitchen is permissible - Definition of "kitchen" is vague and subject to interpretation	- Adds language to state that a kitchen is permissible - Definition expanded to specifically identify the elements that constitute a kitchen
Non-Habitable Accessory Structures	Existing	Proposed
Title 19.04.010 Minimum Standards	Does not state the method for varying from the minimum standards	Adds language to state that the Variance process is the method to vary from the required standards
Travel Bureaus	Existing	Proposed
Title 19.04.010 Minimum Standards	Listed under General Personal Service, and not permitted in the P-R zoning district	The use will be categorized as an office use, and will be permitted in all districts where office uses are allowed
Open-Air Vending	Existing	Proposed
Title 19.04.010 Minimum Standards	No signage is permitted	Permanent signage affixed to the sales vehicle or cart will be permitted

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Package Liquor Off-Sale Establishment	Existing	Proposed
Title 19.04.010 Minimum Standards	No specific parking requirement listed for stand-alone uses	Adopts the same standards as general retail establishments
Storage and/or Display of Products/Equipment	Existing	Proposed
Title 19.04.010 Minimum Standards	Unintentionally removed from Title 19.04 by TXT-9890	The same requirements as existed previously will be added to Table 2 of Title 19.04.010
Motor Vehicle Sales (Used)	Existing	Proposed
Title 19.04.010 Minimum Standards C-M (Commercial/ Industrial) and M (Industrial) Zoning Districts	Minimum site area of 25,000 square feet required in C-M (Commercial/ Industrial) and M (Industrial) zoning districts	No minimum site area requirement in C-M (Commercial/ Industrial) and M (Industrial) zoning districts
Title 19.04.010 Minimum Standards C-2 (General Commercial) Zoning District	No minimum standards listed for a Special Use Permit in the C-2 (General Commercial) zoning district	Requires a minimum site area of 25,000 square feet and adopts the same minimum standards as in the C-M (Commercial/ Industrial) and M (Industrial) zoning districts
Sound Stages	Existing	Proposed
Title 19.04.010 Permitted Districts	Not allowed in the C-PB (Planned Business Park) zoning district	Allowed by Special Use Permit in the C-PB (Planned Business Park) zoning district
Patio Covers	Existing	Proposed
Title 19.08.040 Minimum Standards	No specific requirement relative to corner side yard setbacks	Not allowed to encroach into a corner side yard setback
Title 19.20.020 Definitions	- No definition for "Corner Side Yard" - No definition for "Yard"	- Definition for "Corner Side Yard" added - Definition of "Yard" added
Vehicle Parking in Residential Districts	Existing	Proposed
Title 19.10.010 On-Site Parking Standards	Unintentionally removed from Title 19.04 by TXT-9890	The same requirements as existed previously will be added to Title 19.10.010

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Walls	Existing	Proposed
Title 19.12.075 Minimum Standards	• No specific requirement for a perimeter wall between residential and commercial uses • Screen walls must have a minimum height of six feet • No voids allowed between walls • Walls must be sealed to prevent leaching	• Perimeter wall with a minimum height of six feet required between residential and commercial uses • No minimum height for screen walls, except where otherwise required • Maximum of eight inches or a minimum of three feet required between walls • Requirement removed as there is difficulty in enforcing long-term maintenance
Title 19.20.020 Definitions	• References the wrong section of Title 19	• Corrects the reference to Title 19.12 and defines the buffering requirements

FINDINGS

Please note the following findings relative to the proposed amendment:

- The amendment clarifies Title 19 language that is currently unclear;
- Makes changes to the minimum standards and locations for certain uses as necessary in the application of the code;
- Restores requirements that were omitted by previous text amendments; and
- The proposed language will assist staff and the public in interpreting and understanding zoning requirements.

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

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PROTESTS

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City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: OCTOBER 19, 2006

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 8:45 P.M.

Respectfully submitted:

YDOLEENA YTURRALDE, DEPUTY CITY CLERK

ANGELA CROLLI, DEPUTY CITY CLERK