

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Verbatim Excerpt from 10/18/2006 and Abeyance request by Jay H. Brown

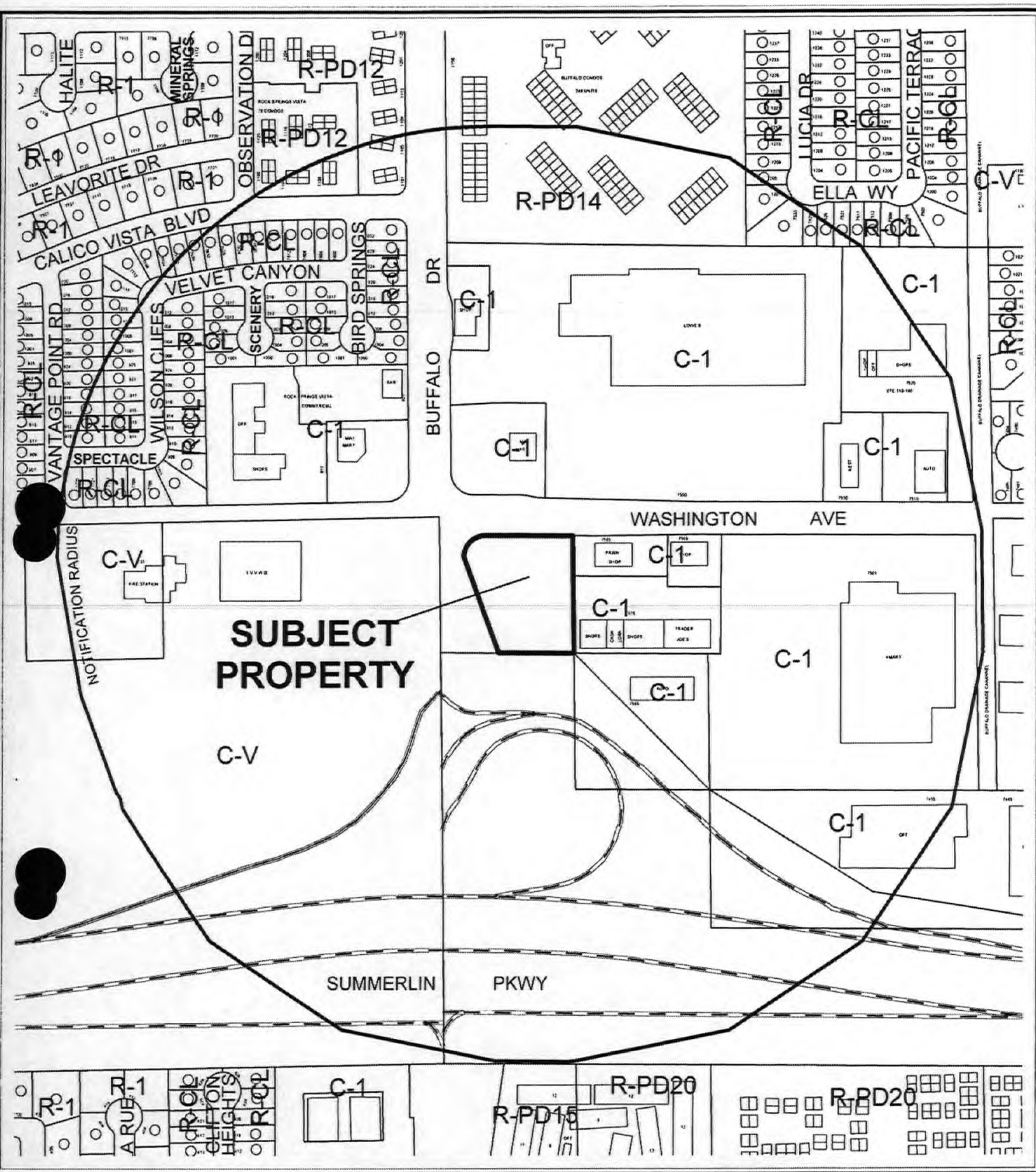
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

CITY COUNCIL MEETING OF: NOVEMBER 01, 2006

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



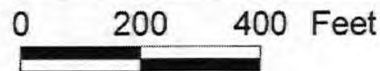


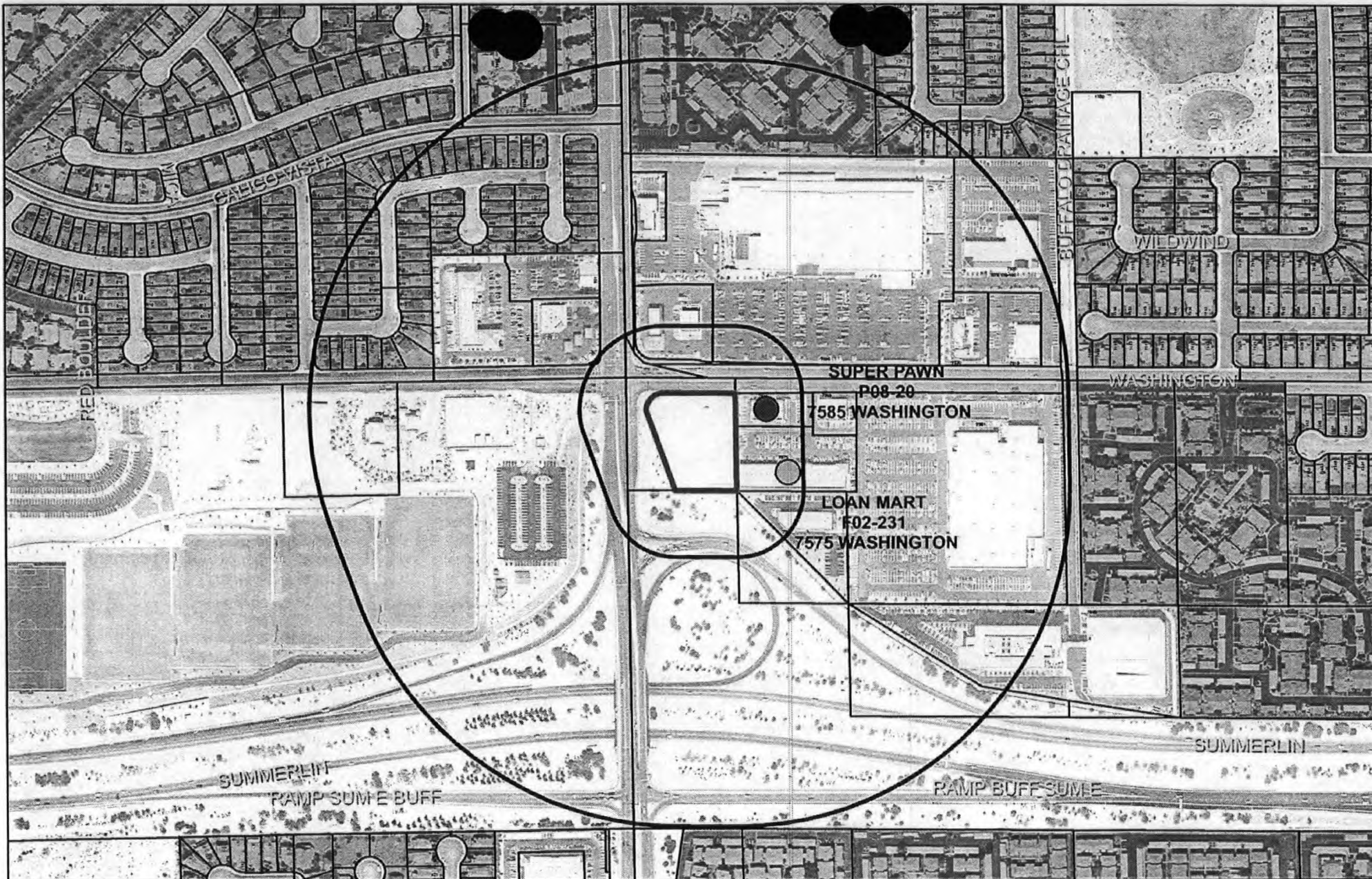
CASE: SUP-15347

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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





SUP-15347

Financial Institution

Financial Business Locations

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

-  Subject Property
-  Residential Property



0 262.5 525 1,050 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 18, 2006 CITY COUNCIL
MEETING AT THE REQUEST OF THE APPLICANT.***

**** CONDITIONS ****

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

Planning and Development

1. Conformance to Requirements 1 through 6 under LVMC Title 19.04.050 for Financial Institution, Specified use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a business license.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed Financial Institution, Specified and a waiver of the 1,000-foot distance separation requirement from other Financial Institutions, Specified located at 7591 West Washington Avenue, Suites 140 & 150, on the southeast corner of Washington Avenue and Buffalo Road.

EXECUTIVE SUMMARY

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

BACKGROUND INFORMATION

A) *Related Actions*

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

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

Business License History

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

B) Pre-Application Meeting

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1.55

B) *Existing Land Use*

Subject Property: Undeveloped
North: Commercial center
South: Summerlin Parkway
East: Commercial center
West: City Park/Fire Station

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: ROW (Right-of-way)
East: SC (Service Commercial)
West: P/R/OS (Parks/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation] under a Resolution of Intent to C-1 (Limited Commercial)
North: C-1 (Limited Commercial)
South: U (Undeveloped) [ROW (Right-of-Way)]
East: C-1 (Limited Commercial)
West: C-V (Civic)

E) *General Plan Compliance*

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

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

No special districts or zones are related to the subject property.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Financial Institution, Specified	2292 SF.	1 space per 250 square feet GFA	10	1	93	

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

A2) Minimum Distance Separation Requirements

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

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

B) General Analysis and Discussion

- Zoning

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

- Use

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

- Conditions

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 398 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Buffalo Washington III

Name of Applicant: Jim Marchesi

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

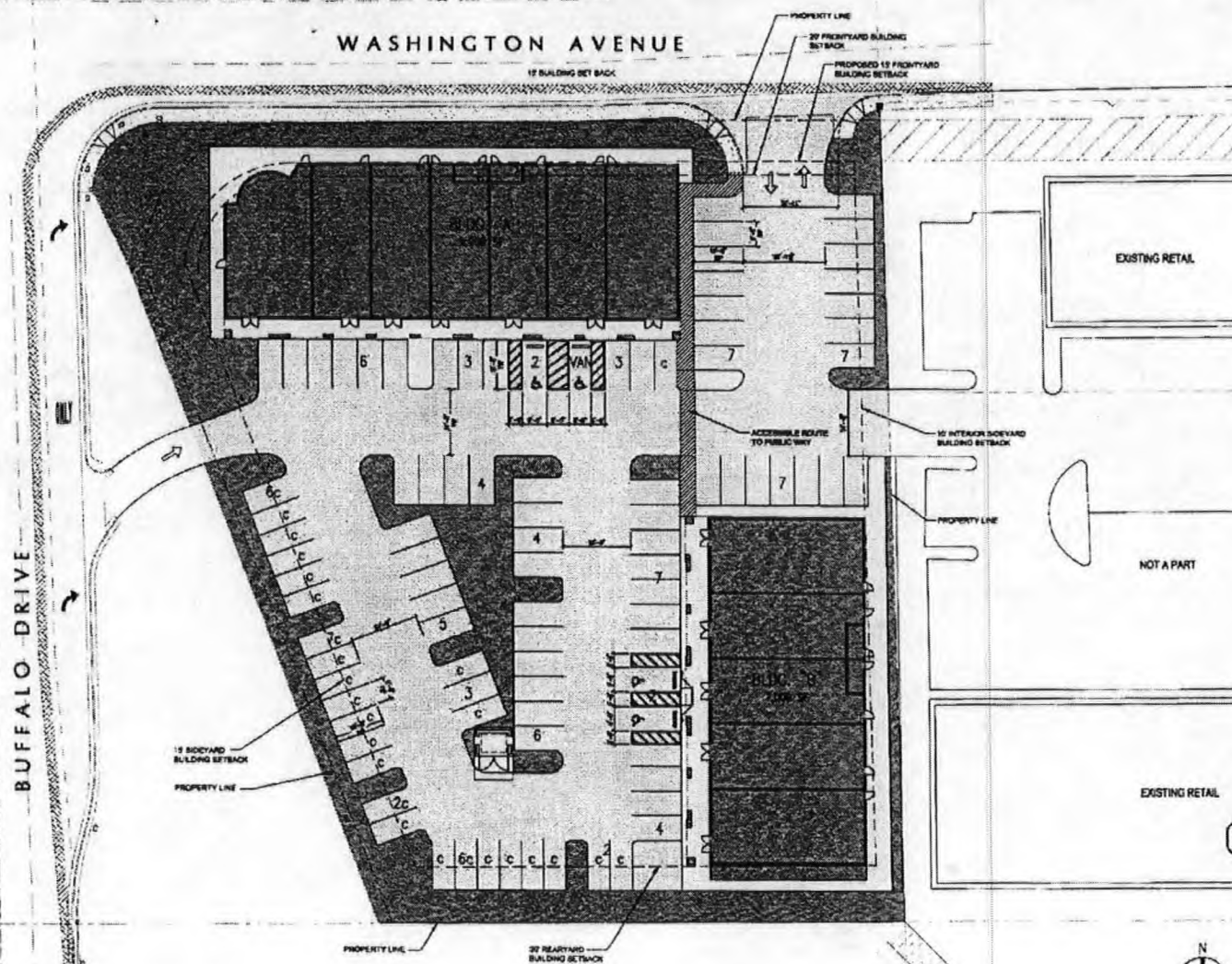
Print Name: C. MURTAGH

Subscribed and sworn before me

This 26th day of JUNE, 2006

Patricia Hester
Notary Public in and for said County and State





OCTOBER 5, 2004

SITE PLAN

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

09/21/06 PC SUP-15347

SITE ANALYSIS

PARCEL NUMBER	138-27-301-015
SITE AREA	1.55 ACRES
FLOOR AREA RATIO	23.7%
BUILDING AREAS	
BUILDING 'A' - BUSINESS/RESTAURANT/RETAIL USE	9,000 SF
BUILDING 'B' - BUSINESS/RETAIL USE	7,009 SF
TOTAL	16,009 SF

City of Las Vegas Municipal Code (TITLE 19)
Chapter 19.10, Table 1.

PARKING SPACES REQUIRED FOR BUILDING 'A'

1 SPACE FOR EACH 50 SF OF PUBLIC SEATING/EATING AREAS
& WAITING AREA, PLUS ONE SPACE FOR EACH 200 SF OF
REMAINING GSF, MINIMUM OF 10 SPACES.

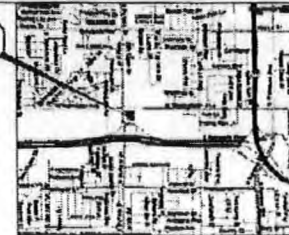
PUBLIC SEATING/EATING AREAS = .67% OF AREA
REMAINING GSF = .33% OF AREA

SUITE 'A'	
1102 SF @ $\frac{1}{50}$ SF =	22 SPACES
543 SF @ $\frac{1}{200}$ SF =	3 SPACES
SUITE 'B', 'C', 'F'	
808 SF @ $\frac{1}{50}$ SF =	17 X 3 = 51 SPACES
398 SF @ $\frac{1}{200}$ SF =	2 X 3 = 6 SPACES
SUITE 'D', 'E'	
749 SF @ $\frac{1}{50}$ SF =	17 X 2 = 30 SPACES
369 SF @ $\frac{1}{200}$ SF =	2 X 2 = 4 SPACES
SUITE 'G'	
1006 SF @ $\frac{1}{50}$ SF =	20 SPACES
495 SF @ $\frac{1}{200}$ SF =	3 SPACES
	139 SPACES REQUIRED

PARKING SPACES REQUIRED FOR BUILDING 'B'

7,009 SF @ $\frac{1}{75}$ SF =	41 SPACES
TOTAL SPACES REQUIRED	180 SPACES
PARKING SPACES PROVIDED	64 FULL SIZED SPACES 4 ACCESSIBLE SPACES 25 COMPACT SPACES
	93 SPACES PROVIDED

PROJECT LOCATION



NEIGHBORHOOD MAP

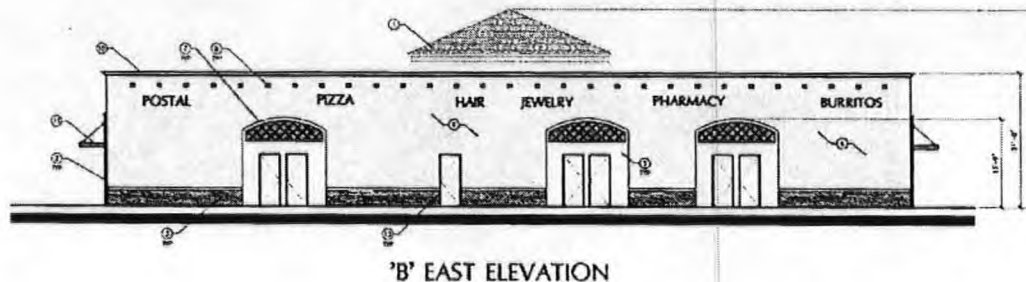
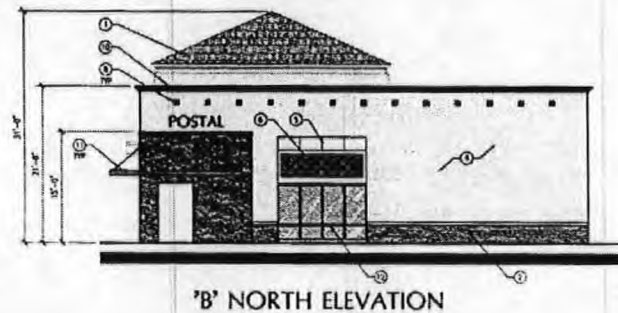
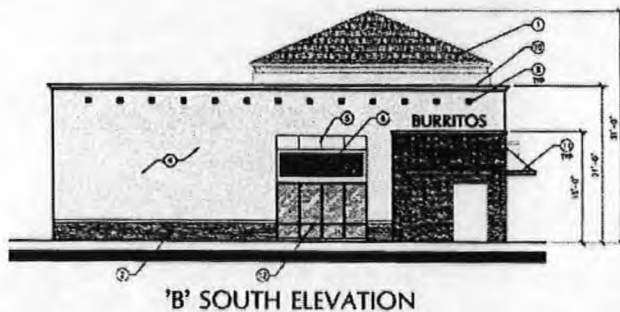
VIEW OF

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Copyright

RECEIVED

10 2 2006



1 KEYNOTES

1. CONCRETE SLATE ROOF -EAGLE ROOFING, #HP-454S.
2. CORONADO CULTURED STONE, "CANYON LEDGE"
3. CORONADO CULTURED STONE, "VIRGINIA LEDGE"
4. CEMENT PLASTER, FIELD COLOR: FRAZEE 8693M
5. CEMENT PLASTER, ACCENT COLOR: FRAZEE 8672W
6. PAINTED METAL GRID - COLOR: FRAZEE 7466N
7. PAINTED METAL GRID - COLOR: FRAZEE 8128N
8. CERAMIC TILE INSETS, COLOR TO MATCH FRAZEE 7466N
9. CEMENT PLASTER FINISHED POP-GJT WITH TILE INSET, TILE TO MATCH FRAZEE 7466N
10. PRE-FABRICATED FOAM CROWN, PAINTED FIELD ACCENT COLOR: FRAZEE 8672W
11. METAL SHADE ELEMENT, PAINTED, FRAZEE 8126N
12. INSULATED GLAZING
13. METAL DOOR, PAINTED, FRAZEE 8672W
14. PAINTED CORBELS- ACCENT FIELD COLOR: FRAZEE 8672W

OCTOBER 5, 2004

BUILDING 'B' ELEVATIONS

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

09/21/06 PC SUP-15347

PGAL

RECEIVED



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

08/08/06



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

08/08/06



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

08/08/06



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

08/08/06



Land Use Consultants

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

July 21, 2006

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

SUBJECT: JUSTIFICATION LETTER --

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

APN: 138-27-301-015

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Sandra Montgomery'.

Sandra Montgomery

SUP-15347
9.21.06 PC

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

VERBATIM EXCERPT – ITEM 141 – SUP-15347

1 **Item 141 – SUP-15347 – PUBLIC HEARING – APPLICANT: SUN LOAN COMPANY –**
2 **OWNER: PLAZA LOS ARCOS, LLC – Request for a Special Use Permit for a proposed**
3 **financial Institution, specified and a waiver of the 1,000-foot distance separation**
4 **requirement from other financial institutions, specified at 7591 Washington Avenue, Suite**
5 **140 and 150 (APN 138-27-301-015), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**
6 **NOTE: The correct applicant is Jim Marchesi/Check City and the correct owners is**
7 **Buffalo9 Washington III.**

8
9 **Appearance List:**

10 MATT BROWN
11 OSCAR GOODMAN, Mayor
12 GARY REESE, Councilman
13 MARGO WHEELER, Director of Planning and Development Department
14 LOIS TARKANIAN, Councilwoman
15 BRYAN SCOTT, Deputy City Attorney
16 BARBARA JO RONEMUS, City Clerk
17 STEVE WOLFSON, Councilman

18
19
20 10 minutes

21
22 Typed by: Angela Crolli

23 Proofed by: Ydo Yturalde

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

VERBATIM EXCERPT – ITEM 141 – SUP-15347

24 **MATT BROWN**

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

26

27 **MAYOR GOODMAN**

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

29

30 **MATT BROWN**

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

33

34 **MAYOR GOODMAN**

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

36

37 **MATT BROWN**

38 Okay. Okay, thank you.

39

40 **MAYOR GOODMAN**

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

42

43 **COUNCILMAN REESE**

44 Are there any other items?

45

46 **MARGO WHEELER**

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

48 --

49

50 **MAYOR GOODMAN**

51 Oh, we won't get there?

CITY COUNCIL MEETING OF
October 18, 2006

VERBATIM EXCERPT – ITEM 141 – SUP-15347

52 **MARGO WHEELER**

53 No Sir.

54

55 **MAYOR GOODMAN**

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

60

61 **MATT BROWN**

62 Can you see the picture?

63

64 **MAYOR GOODMAN**

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

66

67 **MATT BROWN**

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

74

75 **MAYOR GOODMAN**

76 Yes, we can.

77

78 **MATT BROWN**

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

80

CITY COUNCIL MEETING OF
October 18, 2006

VERBATIM EXCERPT – ITEM 141 – SUP-15347

81 **MAYOR GOODMAN**

82 All right.

83

84 **MATT BROWN**

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

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

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

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

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

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

110

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

VERBATIM EXCERPT – ITEM 141 – SUP-15347

111 **MAYOR GOODMAN**

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

113

114 **COUNCILWOMAN TARKANIAN**

115 Yes, it is.

116

117 **MAYOR GOODMAN**

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

119

120 **COUNCILWOMAN TARKANIAN**

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

122

123 **MATT BROWN**

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

125

126 **BRYAN SCOTT**

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

128

129 **MATT BROWN**

130 Oh, okay, well --

131

132 **MAYOR GOODMAN**

133 All right.

134

135 **COUNCILWOMAN TARKANIAN**

136 Okay. Off camera, then.

137

138 **MATT BROWN**

139 All right. Okay, thanks.

140

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

VERBATIM EXCERPT – ITEM 141 – SUP-15347

141 **COUNCILWOMAN TARKANIAN**

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

143 So, thank you for coming.

144

145 **MATT BROWN**

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

147

148 **MAYOR GOODMAN**

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

150

151 **BARBARA JO RONEMUS**

152 Okay.

153

154 **COUNCILMAN WOLFSON**

155 Mayor Goodman.

156

157 **MAYOR GOODMAN**

158 Yes.

159

160 **COUNCILMAN WOLFSON**

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

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

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

164

165 **MAYOR GOODMAN**

166 Thank you.

167

168 **(END OF DISCUSSION)**

169 /ac; yy

RECEIVED
CITY CLERK

2006 OCT 31 P 3:21

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

October 31, 2006

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk

Re: Item 83 - City Council Agenda of November 1, 2006
SUP-15347 SUN LOAN COMPANY (Check City)

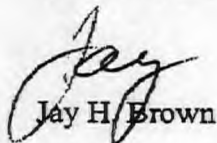
Dear Ms. Ronemus:

Please be advised that I represent the above named applicant.

The above referenced application is scheduled to be heard at the November 1, 2006 City Council meeting.

I am respectfully requesting that the hearing on this matter be held in abeyance to the November 15, 2006 meeting. I have spoken with Councilwoman Tarkanian and she has no objection to the abeyance.

Very truly yours,


Jay H. Brown

JHB:cc

Submitted after final agenda

Date 10/31/06 Item 82

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED SIX MONTH REVIEW

RQR-15420 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RAMZI SULIMAN - OWNER: 3140 VALLEY VIEW, LLC - Required Six Month Review of an approved Special Use Permit (SUP-7359) THAT ALLOWED A LIQUOR ESTABLISHMENT (BEER/WINE/COOLER, OFF-SALE) for an existing market at 3140 South Valley View Boulevard, Suites #3, #4 and #5 (APN 162-08-410-010), Ward 1 (Tarkanian). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. City Council approval letter for SUP-7359
5. Submitted after final agenda – Abeyance request by Jay H. Brown

Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

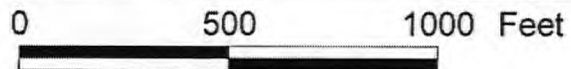




CASE: **RQR-15420**

RADIUS: 1500 FT

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - RQR-15420 - APPLICANT: RAMZI SULIMAN
- OWNER: 3140 VALLEY VIEW, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 18, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval of Special Use Permit (SUP-7359).
2. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a required six month review of an approved Special Use Permit (SUP-7359) that allowed a liquor establishment (Beer/Wine/Cooler, Off-Sale) for an existing market at 3140 South Valley View Boulevard, Suites #3, #4 and #5.

EXECUTIVE SUMMARY

This is the first review of the subject liquor establishment (Beer/Wine/Cooler, Off-Sale) that was originally approved by the City Council on 09/07/05. A business license was issued on 06/29/06 for Suites #3, #4 and #5. Code Enforcement also indicates that there are no issues with the subject site. The applicant has complied with the previous conditions of approval. Therefore, staff can support the subject Required Review and recommends approval of the subject application.

BACKGROUND INFORMATION

A) *Related Actions*

09/07/05 The City Council approved a Special Use Permit (SUP-7359) for a liquor establishment (Beer/Wine/Cooler, Off-Sale) at 3140 South Valley View Boulevard, Suites #3, #4 and #5. The Planning Commission and staff recommended approval on 08/11/05.

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

D) *Business License History*

A business license was issued for (Beer/Wine/Cooler, Off-Sale) on 06/29/06 for Suites #3, 4 and 5. Also, no similar businesses are owned by the applicant Ramzi Suliman within the City.

E) *Code Enforcement History*

There are no Code Enforcement actions on the subject site.

ANALYSIS

A) *General Analysis and Discussion*

- Zoning

The subject property is currently zoned C-1 (Limited Commercial). Liquor Establishments of the type proposed are allowed in a C-1 district with the approval of a Special Use Permit.

- Use

The proposed Liquor Establishment (Beer/Wine/Cooler, Off-Sale) is consistent with surrounding land uses and current zoning requirements.

B) *Conditions of Approval from Special Use Permit (SUP-7359)*

1. This Special Use Permit shall be reviewed in six months.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. Prior to approval of a liquor license, the current business licenses for the existing businesses located in Suites #3 and #4 must be surrendered.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied.
8. No single bottle sales shall be allowed. All alcohol sales shall be in their original packages.

FINDINGS

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

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

The existing use is compatible with surrounding land uses and will act as an appropriate supporting facility based on the future General Plan designation for the area.

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

The existing shopping center facility is able to accommodate the existing use.

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

Currently, the commercial center that houses the liquor establishment is adequately served by existing street and highway facilities.

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

Approval of the requested Special Use permit will, in no way, compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 560 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-15420 APN: 162-08-410-010

Name of Property Owner: 3140So. Valley View LLC

Name of Applicant: **Ramzi Suliman**

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer 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

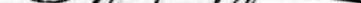
 No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: 

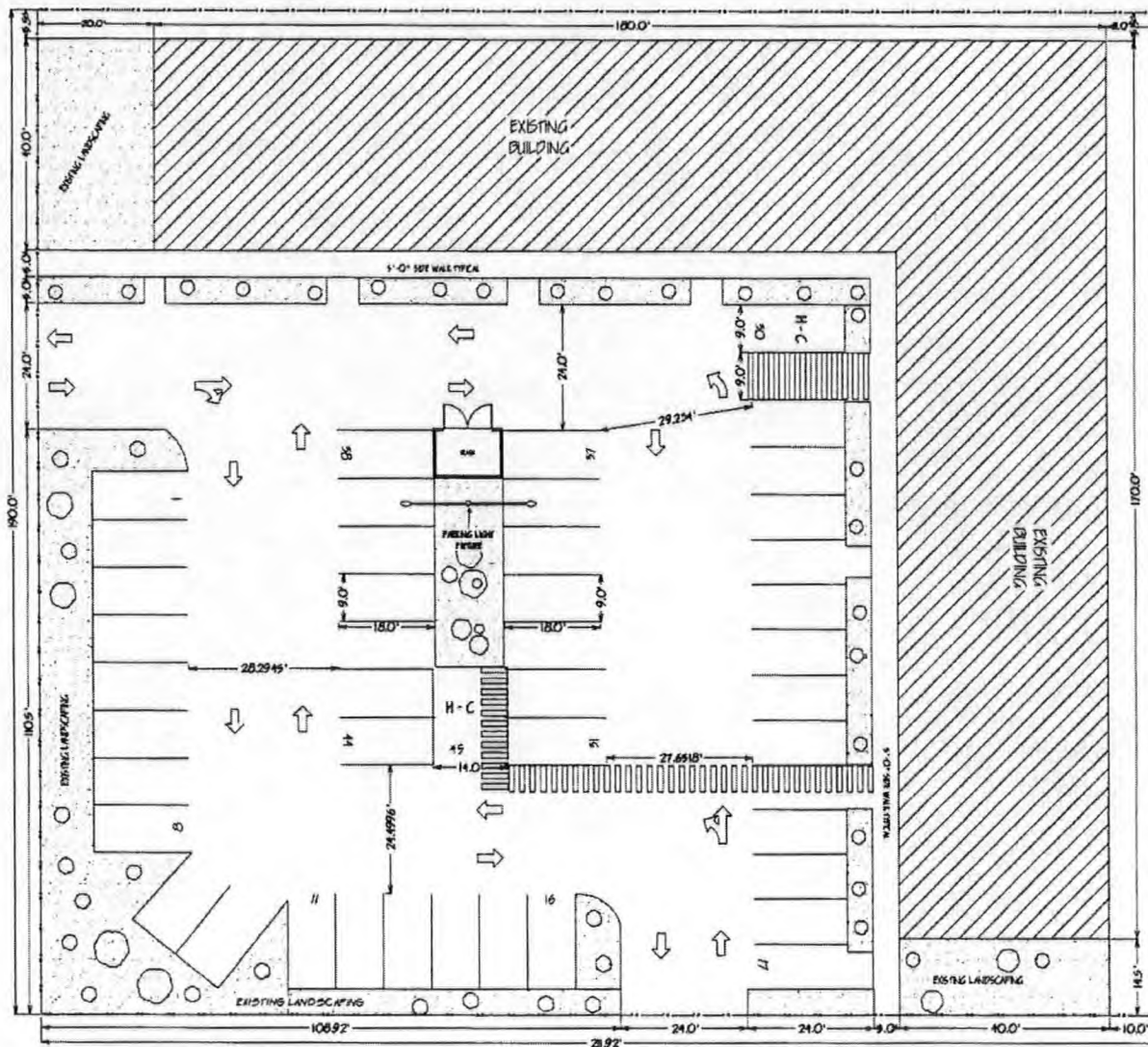
Subscribed and sworn before me

This 19th day of July, 2006

Emeline Baskin Flou
Notary Public in and for said County and State



VALLEY VIEW BLVD S.



CAPELLA AVENUE

RQR-15420
09-06-06 CC

Aztec Mini Mart
3140 Valley View Blvd # 3.4.5 Las Vegas, Nevada 89104

SITE INFORMATION

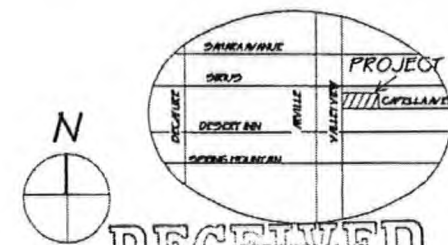
APN # 162-08-410-002
ZONING C-1
SITE AREA 0.924 ACRES
SITE AREA 40,249.44 SQ. FT.
SITE COVERAGE 30.81%

BUILDING INFORMATION

TOTAL BUILDING 12,400 sq. ft.
OCCUPANCY CLASSIFICATION M
TYPE OF CONSTRUCTION V-B
FIRE SPRINKLERS NO
BUILDING HEIGHT 18'-0"
BUILDING ALLOWABLE 30'-0"
PROPOSED TENANT AREA 2,400 sq. ft.
ALLOWABLE AREA 9,000 SQ. FT.
OCCUPANT LOAD 80
EXITS PROVIDED 2
SET BACKS AS SHOWN
CODE IBC 2003

PARKING

STALL SIZE 9'-0" X 18'-0"
PARKING 45 PROVIDED



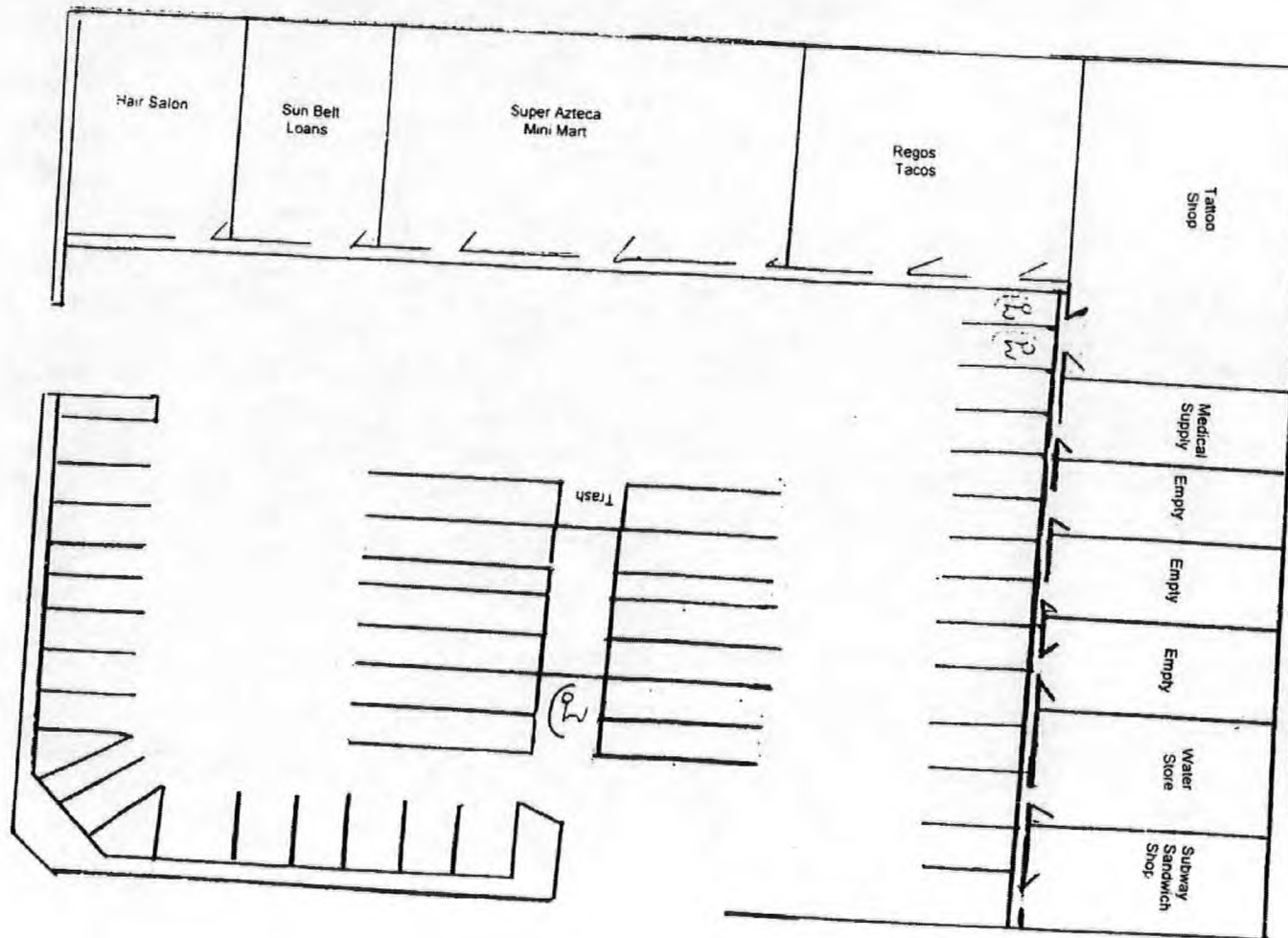
RECEIVED
VICINITY MAP
JUL 25 2006
February 2006

3-20-06
4-10-06
A-1

* SITE PLAN *
ATI AC CONSTRUCTION LTD

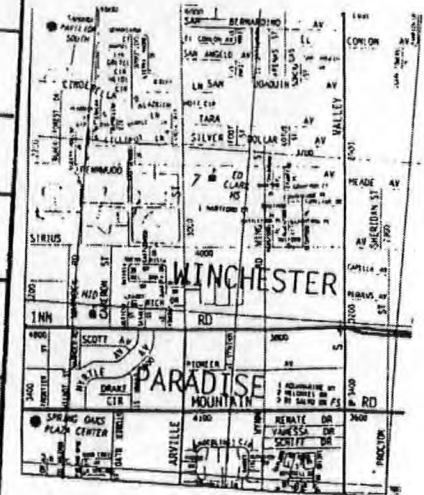
A-

Valley View



Capella

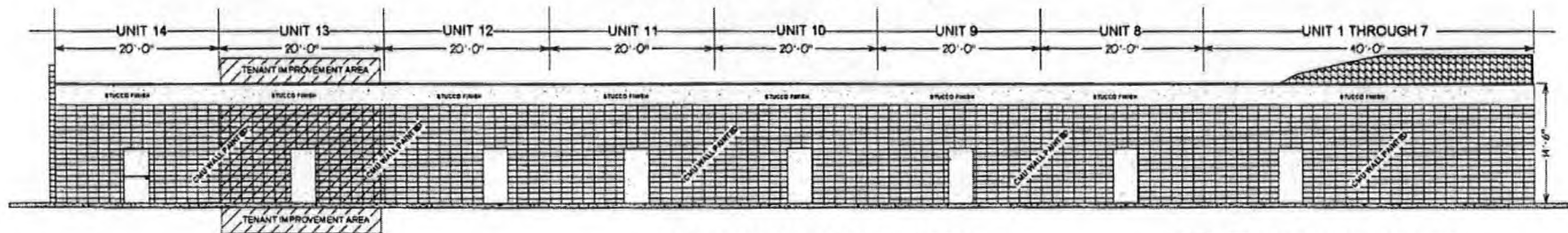
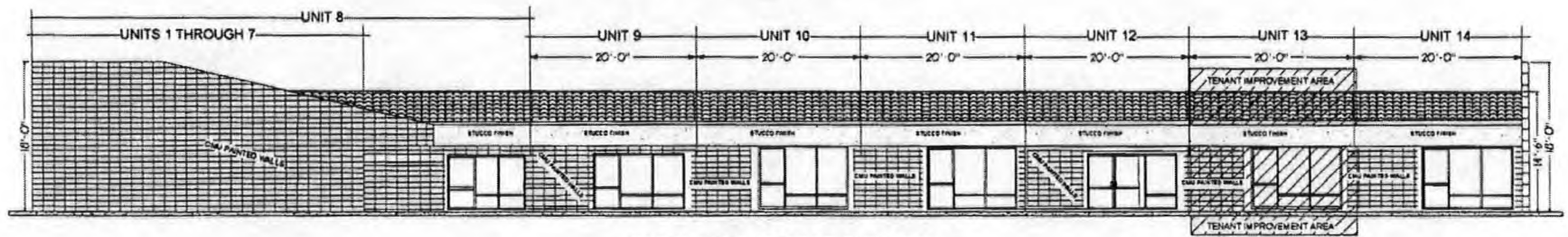
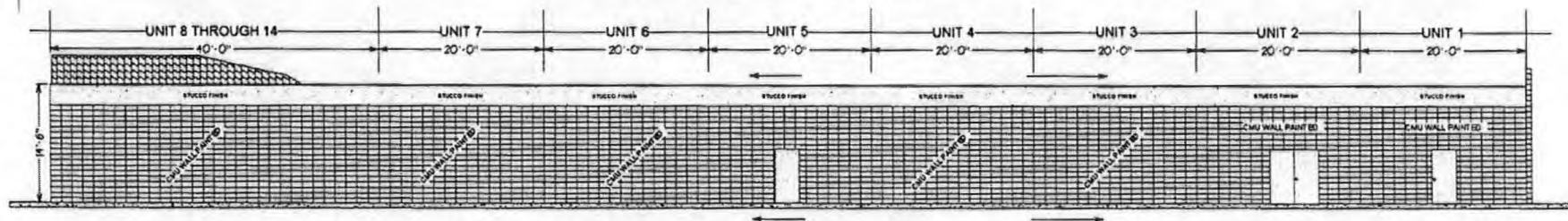
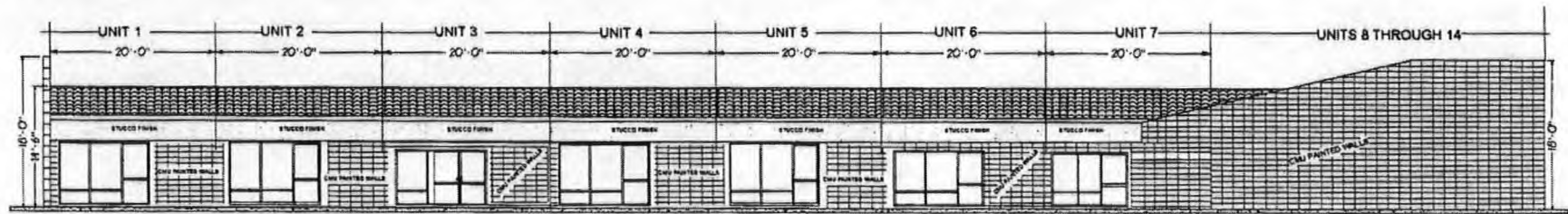
APN # 162-08-4-10010



Parking Required 45
Parking Provided 45

JUL 25 2006

RQR-15420
09-06-06 CC



RQR-15420
09-06-06 CC

Aztec Mini Mart
3140 Valley View Blvd # 3.4.5 Las Vegas, Nevada 89104

RECEIVED
JUL 25 2006

February 2006

3-20-06
4-10-06

* ELEVATIONS *
AT 1 AC CONSTRUCTION LTD

A-



055895

October 3, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGERMr. Farid Mahbobian-Fard
3140 South Valley View, LLC
18048 Karen Drive
Encino, California 91316RE: SUP-7359 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF SEPTEMBER 7, 2005

Dear Mr. Mahbobian-Fard:

The City Council at a regular meeting held September 7, 2005 APPROVED the request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (BEER/WINE/COOLER, OFF-SALE) at 3140 South Valley View Boulevard, Suites #3, #4 and #5 (APN 162-08-410-010), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 8, 2005. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in six months.
2. Conformance to all Minimum Requirements under Title 19.04.050 for a Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. Prior to approval of a liquor license, the current business licenses for the existing businesses located in Suites #3 and #4 must be surrendered.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied.

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

VOICE 702.229.6011

TTY 702.386.9108

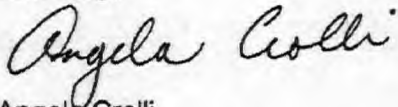
www.lasvegasnevada.gov18112-001-05-05
CLV 7009

RQR-17420

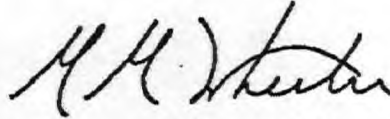
Mr. Farid Mahbobian-Fard
SUP-7359 - Page Two
October 3, 2005

8. No single bottle sales shall be allowed. All alcohol sales shall be in their original packages.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Ramzi Suliman
4080 Paradise Road, Suite #4 and #5
Las Vegas, Nevada 89109

Mr. Dave Eder
NV Gaming Application Consultants
777 E. Quartz Avenue, PMB 7707
Sandy Valley, Nevada 89019

RQR-15420

LAW OFFICE

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

October 31, 2006

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City Clerk2006 OCT 31 P 1:35
RECEIVED
CITY CLERKRe: Item 83 - City Council Agenda of November 1, 2006
RQR-15420 RAMZI SULLIMAN

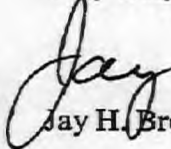
Dear Ms. Ronemus:

Please be advised that I represent the above named applicant.

The above referenced application is scheduled to be heard at the November 1, 2006 City Council meeting.

I am respectfully requesting that the hearing on this matter be held in abeyance to the December 6, 2006 meeting. I have spoken with Councilwoman Tarkanian and she has no objection to the abeyance.

Very truly yours,


Jay H. Brown

JHB:cc

Submitted after final agenda

Date 10/31/06 Item 83

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED TWO YEAR REVIEW

RQR-13791 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: McELHOSE TRUST - Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 40-FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN 139-26-505-004), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). NOTE: As of August 6, 2006 this item is located in Ward 3 (Reese). The Planning Commission (3-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting documentation
4. City Council approval letter for RQR-4268
5. Submitted after final agenda – Abeyance request by Paul E. Larsen

Motion made by GARY REESE to Approve subject to conditions and deleting Condition 1

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 55, COUNCILMAN REESE acknowledged the applicant's request to hold Item 84 and 85 in abeyance but because the items have been held in abeyance before, he opted to hear the items as scheduled.

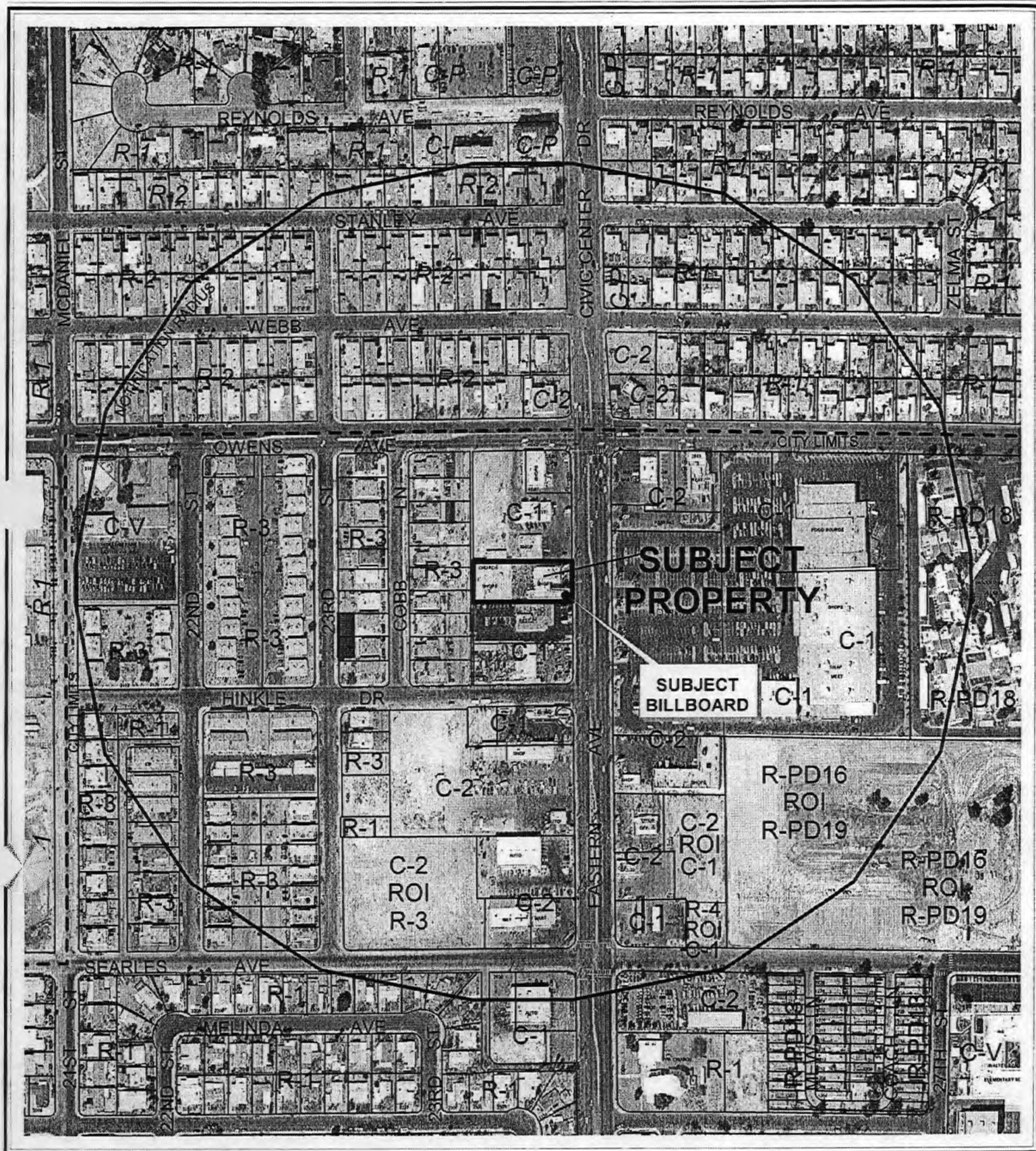
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

ATTORNEY PAUL LARSEN, 300 South Fourth Street, appeared on behalf of the applicant, acknowledged staff's and the Planning Commission's recommendation of approval and pointed out the efforts to address the outstanding issues. COUNCILMAN REESE stated that he would allow the deletion of Condition 1 as requested since the sign has been in existence for some time.

MAYOR GOODMAN declared the Public Hearing closed.







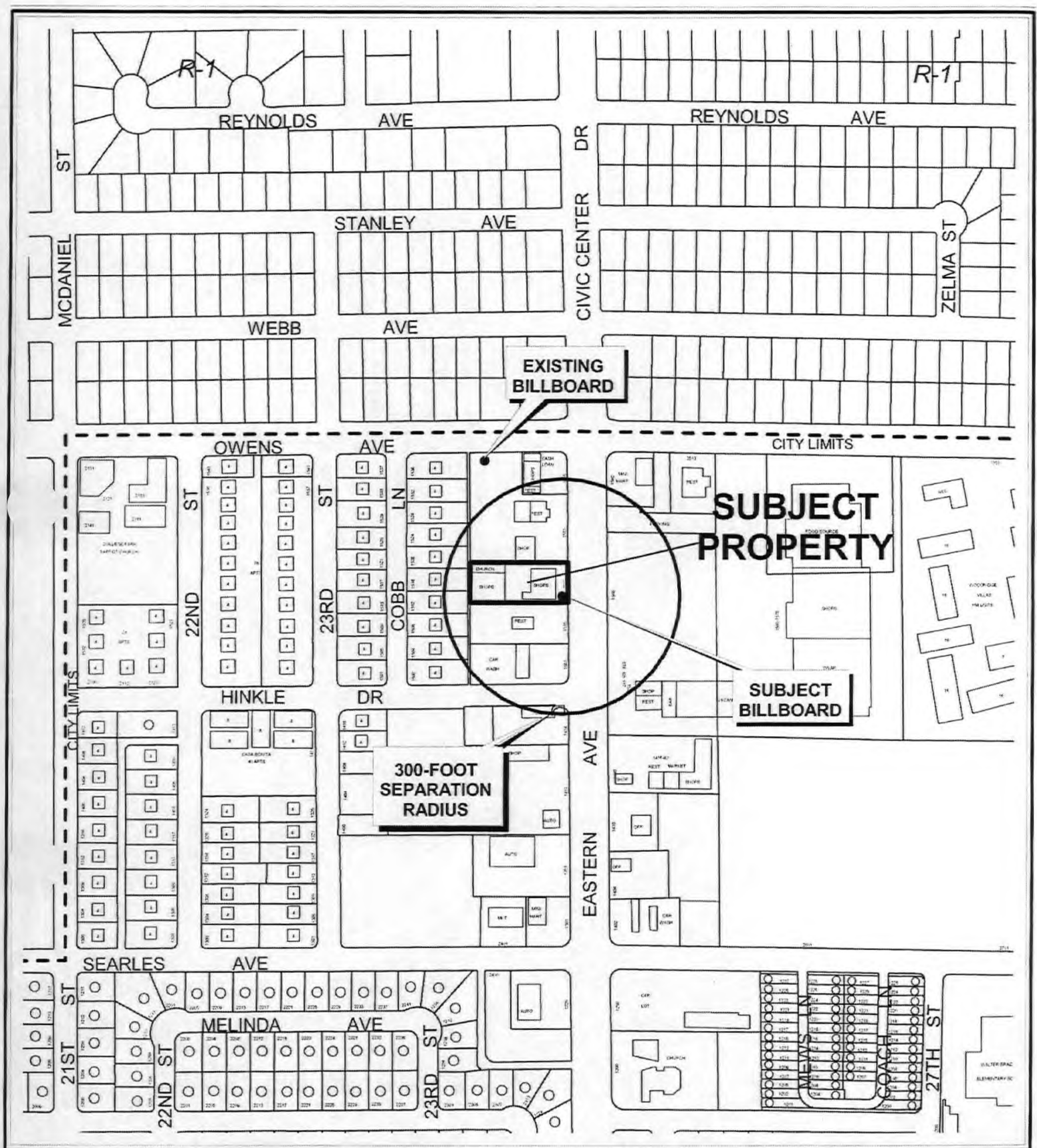
CASE: **RQR-13791**

RADIUS: 1000 FT

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

0 200 400 Feet





CASE: RQR-13791

SEPARATION RADIUS: 300 FT

0 200 400 Feet





RQR-13791

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - RQR-13791 - APPLICANT: CLEAR
CHANNEL OUTDOOR - OWNER: McELHOSE TRUST

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 18, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (3-2/lc/sd vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Required Two Year Review of an approved Special Use Permit (U-0006-90) which allowed a 40-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 1535 North Eastern Avenue.

EXECUTIVE SUMMARY

This is the fifth review of the subject Off-Premise Advertising (Billboard) Sign that was originally approved on 03/21/90. A site inspection revealed that the sign is in good condition. The sign has never received a final inspection. A condition of approval has been included, which requires a building permit within thirty (30) days of approval. Therefore, staff can support the subject Required Review and recommends approval of the subject application.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 03/21/90 | The City Council approved a Special Use Permit (U-0006-90) for one 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 02/22/90. |
| 04/19/95 | The City Council approved a Required Five Year Review [U-0006-90(1)] for one 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Board of Zoning Adjustment and staff recommended approval on 03/28/95. |
| 04/28/97 | The City Council approved a Required Two Year Review [U-0006-90(2)] for one 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a five-year review. The Board of Zoning Adjustment and staff recommended approval on 04/01/97. |
| 06/05/02 | The City Council approved a Required Five Year Review [U-0006-90(3)] for one 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the site, subject to a two-year review. The Planning Commission and staff both recommended approval on 04/25/02. |

- 07/07/04 The City Council approved a Required Two Year Review (RQR-4268) of an approved Special Use Permit (U-0006-90) which allowed a 14 foot x 48 foot Off-Premise Advertising (Billboard) Sign at 1535 North Eastern Avenue. The Planning Commission recommended denial, but staff recommended approval on 05/27/04.
- 07/27/06 The Planning Commission voted 3-2/ld/ds to recommend APPROVAL (PC Agenda Item #12/bts).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

D) *Building Permit History*

There are no building permits associated with the subject billboard. A condition of approval has been added, which requires a final inspection within thirty (30) days of approval.

E) *Site Inspection Information*

A Site Inspection was completed on 06/26/06. The inspection revealed that the sign is in good condition. A condition has been included that requires the sign to be maintained and kept free of graffiti and clean at all times.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.58

B) *Existing Land Use*

Subject Property: Commercial
North: Commercial
South: Commercial
East: Commercial
West: Multi-Family Residential

C) *Planned Land Use*

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

D) Existing Zoning

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

E) General Plan Compliance

This site is designated as SC (Service Commercial) on the Southwest Sector Map of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in compliance with the General Plan designation. The purpose of the C-1 (Limited Commercial) District is to provide most retail shopping and personal services. The proposed Off-Premise Advertising (Billboard) Sign use is a permitted use within the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

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

The subject site is not within a Special District or Zone.

ANALYSIS

A) Zoning Code Compliance

A1) Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise signs in the right-of-way	Sign is not in right-of-way	Y
	Permitted only in C-1, C-2, C-M, M Zoning Districts	Sign is in C-1 Zoning District	Y

Off-premise sign area (max.)	672 SF	672 SF	Y
Separation distance from other off-premise sign (min.)	300 Feet	400 Feet	Y
Separation distance from "U" or "R" zoning district	300 Feet	240 Feet	N
Off-premise sign height (max.)	40 Feet, except 55 Feet for signs within 60 feet of ROW when significantly obscured	40 Feet	Y
Setbacks (min.)	50 Feet from nearest ROW intersection	210 feet	Y

The sign conforms to all separation standards for Off-Premise Advertising (Billboard) Signs except for the distance from the sign to a residential use. The subject sign was approved prior to changes to residential adjacency requirements for Off-Premise Advertising (Billboard) Signs.

B) General Analysis and Discussion

- Zoning

An Off-Premise Advertising (Billboard) Sign is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.

- Use

The Off-Premise Advertising (Billboard) Sign is located 240 feet from property designated as "R" (Residential), however, the immediately surrounding area has not significantly changed enough since the last two-year review to warrant the removal of the Off-Premise Advertising (Billboard) Sign. Therefore, the off-premise sign remains appropriate for this location.

- Conditions from Required Review (RQR-4268)

1. The Special Use Permit shall be reviewed in two (2) year at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
4. Only one advertising sign is permitted per sign face.
5. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City Departments shall be satisfied.

FINDINGS

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

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

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the off-premise sign no longer meets the standards for approval of a Special Use Permit. While the area immediately surrounding the subject site has not changed substantially in the past two years since the previous Special Use Permit review, billboards are not conducive to new development and are not an appropriate use in perpetuity. It is recommended this approval be subject to a two-year review.

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

There are no physical constraints to the continuation of the off-premise advertising (billboard) sign use on this site.

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

The subject site is located adjacent to Eastern Avenue, which is designated as a Primary (100-foot) Arterial Street, on the Master Plan of Streets and Highways. The proposed use will not generate any additional traffic demand.

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

The proposed off-premise sign would not be a threat to the public health, safety, and welfare, as its license is subject to ongoing City inspection and enforcement.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 11

SENATE DISTRICT 2

NOTICES MAILED 211 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-13791** APN: **139 26 505 004**

Name of Property Owner: ROBERT MC ELHOSE

Name of Applicant: CLEAR CHANNEL OUTDOOR

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

Yes

~~_____~~ No

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

City Official: _____

Partner(s): _____

APN: _____

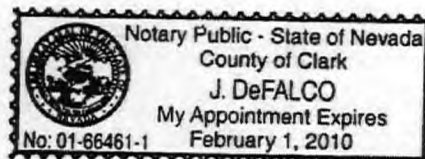
→ Signature of Property Owner:

➔Print Name:

Subscribed and sworn before me

This 23 day of May, 2006

Notary Public in and for said County and State





Parcel # 140-042-014
5 1/2 Acres
Twp. 40N - 1525 W. EASTERN
SHERMAN CO.

Additional
Fence

300'

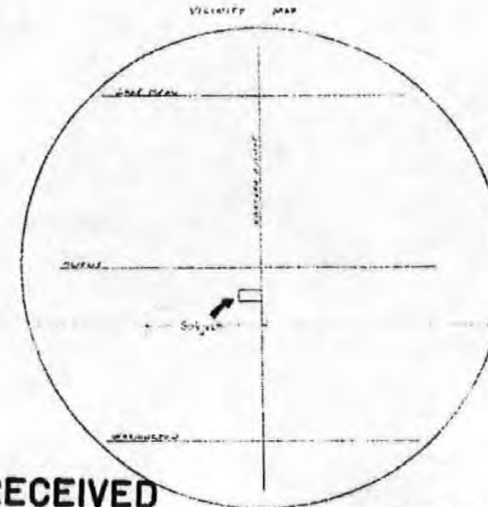
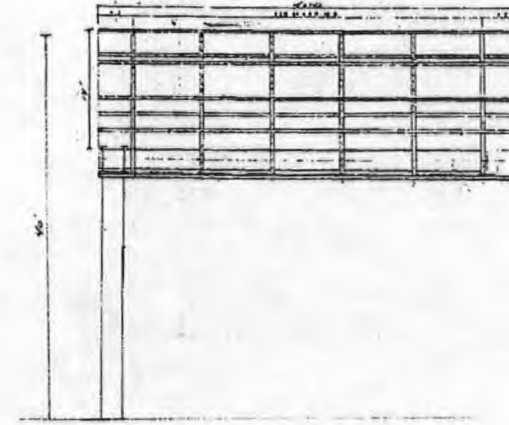
Property line

2625'

E
A
S
T
E
R
N

A
V
E.

1.500' (1500')



RECEIVED
MAY 24 2006

RQR-13791
07/27/06 PC

DR DONREY DR	
SCALE: 1" = 10'	DRAWING NUMBER: 1
DATE: 12-29-05	DRAWN BY: Robert M. Theisen
1211 West Bonanza Road Drawn by Michael Petran Phone 362-5020	



RQR-13791 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: MCELHOSE TRUST
1535 NORTH EASTERN AVENUE
JULY 27, 2006 PLANNING COMMISSION

06/26/06



RQR-13791 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: MCELHOSE TRUST
1535 NORTH EASTERN AVENUE
JULY 27, 2006 PLANNING COMMISSION

06/26/06



RQR-13791 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: MCELHOSE TRUST
1535 NORTH EASTERN AVENUE
JULY 27, 2006 PLANNING COMMISSION

06/26/06



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

HARRY BROWN
TREASURER

TERENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

July 12, 2004

Mr. and Mrs. Robert McElhose
2511 Green Castle Court
Oxnard, California 93035

RE: RQR-4268 - REQUIRED TWO YEAR REVIEW
CITY COUNCIL MEETING OF JULY 7, 2004

Dear Mr. and Mrs. McElhose:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for Appeal filed by the applicant from the Denial by the Planning Commission of a Required Two Year Review of an approved Special Use Permit (U-0006-90) WHICH ALLOWED A 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1535 North Eastern Avenue (APN: 139-26-505-004), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

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

RQR-13791

07/27/06 PC

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

VOICE 702.229.6011

TDD 702.386.9108

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

Mr. and Mrs. Robert McElhose
RQR-4268 - Page Two
July 12, 2004

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

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

Sincerely,



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

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

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

RQR-13791
07/27/06 PC

LIONEL SAWYER & COLLINS**ATTORNEYS AT LAW**

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

(702) 383-8888

FAX (702) 383-8845

lsc@lionsawyer.com

www.lionsawyer.com

October 31, 2006

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1999)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HELMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RICHARD W. HORTON
DAN C. BOWEN
RODNEY M. JEAN
HARVEY WHITEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH

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

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

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

OF COUNSEL
ELLEN WHITEMORE
BRIAN HARRIS
LAURA J. THALACKER

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

VIA FACSIMILE (702-382-4803)

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

VIA FACSIMILE (702-474-7463)

Margo Wheeler,
City of Las Vegas Planning Department
731 South Fourth Street
Las Vegas, NV 89101

Re: RQR 13791 and RQR 15054

Dear Ms. Ronemus and Ms. Wheeler:

On behalf of my client, Clear Channel Outdoor, I respectfully request that the above-referenced applications, currently scheduled to be heard by the City Council on Wednesday, November 1, 2006, be held until the Council's next November meeting.

We request this two week continuance to enable us to further investigate and discuss with our engineers alternatives to the conditions requiring a "final inspection" of all existing billboards - via historical documentation or new building permit - which we are discussing with the City Planning Department, the City Building Department, and Lamar Outdoor.

G:\Attorneys\JD\Clear Channel\Clear Channel Outdoor\Re Ronemus and Wheeler 10-31-06.doc

RENO OFFICE: 1100 BANK OF AMERICA PLAZA, 50 WEST LIBERTY STREET • RENO, NEVADA 89501 • (775) 788-8880 • FAX (775) 788-8882
CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 851-2115 • FAX (775) 851-2110
WASHINGTON, DC OFFICE: 101 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4284 • FAX (202) 742-4285

Date 10/31/06 Item 84

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

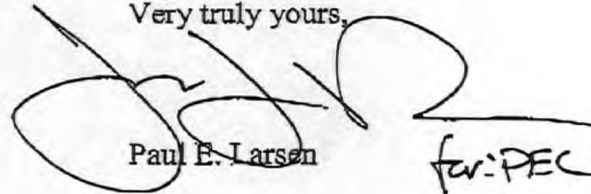
Barbara Jo Ronemus, City Clerk
Margo Wheeler, City of Las Vegas
Planning Department
October 31, 2006
Page 2

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CITY CLERK

2006 OCT 31 P 4: 13

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

Very truly yours,


Paul E. Larson
for: PEC

PEL:csr

cc: Mayor Pro-tem Gary Reese

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED FIVE YEAR REVIEW

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve subject to conditions and deleting Condition 1

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 55, COUNCILMAN REESE acknowledged the applicant's request to hold Item 84 and 85 in abeyance but because the items have been held in abeyance before, he opted to hear the items as scheduled.

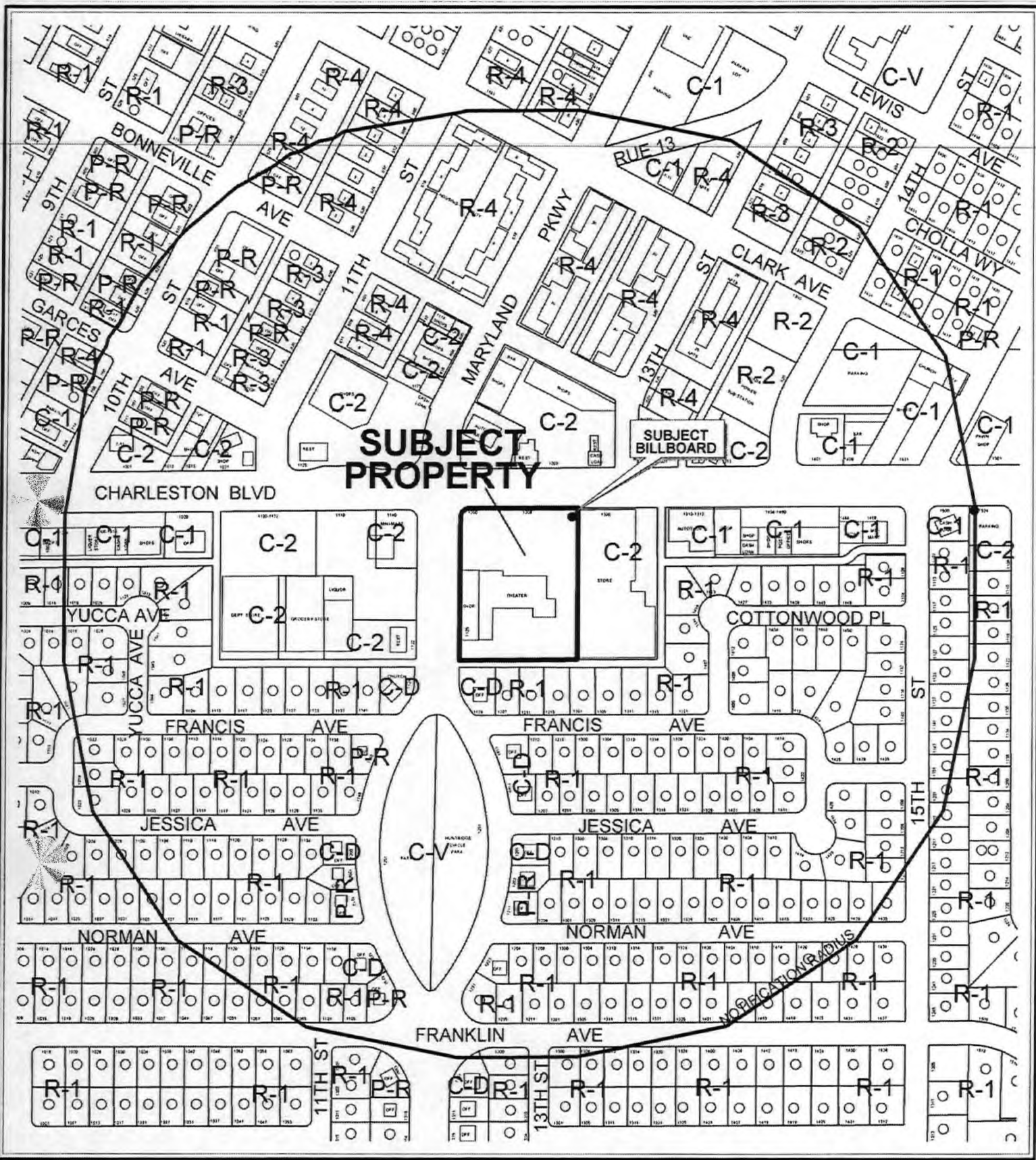
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

ATTORNEY PAUL LARSEN, 300 South Fourth Street, appeared on behalf of the applicant, noted staff and the Planning Commission's recommendation of approval and requested Condition 1 be deleted.

TOM McGOWAN, Las Vegas resident, noted the billboard does not cast shadows and therefore supported the request.

COUNCILMAN REESE supported the two-year review of the application and honored the request to delete Condition 1.

MAYOR GOODMAN declared the Public Hearing closed.

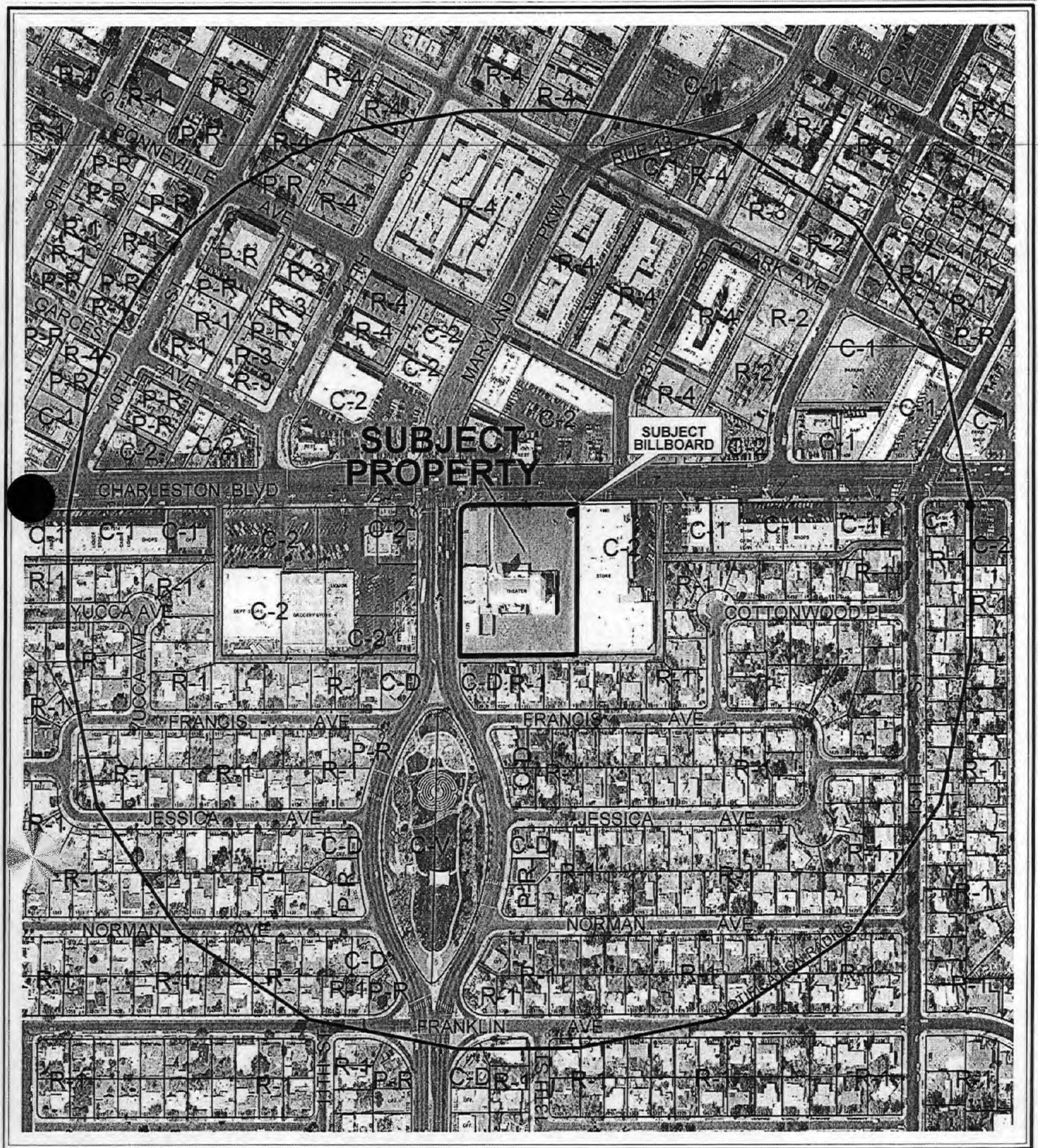


CASE: **RQR-15054**

RADIUS: 1000 FT

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

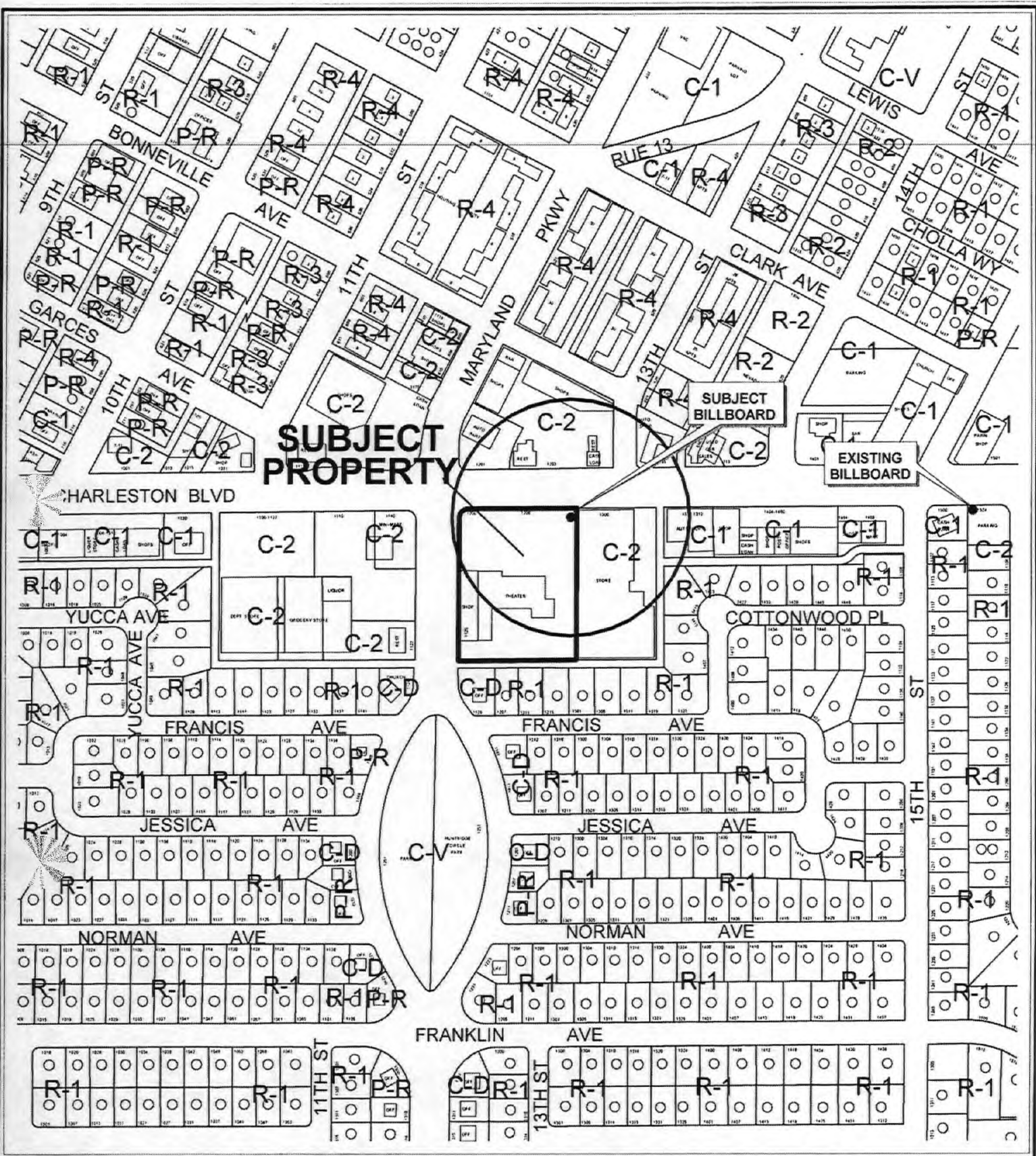




CASE: **RQR-15054**

RADIUS: 1000 FT

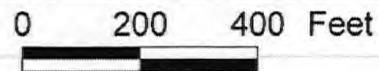
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

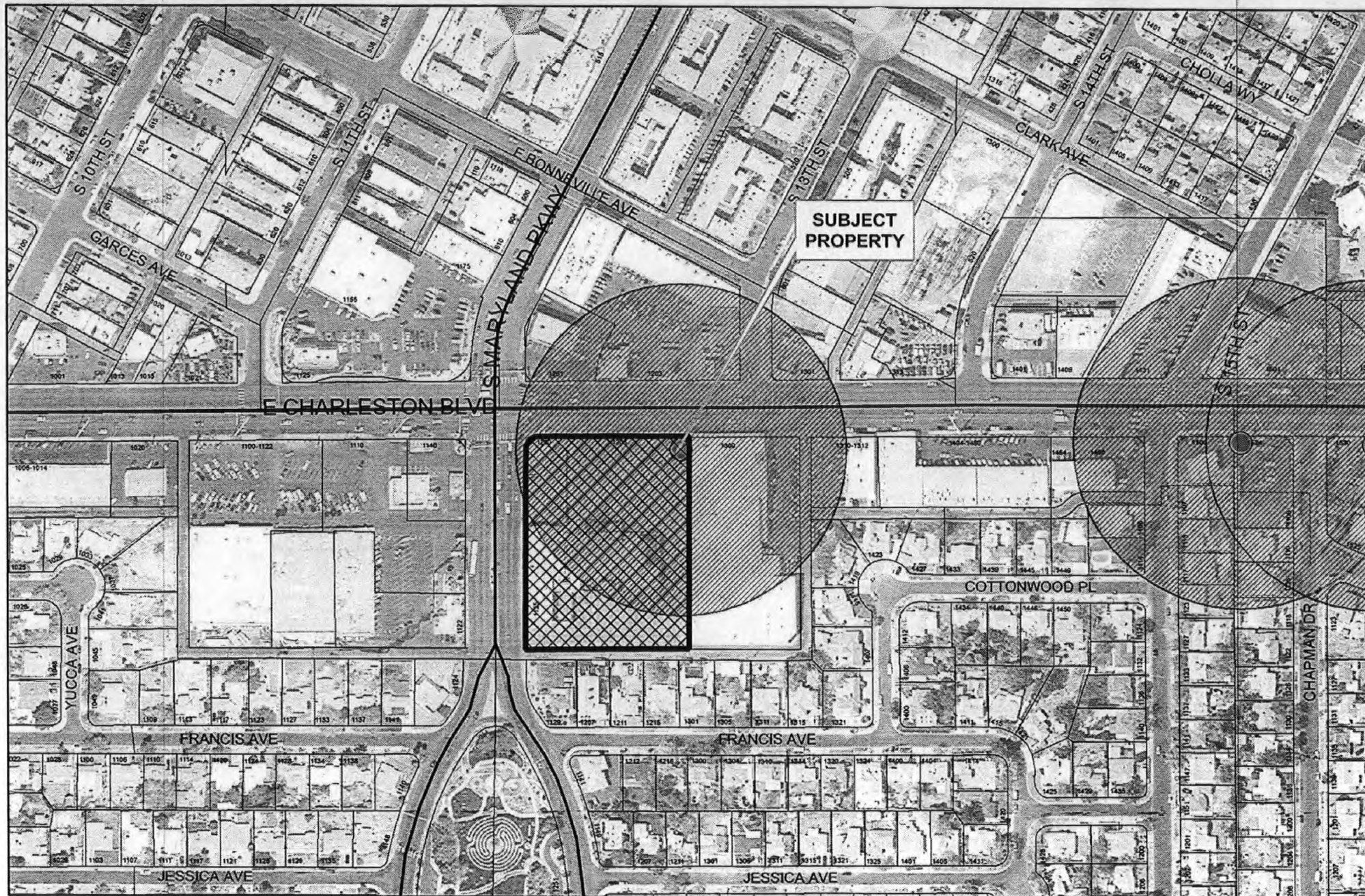


CASE: RQR-15054

SEPARATION RADIUS: 300 FT

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





RQR-15054

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 18, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. The applicant shall obtain building permits and call for final inspection by the Building and Planning Department within thirty (30) days of approval by the City Council.
2. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the off-premise sign.
5. Only one advertising sign is permitted per sign face.
6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, and (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
7. All City Code requirements and design standards of all City Departments shall be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

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

EXECUTIVE SUMMARY

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

BACKGROUND INFORMATION

A) *Related Actions*

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

- 09/28/97 The City Council denied an appeal by the applicant, which the Planning Commission recommended denial for an Extension of Time [U-0001-97(1)] of an approved 40-foot high, 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at 1200 East Charleston Boulevard. The Planning Commission and staff recommended denial.
- 08/24/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/bts).

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

D) *Building Permit History*

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

E) *Site Inspection Information*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.62

B) *Existing Land Use*

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

C) *Planned Land Use*

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

D) *Existing Zoning*

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

E) *General Plan Compliance*

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

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

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

ANALYSIS

A) *General Analysis and Discussion*

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

The Off-Premise Advertising (Billboard) Sign use does not generate any additional traffic to this site and will not require provisions for additional access.

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

The Off-Premise Advertising (Billboard) Sign use does not compromise the public health, safety, and welfare, as it is subject to the provisions of the Sign Code and the Uniform Building Code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 316 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-15054** APN: 162 02 110 014

Name of Property Owner: ELT HOLDINGS LLC

Name of Applicant: CLEAR CHANNEL OUTDOOR

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: 162 02 110 014

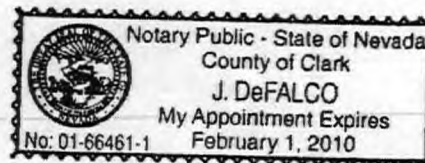
Signature of Property Owner: _____

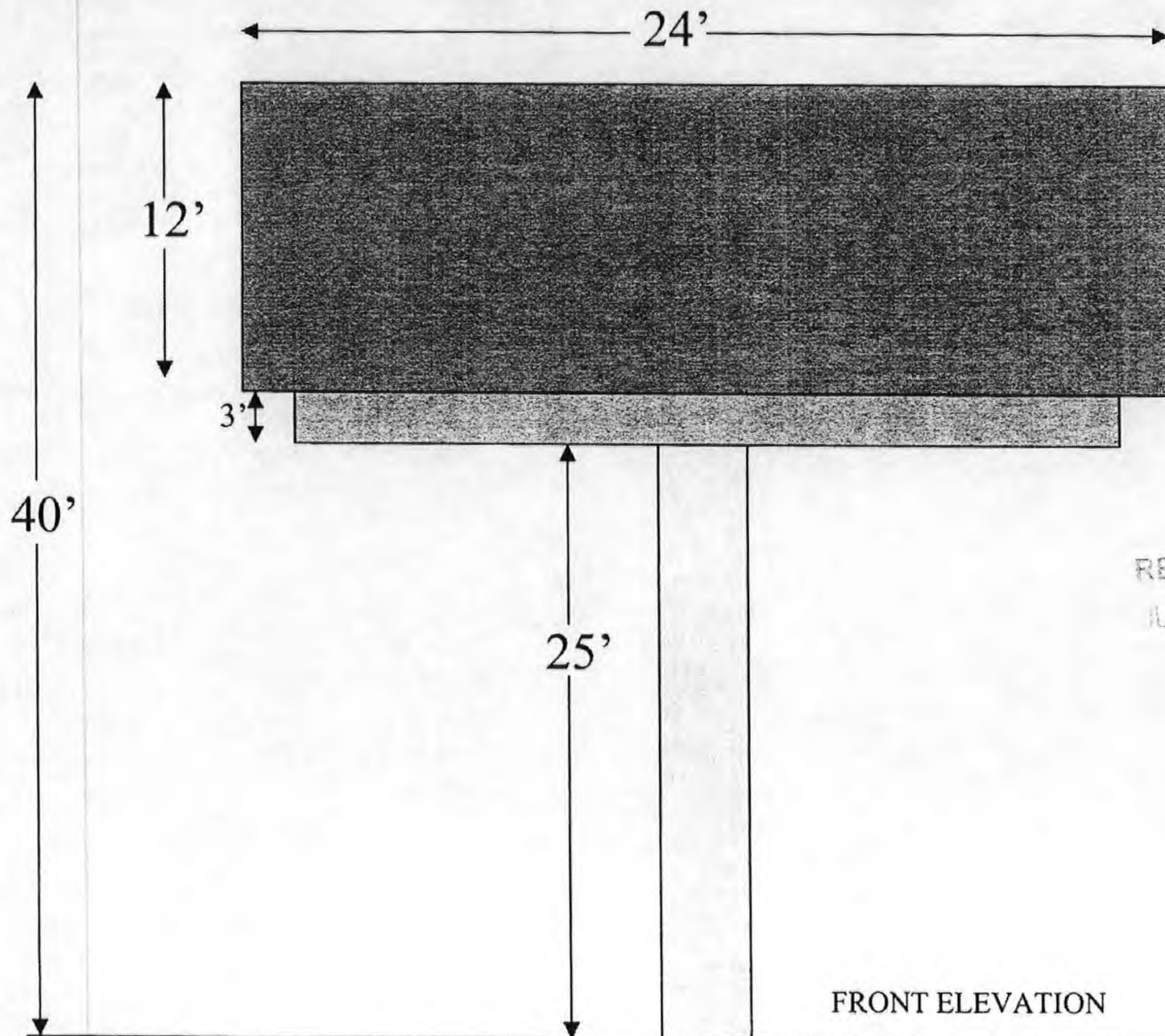
Print Name: Eli Mizrahi

Subscribed and sworn before me

This 7 day of June, 2006

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



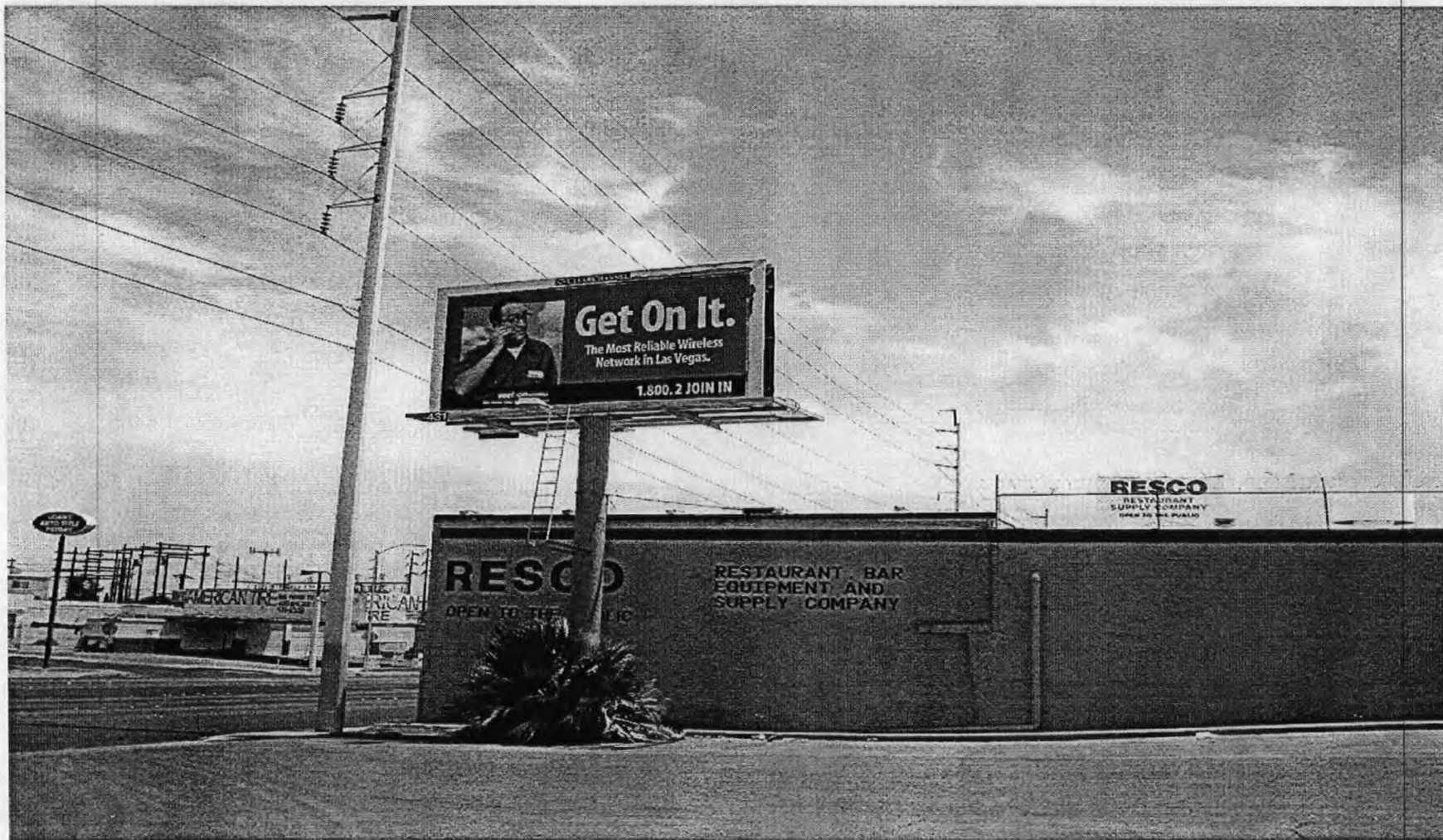


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FRONT ELEVATION

RQR-15054
08/24/06 PC

NOT TO SCALE



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

07/20/06



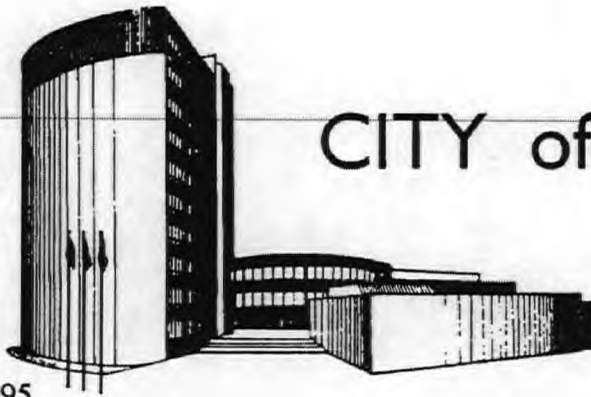
RQR-15054 - APPLICANT/OWNER: ECT HOLDINGS, LLC
1200 EAST CHARLESTON BOULEVARD
AUGUST 24, 2006 PLANNING COMMISSION

07/20/06

MAYOR
JAN LAVERTY JONES

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

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

September 27, 1995

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

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

Dear Mr. and Mrs. Ben-Moshe:

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

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

Sincerely,

KATHLEEN M. TIGHE
City Clerk

/cmp

cc: (See Attached)

RQR-15054
08/24/06 PC



Jacob and Bat Sheva Ben-Moshe

September 27, 1995

RE: V-68-90(1)

Page 2.

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

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

RQR-15054
08/24/06 PC

LIONEL SAWYER & COLLINS**ATTORNEYS AT LAW**

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

(702) 383-8888

FAX (702) 383-8845

lsc@lioneisawyer.com

www.lioneisawyer.com

October 31, 2006

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1995)
JON R. COLLINS
(1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RICHARD W. HORTON
DAN C. BOWEN
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENGACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH

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

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

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

OF COUNSEL
ELLEN WHITTEMORE
BRIAN HARRIS
LAURA J. THALACKER

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

VIA FACSIMILE (702-382-4803)

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

VIA FACSIMILE (702-474-7463)

Margo Wheeler,
City of Las Vegas Planning Department
731 South Fourth Street
Las Vegas, NV 89101

Re: RQR 13791 and RQR 15054

Dear Ms. Ronemus and Ms. Wheeler:

On behalf of my client, Clear Channel Outdoor, I respectfully request that the above-referenced applications, currently scheduled to be heard by the City Council on Wednesday, November 1, 2006, be held until the Council's next November meeting.

We request this two week continuance to enable us to further investigate and discuss with our engineers alternatives to the conditions requiring a "final inspection" of all existing billboards - via historical documentation or new building permit -which we are discussing with the City Planning Department, the City Building Department, and Lamar Outdoor.

C:\Attorneys\JD\Clear Channel\Clear Channel Outdoor\Mr. Ronemus and Wheeler 10-31-06.doc

RENO OFFICE: 1100 BANK OF AMERICA PLAZA, 50 WEST LIBERTY STREET • RENO, NEVADA 89501 • (775) 788-8888 • FAX (775) 788-8882

CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 851-2115 • FAX (775) 841-2110

WASHINGTON, DC OFFICE: 191 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4284 • FAX (202) 742-4265

Date 10/31/06 Item 85

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

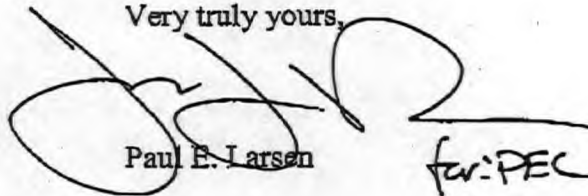
Barbara Jo Ronemus, City Clerk
Margo Wheeler, City of Las Vegas
Planning Department
October 31, 2006
Page 2

RECEIVED
CITY CLERK

2006 OCT 31 P 4: 13

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

Very truly yours,


Paul E. Larsen
for: PEC

PEL:csr

cc: Mayor Pro-tem Gary Reese

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

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



Planning and Development Department

Current Planning Division

731 South Fourth Street

Las Vegas, Nevada 89101

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

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

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

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

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

A handwritten signature in black ink, appearing to be "John Korkosz".

Signature

8/24/06

Date

A handwritten signature in black ink, appearing to be "John Korkosz".

Please print name

CLEAR CHANNEL OUTDOOR

Company Name

Sincerely,

John Korkosz, Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-16140 - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER - Request to amend a portion of the Southeast Sector Plan of the Master Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.76 acres at 2320 Potosi Street (APN 163-01-802-008), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by LOIS TARKANIAN to Approve

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 86 [GPA-16140], Item 87 [ZON-16141], Item 88 [VAR-16533] and Item 89 [SDR-16139].

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, appeared with BOB GENZER of Genzer Consulting on behalf of the owner and applicant. He noted this parcel has been difficult to properly zone and develop considering nearby development. Nonetheless, three meetings were conducted with the neighborhood and it was decided that the proposal for office

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

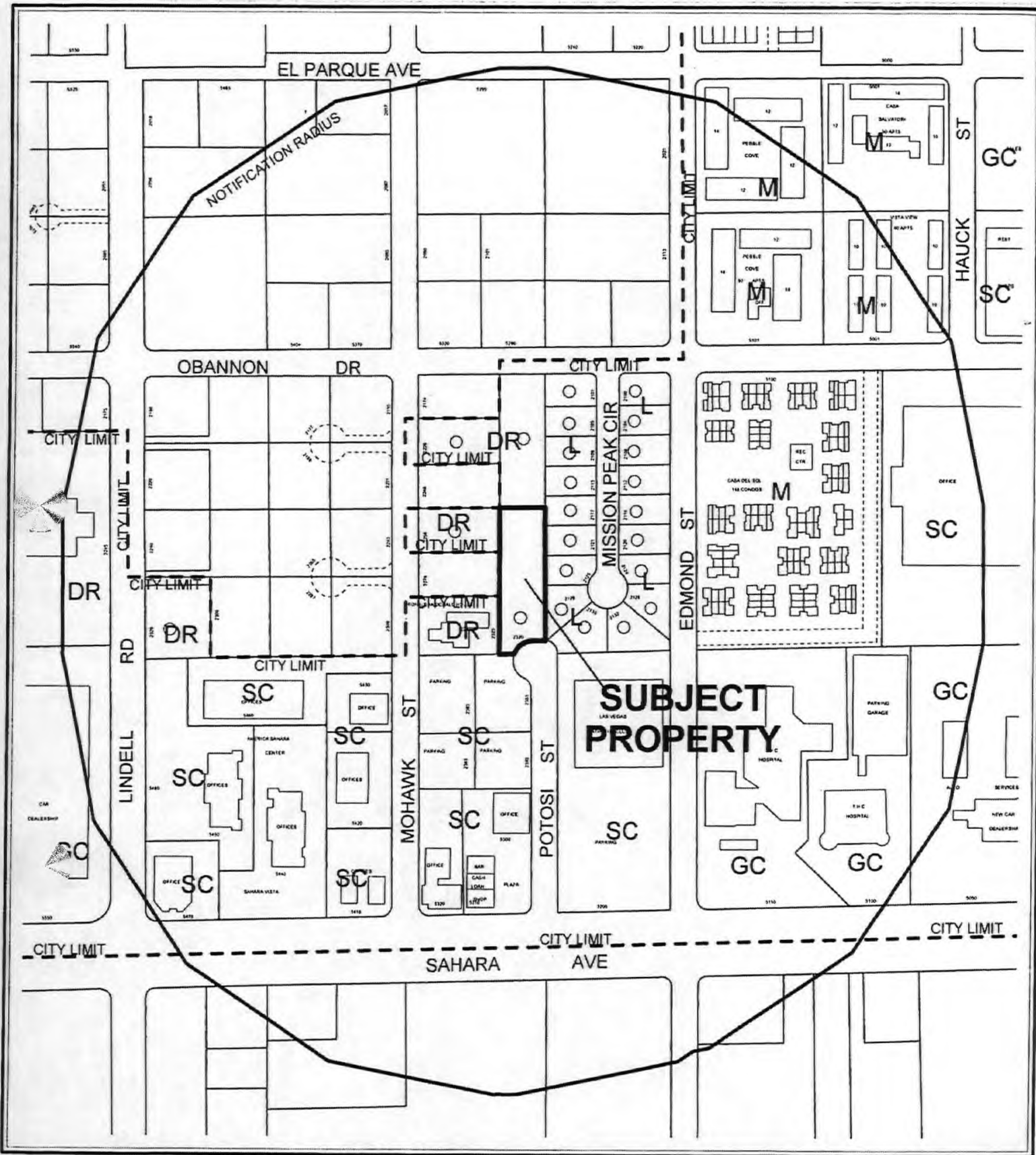
use was suitable. He noted there has not been any opposition and respectfully requested approval.

TOM McGOWAN, Las Vegas resident, recommended approval of all four applications.

COUNCILWOMAN TARKANIAN concurred that the project was perfectly suitable for the site and thanked ATTORNEY KAEMPFER for his admirable work with the neighbors.

MAYOR GOODMAN declared the Public Hearing closed for Item 86 [GPA-16140], Item 87 [ZON-16141], Item 88 [VAR-16533] and Item 89 [SDR-16139].





CASE: **GPA-16140**

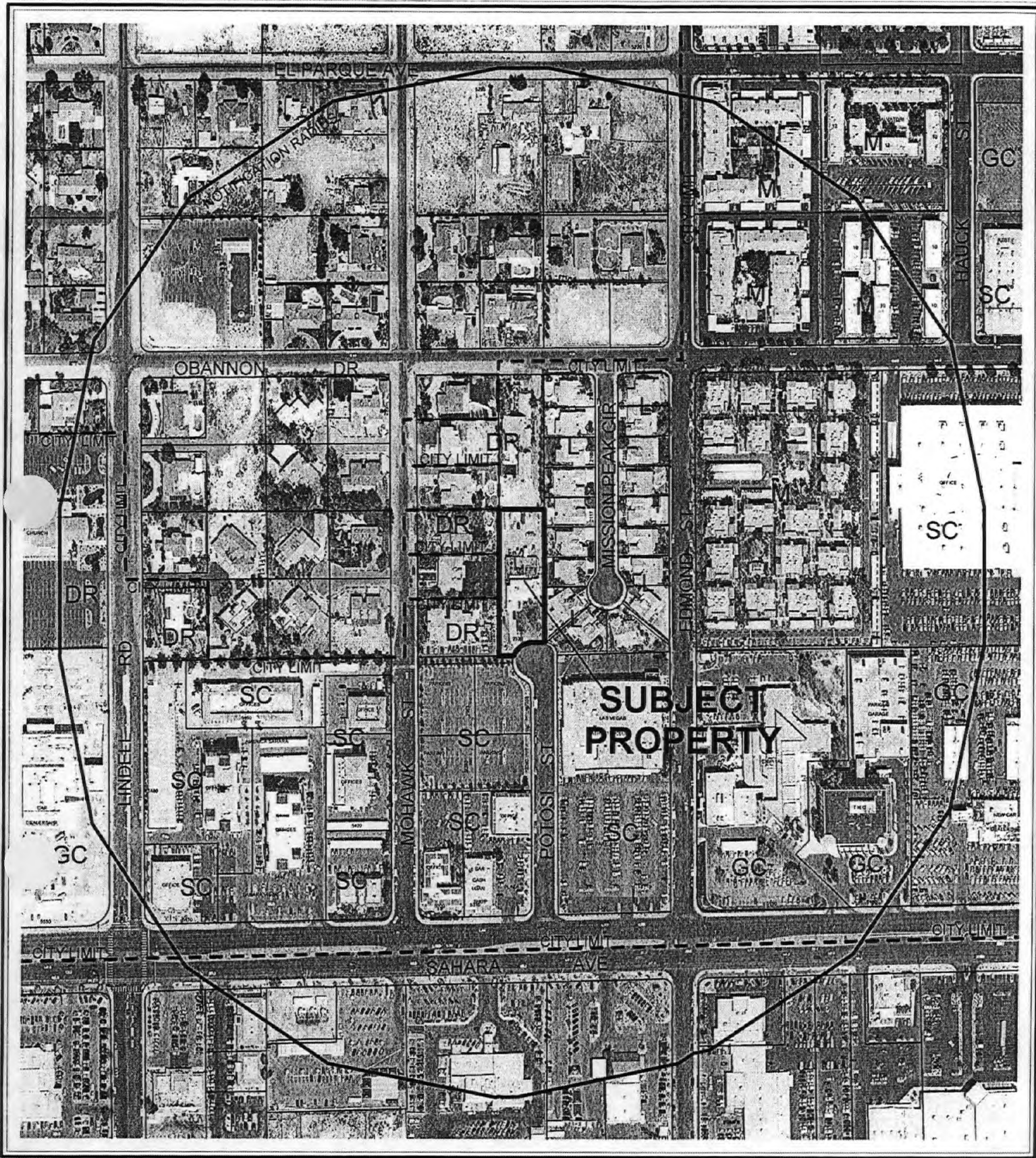
RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
O (OFFICE)

0 200 400 Feet





CASE: **GPA-16140**

RADIUS: 1000 FT

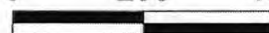
GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-16140 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the General Plan land use designation of the subject property on 0.76 acres at 2320 Potosi Street from DR (Desert Rural Density Residential) to O (Office). The following associated cases will be considered concurrently with this request: ZON-16141, SDR-16139 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Desert Rural Density Residential land uses (if residential) with a maximum density of 2.49 dwelling units per acre.
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Offices and Parking). Planning Commission recommended denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
09/06/99	The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
10/05/06	The Planning Commission recommended approval of companion items ZON-16141, VAR-16533 and SDR-16139 concurrently with this application. The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item#25/rl).
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

<i>Neighborhood Meeting</i>	
08/31/06	Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on August 31, 2006 a neighborhood meeting sponsored by the applicant was held. Seven persons attended had the following comments: • Will the proposed structure comply with setbacks? (The applicant responded that the building would be in compliance) • Are there any required easements on the site? • Don't want there to be any additional traffic in the residential neighborhood (Mohawk Street). • Allowing the P-R conversion is one step closer to allowing commercial uses to encroach upon the residential neighborhood. • Is the one-story height of the proposed structure consistent with the residential structures in the neighborhood? • Will the proposed structure look like a residence? (The applicant stated that the structure was designed to be 16 to 18-Feet in height and look like a residential structure, so it would blend with the single-family properties that surround it on three sides.) • When will construction start? When will demolition of the existing structure begin? (The applicant responded that construction would probably not start until July 2007, with demolition to precede site grading.) • Concerns were expressed regarding construction noise and dust control. • One resident stated that their principal concern was relative to the traffic that would be generated by the proposed use.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.76
Net Acres	0.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)	
North	Single Family Residential	DR(Desert Rural Density Residential)	R-E (Residential Estates)	
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)	
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)	
West	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County	
<i>Special Districts/Zones</i>		<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			N	Y
<i>Special Districts/Zones</i>		<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			N	Y
Trails			N	Y
Rural Preservation Overlay District			N	Y
Development Impact Notification Assessment			N	Y
Project of Regional Significance			N	Y

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

ANALYSIS

The request is for a General Plan Amendment from DR (Desert Rural Density Residential) to O (Office). The existing land use designation **DR (Desert Rural Density Residential)** (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals. The subject site is an infill site surrounded by single-family residential and commercial development.

The O (Office) land use designation provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

The subject site fronts Potosi Street which is primarily commercial, however, it extends like a finger from Potosi Street into a low density residential neighborhood and therefore it is not compatible with the surrounding land uses.

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":

While the proposed land use designation of O (Office) is compatible with the other properties which front Potosi Street, the site plan indicates a 9,300 square foot office building setback 169 Feet from the frontage and surrounded on three sides by residential designations of R-E (Residential Estates) to the north and west and L (Low Density Residential) to the east. The placement of this building requires a Variance as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed General Plan Amendment is deemed incompatible with existing adjacent land use designations.

In regard to “2”:

The request for rezoning to P-R which accompanies this General Plan Amendment would establish a long, narrow finger of commercial development bordering eight low-density residential parcels. The proposed structure would be setback to the tip of the finger at least 169 Feet removed from compatible commercial uses, and will require a variance for residential adjacency requirements.

In regard to “3”:

Potosi Street is developed as primarily commercial in nature and will provide adequate access to the site without impeding on the adjacent residential uses.

In regard to “4”:

The proposed amendment fails to conform to other applicable adopted plans and policies that include approved Title 19.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

GPA-16140

Case Number: **01A-10140** APN: 163-01-802-008

Name of Property Owner: William B. Palmer II

Name of Applicant: William B. Palmer II

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

☒ 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: William B. Palmer II

Subscribed and sworn before me

This 2nd day of August, 2006

Stephanie Rose Nyant
Notary Public in and for said County and State





KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE
aceleste@kkbrf.com
702.693.4215

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Fax: 702.796.7181

RENO OFFICE
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Fax: 775.852.3982

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4260
Fax: 702.939.8457

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

August 18, 2006

VIA HAND DELIVERY

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

***Re: Justification Letter for Palmer Law Office – General Plan
Amendment, Zone Change, & Site Development Review (2320
Potosi Street, Las Vegas, Nevada 89146)***

To Whom It May Concern:

Please be advised that this office represents Palmer Law Office (the "Applicant") in the above referenced matter. The Applicant is requesting a General Plan Amendment, Zone Change, and Site Development Review for its location at 2330 Potosi Street, Las Vegas, Nevada 89146, more specifically known as APN 163-01-802-008 (the "Site").

General Plan Amendment

The Applicant proposes the general plan for the Site be amended from Desert Rural to Office. An Office designation for the general plan at this Site is ideal. The Site is located at the bulb of the Potosi Street cul de sac. All of the parcels located on Potosi Street are planned Service Commercial or Office. Office designation for the Site would complete and compliment the neighboring parcels on Potosi Street. Further, an Office designation for this site is not an intensive use.

Zone Change

The Applicant proposes a zone change from Residential Estates ("RE") to Professional Office and Parking ("PR"). All parcels on the Potosi Street cul de sac, with the exception of the Site, are zoned either PR or C-1. Similar to the general plan, this Site would complete and compliment the already established PR and C1 zoning on the Potosi Street cul de sac. Although some of the neighboring parcels are zoned RE and R-1, the PR zoning is not an intensive use. Further, the parcel just to the west of the Site, APN 163-01-802-007, is zoned RE with a special use permit for Professional.

**GPA-16140 ZON-16141
SDR-16139 10/05/06 PC**



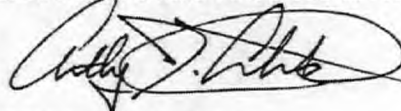
Site Development Review

The law office building will be one story and approximately 14 feet and 6 inches in height. Some of the highlights of the design of the law office building will consist of a tile roof, stucco fascia, coach light, decorative wrought iron, and ledge stone veneer. The law office building will be approximately 9,300 square feet. The Site meets all parking and set back requirements. The perimeter of the Site will be landscaped with approximately 38 Russian Hawthorns and various specimens of shrubs. The parking lot will also be landscaped with approximately 4 Raywood Ashes and various specimens of shrubs.

We thank you in advance for your time and consideration of this application. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



Anthony J. Celeste

AJC/dmf

GPA-16140 ZON-16141
SDR-16139 10/05/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-16140

ZON-16141 - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.76 acres at 2320 Potosi Street (APN 163-01-802-008), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

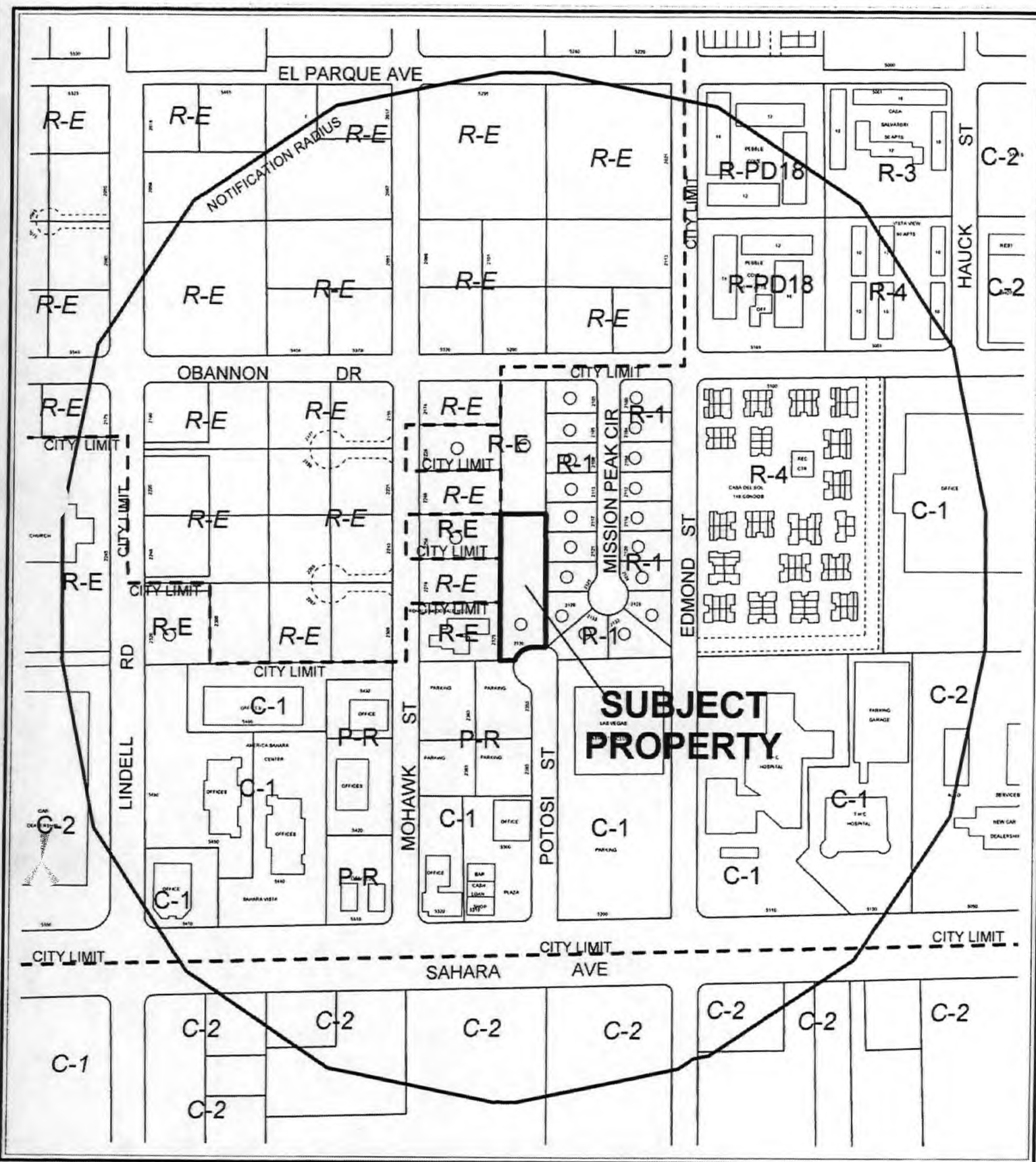
Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

See Item 86 for related discussion.

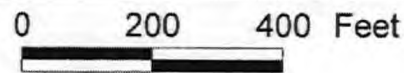


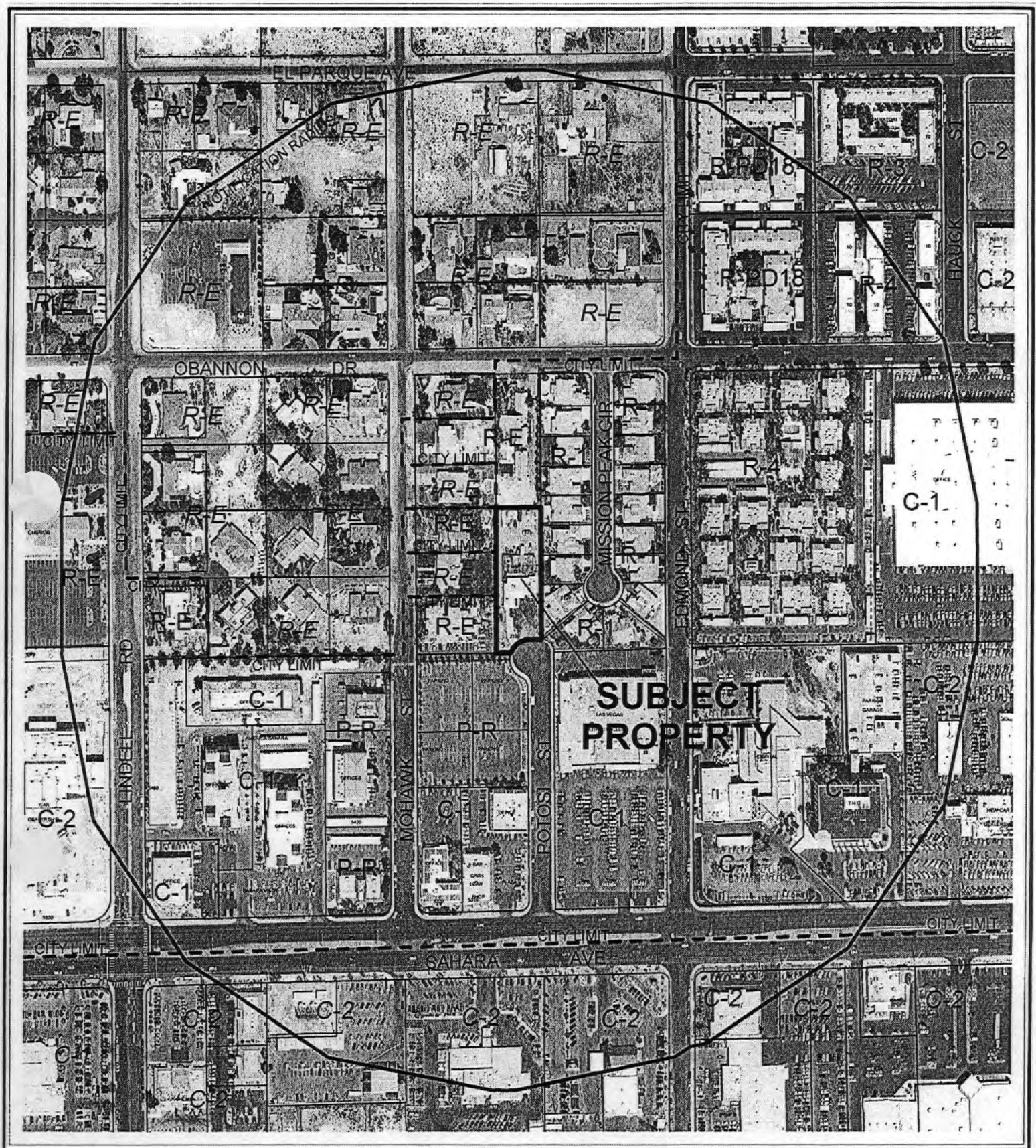
CASE: **ZON-16141**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)





CASE: **ZON-16141**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-16141 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommend APPROVAL.

Planning and Development

1. A General Plan Amendment (GPA-16140) to an O (Office) 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-16139) 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. 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.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the zoning of the subject property on 0.76 acres at 2320 Potosi Street from R-E (Residential Estates) to P-R (Professional Office and Parking). The following associated cases will be considered concurrently with this request: GPA-16140, SDR-16139 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Office and Parking) on the subject site. Planning Commission recommended denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
10/05/06	The Planning Commission recommended approval of companion items GPA-16140, VAR-16533 and SDR-16139 concurrently with this application. The Planning Commission voted 6-01/sd to recommend APPROVAL (PC Agenda Item#26/rl).
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

Neighborhood Meeting

08/31/06	Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on August 31, 2006 a neighborhood meeting sponsored by the applicant was held. Seven persons attended had the following comments: • Will the proposed structure comply with setbacks? (The applicant responded that the building would be in compliance) • Are there any required easements on the site? • Don't want there to be any additional traffic in the residential neighborhood (Mohawk Street). • Allowing the P-R conversion is one step closer to allowing commercial uses to encroach upon the residential neighborhood. • Is the one-story height of the proposed structure consistent with the residential structures in the neighborhood? • Will the proposed structure look like a residence? (The applicant stated that the structure was designed to be 16 to 18-Feet in height and look like a residential structure, so it would blend with the single-family properties that surround it on three sides.) • When will construction start? When will demolition of the existing structure begin? (The applicant responded that construction would probably not start until July 2007, with demolition to precede site grading.) • Concerns were expressed regarding construction noise and dust control. • One resident stated that their principal concern was relative to the traffic that would be generated by the proposed use.
----------	---

Details of Application Request

Site Area

Gross Acres	0.76		
Net Acres	0.73		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
North	Single Family Residential	DR(Desert Rural Density Residential)	R-E (Residential Estates)
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the Following Standards Apply

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	31,799 SF	Y
Min. Lot Width	60 Feet	100 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 5 Feet 15 Feet 15 Feet	169 Feet 10 Feet NA 15 Feet	Y
Max. Lot Coverage	50%	29%	Y
Max. Building Height	15 Feet	14.5 Feet	Y
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	54 Feet	10 Feet	N
Adjacent development matching setback	35 Feet	10 Feet	N
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

<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>		
Parking Area	1 Tree/ 6 Spaces	5 Trees	4 Trees	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	38 Trees	38 Trees	Y
TOTAL		43 Trees	42 Trees	N
Min. Zone Width	Sides 8 Feet Rear 15 Feet		8 Feet 15 Feet	Y
Wall Height	6 – 8 Feet		Not Shown	NA

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	9,300	1/300	29	2	29	2	Y
TOTAL			31		31		Y

ANALYSIS

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of DR (Desert Rural Density Residential). An accompanying application requests a change to an O (Office) land use designation. The proposed zoning of P-R (Professional Office and Parking) is compatible with the O (Office) land use designation.

The purpose of the P-R (Professional Office and Parking) is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R District should be constructed to maintain a residential character.

The proposed site plan and the related Variance from residential adjacency fail to meet this last intention that single family structures be retained or new development be constructed to maintain residential character. Rather than orienting to the street frontage, the proposed structure is oriented far to the rear of the subject site, requiring setback variances for residential adjacency and height proximity. The placement and size of the building maximizes the impact upon the residential character of the neighborhood instead of minimizing same. As such, staff recommends denial.

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 O (Office) General Plan land use designation provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations. P-R (Professional Office and Parking) is an appropriate zoning district for the O land use designation.

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

While the proposed land use designation of O (Office) is compatible with the other properties which front Potosi Street, the site plan indicates a 9,300 square foot office building setback 169 Feet from the frontage and surrounded on three sides by residential designations of R-E (Residential Estates) to the north and west and L (Low Density Residential) to the east. The placement of this building requires waivers as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed Rezoning is deemed incompatible with existing adjacent land use designations.

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

The area is largely developed, as was intended, with residential uses. The subject site is the only parcel on Potosi Street that is north of the vacated Via Olivero alignment, the boundary between commercial and residential uses. As such, while the property does indeed front a commercial street, it is almost entirely surrounded by existing single family homes and one group residential facility. The growth and development factors existing at this location do not indicate a need nor an appropriateness of this rezoning.

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

The parcel is accessed by Potosi Street which is adequate to meet the requirements of the proposed rezoning.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ZON-16141

Case Number: _____ APN: 163-01-802-008

Name of Property Owner: William B. Palmer II

Name of Applicant: William B. Palmer II

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: _____

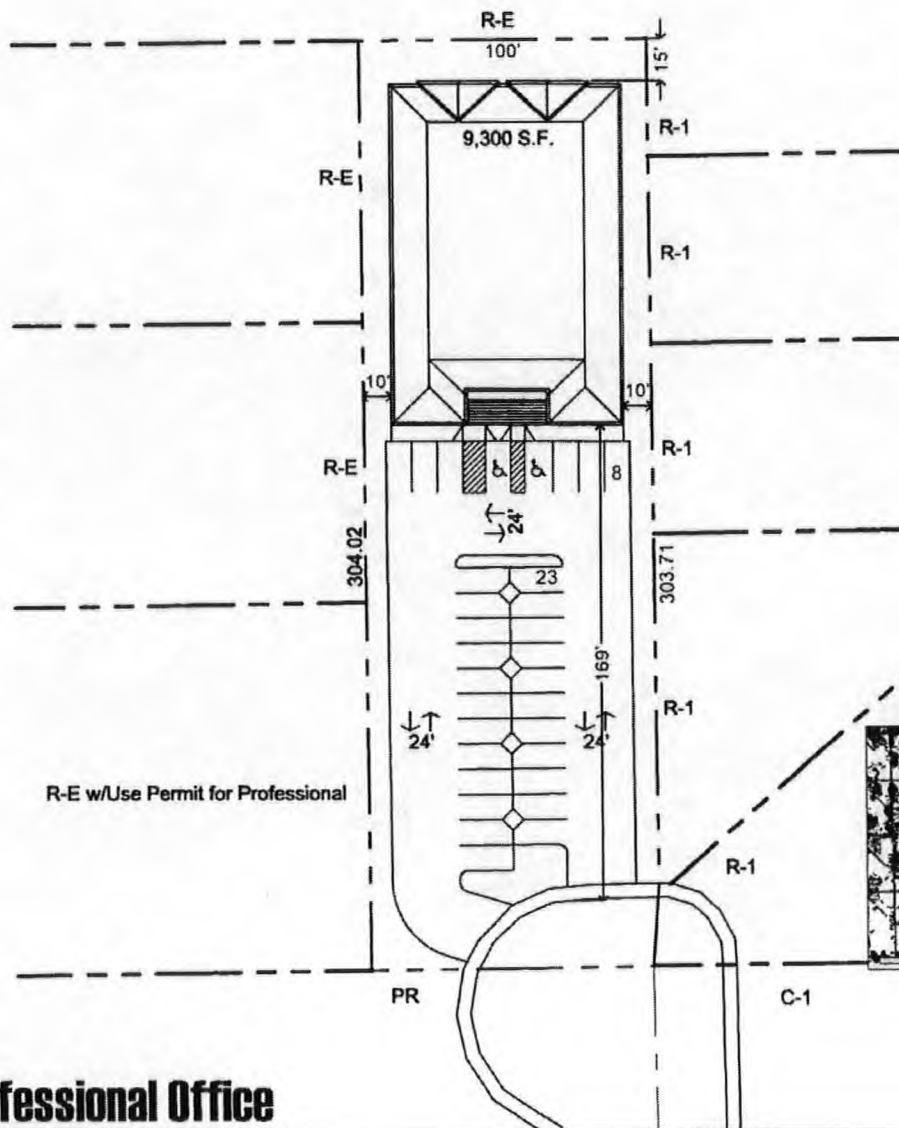
Print Name: William B. Palmer II

Subscribed and sworn before me

This 21st day of August, 2006

Notary Public in and for said County and State





SITE INFORMATION

ZONING - Las Vegas

Current Zoning - R-E

Proposed Zoning - PR

APN: 163-01-802-008

AREA (Approximate, to be verified)

Gross Area 31,799 s.f. .73 acres

Total Building Area 9,300 gsf

F.A.R. 0.29

PARKING

Required

1:300 gfa

Total Required

31 spaces

31 spaces

Provided

H/C Required

H/C Provided

31 spaces

2 space

2 spaces

SETBACKS

Required

Front

Side

Corner Side

Rear

20'

5'

15'

15'

Provided

169'

10'

N/A

15'

BUILDING

Max Height

Max. Lot Coverage

Allowed

15'

50%

Provided

14'6"

29%

LANDSCAPING

Min. Zone Depth

Min. Trees

Required

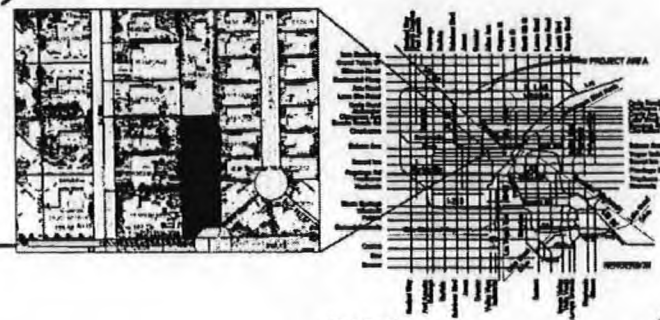
8'

1 per 20'

Provided

8'

1 per 20'



Vicinity Map SCALE: 1"=20'

Conceptual Site Plan: Sheet T10
MARS-0072: Project Number
08-15-06: Date

Palmer Professional Office

2320 Potosi Ave, Las Vegas, Nevada

Scale 1" = 20'



FRONTLINE group

MOSEB architecture studio

GPA-16140

SDR-16139

ZON-16141

10/05/06 PC

RECEIVED

AUG 21 2006



KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbrf.com
702.693.4215

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August 18, 2006

VIA HAND DELIVERY

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PLANNING & DEVELOPMENT DEPARTMENT
731 S. Fourth Street
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***Re: Justification Letter for Palmer Law Office – General Plan
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Potosi Street, Las Vegas, Nevada 89146)***

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General Plan Amendment

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**GPA-16140 ZON-16141
SDR-16139 10/05/06 PC**



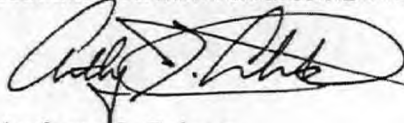
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We thank you in advance for your time and consideration of this application. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



Anthony J. Celeste

AJC/dmf

GPA-16140 ZON-16141
SDR-16139 10/05/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO GPA-16140 AND ZON-16141

VAR-16533 - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 15 FEET WHERE 54 FEET ARE REQUIRED on 0.76 acres at 2320 Potosi Street (APN 163-01-802-008), R-E (Residential Estate) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

See Item 86 for related discussion.



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-16533 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL.

Planning and Development

1. Conformance to the conditions for General Plan Amendment (GPA-16140), Rezoning (ZON-16141) and Site Development Plan Review (SDR-16139) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Variance from the residential adjacency setback requirements of Title 19.08.060. The applicant seeks a variance to allow a setback of 10 Feet where a proximity slope setback of 54 Feet is required as well as to allow a side yard setback of 10 feet where an adjacent development matching setback of 35 Feet is required. This application is related to GPA-16140, ZON-16141, and SDR-16139.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Offices and Parking). Planning Commission recommended denial.
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<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

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----------	---

Details of Application Request

Site Area

Gross Acres 0.76

Net Acres 0.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
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East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	31,799 SF	Y
Min. Lot Width	60 Feet	100 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 5 Feet 15 Feet 15 Feet	169 Feet 10 Feet NA 15 Feet	Y
Max. Lot Coverage	50%	29%	Y
Max. Building Height	35 Feet	18 Feet	Y
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	54 Feet	10 Feet	N
Adjacent development matching setback	35 Feet	10 Feet	N
Trash Enclosure	50 Feet from Residential	6 Feet from Residential	N

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

<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>		
Parking Area	1 Tree/ 6 Spaces	5 Trees	4 Trees	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	38 Trees	38 Trees	Y
TOTAL		43 Trees	42 Trees	N
Min. Zone Width	Sides 8 Feet Rear 15 Feet		8 Feet 15 Feet	Y
Wall Height	6-8 Feet		Not Provided	

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	9,300	1/300	29	2	29	2	Y
TOTAL			31		31		

ANALYSIS

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

- Proximity slope. The height of the proposed building at the west edge, which is adjacent to existing single-family homes, is 18 feet; therefore, a 3:1 Proximity Slope would require that it be set back least 54 feet from the east, north and west property lines. The site plan shows the building to be set back 10 feet from the property lines to the east and west, and 15 feet from the north. The amount of deviation from the standard is 69 percent.
- Building setback. The proposed building must also be set back at least 15 feet from the east property line to match the rear yard setback of the R-1 (Single Family Residential) zoning district and 35 Feet from the north and west to match the rear yard setbacks of the R-E (Residential Estates) zoning district. This standard has not been met, as the proposed building is set back 10 feet from the east and west property lines, and 15 feet from the north property line.

The building as designed will place a 9,300 Square Foot building within 10 feet of low-density single-family residential lots. While the other properties which front Potosi street are commercial and compatible in scale and design, the applicant proposes to set back the proposed building 169 Feet from the front of the property, far away from all of the commercial development in the area.

Public Works has no comments on this Variance. All site-related conditions of approval associated with this site are addressed with the Site Development Plan Review.

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 concerning this site has been presented. The applicant has created a self-imposed hardship by proposing to overbuild the site. Reducing the size of the structure, changing its dimensions, and/or placing the structure closer to the front of the lot would allow conformance to Title 19 residential adjacency setback requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

3

SENATE DISTRICT 11

NOTICES MAILED 88 by City Clerk

APPROVALS 0

PROTESTS 0



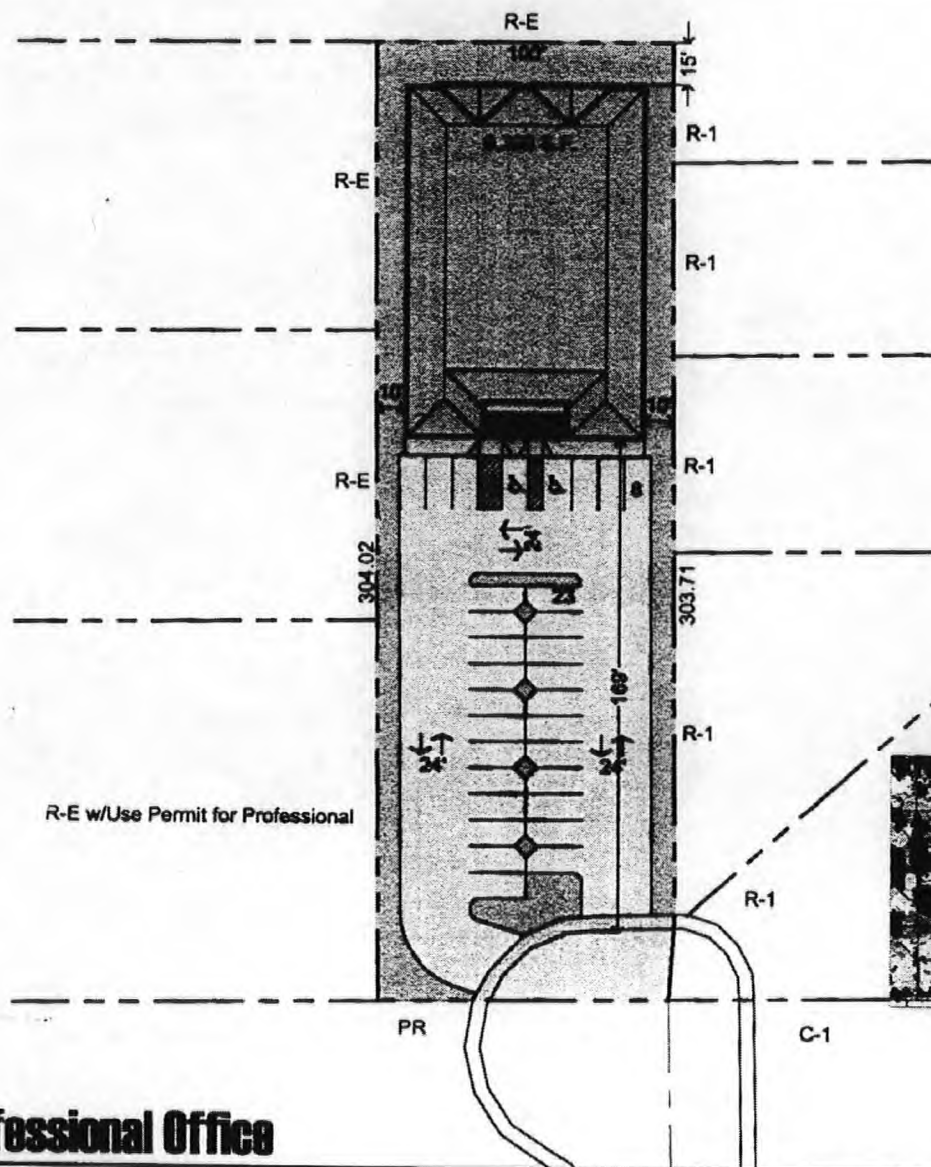
Case Number: **VAR-16533** APN: 163-01-802-008

Name of Property Owner: William B. Palmer II

Name of Applicant: William B. Palmer II

 No

SEP 05 2006



SITE INFORMATION

ZONING - Las Vegas

Current Zoning - R-E

Proposed Zoning - PR

APN: 163-01-802-008

AREA (Approximate, to be verified)

Gross Area 31,799 s.f. .73 acres

Total Building Area	9,300 gsf
---------------------	-----------

F.A.R.	0.29
--------	------

PARKING

Required	1:300 gfa	31 spaces
Total Required		31 spaces

Provided	31 spaces
H/C Required	2 spaces
H/C Provided	2 spaces

SETBACKS

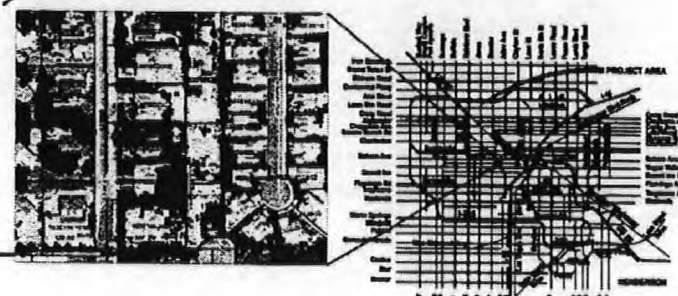
	Required	Provided
Front	20'	168'
Side	54'	10'
Corner Side	15'	N/A
Rear	54'	15'

BUILDING

	Allowed	Provided
Max Height	15'	18'
Max. Lot Coverage	50%	29%

LANDSCAPING

	Required	Provided
Min. Zone Depth	8'	8'
Min. Trees	1 per 20'	1 per 20'



Vicinity Map SCALE: 1:20

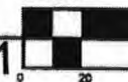
Conceptual Site Plan: Sheet Title
NAME-0072: Project Number
09-06-06: Date

Palmer Professional Office

2320 Potomac Ave, Las Vegas, Nevada

GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC

Scale 1:20



RECEIVED
SEP 05 2006

FRONTLINE group
MOSE architecture studio

**KUMMER
KAEMPFER**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ANTHONY J. CELESTE

aceleste@kkbrf.com
702.693.4215

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

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Fax: 702.939.8457

CARSON CITY OFFICE
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Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

September 5, 2006

VIA HAND DELIVERY

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

**Re: *Justification Letter for Palmer Law Office – General Plan
Amendment, Zone Change, Site Development Review, Variance
of Residential Adjacency and Variance of Setbacks (2320 Potosi
Street, Las Vegas, Nevada 89146)***

To Whom It May Concern:

Please be advised that this office represents Palmer Law Office (the "Applicant") in the above referenced matter. The Applicant is requesting a General Plan Amendment, Zone Change, Site Development Review, Variance of Residential Proximity and Variance of Non-Residential Setbacks for its location at 2330 Potosi Street, Las Vegas, Nevada 89146, more specifically known as APN 163-01-802-008 (the "Site").

General Plan Amendment

The Applicant proposes the general plan for the Site be amended from Desert Rural to Office. An Office designation for the general plan at this Site is ideal. The Site is located at the bulb of the Potosi Street cul de sac. All of the parcels located on Potosi Street are planned Service Commercial or Office. Office designation for the Site would complete and compliment the neighboring parcels on Potosi Street. Further, an Office designation for this site is not an intensive use.

SEP 05 2006

**GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC**



Zone Change

The Applicant proposes a zone change from Residential Estates ("RE") to Professional Office and Parking ("PR"). All parcels on the Potosi Street cul de sac, with the exception of the Site, are zoned either PR or C-1. Similar to the general plan, this Site would complete and compliment the already established PR and C1 zoning on the Potosi Street cul de sac. Although some of the neighboring parcels are zoned RE and R-1, the PR zoning is not an intensive use. Further, the parcel just to the west of the Site, APN 163-01-802-007, is zoned RE with a special use permit for Professional.

Site Development Review

The law office building will be one story and approximately 18 feet in height. Some of the highlights of the design of the law office building will consist of a tile roof, stucco fascia, coach light, decorative wrought iron, and ledge stone veneer. The law office building will be approximately 9,300 square feet. The Site meets all parking requirements. The perimeter of the Site will be landscaped with approximately 38 Russian Hawthorns and various specimens of shrubs. The parking lot will also be landscaped with approximately 4 Raywood Ashes and various specimens of shrubs.

Variance of Residential Proximity

The site plan provides a rear setback of 15 feet and side setback(s) of 10 feet. Under the residential proximity standards, if a one story building is over 15 feet in height, the building must meet the 3:1 residential proximity setback. See Las Vegas Code 19.08.060 (B)(1)(c). Since the building is 18 feet in height, this standard would require a 54 foot setback. A 54 foot residential proximity setback is impossible on the Site considering the narrow length of the Site. Thus, the applicant is requesting a variance.

A variance of the residential proximity 3:1 setback requirement will not adversely impact the surrounding area as 1) the building will only be one story in height and 2) the building will only be three feet above the allowed 15 foot height allowance.

Variance of Non-Residential Setback

Because the Site is adjacent to residential property, the non-residential setbacks must equal the residential setbacks adjacent to the Site. See Las Vegas Code 19.08.060(B)(4). These setbacks are not possible on the Site due to the narrow length of the Site. Therefore, the applicant is requesting a reduction in the rear setback to 15 feet and the side setback(s) to 10 feet. The variance request will not adversely impact the surrounding area since the building is only one story and 18 feet in height.

GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC

KUMMER

KAEMPFER

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT DEPARTMENT
September 5, 2006
Page 3

We thank you in advance for your time and consideration of this application. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Anthony J. Celeste

AJC/dmf

GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16140, ZON-16141, AND VAR-16533

SDR-16139 - PUBLIC HEARING - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER - Request for a Site Development Plan Review FOR A PROPOSED 9,300 SQUARE FOOT ONE-STORY OFFICE BUILDING on 0.76 acres at 2320 Potosi Street (APN 163-01-802-008), R-E (Residential Estate) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

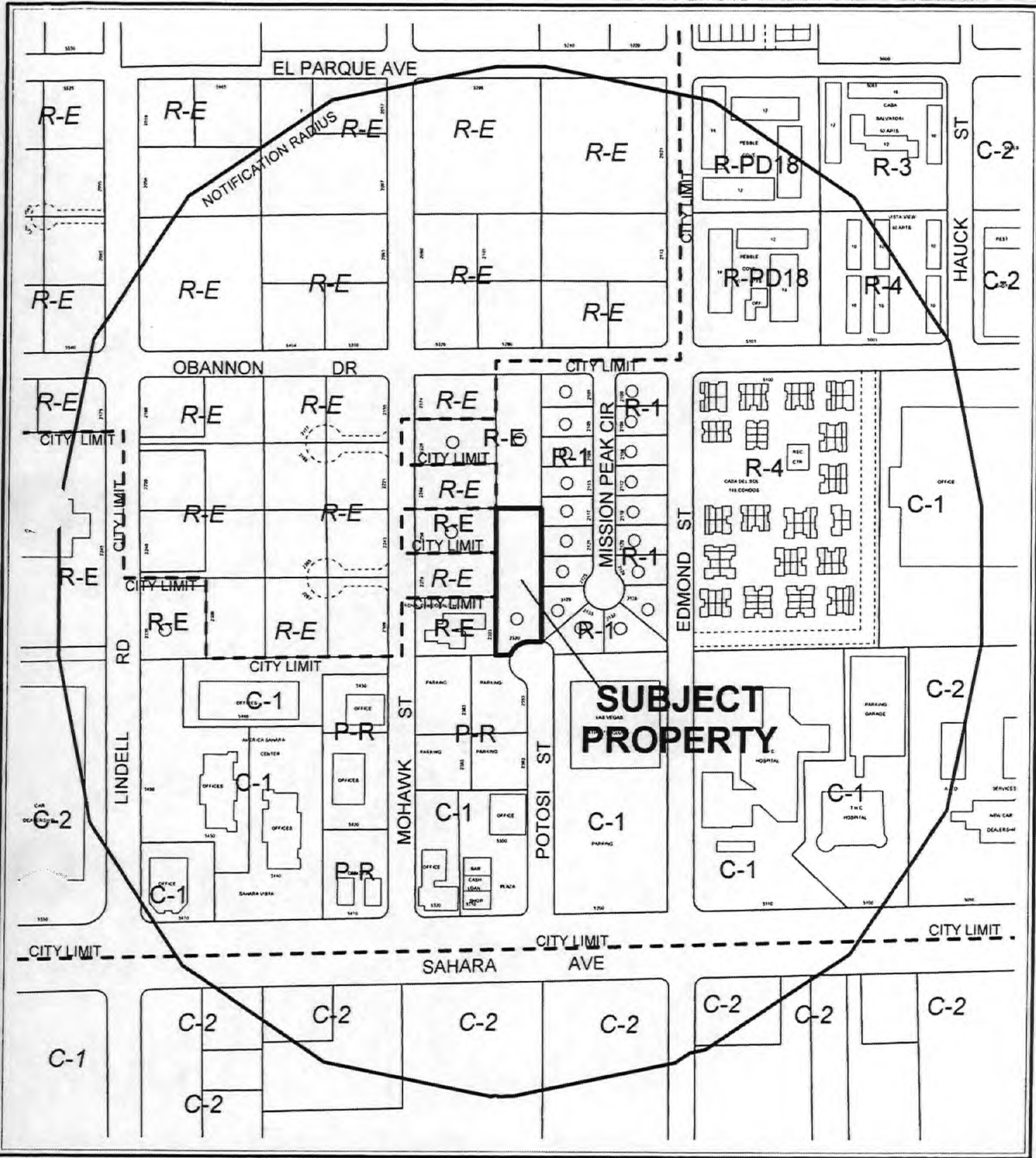
Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

See Item 86 for related discussion.



CASE: **SDR-16139**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-16139 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL.

Planning and Development

1. Conformance to the conditions for General Plan Amendment (GPA-16140), Rezoning (ZON-16141) and Variance (VAR-16533) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, date stamped 08/21/06, and building elevations, date stamped 09/05/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow 4 Trees where 5 are required.
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 replacement of landscape diamond planters with a planting strip or planting fingers in the parking area.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. 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.
11. The trash enclosure must be gated, roofed, and constructed of a material similar to the primary structure with which it is associated, and meet all Title 19 setback and residential adjacency requirements.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
16. All private improvements and landscaping 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.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16141 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a 9,300 Square Foot office building with a parking lot landscape waiver on 0.76 acres at 2320 Potosi Street. Accompanying applications include GPA-16140, ZON-16141 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Offices and Parking). Planning Commission recommended denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
10/05/06	The Planning Commission recommended approval of companion items GAP-16140, ZON-16141, and VAR-16533 concurrently with this application. The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item#28/rl).
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

Neighborhood Meeting

08/31/06	Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on August 31, 2006 a neighborhood meeting sponsored by the applicant was held. Seven persons attended had the following comments: • Will the proposed structure comply with setbacks? (The applicant responded that the building would be in compliance) • Are there any required easements on the site? • Don't want there to be any additional traffic in the residential neighborhood (Mohawk Street). • Allowing the P-R conversion is one step closer to allowing commercial uses to encroach upon the residential neighborhood. • Is the one-story height of the proposed structure consistent with the residential structures in the neighborhood? • Will the proposed structure look like a residence? (The applicant stated that the structure was designed to be 16 to 18-Feet in height and look like a residential structure, so it would blend with the single-family properties that surround it on three sides.) • When will construction start? When will demolition of the existing structure begin? (The applicant responded that construction would probably not start until July 2007, with demolition to precede site grading.) • Concerns were expressed regarding construction noise and dust control. • One resident stated that their principal concern was relative to the traffic that would be generated by the proposed use.
----------	---

Details of Application Request

<i>Site Area</i>			
Gross Acres	0.76		
Net Acres	0.73		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
North	Single Family Residential	DR(Desert Rural Density Residential)	R-E (Residential Estates)
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	31,799 SF	Y
Min. Lot Width	60 Feet	100 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 5 Feet 15 Feet 15 Feet	169 Feet 10 Feet NA 15 Feet	Y
Max. Lot Coverage	50%	29%	Y
Max. Building Height	15 Feet	14.5 Feet	Y
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N
<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	54 Feet	10 Feet	N
Adjacent development matching setback	35 Feet	10 Feet	N
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

Landscaping and Open Space Standards							
Standards	Required		Provided	Compliance			
	Ratio	Trees					
Parking Area	1 Tree/ 6 Spaces	5 Trees	4 Trees	N			
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	38 Trees	38 Trees	Y			
TOTAL		43 Trees	42 Trees	N			
Min. Zone Width	Sides 8 Feet Rear 15 Feet		8 Feet 15 Feet	Y			
Wall Height	6-8 Feet		Not Provided				
Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Office	9,300	1/300	29	2	29	2	Y
TOTAL			31		31		

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
4 Parking Lot Trees where 5 Trees are Required	19.10	Denial

ANALYSIS

The site meets the parking requirements of Title 19, as well as the perimeter landscape requirements.

ZONING

This project is appropriate for the proposed P-R (Professional Office and Parking) zoning district as well as the proposed General Plan designation of O (Office).

SITE PLAN

The site plan calls for the location of the building set back 169 Feet from the front property line where only 20 Feet are required, and necessitating a variance from residential adjacency setbacks on the sides and rear of the lot. The diamond shaped planters are not sufficient according to Title 19.10, which requires a landscape strip or fingers. The parking lot will also require an additional 60-Inch strip alongside one of the Handicapped parking spaces in order to comply with Title 19.10. A condition has been added to require that the Trash Enclosure conform to Title 19 including setback and adjacency requirements.

LANDSCAPE PLAN

While the landscape plan depicts 38 Russian Hawthornes that fully meet the perimeter landscape requirements, the parking lot falls short of the landscape requirements. The site plan indicates four Raywood Ash trees, where five trees are required, necessitating a waiver for compliance. Staff does not support this waiver as it is the result of a self-imposed hardship.

ELEVATION/FLOOR PLAN

The 9,300 square foot law office building will be one story and approximately 18 Feet in height. The elevations provided depict a tile roof, stucco fascia, coach light, decorative wrought iron and ledge stone veneer.

SIGNS

A subsequent review of on-premises signage will be required to ensure that all proposed signage is in accordance with the Sign Standards of Title 19.14.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to "1":

The site plan indicates a 9,300 square foot office building setback 169 Feet from the frontage and surrounded on three sides by residential designations of R-E (Residential Estates) to the north and west and L (Low Density Residential) to the east. The placement of this building requires waivers as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed Site Development Plan Review is deemed incompatible with existing adjacent land use designations.

In regard to "2":

The applicant has requested a parking lot landscape waiver as well as a variance from residential adjacency setbacks. As such, this design is not consistent with Title 19.

In regard to "3":

The site is accessed by Potosi Street, and the proposed development will not negatively impact the traffic pattern in the vicinity.

In regard to "4":

The elevations depict a tile roof, stucco fascia, coach light, decorative wrought iron and ledge stone veneer. The primary landscaping includes Russian Hawthornes, Raywood Ashes and various shrub species. These materials are appropriate for the area and for the City.

In regard to "5":

The one-story office building is not unsightly, undesirable nor obnoxious in appearance. However, the size of the building and the subsequent need for a variance setback makes it inappropriate for the lot. While Potosi Street is primarily commercial, this site plan calls for the structure to be placed far from other commercial establishments and deeply imbedded among private residences where it fails to meet residential adjacency setbacks.

In regard to "6":

The site will be subject to ongoing inspection, in which the public health, safety, and welfare will not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-16139

Case Number: _____ APN: 163-01-802-008

Name of Property Owner: William B. Palmer II

Name of Applicant: William B. Palmer II

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: _____

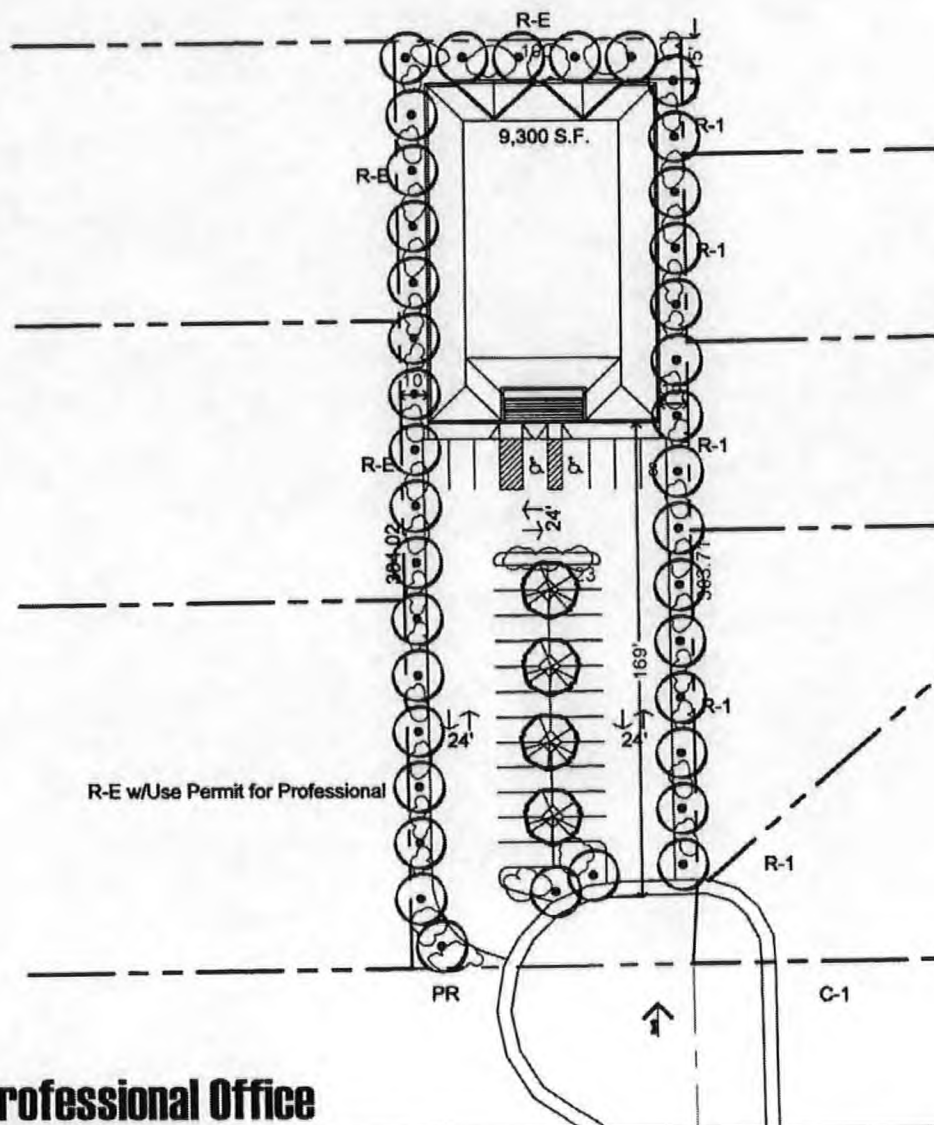
Print Name: William B. Palmer II

Subscribed and sworn before me

This 21st day of August, 2006

Stephanie Rose Wyant
Notary Public in and for said County and State





Plant List

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	4	3" Box	30" x 30" On Center	RAYWOOD ABE	Obispo
	8	3" Box	30" x 30" On Center	CHITALPA	Chilopsis Tachikensis
	24	3" Box	30" x 30" On Center	RUBBER HAWTHORN	Crataegus Arborescens
	4	3" Box	30" x 30" On Center	CHERRY REDWOOD	Quercus Chinensis
	X	Various	Various	Various specimens of shrubs	Various
	756				

Notes

Irrigation:

Irrigation system to be installed will be a water conservative Xingqian system, (i.e. Handpump mainline with drip tubing from valves to emitters placed efficiently around plant material.)

Palmer Professional Office

2320 Potosi Ave, Las Vegas, Nevada

Scale 1 : 20



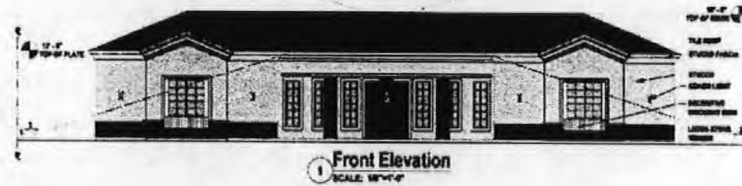
FRONTLINE group

MOSER architecture studio

RECEIVED

AUG 21 2006

GPA-16140 ZON-16141
SDR-16139 10/05/06 PC



① Front Elevation
SCALE: 1/8"=1'-0"



② Rear Elevation
SCALE: 1/8"=1'-0"



③ Right Elevation
SCALE: 1/8"=1'-0"



④ Left Elevation
SCALE: 1/8"=1'-0"

RECEIVED
SEP 05 2006

Palmer Professional Office

2320 Potomac Ave, Las Vegas, Nevada

GPA-16140 ZON-16141
VAR-16533 VAR-16537
SDR-16139 10/05/06 PC
REVISED

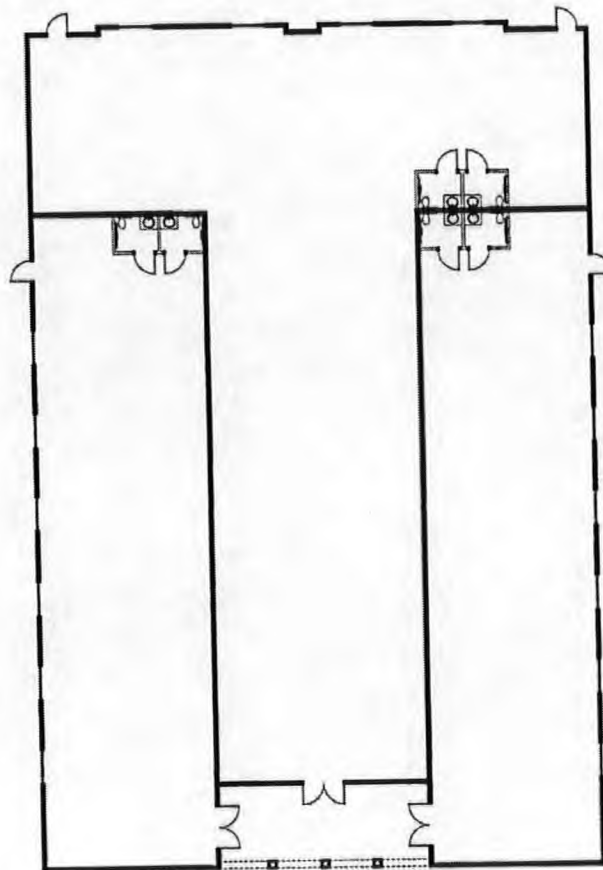
Scale 1/8"=1'-0"



FRONTLINE group

MOSER architecture studio

Conceptual Elevations : Sheet Title
MAM-0072 : Project Number
06-05-06 : Date



Palmer Professional Office

2320 Potosi Ave, Las Vegas, Nevada

Scale 1/4" = 1' 0"



FRONTLINE group

MOSE architecture studio

RECEIVED

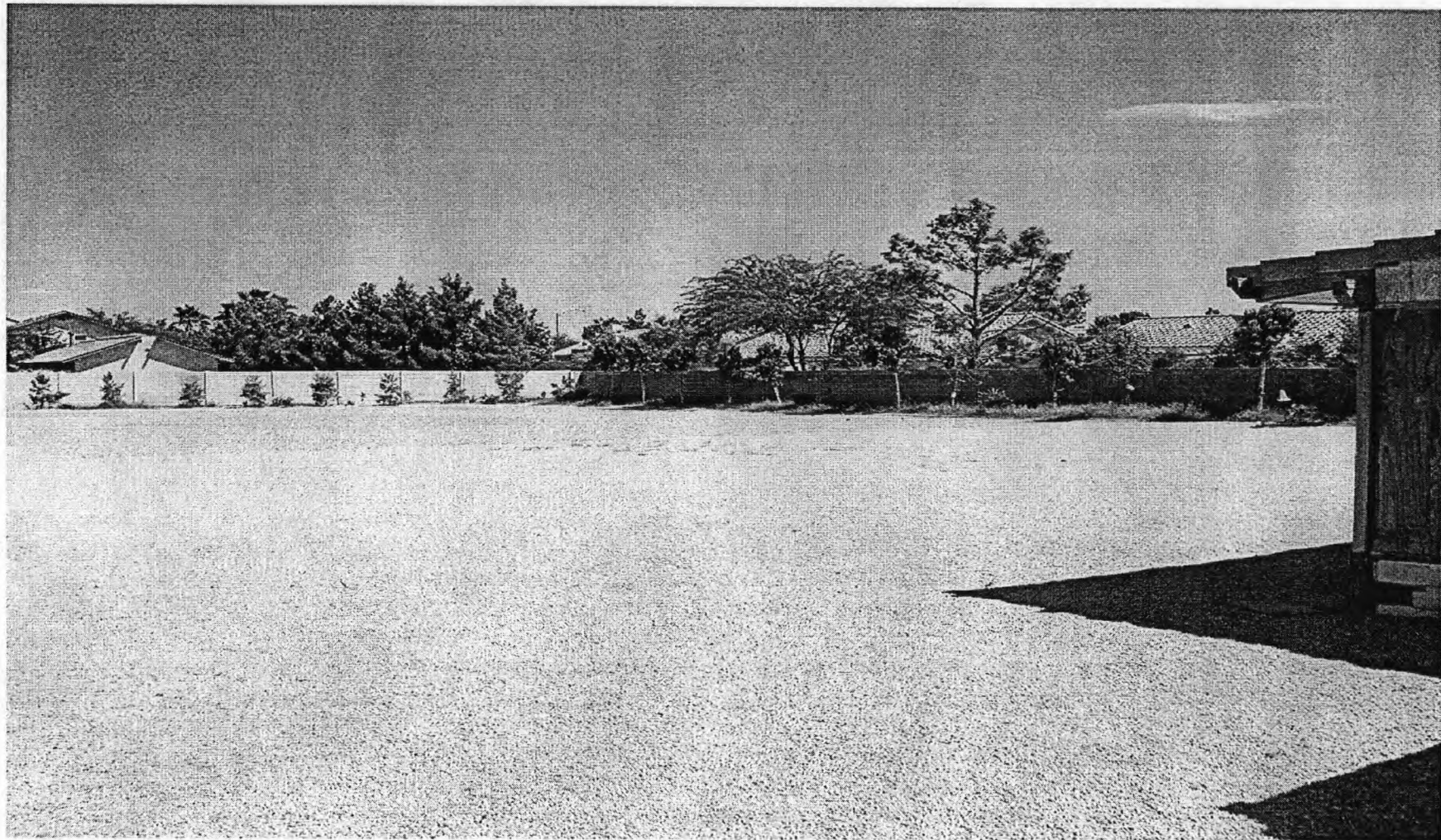
GPA-16140 ZON-16141
SDR-16139 10/05/06 PC

AUG 21 2006

Conceptual Floor Plan : Sheet Title
MA05-0072 : Project Number
06-15-06 : Date

SDR 16139				
William B. & Roselle J. Palmer				
2320 Potosi Street				
Proposed 9.3 thousand square foot office conversion.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	9.3	11.01	102
AM Peak Hour			1.55	14
PM Peak Hour			1.49	14
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	9.3		92
AM Peak Hour				13
PM Peak Hour				13
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Potosi Street				
Sahara Avenue				
Average Daily Traffic (ADT)	55,688			
PM Peak Hour	4455			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	47,999			
PM Peak Hour	3840			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets: Counts not available for Prince Lane				

	Adjacent street ADT			
	Capacity			
Sahara Avenue	51700			
Decatur Boulevard	51700			
This project will add approximately 92 trips per day on Pososi, Sahara and Decatur. This will increase expected volumes by less than 1 percent on Sahara and Decatur. Sahara is over capacity and Decatur is at about 93 percent of capacity. Counts are not available for Potosi, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 13 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.				



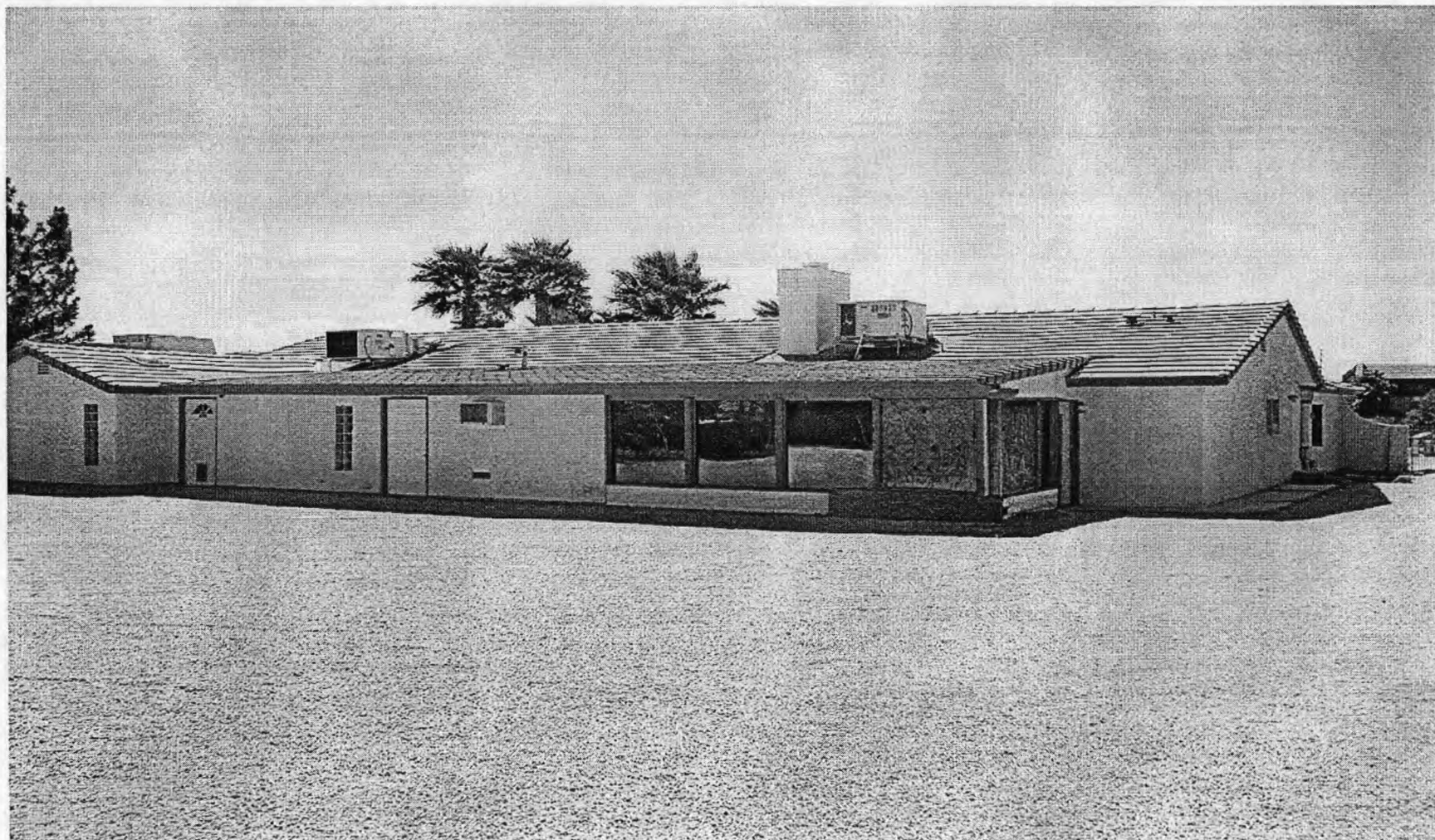
GPA-16140, ZON-16141, VAR-16533 AND SDR-16139 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER
2320 POTOSI STREET
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06



GPA-16140, ZON-16141, VAR-16533 AND SDR-16139 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER
2320 POTOSI STREET
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06



GPA-16140, ZON-16141, VAR-16533 AND SDR-16139 - APPLICANT/OWNER: WILLIAM B. PALMER II
AND ROSELLE J. PALMER
2320 POTOSI STREET
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

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aceleste@kkbrf.com
702.693.4215

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Fax: 702.796.7181

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Reno, NV 89511
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Fax: 775.852.3982

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Suite 150
Las Vegas, NV 89129
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Fax: 702.939.8457

CARSON CITY OFFICE
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Carson City, NV 89703
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Fax: 775.882.0257

August 18, 2006

VIA HAND DELIVERY

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

***Re: Justification Letter for Palmer Law Office – General Plan
Amendment, Zone Change, & Site Development Review (2320
Potosi Street, Las Vegas, Nevada 89146)***

To Whom It May Concern:

Please be advised that this office represents Palmer Law Office (the "Applicant") in the above referenced matter. The Applicant is requesting a General Plan Amendment, Zone Change, and Site Development Review for its location at 2330 Potosi Street, Las Vegas, Nevada 89146, more specifically known as APN 163-01-802-008 (the "Site").

General Plan Amendment

The Applicant proposes the general plan for the Site be amended from Desert Rural to Office. An Office designation for the general plan at this Site is ideal. The Site is located at the bulb of the Potosi Street cul de sac. All of the parcels located on Potosi Street are planned Service Commercial or Office. Office designation for the Site would complete and compliment the neighboring parcels on Potosi Street. Further, an Office designation for this site is not an intensive use.

Zone Change

The Applicant proposes a zone change from Residential Estates ("RE") to Professional Office and Parking ("PR"). All parcels on the Potosi Street cul de sac, with the exception of the Site, are zoned either PR or C-1. Similar to the general plan, this Site would complete and compliment the already established PR and C1 zoning on the Potosi Street cul de sac. Although some of the neighboring parcels are zoned RE and R-1, the PR zoning is not an intensive use. Further, the parcel just to the west of the Site, APN 163-01-802-007, is zoned RE with a special use permit for Professional.



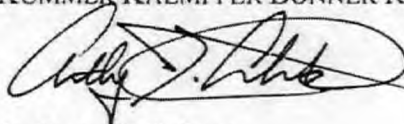
Site Development Review

The law office building will be one story and approximately 14 feet and 6 inches in height. Some of the highlights of the design of the law office building will consist of a tile roof, stucco fascia, coach light, decorative wrought iron, and ledge stone veneer. The law office building will be approximately 9,300 square feet. The Site meets all parking and set back requirements. The perimeter of the Site will be landscaped with approximately 38 Russian Hawthorns and various specimens of shrubs. The parking lot will also be landscaped with approximately 4 Raywood Ashes and various specimens of shrubs.

We thank you in advance for your time and consideration of this application. If you have any questions or concerns, please feel free to contact the undersigned.

Very truly yours,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



Anthony J. Celeste

AJC/dmf

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-16193 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southeast Sector Plan of the Master Plan FROM: MXU (MIXED-USE) TO: PF (PUBLIC FACILITIES) on 1.71 acres at 250 West Baltimore Avenue and 300 West Boston Avenue (APN 162-04-813-109 and 162-04-707-008), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 90 [GPA-16193] and Item 91 [ZON-16450].

MARGO WHEELER, Director of Planning and Development, reported that the items are an attempt to ensure proper General Plan and Zoning designations on the City-owned properties known as the Stupak Center.

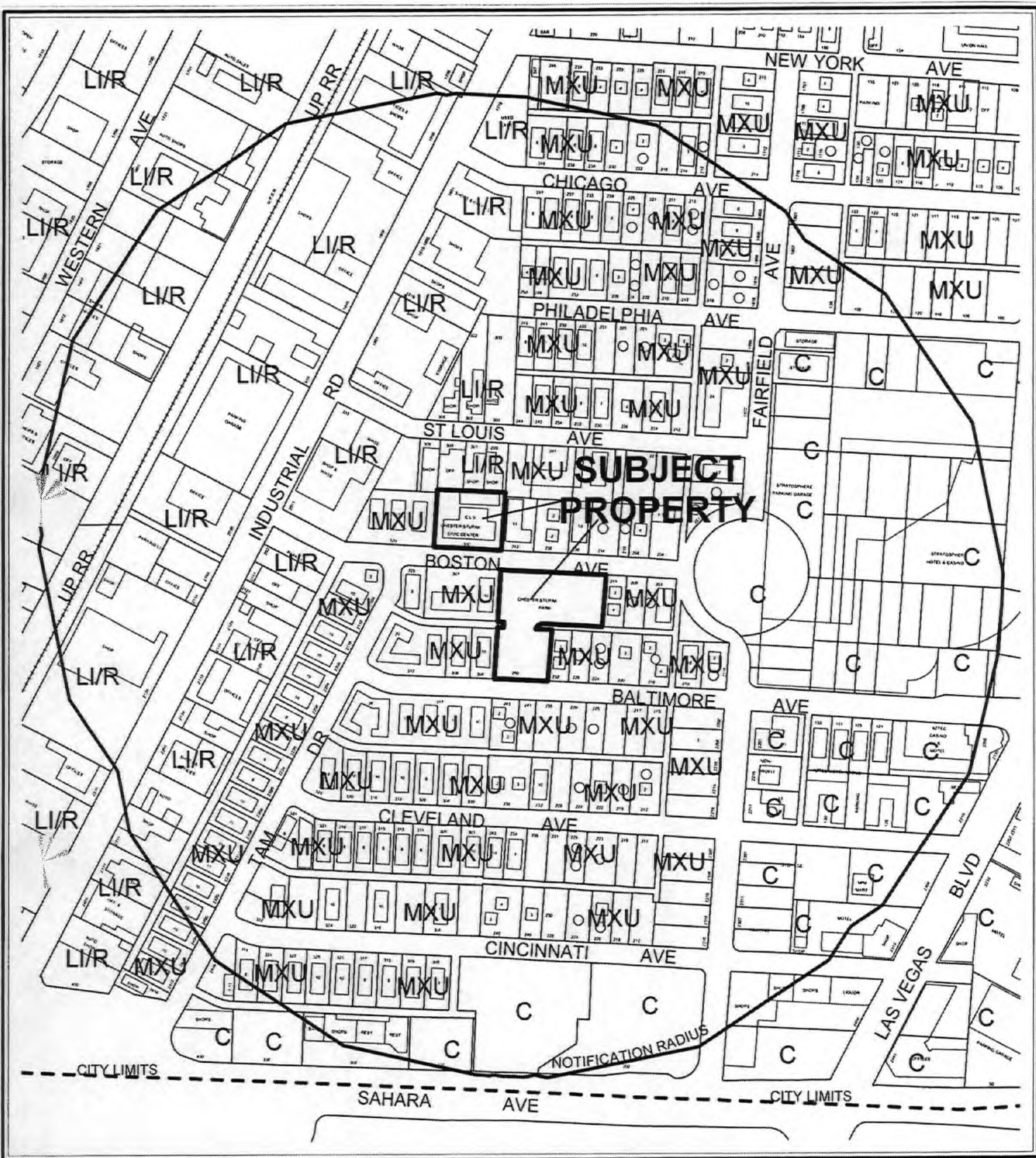
TOM McGOWAN inquired about the use of the property and gave the history of how the park received its name. COUNCILMAN REESE responded that the park will be converted to a

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

community center and the existing community center would become a park with added parking and public bathrooms. He commended COUNCILWOMAN TARKANIAN for initiating the project and staff for their diligence and hard work.

MAYOR GOODMAN declared the Public Hearing closed for Item 90 [GPA-16193] and Item 91 [ZON-16450].





CASE: GPA-16193

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MXU (MIXED-USE)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITY)





CASE: **GPA-16193**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MXU (MIXED-USE)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITY)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16193 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request for a General Plan Amendment has been initiated by the City of Las Vegas for the purpose of realigning the Land Use categories with their existing use. This amendment seeks to amend the land use designation from MXU (Mixed Use) to P-F (Public Facilities) so as to properly reflect the type of activity occurring at these locations.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
	The Planning Commission recommended approval of companion item ZON-16450 concurrently with this application.
10-05-06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item#34/mh).
<i>Related Building Permits/Business Licenses</i>	
7/14/95	L-786-95: Chester Stupak Memorial Park established (250 W. Baltimore Ave)
12/04/97	L-499-97: Modular classroom installed at Chester Stupak Civic Center (300 W. Boston Ave)
<i>Pre-Application Meeting</i>	
N/A	A pre-application meeting was not given as the City of Las Vegas is the applicant
<i>Neighborhood Meeting</i>	
9/12/2006	A Neighborhood meeting was held at 5:30 pm at Chester Stupak Community Center, 300 Boston Ave. In attendance was one City Staff member and no members of the public attended the meeting. City staff waited until 6:00 pm. At which the meeting was adjourned.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.71

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Community Center & Park	MXU (Mixed Use)	C-M C-V
North	Industrial (300 W. Boston Ave) Apartments (250 W. Baltimore Ave)	LI/R (300 W. Boston Ave) MXU (Mixed Use)	C-M (300 W. Boston Ave) R-4 (250 W. Baltimore Ave)
South	Apartments	MXU (Mixed Use)	R-4
East	Apartments	MXU (Mixed Use)	R-4
West	Apartments	MXU (Mixed Use)	R-4

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	Y		Y or N
Redevelopment Plan Area			Y or N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	Y		N/A
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

ANALYSIS

The two facilities, the Chester Stupak Community Center and the Chester Stupak Community Park, have both served the local community for almost ten years. Currently, the General Plan Designation for 300 West Boston Avenue (the Chester Stupak Community Center) and 250 West Baltimore Avenue depicts the MXU (Mixed-Use) Land Use category. The Mixed-Use category allows for a select variety of residential and commercial zoning categories to be situated within close proximity. As both of these facilities are

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":

As this proposal is for an alignment of land use for an existing City of Las Vegas Park and Civic Center that serves the immediate community of medium density housing it is harmonious with the surrounding neighborhood.

In regard to "2":

As previously stated, this proposal is for an alignment of land use for an existing City of Las Vegas Park and Civic Center. The community park at 250 West Baltimore already has the proper C-V (Civic) Zone category required of public facilities. The community center at 300 West Boston Avenue, however, will require a zone change from C-M (Light Industrial) Zone to C-V (Civic) Zone. This change will be minor in nature as the facility has been operating at this location since 1997.

In regard to "3":

Since these two facilities are both located within a medium-density residential neighborhood and are situated across the street from each other, it is worth noting that they both provide adequate pedestrian –and vehicular- access via neighborhood and local streets.

In regard to "4":

The proposed amendment will comply with the Master Plan, the Downtown Centennial Plan, and the Downtown Redevelopment Plan as it is providing much needed recreation and leisure facilities in the Downtown Area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 155 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-16193 APN: 162-04-813-109 + 162-04-202-005

Name of Property Owner: City of Las Vegas

Name of Applicant: City of Las Vegas

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:

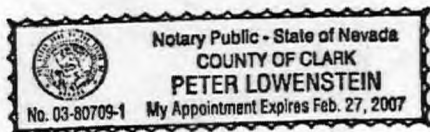
D) Berlin

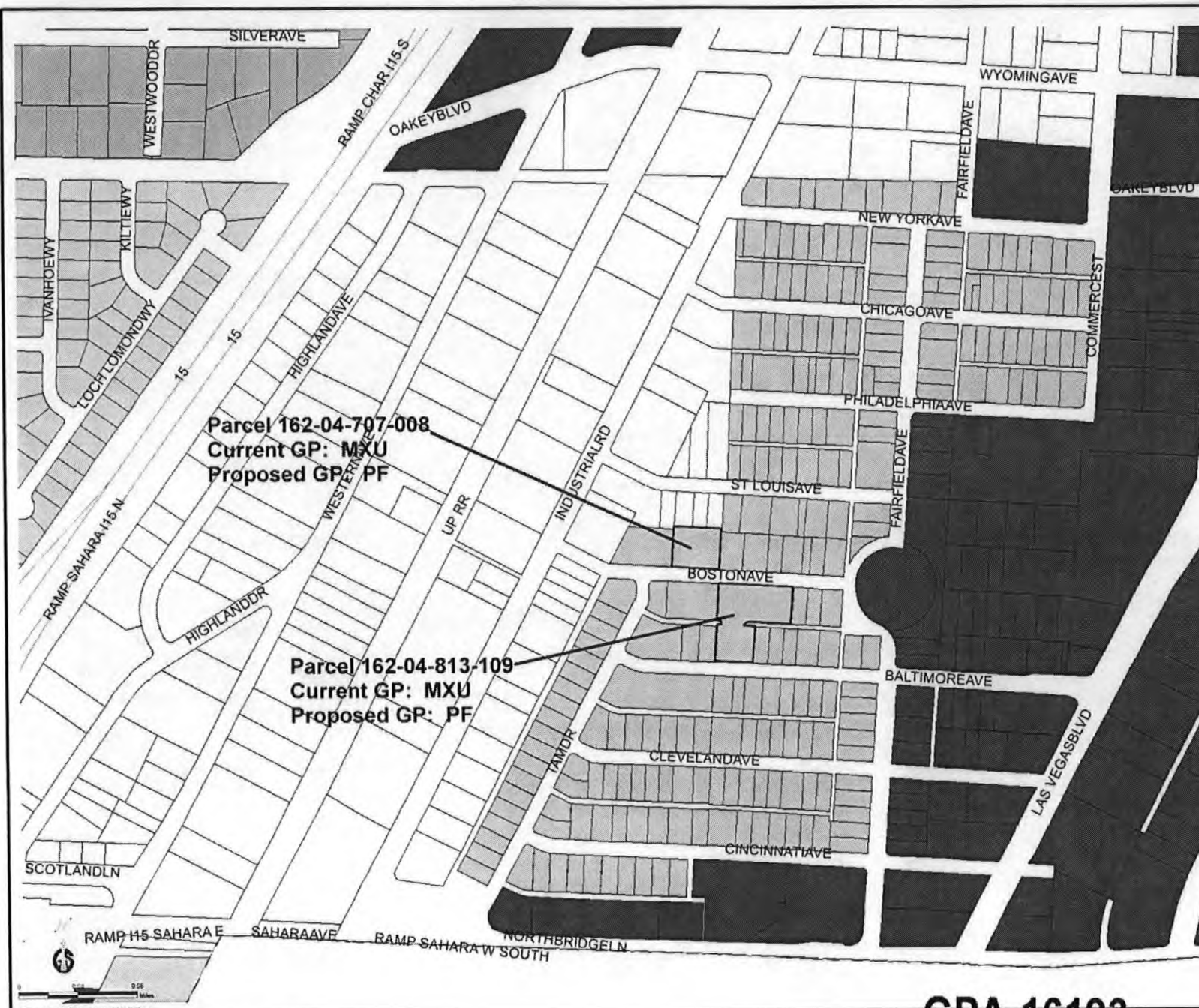
Print Name: Douglas Rankin

Subscribed and sworn before me

This 24th day of August, 2006

John L. Lantier
Notary Public in and for said County and State





City of Las Vegas

Proposed General Plan Amendment Change From MXU to P-F

Land Use Categories

- Rural Neighborhood Preservation - up to 2 du/ac (0 - 2 du/ac)
- Desert Rural - up to 2.49 du/ac (2.1 - 2.49 du/ac)
- Rural - up to 3.59 du/ac (2.5 - 3.59 du/ac)
- Low - 3.6 to 5.5 du/ac
- Medium - Low - 5.6 - 8 du/ac
- Medium - Low Attached - 8.1 - 12 du/ac
- Medium - 12.1 - 25 du/ac
- High 25+ du/ac
- Mixed Use (L,ML,M,H,O,SC,GC,PF)
- Office
- Service Commercial
- General Commercial
- General Tourist Commercial
- Commercial (O,SC,GC)
- Park/Recreation/Open Space
- Public Facility
- Public Facility School
- Resource Conservation
- Light Industrial / Research
- University Medical Center
- Downtown Redevelopment

RECEIVED
AUG 22 2006

Adopted August 18, 1999 GPA-14-99

Plotted August 23, 2006



GIS maps are normally produced
only to record the results of the City
Due to continuous development activity
this map is for reference only
Geographic Information System
Planning & Development Dept
602-229-6301



GPA-16193
10/05/06 PC



August 22, 2006

To Whom It May Concern:

The City of Las Vegas seeks an amendment to the General Plan from MXU (Mixed-use) to P-F (Public Facilities) for the Chester Stupak Civic Center and the Chester Stupak Park. The affected properties are located at 300 W. Boston Avenue and 250 W. Baltimore Avenue (Parcel #162-04-707-008 and #162-04-813-109, respectively).

The proposed amendment has been requested specifically to adjust the General Plan category with the current land use on both properties. The Chester Stupak Civic Center and the Chester Stupak Park have been owned and operated by the City of Las Vegas since 1997 in their current locations.

The amendment will accomplish the following:

- The proposed land use change will allow the facilities to continue in their current location, and provide recreational opportunities for residents of the downtown area;
- The proposed land use designation is compatible with the surrounding properties; and
- The proposed change is compatible NRS 278 and the goals and objectives of the General Plan.

The proposed request will allow the facilities to continue in their current locations in service to the residents of Meadows Village.

Sincerely,

A handwritten signature in black ink, appearing to read "Flinn Fagg", is written over a horizontal line.

Flinn Fagg, AICP
Planning Manager

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
TERENCE WEEKLY
EVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-16193

ZON-16450 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: CM (COMMERCIAL/INDUSTRIAL) TO C-V (CIVIC) on 0.56 acres at 300 W. Boston Avenue (APN 162-04-707-008), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 90 for related discussion.

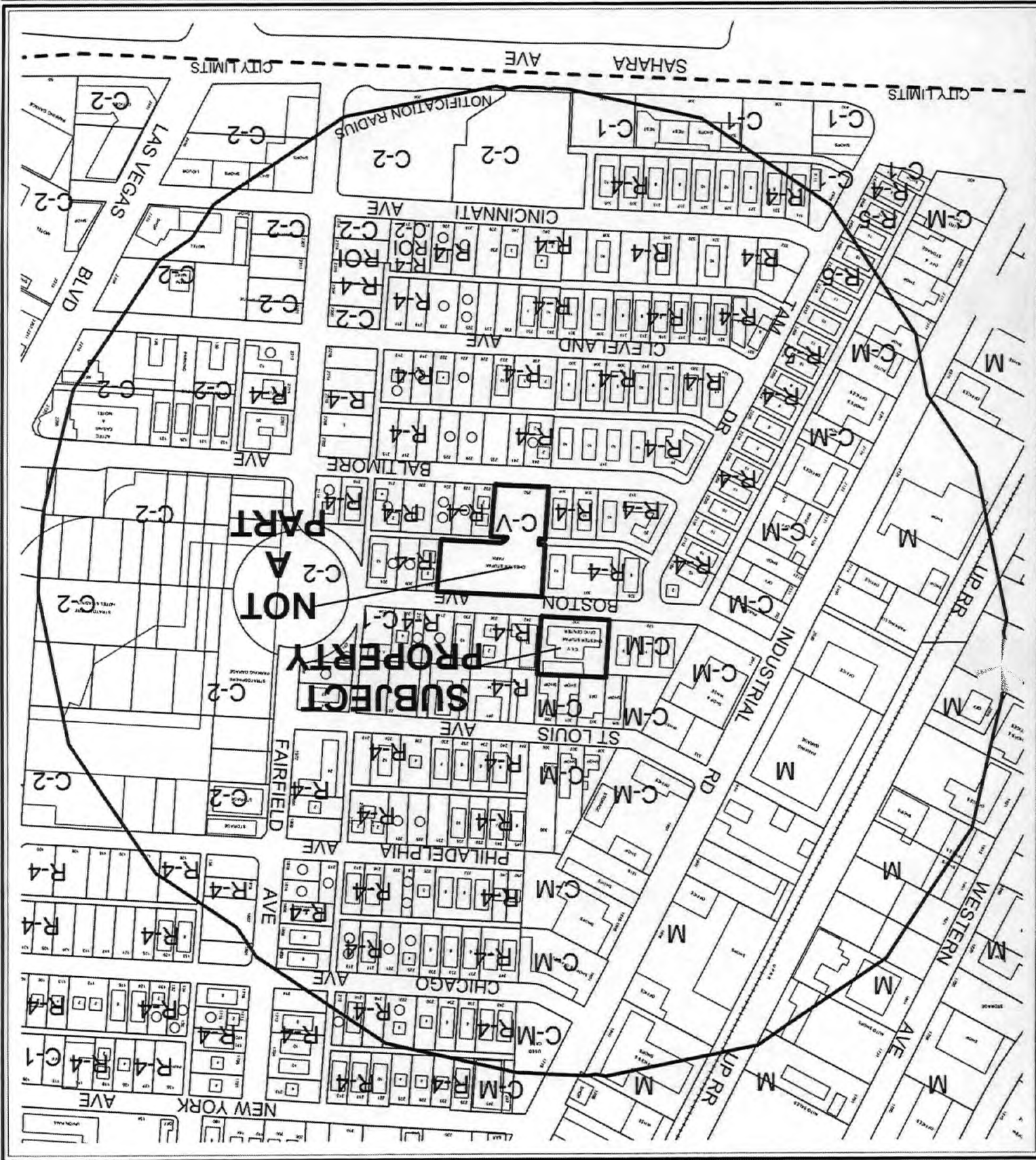
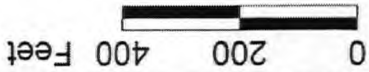


PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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

RADIUS: 1000 FT

CASE: ZON-16450





CASE: **ZON-16450**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16450 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent to rezone 300 West Boston Avenue from C-M (Commercial/Industrial) Zone to C-V (Civic) Zone is hereby granted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request for a Rezoning has been initiated by the City of Las Vegas for the purpose of realigning the Zoning category with the proposed General Plan Amendment (GPA-16193). This application seeks a rezoning to C-V (Civic) from C-M (Light Industrial) so as to properly reflect the type of activity occurring at this location.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10-05-06	The Planning Commission recommended approval of companion item GPA-16193 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item#35/mh).
<i>Related Building Permits/Business Licenses</i>	
7/14/95	L-786-95: Chester Stupak Memorial Park established (250 W. Baltimore Ave)
12/04/97	L-499-97: Modular classroom installed at Chester Stupak Civic Center (300 W. Boston Ave)
<i>Pre-Application Meeting</i>	
N/A	A pre-application meeting was not given as the City of Las Vegas is the applicant
<i>Neighborhood Meeting</i>	
9/12/2006	A Neighborhood meeting was held at 5:30 pm at Chester Stupak Community Center, 300 West Boston Ave. In attendance was one City Staff member and no members of the public attended the meeting. City staff waited until 6:00 pm. at which the meeting was adjourned.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Community Center & Park	MXU (Mixed Use)	C-M C-V
North	Industrial (300 W. Boston Ave) Apartments (250 W. Baltimore Ave)	LI/R (300 W. Boston Ave) MXU (Mixed Use)	C-M (300 W. Boston Ave) R-4 (250 W. Baltimore Ave)
South	Apartments	MXU (Mixed Use)	R-4
East	Apartments	MXU (Mixed Use)	R-4
West	Apartments	MXU (Mixed Use)	R-4

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	Y		N/A
Redevelopment Plan Area	Y		N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	Y		N/A
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

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Community Recreation Facility	4800 sq. ft.	1:200 sq ft.	24	1	22	2	N/A
TOTAL (including handicap)			24	2	22	2	N/A

ANALYSIS

The Chester Stupak Community Center has been serving the local community for almost ten years. Currently, the Zoning category for the Chester Stupak Community Center (300 West Boston Avenue) is C-M (Light Industrial). The actual use is a Community Center. It would be more appropriate for the immediate community to have this property reflect the proper zoning, C-V (Civic) Zone, rather than to continue operating under the C-M (Light Industrial) Zone. This will ensure that proper design standards will be recorded with this property as it will fall under the purview of *Title 19.06 Special Purpose and Overlay Districts* rather than *Title 19.08 Development Standards*.

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 request for a Rezoning to C-V (Civic) Zone is in line with the proposed General Plan Amendment (GPA-16193). With the proposed P-F (Public Facilities) General Plan Amendment, the C-V (Civic) Zone is only one available zoning category that complies with that given land use.

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."

Since this facility (in conjunction with the neighborhood park) has been a community resource for almost ten years it is appropriate to note that the existing use has been in harmony with the surrounding medium-density residential neighborhood.

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

As stated in the V3E. Proposed Mixed Use Opportunities section of the Downtown Centennial Plan "...the City should pursue the creation of a series of small urban park spaces linked by trails and enhanced pedestrian streetscapes to expand the livability of Downtown". This proposal complies with the spirit of the Downtown Centennial Plan in that it is maintaining the future existence of the community center.

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."

This facility is located within a medium-density residential neighborhood and is situated across the street from a companion community park. It is worth noting that both facilities provide adequate pedestrian –and vehicular- access via neighborhood sidewalks and local streets.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 155 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 20N-16450 APN: 162-04-707-008
Name of Property Owner: City of Las Vegas
Name of Applicant: City of Las Vegas

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: _____

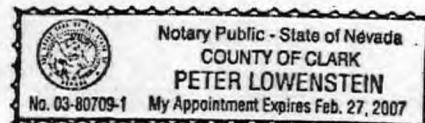
Signature of Property Owner: _____

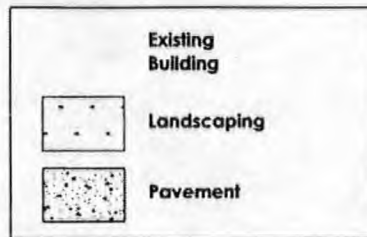
Print Name: Doug Rankin

Subscribed and sworn before me

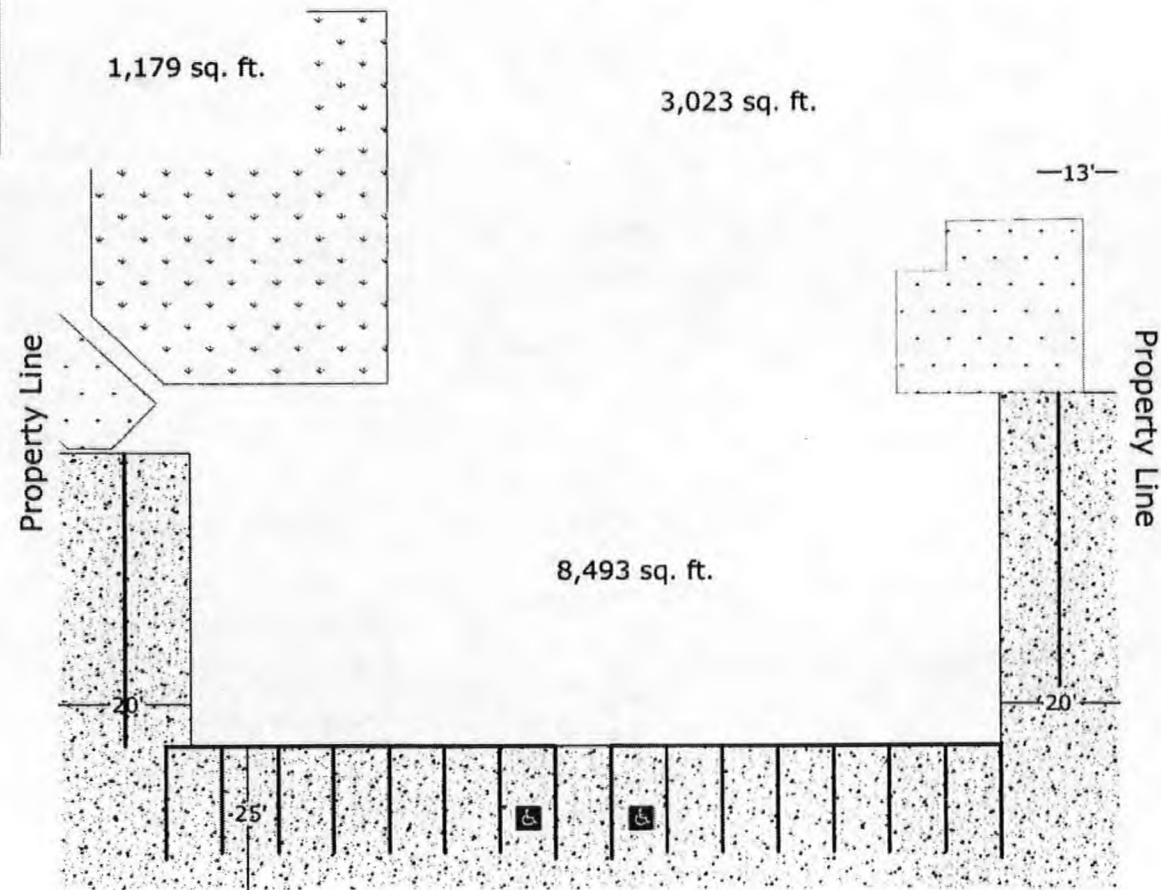
This 31st day of AUGUST, 2006

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





Lot size: 24,394 sq. ft.



W Boston Avenue

CHESTER SUPER
COMMUNITY CENTER
300 W BOSTON AVE



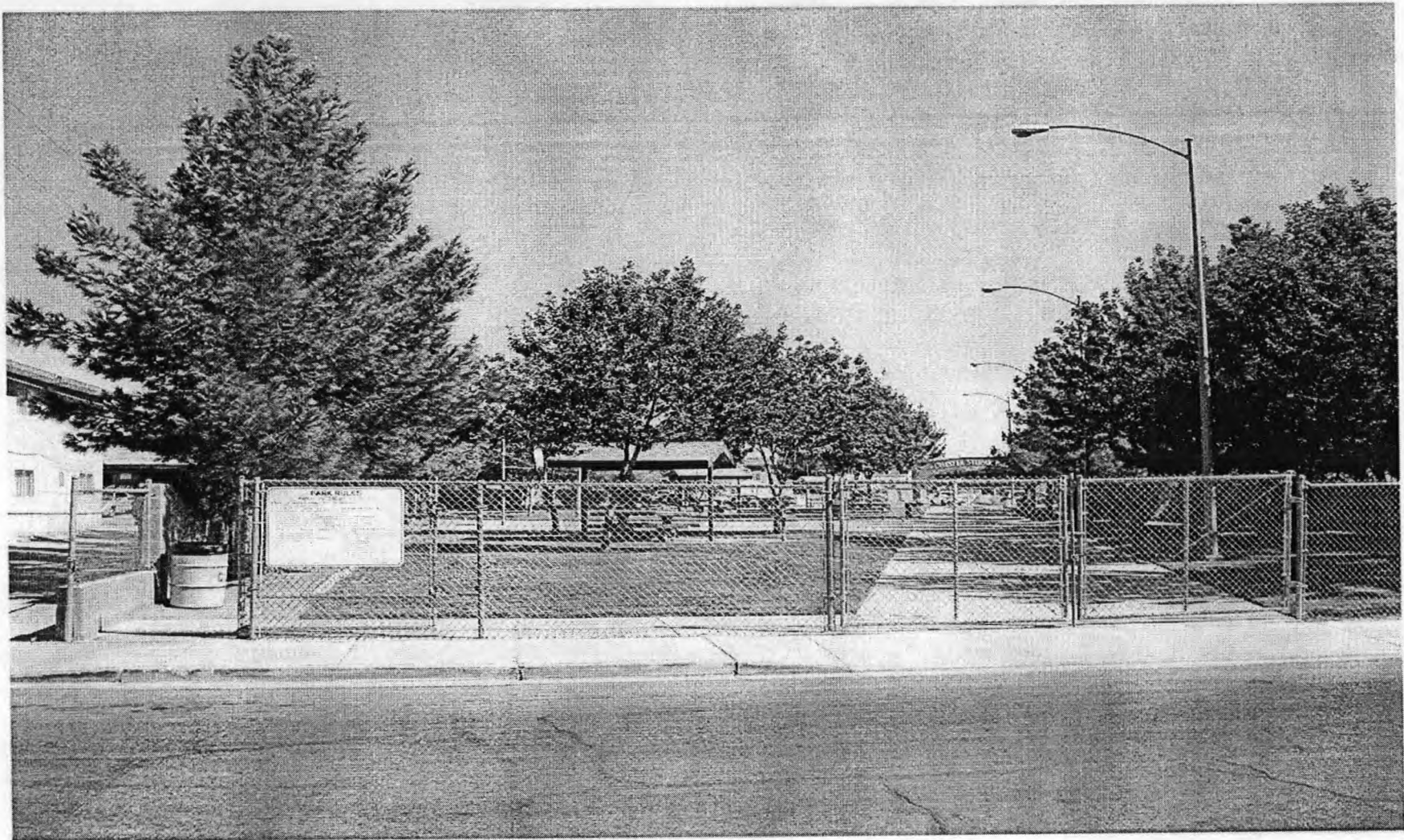
ZON-16450
10/05/06 PC

RECEIVED
AUG 22 2006



GPA-16193 AND ZON-16450 - APPLICANT/OWNER: CITY OF LAS VEGAS
250 WEST BALTIMORE AVENUE AND 300 WEST BOSTON AVENUE
OCTOBER 5, 2006 PLANNING COMMISSION

08/20/06



GPA-16193 AND ZON-16450 - APPLICANT/OWNER: CITY OF LAS VEGAS
250 WEST BALTIMORE AVENUE AND 300 WEST BOSTON AVENUE
OCTOBER 5, 2006 PLANNING COMMISSION

08/20/06



GPA-16193 AND ZON-16450 - APPLICANT/OWNER: CITY OF LAS VEGAS
250 WEST BALTIMORE AVENUE AND 300 WEST BOSTON AVENUE
OCTOBER 5, 2006 PLANNING COMMISSION

08/20/06



GPA-16193 AND ZON-16450 - APPLICANT/OWNER: CITY OF LAS VEGAS
250 WEST BALTIMORE AVENUE AND 300 WEST BOSTON AVENUE
OCTOBER 5, 2006 PLANNING COMMISSION

08/20/06



August 22, 2006

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
RENCE WEEKLY
EVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

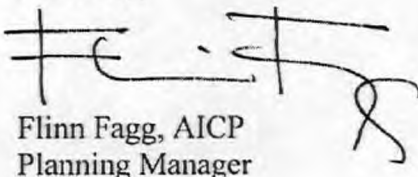
DOUGLAS A. SELBY
CITY MANAGER

To Whom It May Concern:

The City of Las Vegas is requesting to rezone the Chester Stupak Civic Center from CM (Commercial/Industrial) to C-V (Civic). The affected property is located at 300 W. Boston Ave. (Assessor's Parcel Number: 162-04-707-008). The proposed rezoning is being requested to match the current permitted use with the appropriate zoning category.

The proposed rezoning will not impact adjacent parcels as the facility is existing and has operated in the current location since 1997. The request will allow the facility to continue to operate in this location and serve the residents of Meadows Village.

Sincerely,


Flinn Fagg, AICP
Planning Manager

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-16201 - PUBLIC HEARING - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN - Request to amend a portion of the Southwest Sector of the
General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL)
on 0.51 acres at 5001 West Charleston Boulevard (APN 163-01-502-011), Ward 1 (Tarkanian).
The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

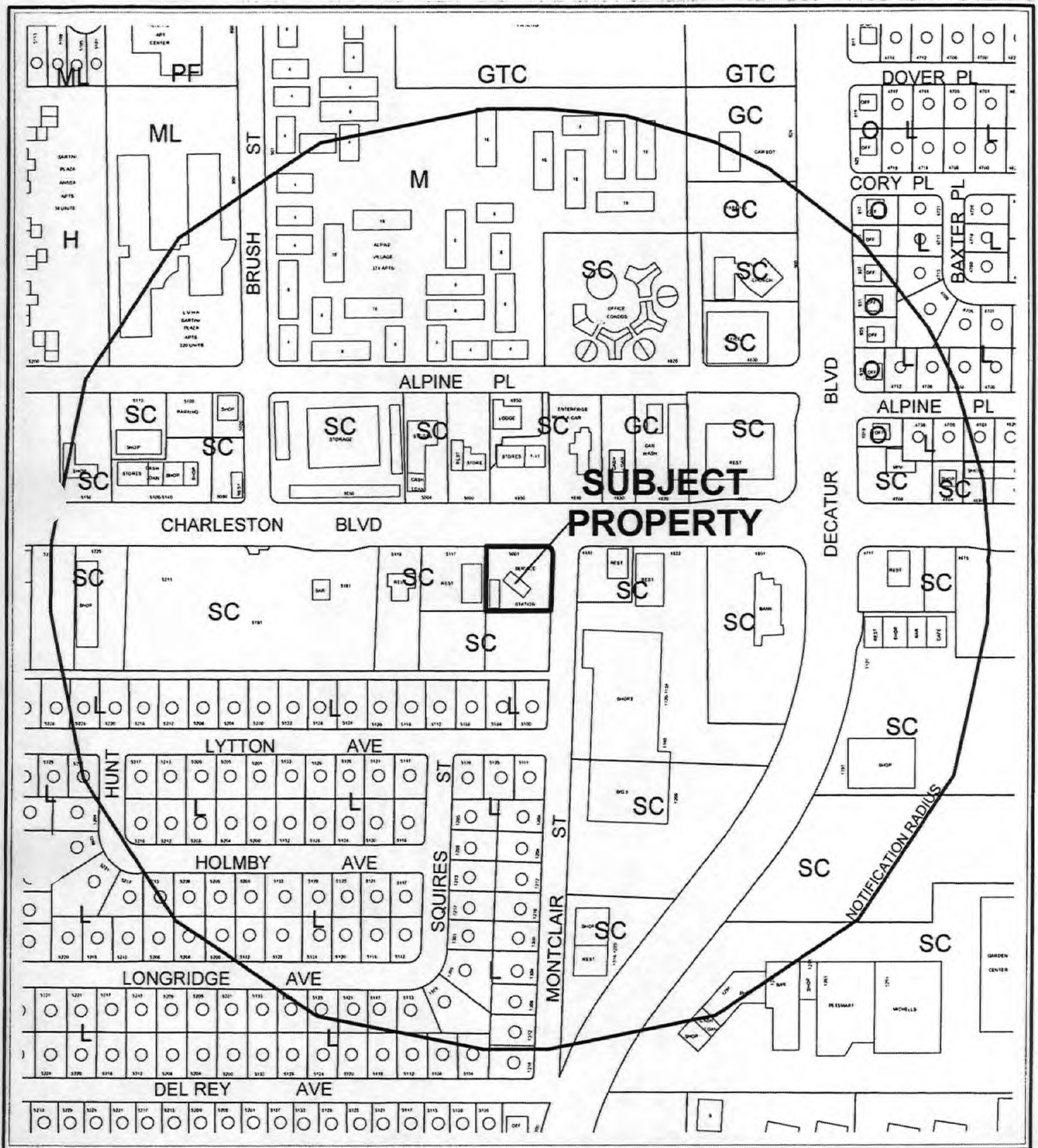
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Abeyance request letter by Attorney Robert Gronauer for Items 92 - 96
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 29

Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard];
WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891],
Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347],
Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903],
Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-
15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201],
Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item
108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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



CASE: GPA-16201

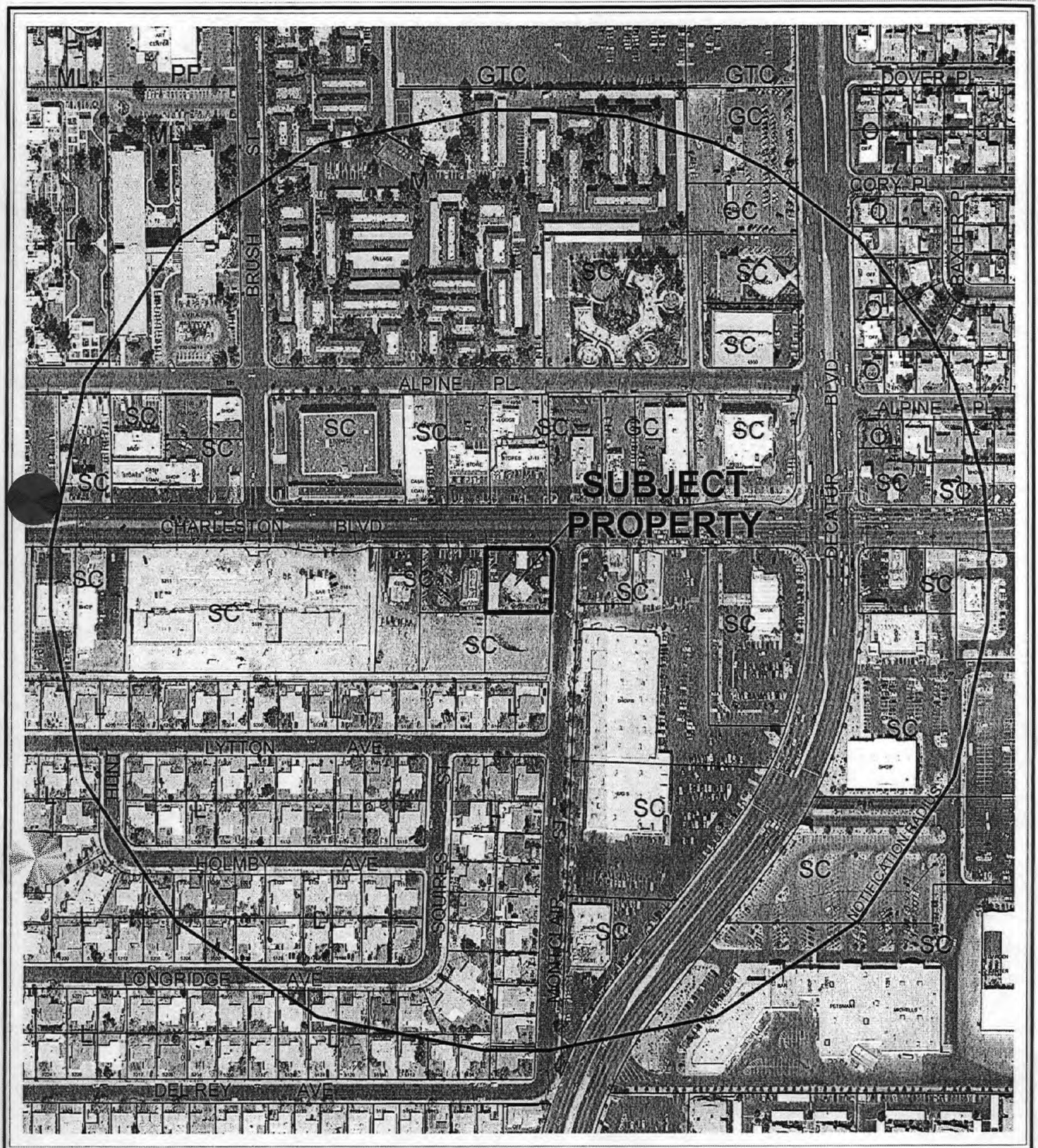
RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)



CASE: **GPA-16201**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-16201 - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN**

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the General Plan land use designation of the subject property located at 5001 W. Charleston Boulevard from SC (Service Commercial) to GC (General Commercial). A companion rezoning (ZON-16196) to C-2 (General Commercial) from C-1 (Limited Commercial), Site Development Plan Review (SDR-16197), and two Special Use Permits for an Auto Repair Garage, Major (SUP-16198) & Towing Service (with no storage) (SUP-16200) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/63	The Board of Zoning Adjustment approved a request to allow a service station on property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (U-61-63).
10/26/63	The Board of City Commissioners approved the request for reclassification of property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (Z-100-62).
08/26/71	The Board of Zoning Adjustment approved a request for a Variance to allow the operation of a truck and trailer rental business on property located at 5001 West Charleston Boulevard (V-30-71).
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
12/01/04	The City Council approved a Special Use Permit (SUP-5291) for an Automotive Repair Garage, Minor.
10/05/06	The Planning Commission recommended denial of companion items ZON-16196, SUP-16198, SUP-16200, and SDR-16197 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item#29/mh).

Related Building Permits/Business Licenses	
1964	Primary 1540 sq. ft. building constructed at 5001 West Charleston Boulevard.
12/12/89	Permit #89047900: Ornamental iron fence installed.
05/11/93	L-894-93: Certificate of Occupancy issued on 1440 sq. ft accessory storage structure.
05/06/95	L-546-94: Permit for 20' freestanding sign expired. No final inspection recorded.
07/18/05	Business license A39-00337 "Llantera Piolin" issued for auto tire store.
02/26/06	L-231-05: Non-work Certificate of Occupancy issued.
08/16/06	Business license G02-00696 "Family Auto Repair" issued for Minor Auto Repair.
08/26/06	L-368-06: Permit for sign expired. No final inspection recorded.
Pre-Application Meeting	
08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has not been in compliance with the conditions of approval for the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
Neighborhood Meeting	
9/14/06	A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a 10 foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a 3 foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting was adjourned at 6:30 pm.
Details of Application Request	
Site Area	
Gross Acres	0.51 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Minor Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		N	N/A
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

ANALYSIS

The subject area fronts Charleston Boulevard and is predominated by C-1 (Limited Commercial) zoned lots. Offices, limited retail, and parking are already established on several of the surrounding parcels. The request to C-2 (General Commercial) would depart in the uniformity of use across the whole of the applicant's property in order to allow the more intense uses the applicant requests.

Since the proposed uses of this project initiates the need for a General Plan Amendment this demonstrates that the proposal is out of character with the area. The sum total of the change in the land use designation, zoning district, and two separate special use permits is, in effect, spot zoning.

An Auto Repair Garage (Major) and Towing Service (with no storage) are each only permitted with the approval of a Special Use Permit in the C-2 (General Commercial) zoning district. The reason for a Special Use Permit is to address concerns relating to noise, odors, lighting conditions and hours of operation caused by or are a part of activities typical to Auto Repair Garage (Major) uses that would be a nuisance to adjacent single family, office, and retail uses.

In addition, the subject site still contains razor wire, which is inappropriate in any commercial zoning designation. The project area had been previously conditioned to remove the existing razor wire to comply with *Title 19.08 Development Standards* for the approval of SUP-5291.

Since this project requires too many deviations from Title 19, none of which are minor, denial is recommended.

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 site is designated SC (Service Commercial) on the Southwest Sector Land Use Plan Map of the General Plan. As proposed, the GC (General Commercial) Land Use designation neither the major automotive repair garage nor the Towing service is compatible with adjacent land uses, as most of these properties are zoned S-C (Service Commercial). This land use allows for commercial uses that primarily serve local area patrons and does not include more intense General Commercial characteristics whereas the proposed G-C (General Commercial) allows for uses of a more intense commercial character.

In regard to “2”:

The proposed change to C-2 (General Commercial) Zoning designation is not in conformance with the General Plan. The proposed use is an increase in intensity of the prior auto repair garage. A major automotive repair garage is not compatible with adjacent land uses, as most of these properties are zoned C-1 (Limited Commercial). This district allows for commercial uses that primarily serve local area patrons and would not fall under the General Commercial Use Description.

In regard to “3”:

The primary access to the site is provided via Charleston Boulevard, a 100-foot wide Primary Arterial roadway. Secondary access is provided via Montclair Street, a 60-foot wide residential collector street as described in the Master Plan of Streets and Highways.

In regard to “4”:

The proposed amendment is not in conformance with the 2020 Master Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

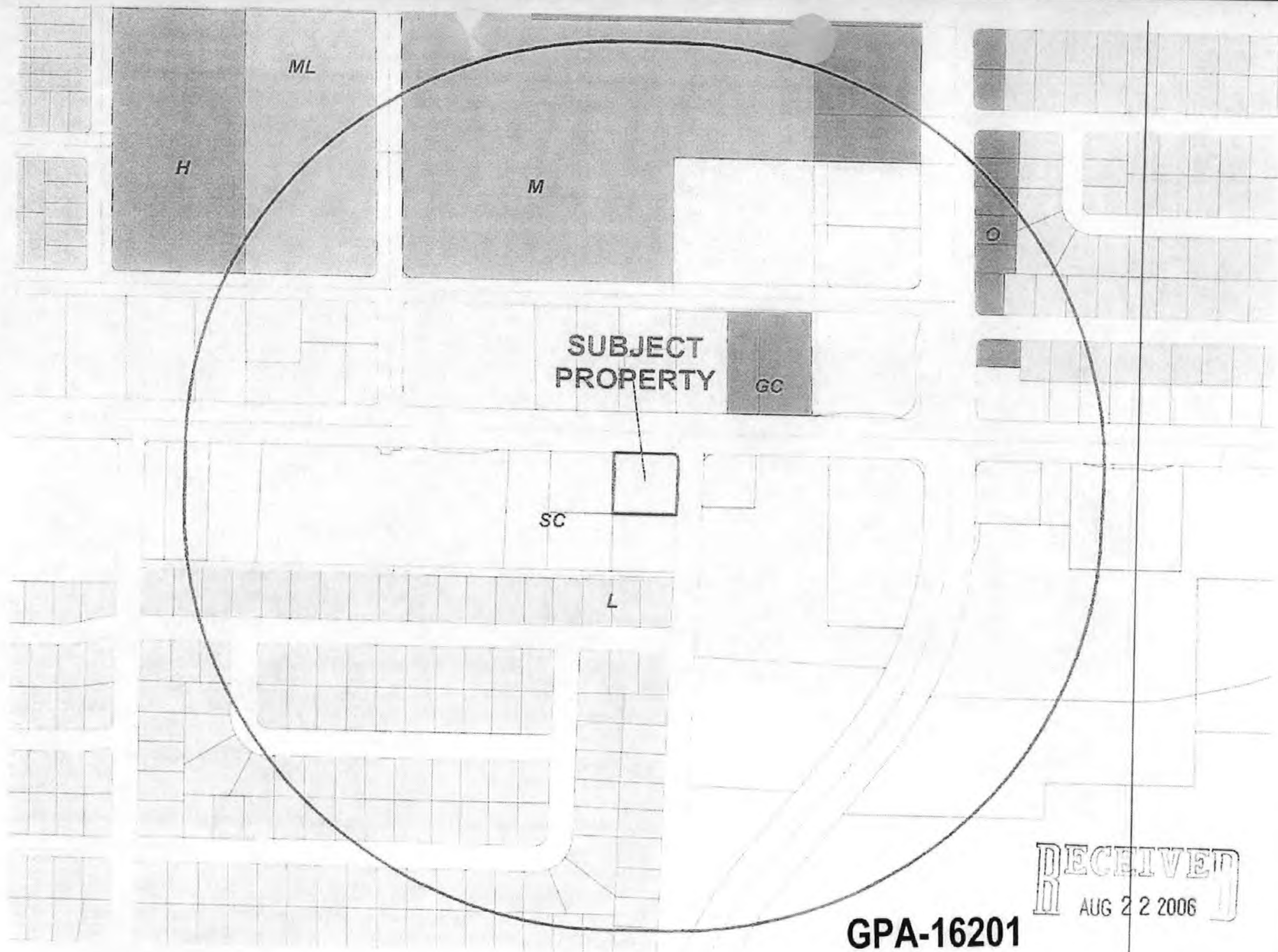
ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 136 by Planning Department

APPROVALS 2

PROTESTS 1



SUBJECT
PROPERTY

GC

SC

L

RECEIVED
AUG 22 2006

GPA-16201
10/05/06 PC

Fred Nazaryan
5001 West Charleston Blvd.
Las Vegas, NV 89146

To:

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

August 21, 2006

Justification letter for a Zoning change request from C-1 to C-2.

The property located on Charleston Boulevard West, at the number 5001, APN 163-01-502-011 consists of two existing buildings presently used for minor auto repairs. The rest of the property, as shown on the plan A1 consists of parking spaces and driveways.

The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating.

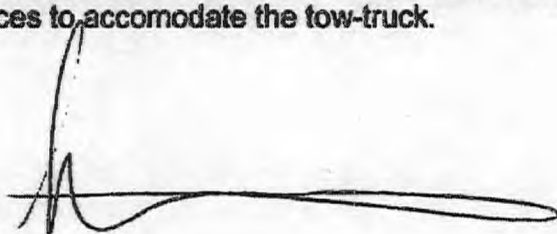
Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

The change to C-2 Zoning would bring a tremendous improvement in this company's business.

No change would occur in the appearance of the repair shop as well as the parking lot since the application includes the use of a tow-truck without storage. There is actually enough parking spaces to accomodate the tow-truck.

Sincerely,

Fred Nazaryan
Business Owner



GPA-16201
10/05/06 PC

**KUMMER
KAEMPFER**
**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ROBERT J. GRONAUERrgronauer@kkbri.com
702.792-7000
 LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

 RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3992

 SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.893.4280
Fax: 702.939.8457

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

October 27, 2006

VIA FACSIMILE

382-4803

 Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

Re: Family Auto Care
GPA-16201; ZON-16196; SUP-16198; SUP-16200; SDR-16197
Item Nos. 92 thru 96

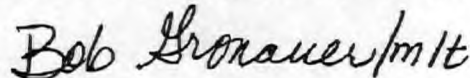
Dear Ms. Ronemus:

Our office represents the property owner/applicant in the above-referenced matters. We respectfully request that these items be held from the presently scheduled City Council hearing of November 1, 2006 until December 6, 2006. We were just recently retained to handle this matter and need additional time for research and preparation.

Thank you for your cooperation and please call if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Robert J. Gronauer

RJG/mlt

cc: Jeannie Maust (via fax: 382-8558)

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2006 OCT 30 A 8:41


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Submitted after final agenda

Date 10/30/06 Item # 92-96

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

Sept. 25-2006

Planning Commission

I am against all time requested for a rezoning for Fred Nazarian. The place he has now is an eye-sore - looks like a new car lot with tires piled up in back.

Enough is enough.

Thank you
Lyle Frazer
5104 Lytton Ave.
Las Vegas NV 89146

GPA-16201
ZON-16196
SUP-16198
SUP-16200
SDR-16197

ITEM # 29-33
CASE #
PC MTG 10-5-06

September 28, 2006

To Whom It May Concern,

My name is Tori Jackson and I live in the Charleston Heights area of district 1. I have lived in this neighborhood for the past 15 years and have lived in this home for over 10 years. I have never before written a letter over a permit issue, but I feel very strongly about this situation and have chosen to address my comments to you.

It has come to my attention that a business that I frequent is attempting to receive operating permits that would allow them to continue doing business at that location. This business is called Family Auto Care and is located at 5100 West Charleston Blvd. My husband and I have known Fred Nazaryan for almost two years, during which he has helped us on numerous occasions with repairs to our car. He has been courteous, helpful, and accommodating to our schedule and needs. We recommend him to our friends as a dependable and honest person to do business with. We believe that his garage is a great asset to our community and we would be very upset if he were forced to quit doing business at that location. We feel that it would definitely be in the best interest of our community if the permits he is requesting were granted.

Thank you for your time and consideration in this matter. If you would like to meet with me or any of my friends that also do business with Fred, I would be happy to arrange it. I hope that this matter will be settled quickly and to our satisfaction.

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33

← CASE # See List

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

integrity. Over the past 2 years we have continued to frequent this business for those reasons and many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & *Scott Thorne*
Danielle Thorne and Scott Thorne

OCT 02 2006

ITEM # 29-33
CASE # _____
PC MTG X 504

A

October 3, 2006

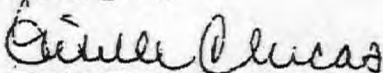
To Whom it May Concern:

I write this letter with a heavy heart and much concern. I have been a resident of this wonderful city for over 34 years. I have been driving & owned a car in Las Vegas for the last 32 years. Regretfully I say, I had yet to find an honest mechanic in this town. Two years ago I was introduced to Fred Nazaryan, who owns Family Auto Care. Fred is very honest and very professional. He is caring and very fare with his prices. I always leave happy and never feel "ripped off." He goes the extra mile to make his customer happy.

I honestly am very upset to hear that someone is looking to put him out of business. As a citizen and tax payer in this city I would ask that you consider how this would affect many people in our area. I have referred many friends and family to him and all of which have been very happy with his work. I stress to think who I would now take my cars to, to be repaired. I am a single mother in this town and feel very confident with Fred to give him my business. I ask that you please allow him to continue his shop where he is at.

Please feel free to contact me with any questions. I am pleased to help any way I can.

Best Regards,



Giselle Clucas
6124 Cromwell Cir
Las Vegas, Nv 89107
878-5040
927-0708

GPA-116201
ZON-116196
SUP-116198
SUP-116200
SDR-116197

ITEM # 27.33
CASE # SEE LIST
PC MTG 10-03-06

17



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

RE: Please include all Items on Thursday October 5, 2006's Agenda concerning Family Auto Care APN #163-01-502-011 located at 5001 West Charleston Boulevard.

Dear Planning Commission,

We would like you to vote in favor of all items connected with Family Auto Care located at 5001 West Charleston Boulevard.

This Locally-owned Company is in a great location with easy accessibility. Many of our Charleston Neighborhood Preservation members have used this facility, and pass the word on to their neighbors. Family Auto Care has well-trained mechanics who provide excellent service. We feel this facility is greatly needed in this area.

Please VOTE IN FAVOR OF FAMILY AUTO CARE for each of the Items connected with them.

Thank you very much.

June Ingram

June Ingram
259-3094

and

Pamela Stancliffe

Pamela Stancliffe
258-1517

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Een - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson - Sherry Mason
- Gene & Pearl Lonardo - Dorothy Orr - Barbara Roth - Layne Rushforth - Dennis Ardine - Pamela Stancliffe - Others



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting
APPROVAL of applicant Fred Nazaryan for GPA-16201 to allow
GENERAL COMMERCIAL so that he can repair car motor.

What an asset to the neighborhood to have a true mechanic who is
outstanding, honest and efficient!

This new auto repair will be an improvement to the area rather than the
old tire shop which has been there for 20 + years we understand.

We have heard Roger Anderson share his concerns and we welcome his
improvements and additions to the neighborhood, also.
His "APARTMENT" plans for the land South of the former Red Rock
Theatre complex, will be bringing more vehicles which are better repaired in
the immediate area.

No one from our group will be speaking or reading in person this evening.

Please consider the 2 letters, petitions and this statement as a note and
make recommendations this night of 5 October 2006.

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - Rose
Gene & Pearl Lonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pamela

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1676) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 1676-502-011 WARD ONE which will allow the repair of auto engines here.

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix your engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4550 W. Sahara Ave	83-4790
Frank A. Jackson	1500 BUSH GARDEN LN	6563655
Misole Villa	1409 Patent Street	2-437-4988
Daphia Teado	300 Sierra Vista Dr 231	2-336-1949
Scott Peterson	3659 Maccrest Cir LV 89121	2-513-6910
Jimmy Lagoya	7624 Silver Wells Rd LV 89121	702-839-8726
Ric Kelli	" "	702-580-7632
Frank Remington	6244 R. 15th Way	2-8782992
Laura Shingary	4433 Aberdeen Ln	35107 501-550
Leslie	" "	" "
Robert Montenegro	5221 Holby Ave LV	702-6067
Robert Montenegro	" "	" "
Scott Peterson	3659 Maccrest Cir	2-513-6910
Rita Peterson	" "	" "
Scott Peterson	3659 Maccrest Cir	2-513-6910
Scott Peterson	4464 Haslamon St LV 89121	702-397-8110
Scott Peterson	6200 Bonanza Way	702-878-3182
Scott Peterson	905 Computer Dr LV	702-877-1164

PETITION: OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 163-011-002-011 WARD ONE which will allow the repair of auto engines here

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON AVE	258-8019
M. [unclear]	"	"
Thelma E. Slaughter	5913 Pebble Beach	638-8767
Rachael Slaughter	5913 Pebble Beach	638-8101
Holly Christensen	6337 Dayton Ave	258-9002

~~RECEIVED AFTER~~
PC MEETING

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

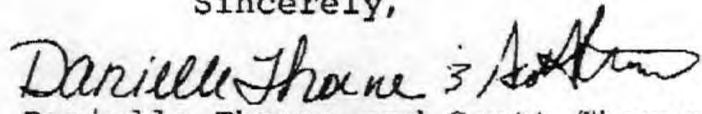
It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

RECEIVED AFTER
PC MEETING

many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,


Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

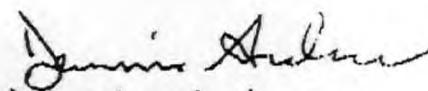
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

We have lived in Las Vegas for more than 10 years and have followed Fred from his former location to the one on West Charleston. He is a very good mechanic and an asset to any neighborhood.

We need an auto engine repair in this area so that access to take a vehicle and to go for it after repair is handy.

A mechanic who is capable and honest with customers is hard to find out here is one. We highly recommend him to anyone with engine trouble.

Respectfully we ask that you approve Fred Nazaryan to operate his business at 5100 West Charleston Blvd.


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

P.S. THE CURRENT LOCATION IS A TIRE & RADIATOR SHOP
HIS ABILITY TO OPERATE HERE WILL ONLY SERVE TO
HELP CHANGE THE LOCATION FOR THE BETTER.

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

REZONING RELATED TO GPA-16201

ZON-16196 - PUBLIC HEARING - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN - Request for a Rezoning FROM: C-1 (LIMITED
COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 0.51 acres at 5001 West Charleston
Boulevard (APN 163-01-502-011), Ward 1 (Tarkanian). The Planning Commission (7-0 vote)
and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting Item 30

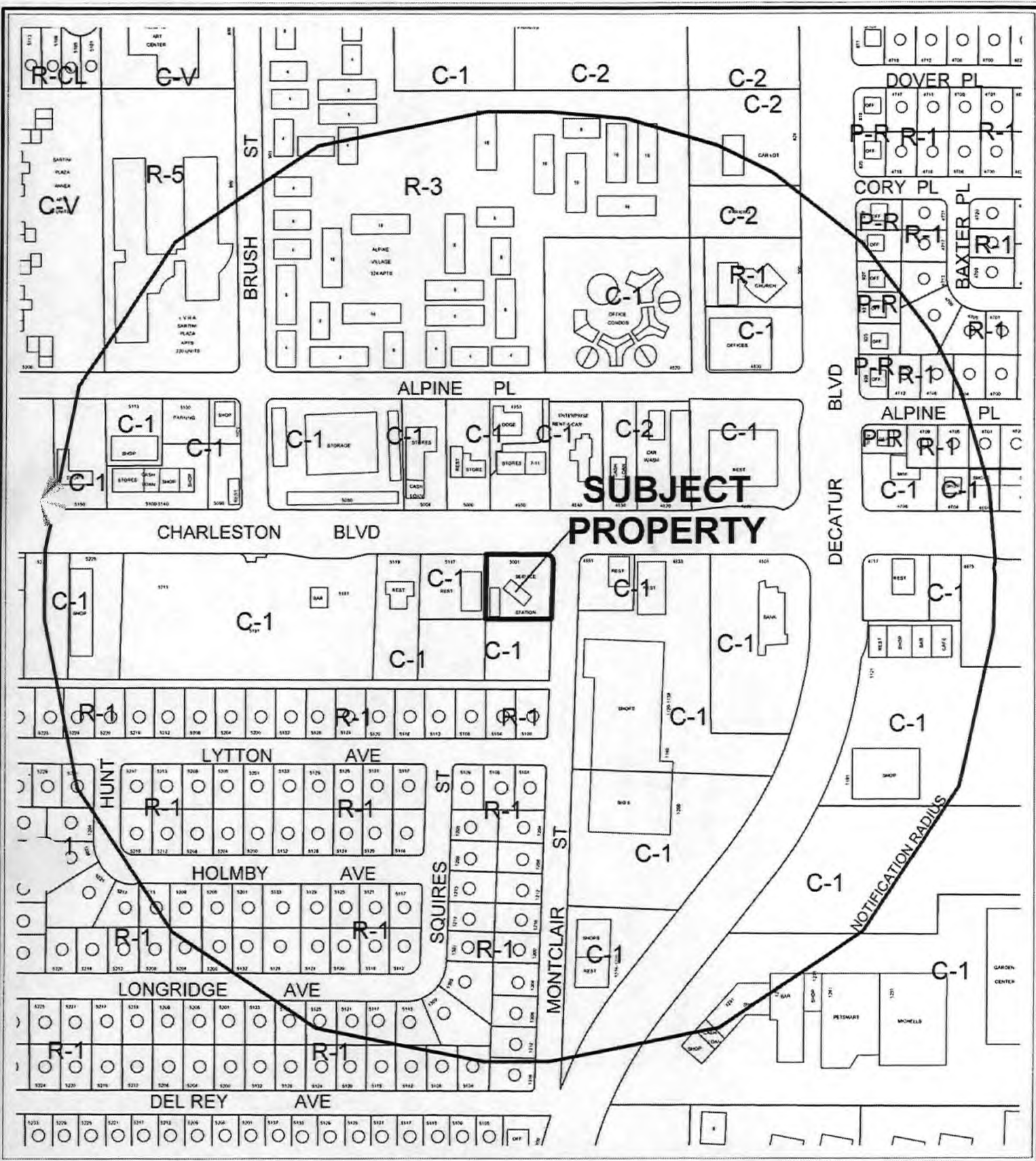
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard];
WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891],
Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347],
Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903],
Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-
15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201],
Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item
108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 92 for related backup.



CASE: ZON-16196

RADIUS: 1000 FT

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

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





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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-16196 - - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN**

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-16201) to GC (General Commercial) 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-16197) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
4. Relocate the Trash Enclosure so as to avoid access through public right-of-way.
5. All signage will comply with the Standards as listed in Title 19.14 Sign Standards

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of West Charleston Boulevard and Montclair Street prior to the issuance of any permits. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent structures located within the area being requested for dedication.
7. 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.

8. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the West Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
9. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks a rezoning of the subject property located at 5001 W. Charleston Boulevard from C-1 (Limited Commercial) to C-2 (General Commercial). A companion plan amendment (GPA-16201), Site Development Plan Review (SDR-16197), and two Special Use Permits (SUP-16198 & SUP-16200) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/63	The Board of Zoning Adjustment approved a request to allow a service station on property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (U-61-63).
10/26/63	The Board of City Commissioners approved the request for reclassification of property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (Z-100-62).
08/26/71	The Board of Zoning Adjustment approved a request for a Variance to allow the operation of a truck and trailer rental business on property located at 5001 West Charleston Boulevard (V-30-71).
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
12/01/04	The City Council approved a Special Use Permit (SUP-5291) for an Automotive Repair Garage, Minor.
10/05/06	The Planning Commission recommended denial of companion items GPA-16201, SUP-16198, SUP-16200 and SDR-16197 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item#30/mh).
<i>Related Building Permits/Business Licenses</i>	
1964	Primary 1540 sq. ft. building constructed at 5001 West Charleston Boulevard.
12/12/89	Permit #89047900: Ornamental iron fence completed.
5/11/93	L-894-93: Certificate of Occupancy issued on 1440 sq. ft accessory storage structure.
05/06/95	L-546-94: Permit for 20' freestanding sign expired. No final inspection recorded.
08/26/06	L-368-06: Permit for sign expired. No final inspection recorded.
2/26/06	L-231-05: Non-work Certificate of Occupancy issued.

Pre-Application Meeting

08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
----------	---

Neighborhood Meeting

9/14/06	A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a 10-foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a 3-foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting was adjourned at 6:30 pm.
---------	---

Details of Application Request

Site Area

Gross Acres	0.51
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Minor Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
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

Pursuant to Title 19.08, the following parking standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100'	150'	Y
Min. Setbacks			
• Front	20'	68'	Y
• Side	10'	35'*	Y
• Corner	15'	47'	Y
• Rear	20'	24'*	Y
Min. Distance Between Buildings	6'	11'-8"	Y
Max. Lot Coverage	50%	14%	Y
Max. Building Height	NA	15'	Y
Trash Enclosure	1	1	Y
Mech. Equipment	All Mechanical Equipment screened	Y	Y

*An existing non-conforming 1,440 sq. ft. accessory structure located at the northeast corner of the property is 2 feet from both the rear and side property lines.

Pursuant to Title 19.12, the following parking standards apply:

<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>		
Parking Area	1 Tree: 6 uncovered spaces w/ 1 tree per landscape island	3 Trees	0 Trees	N
Buffer:				
Min. Trees	1 Tree:30 Linear Feet	10 Trees	10 Trees	Y
TOTAL		13 Trees	10 Trees	N
Min. Zone Width	15 Feet ROW buffer & 8' interior lot buffer			N
Wall Height	6 Feet			Y or N

Pursuant to 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	
Auto Repair Garage (Major)	3,169 SF.	1 space per 200 SF GFA plus 5 additional spaces	21	1	23	1	Y
Tow Service no storage		1 space per employee plus one space per truck	2	0	2	0	Y
TOTAL (including handicap)			23	1	23	1	Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow 5' landscape buffer where 15' min. landscape buffer adjacent to ROW is required; To allow 0' landscape buffer where 8' min. landscape buffer on interior lot lines is required.	15' min landscape buffer adjacent to ROW; 8' min. landscape buffer on interior lot lines	Denial
To allow no trees where three (3) 24" box trees are required for parking lot landscaping.	One (1) 24" box tree provided per 6 uncovered spaces w/ 1 tree per landscape island	Denial

ANALYSIS

The subject area fronts Charleston Boulevard and is predominated by C-1 (Limited Commercial) zoned lots. Offices, limited retail, and parking are already established on several of the surrounding parcels. The request to C-2 (General Commercial) would depart in the uniformity of use across the whole of the applicant's property in order to allow the more intense uses the applicant requests.

Since the proposed uses of this project initiates the need for a General Plan Amendment this demonstrates that the proposal is out of character with the area. The sum total of the change in the land use designation, zoning district, and two separate special use permits is, in effect, spot zoning.

An Auto Repair Garage (Major) and Towing Service (with no storage) are each only permitted with the approval of a Special Use Permit in the C-2 (General Commercial) zoning district. The reason for a Special Use Permit is to address concerns relating to noise, odors, lighting conditions and hours of operation caused by or are a part of activities typical to Auto Repair Garage (Major) uses that would be a nuisance to single family, office, and retail uses.

In addition, the subject site still contains razor wire, which is inappropriate in any commercial zoning designation. The project area had been previously conditioned to remove the existing razor wire to comply with Title 19.08 Development Standards for the approval of SUP-5291.

Since this project requires too many deviations from Title 19, none of which are minor, denial is recommended.

FINDINGS

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

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

The proposal, as presented in total, does not currently conform to the General Plan. The intent of the applicant is to seek approval for a series of applications that will allow for a greater intensity of use than what has been called out in the Master Plan. A C-2 (General Commercial) zoning would only be in conformance upon the approval of a General Plan Amendment to a GC (General Commercial) land use category.

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 applicant is seeking approval for a series of applications that will allow for activities much greater in intensity than what would be allowed at neighboring properties. Due to this proposed increase in intensified uses staff recommends denial.

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

There has neither been a demonstration for the need for nor the appropriateness of an Auto Repair Garage, Major with an additional Towing Service, (no storage) at this location. The applicant has previously received approval for an Auto Repair Garage, Minor and has operated it in violation of the conditions of approval and of the zoning code. This does not demonstrate a justified need for a rezoning to a more intensive use.

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.”**

Charleston Boulevard, a 100' thoroughfare classified as a Major Street, can provide adequate access to the property. There is, however, a question as to the adequacy of the eastern property access –most likely to be used by the Towing Service- served by Montclair Street, a 40' thoroughfare classified as a Local Street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 136 by Planning Department

APPROVALS 2

PROTESTS 1

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: JOHN VIVIER ARCHITECT

☒ No

APN: /

Print Name: _____

FRED NAZARYAN

Karen Rodriguez
Notary Public in and for said County and State



Fred Nazaryan
5001 West Charleston Blvd.
Las Vegas, NV 89146

To:

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

August 21, 2006

Justification letter for a Zoning change request from C-1 to C-2.

The property located on Charleston Boulevard West, at the number 5001, APN 163-01-502-011 consists of two existing buildings presently used for minor auto repairs. The rest of the property, as shown on the plan A1 consists of parking spaces and driveways.

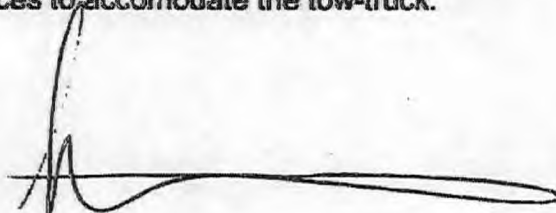
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

The change to C-2 Zoning would bring a tremendous improvement in this company's business.

No change would occur in the appearance of the repair shop as well as the parking lot since the application includes the use of a tow-truck without storage. There is actually enough parking spaces to accomodate the tow-truck.

Sincerely,

Fred Nazaryan
Business Owner

A handwritten signature in black ink, appearing to be 'Fred Nazaryan', with a long horizontal flourish extending to the right.

ZON-16196
10/05/06 PC

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

Sept. 25-2006

Planning Commission

I am against all fine
requests for a rezoning for
Fred Nazaryan. The place he
has now is an eye-sore - looks
like a use car lot with tires
peeled up in back.

Enough is enough.

Thank you
Lee Frazer
5104 Lytton Ave.
Las Vegas NV 89146

GPA - 116201
ZON - 116196
SUP - 116198
SUP - 116200
SDR - 116197

ITEM # 29-33
CASE #
PC MTG 10-5-06

September 28, 2006

To Whom It May Concern,

My name is Tori Jackson and I live in the Charleston Heights area of district 1. I have lived in this neighborhood for the past 15 years and have lived in this home for over 10 years. I have never before written a letter over a permit issue, but I feel very strongly about this situation and have chosen to address my comments to you.

It has come to my attention that a business that I frequent is attempting to receive operating permits that would allow them to continue doing business at that location. This business is called Family Auto Care and is located at 5100 West Charleston Blvd. My husband and I have known Fred Nazaryan for almost two years, during which he has helped us on numerous occasions with repairs to our car. He has been courteous, helpful, and accommodating to our schedule and needs. We recommend him to our friends as a dependable and honest person to do business with. We believe that his garage is a great asset to our community and we would be very upset if he were forced to quit doing business at that location. We feel that it would definitely be in the best interest of our community if the permits he is requesting were granted.

Thank you for your time and consideration in this matter. If you would like to meet with me or any of my friends that also do business with Fred, I would be happy to arrange it. I hope that this matter will be settled quickly and to our satisfaction.

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

RECEIVED
OCT 02 2006

ITEM # 29-33

← CASE # See list

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

integrity. Over the past 2 years we have continued to frequent this business for those reasons and many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

REC-11
OCT 02 2006

ITEM # 29-33
CASE # _____
PC MTG XCSC

A

October 3, 2006

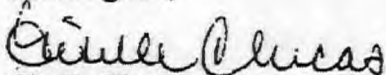
To Whom it May Concern:

I write this letter with a heavy heart and much concern. I have been a resident of this wonderful city for over 34 years. I have been driving & owned a car in Las Vegas for the last 32 years. Regretfully I say, I had yet to find an honest mechanic in this town. Two years ago I was introduced to Fred Nazaryan, who owns Family Auto Care. Fred is very honest and very professional. He is caring and very fare with his prices. I always leave happy and never feel "ripped off." He goes the extra mile to make his customer happy.

I honestly am very upset to hear that someone is looking to put him out of business. As a citizen and tax payer in this city I would ask that you consider how this would affect many people in our area. I have referred many friends and family to him and all of which have been very happy with his work. I stress to think who I would now take my cars to, to be repaired. I am a single mother in this town and feel very confident with Fred to give him my business. I ask that you please allow him to continue his shop where he is at.

Please feel free to contact me with any questions. I am pleased to help any way I can.

Best Regards,



Giselle Clucas
6124 Cromwell Cir
Las Vegas, Nv 89107
878-5040
927-0708

GPA-116201
ZON-116196
SUP-116198
SUP-116200
SDR-116197

ITEM # 2133
CASE # 22415
PC MTG 10010

A



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

RE: Please include all Items on Thursday October 5, 2006's Agenda concerning Family Auto Care APN #163-01-502-011 located at 5001 West Charleston Boulevard.

Dear Planning Commission,

We would like you to vote in favor of all items connected with Family Auto Care located at 5001 West Charleston Boulevard.

This Locally-owned Company is in a great location with easy accessibility. Many of our Charleston Neighborhood Preservation members have used this facility, and pass the word on to their neighbors. Family Auto Care has well-trained mechanics who provide excellent service. We feel this facility is greatly needed in this area.

Please VOTE IN FAVOR OF FAMILY AUTO CARE for each of the Items connected with them.

Thank you very much.

June Ingram

June Ingram
259-3094

and

Pamela Stancliffe

Pamela Stancliffe
258-1517

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Een - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson - Sherry Mason
- Gene & Pearl Lonardo - Dorothy Orr - Barbara Roth - Layne Rushforth - Dennis Ardine - Pamela Stancliffe - Others



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 for a

GENERAL COMMERCIAL so that he can repair car motors.

What an asset to the neighborhood to have a true mechanic who is
outstanding, honest and efficient !

This new auto repair will be an improvement to the area rather than the
old tire shop which has been there for 20 + years we understand.

We have heard Roger Anderson share his concerns and we welcome his
improvements and additions to the neighborhood, also.
His "APARTMENT" plans for the land South of the former Red Rock
Theatre complex, will be bringing more vehicles which are better repaired in
the immediate area.

No one from our group will be speaking or reading in person this evening.

Please consider the 2 letters, petitions and this statement as your vote and
make recommendations this night of 5 October 2006.

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Oobel - Rose Honrath - June Ingram - Itasca
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pam...

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1610) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 1610-0502-011 WARD ONE which will allow the repair of auto engines here.

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix your engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4550 W. Sahara Ave	83-4790
Frank A. Jackson	500 BUSH GARDEN LV	6563655
Michelle Villa	1409 Potomac Street	2-437-4988
JOPHIA TENDO	500 Sierra Vista Dr 231	336-1949
Scott Peterson	3659 Macmurtrei Cir LV 89121	813-6910
Jimmy Lagoya	7634 Silver Wells Rd LV 89121	702-839-8726
Rhuc Keli	" "	702-580-7632
Frank J. Remington	6244 Bristol Way	2-8782992
Laura Shingary	4433 Aberdeen Ln	2-8782992
James J. J. J.	" "	" "
James J. J. J.	5221 Holuby Ave LV	83-6067
James J. J. J.	" "	" "
James J. J. J.	3659 Macmurtrei Cir	83-6067
James J. J. J.	" "	" "
James J. J. J.	4464 Haslamon St LV 89121	702-395-8110
James J. J. J.	6200 Bonanza Way	702-878-3182
James J. J. J.	905 Carpenter Dr LV	702-877-1164

PETITION: OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-162) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 16-000-502-011 WARD ONE which will allow the repair of auto engines here

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix the engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON AVE	258-2019
M. [unclear]	"	"
Thelma E. Slaughter	5913 Pebble Beach Pk	638-8767
Rachael Slaughter	5913 Pebble Beach Pk	638-8101
Holly Christensen	6337 Dayton Ave	258-9002

~~RECEIVED AFTER~~
PC MEETING

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

RECEIVED AFTER
PC MEETING

many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

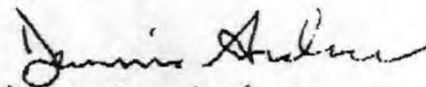
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

We have lived in Las Vegas for more than 10 years and have followed Fred from his former location to the one on West Charleston. He is a very good mechanic and an asset to any neighborhood.

We need an auto engine repair in this area so that access to take a vehicle and to go for it after repair is handy.

A mechanic who is capable and honest with customers is hard to find, but here is one. We highly recommend him to anyone with engine trouble.

Respectfully we ask that you approve Fred Nazaryan to operate his business at 5100 West Charleston Blvd.


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

P.S. THE CURRENT LOCATION IS A TIRE & RADIATOR SHOP
HIS ABILITY TO OPERATE HERE WILL ONLY SERVE TO
HELP CHANGE THE LOCATION FOR THE BETTER.

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: NOVEMBER 1, 2006****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SPECIAL USE PERMIT RELATED TO GPA-16201 AND ZON-16196

SUP-16198 - PUBLIC HEARING - APPLICANT: JOHN VIVIER ARCHITECT - OWNER: FRED NAZARYAN - Request for a Special Use Permit FOR A PROPOSED 3,169 SQUARE FOOT AUTO REPAIR GARAGE, MAJOR AND A WAIVER TO ALLOW SERVICE BAYS TO FACE A PUBLIC RIGHT OF WAY at 5001 West Charleston Boulevard (APN 163-01-502-011), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protests by David Levy and Lila Franks
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 31

Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 92 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16198 - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC *Title 19.04.050* for Major Auto Repair use.
2. Conformance to the Conditions of Approval for: General Plan Amendment (GPA-16201), Rezoning (ZON-16196) and Site Development Plan Review (SDR-16197) shall be required, if approved.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks approval of a Special use Permit for a Major Automotive Repair Facility with a waiver to the condition requiring all service bays to not face public rights-of-way at 5001 W. Charleston Boulevard. A companion plan amendment (GPA-16201), Site Development Plan Review (SDR-16197), and a Special Use Permit (SUP-16200) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/63	The Board of Zoning Adjustment approved a request to allow a service station on property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (U-61-63).
10/26/63	The Board of City Commissioners approved the request for reclassification of property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (Z-100-62).
08/26/71	The Board of Zoning Adjustment approved a request for a Variance to allow the operation of a truck and trailer rental business on property located at 5001 West Charleston Boulevard (V-30-71).
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
12/01/04	The City Council approved a Special Use Permit (SUP-5291) for an Automotive Repair Garage, Minor.
10/05/06	The Planning Commission recommended denial of companion items GPA-16201, ZON-16196, SUP-16200 and SDR-16197 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item#31/mh).
<i>Related Building Permits/Business Licenses</i>	
1964	Primary 1540 sq. ft. building constructed at 5001 West Charleston Boulevard.
12/12/89	Permit #89047900: Ornamental iron fence completed.
5/11/93	L-894-93: Certificate of Occupancy issued on 1440 sq. ft accessory storage structure.
05/06/95	L-546-94: Permit for 20' freestanding sign expired. No final inspection recorded.
08/26/06	L-368-06: Permit for sign expired. No final inspection recorded.
2/26/06	L-231-05: Non-work Certificate of Occupancy issued.

Pre-Application Meeting

08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
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Neighborhood Meeting

9/14/06	A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a 10 foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a 3 foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting was adjourned at 6:30 pm.
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Details of Application Request

Site Area

Gross Acres	0.51
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Minor Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		N	N/A
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

Pursuant to 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	
Auto Repair Garage (Major)	3,169 SF.	1 space per 200 SF GFA plus 5 additional spaces	21	1	23	1	Y
TOTAL (including handicap)			23	1	23	1	Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow service bay openings to face public rights-of-way	Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.	As the applicant has submitted plans depicting the bays "As Existing" and has made no effort to remedy the problem, we are recommending denial.

ANALYSIS

An Automotive Repair Garage, Major, is only permitted with the approval of a Special Use Permit in the C-2 (General Commercial) zoning district. The subject area fronts Charleston Boulevard and is predominated by C-1 (Limited Commercial) zoned lots. The reason for a Special Use Permit is to address concerns relating to noise, odors, lighting conditions and hours of operation caused by or are a part of activities typical to an Automotive Repair Facility, Major that would be a nuisance to adjacent uses. It is worthy to note that the applicant has previously received approval for a Special Use Permit for an Automotive Repair Garage, Minor in which certain conditions of approval have not been maintained. Specifically, conditions #8 and #9, requiring the removal of razor-wire fencing and illegal signage.

The proposed use of this application is an increase in intensity of use and that there has been no proposed remedy addressing the service bays facing public rights-of-way staff cannot support this request.

Ultimately, the need for a General Plan Amendment and a Rezoning in order to apply for Special Use Permit that is an increase in intensity of use from a previously granted Special Use Permit demonstrates that the proposal is out of character with the area. The sum total of the changes in the land use designation, zoning district, and two separate special use permits is, in effect, spot zoning. Therefore, denial is recommended.

FINDINGS

The following findings must be made for a Special Use Permit:

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."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
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."
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."
5. The use meets all of the applicable conditions per Title 19.04.

In regard to "1":

The proposal, as presented in total, does not currently conform to the General Plan. The intent of the applicant is to seek approval for a series of applications that will allow for a greater intensity of use than what has been called out in the Master Plan.

In regard to "2":

The facility, as proposed, does not meet the conditions for an Auto Repair Garage, Major as that there is inadequate screening of the service bays and that the intensity of land use proposed is out of character with the surrounding area. Also, there is question as to the adequacy of the area dedicated to the storage of vehicles and parts.

In regard to "3":

The subject site is located along Charleston Boulevard which would adequately serve an Auto Repair Garage, Major. With the additional uses proposed, there may be question as to adequate interior access.

In regard to "4":

The Auto Repair Garage, Major is an increase in use to the already existing Auto Repair garage, Minor that has received complaints. As such, since the proposed use is part of an ensemble of uses, the end result is an Auto Repair facility that is better suited in an industrially-zoned area.

In regard to "5":

The facility, as proposed, does not meet the conditions for an Auto Repair Garage, Major per 19.04 as that there is inadequate screening of the service bays and there is question as to the adequacy of the area dedicated to the storage of vehicles and parts.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 140 by City Clerk

APPROVALS 2

PROTESTS 1



Fred Nazaryan
5001 West Charleston Blvd.
Las Vegas, NV 89146

To:

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

August 21, 2006

Justification letter for a Zoning change request from C-1 to C-2.

The property located on Charleston Boulevard West, at the number 5001, APN 163-01-502-011 consists of two existing buildings presently used for minor auto repairs. The rest of the property, as shown on the plan A1 consists of parking spaces and driveways.

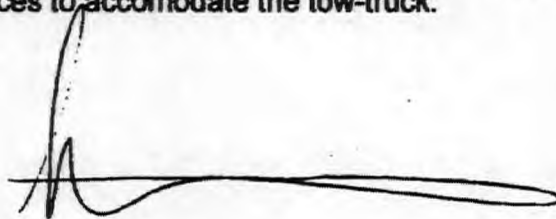
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

The change to C-2 Zoning would bring a tremendous improvement in this company's business.

No change would occur in the appearance of the repair shop as well as the parking lot since the application includes the use of a tow-truck without storage. There is actually enough parking spaces to accomodate the tow-truck.

Sincerely,

Fred Nazaryan
Business Owner

A handwritten signature in black ink, appearing to be 'Fred Nazaryan', with a long horizontal flourish extending to the right.

SUP-16198
10/05/06 PC

RECEIVED
CITY CLERK

NOTICE OF PUBLIC HEARING

2006 OCT 24 P 4: 21

SPECIAL USE PERMIT

10-23-06

my Charleston Plaza LLC
5100 W. Charleston

MEETING: CITY COUNCIL
DATE: NOVEMBER 1, 2006
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

DAVID LERY - owner

SUP-16198

APPLICANT: JOHN VIVIER ARCHITECT - OWNER: FRED NAZARYAN - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 3,169 SQUARE FOOT AUTO REPAIR GARAGE, MAJOR AND A WAIVER TO ALLOW SERVICE BAYS TO FACE A PUBLIC RIGHT OF WAY AT 5001 WEST CHARLESTON BOULEVARD (APN 163-01-502-011), C-1 (LIMITED COMMERCIAL) ZONE [PROPOSED: C-2 (GENERAL COMMERCIAL) ZONE], WARD 1 (TARKANIAN).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

*I object any change to
C-2 with Towing Trucks and
Garage bays facing Charleston.*

BARBARA JO RONEMUS
CITY CLERK

Thank you

D. Lery

D. Lery

Submitted after final agenda

Date *10/25/06* Item *#94*

10-25-06

SUP-16198

City Council -

I am opposed for the request
for a special use permit for a
an auto repair garage. It is
down grading the appearance
of the businesses, besides the
people who live in this area.

Thank You

Sincerely
Lela Franks
5104 Lytton Ave
Los Vegas Nev.

RECEIVED
CITY CLERK

2006 OCT 30 A 10:57

Protest

Submitted after final agenda

Date 10/30/06 Item # 94

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

Sept. 25-2006

Planning Commission

I am against all fine
requested for a rezoning for
Fred Nazarian. The place he
has now is an eye-sore - looks
like a new car lot with tires
peeled up in back.
Enough is enough.

Thank you
Lyle Frauch
5104 Lytton Ave.
Las Vegas NV 89146

GPA-116201
ZON-116196
SUP-116198
SUP-116200
SDR-116197

ITEM # 29-33
CASE #
PC MTG 10-506

September 28, 2006

To Whom It May Concern,

My name is Tori Jackson and I live in the Charleston Heights area of district 1. I have lived in this neighborhood for the past 15 years and have lived in this home for over 10 years. I have never before written a letter over a permit issue, but I feel very strongly about this situation and have chosen to address my comments to you.

It has come to my attention that a business that I frequent is attempting to receive operating permits that would allow them to continue doing business at that location. This business is called Family Auto Care and is located at 5100 West Charleston Blvd. My husband and I have known Fred Nazaryan for almost two years, during which he has helped us on numerous occasions with repairs to our car. He has been courteous, helpful, and accommodating to our schedule and needs. We recommend him to our friends as a dependable and honest person to do business with. We believe that his garage is a great asset to our community and we would be very upset if he were forced to quit doing business at that location. We feel that it would definitely be in the best interest of our community if the permits he is requesting were granted.

Thank you for your time and consideration in this matter. If you would like to meet with me or any of my friends that also do business with Fred, I would be happy to arrange it. I hope that this matter will be settled quickly and to our satisfaction.

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 01 2006

ITEM # 29-33

CASE # Lee Fort

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

integrity. Over the past 2 years we have continued to frequent this business for those reasons and many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

REC
OCT 02 2006

ITEM # 29-33
CASE # _____
PC MTG XC504

A

October 3, 2006

To Whom it May Concern:

I write this letter with a heavy heart and much concern. I have been a resident of this wonderful city for over 34 years. I have been driving & owned a car in Las Vegas for the last 32 years. Regretfully I say, I had yet to find an honest mechanic in this town. Two years ago I was introduced to Fred Nazaryan, who owns Family Auto Care. Fred is very honest and very professional. He is caring and very fare with his prices. I always leave happy and never feel "ripped off." He goes the extra mile to make his customer happy.

I honestly am very upset to hear that someone is looking to put him out of business. As a citizen and tax payer in this city I would ask that you consider how this would affect many people in our area. I have referred many friends and family to him and all of which have been very happy with his work. I stress to think who I would now take my cars to, to be repaired. I am a single mother in this town and feel very confident with Fred to give him my business. I ask that you please allow him to continue his shop where he is at.

Please feel free to contact me with any questions. I am pleased to help any way I can.

Best Regards,



Giselle Clucas
6124 Cromwell Cir
Las Vegas, Nv 89107
878-5040
927-0708

GPA-116201
ZON 116196
SUP 116198
SUP 116200
SDR-116197

ITEM # 2133
CASE # 200 2133
PC MTG 116196

7



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

RE: Please include all Items on Thursday October 5, 2006's Agenda concerning Family Auto Care APN #163-01-502-011 located at 5001 West Charleston Boulevard.

Dear Planning Commission,

We would like you to vote in favor of all items connected with Family Auto Care located at 5001 West Charleston Boulevard.

This Locally-owned Company is in a great location with easy accessibility. Many of our Charleston Neighborhood Preservation members have used this facility, and pass the word on to their neighbors. Family Auto Care has well-trained mechanics who provide excellent service. We feel this facility is greatly needed in this area.

Please VOTE IN FAVOR OF FAMILY AUTO CARE for each of the Items connected with them.

Thank you very much.

June Ingram
259-3094

and

Pamela Stancliffe
258-1517

RECEIVED AFTER
PC MEETING

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Een - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson - Sherry Mason
- Gene & Pearl Lonardo - Dorothy Orr - Barbara Roth - Layne Rushforth - Dennis Ardine - Pamela Stancliffe - Others



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 for a

GENERAL COMMERCIAL so that he can repair car motor.

What an asset to the neighborhood to have a true mechanic who is
outstanding, honest and efficient!

This new auto repair will be an improvement to the area rather than the
old tire shop which has been there for 20 + years we understand.

We have heard Roger Anderson share his concerns and we welcome his
improvements and additions to the neighborhood, also.

His "APARTMENT" plans for the land South of the former Red Rock
Theatre complex, will be bringing more vehicles which are better repaired in
the immediate area.

No one from our group will be speaking or reading in person this evening.

Please consider the 2 letters, petitions and this statement as you vote and
make recommendations this night of 5 October 2006.

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - It...
Gene & Pearl Lonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pam...

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1670) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 10400502-011 WARD ONE which will allow the repair of auto engines here.

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix your engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4552 W. Sahara Ave	83-4740
Frank A. Jackson	500 BUSH GARDEN LANE	6563655
Michelle Villa	1409 Patent Street	2-437-4988
SOPHIA TELDO	300 Seneca Vista Dr 231	2-336-1949
Scott Petersen	3659 Maincrest Cir LV 89121	2-613-6910
Jimmy Lagerva	7634 Silver Wells Rd LV 89121	702-839-8726
Rhuc Kelli	" "	702-580-7632
Frank J. Remington	86244 Rialto Way	702-2-8782942
Laura Shingary	4433 Aberdeen Ln	702-5107-5050
Jessie Lopez	" "	" "
John W. Angus	5221 Nelly Ave LV 89121	702-6067
Robert Montenegro	" "	" "
Debra Reed	3659 Maincrest Cir	800-658-5757
Debra Peterson	" "	" "
Justin L. Lacey	30700 Maincrest - 89121	" "
William DeFuria	4464 Haslamon H LV 89121	702-395-8110
Bob DeFuria	6200 Bonanza Way	702-878-3182
Mark Young	905 Carpenter Dr	702-877-1164

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 166-1-502-011 WARD ONE which will allow the repair of auto engines here

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to the engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON LN	258-2019
Thelma E. Slaughter	5913 Pebble Beach Pkwy	638-8767
Michael Slaughter	5913 Pebble Beach Pkwy	638-8767
Holly Christensen	6337 Dayton Ave	258-7002

RECEIVED AFTER
PC MEETING

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

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RECEIVED AFTER
PC MEETING

many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

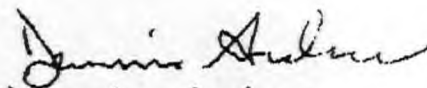
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

We have lived in Las Vegas for more than 10 years and have known Fred from his former location to the one on West Charleston. He is a very good mechanic and an asset to any neighborhood.

We need an auto engine repair in this area so that access to take a vehicle and to go for it after repair is handy.

A mechanic who is capable and honest with customers is hard to find out here is one. We highly recommend him to anyone with engine trouble.

Respectfully we ask that you approve Fred Nazaryan to operate his business at 5100 West Charleston Blvd.


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

P.S. THE CURRENT LOCATION IS A TIRE & RADIATOR SHOP
HIS ABILITY TO OPERATE HERE WILL ONLY SERVE TO
HELP CHANGE THE LOCATION FOR THE BETTER.

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO GPA-16201, ZON-16196 AND SUP-16198

SUP-16200 - PUBLIC HEARING - APPLICANT: JOHN VIVIER ARCHITECT - OWNER: FRED NAZARYAN - Request for a Special Use Permit FOR A PROPOSED TOWING SERVICE WITH NO STORAGE at 5001 West Charleston Boulevard (APN 163-01-502-011), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protests by David Levy and Lila Franks
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 32

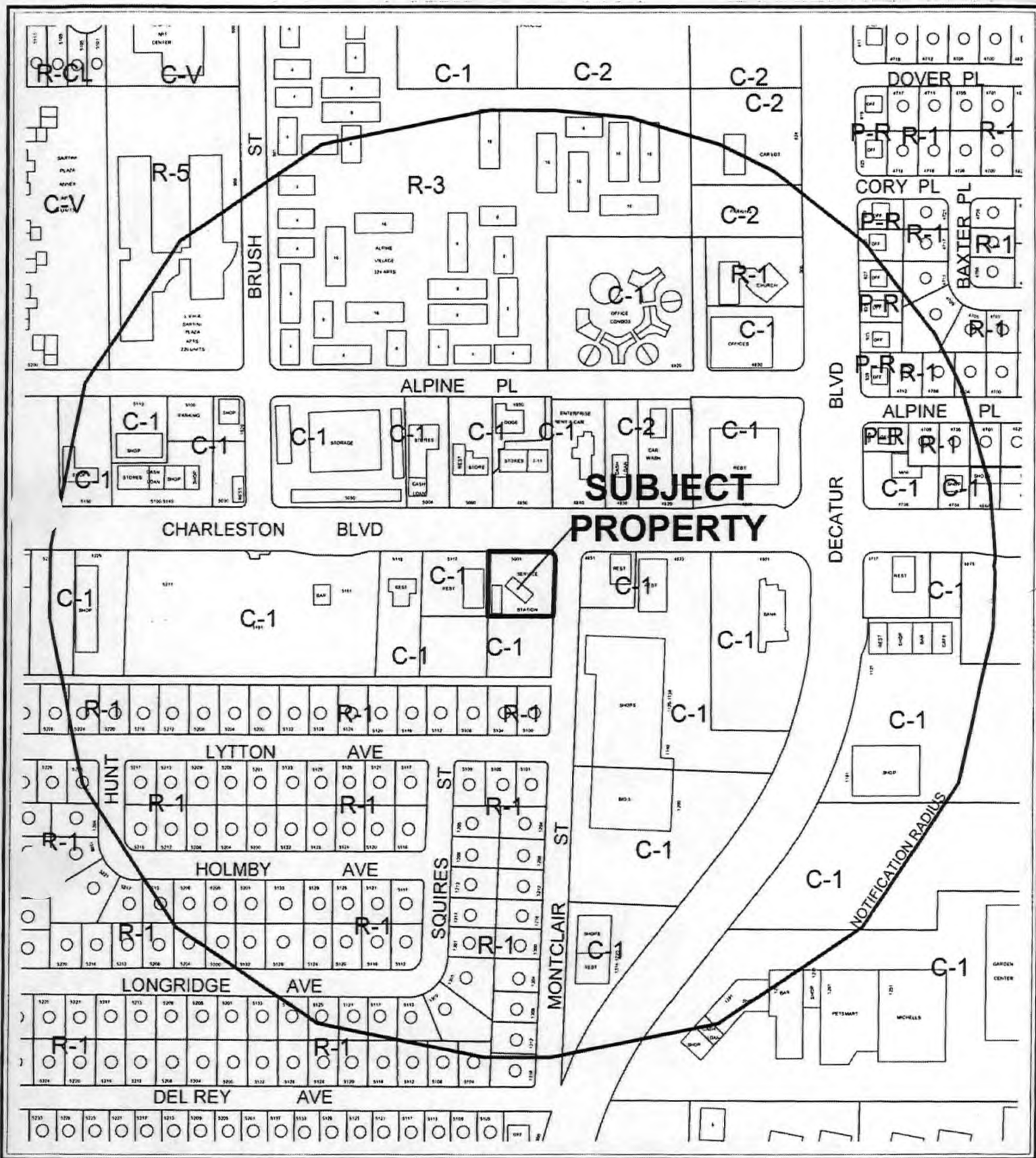
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 92 for related backup.



CASE: **SUP-16200**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16200 - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Towing Service, no storage.
2. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-16201), Rezoning (ZON-16196), and Site Development Plan Review (SDR-16197) shall be required.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks approval of a Special Use Permit for a Towing Service (with no storage) at 5001 W. Charleston Boulevard. A companion General Plan Amendment (GPA-16201), Rezoning (ZON-16196), Site Development Plan Review (SDR-16197), and Special Use Permit (SUP-16198) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/63	The Board of Zoning Adjustment approved a request to allow a service station on property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (U-61-63).
10/26/63	The Board of City Commissioners approved the request for reclassification of property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (Z-100-62).
08/26/71	The Board of Zoning Adjustment approved a request for a Variance to allow the operation of a truck and trailer rental business on property located at 5001 West Charleston Boulevard (V-30-71).
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
12/01/04	The City Council approved a Special Use Permit (SUP-5291) for an Automotive Repair Garage, Minor.
10/05/06	The Planning Commission recommended denial of companion items GPA-16201, ZON-16196, SUP-16198 and SDR-16197 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item#32/mh).
<i>Related Building Permits/Business Licenses</i>	
1964	Primary 1540 sq. ft. building constructed.
12/12/89	Permit #89047900: Ornamental iron fence completed.
5/11/93	L-894-93: Certificate of Occupancy issued on 1440 sq. ft accessory storage structure.
05/06/95	L-546-94: Permit for 20' freestanding sign expired. No final inspection recorded.
08/26/06	L-368-06: Permit for sign expired. No final inspection recorded.
2/26/06	L-231-05: Non-work Certificate of Occupancy issued.

Pre-Application Meeting

08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
----------	---

Neighborhood Meeting

9/14/06	A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a ten-foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a three-foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting was adjourned at 6:30 pm.
---------	--

Details of Application Request

Site Area

Gross Acres	0.51
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Minor Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		N	N/A
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

Pursuant to 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	
Tow Service no storage	N/A	One space per empl. + one space per truck	2	0	2	0	Y
TOTAL (including handicap)			2	1	2	1	Y
Loading Spaces			1		1		Y

ANALYSIS

A Towing Service (with no storage) is only permitted with the approval of a Special Use Permit in the C-2 (General Commercial) zoning district. The reason for a Special Use Permit is to address concerns relating to noise, odors, lighting conditions and hours of operation caused by or are a part of activities typical to a Towing Service that would be a nuisance to adjacent uses.

The subject area fronts Charleston Boulevard and is predominated by C-1 (Limited Commercial) zoned lots. Since the proposed use of this application necessitates the need for a General Plan Amendment and a Rezoning in order to apply for Special use Permit we feel that the proposal is out of character with the area. The sum total of the changes in the land use designation, zoning district, and two separate special use permits is, in effect, spot zoning for industrial use. Therefore, denial is recommended.

FINDINGS

The following findings must be made for a Special Use Permit:

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."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
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."
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."
5. The use meets all of the applicable conditions per Title 19.04.

In regard to "1":

The proposal, as presented in total, does not currently conform to the General Plan. The intent of the applicant is to seek approval for a series of applications that will allow for a greater intensity of use than what has been called out in the Master Plan.

In regard to "2":

The applicant is seeking approval for a series of applications that will allow for activities much greater in intensity than what would be allowed at neighboring properties. Due to this proposed increase in intensified uses we recommend denial.

In regard to "3":

The subject site is located along Charleston Boulevard. As the Tow Service has been dedicated to the eastern side it will most likely access the property via Montclair St This district allows for commercial uses that primarily serve local area patrons.

In regard to "4":

A Towing Service, (no storage) in and of itself would not likely compromise the public health and welfare. However, the request is part of an ensemble of uses resulting in an Auto Repair facility that is better suited in an industrially-zoned area and therefore inconsistent with the General Plan.

In regard to "5":

As proposed, the use conforms to the conditions set forth in Title 19.04 for a Towing Service, (no storage).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 140 by City Clerk

APPROVALS 2



Fred Nazaryan
5001 West Charleston Blvd.
Las Vegas, NV 89146

To:

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

August 21, 2006

Justification letter for a Zoning change request from C-1 to C-2.

The property located on Charleston Boulevard West, at the number 5001, APN 163-01-502-011 consists of two existing buildings presently used for minor auto repairs. The rest of the property, as shown on the plan A1 consists of parking spaces and driveways.

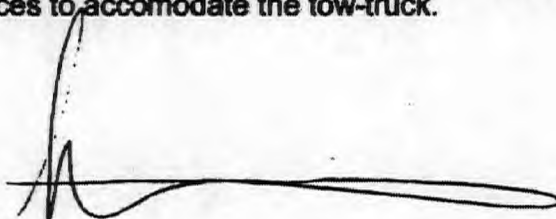
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

The change to C-2 Zoning would bring a tremendous improvement in this company's business.

No change would occur in the appearance of the repair shop as well as the parking lot since the application includes the use of a tow-truck without storage. There is actually enough parking spaces to accomodate the tow-truck.

Sincerely,

Fred Nazaryan
Business Owner

A handwritten signature in black ink, appearing to be 'Fred Nazaryan', with a long horizontal flourish extending to the right.

SUP-16200
10/05/06 PC

RECEIVED
CITY CLERK**NOTICE OF PUBLIC HEARING**

2006 OCT 24 P 4: 21

SPECIAL USE PERMIT10-23-06

MY CHARLESTON PLAZA L L C
%D LEVY
2324 S HIGHLAND DR
LAS VEGAS NV 89102-4809

5100 W
Charleston

David Levy - owner

MEETING: CITY COUNCIL
DATE: NOVEMBER 1, 2006
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-16200

APPLICANT: JOHN VIVIER ARCHITECT - OWNER: FRED NAZARYAN - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED TOWING SERVICE WITH NO STORAGE AT 5001 WEST CHARLESTON BOULEVARD (APN 163-01-502-011), C-1 (LIMITED COMMERCIAL) ZONE [PROPOSED: C-2 (GENERAL COMMERCIAL) ZONE], WARD 1 (TARKANIAN).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N $\frac{1}{2}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION 1, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

Protest

I object any change to
c-2 with TOWING Trucks and
Garage bays facing Charleston.

BARBARA JO RONEMUS
CITY CLERK

Thank you

D. Levy

Submitted after final agenda

Date 10/24/06 Item #95

10-25-06

City Council -

I am opposed to the request
for Touring Service by owner Fred
Nazaryan, located on the corner
of Charleston and Montclair.

This business has become
an eye sore.

Thank You

Sincerely

Lila Frank
5104 Lytton Ave.
Las Vegas, Nev.

RECEIVED
CITY CLERK

2006 OCT 30 A 10:57

Protest

Submitted after final agenda

Date 10/30/06 Item #95

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

Sept. 25-2006

Planning Commission

I am against all fine
requested for a rezoning for
Fred Nazarian. The place he
has now is an eye-sore - looks
like a new car lot with tires
peeled up in back.

Enough is enough.

Thank you
Lyle Frazer
5104 Lytton Ave.
Las Vegas NV 89146

GPA-116201
ZON-116196
SUP-116198
SUP-116200
SDR-116197

ITEM # 29-33
CASE #
PC MTG 10-5-06

September 28, 2006

To Whom It May Concern,

My name is Tori Jackson and I live in the Charleston Heights area of district 1. I have lived in this neighborhood for the past 15 years and have lived in this home for over 10 years. I have never before written a letter over a permit issue, but I feel very strongly about this situation and have chosen to address my comments to you.

It has come to my attention that a business that I frequent is attempting to receive operating permits that would allow them to continue doing business at that location. This business is called Family Auto Care and is located at 5100 West Charleston Blvd. My husband and I have known Fred Nazaryan for almost two years, during which he has helped us on numerous occasions with repairs to our car. He has been courteous, helpful, and accommodating to our schedule and needs. We recommend him to our friends as a dependable and honest person to do business with. We believe that his garage is a great asset to our community and we would be very upset if he were forced to quit doing business at that location. We feel that it would definitely be in the best interest of our community if the permits he is requesting were granted.

Thank you for your time and consideration in this matter. If you would like to meet with me or any of my friends that also do business with Fred, I would be happy to arrange it. I hope that this matter will be settled quickly and to our satisfaction.

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

RECEIVED
OCT 02 2006

ITEM # 29-33

← CASE # See List

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

integrity. Over the past 2 years we have continued to frequent this business for those reasons and many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

RECEIVED
OCT 02 2006

ITEM # 29-33
CASE # _____
PC MTG XC 504

A

October 3, 2006

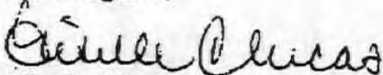
To Whom it May Concern:

I write this letter with a heavy heart and much concern. I have been a resident of this wonderful city for over 34 years. I have been driving & owned a car in Las Vegas for the last 32 years. Regretfully I say, I had yet to find an honest mechanic in this town. Two years ago I was introduced to Fred Nazaryan, who owns Family Auto Care. Fred is very honest and very professional. He is caring and very fare with his prices. I always leave happy and never feel "ripped off." He goes the extra mile to make his customer happy.

I honestly am very upset to hear that someone is looking to put him out of business. As a citizen and tax payer in this city I would ask that you consider how this would affect many people in our area. I have referred many friends and family to him and all of which have been very happy with his work. I stress to think who I would now take my cars to, to be repaired. I am a single mother in this town and feel very confident with Fred to give him my business. I ask that you please allow him to continue his shop where he is at.

Please feel free to contact me with any questions. I am pleased to help any way I can.

Best Regards,



Giselle Clucas
6124 Cromwell Cir
Las Vegas, Nv 89107
878-5040
927-0708

GPA-116201
ZON 116196
SUP 116198
SUP 116200
SDR-116197

ITEM # 2133
CASE # 200-116197
PC MTG 116196

7

**FleetCare®
Partnership
Benefits:**



We Help Keep Your Business On The Road!

September 28, 2006

Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

In reference to the Notice of Public Hearing, Special Use Permit request #SUP-16200.

Regarding the above mentioned Special Use Permit, I am not opposed to having an auto service center in this area, and I feel that it enhances our street. However, I am objecting to the owners request for a use permit for proposed towing service without storage as the current site is very poorly kept. Many cars sit for weeks, the dumpster is parked on the sidewalk and overflowing. Fluids are leaking and it is a general mess.

The site is in a dilapidated condition and does not reflect the other properties in the area. There are currently several cars "For Sale" and with the addition of towing services, I'm concerned as to how it will reflect businesses and property values in the area.

I appreciate the opportunity to express my concerns regarding the Special Use Permit and look forward to a favorable outcome for all parties concerned. Please feel free to contact me at 258-6940.

Sincerely;

Kurtis W. Johnson
President
K Squared, Inc.
Parcel #138-36-803-007

**RECEIVED AFTER
PC MEETING**



America's Neighborhood
Auto Care Experts



www.tunelv.com

5275 E. Lake Mead Blvd. • N. Las Vegas, NV 89156 • (702) 459-6940 • 4350 Spring Mountain • Las Vegas, NV 89102 • (702) 873-5225
1765 E. Charleston • Las Vegas, NV 89104 • (702) 385-5083 • 5150 W. Charleston • Las Vegas, NV 89146 • (702) 258-6940
2080 E. Craig Rd. • Las Vegas, NV 89031 • (702) 642-5001 • Ann & Decatur • (702) 256-1230



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

RE: Please include all Items on Thursday October 5, 2006's Agenda concerning Family Auto Care APN #163-01-502-011 located at 5001 West Charleston Boulevard.

Dear Planning Commission,

We would like you to vote in favor of all items connected with Family Auto Care located at 5001 West Charleston Boulevard.

This Locally-owned Company is in a great location with easy accessibility. Many of our Charleston Neighborhood Preservation members have used this facility, and pass the word on to their neighbors. Family Auto Care has well-trained mechanics who provide excellent service. We feel this facility is greatly needed in this area.

Please VOTE IN FAVOR OF FAMILY AUTO CARE for each of the Items connected with them.

Thank you very much.

June Ingram
259-3094

and

Pamela Stancliffe
258-1517

RECEIVED AFTER
PC MEETING

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Een - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson - Sherry Mason
- Gene & Pearl Lonardo - Dorothy Orr - Barbara Roth - Layne Rushforth - Dennis Ardine - Pamela Stancliffe - Others



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 and for

GENERAL COMMERCIAL so that he can repair car motor.

What an asset to the neighborhood to have a true mechanic who is
outstanding, honest and efficient !

This new auto repair will be an improvement to the area rather than the
old tire shop which has been there for 20 + years we understand.

We have heard Roger Anderson share his concerns and welcome his
improvements and additions to the neighborhood, also.
His "APARTMENT" plans for the land South of the former Red Rock
Theatre complex, will be bringing more vehicles which are better repaired in
the immediate area.

No one from our group will be speaking or reading in person this evening.

Please consider the 2 letters, petitions and this statement as a vote and
make recommendations this night of 5 October 2006.

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - Rose
Gene & Pearl Lonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Fannie

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1620) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 163-00502-011 WARD ONE which will allow the repair of auto engines here.

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix your engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
Barold Linder	4110, 10425 Villa Ridge Dr	89134 360-3590
Frank A. Jackson	4550 W. Sahara Ave 500 BUSH GARDEN LU 5422	83-4790 6563655
Frank A. Jackson	500 BUSH GARDEN LU 5422	6563655
Minerva Villa	1409 Patent Street	2-437-4988
SOPHIA TRINIDAD	500 Sierra Vista Dr 231	2-336-1949
Scott Peterson	3659 Maincrest Cir LV 89121	702-613-6910
Jimmy Lagera	7624 Silver Wells Rd LV 89121	702-839-8726
Ric Kelli	" "	702-580-7632
Frank Remington	86244 Bristol Way	702-8782942
Laura Shingary	4433 Aberdeen Ln	702-391-5500
Jessie Lopez	" "	" "
Montez	5221 Nobel Ave LV 89121	702-6067
Montez	" "	" "
Chris Pardo	3659 Maincrest Cir	702-658-5757
Lisa Peterson	" "	" "
Justin	" "	" "
Mike Deaton	4464 Haslamore H LV 89121	702-345-8110
Mike Deaton	6200 Bonanza Way	702-878-3182
Mike Deaton	905 Carpenter Dr LV 89121	702-877-1164

PETITION: OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 16-01-502-011 WARD ONE which will allow the repair of auto engines here

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON AVE	258-3019
Thelma E. Slaughter	5913 Pebble Beach Pkwy	638-8767
Richard Slaughter	5913 Pebble Beach Pkwy	638-8767
Holly Christensen	6337 Dayton Ave	258-9002

~~RECEIVED AFTER~~
PC MEETING

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

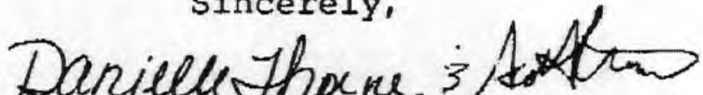
It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

RECEIVED AFTER
PC MEETING

many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,


Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

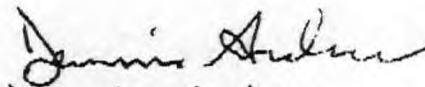
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

We have lived in Las Vegas for more than 10 years and have followed Fred from his former location to the one on West Charleston. He is a very great mechanic and an asset to any neighborhood.

We need an auto engine repair in this area so that access to take a vehicle and to go for it after repair is handy.

A mechanic who is capable and honest with customers is hard to find out here is one. We highly recommend him to anyone with engine trouble.

Respectfully we ask that you approve Fred Nazaryan to operate his business at 5100 West Charleston Blvd.


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

P.S. THE CURRENT LOCATION IS A TIRE & RADIATOR SHOP
HIS ABILITY TO OPERATE HERE WILL ONLY SERVE TO
HELP CHANGE THE LOCATION FOR THE BETTER.

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16201, ZON-16196, SUP-16198 AND SUP-16200

SDR-16197 - PUBLIC HEARING - APPLICANT: JOHN VIVIER ARCHITECT - OWNER: FRED NAZARYAN - Request for a Site Development Plan Review FOR A PROPOSED 3,169 SQUARE FOOT AUTO REPAIR GARAGE, MAJOR AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.51 acres at 5001 West Charleston Boulevard (APN 163-01-502-011), C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting Item 33

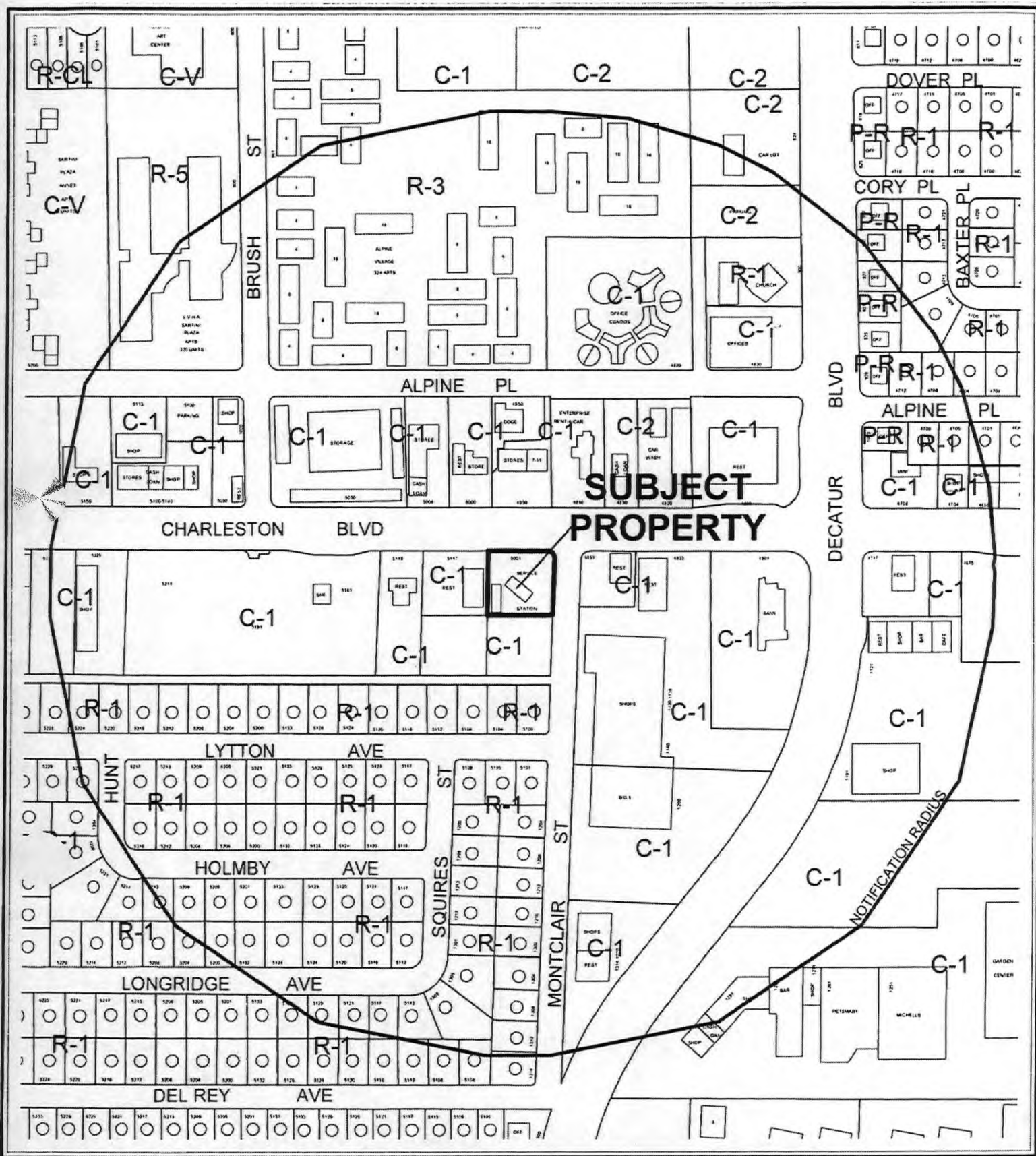
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 92 for related backup.



CASE: **SDR-16197**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-16197 - APPLICANT: JOHN VIVIER ARCHITECT -
OWNER: FRED NAZARYAN**

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-16201), Rezoning (ZON-16196), and Special Use Permits (SUPs 16198 & 161200) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/07/06, except as amended by conditions herein.
4. A Waiver from 19.08 is hereby approved, to allow a 5' landscape buffer where a 15' ROW landscape buffer is required and a 0' interior-lot landscape buffer where 8' is required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC *Title 19.12.040*.
10. 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.
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. Relocate the Trash Enclosure as depicted in the plans date stamped 09/07/06 so as to avoid access through public right-of-way.
13. All signage will comply with the Standards as listed in *Title 19.14 Sign Standards*
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. All new or modifications to existing driveways shall be designed, located and constructed in accordance to meet the intent of Standard Drawing #222a. Driveways on Charleston Boulevard shall also receive approval from the Nevada Department of Transportation.
16. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
17. Landscape and maintain all unimproved right-of-way, if any, adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Site development to comply with all applicable conditions of approval for ZON-16196 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks a Site Development Plan Review of the subject property located at 5001 W. Charleston Boulevard. The proposal has been presented "As-is" with minimal changes provided in landscaping. A companion plan amendment (GPA-16201), Rezoning (ZON-16196), and two Special Use Permits (SUP-16198 & SUP-16200) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/63	The Board of Zoning Adjustment approved a request to allow a service station on property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (U-61-63).
10/26/63	The Board of City Commissioners approved the request for reclassification of property generally located on the south side of West Charleston between Montclair Street and Wilshire Street (Z-100-62).
08/26/71	The Board of Zoning Adjustment approved a request for a Variance to allow the operation of a truck and trailer rental business on property located at 5001 West Charleston Boulevard (V-30-71).
08/18/99	The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
12/01/04	The City Council approved a Special Use Permit (SUP-5291) for an Automotive Repair Garage, Minor.
10/05/06	The Planning Commission recommended denial of companion items GPA-16201, ZON-16196, SUP-16198 and SUP-16200 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item#33/mh).
<i>Related Building Permits/Business Licenses</i>	
1964	Primary 1540 sq. ft. building constructed.
12/12/89	Permit #89047900: Ornamental iron fence completed.
5/11/93	L-894-93: Certificate of Occupancy issued on 1440 sq. ft accessory storage structure.
05/06/95	L-546-94: Permit for 20' freestanding sign expired. No final inspection recorded.
08/26/06	L-368-06: Permit for sign expired. No final inspection recorded.
2/26/06	L-231-05: Non-work Certificate of Occupancy issued.

Pre-Application Meeting

08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
----------	---

Neighborhood Meeting

9/14/06	A Neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a 10-foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a 3-foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting adjourned at 6:30 pm
---------	--

Details of Application Request

Site Area

Gross Acres	0.51
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Minor Auto Repair	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		N	N/A
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

Pursuant to Title 19.08, the following parking standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100'	150'	Y
Min. Setbacks			
• Front	20'	68'	Y
• Side	10'	35'*	Y
• Corner	15'	47'	Y
• Rear	20'	24'*	Y
Min. Distance Between Buildings	6'	11'-8"	Y
Max. Lot Coverage	50%	14%	Y
Max. Building Height	NA	15'	Y
Trash Enclosure	1	1	Y
Mech. Equipment	All Mechanical Equipment screened	Y	Y

*An existing non-conforming 1,440 sq. ft. accessory structure located at the northeast corner of the property is 2 feet from both the rear and side property lines.

Pursuant to Title 19.12, the following parking standards apply:

<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>		
Parking Area	1 Tree: 6 uncovered spaces w/ 1 tree per landscape island	3 Trees	0 Trees	N
Buffer:				
Min. Trees	1 Tree:30 Linear Feet	10 Trees	10 Trees	Y
TOTAL		13 Trees	10 Trees	N
Min. Zone Width	15 Feet ROW buffer & 8' interior lot buffer			N

Pursuant to 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
Auto Repair Garage (Major)	3,169 SF.	1 space per 200 SF GFA plus 5 additional spaces	21	1	23	1	Y
Tow Service no storage		1 space per employee plus one space per truck	2	0	2	0	Y
TOTAL (including handicap)			23	1	23	1	Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow 5' landscape buffer where 15' min. landscape buffer adjacent to ROW is required; To allow 0' landscape buffer where 8' min. landscape buffer on interior lot lines is required.	15' min landscape buffer adjacent to ROW; 8' min. landscape buffer on interior lot lines	Denial
To allow no trees where three (3) 24" box trees are required for parking lot landscaping.	One (1) 24" box tree provided per 6 uncovered spaces w/ 1 tree per landscape island	Denial

ANALYSIS

The applicant has proposed Site Development Plan review for the property "As Existing" with only minor changes coming in the form of planted trees and a trash enclosure that is accessed across a public right-of-way. In addition to the inadequate landscaping the applicant has yet to address the issues that arose during the Special Use Permit (SUP-5291) for a Minor Auto Repair Facility. Since that approval, this property has been cited for sign violations and zoning violations. Specifically, the subject site still contains razor wire, which is inappropriate in any commercial zoning designation. The project area had been previously conditioned to remove the existing razor wire to comply with *Title 19.08 Development Standards* for the approval of SUP-5291.

Since this project requires too many deviations from Title 19, none of which are minor, denial is recommended.

FINDINGS

The following findings must be made for an SDR:

1. The proposed development is compatible with adjacent development and development in the area;
2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to "1":

A major automotive repair garage with Tow Service is not compatible with adjacent land uses, as most of these properties are zoned C-1 (Limited Commercial).

In regard to "2":

The proposed development is not In addition, the applicant has requested a parking lot and perimeter landscape waiver. As such, this design is not consistent with Title 19.

In regard to "3":

The subject site is located along Charleston Boulevard. As the Tow Service has been dedicated to the eastern side it wills most likely access the property via Montclair St This district allows for commercial uses that primarily serve local area patrons.

In regard to "4":

The subject site still contains the razor wire that was to be removed for approval of SUP-5291, which is inappropriate for any commercially-zoned location. Therefore, the project has been again conditioned to remove the existing razor wire to comply with *Title 19.08 Development Standards*. The Development Standards section of Title 19 states: "Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screening or perimeter walls. In addition, the applicant has requested a parking lot and perimeter landscape waiver. As such, this design is not consistent with Title 19.

In regard to "5":

Since the proposed projects seeks to submit a development review "as existing" it warrants to note that it has been previously cited for code violations for undesirable and o

In regard to "6":

As this Site Development Plan Review stems from an existing location with recent Code Enforcement citations and the applicant is proposing the project "

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 136 by Planning Department

APPROVALS 2

PROTESTS 1

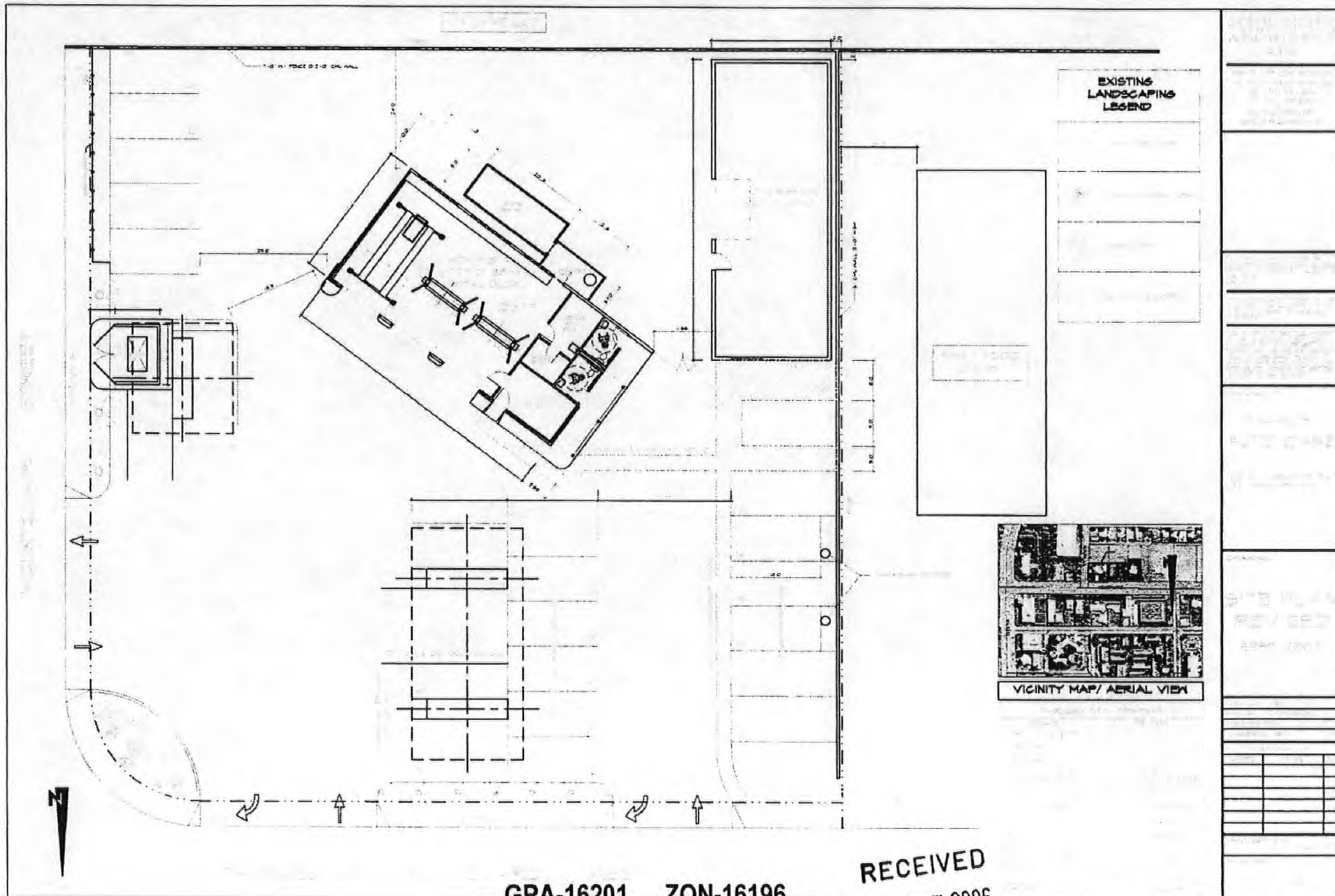


Case Number: **SDR-16197** APN: **163.01.502.011**
Name of Property Owner: **FRED NAZARYAN**
Name of Applicant: **JOHN VIVIER ARCHITECT**

☒ Yes ☐ No

Print Name: FRED NAZARYAN

 Notary Public - State of Nevada
County of Clark
KAREN RODRIGUEZ
My Appointment Expires
August 23, 2009
No: 05-99155-1



GPA-16201 ZON-16196
 SUP-16198 SUP-16200
 SDR-16197
 REVISED 10/05/06 PC

RECEIVED
 SEP 07 2006



SDR-16197

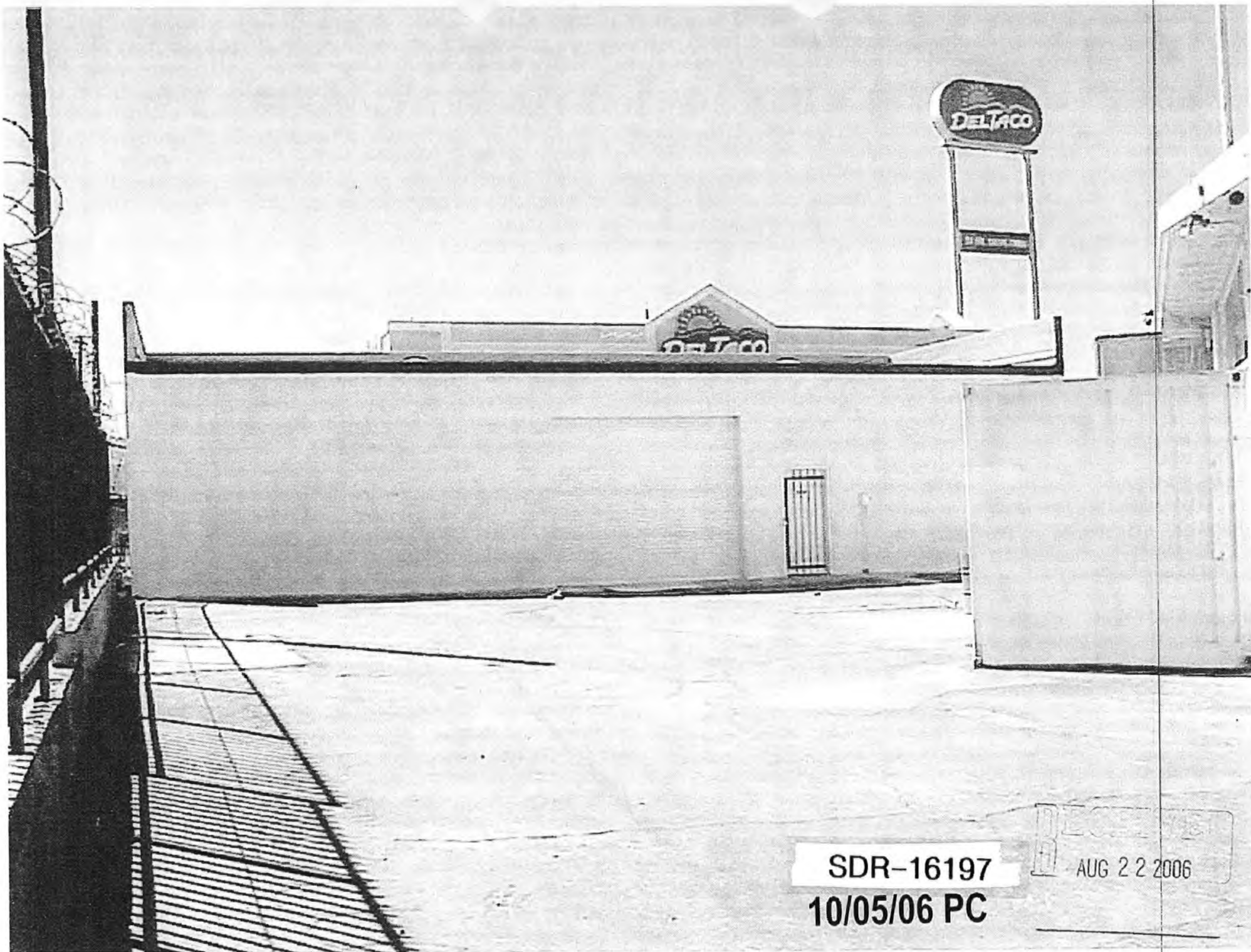
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AUG 22 2006



SDR-16197

10/05/06 PC



SDR-16197
10/05/06 PC

RECEIVED
AUG 22 2006



GPA-16201, ZON-16196, SUP-16198, SUP-16200 AND SDR-16197 - APPLICANT: JOHN VIVIER
ARCHITECT - OWNER: FRED NAZARYAN
5001 WEST CHARLESTON BOULEVARD
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06



GPA-16201, ZON-16196, SUP-16198, SUP-16200 AND SDR-16197 - APPLICANT: JOHN VIVIER
ARCHITECT - OWNER: FRED NAZARYAN
5001 WEST CHARLESTON BOULEVARD
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06



GPA-16201, ZON-16196, SUP-16198, SUP-16200 AND SDR-16197 - APPLICANT: JOHN VIVIER
ARCHITECT - OWNER: FRED NAZARYAN
5001 WEST CHARLESTON BOULEVARD
OCTOBER 5, 2006 PLANNING COMMISSION

08/30/06

Fred Nazaryan
5001 West Charleston Blvd.
Las Vegas, NV 89146

To:

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

August 21, 2006

Justification letter for a Zoning change request from C-1 to C-2.

The property located on Charleston Boulevard West, at the number 5001, APN 163-01-502-011 consists of two existing buildings presently used for minor auto repairs. The rest of the property, as shown on the plan A1 consists of parking spaces and driveways.

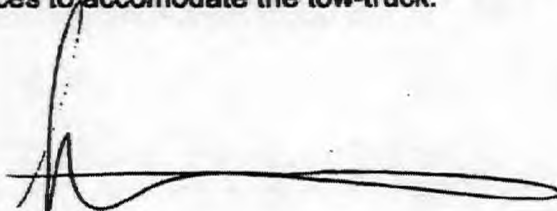
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

The change to C-2 Zoning would bring a tremendous improvement in this company's business.

No change would occur in the appearance of the repair shop as well as the parking lot since the application includes the use of a tow-truck without storage. There is actually enough parking spaces to accomodate the tow-truck.

Sincerely,

Fred Nazaryan
Business Owner

A handwritten signature in black ink, appearing to be 'Fred Nazaryan', with a long horizontal flourish extending to the right.

SDR-16197
10/05/06 PC

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

Sept. 25-2006

Planning Commission

I am against all fine
requested for a rezoning for
Fred Nazaryan. The place he
has now is an eye-sore - looks
like a new car lot with tires
peeled up in back.
Enough is enough.

Thank you
Lyle Frazer
5104 Lytton Ave.
Las Vegas NV 89146

GPA-116201
ZON-116196
SUP-116198
SUP-116200
SDR-116197

ITEM # 27-33
CASE #
PC MTG 10-5-06

September 28, 2006

To Whom It May Concern,

My name is Tori Jackson and I live in the Charleston Heights area of district 1. I have lived in this neighborhood for the past 15 years and have lived in this home for over 10 years. I have never before written a letter over a permit issue, but I feel very strongly about this situation and have chosen to address my comments to you.

It has come to my attention that a business that I frequent is attempting to receive operating permits that would allow them to continue doing business at that location. This business is called Family Auto Care and is located at 5100 West Charleston Blvd. My husband and I have known Fred Nazaryan for almost two years, during which he has helped us on numerous occasions with repairs to our car. He has been courteous, helpful, and accommodating to our schedule and needs. We recommend him to our friends as a dependable and honest person to do business with. We believe that his garage is a great asset to our community and we would be very upset if he were forced to quit doing business at that location. We feel that it would definitely be in the best interest of our community if the permits he is requesting were granted.

Thank you for your time and consideration in this matter. If you would like to meet with me or any of my friends that also do business with Fred, I would be happy to arrange it. I hope that this matter will be settled quickly and to our satisfaction.

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33

← CASE # See List

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in need of auto repairs to one of our vehicles. Upon our arrival, we were greeted by a man named Fred Nazaryan. We found him to be courteous, helpful and a man of honesty and

integrity. Over the past 2 years we have continued to frequent this business for those reasons and many more. Fred has always gone over and above what a title of a mechanic would mean. We feel so relieved to have a man of this character, operating an auto garage in our neighborhood. Fred and his business is a definite asset to our neighborhood community. We have referred many of our friends and family to Fred for their various auto repair needs and they have encountered the same treatment. This would be a great loss to us and the neighborhood community if Fred were forced to quit operating his business at this location. We are asking that all permits that Fred is requesting be granted. By doing so, this would enable Fred to continue his business and allow us to continue to have a good, honest friend and business man in our neighborhood.

Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

RECEIVED
OCT 02 2006

ITEM # 29-33
CASE # _____
PC MTG X 504

A

October 3, 2006

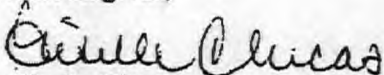
To Whom it May Concern:

I write this letter with a heavy heart and much concern. I have been a resident of this wonderful city for over 34 years. I have been driving & owned a car in Las Vegas for the last 32 years. Regretfully I say, I had yet to find an honest mechanic in this town. Two years ago I was introduced to Fred Nazaryan, who owns Family Auto Care. Fred is very honest and very professional. He is caring and very fare with his prices. I always leave happy and never feel "ripped off." He goes the extra mile to make his customer happy.

I honestly am very upset to hear that someone is looking to put him out of business. As a citizen and tax payer in this city I would ask that you consider how this would affect many people in our area. I have referred many friends and family to him and all of which have been very happy with his work. I stress to think who I would now take my cars to, to be repaired. I am a single mother in this town and feel very confident with Fred to give him my business. I ask that you please allow him to continue his shop where he is at.

Please feel free to contact me with any questions. I am pleased to help any way I can.

Best Regards,



Giselle Clucas
6124 Cromwell Cir
Las Vegas, Nv 89107
878-5040
927-0708

GPA-116201
ZCN 116196
SUP 116198
SUP 116200
SDR-116197

ITEM # 2133
CASE # 222 2133
PC MTG 116196

7



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

RE: Please include all Items on Thursday October 5, 2006's Agenda concerning Family Auto Care APN #163-01-502-011 located at 5001 West Charleston Boulevard.

Dear Planning Commission,

We would like you to vote in favor of all items connected with Family Auto Care located at 5001 West Charleston Boulevard.

This Locally-owned Company is in a great location with easy accessibility. Many of our Charleston Neighborhood Preservation members have used this facility, and pass the word on to their neighbors. Family Auto Care has well-trained mechanics who provide excellent service. We feel this facility is greatly needed in this area.

Please VOTE IN FAVOR OF FAMILY AUTO CARE for each of the Items connected with them.

Thank you very much.

June Ingram

June Ingram
259-3094

and

Pamela Stancliffe

Pamela Stancliffe
258-1517

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Een - Marcus Gobel - Rose Honrath - June Ingram - Rick Johnson - Sherry Mason
- Gene & Pearl Lonardo - Dorothy Orr - Barbara Roth - Layne Rushforth - Dennis Ardine - Pamela Stancliffe - Others



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 and for

GENERAL COMMERCIAL so that he can repair car motor.

What an asset to the neighborhood to have a true mechanic who is
outstanding, honest and efficient!

This new auto repair will be an improvement to the area rather than the
old tire shop which has been there for 20 + years we understand.

We have heard Roger Anderson share his concerns and we welcome his
improvements and additions to the neighborhood, also.
His "APARTMENT" plans for the land South of the former Red Rock
Theatre complex, will be bringing more vehicles which are better repaired in
the immediate area.

No one from our group will be speaking or reading in person this evening.

Please consider the 2 letters, petitions and this statement as a vote and
make recommendations this night of 5 October 2006.

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - Rose
Gene & Pearl Leonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Fannie

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1616) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 10-00-502-011 WARD ONE which will allow the repair of auto engines here.

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to fix your engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4550 W. Sahara Ave	83-4790
Frank A. Jackson	7500 BUSH GARDEN LV	6563655
Disolito Villa	1409 Patent Street	2-437-4988
SOPHIA TELDO	500 Sierra Vista Dr 231	2-336-1949
Scott Petersen	3659 Maccrest Cir LV 89121	2-513-6910
Jimmy Lagoya	7634 Silver Wells Rd LV 89121	702-839-8726
Khalid Kelli	" "	702-580-7632
Faizal Ramin	6244 Bristol Way	2-8782942
Laura Shingary	4433 Aberdeen Ln	2-8107 501-5550
Jessie Lopez	" "	" "
Robert Montenegro	5221 Holby Ave LV 89121	6067
Robert Montenegro	" "	" "
Debra Puck	3659 Maccrest Cir	2-838-5757
Lisa Peterson	" "	" "
Justin L. Lister	70700 Main St	" "
Mike DeLeon	4464 Roscommon St LV 89121	702-395-8110
Mike DeLeon	6200 Bonanza Way	702-878-3182
Mike DeLeon	905 Carpenter Dr	702-877-1164

OCTOBER 2006

The applicant is an outstanding mechanic, being learned in the repair of engines. He is honest. He tells you what needs to be done to the engine and the approximate cost. There are no "games" or false promises.

We need this excellent mechanic in this central area of Charleston and Montecello Streets, Family Auto Care Center, 5001 W. Charleston Blvd.

NAME	ADDRESS	PHONE
BARBARA WITKOW	217 BROXTON AVE	258-8019
M. [unclear]	"	"
Thelma E. Slaughter	5913 Pebble Beach Pk	638-8767
Michael Slaughter	5913 Pebble Beach Pk	638-8767
Holly Christensen	6337 Dayton Ave	258-9002

~~RECEIVED AFTER~~
PC MEETING

To Whom it May Concern,

Our names are Danielle and Scott Thorne, we reside at 6216 Elton Ave. in the Charleston Heights Area of Ward 1. We are both natives to Las Vegas and have lived at this address for the past 10 years. Our home is situated close to the intersection of Jones Blvd. And US 95. We live around the corner from the Mirabelli Community Center and The Leiburn Senior Center. Our children attend the following schools, O.K. Adcock Elementary, Johnson Jr. High, and Bonanza High School. In the 10 years since living at this address, we have chosen to frequent various businesses in close proximity to our home, some of which include, The Meadows Mall, the Target store located at Meadows and Decatur, our Dentist and Orthodontist at Meadows and Decatur, Walmart at Charleston and Torrey Pines, Blockbuster Video at Charleston and Torrey Pines, New Outlook Optical at Rainbow and Sarhara, Walmart Super-Center at Charleston and Decatur and numerous other shops located in and around the above mentioned stores. The reason for listing these various business establishments is to show that we have chosen to patronize these particular businesses in relation to our address. We feel that by doing so, this not only is a convenience to us, but it supports the business owners, whether large or small in our own neighborhood.

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PC MEETING

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Thank you for your time concerning this matter, we have confidence that the right decision will be made in granting these permits for Fred Nazaryan.

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

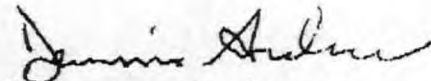
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

We have lived in Las Vegas for more than 10 years and have followed Fred from his former location to the one on West Charleston. He is a very good mechanic and an asset to any neighborhood.

We need an auto engine repair in this area so that access to take a vehicle and to go for it after repair is handy.

A mechanic who is capable and honest with customers is hard to find out here is one. We highly recommend him to anyone with engine trouble.

Respectfully we ask that you approve Fred Nazaryan to operate his business at 5100 West Charleston Blvd.


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89157

*P.S. THE CURRENT LOCATION IS A TIRE & RADIATOR SHOP
HIS ABILITY TO OPERATE HERE WILL ONLY SERVE TO
HELP CHANGE THE LOCATION FOR THE BETTER.*

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-16105 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend Map No. 2 of the Transportation Trails Element of the Las Vegas 2020 Master Plan TO DELETE A MULTI-USE TRANSPORTATION ALIGNMENT ALONG STEWART AVENUE FROM BRUCE STREET TO PECOS ROAD AND TO REALIGN A PORTION OF A PEDESTRIAN PATH ALIGNMENT FROM SUNRISE AVENUE TO STEWART AVENUE BETWEEN BRUCE STREET AND PECOS ROAD, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, stated this application would allow the Trails Plan to reflect the appropriately designated pedestrian pathways and expressed staff's favorable recommendation.

MAYOR GOODMAN declared the Public Hearing closed.

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16105 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to amend Map No. 2 of the Transportation Trail Element of the Las Vegas 2020 Master Plan to change one Transportation Trail to a Pedestrian Path and realign the path. The current Multi-Use Transportation Trail along Stewart Avenue will be deleted and replaced with a pedestrian path.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
01/16/02	The City Council adopted the Recreation and Transportation Trails Elements of the Las Vegas 2020 Master Plan.
12/01/04	The City Council approved a General Plan Amendment (GPA-5157) to revise certain trail cross sections to clarify maintenance and ownership issues, designate sections of trail alignments in developed areas as "Pedestrian Paths," and add "Pedestrian Path" alignments to coordinate with the Regional Transportation Systems' Multi-modal plan.
2/23/06	The City Council approved a General Plan Amendment (GPA 10566) for a trail realignment from Eastern Avenue to Spencer Street.
10/05/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item#36/mah).
<i>Neighborhood Meeting</i>	
9/18/2006	Meeting was held at Raphael Rivera Community Center. No members of the public were in attendance.

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Las Vegas Spectrum	X		Y
Redevelopment Plan Area	X		Y

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

ANALYSIS

The intent of this application is to revise the pedestrian path alignment depicted on Map No. 2 of the Transportation Trail Element of the 2020 Master Plan. The current alignment along Sunrise Avenue, Isabelle Avenue and a portion of Palm Street is less accessible than the proposed realignment along Stewart Avenue. Continuing the pedestrian path on Bruce Street to Stewart Avenue will allow for a connection with the Multi-Use Transportation Trail along US 95, and better connectivity throughout the trail system in the area.

The proposed alignment will also connect three schools (Crestwood Elementary, Hollingsworth Elementary and Sunrise Acres Elementary and Martin Martin Middle School) creating a safe route for children to travel between home and school.

A pedestrian path trail along Stewart Avenue is more feasible than the current proposed Multi-Use Transportation Trail which would require acquisition of additional right-of-way. The proposed pedestrian path along Stewart Avenue will fall within current City of Las Vegas right-of-way.

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 each of these conditions, this request does not impact density or intensity of uses. It is intended to more effectively implement the Transportation Trails Element. The realignment will have no impact on existing development and only minor requirements for future development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED Newspaper only

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-16105** APN: n/a
Name of Property Owner: City of Las Vegas
Name of Applicant: City of Las Vegas

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: Melissa Butsch

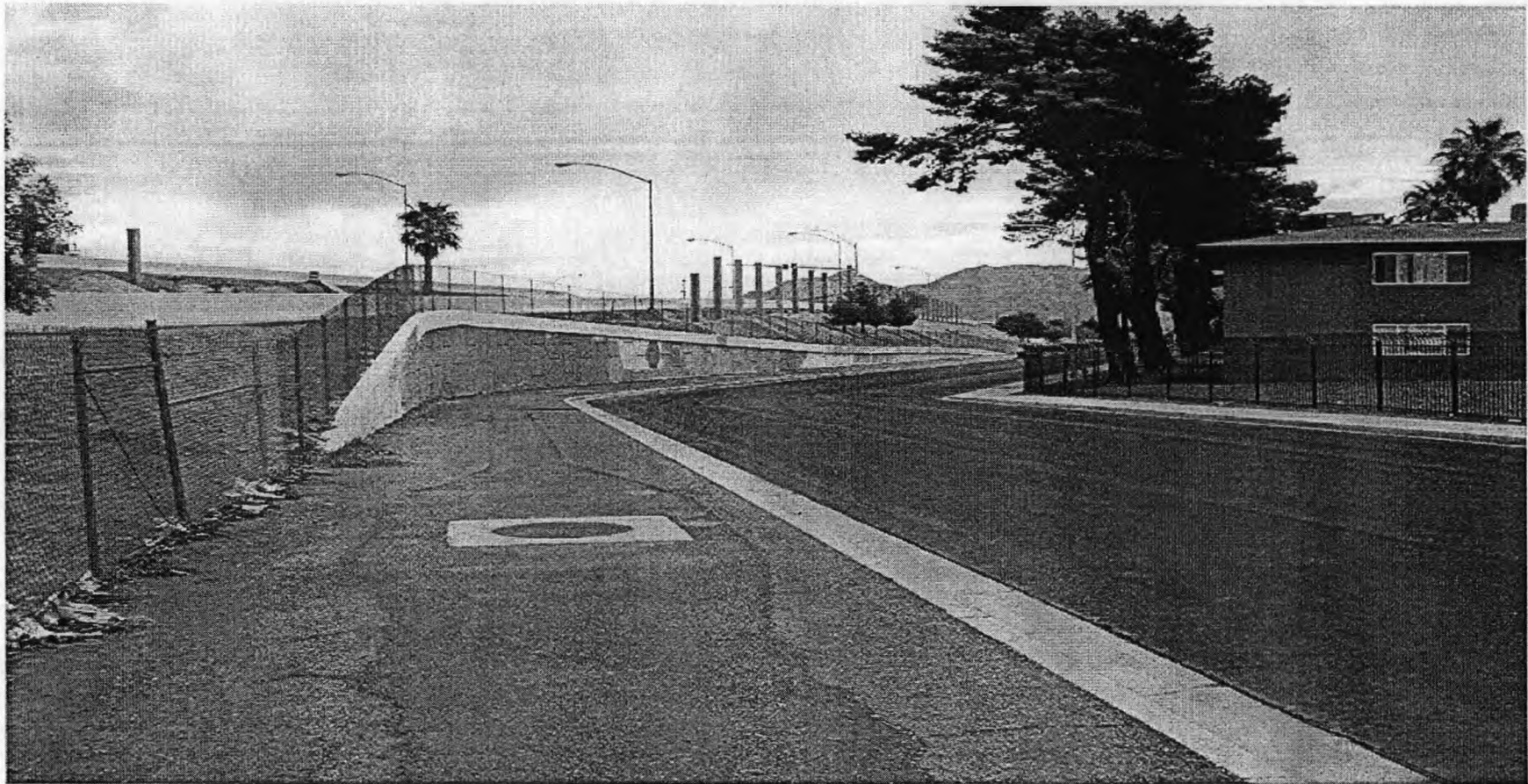
Print Name: Melissa Butsch

Subscribed and sworn before me

This 18 day of AUGUST, 2006

Linda Hartman-Maynard
Notary Public in and for said County and State





GPA-16105 - APPLICANT/OWNER: CITY OF LAS VEGAS

DELETE A MULTI-USE TRANSPORTATION ALIGNMENT ALONG STEWART AVENUE FROM BRUCE STREET TO PECOS ROAD AND TO REALIGN A PORTION OF A PEDESTRIAN PATH ALIGNMENT FROM SUNRISE AVENUE TO STEWART AVENUE BETWEEN BRUCE STREET AND PECOS ROAD

OCTOBER 5, 2006 PLANNING COMMISSION

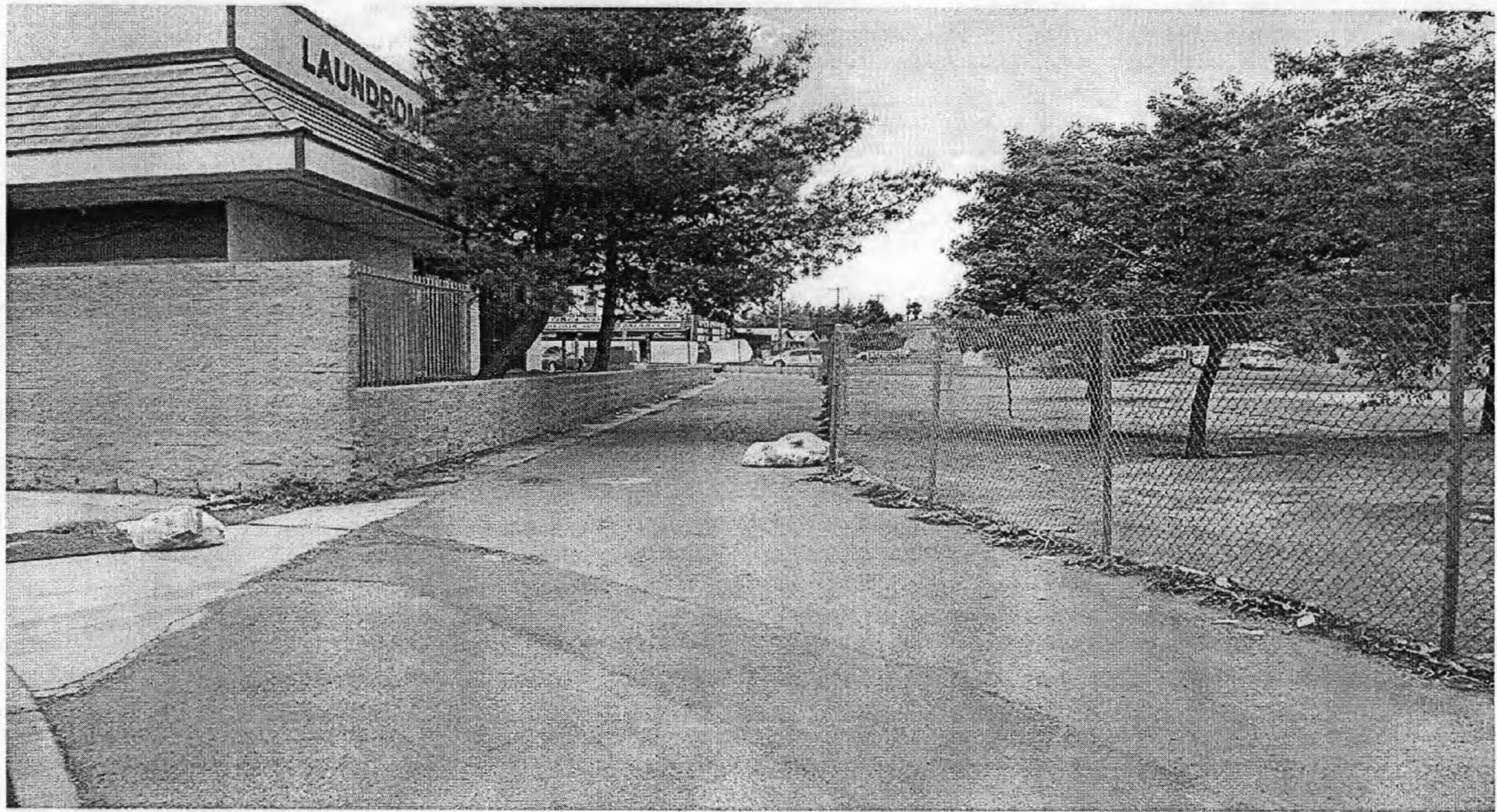
09/06/06



GPA-16105 - APPLICANT/OWNER: CITY OF LAS VEGAS

DELETE A MULTI-USE TRANSPORTATION ALIGNMENT ALONG STEWART AVENUE FROM BRUCE STREET TO PECOS ROAD AND TO REALIGN A PORTION OF A PEDESTRIAN PATH ALIGNMENT FROM SUNRISE AVENUE TO STEWART AVENUE BETWEEN BRUCE STREET AND PECOS ROAD
OCTOBER 5, 2006 PLANNING COMMISSION

09/06/06



GPA-16105 - APPLICANT/OWNER: CITY OF LAS VEGAS

DELETE A MULTI-USE TRANSPORTATION ALIGNMENT ALONG STEWART AVENUE FROM BRUCE STREET TO PECOS ROAD AND TO REALIGN A PORTION OF A PEDESTRIAN PATH ALIGNMENT FROM SUNRISE AVENUE TO STEWART AVENUE BETWEEN BRUCE STREET AND PECOS ROAD

OCTOBER 5, 2006 PLANNING COMMISSION

09/06/06

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

www.lasvegasnevada.gov

August 18, 2006

731 S. 4th Street
Las Vegas, NV 89101

To Whom It May Concern:

Please accept this letter as justification for a General Plan to amend Map 2 of the Transportation Trails Element of the City of Las Vegas 2020 Master Plan to change one transportation trail to a pedestrian path and realign the path. The current multi-use trail along Stewart will be deleted and replaced with a pedestrian path. During the application process for the SNPLMA Round 7 funds, it was determined by aligning a large portion of the trail along Stewart would allow for better access to pedestrians.

Please feel free to contact me at 229-4606 with any questions.

Respectfully,

Melissa Butsch
Planner I
City of Las Vegas

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Lawrence Weekly
Steve Wolfson
Lois Tarkonian
Steven D. Ross

City Manager
Douglas A. Selby



07101-001-07-05

GPA-16105
10/05/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: NOVEMBER 1, 2006****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****REZONING**

ZON-13896 - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****4****City Council Meeting****0****RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting Item 10

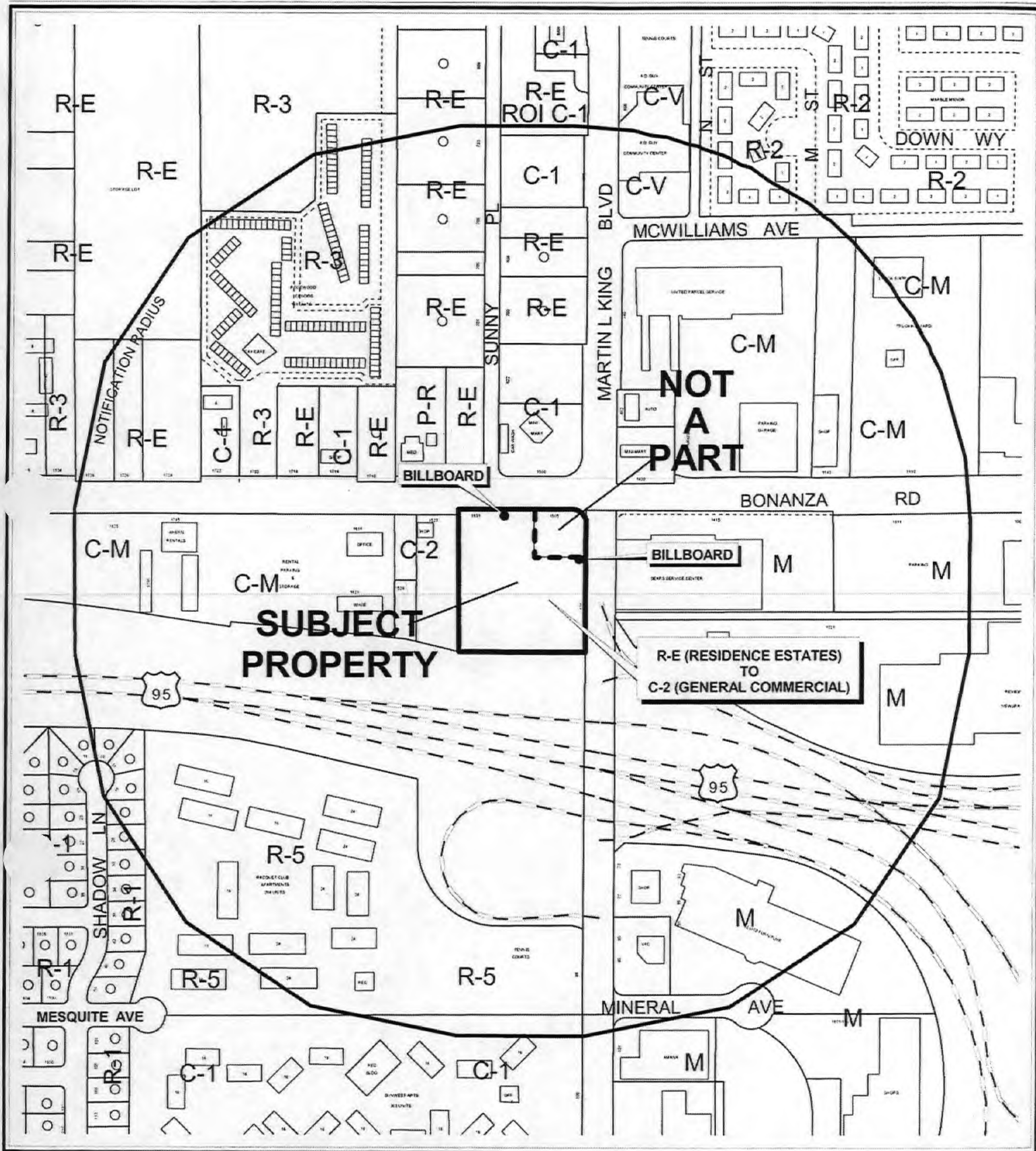
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 55 for related discussion.



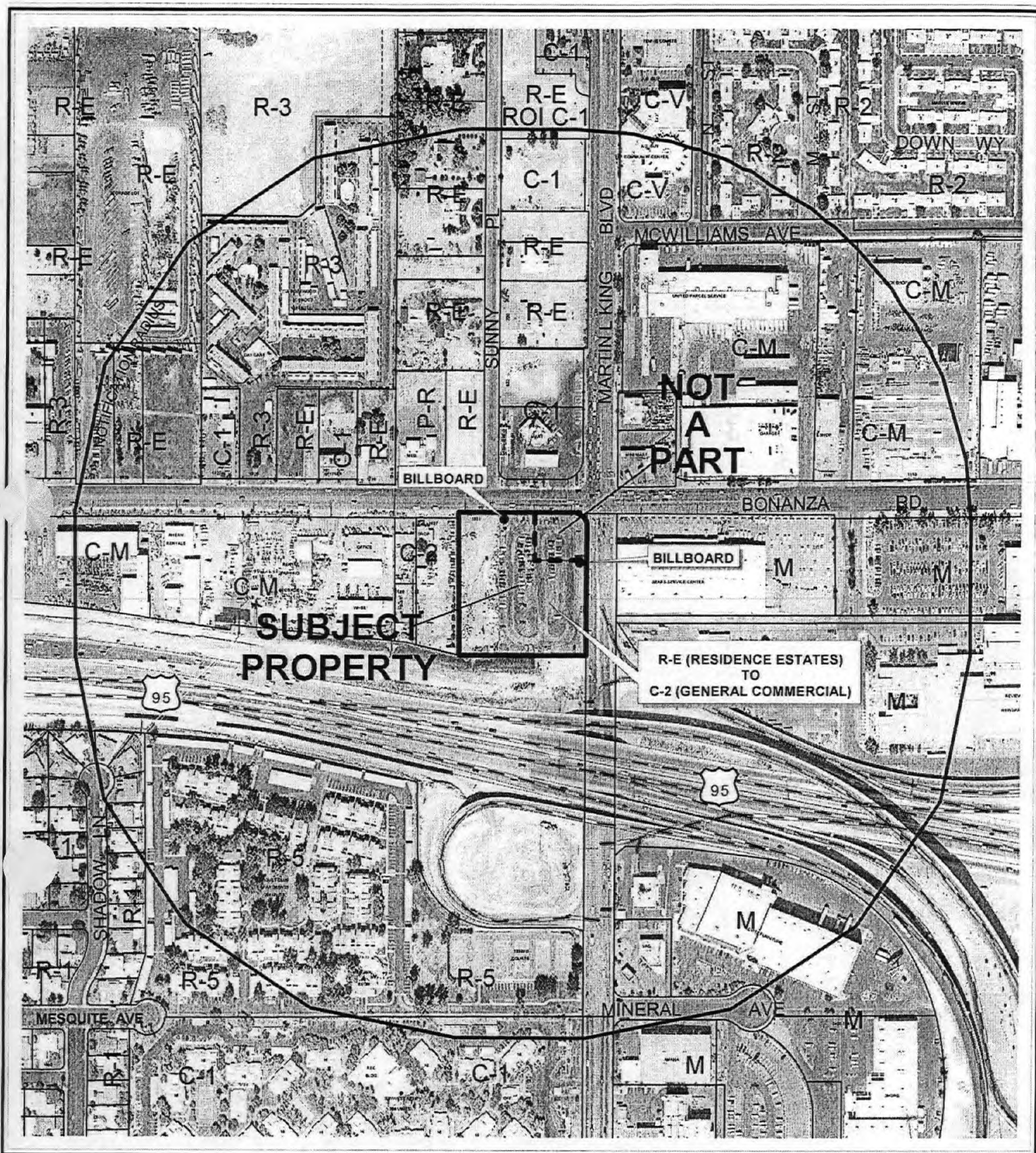
CASE: ZON-13896

RADIUS: 1000 FT

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

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





CASE: **ZON-13896**

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-13896 - APPLICANT: DON AHERN - OWNER: DFA, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-13904) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 15 feet of right-of-way for a total half-street width of 50 feet on Bonanza Road, 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard, and dedicate an additional 24 feet of right-of-way for a total radius of 54 feet on the southwest corner of Martin L. King Boulevard and Bonanza Road prior to the issuance of any permits.
4. Prior to the issuance of any permits, dedicate an additional 15 feet of right-of-way for exclusive right and dual left turns on Bonanza Road per Clark County Area Standard Drawing 201.1, an additional 5 feet of right-of-way for dual left turns on Martin L. King Boulevard per Clark County Area Standard Drawing 201.1, and dedicate right-of-way on Martin L. King Boulevard for a bus turnout per Standard Drawing 234.1 or 234.3 and grant the pad easement per Standard Drawing 234.2, unless specifically noted as not required in an approved Traffic Impact Analysis.
5. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard public improvement project.

6. Construct all incomplete half-street improvements on Bonanza Road and Martin L. King Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. 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.
8. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road and Martin L. King Boulevard adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonanza Road and Martin L. King Boulevard public rights-of-way adjacent to this site prior to occupancy of this site.
10. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.
11. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Rezoning from R-E (Residence Estates) to C-2 (General Commercial) on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

EXECUTIVE SUMMARY

The area in which the subject property is located is largely commercial and is slated for this type of development based on the Downtown Redevelopment Plan. In order to bring this property into compliance with the surrounding area, Staff recommends approval of this request for a Rezoning from R-E (Residence Estates) to C-2 (General Commercial).

BACKGROUND INFORMATION

A) *Related Actions*

10/05/06 The Planning Commission recommended approval of companion items VAR-13900, SUP-13903 and SDR-13904 and denial of SUP-13902 concurrently with this application

The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/ng).

B) *Pre-Application Meeting*

05/15/06 A pre-application meeting with the applicant was held and the following items were discussed:

- Staff informed the applicant of the submittal requirements for a Rezoning application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.61

B) *Existing Land Use*

Subject Property: Parking
North: Mini-Mart
South: U.S. 95
East: Sears Service Center
West: Rental Shop; Warehouse

C) Planned Land Use

Subject Property: Commercial (Downtown Redevelopment Plan)
North: SC (Service Commercial); M (Medium Density Residential)
South: U.S. 95 ROW
East: LI/R (Light Industry/Research)
West: LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property: R-E (Residence Estates); C-2 (General Commercial)
North: C-1 (Limited Commercial); R-E (Residence Estates)
South: U.S. 95 ROW
East: M (Industrial)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

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

Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	244 Feet, 1 Inch	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	10 Feet	N
• Rear	20 Feet	11 Inches	N
Max. Lot Coverage	50%	39.2%	Y
Max. Building Height	140 Feet	246 Feet / 18 Stories	N

The subject proposal does not meet all applicable development standards. A Variance (VAR-13900) has been submitted for relief from the front, corner side, and rear yard setbacks, and a Special Use Permit (SUP-13903) has been submitted to allow for a 246-foot building in the North Las Vegas Airport Overlay District. These standards are discussed in more detail in those reports.

B) General Analysis and Discussion

The northeast corner of the subject parcel is currently zoned C-2 (General Commercial). Additionally, the property immediately to the west is currently designated C-2 (General Commercial). As such, Staff supports this request as current and future development reflects the characteristics of the requested zone. The only R-E (Residence Estates) zone remaining in the immediate area is across Bonanza and is currently a vacant lot.

FINDINGS

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

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

The site is designated as Commercial in the Downtown Redevelopment Plan. The proposed zoning is compliance with this designation and with the surrounding 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."

As much of the surrounding property is already zoned for commercial development, this rezoning is consistent and compatible with surrounding land uses and zoning districts.

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

This area is designated for commercial development in the Redevelopment Plan, thus indicating that the anticipated form of growth in the area will be of a commercial nature. As such, this zoning change is appropriate and warranted.

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 West Bonanza Road (a 100-foot primary arterial) and North Martin Luther King Boulevard (a 100-foot primary arterial). These facilities will be adequate to accommodate the proposed development. It should be noted that 10 feet of right-of-way along these roads will be dedicated for widening purposes.

PLANNING COMMISSION ACTION

There were two speakers in favor at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

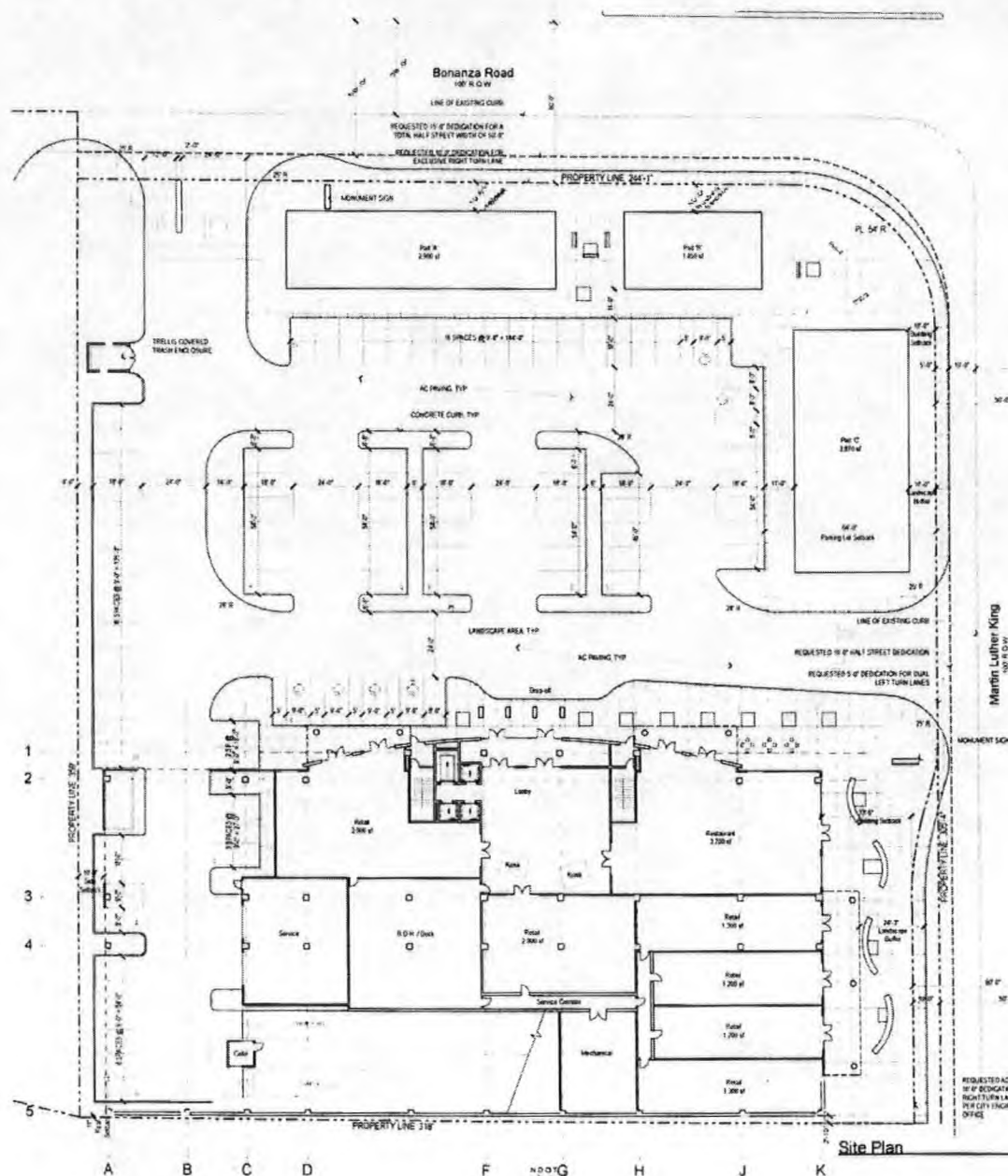
ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 104 by Planning Department

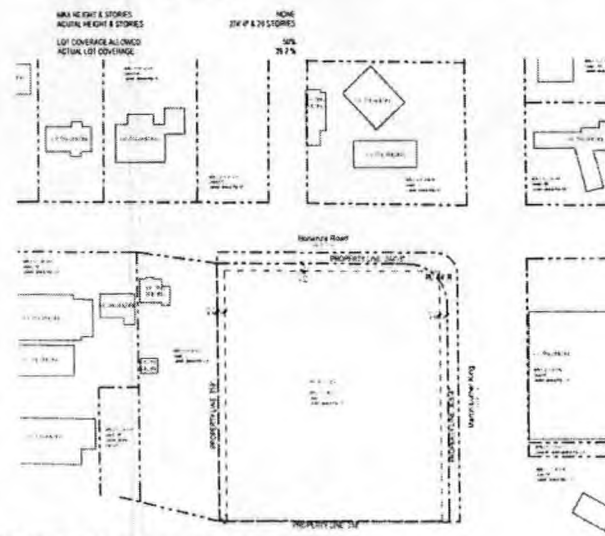
APPROVALS 1

PROTESTS 1



Site Zoning & Data

SITE DATA		BUILDING AREA	
PROJECT NUMBER	126-261-012	PHASE 1	2,840
PROJECT	PHASE 2	PHASE 2	1,400
APPROXIMATE	CITY OF LAS VEGAS, NEVADA	OFFICE	190,000
EXISTING GENERAL PLAN	GC	RESTAURANT	45,000
EXISTING ZONING	B-1	CHINESE CUISINE	4,000
PROPOSED ZONING	C-1	RESTAURANT	11,000
SITE AREA	110.50 ACRES	TOTAL	176,000
	241 NET ACRES		
SETBACKS - (BUILDING FINANCE REQUESTED)		PARKING CALCULATIONS	
FRONT SETBACK	10'-0"	TOTAL PARKING IS REQUIRED	
REAR SETBACK	10'-0"	CAR GARAGE	10 STALLS - 400 CHILDREN + 300
SIDE STREET	10'-0"	OFFICE	50 STALLS - 2000 + 300
REAR	10'-0"	RESTAURANT	20 STALLS - 1175 + 100
	0'-11"	RESTAURANT (CHINESE CUISINE)	10 STALLS - 1000 + 300
		RESTAURANT (JAPANESE)	2,700 (SEE 1100 + 400)
SETBACKS - (PARKING FINANCE REQUESTED)		PARKING REQUIRED	550
FRONT SETBACK	10'-0"	MANIPULATED PARKING REQUIRED	141 (SEE 1100 + 400)
REAR SETBACK	10'-0"		
SIDE STREET	10'-0"	STANDARD PARKING PROVIDED	50
REAR	10'-0"	STANDARD PARKING PROVIDED	50
		COMPACT SPACES PROVIDED	50
		TOTAL PARKING PROVIDED	150



Ahern Corporate Center
Site Development Review
SW Corner of Bonanza and Martin L. King
Las Vegas, Nevada 89106

APTUS Architecture

1200 South 5th Street
Suite 204
Las Vegas, Nevada 89104
P 702.879.1200
F 702.879.1213
info@neuroquestneurocare.com

APTUS PROJECT NO.	06.011
ARCHITECT	

19420430

NOTES

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2	City of Las Vegas	9/18/06
	SUP/SDR Submittal (Rev.)	
1	City of Las Vegas	05/25/06
	SUP/SDR Submittal	
NO	DESCRIPTION OF THE	DATE

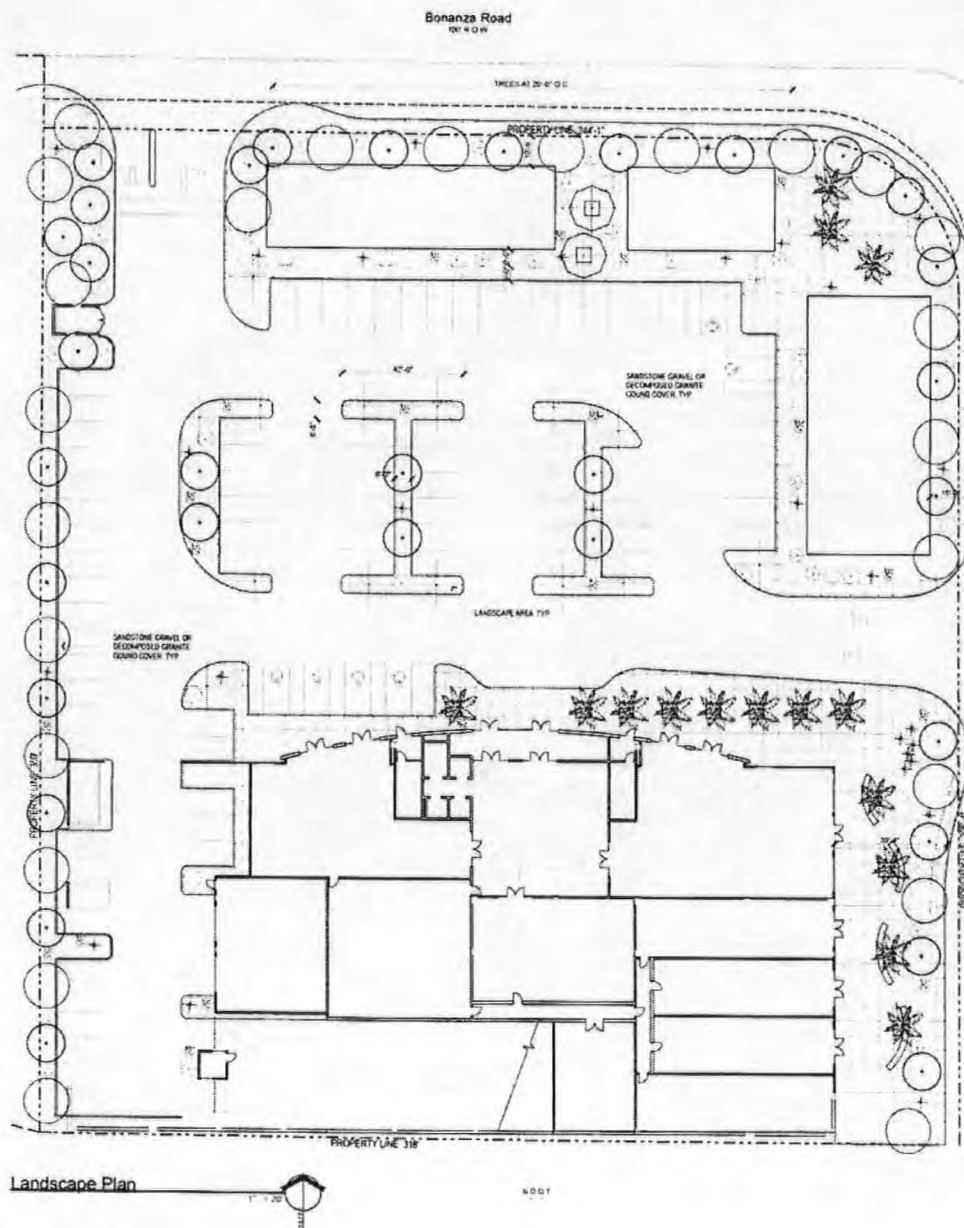
SITE PLAN AND ZONING INFO

DRAWING NO.

ZON-13896 VAR-13900
SUP-13902 SUP-13903

SDR-13904
REVISED 10/05/06 PC

RECEIVED
Zoning Map
SEP 19 2006
ZONING
SU



Martin Luther King
100' x 100'

THICK	COMMON NAME	SCIENTIFIC NAME	SIZE	QTY
1	QUICKLIFE PINK PALM	Washingtonia	20' dia	15
2	MORONGO PALM	Phoenix	20' dia	15
3	NEWTREE LIVE OAK	Quercus agrifolia	20' dia	15
4	CHILEAN MESQUITE	Prosopis juliflora	20' dia	15
5	BALE RED HARTY BUTTER	Crotalaria retusa	10 gal	1
6	DESERT CACTUS	Cylindropuntia	10 gal	15
7	MOUNTAIN SAGE	Salvia leucantha	1 gal	150
8	ORANGE BUSH DART	Adonis amurensis	1 gal	15
9	TRAILING LANTANA	Lantana camara	1 gal	15
10	RED BIRD OF PARADISE	Strelitzia reginae	1 gal	15

LANDSCAPE BUFFER (MINIMUM REQUIRED)

FRONT	REAR	FRONTED
10' 0"	10' 0"	10' 0"
10' 0"	10' 0"	10' 0"
10' 0"	10' 0"	10' 0"

RECEIVED
SEP 19 2006

ZON-13896 VAR-13900
SUP-13902 SUP-13903
SDR-13904
REVISED 10/05/06 PC

Ahern Corporate Center
Site Development Review
SW Corner of Bonanza and Martin L. King
Las Vegas, Nevada 89106

APTUS Architecture

1200 South Main Street
Suite 200
Las Vegas, Nevada 89106
P 702.831.1200
F 702.831.1212
info@aptusarchitecture.com

APTUS PROJECT NO. 06.011
ARCHITECT

ENGINEER

NOPE

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2 City of Las Vegas 9/18/06

3 City of Las Vegas 9/21/06

4 City of Las Vegas 9/21/06

5 City of Las Vegas 9/21/06

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21 City of Las Vegas 9/21/06

22 City of Las Vegas 9/21/06

23 City of Las Vegas 9/21/06

24 City of Las Vegas 9/21/06

25 City of Las Vegas 9/21/06

May 25, 2006

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

APN: 139-28-401-033

Re:
Re-Zone

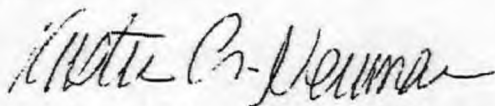
To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by metal panels. The tallest part of the tower is 274' in height.

Currently, this parcel has split zoning of C-1 and RE and does not comply with the general plan. We are requesting this parcel to be rezoned to C-2 which is compatible with other properties in the area. We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,



Kristen E. Neuman for RBS

R. Brandon Sprague, AIA

ZON-13896
SUP-13902
SDR-13904

VAR-139
SUP-1390

10/05/06

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

September 20, 2006

City of Las Vegas
Planning & Development
739 So. 4th Street
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

Patricia A. Welsh

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13-17

R

Charles Gronbach
642 Shetland Road
Las Vegas, NV 89107
702-877-6947

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CITY CLERK

2006 JUL 24 A 10:39

July 21, 2006

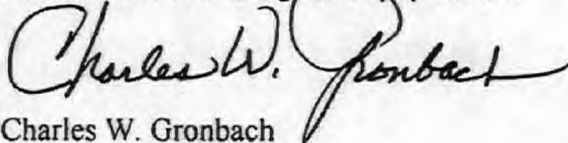
City of Las Vegas Planning Commission
City Clerk, City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

RE: "Ahern Plans Spaghetti Bowl Tower", Review Journal Business Article, 7/18/06

When considering zoning and variance for this project, the Planning Commission should carefully examine the impact on the general public.

1. If the Commission grants the frontal setback changes from 20 feet to 10 feet, we'll have another "Molasky fiasco" on our hands. Molasky, a private corporation, has closed off two lanes of Grand Central Parkway/Ogden, a public street, for months now due to reduced frontal setback. This is not fair to the public—a mega-gain for Molasky, a mega-inconvenience for the public. We shouldn't have to repeat this inconvenience again.
2. Allowing Ahern to fund his own traffic-impact study is a joke! You can guess with certainty the study's final results. An unbiased, third party consultant paid by the city would better serve the general public. Maybe we'll get a more realistic look at projected traffic increases on our already overcrowded roadways.
3. Ahern's offer to Metro Police to use the Helipad (if Ahern's Helipad is approved) smells a little "fishy". Anything to get a variance approved.

Thank you for allowing me to present my concerns about growth and traffic congestion and how it inconveniences the general population.



Charles W. Gronbach

Cc: Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

ITEM NO.: 30, 31
CASE NO. 22N-13590, VJR-13900
PC MEETING: 8-10-06

P

Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: Zon 13896, Zon 13900,

Sup 13902, Sup 13903, Sup 13904

Date: 10/5/06
Name: Jean Zorn (on behalf of Rancho Menor Neighborhood Association)
Address: 2000 Sunland Ave
Las Vegas, NV 89106
Phone: 382-7686
☐ PROTEST ☒ APPROVE

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

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

ITEM # 10-14
CASE # SEE ABOVE
PC MTG 10-5-06

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: NOVEMBER 1, 2006****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO ZON-13896

VAR-13900 - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting Item 11

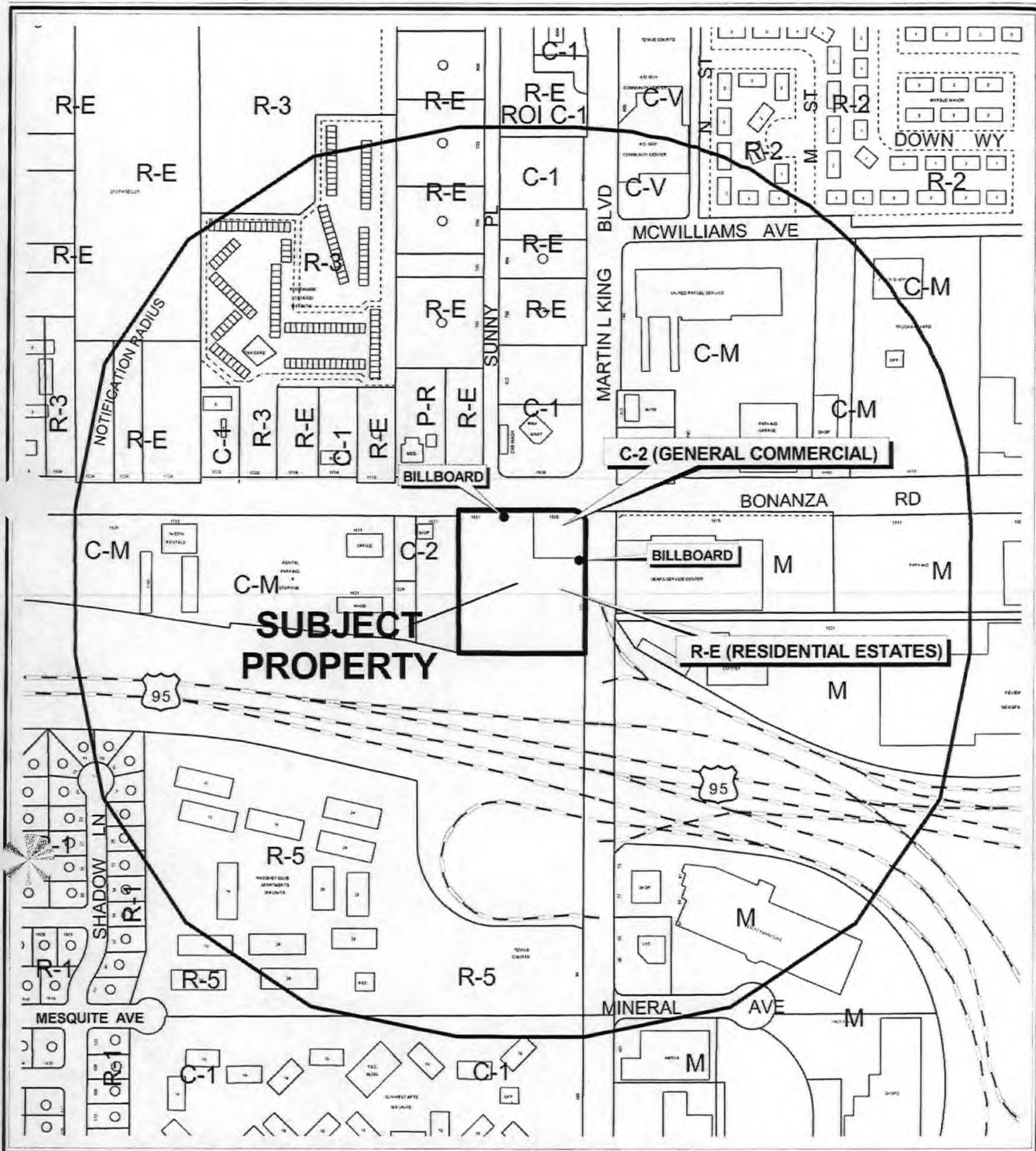
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 55 for related discussion.



CASE: VAR-13900

RADIUS: 1000 FT

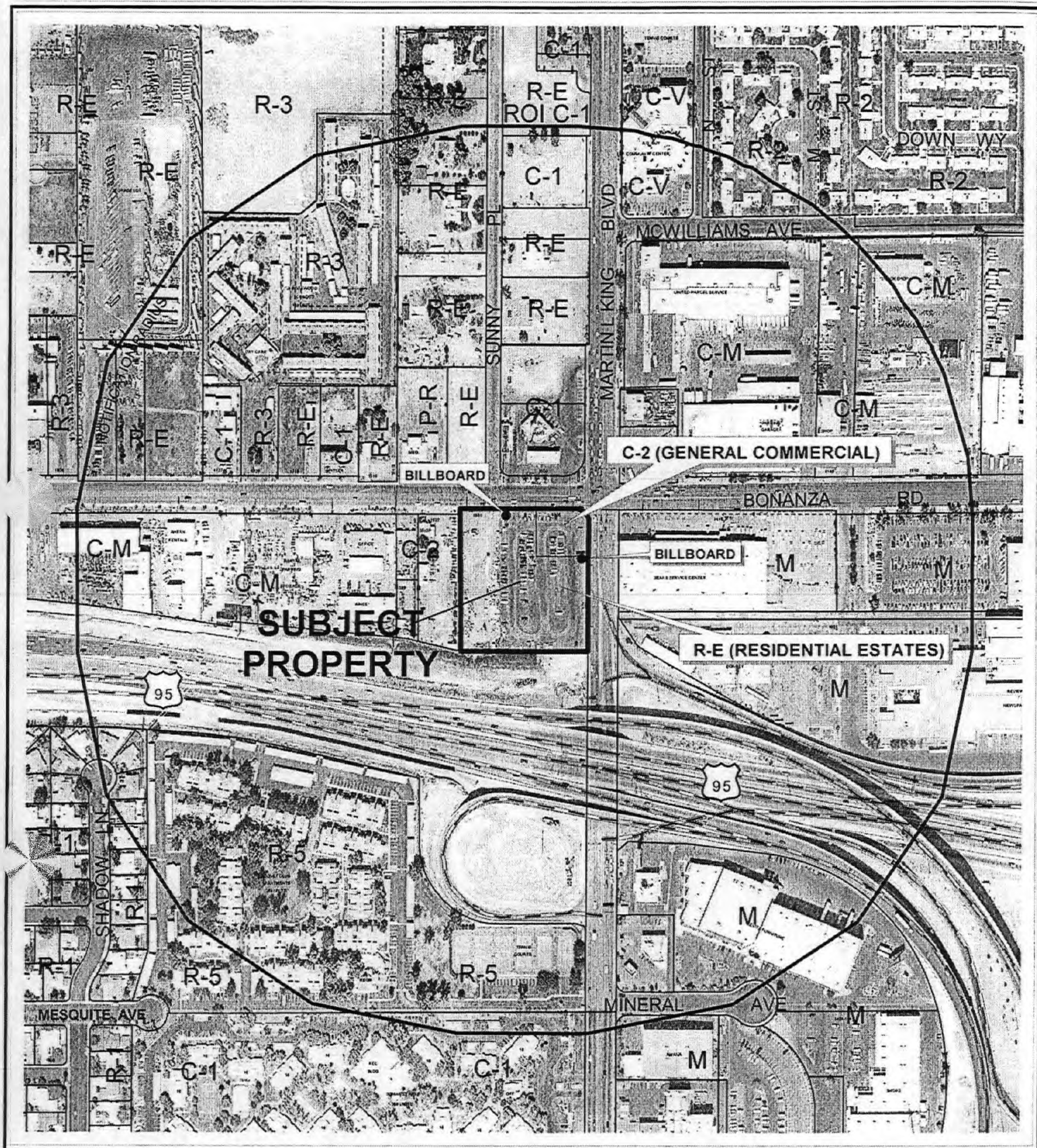
ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)





CASE: **VAR-13900**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-13900 - APPLICANT: DON AHERN - OWNER: DFA, LLC

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Site Development Plan Review (SDR-13904), Special Use Permit (SUP-13902), and Special Use Permit (SUP-13903) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Variance to allow a front yard setback of 10 feet where 20 feet is required, a corner side yard setback of 10 feet where 15 feet is required, and a rear yard setback of 11 inches where 20 feet is required on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard.

EXECUTIVE SUMMARY

Staff supports this variance request for front, corner side, and rear yard setbacks as the hardship requiring the variance was not self-imposed. Rather, right-of-way dedication requirements caused the developer to request relief from the applicable Title 19 standards. The overall development meets the intent of applicable plans and documents for the area in which the project is located.

BACKGROUND INFORMATION

A) *Related Actions*

- 10/05/06 The Planning Commission recommended approval of companion items ZON-13896, SUP-13903 and SDR-13904 and denial of SUP-13902 concurrently with this application
- 10/05/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/ng).

B) *Pre-Application Meeting*

- 05/15/06 A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.61

B) Existing Land Use

Subject Property: Parking
North: Mini-Mart
South: U.S. 95
East: Sears Service Center
West: Rental Shop
Warehouse

C) Planned Land Use

Subject Property: Commercial (Downtown Redevelopment Plan)
North: SC (Service Commercial)
M (Medium Density Residential)
South: U.S. 95 ROW
East: LI/R (Light Industry/Research)
West: LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
C-2 (General Commercial)
North: C-1 (Limited Commercial)
R-E (Residence Estates)
South: U.S. 95 ROW
East: M (Industrial)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

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

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	244 Feet, 1 Inch	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	10 Feet	N
• Rear	20 Feet	11 Inches	N
Max. Lot Coverage	50%	39.2%	Y
Max. Building Height	140 Feet	246 Feet / 18 Stories	N
Trash Enclosure	Gated, Roofed, Constructed of a similar material to the main dwelling	Trellis Covered	Y

This variance has been requested because the subject proposal does not meet the front, corner side, or rear yard setback requirements. The requested front setback represents a 50% deviation from current standards, the corner side is a 33% deviation, and the rear setback is a 95% deviation. Staff supports the variance as they are needed because of required right-of-way dedications along West Bonanza Road and North Martin Luther King Boulevard.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	150,000 SF	1 Space / 300 SF GFA	500			
Retail	19,000 SF	1 Space / 175 SF	109			
Restaurant	1,000 SF	1 Space / 50 SF Public Seating	20			
	2,700 SF	1 Space / 200 SF Remaining	14			
Child Care Center	N/A	1 Space / Staff Person	15			
		1 Space / 10 Children				
TOTAL			658 (including handicap accessible)	14	662 (including handicap accessible)	15

The subject proposal will contain adequate parking to provide for the facilities and uses proposed. Of the total number of spaces, 83 (11%) are compact spaces, 15 are handicap accessible, and two are van accessible spaces. Eighty-one of the spaces are contained at ground level and exterior to the buildings. The remainder of the spaces is contained in a parking structure within the office building.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Space	12 Trees	0 Trees
Buffer:			
• Min. Trees	1 Tree / 30 Linear Feet	41 Trees	51 Trees
• Min. Zone Width	15 Feet		0 Feet

The subject proposal does not meet current Title 19 standards for landscaping in several areas. First, there is no parking area landscaping provided where 12 trees are required. Second, the buffer widths along each property line are not wide enough. Staff can support this Waiver request as the setbacks were reduced due to right-of-way dedication. Additionally, Staff does not find it necessary to provide landscaping along the U.S. 95 right-of-way.

B) General Analysis and Discussion

The site plan shows that the applicant is planning to place the proposed buildings along the right-of-way frontages in order to comply with the intent of redevelopment plans for the area: to create an interesting and pedestrian friendly streetscape. The need for the variance from setback standards has arisen because of the 10-foot right-of-way dedications required along the north and east property lines. Therefore, Staff supports the request.

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."

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 23

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 99 by City Clerk

APPROVALS 1

PROTESTS 1



May 25, 2006

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

APN: 139-28-401-033

Re:
Setback and Step-back Variance

To Whom It May Concern:

We respectfully submit this request for a Site Development Review for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by metal panels.

We are requesting a variance of the development standards for 10'-0" where 20'-0" is required for the front and rear setbacks. We are also requesting a variance of the development standards for 10'-0" where 15'-0" is required for the corner side setback. This will push the buildings closer to the street in an attempt to create a more urban environment along Bonanza and Martin Luther King. It will also allow us to provide more onsite parking for the retail pad buildings.

In addition, we are requesting a variance of the stepback requirements along Bonanza and Martin Luther King, which are classified as primary arterials with 100 R.O.W. With this project we are trying to revitalize the neighborhood and provide urban infill into the City's Redevelopment Area. We feel that a Variance to this code section would enhance and help the urban growth and development for which the City is striving to achieve.

In our opinion, these variance requests will not negatively impact the design of the proposed project. We have made every attempt to try and follow City of Las Vegas Title 19 as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

Kristen G. Neuman

Kristen G. Neuman for RBS

R. Brandon Sprague, AIA

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VAR
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10/

ZON-13896

SUP-13902

SDR-13904

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

Charles Gronbach
642 Shetland Road
Las Vegas, NV 89107
702-877-6947

RECEIVED
CITY CLERK

2006 JUL 24 A 10: 39

July 21, 2006

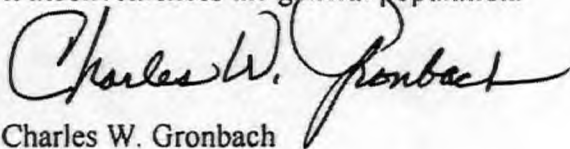
City of Las Vegas Planning Commission
City Clerk, City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

RE: "Ahern Plans Spaghetti Bowl Tower", Review Journal Business Article, 7/18/06

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Thank you for allowing me to present my concerns about growth and traffic congestion and how it inconveniences the general population.



Charles W. Gronbach

Cc: Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

ITEM NO.: 30, 31
CASE NO. 22W-13890, VLR-13900
PC MEETING: 8-10-06

P

September 20, 2006

City of Las Vegas
Planning & Development
739 So. 4th Street
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

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It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

Patricia A. Welsh

R

13-17

A
R

Telephone Protest/ Approval Log

Meeting Date: 10/9/06

Case Number: 200 13896, 201 13900,

SUP 13902, SUP 13903, SUP 13904

Date: 10/9/06
Name: John Zorn (on behalf of Rancho Meno Neighborhood Association)
Address: 2000 Sunland Ave
Las Vegas, NV 89106
Phone: 382-7686
☐ PROTEST ☒ APPROVE

Date: _____
Name: _____
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ITEM # 10-14

CASE # See ABOVE

PC MTG 10-10-06

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-13896, AND VAR-13900

SUP-13902 - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED HELIPAD AND A WAIVER TO ALLOW A HELIPAD AS AN ACCESSORY USE TO A FACILITY OTHER THAN A HOSPITAL, MEDICAL FACILITY, OR MEDICAL OFFICE on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

Planning Commission Mtg.

4

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting Item 12

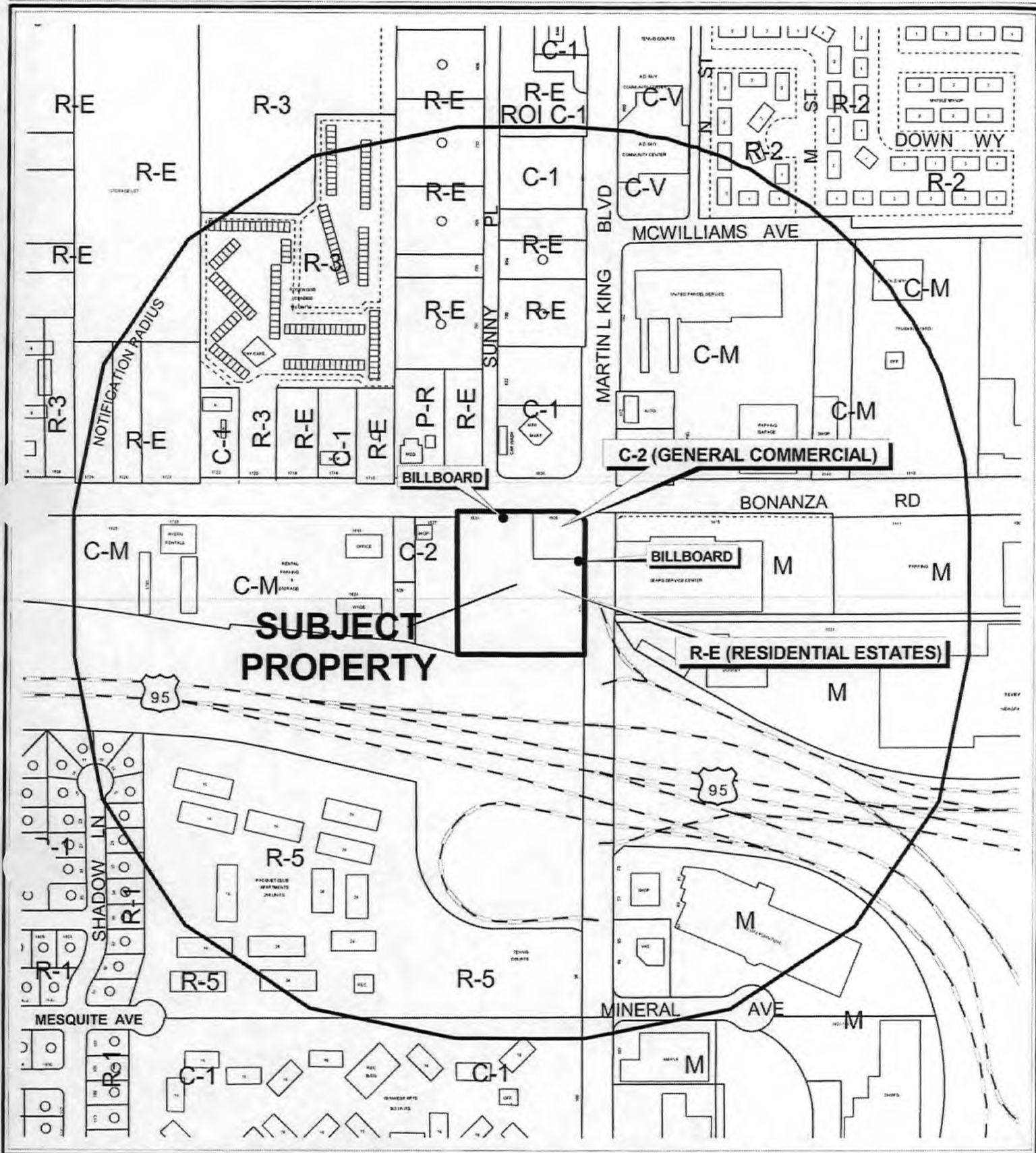
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Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 55 for related discussion.



CASE: SUP-13902

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13902 - APPLICANT: DON AHERN - OWNER: DFA, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a helipad use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Variance (VAR-13900), Site Development Plan Review (SDR-13904), and Special Use Permit (SUP-13903) shall be required.
3. A flight plan must be approved by the Federal Aviation Administration (FAA), the Clark County Department of Aviation, and the City of Las Vegas prior to operation of the helipad.
4. The applicant must file FAA Form 7480-1 with the FAA and receive approval of the heliport prior to the issuance of a building permit.
5. 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.
6. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed Helipad and a Waiver to allow a Helipad as an accessory use to a facility other than a hospital, medical facility, or medical office on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

EXECUTIVE SUMMARY

This request will not negatively affect the surrounding area. Staff supports the proposal and the associated Waiver as it will not negatively impact residential areas and it will likely be minimally used. To insure low impact, a condition has been added that requires submittal of a flight path prior to construction of the helipad.

BACKGROUND INFORMATION

A) *Related Actions*

- 10/05/06 The Planning Commission recommended approval of companion items ZON-13896, VAR-13900, SUP-13903 and SDR-13904 concurrently with this application
- 10/05/06 The Planning Commission voted 5-1/ld to recommend DENIAL (PC Agenda Item #12/ng).

B) *Pre-Application Meeting*

- 05/15/06 A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.61

B) *Existing Land Use*

Subject Property: Parking
North: Mini-Mart
South: U.S. 95
East: Sears Service Center
West: Rental Shop; Warehouse

C) Planned Land Use

Subject Property: C (Commercial)
North: SC (Service Commercial); M (Medium Density Residential)
South: U.S. 95 ROW
East: LI/R (Light Industry/Research)
West: LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property: R-E (Residence Estates); C-2 (General Commercial)
North: C-1 (Limited Commercial); R-E (Residence Estates)
South: U.S. 95 ROW
East: M (Industrial)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject parcel is located in the C (Commercial) area of the Redevelopment Plan Area. This designation allows for a variety of commercial uses including general office and retail. The underlying zoning of C-2 (General Commercial) complies with this designation.

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

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

ANALYSIS

A) *General Analysis and Discussion*

- Zoning

Helipads are allowed in a C-2 (General Commercial) zone with approval of a Special Use Permit. The subject proposal will be located on the roof of a proposed office building.

- Use

This use is appropriate for the proposed development and will not be detrimental to surrounding areas. Its location adjacent to U.S. 95 will minimize the impact of arriving and departing helicopters and will give them direct access to an appropriate flight path. It should be noted that a proposed flight path has not been provided. A condition has been added requiring that a site plan be submitted and approved prior to operation of the helipad.

A Waiver has been requested from the second condition (listed below) to allow a helipad as an accessory use to a facility other than a hospital, medical facility, or medical office. Given the location of the building on which the helipad will be located, Staff supports the waiver as surrounding properties will be well protected.

- Conditions

1. The heliport shall be permitted only as an accessory use to a hospital, medical facility, or medical office.
2. The heliport shall designate a flight path which does not fly over adjacent residential areas.

FINDINGS

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

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

The proposed use is harmonious with the surrounding area. Adjacency to U.S. 95 means that helicopters using the facility will have access to a preferred flight pattern in the Las Vegas Valley.

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

The addition of a helipad on top of a proposed office tower will not increase the intensity of the land use already planned for 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."**

Street and highway facilities are irrelevant to this request as no additional traffic will be generated by the request. If anything, automobile traffic will be reduced due to the alternate transportation options available.

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

Approval of this Special Use Permit will not compromise the public health, safety or welfare of the general public.

PLANNING COMMISSION ACTION

The Planning Commission voted against the helipad as they believed it would be an unnecessary disturbance to nearby residences. If approved, condition #3 should be deleted as incorrect.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

ASSEMBLY DISTRICT

6

SENATE DISTRICT

4

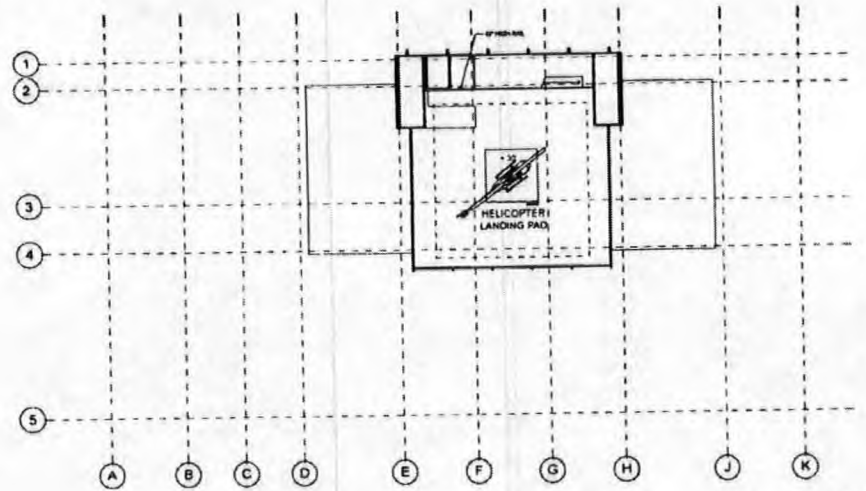
<u>NOTICES MAILED</u>	99 by City Clerk
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<u>APPROVALS</u>	1
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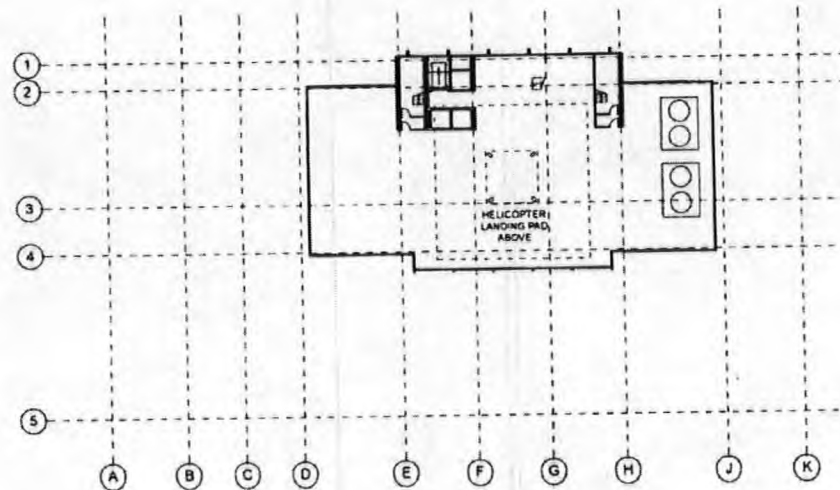
<u>PROTESTS</u>	0
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Revised 2/12/02 E:\depot\Application Packet\Statement of Financial Interest.doc



Roof 2



Roof Plan

Ahern Corporate Center
 SW Corner of Bonanza and Martin L King
 Las Vegas, NV 89106

APTUS Architecture

1000 South Main Street
 Suite 200
 Las Vegas, Nevada 89101
 P 702.834.1100
 F 702.834.1111
 aptus@aptusarchitecture.com

APTUS PROJECT NO. 04.011
 ARCHITECT

ENGINEER

NOTES

CONTRACT 2004-01 BY APTUS ARCHITECTURE

DATE OF LAST REVISION 04.11.06

SUPPLIER NUMBER

NO. 0111111111 DATE

ISSUED

TITLE

ROOF PLAN

DATE OF LAST REVISION 04.11.06

0111111111

A110

Ahern Corporate Center

MAY 30 2006

ZON-13896 VAR-13900
 SUP-13902 SUP-13903
 SDR-13904 10/05/06 PC

May 25, 2006

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

APN: 139-28-401-033

Re:

Special Use Permit – Airport Overlay and Helipad

To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. This project also contains a helipad on the roof. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by perforated metal panels. The tallest part of the tower is 274' in height.

We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

R. Brandon Sprague
R. Brandon Sprague for RBS

R. Brandon Sprague, AIA

ZON-13896 VAR-13900
SUP-13902 SUP-13903
SDR-13904 10/05/06 PC

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

September 20, 2006

City of Las Vegas
Planning & Development
739 So. 4th Street
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

Patricia A. Welsh

R

13-17

A
R

Telephone Protest/ Approval Log

Meeting Date: 10/9/06

Case Number: Zorn 13896, Zorn 13900,

SVP 13902, SVP 13903, SVP 13904

Date: 10/9/06
Name: Jean Zorn (on behalf of Rancho Pkwy. Neighborhood Association)
Address: 2000 Sunland Ave
Las Vegas, NV 89106
Phone: 382-7686
☐ PROTEST ☒ APPROVE

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

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

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☐ PROTEST ☐ APPROVE

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

ITEM # 10-14

CASE # See ABOVE

PC MTG 10-12-06

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: NOVEMBER 1, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-13896, VAR-13900 AND SUP-13902

SUP-13903 - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED 274-FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 10-05-06 Planning Commission Meeting 13

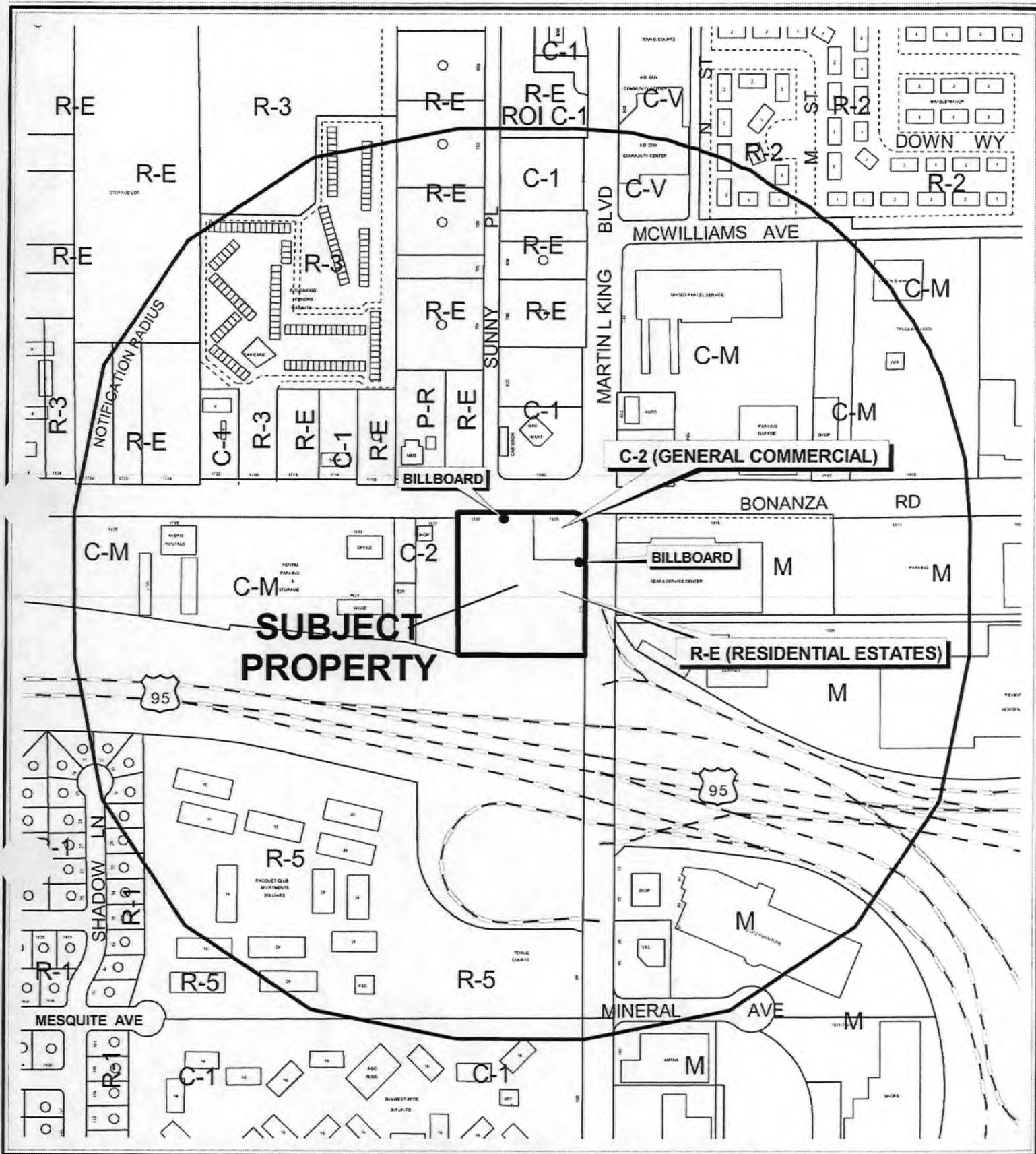
Motion made by GARY REESE to Strike Item 56 [1616 South Las Vegas Boulevard]; WITHDRAW WITHOUT PREJUDICE Item 77 [ARC-13764]; TABLE Item 78 [SUP-13891], Item 79 [SUP-13897] and Item 80 [SDR-13899]; HOLD IN ABEYANCE Item 82 [SUP-15347], Item 98 [ZON-13896], Item 99 [VAR-13900], Item 100 [SUP-13902], Item 101 [SUP-13903], Item 102 [SDR-13904], Item 103 [ZON-15371], Item 104 [VAR-15373] and Item 105 [SDR-15375] to 11/15/2006; Item 64 [EOT-16956], Item 83 [RQR-15420], Item 92 [GPA-16201], Item 93 [ZON-16196], Item 94 [SUP-16198], Item 95 [SUP-16200], Item 96 [SDR-16197], Item 108 [VAR-16144] and Item 109 [SUP-16143] to 12/06/2006

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

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

Minutes:

See Item 55 for related discussion.



CASE: SUP-13903

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13903 - APPLICANT: DON AHERN - OWNER: DFA, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.06.080 for developments that exceed the height allowed by an Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Site Development Plan Review (SDR-13904), Variance (VAR-13900), Special Use Permit (SUP-13902), and Special Use Permit (SUP-13903) 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. Applicant must file FAA Form 7460-1 with the FAA and receive approval prior to the issuance of a building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
6. The maximum building height shall be 248 feet.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed 246 foot tall building in the North Las Vegas Airport Overlay District on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

EXECUTIVE SUMMARY

Staff typically defers to the judgment of the applicable aviation officials with regard to the appropriateness of development that exceeds current height restrictions. In this case, the FAA has no objection to the proposal as flight paths will not be affected by the development. However, any changes that affect the height or airspace on the subject site must be approved by the appropriate agencies. Staff supports this request.

BACKGROUND INFORMATION

A) *Related Actions*

- 10/05/06 The Planning Commission recommended approval of companion items ZON-13896, VAR-13900 and SDR-13904 and denial of SUP-13902 concurrently with this application
- 10/05/06 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #13/ng).

B) *Pre-Application Meeting*

- 05/15/06 A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 2.61

B) Existing Land Use

Subject Property: Parking
North: Mini-Mart
South: U.S. 95
East: Sears Service Center
West: Rental Shop
Warehouse

C) Planned Land Use

Subject Property: Commercial (Downtown Redevelopment Plan)
North: SC (Service Commercial)
M (Medium Density Residential)
South: U.S. 95 ROW
East: LI/R (Light Industry/Research)
West: LI/R (Light Industry/Research)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
C-2 (General Commercial)
North: C-1 (Limited Commercial)
R-E (Residence Estates)
South: U.S. 95 ROW
East: M (Industrial)
West: C-2 (General Commercial)

E) General Plan Compliance

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

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

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	150,000 SF	1 Space / 300 SF GFA	500			
Retail	19,000 SF	1 Space / 175 SF	109			

Restaurant	1,000 SF	1 Space / 50 SF Public Seating	20			
	2,700 SF	1 Space / 200 SF Remaining	14			
Child Care Center	N/A	1 Space / Staff Person 1 Space / 10 Children	15			
TOTAL			658 (including handicap accessible)	14	662 (including handicap accessible)	15

The subject proposal will contain adequate parking to provide for the facilities and uses proposed. Of the total number of spaces, 83 (11%) are compact spaces, 15 are handicap accessible, and two are van accessible spaces. Eighty-one of the spaces are contained at ground level and exterior to the buildings. The remainder of the spaces is contained in a parking structure within the office building.

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

Standards	Code Requirement	Provided
Trash Enclosure	Gated, Roofed, Constructed of a similar material to the main structure	Trellis Covered

The trash enclosure meets current Title 19 standards.

B) General Analysis and Discussion

- Zoning

Applicable zoning requirements are discussed in detail in the report for the Site Development Plan Review (SDR-13904). Several variances and a waiver are requested as part of this application in order to get relief from development standards.

- Use

This Special Use Permit is not actually for a use, but is actually for relief from a development standard. Specifically, approval of this request will allow the applicant to construct a building that is taller than is currently allowed based on the North Las Vegas Overlay District. Staff supports this request as the FAA (Federal Aviation Administration) does not object to the height of the building as it will not create a hazard to air navigation.

- Conditions

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter may apply to the Planning Commission for a Special Use Permit. The Special Use Permit application shall be processed in accordance with the Special Use Permit procedures set forth in Subchapter 19.18.060, except that:
 - a. The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. Notwithstanding the preceding provisions of this subchapter, no Special Use Permit shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

FINDINGS

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

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

The area in which the proposed building is located is slated for commercial redevelopment per the Downtown Redevelopment Plan. As such, a tower of this type and height is appropriate for the area and is compatible with the General Plan.

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

The subject site can accommodate land use of the intensity proposed, and such development will benefit the area.

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

The site is served by West Bonanza Road (a 100-foot primary arterial) and North Martin L. King Boulevard (a 100-foot primary arterial). These roadways are capable of accommodating the proposed facility and 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.”**

Exceeding the height allowed by the North Las Vegas Airport Overlay District will not endanger the public health, safety, or general welfare.

PLANNING COMMISSION ACTION

Condition #6 was added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 99 by City Clerk

APPROVALS 1

PROTESTS 0



**CITY OF LAS VEGAS
PLANNING COMMISSION RECOMMENDATIONS / COMMENTS**

FROM: CLARK COUNTY DEPARTMENT OF AVIATION

APPLICATION NUMBERS: SUP-13903

PROJECT: DFA, LLC - 274 Foot Building

LOCATION: SWC of Bonanza Rd. and Martin L. King Blvd.

MEETING DATE: July 13, 2006

COMMENTS:

Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway, or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting.

Clark County Code (Title 20, Subsection 13), pursuant to Chapter 497 of the Nevada Revised Statutes, requires that when the applicant is required to file FAA Form 7460-1, a Permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) must also be obtained prior to construction. Per 20.13.040 of Clark County Code, an aviation easement will also be required.

The proposed development will exceed the 100:1 notice requirement. **Therefore, applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, and, depending upon the FAA's determination, obtain either a Permit from the Clark County Director of Aviation or a Variance from the AHABA prior to construction.**

Name:



Date:

7/10/06

Title:

Airport Program Admin.



Location Map

Vicinity Map

Site Zoning & Data

SITE DATA
 ADDRESS: 10000
 ABBREVIATION:
 CONTACT: 10000
 PHONE: 10000
 FAX: 10000

BUILDING AREA	
MO A	2,500 sq
MO B	1,600 sq
MO C	1,875 sq
MO D	150,000 sq
MO E	30,000 sq
MO F	4,500 sq
MO G	1,500 sq
MO H	70,000 sq

Aher
Site De
SW Co
Las Veg

[illegible]

PUBLISHING CO. LOCATIONS

World Headquarters
CRAI, Inc.
One East
Chicago, IL 60601
Tel: 312/462-1000
Fax: 312/462-1001
E-Mail: info@crai.com
Web: www.crai.com

Atlanta Office
CRAI, Inc.
One East
Atlanta, GA 30303
Tel: 404/525-1000
Fax: 404/525-1001
E-Mail: info@crai.com
Web: www.crai.com

Los Angeles Office
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One East
Los Angeles, CA 90001
Tel: 213/462-1000
Fax: 213/462-1001
E-Mail: info@crai.com
Web: www.crai.com

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One East
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Fax: 212/462-1001
E-Mail: info@crai.com
Web: www.crai.com

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Fax: 415/462-1001
E-Mail: info@crai.com
Web: www.crai.com

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E-Mail: info@crai.com
Web: www.crai.com

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Web: www.crai.com

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Fax: 303/462-1001
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Web: www.crai.com

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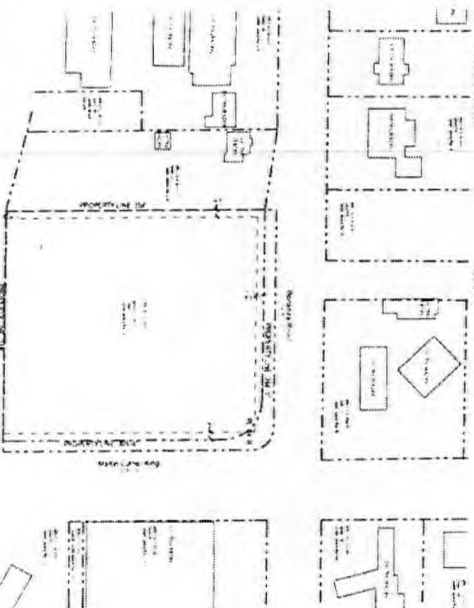
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1200 South 4th Street
 Suite 200
 Little Rock, Arkansas 72202
 P 501.644.1200
 F 501.644.1211
 info@earthlink.net

APR 14 04:24 PM '04 06011

MAIL ROOM 3



Zoning Map

Site Plan

SEP 19 2006

ZON-13896
SUP-13902

VAR-13908100
SUP-13903

SDR-13904

REVISED

10/05/06 PC

APTUS Architecture

Ahern Corporate Center

Site Development Review

SW Corner of Bonanza and Martin L. King
Las Vegas, Nevada 89106

MAY 30 2005

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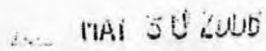
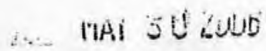
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May 25, 2006

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

APN: 139-28-401-033

Re:
Special Use Permit – Airport Overlay and Helipad

To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. This project also contains a helipad on the roof. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by perforated metal panels. The tallest part of the tower is 274' in height.

We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

Robert A. Lamm
Kristen E. Lamm for RBS

R. Brandon Sprague, AIA

ZON-13896 VAR-13900
SUP-13902 SUP-13903
SDR-13904 10/05/06 P

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

September 20, 2006

City of Las Vegas
Planning & Development
739 So. 4th Street
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

Patricia A. Welsh

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13-17

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Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: Zone 13896, Zone 13900,

SUP 13902, SUP 13903, SUP 13904

Date: 10/5/06
Name: Jean Zorn (on behalf of Rancho Meno Neighborhood Association)
Address: 2000 Sunland Ave
Las Vegas, NV 89106
Phone: 382-7686
☐ PROTEST ☒ APPROVE

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

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ITEM # 10-14

CASE # See ABOVE

PC MTG 10-14

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