City of Las Vegas

Agenda Item No.: 25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - ZON-16179 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), Ward 1 (Tarkanian).

C.C.: 12/06/06

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

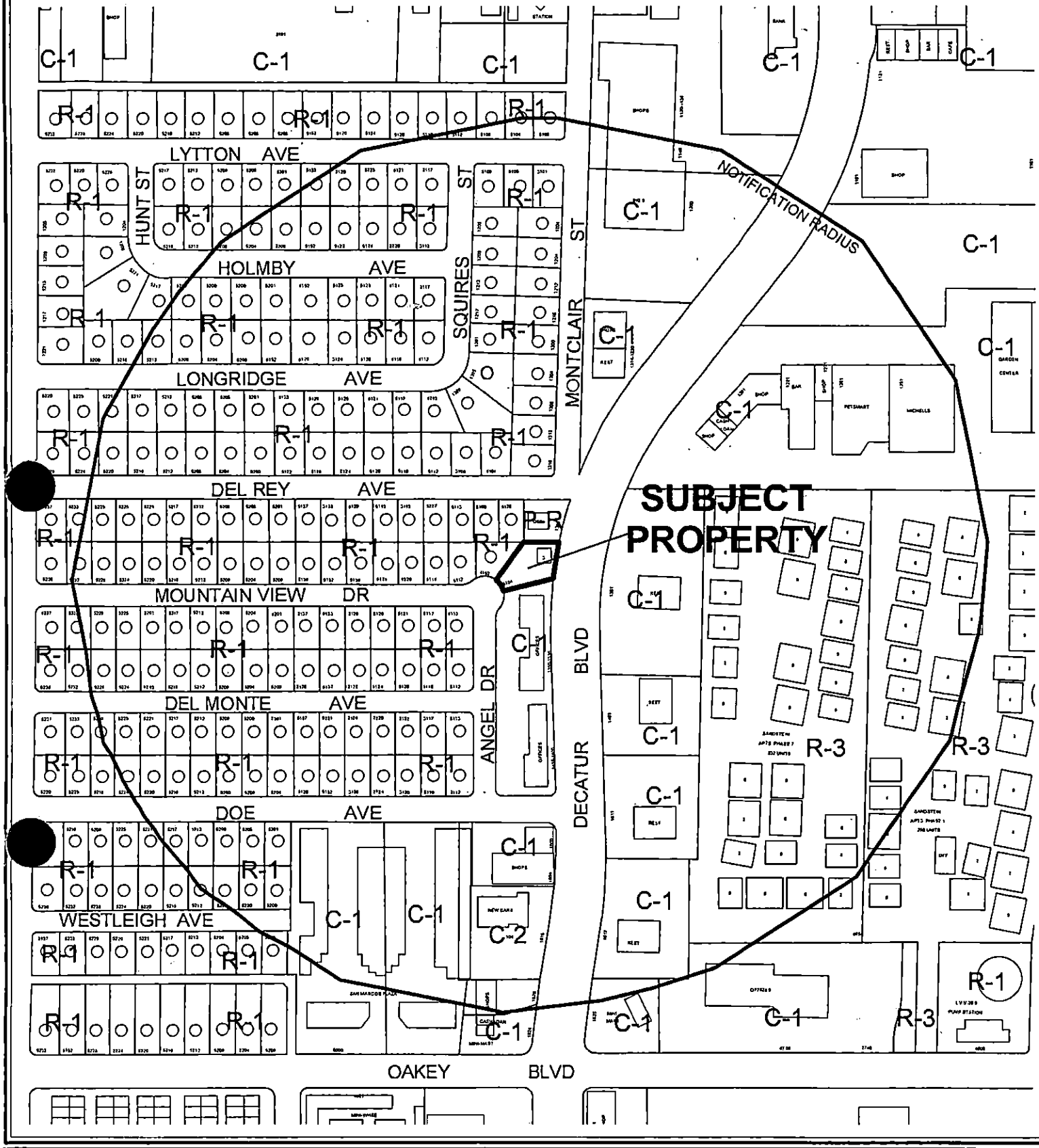
RECOMMENDATION:
Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 PC.

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

MOTION:
TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

MINUTES:
The applicant requested to hold Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission meeting. JOHN KORKOSZ, Planning and Development Department, stated the applications are being renoticed.

(6:03 – 6:07)



0 200 400 Feet

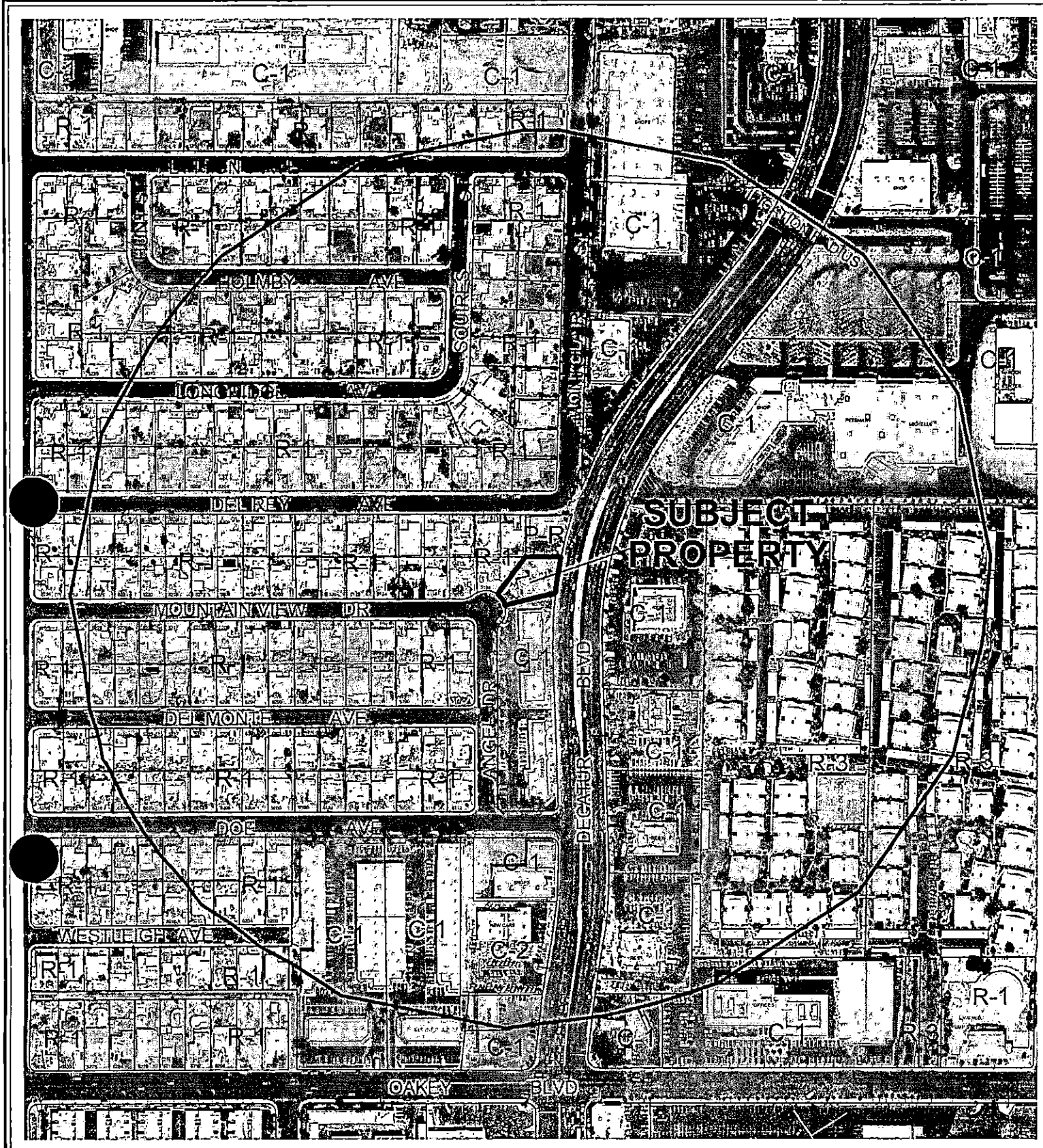
CASE: **ZON-16179**

RADIUS: 1000 FT

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

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

N



0 200 400 Feet

CASE: **ZON-16179**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-16179 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

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

RL

D.J.R. CONSTRUCTION, INC.

NV Lic. # 55636

General Contracting and Construction Mgmt.

October 30, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning /SDR-16180/Variance 16181 /1333 Angel Drive
and Var.-17191 DJR.

To Whom It May Concern,

Pursuant to the telephone call we received from your office today indicating the necessity of an address change on the subject applications, for correct public notification purposes, to the subject property to match the county tax assessor's records showing this property address as 5104 Mountain View Drive, we acknowledge this. As well, we acknowledge that this agenda item will now be held until the November 16th, 2006 Planning Commission Meeting. We will come down and make the changes to the applications in your office.

If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

Sincerely,

David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: $750,000

w/ attachment

xc: Peter Chang, Yan Yin

8255 Hickam Ave. · Las Vegas, NV 89129 · (702) 210-8143 · Fax (702) 396-6868

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number ZON-16179 APN: 163-01-612-039

Name of Property Owner: Peter Chung & Yin YAN

Name of Applicant: peter Chung & Yin YAN

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

_____ Yes ___X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Yin YAN & peter chung

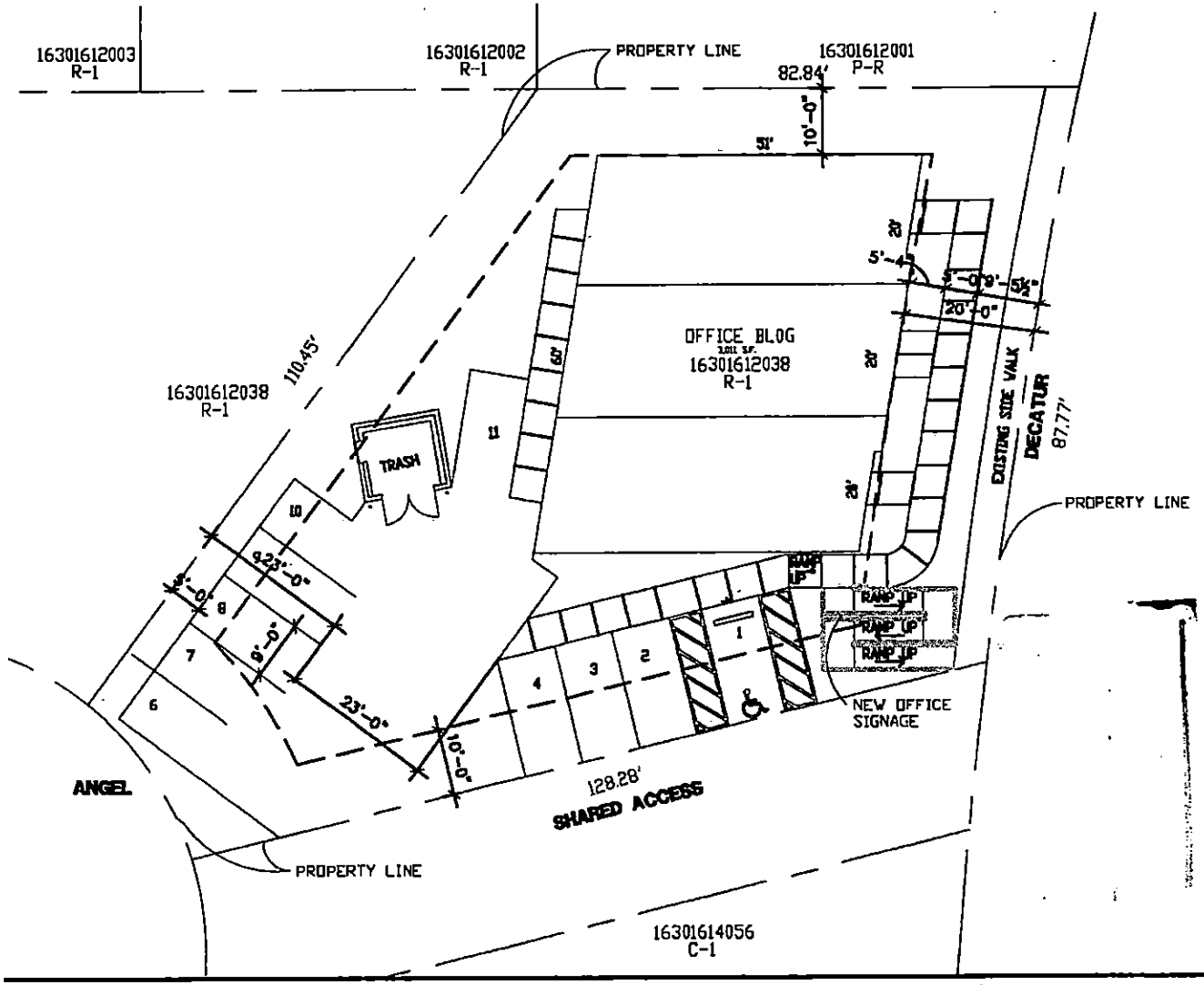
Subscribed and sworn before me

This 21 day of August, 2006

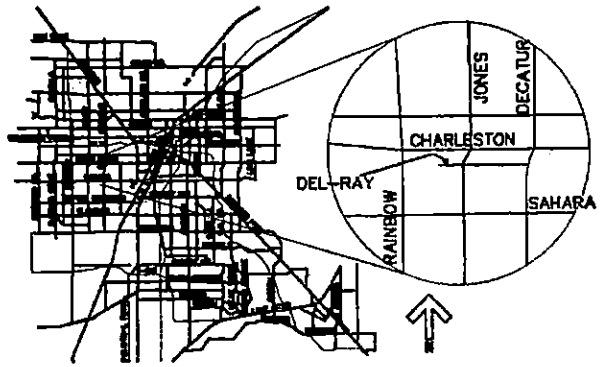
[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARIA THERESA JOIE CHEWJALEARN
Appt. No. 06-105510-1
My Appt. Expires May 10, 2010



VICINITY MAP



PROJECT SUMMARY

SITE

SITE AREA:	PHASE 1	8.55 ACRES	(372,412 SQ.FT.)
PARCEL NUMBERS:	PHASE 1		138-27-802-004
CURRENT ZONING:	LIMITED COMMERCIAL		C-1
LOT COVERAGE BY BUILDING FOOT PRINT: (MAX)			
	ALLOWABLE		50%
SETBACKS			
FRONT YARD:			20 FEET
SIDE YARDS:			10 FEET
REAR YARDS:			20 FEET
BUILDING HEIGHT ALLOWED:			NONE

BUILDING OCCUPANCY

ONE STORY OFFICE	3,060 sq. ft.
MAXIMUM CAPACITY:	31 PEOPLE

PARKING

PHASE 1:

TOTAL PARKING REQUIRED		
1 SPACE FOR EVERY 300 S.F.	3,011/300 =	10 SPACES
TOTAL:		260 SPACES
(HANDICAP SPACES)		(1 SPACES)
TOTAL PARKING PROVIDED		
PARKING SPACES		(11 SPACES)
(HANDICAP SPACES)		(1 SPACES)

SITE PLAN

ANGEL OFFICE

N

North

8 4 16

0 8 24

GRAPHIC SCALE IN FEET

LENDALL MAINS
ARCHITECT

SHEET No.

AS-1

DATE: 6/21/06

RECEIVED
SEP 14 2006

ZON-16179 VAR-16181
SDR-16180 REVISED
11/02/06 PC

LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

RE: 1333 Angel Drive
Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,

Lendall Mains, FCSI, AIA
Principal

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC

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

City of Las Vegas

Agenda Item No.: 26

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:

ABEYANCE - VAR-16181 - VARIANCE RELATED TO ZON-16179 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 56.25 FEET WHERE 77.25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A TRASH ENCLOSURE TO BE PLACED 6 FEET FROM RESIDENTIAL PROPERTY WHERE 50 FEET IS THE MINIMUM on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (MEDIUM DENSITY RESIDENTIAL) Zone [PROPOSED: C-1 (LIMITED COMMERCIAL) Zone] , Ward 1 (Tarkanian).

C.C.: 12/06/06

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

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 26 – VAR-16181

MINUTES:

The applicant requested to hold Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission meeting. JOHN KORKOSZ, Planning and Development Department, stated the applications are being renoticed.

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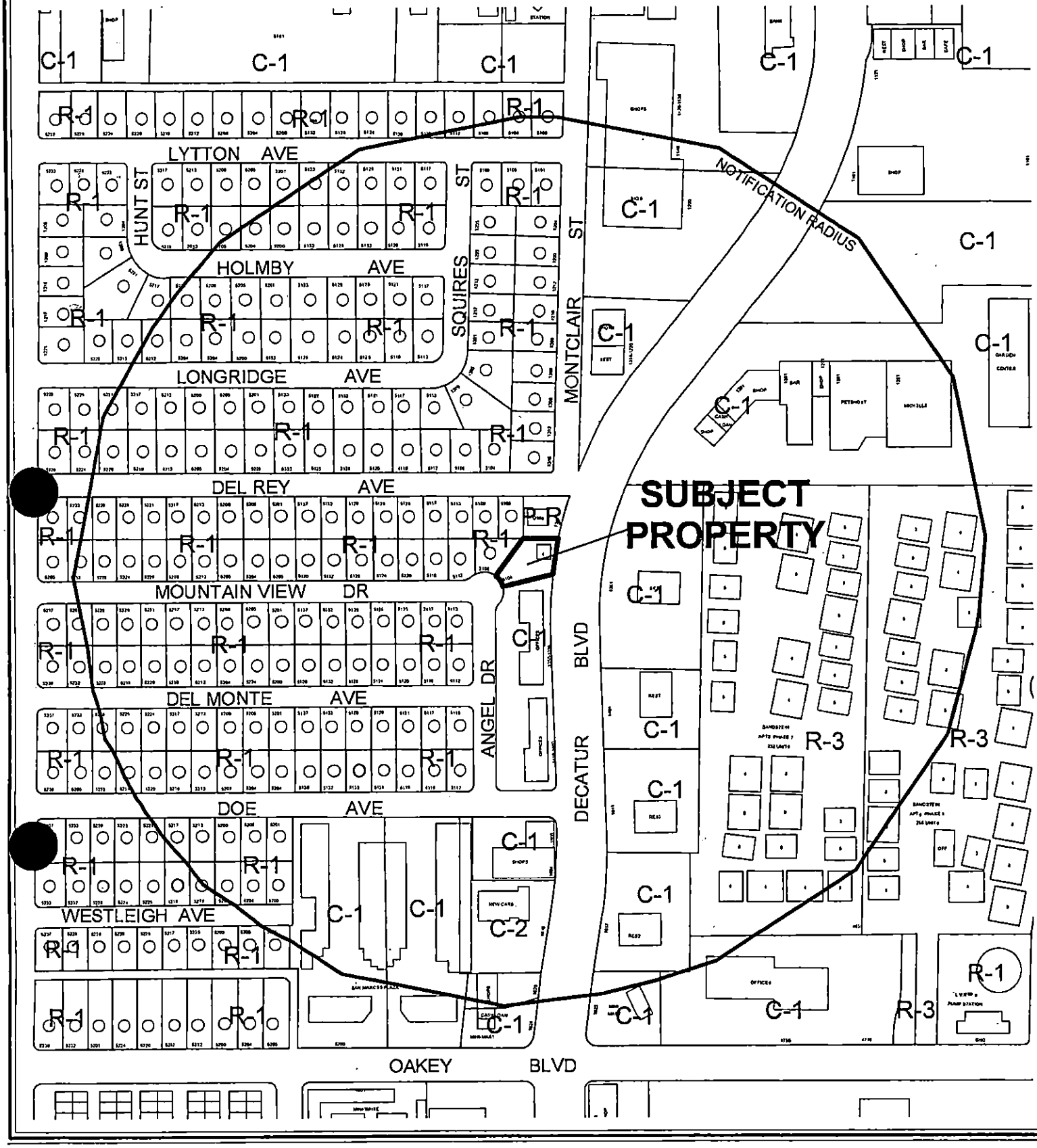


0 200 400 Feet

CASE: **VAR-16181**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-16181 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

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

RL

D.J.R. CONSTRUCTION, INC.

NV Lic. # 55636

General Contracting and Construction Mgmt.

October 30, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning /SDR-16180/Variance 16181 /1333 Angel Drive
and Var.-17191 DJR.

To Whom It May Concern,

Pursuant to the telephone call we received from your office today indicating the necessity of an address change on the subject applications, for correct public notification purposes, to the subject property to match the county tax assessor's records showing this property address as 5104 Mountain View Drive, we acknowledge this. As well, we acknowledge that this agenda item will now be held until the November 16th, 2006 Planning Commission Meeting. We will come down and make the changes to the applications in your office.

If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

Sincerely,

David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: $750,000

w/ attachment

xc: Peter Chang, Yan Yin

8255 Hickam Ave. · Las Vegas, NV 89129 · (702) 210-8143 · Fax (702) 396-6868

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16181** APN: 163-01-612-039

Name of Property Owner: Peter Chung & Yin Yan

Name of Applicant: peter chung & Yin Yan

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Yin Yan & peter chung

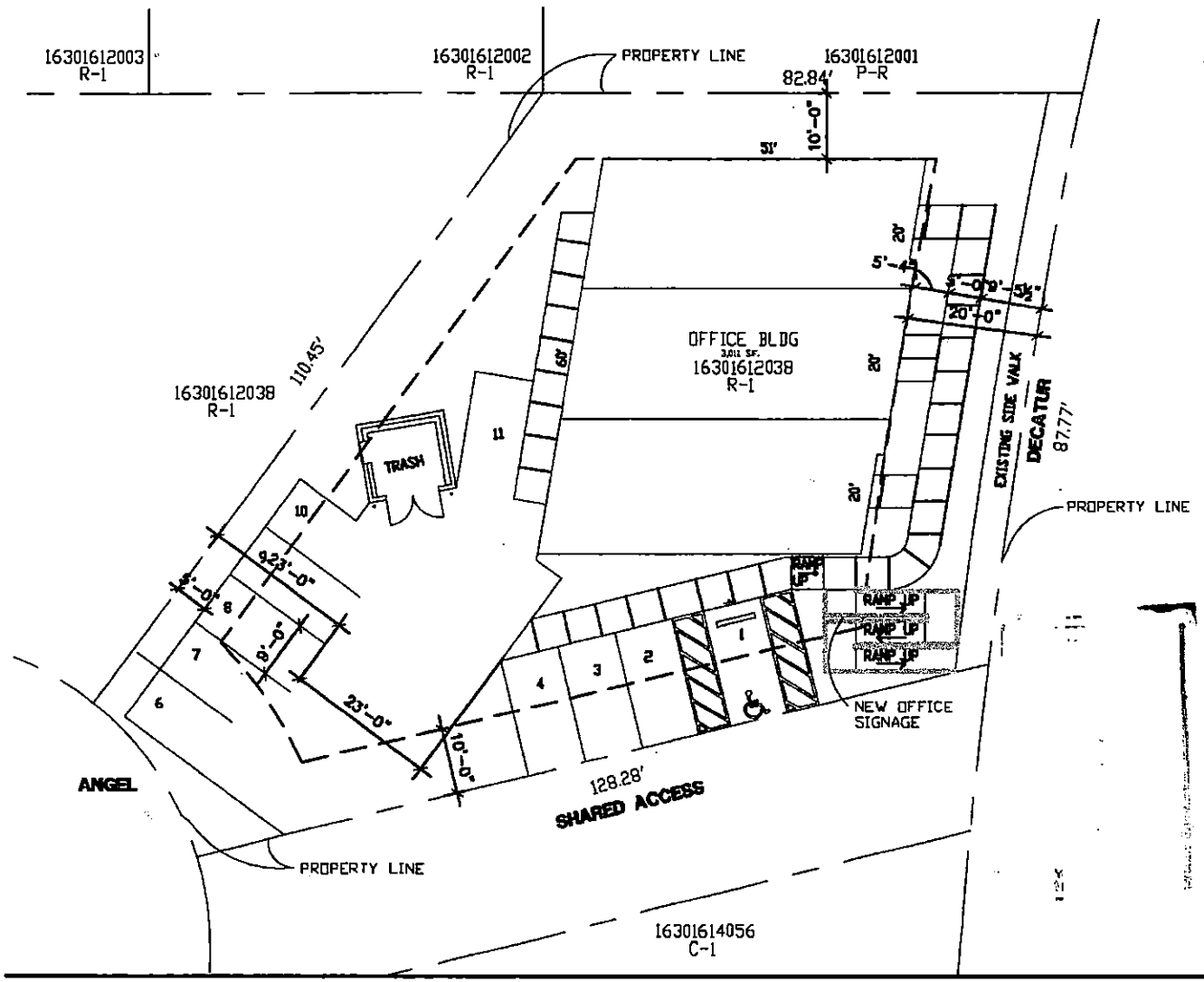
Subscribed and sworn before me

This 21 day of August, 2006

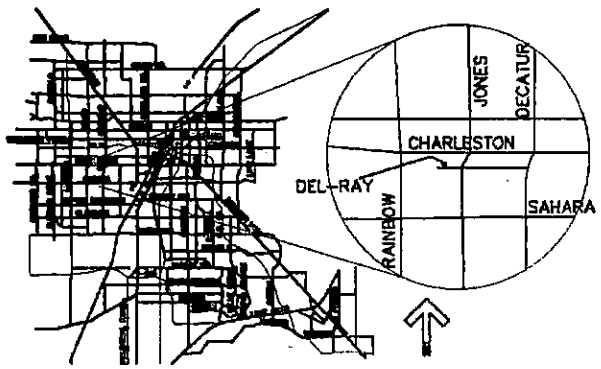
[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARIA THERESA JOIE CHEWJALEARN
Appt. No. 06-105510-1
My Appt. Expires May 10, 2010



VICINITY MAP



PROJECT SUMMARY

SITE

SITE AREA:	PHASE 1	8.55 ACRES	(372,412 SQ.FT.)
PARCEL NUMBERS:	PHASE 1		138-27-802-004
CURRENT ZONING:	LIMITED COMMERCIAL		C-1
LOT COVERAGE BY BUILDING FOOT PRINT: (MAX.)			
	ALLOWABLE		50%
SETBACKS			
FRONT YARD:			20 FEET
SIDE YARDS:			10 FEET
REAR YARDS:			20 FEET
BUILDING HEIGHT ALLOWED:			NONE

BUILDING OCCUPANCY

ONE STORY OFFICE	3,060 sq. ft.
MAXIMUM CAPACITY:	31 PEOPLE

PARKING

PHASE 1:

TOTAL PARKING REQUIRED	
1 SPACE FOR EVERY 300 S.F.	3,011/300 = 10 SPACES
TOTAL:	260 SPACES
(HANDICAP SPACES)	(1 SPACES)
TOTAL PARKING PROVIDED	
PARKING SPACES	(11 SPACES)
(HANDICAP SPACES)	(1 SPACES)

SITE PLAN

ANGEL OFFICE

N

8 4 16

0 8 24

GRAPHIC SCALE IN FEET

North

LENDALL MAINS
ARCHITECT
3030 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702-432-5551
Fax: 702 451 5523

SHEET No.

AS-1

DATE: 8/21/06

RECEIVED
SEP 14 2006

ZON-16179 VAR-16181
SDR-16180 REVISED
11/02/06 PC

LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

RE: 1333 Angel Drive
Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,

Lendall Mains, FCSI, AIA
Principal

VAR-16181
11/02/06 PC

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

City of Las Vegas

Agenda Item No.: 27

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-17191 - VARIANCE RELATED TO ZON-16179 AND VAR-16181 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 87 FEET WHERE 100 FEET IS REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [Proposed: C-1 (Limited Commercial) Zone] , Ward 1 (Tarkanian).

C.C.: 12/06/06

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

RECOMMENDATION:
Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 PC.

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

MOTION:
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MINUTES:
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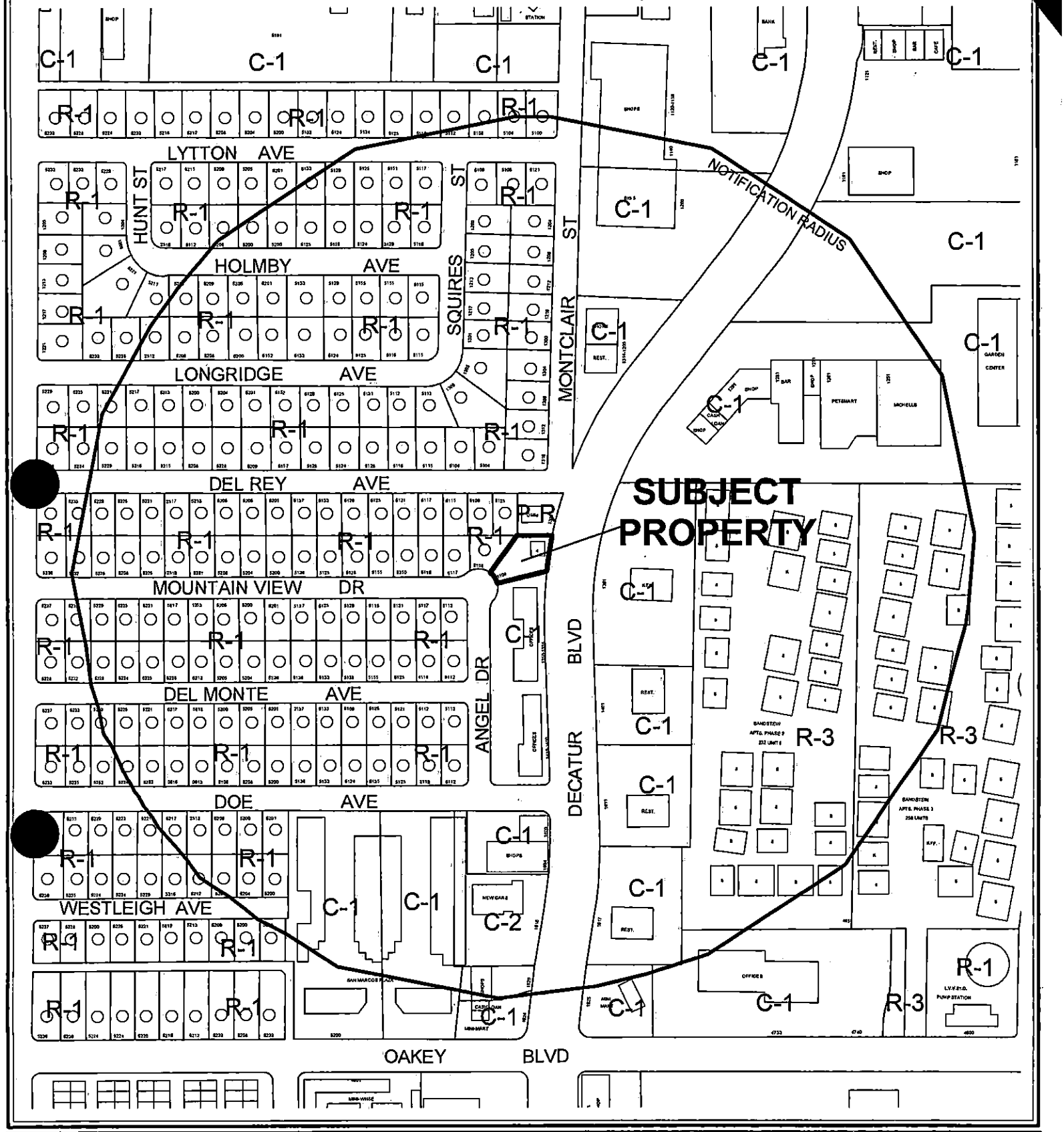
PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 27 – VAR-17191

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, stated the applications are being renoticed.

(6:03 – 6:07)



0 200 400 Feet

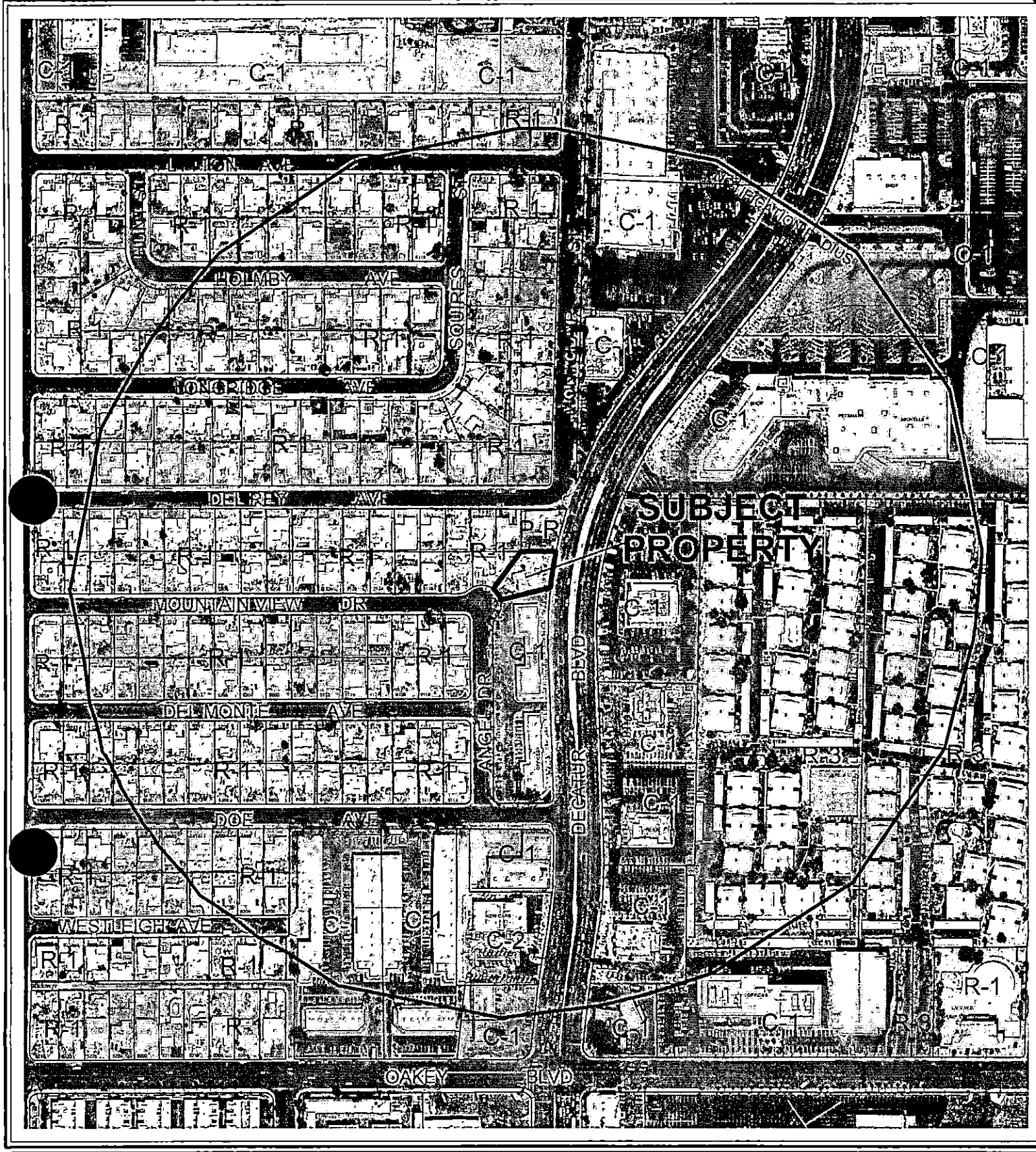
CASE: **VAR-17191**

RADIUS: 1000 FT

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

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

N



0 200 400 Feet

CASE: **VAR-17191**

RADIUS: 1000 FT

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-17191 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

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

RL

D.J.R. CONSTRUCTION, INC.

NV Lic. # 55636

General Contracting and Construction Mgmt.

October 30, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning /SDR-16180/Variance 16181 /1333 Angel Drive
and Var.-17191 DJR.

To Whom It May Concern,

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If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

Sincerely,

David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: $750,000

w/ attachment

xc: Peter Chang, Yan Yin

8255 Hickam Ave. · Las Vegas, NV 89129 · (702) 210-8143 · Fax (702) 396-6868

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-17191 APN: 163-01-612-039

Name of Property Owner: PETER CHUNG & YIN YAN

Name of Applicant: PETER CHUNG & YIN YAN

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: PETER CHUNG / YIN YAN

Subscribed and sworn before me

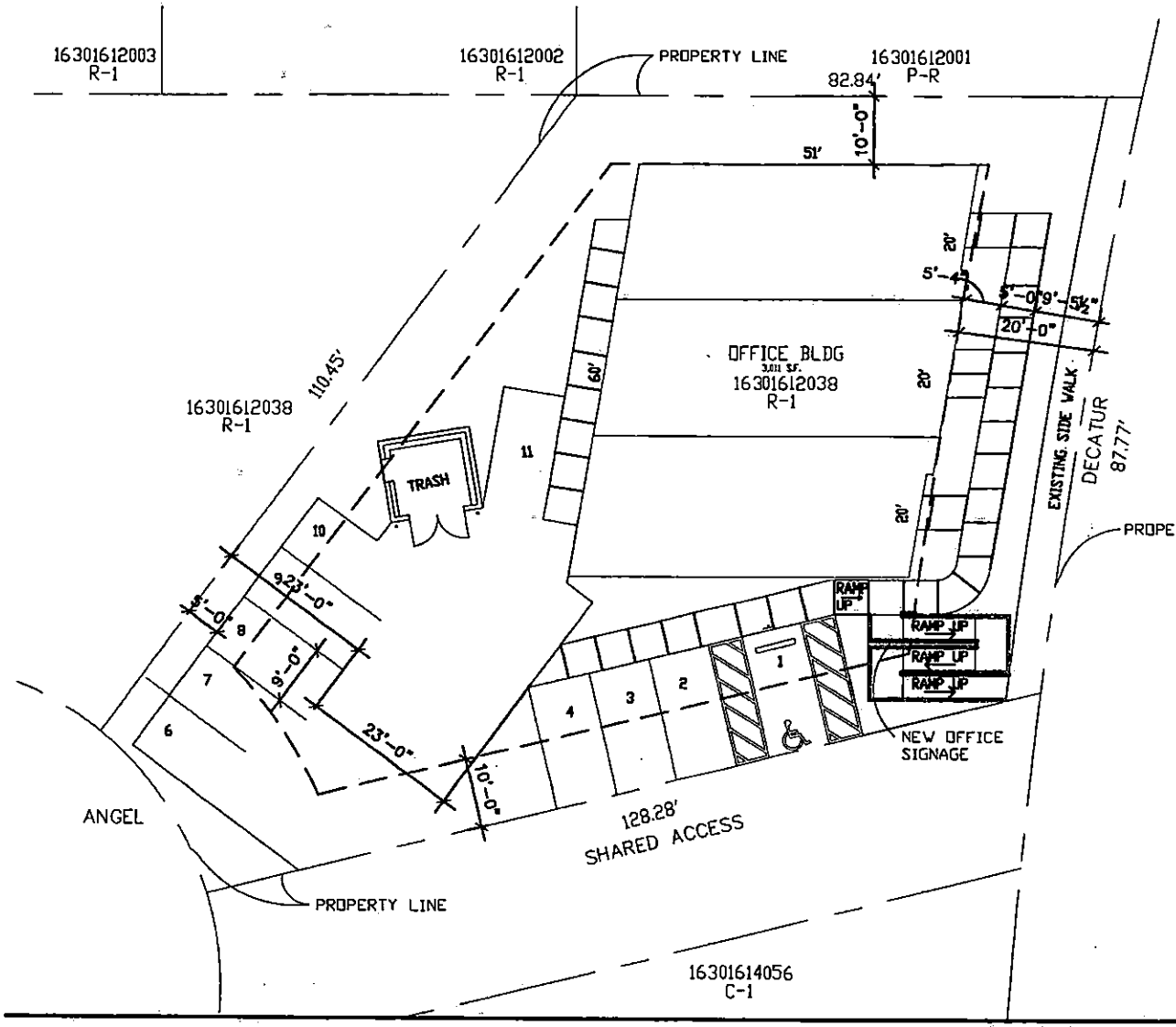
This 25th day of Sep, 2006

_____

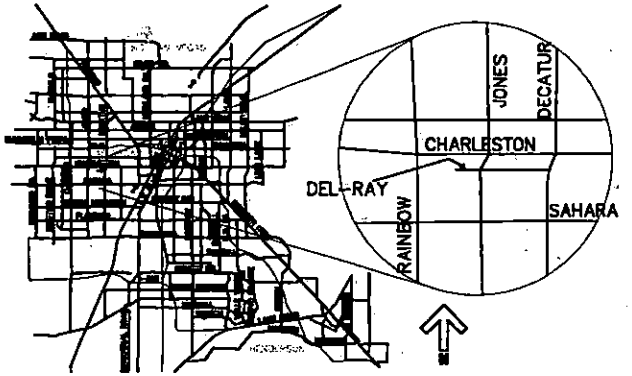
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
RANDY T. YUAN
Appt. No. 04-90363-1
My Appt. Expires July 15, 2008

RECEIVED
SEP 28 2006



VICINITY MAP



PROJECT SUMMARY

SITE

SITE AREA:	PHASE 1	8.55 ACRES	(372,412 SQ.FT.)
PARCEL NUMBERS:	PHASE 1		138-27-802-004
CURRENT ZONING:	LIMITED COMMERCIAL		C-1
LOT COVERAGE BY BUILDING FOOT PRINT: (APPROX)			
	ALLOWABLE		50%
SETBACKS			
FRONT YARD:			20 FEET
SIDE YARDS:			10 FEET
REAR YARDS:			20 FEET
BUILDING HEIGHT ALLOWED:			NONE

BUILDING OCCUPANCY

ONE STORY OFFICE	3,060 sq. ft.
MAXIMUM CAPACITY:	31 PEOPLE

VAR-17191
11/02/06 PC

PARKING

PHASE 1:

TOTAL PARKING REQUIRED	
1 SPACE FOR EVERY 300 S.F.	3,011/300 = 10 SPACES
TOTAL:	260 SPACES
(HANDICAP SPACES)	(1 SPACES)
TOTAL PARKING PROVIDED	
PARKING SPACES	(11 SPACES)
(HANDICAP SPACES)	(1 SPACES)

RECEIVED
SEP 28 2006

SITE PLAN
ANGEL OFFICE

N
North

8 4 16
0 8 24
GRAPHIC SCALE IN FEET

LENDALL MAINS
ARCHITECT
3930 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702.437.5621
Fax: 702.437.5623

SHEET No.
AS-1
DATE: 8/21/06

D.J.R. CONSTRUCTION, INC.

NV Lic. # 55636

General Contracting and Construction Mgmt.

September 22, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning / 1333 Angel Drive

To Whom It May Concern,

Pursuant to the telephone call we received from your office today indicating the necessity of an additional variance to be filed in conjunction with the subject property re-zoning request related to the existing lot not meeting minimum lot width, please find the attached additional variance per your request. This letter serves also as the confirmation you requested of the need to address this minimum lot width variance, as well as your indication that it should not hinder the re-zoning of this property.

If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

Further, it is acknowledged, that this will now be held until the 11/2/06 Planning Commission Mtg. DJR

Sincerely,

David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: $750,000

RECEIVED
SEP 28 2006

w/ attachment

xc: Peter Chang, Yan Yin

VAR-17191
11/02/06 PC

8255 Hickam Ave. · Las Vegas, NV 89129 · (702) 210-8143 · Fax (702) 396-6868

City of Las Vegas

Agenda Item No.: 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - SDR-16180 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-16179, VAR-16181, AND VAR-17191 - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Site Development Plan Review FOR A 3,000 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone] , Ward 1 (Tarkanian).

C.C.: 12/06/06

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

RECOMMENDATION:
Staff recommends this item be **HELD IN ABEYANCE** to the November 16, 2006 PC.

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

MOTION:
TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

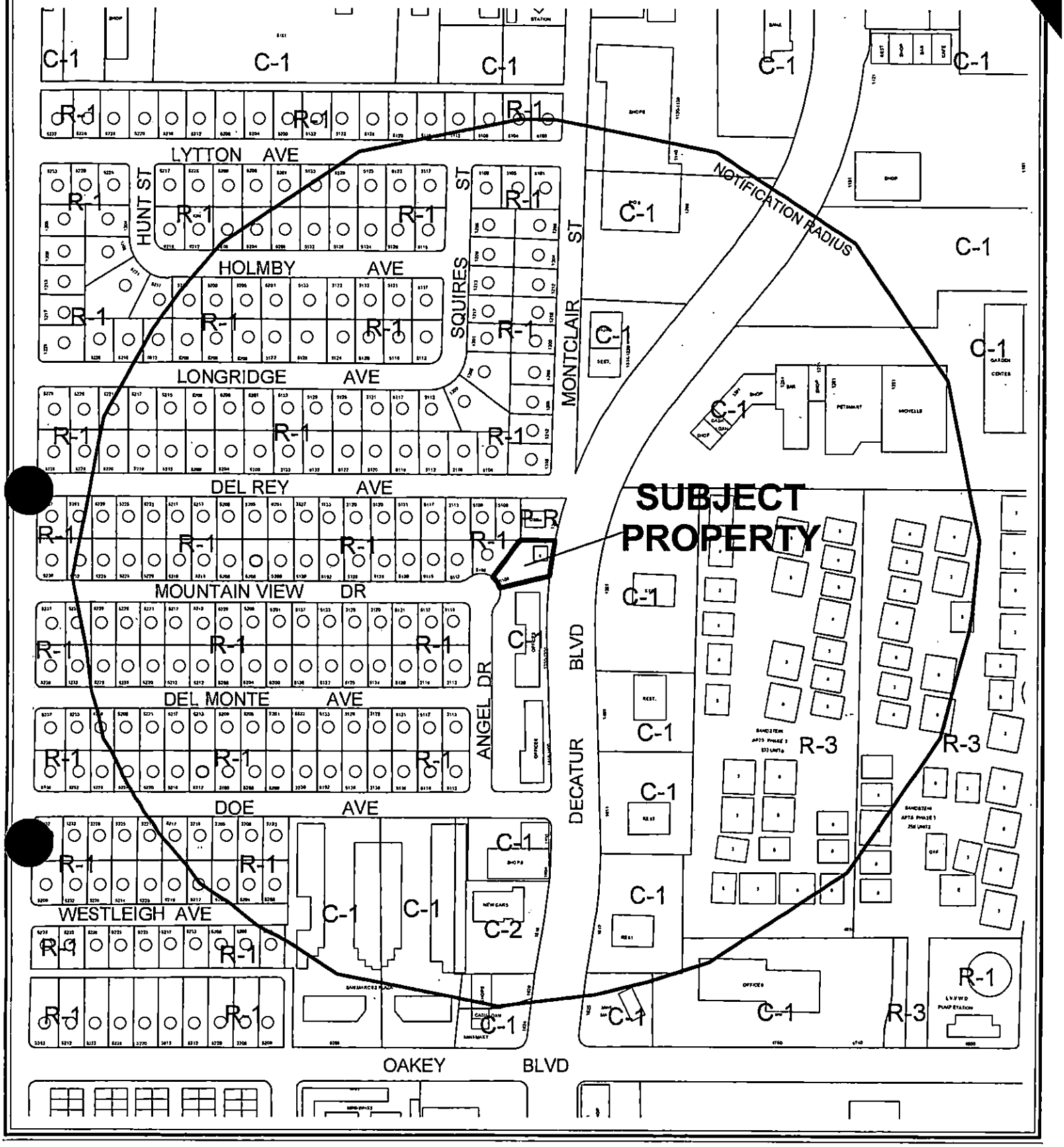
MINUTES:
The applicant requested to hold Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission meeting.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 28 – VAR-16180

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, stated the applications are being renoticed.

(6:03 – 6:07)



CASE: **SDR-16180**

RADIUS: 1000 FT

0 200 400 Feet

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

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

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

RL

D.J.R. CONSTRUCTION, INC.

NV Lic. # 55636

General Contracting and Construction Mgmt.

October 30, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning /SDR-16180/Variance 16181 /1333 Angel Drive
and Var.-17191 DJR.

To Whom It May Concern,

Pursuant to the telephone call we received from your office today indicating the necessity of an address change on the subject applications, for correct public notification purposes, to the subject property to match the county tax assessor's records showing this property address as 5104 Mountain View Drive, we acknowledge this. As well, we acknowledge that this agenda item will now be held until the November 16th, 2006 Planning Commission Meeting. We will come down and make the changes to the applications in your office.

If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

Sincerely,

David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: $750,000

w/ attachment

xc: Peter Chang, Yan Yin

8255 Hickam Ave. · Las Vegas, NV 89129 · (702) 210-8143 · Fax (702) 396-6868

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-16180 APN: 163-01-612-039

Name of Property Owner: Peter Chung & Yin YAN

Name of Applicant: peter Chung & Yin YAN

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: YIN YAN & peter Chung

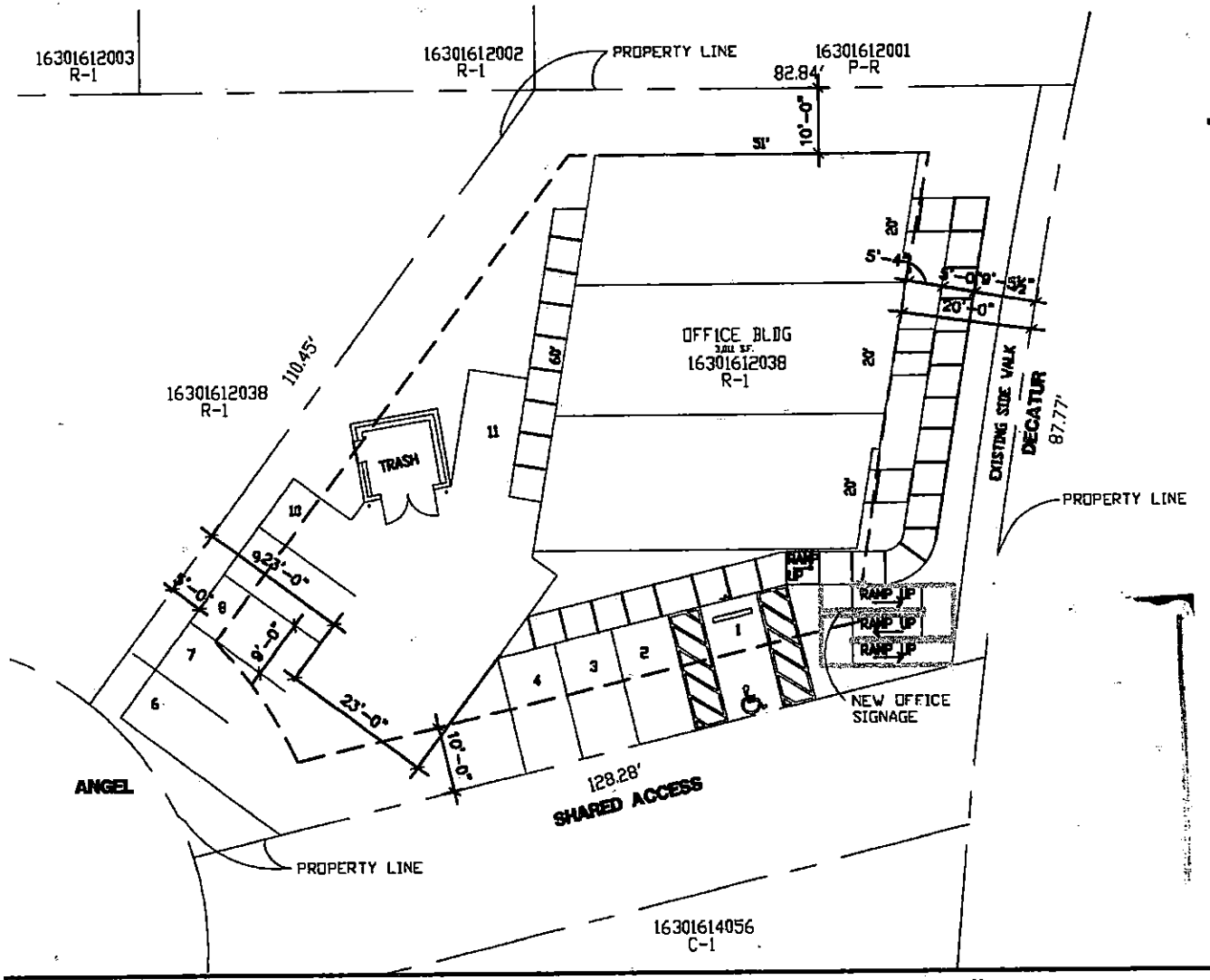
Subscribed and sworn before me

This 21 day of August, 20 06

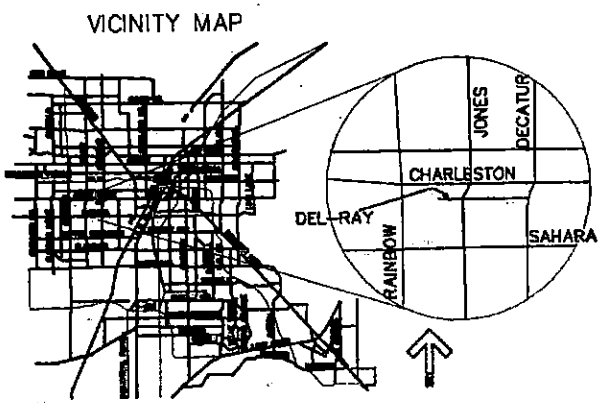
[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARIA THERESA JOIE CHEW-JALEARN
Appt. No. 06-105510-1
My Appt. Expires May 10, 2010



VICINITY MAP



PROJECT SUMMARY

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	ALLOWABLE		50%

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FRONT YARD:	20 FEET
SIDE YARDS:	10 FEET
REAR YARDS:	20 FEET
BUILDING HEIGHT ALLOWED:	NONE

BUILDING OCCUPANCY

ONE STORY OFFICE	3,060 sq. ft.
MAXIMUM CAPACITY:	31 PEOPLE

PARKING

PHASE 1:

TOTAL PARKING REQUIRED		
1 SPACE FOR EVERY 300 S.F.	3,011/300 =	10 SPACES
TOTAL:		260 SPACES
(HANDICAP SPACES)		(1 SPACES)
TOTAL PARKING PROVIDED		
PARKING SPACES		(11 SPACES)
(HANDICAP SPACES)		(1 SPACES)

SITE PLAN

ANGEL OFFICE

N

8 4 16

0 8 24

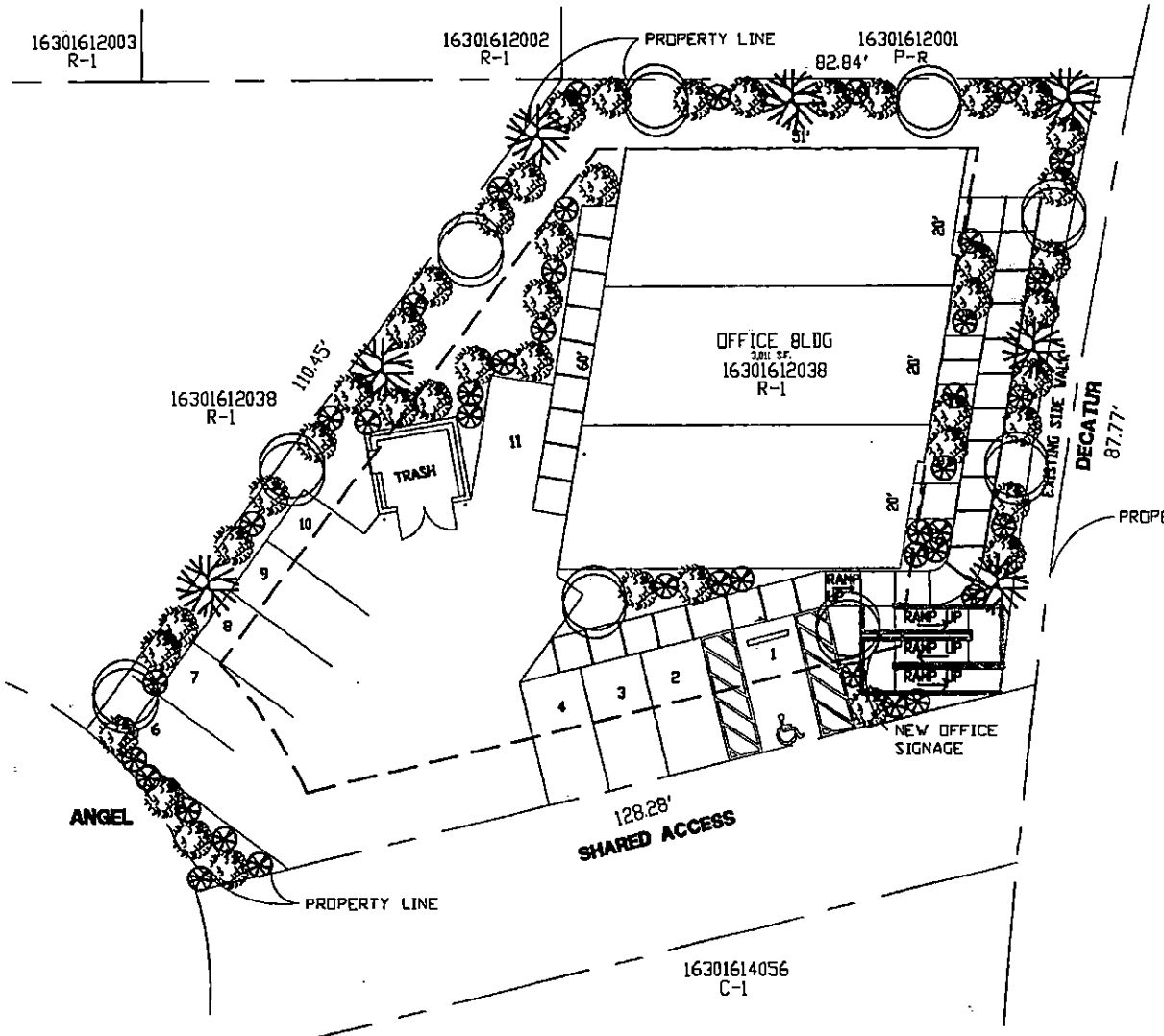
GRAPHIC SCALE IN FEET

LENDALL MAINS
ARCHITECT
3030 East Flamingo Road
Suite #1
Las Vegas, Nevada 89121
Phone: 702.437.5614
Fax: 702.437.5623

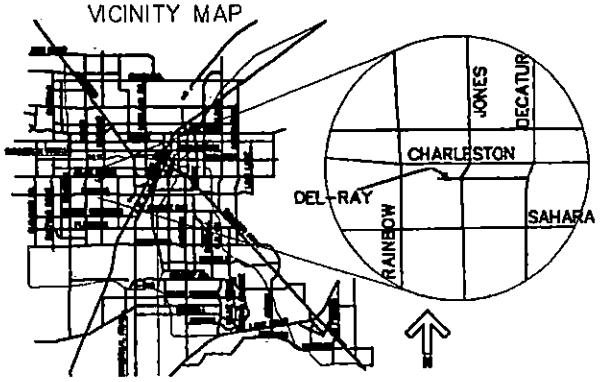
SHEET No.
AS-1
DATE: 8/21/06

RECEIVED
SEP 14 2006

ZON-16179 VAR-16181
SDR-16180 REVISED
11/02/06 PC



VICINITY MAP



PLANT LEGEND

SYMBOL	SIZE	BOTANICAL NAME	COMMON NAME
		TREES	
	24" BOX	FRAXINUS	MODESTO ASH
	24" BOX	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK
		SHRUBS/ACCENTS	
	5 GAL.	BACCHARIS 'CENTENNIAL'	CENTENNIAL DESERT BROOM
	5 GAL.	HESPERALOE PARVIFLORA	RED YUCCA
	5 GAL.	JUNIPERIUS CHINENSIS	SEA GREEN JUNIPER

NOTES:

- ALL LANDSCAPING SHALL MEET THE REQUIREMENTS OUTLINED IN THE SITE LANDSCAPING & SCREENING STANDARDS, LAS VEGAS ZONING CODE, TITLE 19.
- ALL PLANTING AREAS SHALL RECEIVE A 2" MINIMUM LAYER OF CRUSHED ROCK.
- ALL PLANTS SHALL BE WATERED BY AN AUTOMATIC DRIP IRRIGATION SYSTEM.
- CONTRACTOR TO LOCATE ALL PLANT MATERIAL RELATIVE TO THE CENTER OF THE PLANT SYMBOL, WHICH IS THE SIZE OF THE MATURE PLANT. THIS CRUCIAL ESPECIALLY ALONG WALKWAY.

LANDSCAPE PLAN

ANGEL OFFICE

RECEIVED
SEP 14 2006

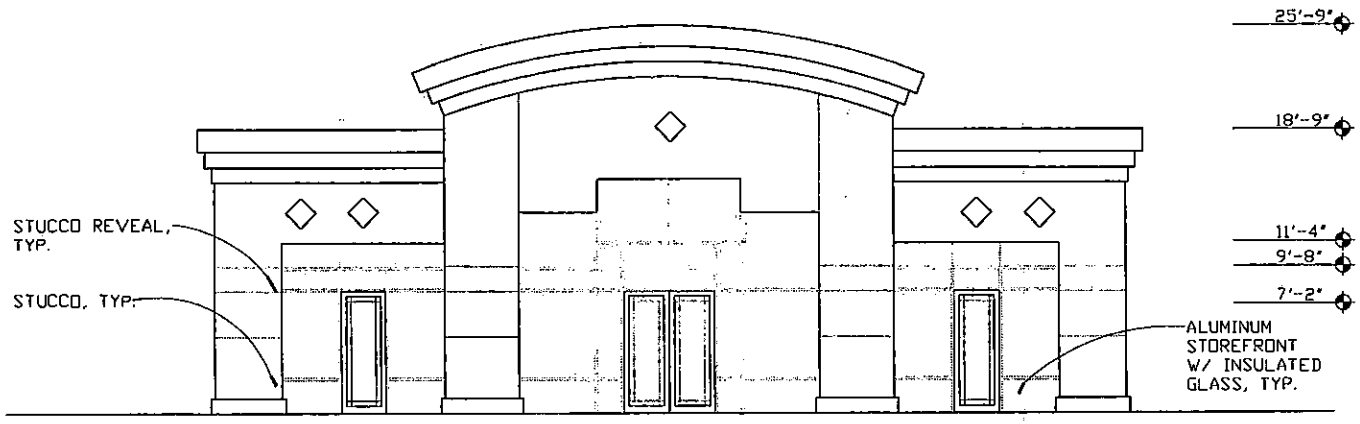
N
North

8 4 0 8 16 24
GRAPHIC SCALE IN FEET

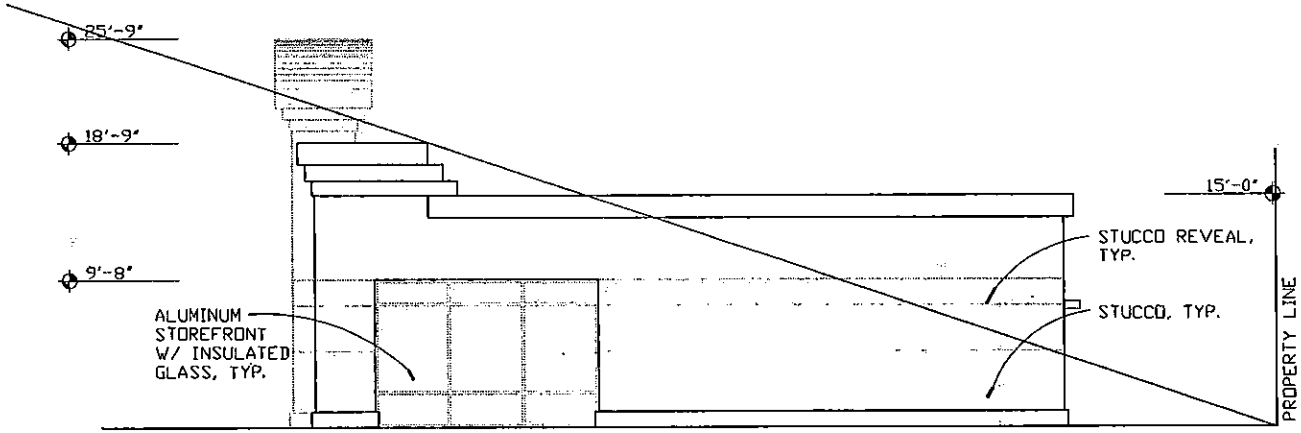
LENDALL MAINS
ARCHITECT
3530 East Flamingo Road
Suite #1
Las Vegas, Nevada 89121
Phone: 702 437 5421
Fax: 702 437 5423

SHEET No.
L-1
DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 REVISED
11/02/06 PC



B EAST ELEVATION



A NORTH ELEVATION

RECEIVED
AUG 22 2006

ELEVATIONS

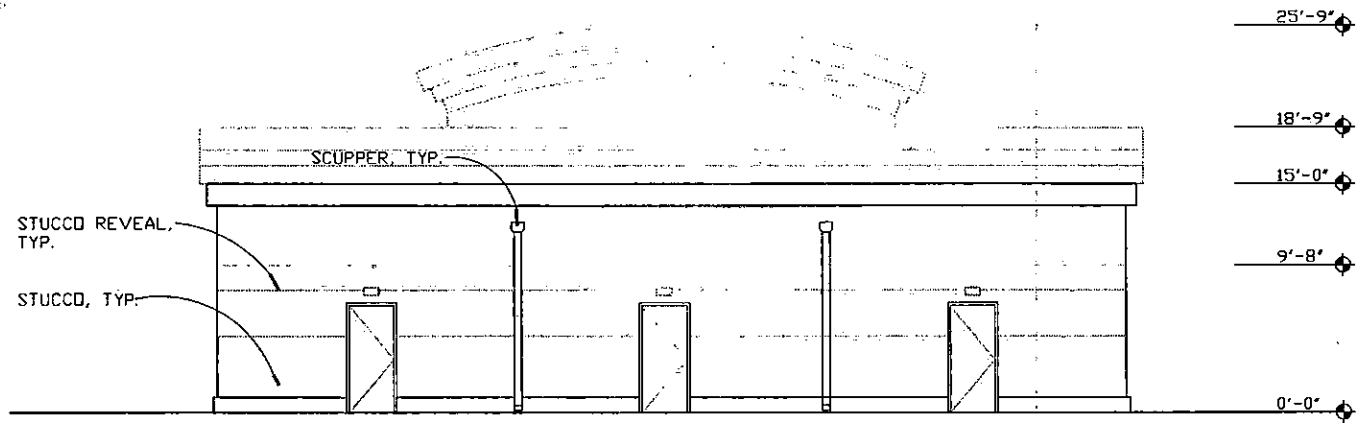
ANGEL OFFICE

8 4 16
0 8 24
GRAPHIC SCALE IN FEET

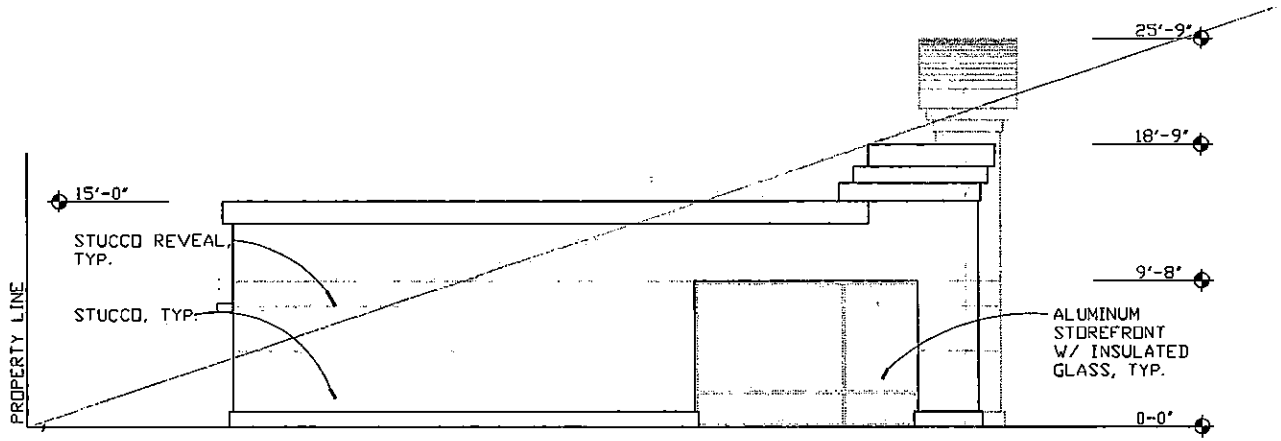
LENDALL MAINS
ARCHITECT
3930 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702.437.5621
Fax 702.437.5623

SHEET No.
A-2
DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC



B WEST ELEVATION



A SOUTH ELEVATION

RECEIVED
AUG 22 2006

ELEVATIONS

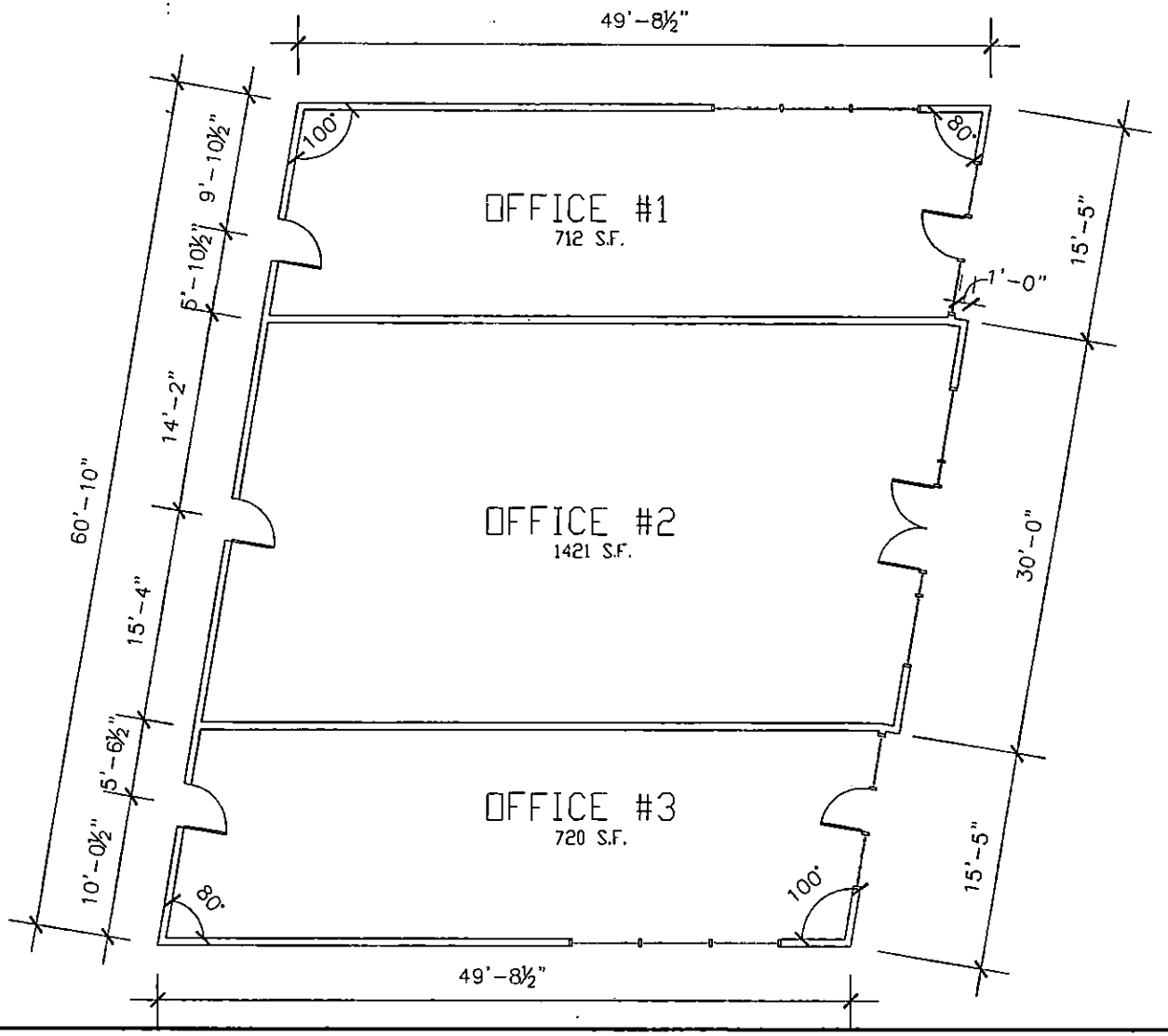
ANGEL OFFICE

8 4 16
0 8 24
GRAPHIC SCALE IN FEET

LENDALL MAINS
ARCHITECT
3930 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702.437.5621
Fax: 702.437.5623

SHEET No.
A-3
DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC



FLOOR PLAN – 3,086.5 SF.

ANGEL OFFICE

North

8 4 16
0 8 24
GRAPHIC SCALE IN FEET

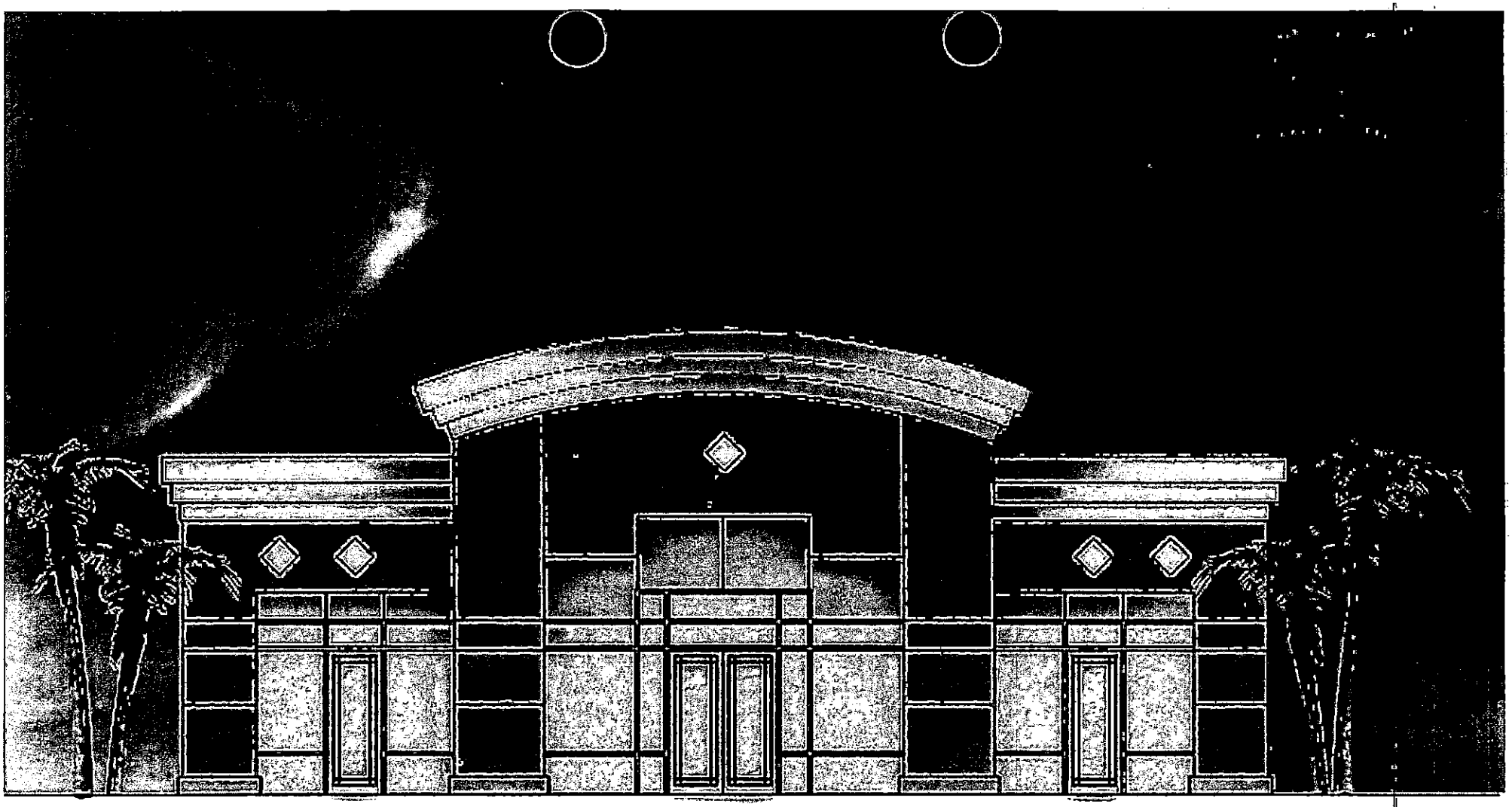
LENDALL MAINS
ARCHITECT
3930 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702.437.5623
Fax: 702.437.5623

SHEET No.

DATE: 8/21/06

RECEIVED
AUG 22 2006

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC



ANGEL OFFICES'

RECEIVED
AUG 22 2006

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC

SDR 16180

Yin Yan & Peter Chung

1333 Angel Drive

Proposed 3 thousand square foot office building.

Traffic produced by proposed development:

New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	3	11.01	**33**
AM Peak Hour			1.55	**5**
PM Peak Hour			1.49	**4**
(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]	3		**23**
AM Peak Hour				**4**
PM Peak Hour				**3**
(heaviest 60 minutes)				

Existing traffic on all nearby streets: Counts not available for Angle Drive

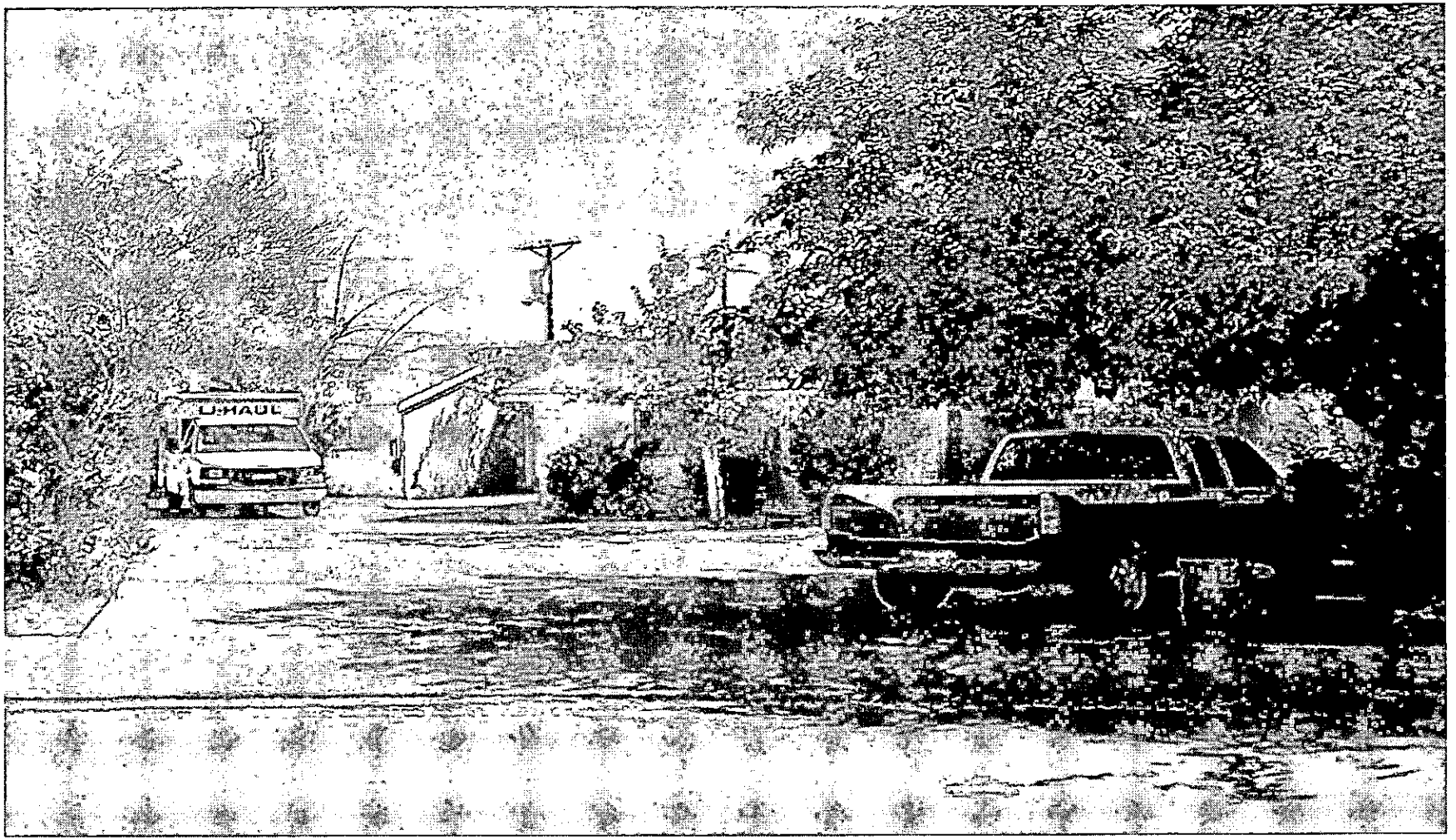
Decatur Boulevard	
Average Daily Traffic (ADT)	47,999
PM Peak Hour	3840
(heaviest 60 minutes)	

Charleston Boulevard	
Average Daily Traffic (ADT)	49,083
PM Peak Hour	3927
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets: Counts not available for Angle Drive

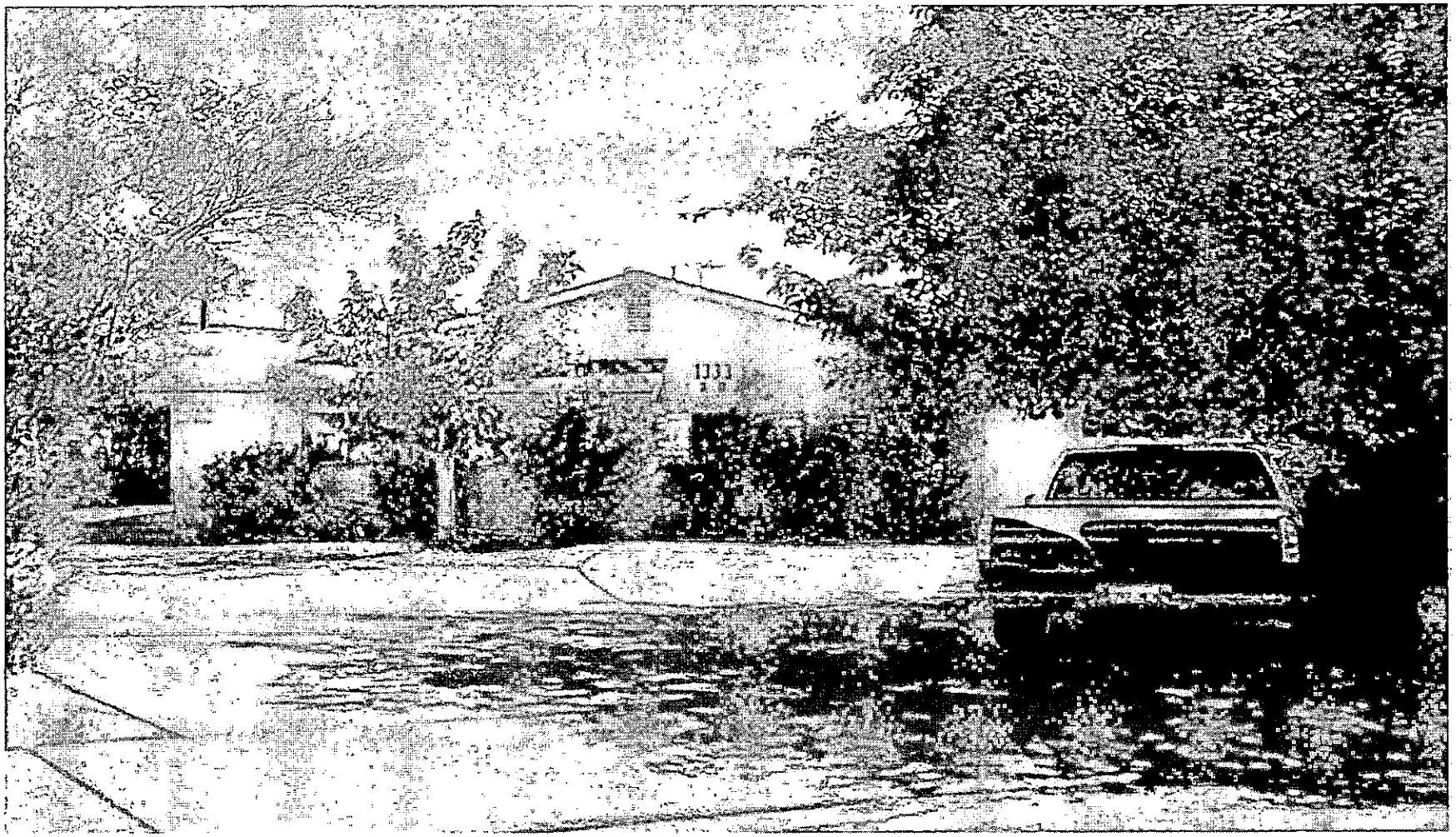
	Adjacent street ADT

	Capacity			
Decatur Boulevard	51700			
Charleston Boulevard	51700			
This project will add approximately 23 trips per day on Decatur and				
Charleston. This will increase expected volumes by less than 1 percent				
on these streets. Decatur is at 93 percent of capacity and Charleston				
is at about 95 percent of capacity. Counts are not available for Angel, but				
it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 3 additional				
cars into the area; which works out to about one every twenty minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



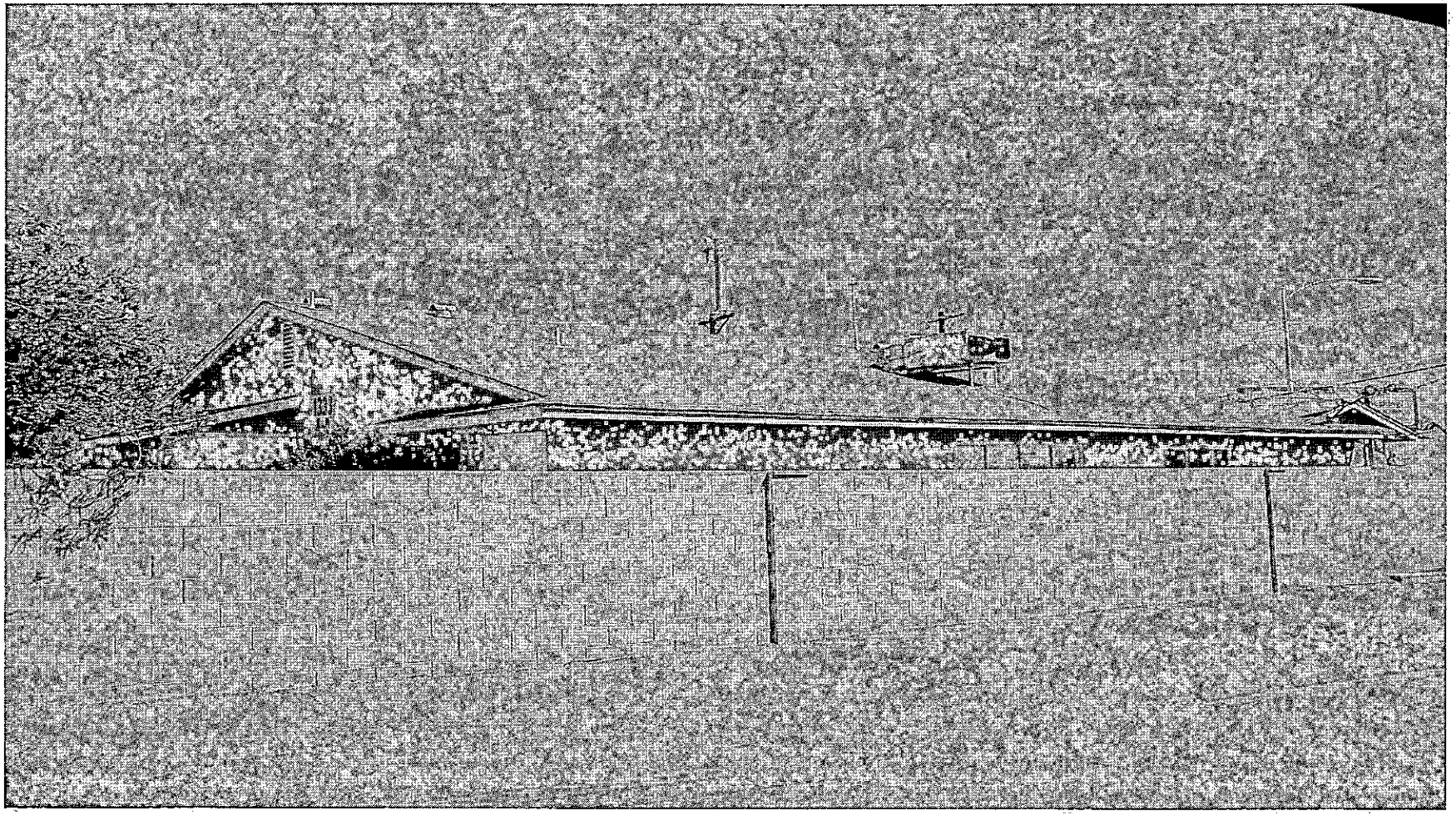
ZON-16179, VAR-16181, VAR-17191 AND SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
1333 ANGEL DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

08/30/06



ZON-16179, VAR-16181, VAR-17191 AND SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
1333 ANGEL DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

08/30/06



ZON-16179, VAR-16181, VAR-17191 AND SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
1333 ANGEL DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

08/30/06

LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

RE: 1333 Angel Drive
Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,

Lendall Mains, FCSI, AIA
Principal

ZON-16179 VAR-16181
SDR-16180 11/02/06 PC

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

City of Las Vegas

Agenda Item No.: 29

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
TABLED - VAR-14193 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RONALD J. WALKER - Request for a Variance TO ALLOW A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE TO BE 4 FEET TALLER THAN THE MAIN DWELLING AND TO ALLOW THIS STRUCTURE TO BE 2,475 SQUARE FEET WHERE 1,613 SQUARE FEET IS PERMITTED on 0.54 acres at 1295 South Tenaya Way (APN 163-03-103-016), R-E (Residence Estates) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	12
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends **DENIAL**

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for VAC-11873

MOTION:
STEINMAN – DENIED – Motion carried with TROWBRIDGE voting NO

This is Final Action

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 29 [VAR-14193] and Item 30 [SUP-14192].

DOUG RANKIN, Planning and Development Department, stated the applicant's request is a self-imposed hardship and recommended denial of both applications.

MINUTES – Continued:

JOHN WALKER pointed out his neighbors have motor home garages and noted his letters of support. He explained he needed a garage to store his recreational vehicles.

COMMISSIONER STEINMAN observed the large number of cars being stored in the backyard is negatively impacting the appearance of the property. MR. WALKER explained that he is currently storing some vehicles for his neighbors and that the vehicles would be moved when the backyard is landscaped. MR. WALKER also informed COMMISSIONER STEINMAN that the proposed garage's exterior would be stucco and would match the existing home. MR. RANKIN stated the elevations received had depicted a metal building.

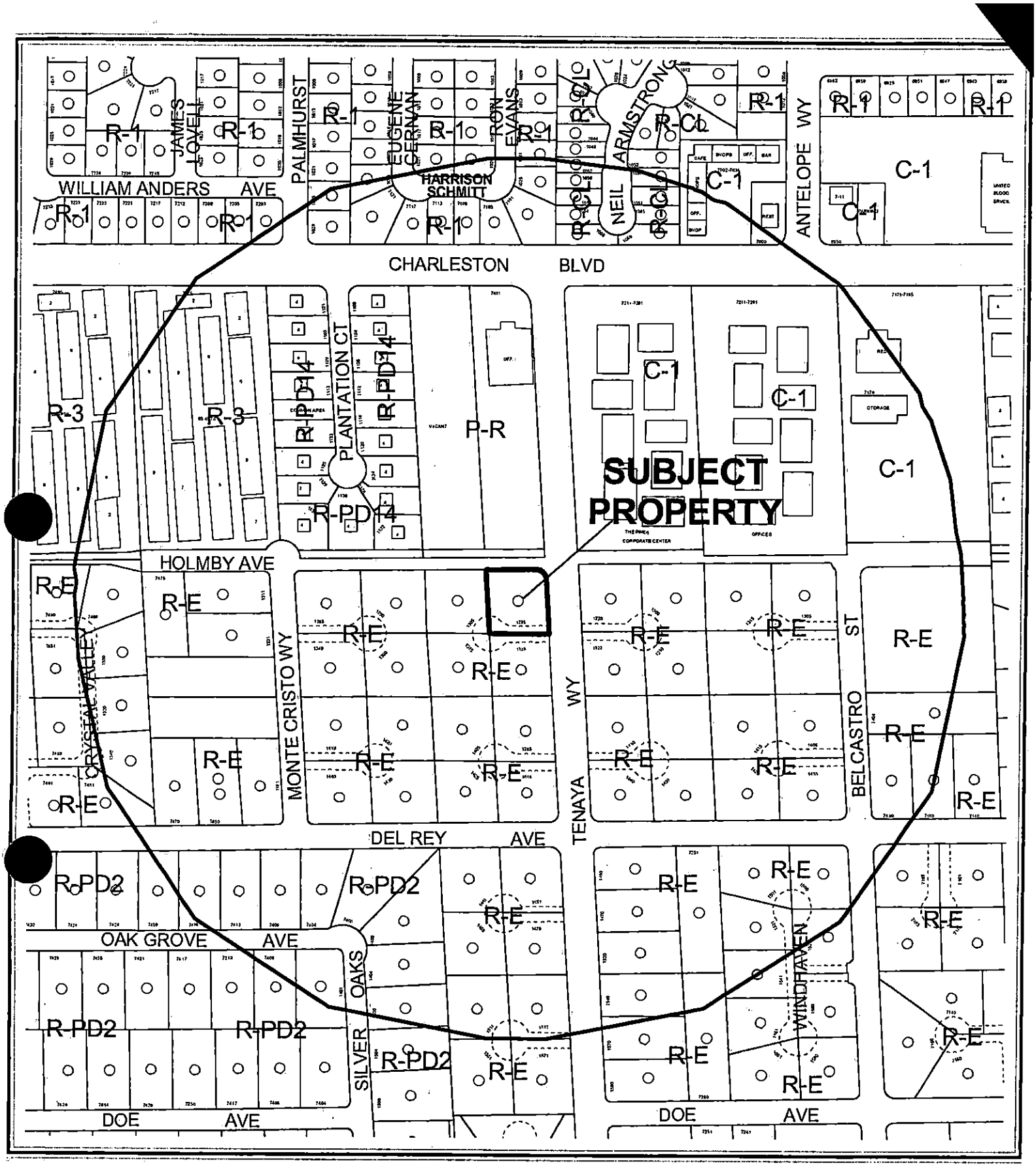
COMMISSIONER TRUESDELL stated he could not support this project because the size of the building is inappropriate.

COMMISSIONER EVANS expressed concern with the aesthetic appearance of the MR. WALKER'S proposed barn-like structure.

CHAIRMAN TROWBRIDGE stated he could support these applications because MR. WALKER would improve the appearance of his property with the indoor storage of his numerous vehicles. CHAIRMAN TROWBRIDGE was also confident that the structure's exterior would be stucco and that the structure's size would be mitigated by similar buildings in the neighborhood.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 29 [VAR-14193] and Item 30 [SUP-14192].

(7:17 – 7:27)



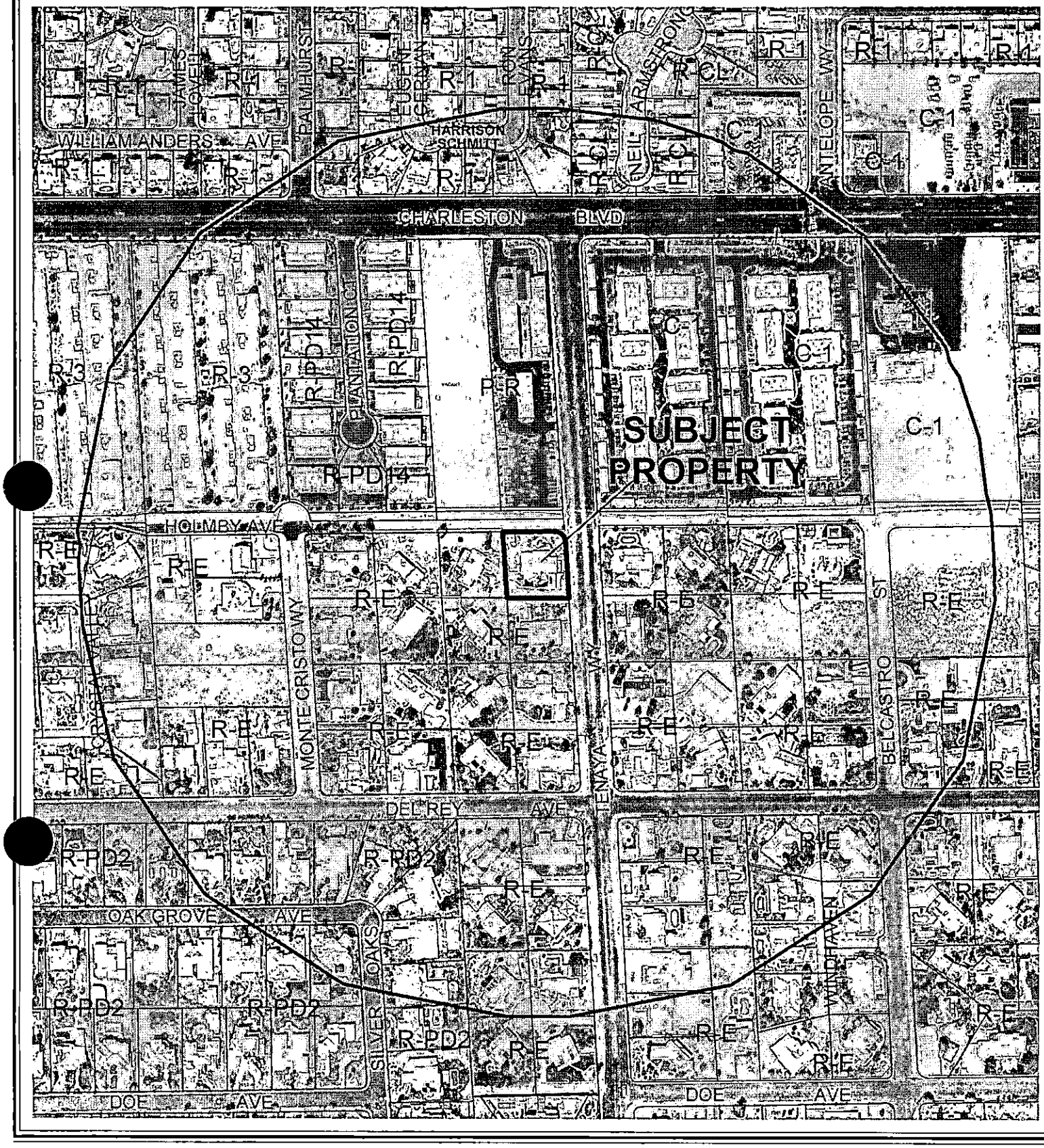
CASE: **VAR-14193**

RADIUS: 1000 FT

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

0 200 400 Feet

N



0 200 400 Feet

CASE: **VAR-14193**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TABLED - VAR-14193 - APPLICANT/OWNER: RONALD J. WALKER

** CONDITIONS **

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-14192) 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.

JM

VAR-14193 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

The applicant requests a Variance to allow a proposed non-habitable accessory structure to be four feet taller than the main dwelling on 0.54 acres at 1295 South Tenaya Way.

EXECUTIVE SUMMARY

The height requirement for a non-habitable accessory structure stipulates that its height shall not exceed the height of the main structure. The applicant is proposing a twenty-four foot tall non-habitable accessory structure where the main structure is twenty feet tall.

This Variance request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Redesign of the non-habitable accessory structure would allow for conformance to the height limitations imposed by Title 19.

BACKGROUND INFORMATION

A) Related Actions

10/26/98 City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-00277-98) on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, From R (Rural Density Residential) to DR (Desert Rural Density Residential).

05/17/06 City Council approved a petition to Vacate (VAC-11873) a 30-foot public right-of-way located at the southwest comer of Holmby Avenue and Tenaya Way. Staff and Planning Commission recommended Approval.

B) Pre-Application Meeting

06/07/06 At the pre-application meeting, the applicant was informed of the requirements in Title 19.08 that require an accessory structure to be lower in height than the main building, or the application requires a Variance and Special use Permit.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.54 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	O (Office)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	P-R (Professional Office & Parking)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the Master Plan with a DR (Desert Rural Density Residential) designation, which allows for residential development with up to 2.49 units per acre. The existing R-E (Residence Estates) Zoning District is consistent with the Master Plan, while the Variance (VAR-14193) and Special Use Permit (SUP-14192) are requested because the proposed non-habitable accessory structure does not comply with all provisions of Section 19.08.040.

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000	23,522 Feet	Y
Min. Setbacks			
• Side	3 Feet	13 feet	Y
• Rear	3 Feet	10 feet	Y
• From House	6 Feet	16 feet	Y
Max. Building Height	20 Feet	24 Feet	N*

Per 19.08.040, the height of the non-habitable accessory structure shall not exceed the height of the main structure. The applicant is proposing a twenty-four foot tall non-habitable accessory structure where the main structure is twenty feet tall.

*Special Use Permit (SUP-14192) required.

B) General Analysis and Discussion

Per 19.08.040, the height requirement for a non-habitable accessory structure stipulates that its height shall not exceed the height of the main structure. The applicant is proposing a twenty-four foot tall non-habitable accessory structure where the main structure is twenty feet tall.

This Variance request cannot be supported as the applicant has created a self-imposed hardship by attempting to increase the height of the non-habitable structure. Redesign of the non-habitable structure would allow for conformance to the height limitations imposed by Title 19.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 132 [Mailed with SUP-14192]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-14193** APN: 16303103016

Name of Property Owner: RONALD J. WALKER

Name of Applicant: RONALD J. WALKER

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: 16303103016

Signature of Property Owner: Ronald J Walker

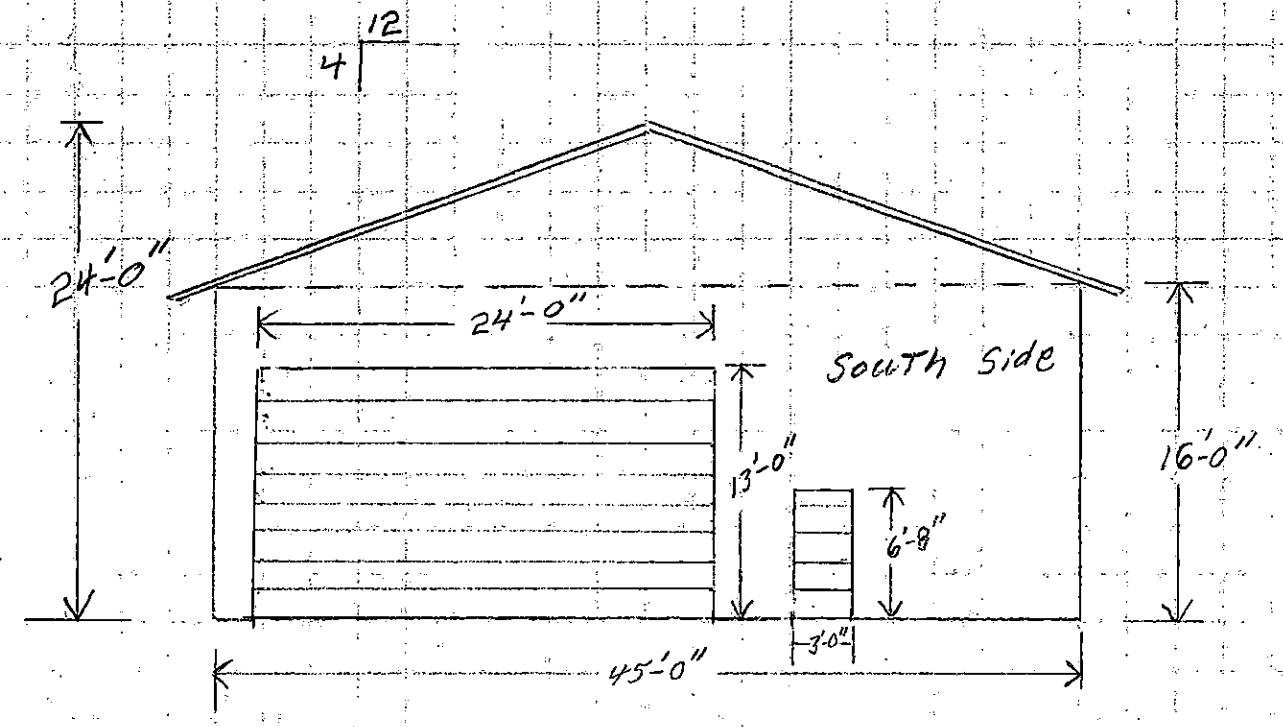
Print Name: RONALD J. WALKER

Subscribed and swom before me

This 7 day of June, 20 06

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KEITH VERN THOMAS
Appt. No. 90-2087-1
My Appt. Expires June 17, 2008



Front Elevation

Ron Wa
1295 S
Los Vega
363-62
534-4

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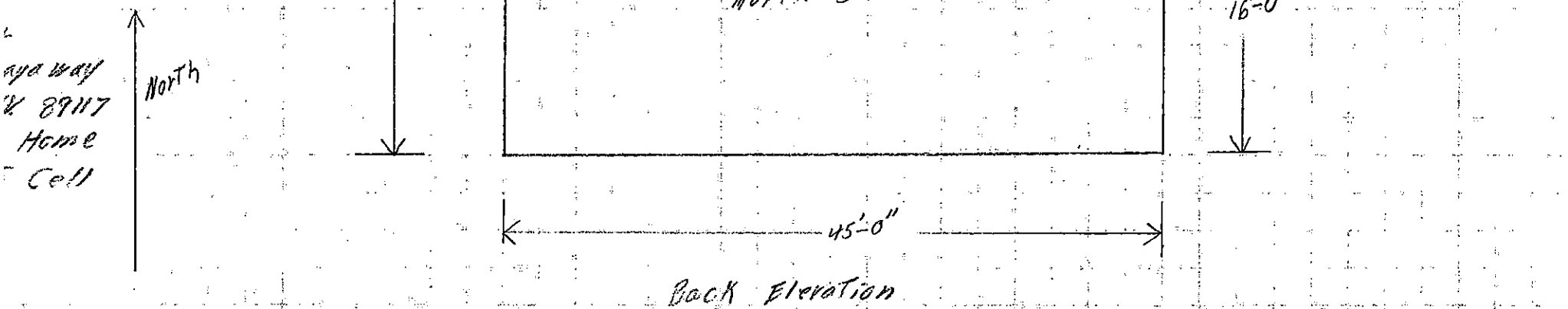
VAR-14193 SUP-14192
REVISED 11/02/06 PC



aya way
k 87117
Home
Cell

Back Elevation

Scale: 1/10" = 1'-0"

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VAR-14193 SUP-14192
REVISED 11/02/06 PC

VAR-14193 SUP-14192
REVISED 11/02/06 PC

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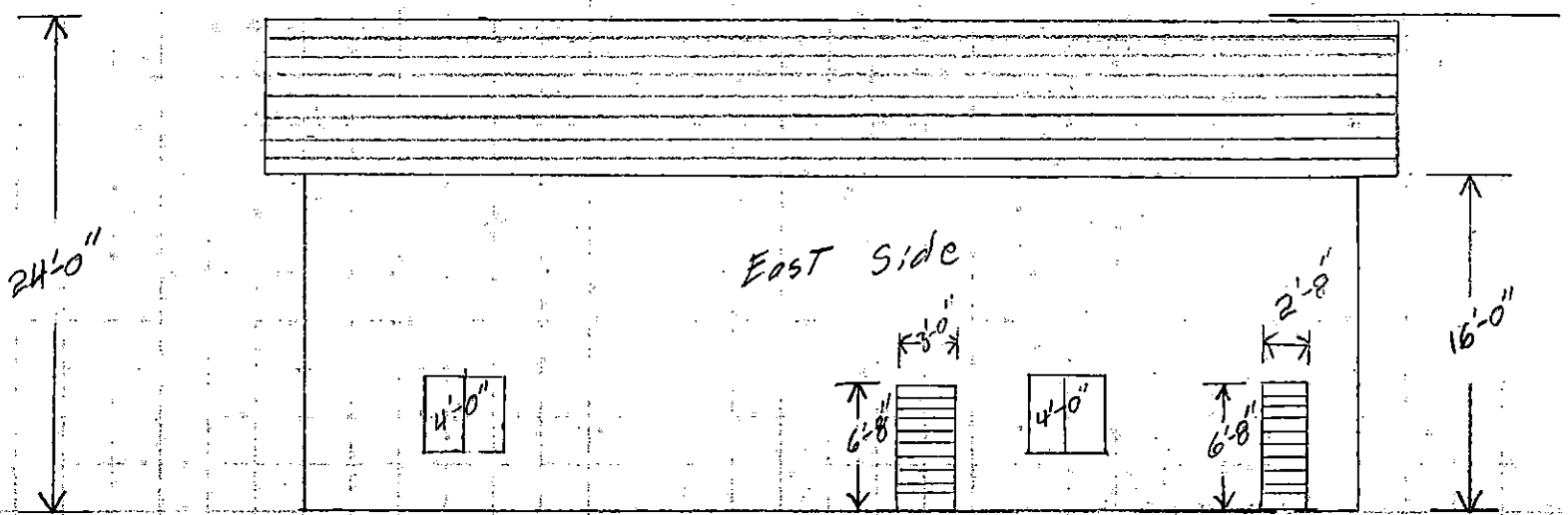

Right Elevation

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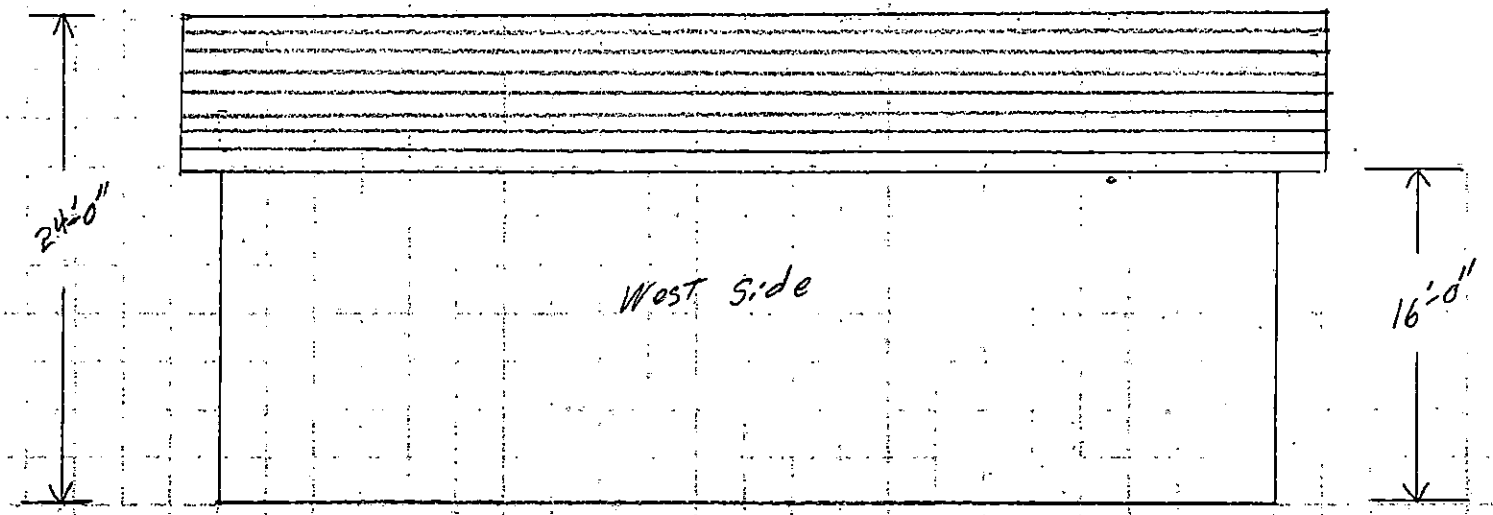
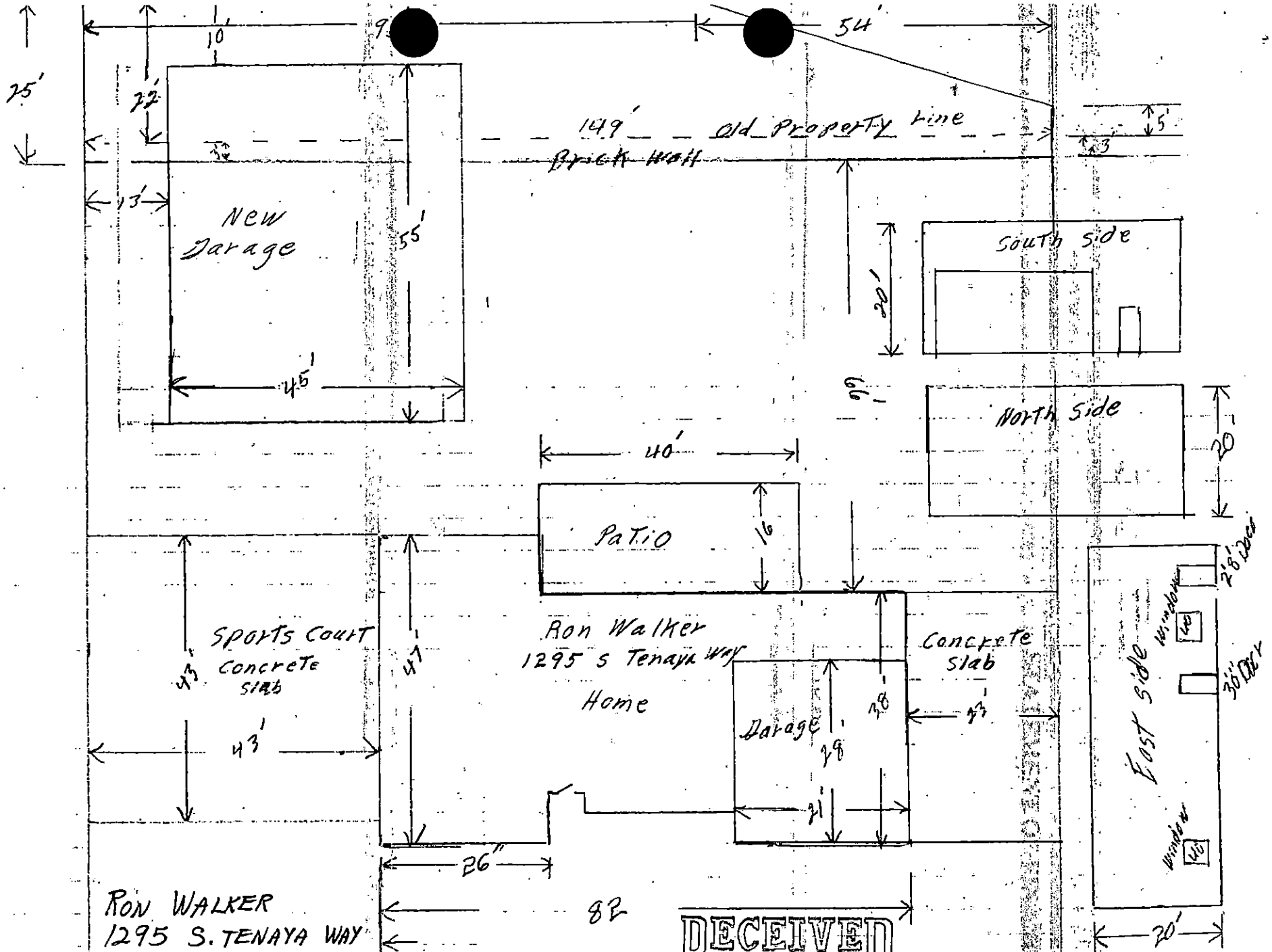
VAR-14193 SUP-14192
REVISED 11/02/06 PC



West Side

Left Elevation



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JUN 08 2006

SUP-14192
VAR-14193

11/02/06 PC

June 7, 2006

Ronald J. Walker
1295 S. Tenaya Way
Las Vegas, NV 89117

To Whom It May Concern:

We are applying for a Variance for 1295 S. Tenaya Way. We would like to build a detached RV garage with a bathroom which will be used to house motor vehicles indoors.

Sincerely yours,

Ronald J. Walker

VAR-14193
11/02/06 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM
LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

May 22, 2006

Mr. Ronald J. Walker
1295 S. Tenaya Way
Las Vegas, Nevada 89117

RE: VAC-11873 - VACATION
CITY COUNCIL MEETING OF MAY 17, 2006

Dear Mr. Walker:

The City Council at a regular meeting held May 17, 2006 APPROVED the Petition to Vacate a 30 foot public right of way located at the southwest corner of Holmby Avenue and Tenaya Way. The Notice of Final Action was filed with the Las Vegas City Clerk on May 18, 2006. This approval is subject to:

Planning and Development

1. The Petition of Vacation is a thirty foot section of public right-of-way on Holmby Avenue, west of Tenaya Way.

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

3. All development shall be in conformance with code requirements and design standards of all City Departments.

4. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

Public Works

5. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and

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

VAR-14193
11/02/06 PC

City of Las Vegas

Agenda Item No.: 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
TABLED - SUP-14192 - SPECIAL USE PERMIT RELATED TO VAR-14193 - PUBLIC HEARING – APPLICANT/OWNER: RONALD J. WALKER - Request for a Special Use Permit FOR A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE TO BE 4 FEET TALLER THAN THE MAIN DWELLING at 1295 South Tenaya Way (APN 163-03-103-016), R-E (Residence Estates) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	0	Planning Commission Mtg.	12
City Council Meeting		City Council Meeting	

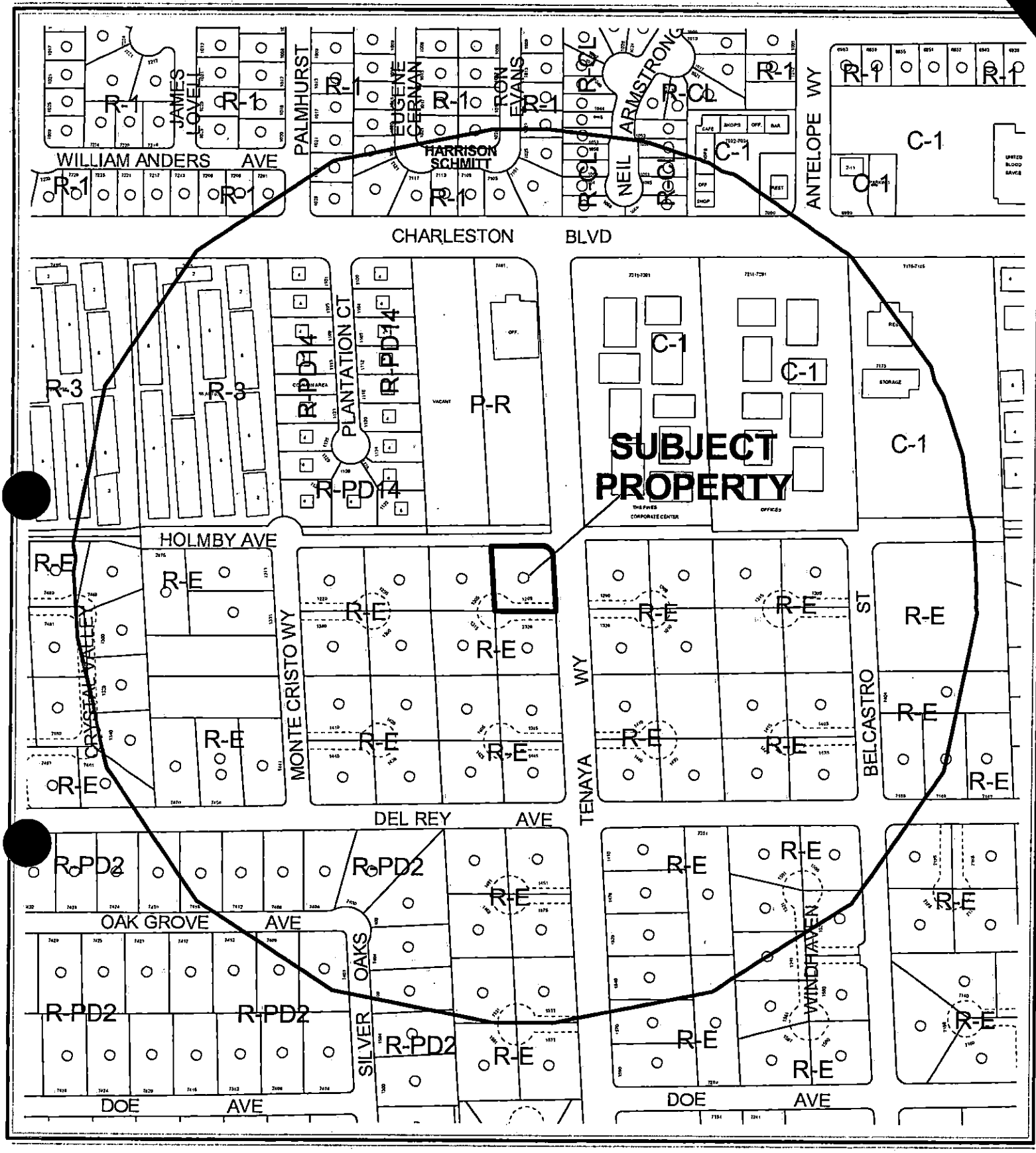
RECOMMENDATION:
Staff recommends **DENIAL**

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

MOTION:
STEINMAN – DENIED – Motion carried with TROWBRIDGE voting NO

This is Final Action

MINUTES:
NOTE: See Item 29 [VAR-14193] for all related discussion.
(7:17 – 7:27)
1-2823



CASE: **SUP-14192**

RADIUS: 1000 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: TABLED - SUP-14192 – APPLICANT/OWNER: RONALD J. WALKER

** CONDITIONS **

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for non-habitable accessory structure use.

2. Approval of and conformance to the Conditions of Approval for Variance (VAR-14193) shall be required.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. A Petition of Vacation, such as VAC-11873, to vacate existing Holmby Avenue right-of-way in conflict with the proposed non-habitable accessory structure shall be recorded prior to the issuance of any permits for the structure.

JM

SUP-14192 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

The applicant is requesting a Special Use Permit for a proposed non-habitable accessory structure to be four feet taller than the main dwelling at 1295 South Tenaya Way.

EXECUTIVE SUMMARY

Per Table 2 of LVMC 19.04.010, a non-habitable accessory shall comply with the provisions of 19.08.040 applicable to an accessory structure. This application does not meet those conditions and; therefore, a Variance (VAR-14193) and Special Use Permit (SUP-14192) are required.

Per 19.08.040, the height requirement for a non-habitable accessory structure stipulates that its height shall not exceed the height of the main structure. The applicant is proposing a twenty-four foot tall non-habitable accessory structure where the main structure is twenty feet tall.

The associated Variance requested as part of this request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Redesign of the non-habitable structure would allow for conformance to the height limitations imposed by Title 19.

BACKGROUND INFORMATION

A) Related Actions

10/26/98 City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0027-98) on properties bounded by Holmby Channel, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, From R (Rural Density Residential) to DR (Desert Rural Density Residential).

05/17/06 City Council approved a petition to Vacate (VAC-11873) a 30-foot public right-of-way located at the southwest corner of Holmby Avenue and Tenaya Way. Staff and Planning Commission recommended Approval.

B) Pre-Application Meeting

06/07/06 At the pre-application meeting, the applicant was informed of the requirements in 19.08 that require an accessory structure to be lower in height than the main building, or the application requires a Variance and Special use Permit.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.54 acres

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	DR (Desert Rural Density Residential)
North:	O (Office)
South:	DR (Desert Rural Density Residential)
East:	DR (Desert Rural Density Residential)
West:	DR (Desert Rural Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	P-R (Professional Office & Parking)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the Master Plan with a DR (Desert Rural Density Residential) designation, which allows for residential development with up to 2.49 units per acre. The existing R-E (Residence Estates) Zoning District is consistent with the Master Plan, while the Variance (VAR-14193) and Special Use Permit (SUP-14192) are requested because the proposed non-habitable structure does not comply with all provisions of Section 19.08.040.

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

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	20,000	23,522 Feet	Y
Min. Setbacks			
• Side	3 Feet	13 feet	Y
• Rear	3 Feet	10 feet	Y
• From House	6 Feet	16 feet	Y
Max. Building Height	20 Feet	24 Feet	N*

Per 19.08.040, the height of the accessory structure shall not exceed the height of the main structure. The applicant is proposing a twenty-four foot tall non-habitable accessory structure where the main structure is twenty feet tall.

*Variance (VAR-14193) is required.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed non-habitable structure use.

B) General Analysis and Discussion

- Zoning

The purpose of the R-E (Residence Estates) District is to provide for low density residential units located on large lots and conveying a rural environment. The proposed non-habitable structure is a conditional use per 19.08.040 within the existing R-E (Residence Estates) zoning district. The proposal does not meet the conditional use requirement for 19.08.040; therefore, a Variance (VAR-14193) and Special Use Permit (SUP-14192) are required.

- Use

The proposed one-story metal structure will be located in the (west) rear-yard area. The proposed 24-foot height of the non-habitable accessory structure is greater than the 20-foot height of the principal structure as required by Title 19. The structure meets all setback requirements for this type of use. The metal exterior of the structure does not match the stucco exterior of the principal building. This application is not recommended for approval as the proposed non-habitable accessory structure exceeds the maximum gross floor area for this location and is too large in scale to be compatible with development in the surrounding area.

- Conditions

Per Table 2 of LVMC 19.04.010, a non-habitable accessory shall comply with the provisions of 19.08.040 applicable to an accessory structure. The application does not meet those conditions; therefore, a Variance (VAR-14193) and Special Use Permit (SUP-14192) are required.

FINDINGS

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

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

   Given the height of the proposed non-habitable accessory structure, the proposal cannot be conducted in a manner that is harmonious and compatible with the surrounding single-family residential uses in the area.

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

   While the site is physically suitable for a non-habitable accessory structure, the structure as proposed exceeds the height of the main structure. The applicant is attempting to overbuild the site and is proposing a structure that is inconsistent in scale to the main structure.

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 receives access from a private street shared by four other single family homes. The private street abuts Tenaya Way, an 80 foot wide street, which will be adequate in size to meet the requirements of the proposed non-habitable accessory structure.

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

   The site will be subject to regular inspection and; therefore, will not compromise the public health, safety or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 132 [Mailed with VAR-14193]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-14192** APN: 163031030 16

Name of Property Owner: RONALD J. WALKER

Name of Applicant: RONALD J. WALKER

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: 163031030 16

Signature of Property Owner: Ronald J Walker

Print Name: RONALD J. WALKER

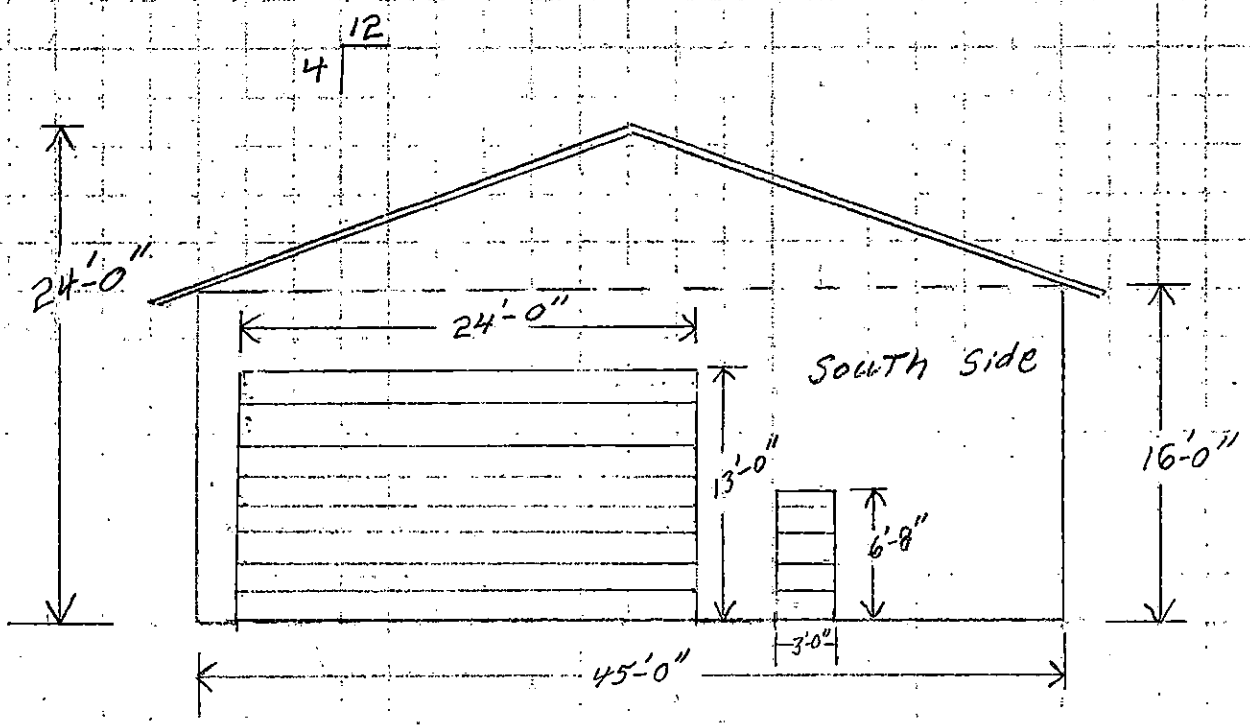
Subscribed and sworn before me

This 7 day of June, 2006

Keith Thomas

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
KEITH VERN THOMAS
Appt. No. 90-2087-1
My Appt. Expires June 17, 2009

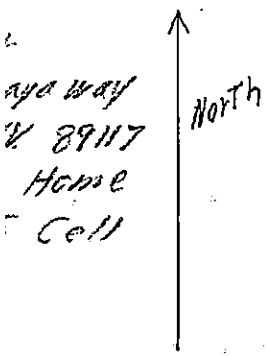


Front Elevation

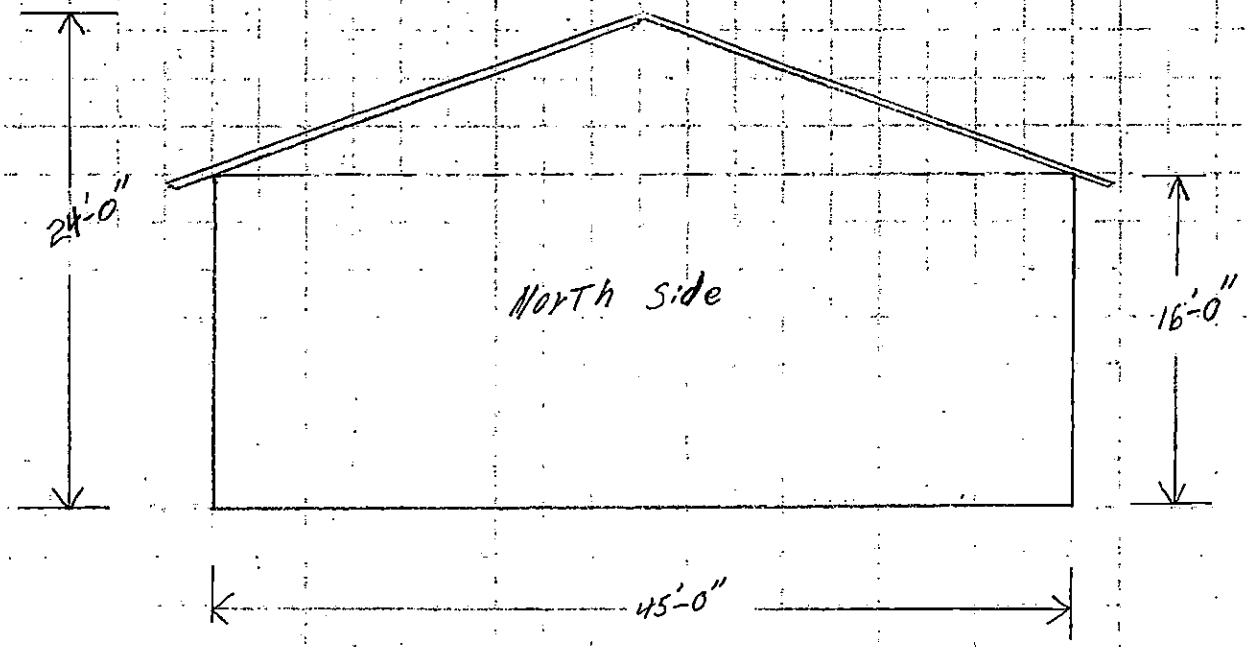
Ron Wa
1295 S
Los Vega
363-62
524-4

RECEIVED
AUG 09 2006

VAR-14193 SUP-14192
REVISED 11/02/06 PC



aya Way
V 89117
Home
Cell



Back Elevation

Scale: 1/10" = 1'-0"

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VAR-14193 SUP-14192
REVISED 09/21/06 PC

VAR-14193 SUP-14192
REVISED 11/02/06 PC

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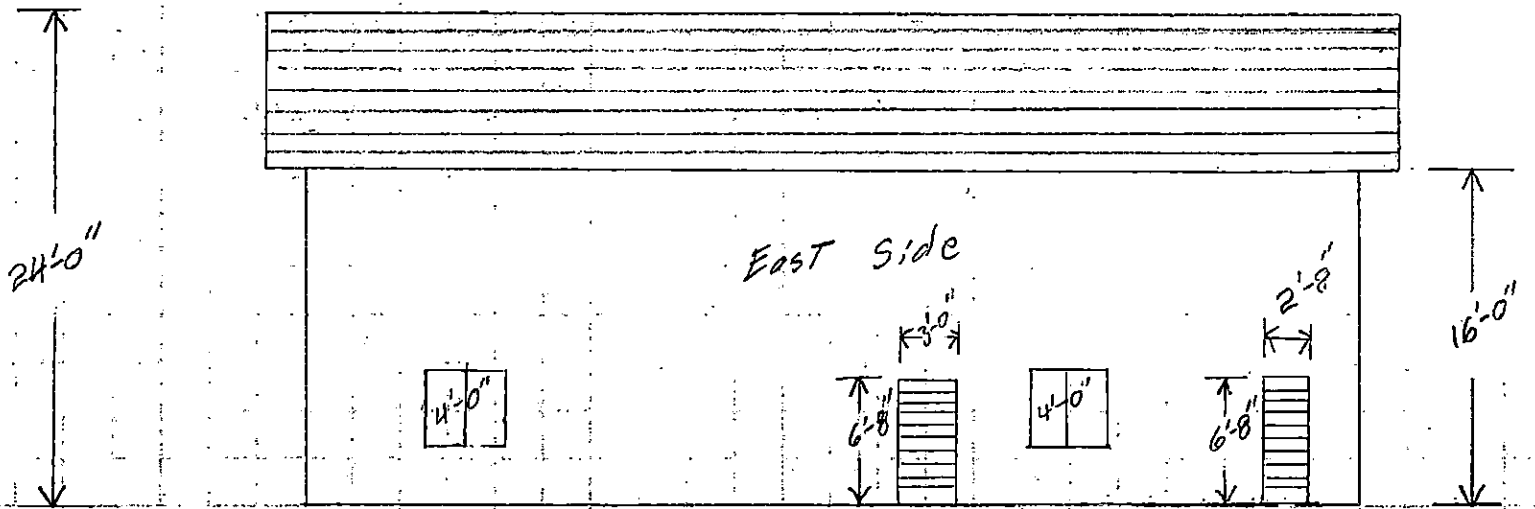

Right Elevation

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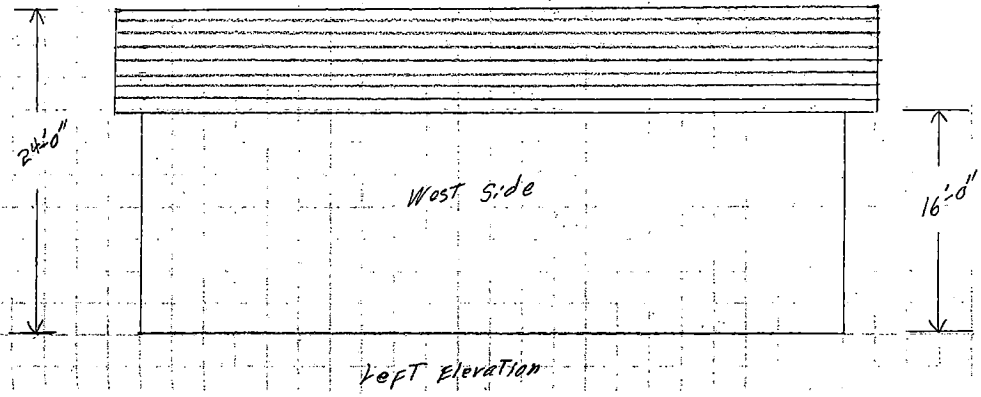
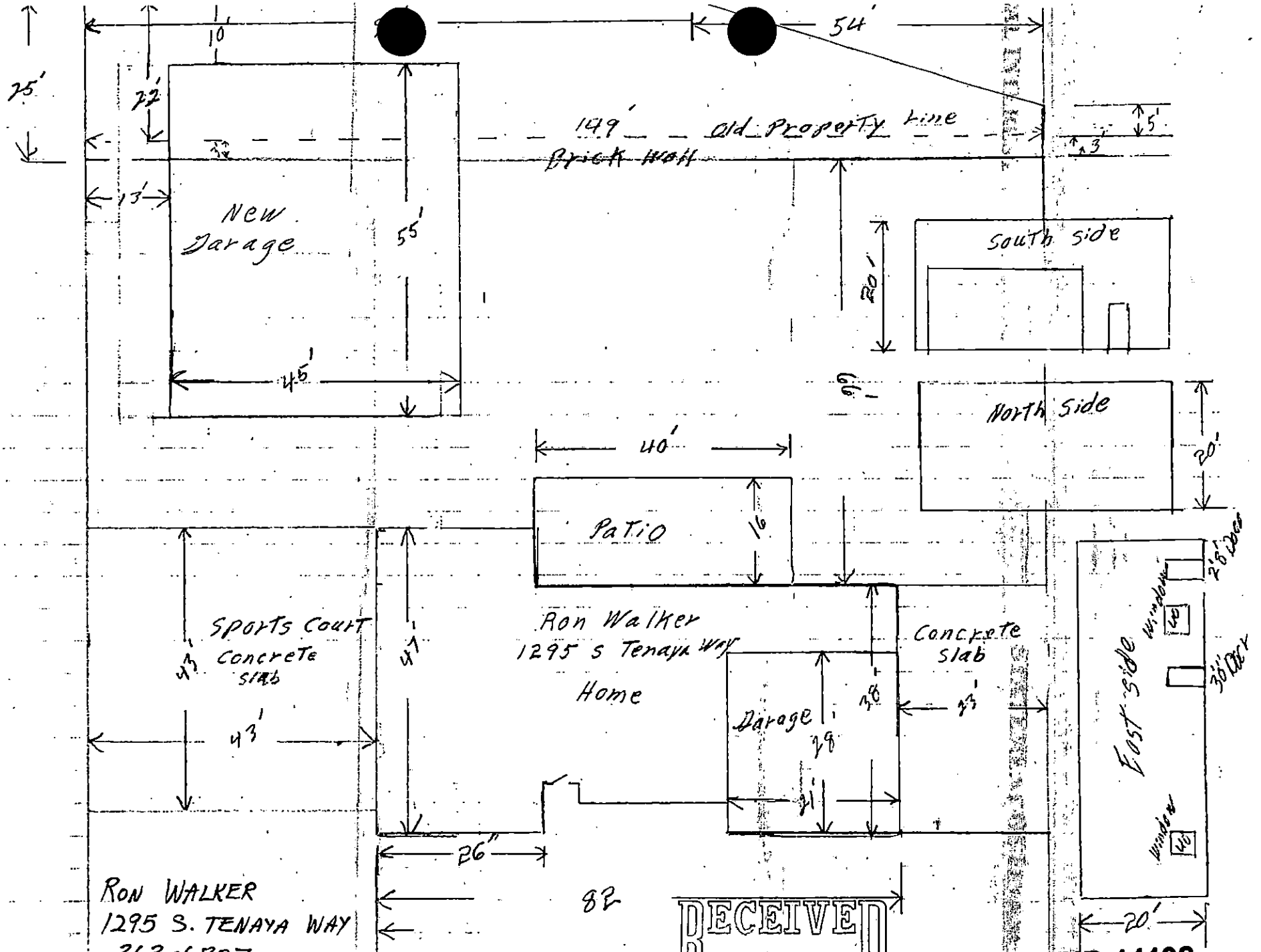
VAR-14193 SUP-14192
REVISED 11/02/06 PC

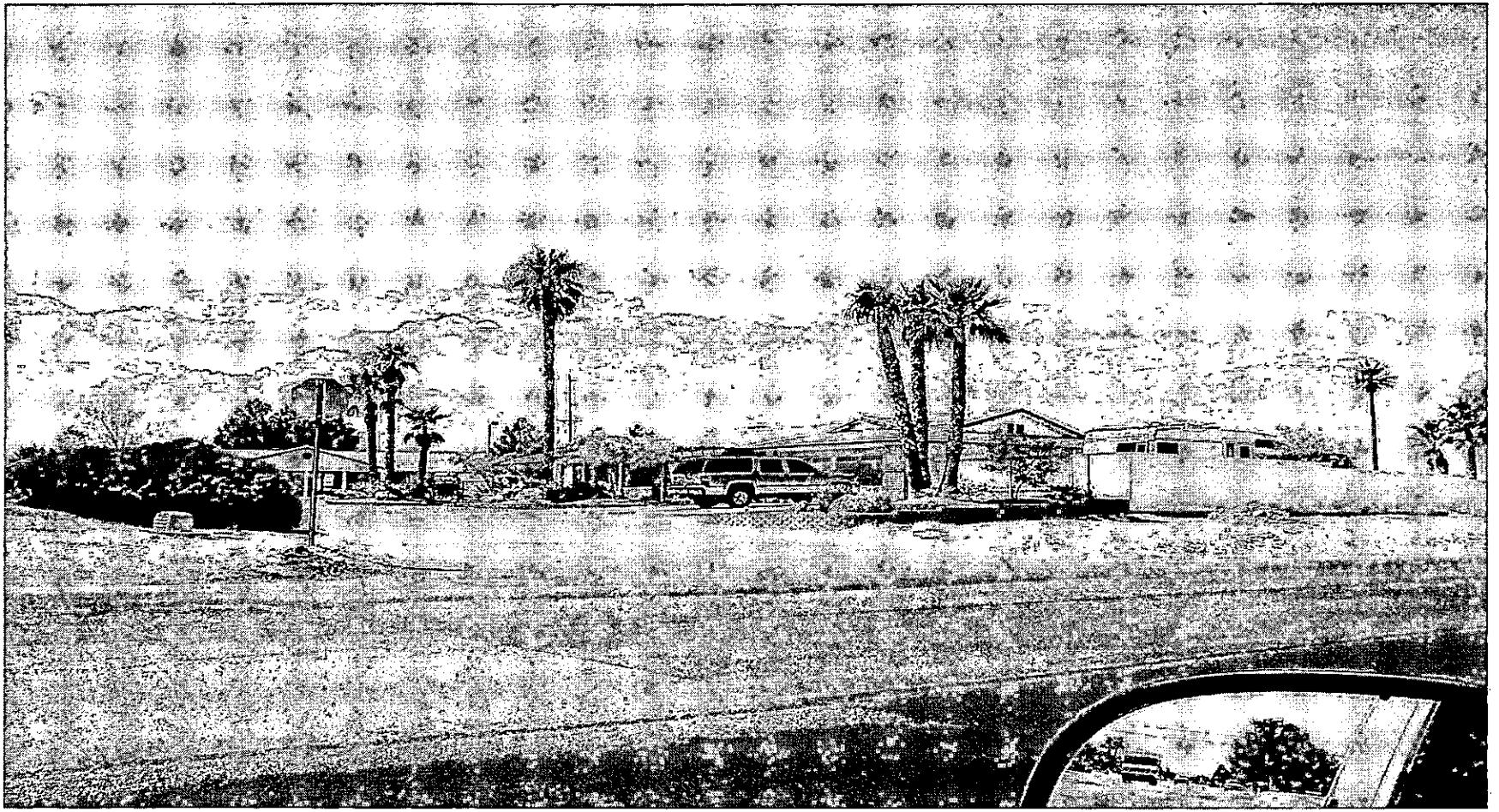




RON WALKER
1295 S. TENAYA WAY
363-6807

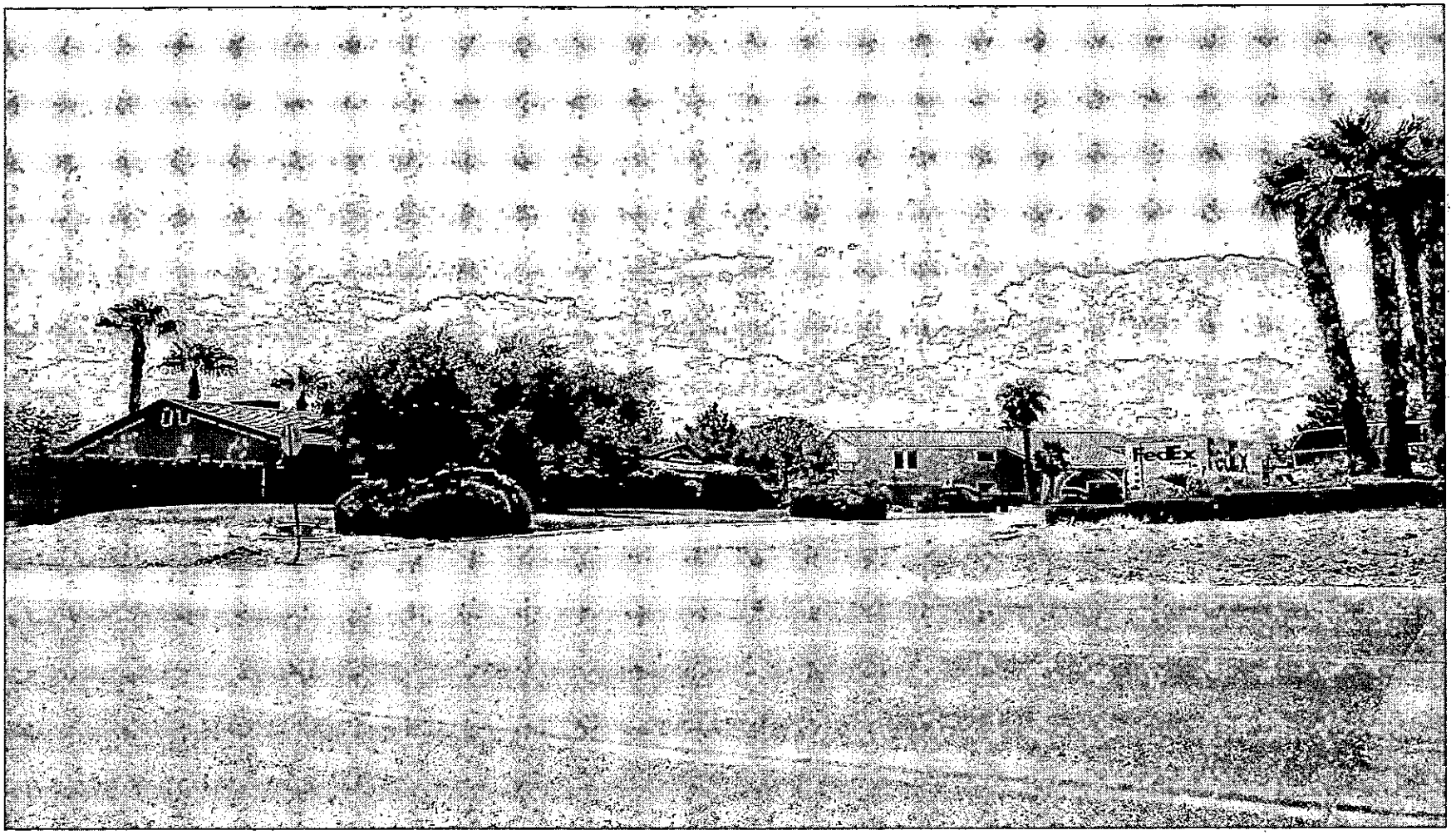
RECEIVED
JUN 08 2006

SUP-14192
11/02/06 PC
VAR-14193



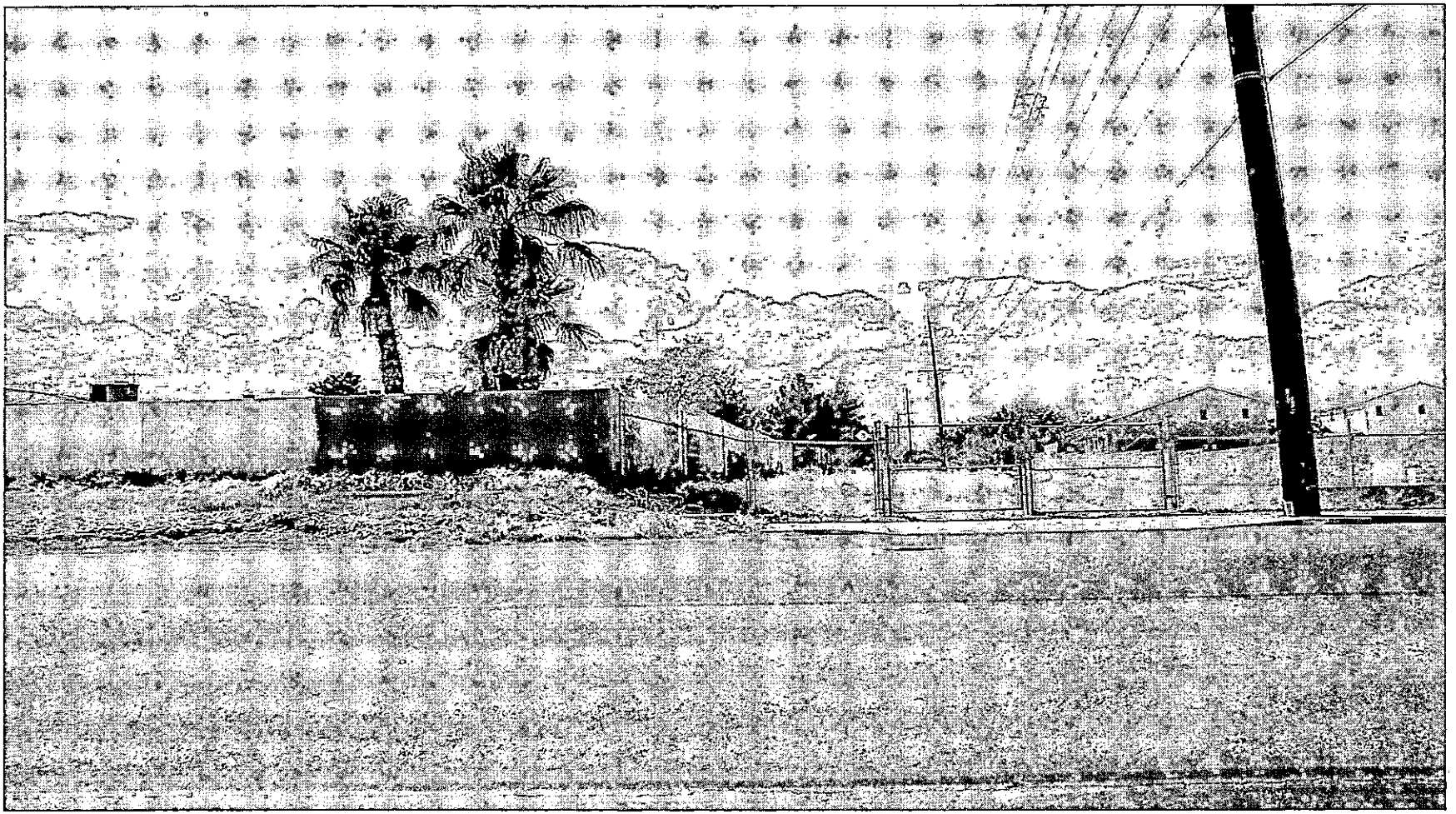
VAR-14193 & SUP-14192 - APPLICANT/OWNER: RONALD J. WALKER
1295 SOUTH TENAYA WAY
NOVEMBER 2, 2006 PLANNING COMMISSION

08/22/06



VAR-14193 & SUP-14192 - APPLICANT/OWNER: RONALD J. WALKER
1295 SOUTH TENAYA WAY
NOVEMBER 2, 2006 PLANNING COMMISSION

08/22/06



VAR-14193 & SUP-14192 - APPLICANT/OWNER: RONALD J. WALKER
1295 SOUTH TENAYA WAY
NOVEMBER 2, 2006 PLANNING COMMISSION

08/22/06

June 7, 2006

Ronald J. Walker
1295 S. Tenaya Way
Las Vegas, NV 89117

To Whom It May Concern:

We are applying for a Special Use Permit for 1295 S. Tenaya Way. We would like to build a detached RV garage with a bathroom which will be used to house motor vehicles indoors.

Sincerely yours,

Ronald J. Walker
Ronald J. Walker

SUP-14192
11/02/06 PC

City of Las Vegas

Agenda Item No.: 31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RESCIND PREVIOUS ACTION - VAR-14734 – VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW PROPOSED SIX FOOT HIGH BLOCK WALLS IN THE FRONT YARD WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 1 (Tarkanian). NOTE: AS OF AUGUST 6, 2006 THIS ITEM IS LOCATED IN WARD 2 (WOLFSON).

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

RECOMMENDATION:
Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:
1. Conditions and Staff Report

MOTION:
TRUESDELL – APPROVED – Motion carried with DUNNAM voting NO and STEINMAN not voting

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 31 [VAR-14734 – rescind] and Item 32 [VAR-14734 – reconsider].

ANDY REED, Planning and Development Department, stated alternative design options would allow the applicant to meet City Code and he recommended denial.

STEVEN PORTNOFF, 1335 Radwick Drive, informed MARGO WHEELER, Director of Planning and Development Department, that he no longer needed Item 32 [VAR-14734]. DEPUTY CITY ATTORNEY BRYAN SCOTT stated a motion for withdrawal without prejudice or a motion to strike would be appropriate. MR. REED explained the applicant was requesting a six-foot high wrought iron fence along the cul-de-sac which is the reason for the variance application.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 31 – VAR-14734 – rescind

MINUTES – Continued:

MR. PORTNOFF assured CHAIRMAN TROWBRIDGE that he had separate application for the wrought iron fence and that this application was unnecessary, but realized he needed the application when MS. WHEELER clarified that a six-foot high wall needs a variance, regardless of the construction material.

MR. PORTNOFF explained he would like the walls for security purposes and that he had rotated the house to face the cul-de-sac. He informed COMMISSIONER EVANS that he had the verbal support of two neighbors and COUNCILMAN WOLFSON.

In response to COMMISSIONER TRUESDELL'S inquiry, MR. PORTNOFF described the wrought iron fence but did not provide any elevations.

COMMISSIONER STEINMAN expressed his opposition to this six foot fence because it is inconsistent with what is already in the cul-de-sac.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 31 [VAR-14734 – rescind] and Item 32 [VAR-14734 – reconsider].

(7:27 – 7:38)

1-3352

CONDITIONS:

Planning and Development

1. 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.

Public Works

2. All walls, 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.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 10, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-14734 –PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

1. 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.

Public Works

2. All walls, 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.

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Variance to allow proposed six foot high block walls in the front yard where four feet is the maximum height allowed on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane

EXECUTIVE SUMMARY

The applicant has created a self-imposed hardship. An alternative wall design could be utilized; therefore denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

There is no relevant zoning history for this site.

B) Pre-Application Meeting

06/14/06 The requirements of a Special Use Permit application were explained.

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:	0.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Undeveloped – single family subdivision map recorded

C) Planned Land Use

Subject Property:	R (Rural) Density Residential
North:	R (Rural) Density Residential
South:	R (Rural) Density Residential
East:	R (Rural) Density Residential
West:	R (Rural) Density Residential

D) Existing Zoning

Subject Property:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
North:	R-1 (Single Family Residential)
South:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
East:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
West:	U (Undeveloped) zone under resolution of intent to R-PD6 (Residential Planned Development, 6 units per acre.

E) General Plan Compliance

The U (Undeveloped) zoning classification is in conformance with the R (Rural) density residential General Plan designation.

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Wall Fence Height			
• Front	4 Feet (top 2 feet 50% open)	6.0 Feet	N
• Right Side	8 Feet	8 Feet	Y
• Left Side	8 Feet	8 Feet	Y
• Rear	8 Feet	8 Feet	Y

The applicant is requesting a deviation of 50% of the front yard wall standard detailed in Title 19.08.040(B)(2). The proposed wall is six feet in height. The wall is only permitted to be four feet tall in this area, with the top two feet 50% open.

B) General Analysis and Discussion

The Subdivision Ordinance (Title 18) defines the front of the lot as the side of the lot which fronts on a street. Where more than one side has street frontage, the front is considered to be the side which has the lesser dimension in width. In regard to the subject application, this means that the front of the lot is the property line which lies adjacent to the cul-de-sac bulb. However, the applicant has decided to take access to this lot from O'Bannon Avenue, and construct a six foot block wall along the front property line.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a wall not in conformance to the zoning code.. Alternative wall design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	7	
ASSEMBLY DISTRICT	2	
SENATE DISTRICT	8	
NOTICES MAILED	228	(Mailed with VAR-14735 and SUP-15027)
APPROVALS	0	
PROTESTS	1	

City of Las Vegas

Agenda Item No.: 32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECONSIDER - VAR-14734 – VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW PROPOSED SIX FOOT HIGH BLOCK WALLS IN THE FRONT YARD WHERE FOUR FEET IS THE MAXIMUM HEIGHT ALLOWED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

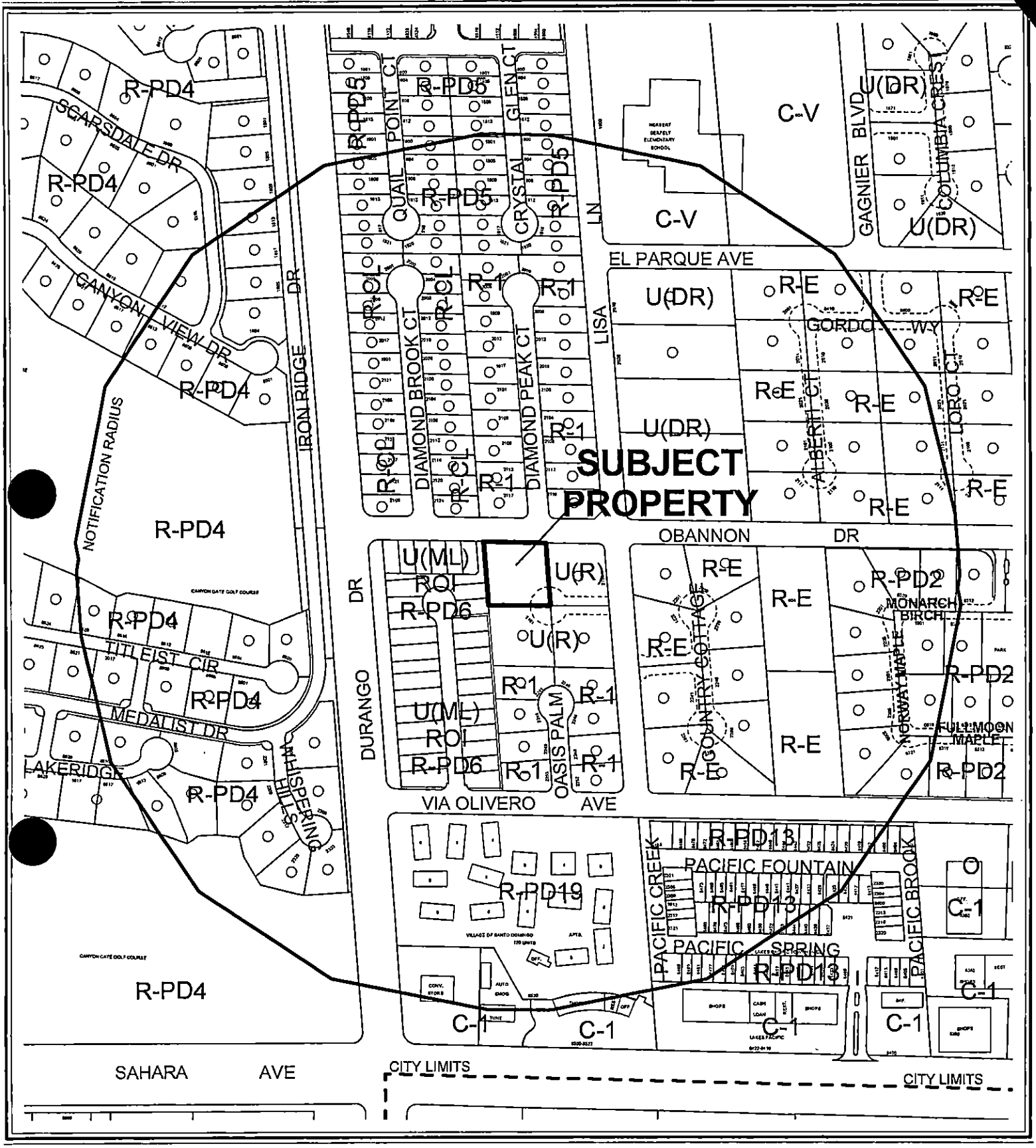
RECOMMENDATION:
Staff recommends **DENIAL**

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Frank Malmstedt and Janice Frazier
6. Telephone Protests by Naomi Sloan and Guerrero Diaz

MOTION:
GOYNES – DENIED – UNANIMOUS

This is Final Action

MINUTES:
NOTE: See Item 31 [VAR-14734 – rescind] for all related discussion.
(7:27 – 7:38)
1-3352



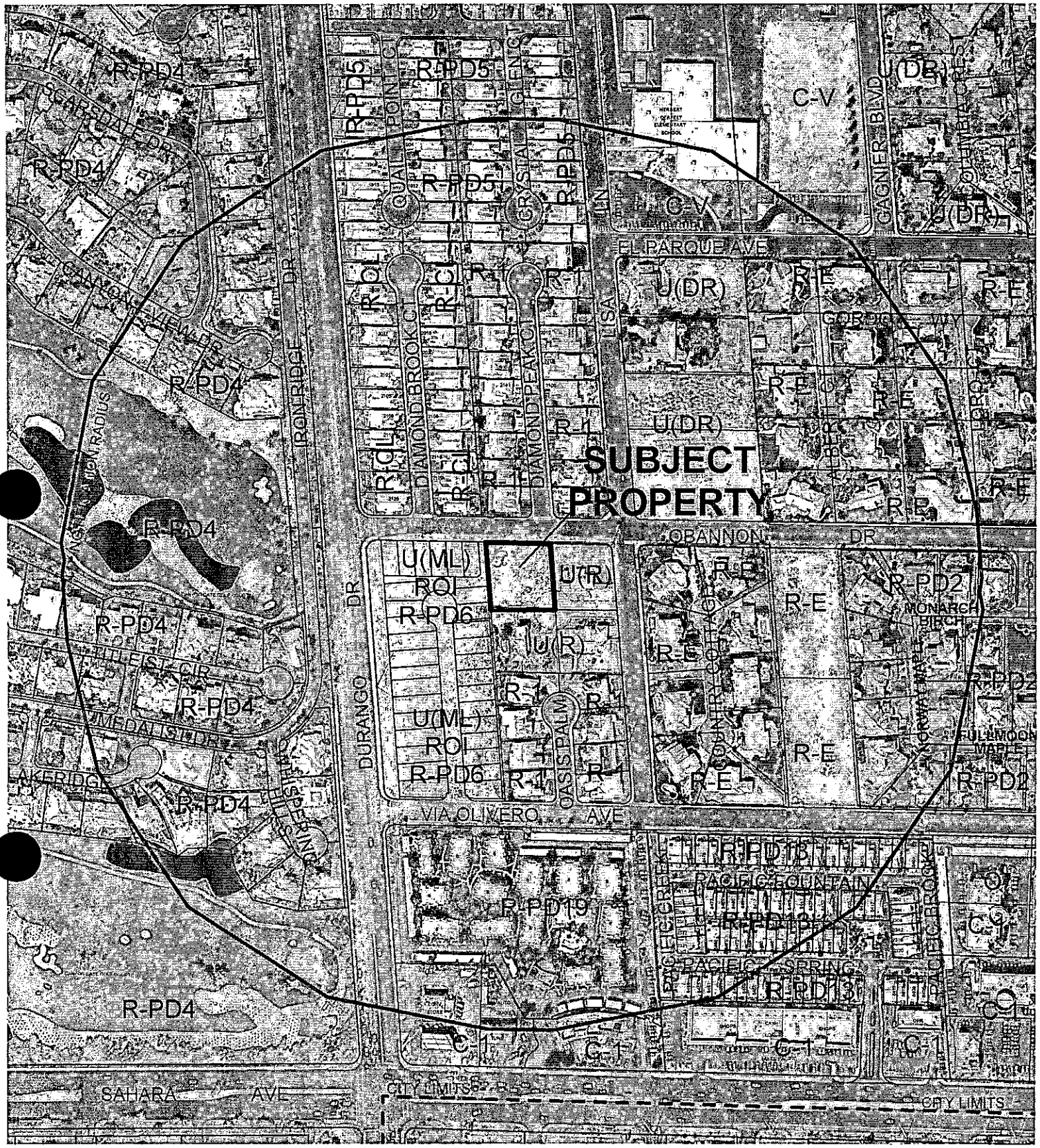
0 200 400 Feet

CASE: **VAR-14734**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N



0 200 400 Feet

CASE: **VAR-14734**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-14734 – APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

1. 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.

Public Works

2. All walls, 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.

VAR-14734 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Variance to allow proposed six-foot high block walls in the front yard where four feet is the maximum height allowed on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane.

A related Variance to allow a proposed single-family dwelling to be five feet from the side property line where 10 feet is the minimum setback required (VAR-16769) and a Special Use Permit (SUP-15027) to allow a proposed 80-foot high amateur radio antenna tower on the subject site will also be considered on this agenda.

EXECUTIVE SUMMARY

The applicant has created a self-imposed hardship. An alternative wall design could be utilized; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

There is no relevant zoning history for this site.

B) Pre-Application Meeting

06/14/06 The requirements of a Variance application were explained.

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: 0.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Undeveloped – single family subdivision map recorded

C) Planned Land Use

Subject Property:	R (Rural) Density Residential
North:	R (Rural) Density Residential
South:	R (Rural) Density Residential
East:	R (Rural) Density Residential
West:	ML (Medium Low) Density Residential

D) Existing Zoning

Subject Property:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
North:	R-1 (Single Family Residential)
South:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
East:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
West:	U (Undeveloped) zone under resolution of intent to R-PD6 (Residential Planned Development, 6 units per acre.

E) General Plan Compliance

The U (Undeveloped) zoning classification is in conformance with the R (Rural) density residential General Plan designation.

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Wall Fence Height			
• Front	4 Feet (top 2 feet 50% open)	6.0 Feet	N
• Right Side	8 Feet	8 Feet	Y
• Left Side	8 Feet	8 Feet	Y
• Rear	8 Feet	8 Feet	Y

The applicant is requesting a deviation of 50% of the front yard wall standard detailed in Title 19.08.040(B) (2). The proposed wall is six feet in height. The wall is only permitted to be four feet tall in this area, with the top two feet 50% open.

B) General Analysis and Discussion

The proposed wall does not comply with the development standards set forth in 19.08.040(B) (2). The current wall standards for residential zoning districts do not place an inherent hardship on the applicant, nor prohibit him from making the highest and best use of the property. Therefore, staff must recommend denial.

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:

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No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a wall not in conformance to the zoning code. Alternative wall design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	5	
ASSEMBLY DISTRICT	2	
SENATE DISTRICT	8	
NOTICES MAILED	228	(Mailed with VAR-14735 and SUP-15027)
APPROVALS	0	
PROTESTS	4	

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-14734 APN: 163-04-401-002

Name of Property Owner: Steven Portnoff

Name of Applicant: Steven Portnoff

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: Steven Portnoff

Print Name: Steven Portnoff

Subscribed and sworn before me

This 24 day of June, 20 04

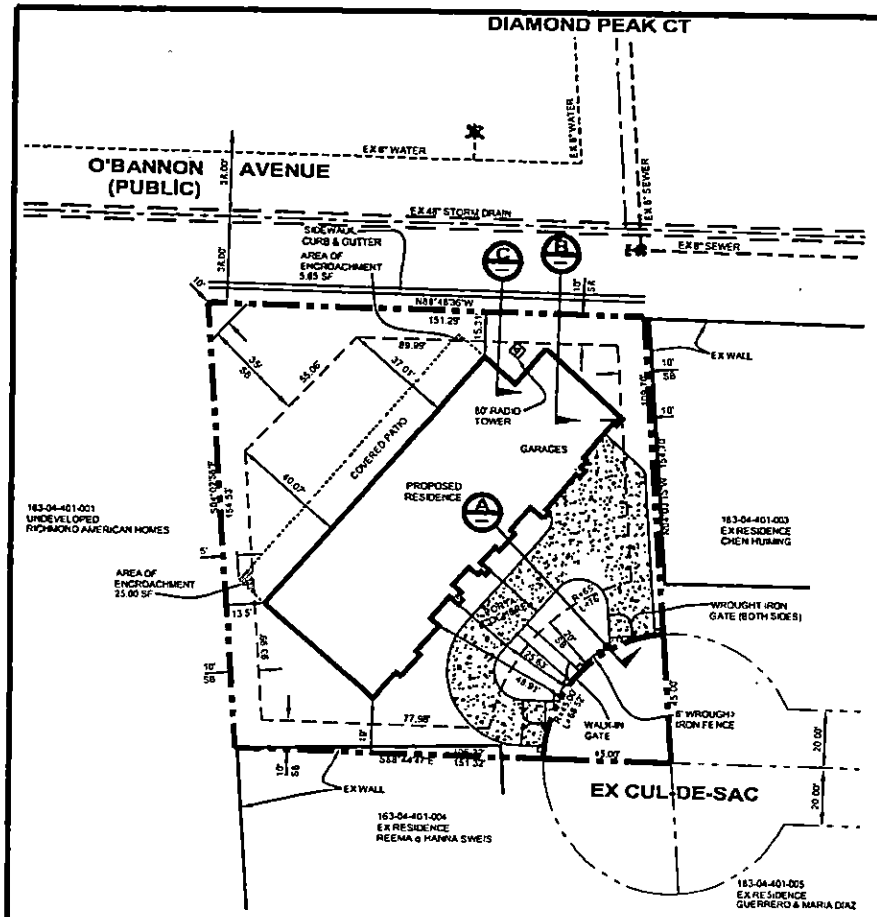
_____

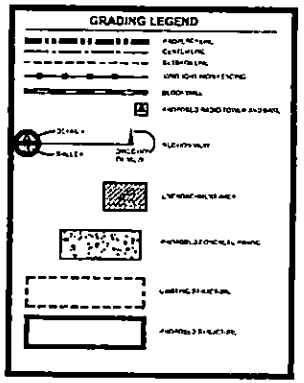
Notary Public in and for said County and State

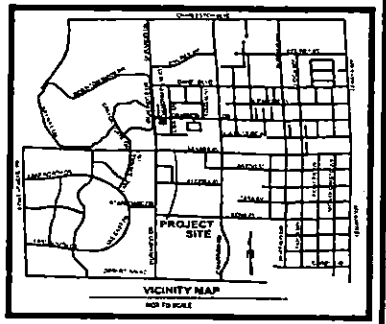
STEFFANIE E. NELSON
Notary Public, State of Nevada
Appointment No. 01-71113-1
My Appt. Expires Sep 14, 2009

SITE PLAN FOR THE PORTNOFF RESIDENCE AT O'BANNON AVENUE AND LISA LANE

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
APN # 163-04-401-002
BEING A PORTION OF THE SOUTH HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.





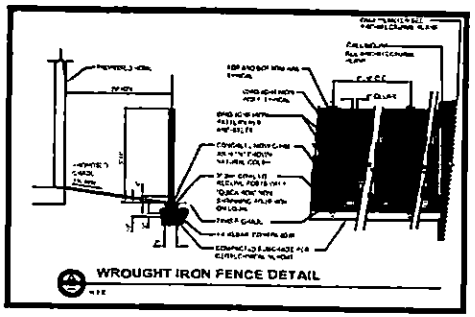


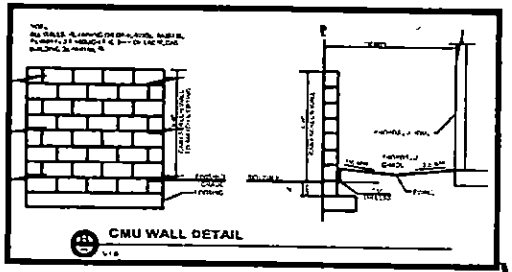
BENCHMARK:

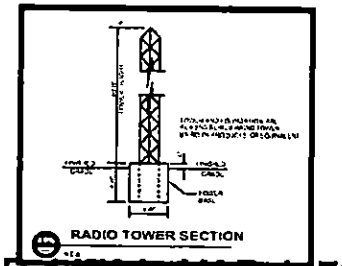
FLOOD ZONE DESCRIPTION:

LEGAL DESCRIPTION:

BASIS OF BEARINGS:







LOT DATA

OWNER / DEVELOPER

NO.	REVISIONS	DATE	INIT.	APPR.	DATE
			DRAWN BY	CHECKED BY	FILE NAME: PORTNOFF-RST
	DATE AUG. 2006		SEM	RJB	

PORTNOFF RESIDENCE

PEAK DEVELOPMENT SERVICES

STEVE PORTNOFF RESIDENCE
O'BANNON AVENUE AND LISA LANE
CITY OF LAS VEGAS

SITE PLAN

ENGINEER'S SEAL

SCALE 1"=20'

SHEET NUMBER 1 OF 1

JOB NUMBER

RECEIVED
SEP 12 2006

VAR-14734 VAR-14735
SUP-15027 REVISED
11/02/06 PC

PEAK DEVELOPMENT SERVICES

June 20, 2006

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

RE: Portnoff Residence – Justification Letter

To Whom It May Concern:

On behalf of our client, Steven Portnoff, Peak Development respectfully requests consideration of the enclosed requests for Variance of Residential Adjacency, Variance of Setbacks and Variance of Fence Height for The Portnoff Residence. The proposed property is currently zoned UR and is located on O'Bannon Ave. The proposed property would yield 1 home on .58 acres.

The request for a Variance of Residential Adjacency would accommodate the homeowners request to install an 80 ft. amateur radio tower. The Amateur Radio Station will be operated under FCC rules and regulations. Enclosed please also find Certificate of appointment by the Office of Emergency Management Clark County, Nevada.

The request for a Variance of Fence Height would allow the proposed 6ft CMU screen wall offset 4ft from the existing cul-de-sac. The home has been reoriented to front O'Bannon Ave. This screen wall would provide privacy for what is now the homeowner's rear yard.

The requests for Variance of setbacks are as follows:

Required Front 20'- Proposing 13.5' (49.56 sf)
Required Rear 35' – Proposing 29' (24.93 sf)
Required Side 10' – Proposing 10'

Due to the irregular shape of the lot and footprint, the home encroaches slightly onto the required setbacks. The actual encroachment for the rear yard is 24.93 sf and the encroachment for the front is 49.56. This has occurred due to the reorientation of the home, due to the fact that the setbacks would remain the same as if the home were fronting the private cul-de-sac and not O'Bannon. If you take into consideration the reorientation we are actually providing a 35' front yard, 54' rear yard and the required 10' side yards.

Enclosed please find a site plan, elevations for your review of the site. Should you have any questions or need additional information please contact our office at (702) 451-5700.

Sincerely,
Peak Development Services

Steffanie Nelson
Director of Development

1000 N. Green Valley Parkway, Suite 300-PMB 231; Henderson, Nevada 89074
Telephone: 702 / 451-5700 Facsimile: 702 451-5715

VAR-14733 VAR-14734
VAR-14735 11/02/06 PC

Telephone protest/ Approval Log

Meeting Date: 08/10/06 **Case Number:** VAR-14735
VAR-14734

Date: 08/04/06
Name: Naomi Sloan
Address: 2124 Diamond Brook
L.V. NV. 89117
Phone: (702) 228-9317
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
me:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

ITEM # 53 + 54
CASE # VAR-14734 VAR 14735
PC MTG 8-10-06

Telephone protest/ Approval Log

Meeting Date: 08/10/06 **Case Number:** SUP-15027 VAR-14735 VAR-14734

Date: 08/08/06
Name: Guerrero-Diaz
Address: 2173 S. Lisa Lane
L.V. NV 89117
Phone: (702) 400-8245
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

ITEM NO.: 53 54, 55
CASE NO. VAR-14734, VAR-14735, SUP-15027
PC MEETING: 8-10-06

August 3, 2006

To The Planning and Development Division:

I am writing this correspondence in answer to variance VAR-14734, VAR-14735, and special use permit SUP-15027.

My family resides across the street from described property and we are very opposed to the owner's requests for variances and special uses to the Planning Commission.

1. VAR-14734 and VAR-14735: The placement of a six foot high block wall across the front of said residence in this neighborhood does not aesthetically lend itself to a proper fit. The neighborhood as a whole includes semi-custom and custom homes. The request for home placement so close to easements does not fit aesthetically with the residence styles in this neighborhood.
2. SUP-15027: This request is opposed very vigorously; an 80-foot antenna and accompanying requirements does not fit within this neighborhood. A tower of this magnitude will undoubtedly require on-site down guy supports, possible lighting for air safety, and interior barrier walls for keeping the curious away. This appears to be a hazard area for potential thrill seekers to climb this tower. There is also the possibility of interference with neighborhood telephone and television reception.

Overall, these requests collectively would give the appearance of a mini compound. Something of this sort does not belong in a residential neighborhood. What is to keep thrill seekers attempting to climb this structure? We have young children in this neighborhood, and I feel this would be a temptation. Any protective solutions the property owner could install would also lend itself to a non-residential look for this property.

Regards,

Frank H. Malmstedt, Jr.
2117 Diamond Peak ct
Las Vegas, NV. 89117

ITEM NO.: 53, 54, 55
CASE NO. VAR-14734, VAR-14735, SUP-15027
PC MEETING: 8-10-06

Planning Commission
Hearing Date: 11/2/06
Applicant: Steven Portnoff
Re: Variance #'s 14734, 14735 + 15027

Commission Members:

I continue to object to these plans. I have been provided no new information which would alter my original objection + do not clearly understand why there is a hearing to rescind the denial.

The applicant should be building in an area which would allow him to do as he wants rather than change the intent and complexion of this area.

Sincerly,

Janice Frazier
8616 Tithenist Circle
Las Vegas, NV.
89117

ITEM # 32, 34, 36
CASE # SEE ABOVE
PC MTG 11-2-06

P

City of Las Vegas

Agenda Item No.: 33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
RESCIND PREVIOUS ACTION - VAR-14735 – VARIANCE RELATED TO VAR-14734 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE 13 FEET FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED AND 29 FEET FROM THE REAR PROPERTY LINE WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 1 (Tarkanian). NOTE: AS OF AUGUST 6, 2006 THIS ITEM IS LOCATED IN WARD 2 (WOLFSON).

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

RECOMMENDATION:
Staff recommends this item be **WITHDRAWN.**

BACKUP DOCUMENTATION:
1. Conditions and Staff Report

MOTION:
TRUESDELL – APPROVED – UNANIMOUS

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 33 [VAR-14735 – rescind] and Item 34 [VAR-14735].

DOUG RANKIN, Planning and Development Department, explained these items are purely procedural and are needed to allow the applicant to withdraw the application without prejudice.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 33 [VAR-14735] and Item 34 [VAR-14735 – reconsider].

(7:38 – 7:40)

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 33 – VAR-14735 – rescind

CONDITIONS:

Planning and Development

1. 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.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 10, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-14735 – APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

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

VAR-14735 - Staff Report Page One
August 10, 2006 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Variance to allow a proposed single family dwelling to be 13 feet from the front property line where 20 feet is the minimum setback required and 29 feet from the rear property line where 35 feet is the minimum setback required on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane

EXECUTIVE SUMMARY

The applicant has created a self-imposed hardship. An alternative wall design could be utilized; therefore denial of this request is recommended.

BACKGROUND INFORMATION

A) Related Actions

There is no relevant zoning history for this site.

B) Pre-Application Meeting

06/14/06 The requirements of a Variance application were explained.

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:	0.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Undeveloped – single family subdivision map recorded

C) Planned Land Use

Subject Property:	R (Rural) Density Residential
North:	R (Rural) Density Residential
South:	R (Rural) Density Residential
East:	R (Rural) Density Residential
West:	R (Rural) Density Residential

D) Existing Zoning

Subject Property:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
North:	R-1 (Single Family Residential)
South:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
East:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
West:	U (Undeveloped) zone under resolution of intent to R-PD6 (Residential Planned Development, 6 units per acre.

E) General Plan Compliance

The U (Undeveloped) zoning classification is in conformance with the R (Rural) density residential General Plan designation.

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

ANALYSIS

A) Zoning Code Compliance

Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	0.50 Acres	0.63 Acres	Y
Min. Setbacks			
Front	20 Feet	13 Feet	N
Side	10 Feet	10 Feet	Y
Rear	35 Feet	29 Feet	N

The applicant is requesting a 35 % reduction of the front yard setback and a 17 % reduction of the rear yard setback.

B) General Analysis and Discussion

The Subdivision Ordinance (Title 18) defines the front of the lot as the side of the lot which fronts on a street. Where more than one side has street frontage, the front is considered to be the side which has the lesser dimension in width. In regard to the subject application, this means that the front of the lot is the property line which lies adjacent to the cul-de-sac bulb. However, the applicant has decided to orient the proposed single family dwelling toward O'Bannon Avenue, and reduce the front and rear setbacks.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a single family dwelling not in conformance to the zoning code. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	7	
ASSEMBLY DISTRICT	2	
SENATE DISTRICT	8	
NOTICES MAILED	228	(Mailed with VAR-14734 and SUP-15027)
APPROVALS	0	
PROTESTS	1	

City of Las Vegas

Agenda Item No.: 34

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
RECONSIDER - VAR-14735 – VARIANCE RELATED TO VAR-14734 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE 13 FEET FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED AND 29 FEET FROM THE REAR PROPERTY LINE WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

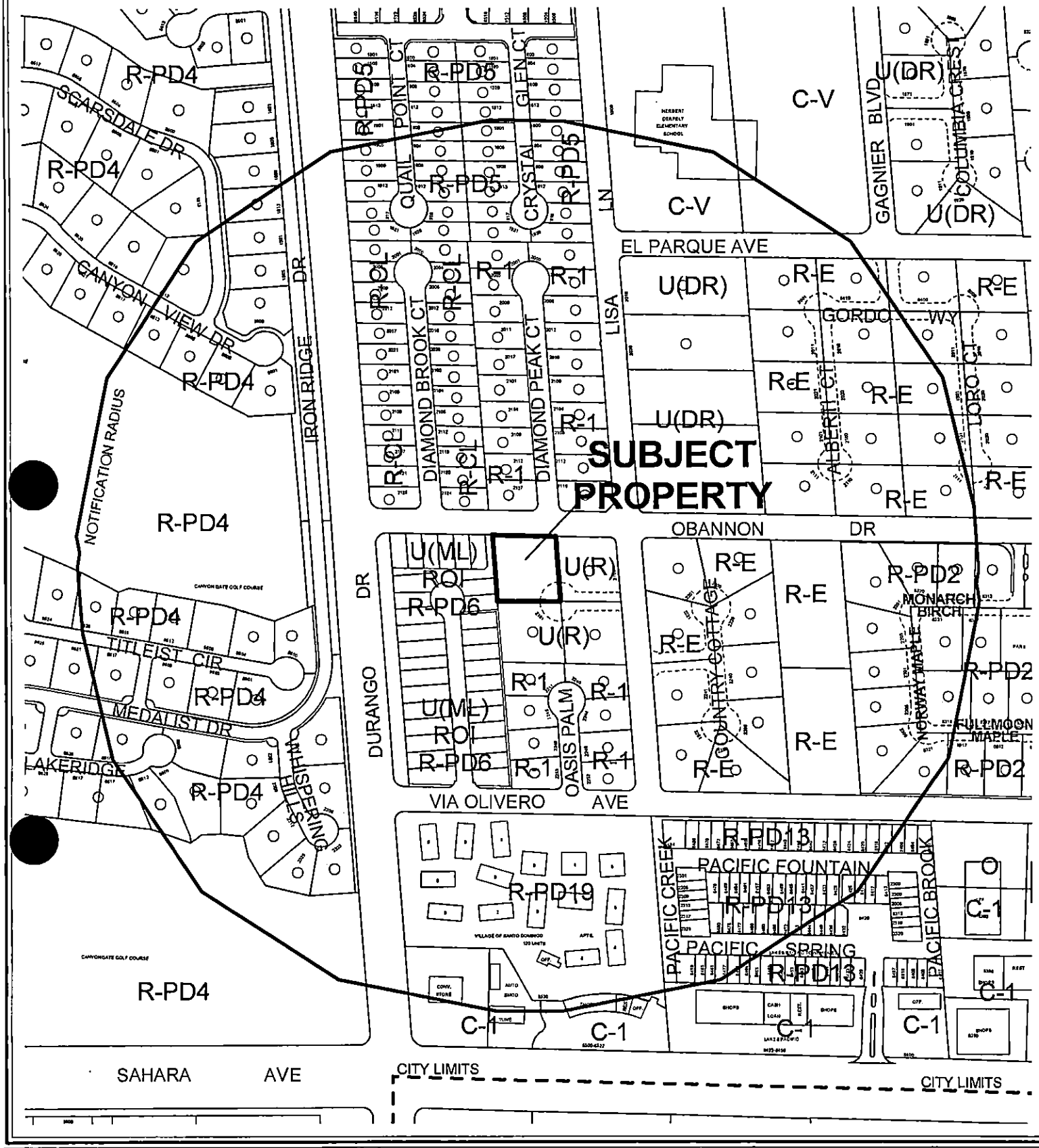
PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends this item be **WITHDRAWN.**

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Frank Malmstedt and Janice Frazier
6. Telephone Protests by Naomi Sloan and Guerrero Diaz

MOTION:
TRUESDELL – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS

MINUTES:
NOTE: See Item 33 [VAR-14735] for all related discussion.
(7:38 – 7:40)



CASE: **VAR-14735**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-14735 – APPLICANT/OWNER: STEVEN PORTNOFF

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

AR

PEAK DEVELOPMENT SERVICES

October 2, 2006

Andy Reed
Planning and Development Department
731 South Fourth Street
Las Vegas, NV 89101

RE: VAR-14735 -- 11/2 PC

To Whom It May Concern:

On behalf of our client Steven Portnoff, Peak Development Services respectfully request to withdraw application VAR-14735 without prejudice from the November 2, 2006 Planning Commission Meeting. This item was recently tabled to be heard on the date listed above.

Should you have any questions or need additional information please contact our office at (702) 451-5700.

Sincerely,
Peak Development

Alli Holtz
Project Coordinator

6623 McLeod Drive # 2 Las Vegas, NV 89120
Telephone: 702 / 451-5700 ■ Facsimile: 702 / 451-5715

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-14735 APN: 163-04-401-002

Name of Property Owner: Steven Portnoff

Name of Applicant: Steven Portnoff

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: 163-04-401-002

Signature of Property Owner: Steven Portnoff

Print Name: Steven Portnoff

Subscribed and sworn before me

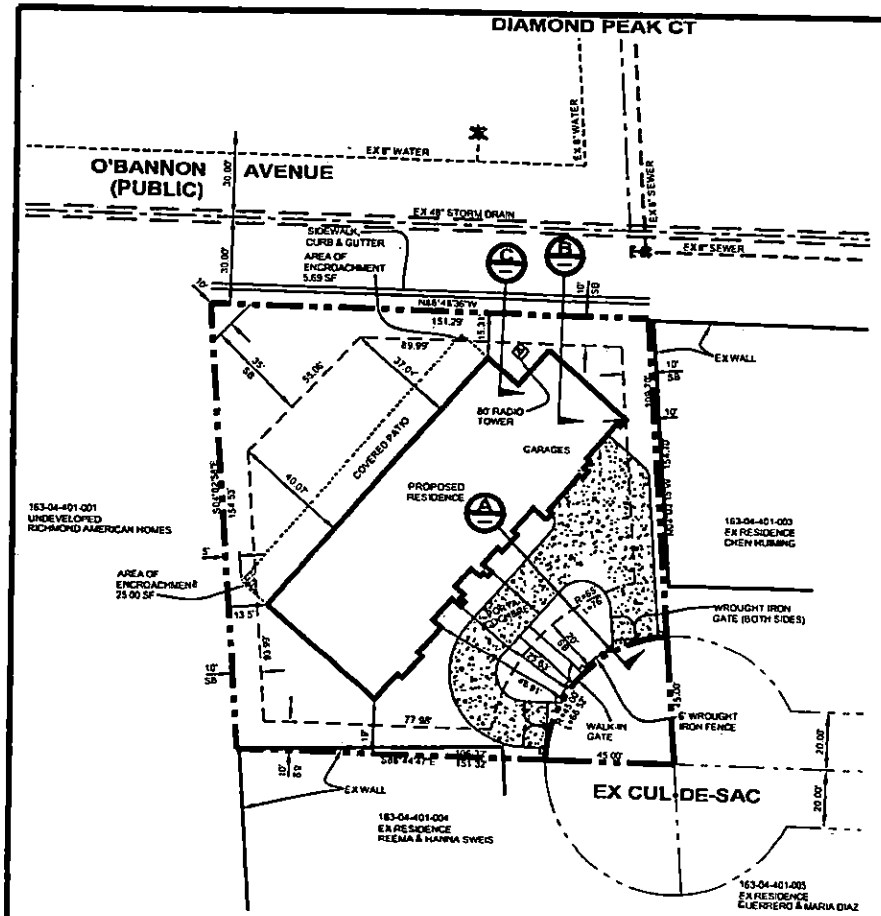
This 26 day of June, 20 09

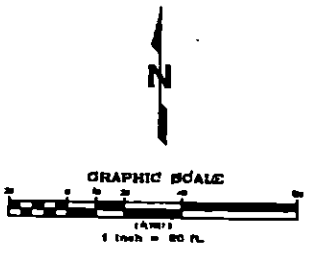
Notary Public in and for said County and State

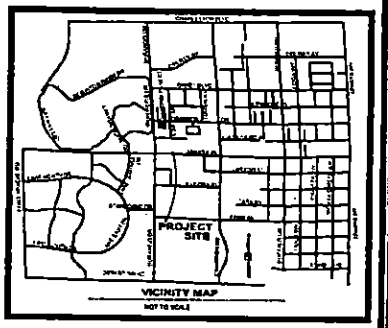
STEFFANIE E. NELSON
Notary Public, State of Nevada
Appointment No. 01-71113-1
My Appt. Expires Sep 14, 2009

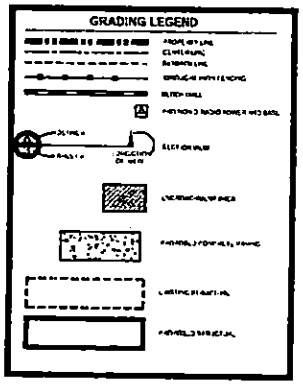
SITE PLAN FOR THE PORTNOFF RESIDENCE AT O'BANNON AVENUE AND LISA LANE

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
APN # 163-04-401-002
BEING A PORTION OF THE SOUTH HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.







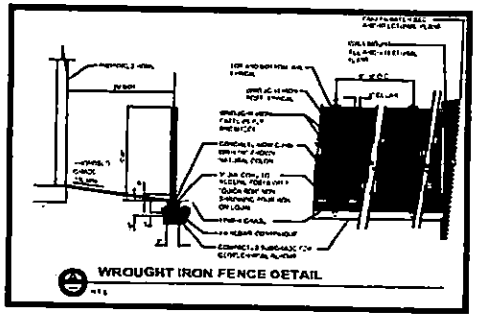


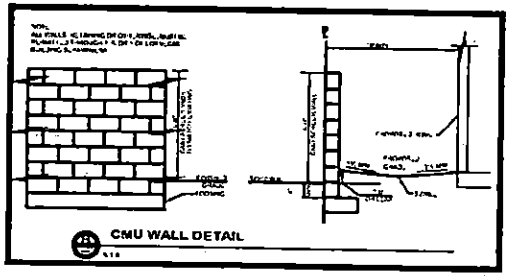
BENCHMARK:

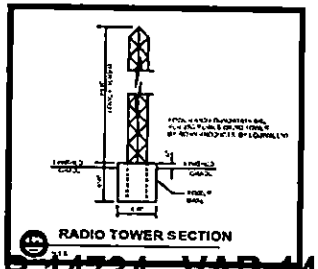
FLOOD ZONE DESCRIPTION:

LEGAL DESCRIPTION:

BASIS OF BEARINGS:







LOT DATA

OWNER / DEVELOPER

No.	REVISIONS	DATE	INIT.	APPR.	DATE

DATE AUG. 2006 | DRAWN BY SEN | CHECKED BY RJB | FILE NUM. PORTNOFF-XBT

PORTNOFF RESIDENCE

PEAK DEVELOPMENT SERVICES

STEVE PORTNOFF RESIDENCE
O'BANNON AVENUE AND LISA LANE
CITY OF LAS VAGAS

SITE PLAN

ENGINEER'S SEAL

SCALE 1"=20'

SHEET NUMBER 1 OF 1

JOB NUMBER

RECEIVED
SEP 1 2 2006

VAR-14734 VAR-14735
SUP-15027 REVISED
11/02/06 PC

PEAK DEVELOPMENT SERVICES

June 20, 2006

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

RE: Portnoff Residence – Justification Letter

To Whom It May Concern:

On behalf of our client, Steven Portnoff, Peak Development respectfully requests consideration of the enclosed requests for Variance of Residential Adjacency, Variance of Setbacks and Variance of Fence Height for The Portnoff Residence. The proposed property is currently zoned UR and is located on O'Bannon Ave. The proposed property would yield 1 home on .58 acres.

The request for a Variance of Residential Adjacency would accommodate the homeowners request to install an 80 ft. amateur radio tower. The Amateur Radio Station will be operated under FCC rules and regulations. Enclosed please also find Certificate of appointment by the Office of Emergency Management Clark County, Nevada.

The request for a Variance of Fence Height would allow the proposed 6ft CMU screen wall offset 4ft from the existing cul-de-sac. The home has been reoriented to front O'Bannon Ave. This screen wall would provide privacy for what is now the homeowner's rear yard.

The requests for Variance of setbacks are as follows:

Required Front 20'- Proposing 13.5' (49.56 sf)
Required Rear 35' – Proposing 29' (24.93 sf)
Required Side 10' – Proposing 10'

Due to the irregular shape of the lot and footprint, the home encroaches slightly onto the required setbacks. The actual encroachment for the rear yard is 24.93 sf and the encroachment for the front is 49.56. This has occurred due to the reorientation of the home, due to the fact that the setbacks would remain the same as if the home were fronting the private cul-de-sac and not O'Bannon. If you take into consideration the reorientation we are actually providing a 35' front yard, 54' rear yard and the required 10' side yards.

Enclosed please find a site plan, elevations for your review of the site. Should you have any questions or need additional information please contact our office at (702) 451-5700.

Sincerely,
Peak Development Services

Steffanie Nelson
Director of Development

VAR-14733 VAR-14734
VAR-14735 11/02/06 PC

1000 N. Green Valley Parkway, Suite 300-PMB 231; Henderson, Nevada 89074
Telephone: 702 / 451-5700 Facsimile: 702 451-5715

Telephone Protest/ Approval Log

Meeting Date: 08/10/06 **Case Number:** VAR-14735
VAR-14734

Date: 08/04/06
Name: Naomi Sloan
Address: 2124 Diamond Brook
L.V. NV. 89117
Phone: (702) 228-9317
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
me:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

ITEM # 53 & 54
CASE # VAR-14734 VAR 14735
PC MTG 8-10-06

Telephone Protest/ Approval Log

Meeting Date: 08/10/06 **Case Number:** SUP-15027
VAR-14735 VAR-14734

Date: 08/08/06
Name: Guerrero-Diaz
Address: 2173 S. Lisa Lane
L.V. NV 89117
Phone: (702) 400-8245
[X] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
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Date:
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Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

ITEM NO.: 53 54, 55
CASE NO. VAR-14734, VAR-14735,
PC MEETING: 8-10-06 SUP-15

August 3, 2006

To The Planning and Development Division:

I am writing this correspondence in answer to variance VAR-14734, VAR-14735, and special use permit SUP-15027.

My family resides across the street from described property and we are very opposed to the owner's requests for variances and special uses to the Planning Commission.

1. VAR-14734 and VAR-14735: The placement of a six foot high block wall across the front of said residence in this neighborhood does not aesthetically lend itself to a proper fit. The neighborhood as a whole includes semi-custom and custom homes. The request for home placement so close to easements does not fit aesthetically with the residence styles in this neighborhood.
2. SUP-15027: This request is opposed very vigorously; an 80-foot antenna and accompanying requirements does not fit within this neighborhood. A tower of this magnitude will undoubtedly require on-site down guy supports, possible lighting for air safety, and interior barrier walls for keeping the curious away. This appears to be a hazard area for potential thrill seekers to climb this tower. There is also the possibility of interference with neighborhood telephone and television reception.

Overall, these requests collectively would give the appearance of a mini compound. Something of this sort does not belong in a residential neighborhood. What is to keep thrill seekers attempting to climb this structure? We have young children in this neighborhood, and I feel this would be a temptation. Any protective solutions the property owner could install would also lend itself to a non-residential look for this property.

Regards,

Frank H. Malmstedt, Jr.
2117 Diamond Peak ct
Las Vegas, NV. 89117

ITEM NO.: 53, 54, 55
CASE NO. VAR-14734, VAR-14735, SUP-15027
PC MEETING: 8-10-06

Planning Commission
Hearing Date: 11/2/06
Applicant: Steven Portnoff
Re: Variance #'s 14734, 14735 + 15027

Commission Members:

I continue to object to these plans. I have been provided no new information which would alter my original objection + do not clearly understand why there is a hearing to rescind the denial.

The applicant should be building in an area which would allow him to do as he wants rather than change the intent and complexion of this area.

Sincerely,
Janice Fraggi
8616 Tiffany Circle
Las Vegas, NV.
89117

ITEM # 32, 34, 36
CASE # SEE ABOVE
PC MTG 11-2-06

P

P.01 256 8994 BEVERLY WHALEN

City of Las Vegas

Agenda Item No.: 35

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
RESCIND PREVIOUS ACTION - SUP-15027 - SPECIAL USE PERMIT RELATED TO VAR-14734 AND VAR-14735 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Special Use Permit TO ALLOW A PROPOSED 80 FOOT HIGH AMATEUR RADIO ANTENNA TOWER on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 1 (Tarkanian). NOTE: AS OF AUGUST 6, 2006 THIS ITEM IS LOCATED IN WARD 2 (WOLFSON).

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

RECOMMENDATION:
Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:
1. Conditions and Staff Report

MOTION:
TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

MINUTES:
MR. KORKOSZ recommended holding Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission meeting in order to work with the applicant towards a reasonable accommodation for his radio tower.

(6:03 – 6:07)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 10, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-15027 - APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-15027 - Staff Report Page One
August 10, 2006 - Planning Commission Meeting

** STAFF REPORT **

APPLICATION REQUEST

This is a request for a Special Use Permit to allow a proposed 80 foot high amateur radio antenna tower on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane

Variance applications VAR-14734 and VAR-14735 are also for the subject site and will be considered concurrently.

EXECUTIVE SUMMARY

An eighty foot tower is typically associated with commercial developments and is not appropriate in this residential area.

BACKGROUND INFORMATION

A) Related Actions

There is no relevant zoning history for this site.

B) Pre-Application Meeting

06/14/06 The requirements of a Special Use Permit application were explained.

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: 0.63

B) Existing Land Use

Subject Property:	Undeveloped
North:	Single Family Dwelling
South:	Single Family Dwelling
East:	Single Family Dwelling
West:	Undeveloped – single family subdivision map recorded

C) Planned Land Use

Subject Property:	R (Rural) Density Residential
North:	R (Rural) Density Residential
South:	R (Rural) Density Residential
East:	R (Rural) Density Residential
West:	R (Rural) Density Residential

D) Existing Zoning

Subject Property:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
North:	R-1 (Single Family Residential)
South:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
East:	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
West:	U (Undeveloped) zone under resolution of intent to R-PD6 (Residential Planned Development, 6 units per acre.

E) General Plan Compliance

The U (Undeveloped) zoning classification is in conformance with the R (Rural) density residential General Plan designation.

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

ANALYSIS

A) General Analysis and Discussion

The zoning ordinance allows mounted antennas (towers) exceeding 15 feet in height upon approval of a Special Use Permit. There are no standard conditions associated with the Special Use Permit.

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."**

   An eighty foot tower is typically associated with commercial developments and is not appropriate in this residential area.

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

   The proposed use is too intense for a residential neighborhood.

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 proposed use will not bring additional traffic to the property.

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

   The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable building codes.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 2

SENATE DISTRICT	8	
NOTICES MAILED	228	(Mailed with VAR-14734 and VAR-14735)
APPROVALS	0	
PROTESTS	5	

RECEIVED
CITY CLERK

2006 OCT 31 P 12:09

OBJECTION TO SUP-15027

WE, THE RESIDENTS OF CANYON VIEW ESTATES – LOCATED NEAR AND AROUND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., DO FORMALLY OBJECT TO SUP-15027.

CONSTRUCTION OF AN 80 FOOT, EIGHT STORY AMATEUR RADIO ANTENNA TOWER IS INAPPROPRIATE IN OUR DENSELY RESIDENTIAL AREA AND WOULD ADVERSELY IMPACT THE UNIFORMITY AND ATTRACTIVENESS OF OUR NEIGHBORHOOD.

WE, THE UNDERSIGNED, VIGOROUSLY OBJECT AND REQUEST THAT THE CITY COUNCIL TURN DOWN ALL SPECIAL PERMITS AND VARIANCES FOR THIS PROJECT.

Submitted after final agenda

Date 10/31/06 Item #35

NAME	ADDRESS
1. LaDonna Gentz	2200 Country Cottage Ct 89117
2. CHARLES R GENTZ	2200 COUNTRY COTTAGE CT 89117
3. Rebecca Rosen	2241 country Cottage Ct. 89117
4. Ronald C. Rosen	2241 country Cottage Ct. 89117
5. Rich Grady	2240 country Cottage Ct 89117
6. Susan Browne	2201 Country Cottage Ct 89117
7. David Bennett	2220 Country Cottage ct 89117
8. Jennifer Bennett	2220 Country Cottage ct 89117
9. JoAnn Gilt-Grady	2240 Country Cottage Ct. 89117

10. Dennis C. Hoeke
DENNIS C. HOEKE
2221 COUNTRY COTTAGE 89117

11. Penelope C. Houle 2261 Country Cottage Ct. 89117

12. William Houle
William Houle
2261 Country Cottage Ct. Las Vegas

13. Mitchell Rapose
2280 Country Cottage 89117

14. Jack Rapose
2280 County Cottage 89117

15.
2201 Country Cottage Ct. 89117

16.

17.

18.

19.

City of Las Vegas

Agenda Item No.: 36

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:

RECONSIDER - SUP-15027 - SPECIAL USE PERMIT RELATED TO VAR-14734 AND VAR-14735 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Special Use Permit TO ALLOW A PROPOSED 80 FOOT HIGH AMATEUR RADIO ANTENNA TOWER on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	16	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

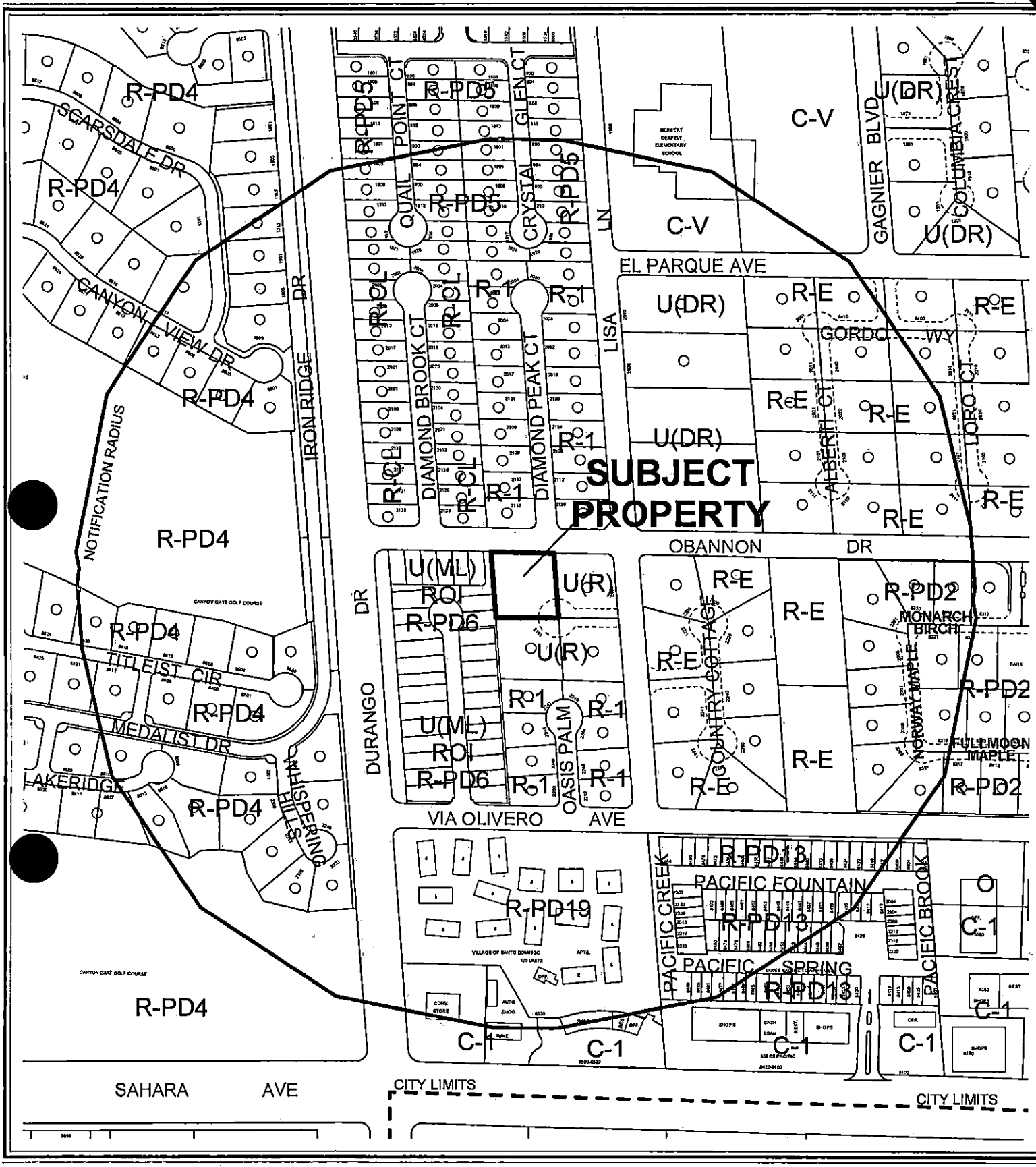
TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 36 – SUP-15027 – reconsider

MINUTES:

MR. KORKOSZ recommended holding Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission meeting in order to work with the applicant towards a reasonable accommodation for his radio tower.

(6:03 – 6:07)



CASE: **SUP-15027**

RADIUS: 1000 FT

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-15027 - APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All 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 to allow a proposed 80-foot high amateur radio antenna tower on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane.

A related Variance (VAR-14734) to allow proposed six-foot high block walls in the front yard where four feet is the maximum height allowed and a Variance (VAR-16769) to allow a proposed single-family dwelling to be five feet from the side property line where ten feet is the minimum setback required will also be considered on this agenda.

EXECUTIVE SUMMARY

An 80-foot tower is typically associated with commercial developments and is not appropriate in this residential area.

BACKGROUND INFORMATION

A) Related Actions

There is no relevant zoning history for this site.

B) Pre-Application Meeting

06/14/06 The requirements of a Special Use Permit application were explained.

C) Neighborhood Meetings

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

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Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 2

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:

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 2

SENATE DISTRICT	8	
NOTICES MAILED	228	(Mailed with VAR-14734 and VAR-14735)
APPROVALS	0	
PROTESTS	16	

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-15027

Case Number: _____ APN: 163-04-401-002

Name of Property Owner: Steven Portnoff

Name of Applicant: Steven Portnoff

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: 163-04-401-002

Signature of Property Owner: Steven Portnoff

Print Name: Steven PORTNOFF

Subscribed and sworn before me

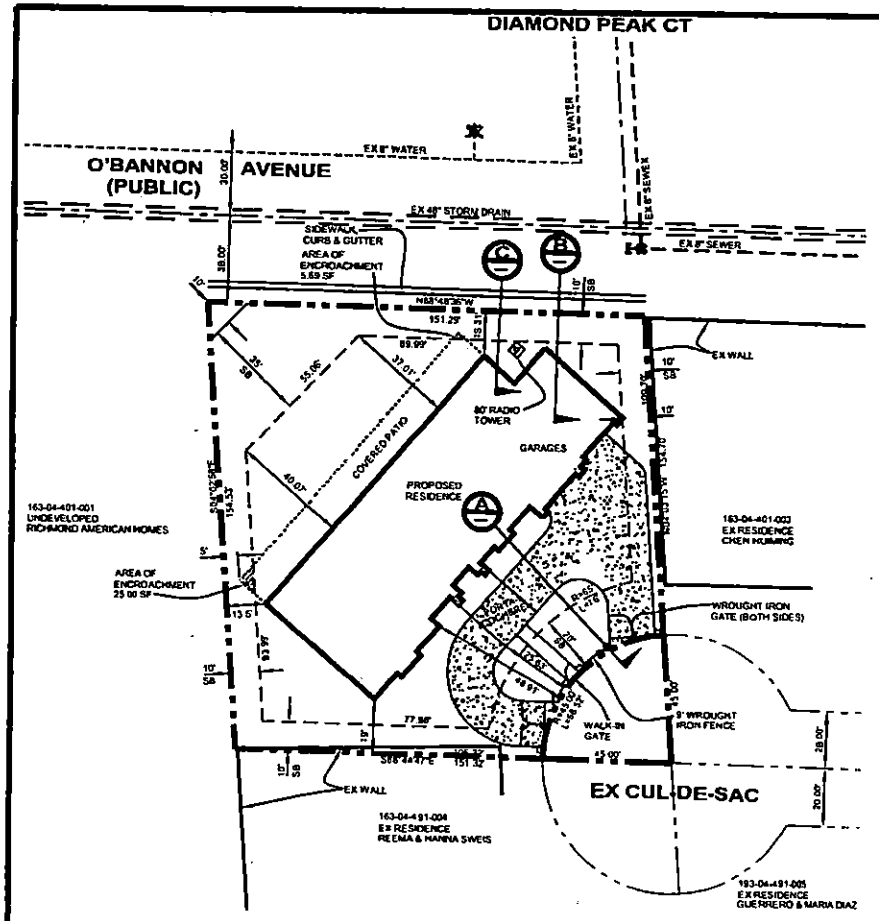
This 26 day of June, 2009

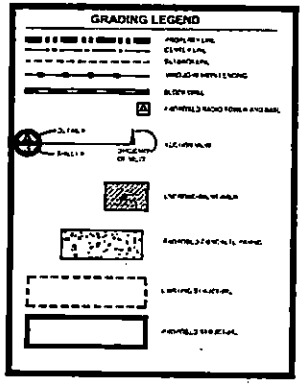
Notary Public in and for said County and State

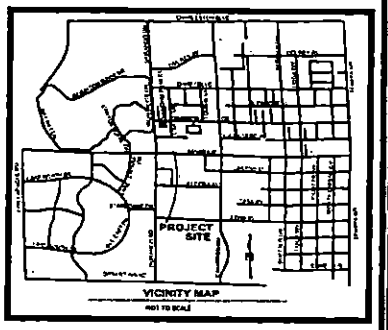
STEFFANIE E. NELSON
Notary Public, State of Nevada
Appointment No. 01-71113-1
My Appt. Expires Sep 14, 2009

SITE PLAN FOR THE PORTNOFF RESIDENCE AT O'BANNON AVENUE AND LISA LANE

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
APN # 163-04-401-002
BEING A PORTION OF THE SOUTH HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.





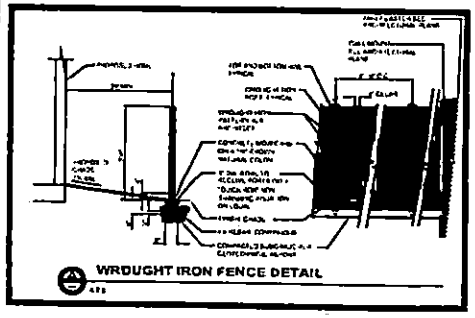


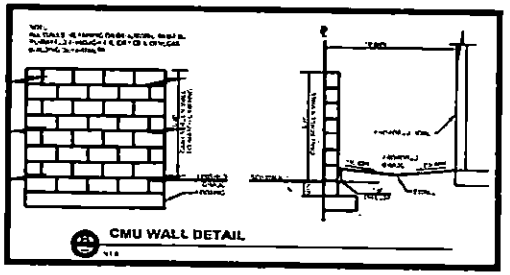
BENCHMARK:

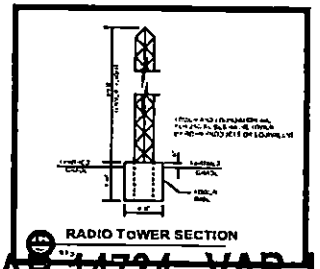
FLOOD ZONE DESCRIPTION:

LEGAL DESCRIPTION:

BASIS OF BEARINGS:







LOT DATA

OWNER / DEVELOPER

PORTNOFF RESIDENCE

PEAK DEVELOPMENT SERVICES

No.	REVISIONS	DATE	DRAWN BY	CHECKED BY	DATE	INIT.	APPR.	DATE
		AUG. 2006	SEN	RJB				

STEVE PORTNOFF RESIDENCE
O'BANNON AVENUE AND LISA LANE
CITY OF LAS VEGAS

SITE PLAN

Division's Seal

SCALE 1"=20'

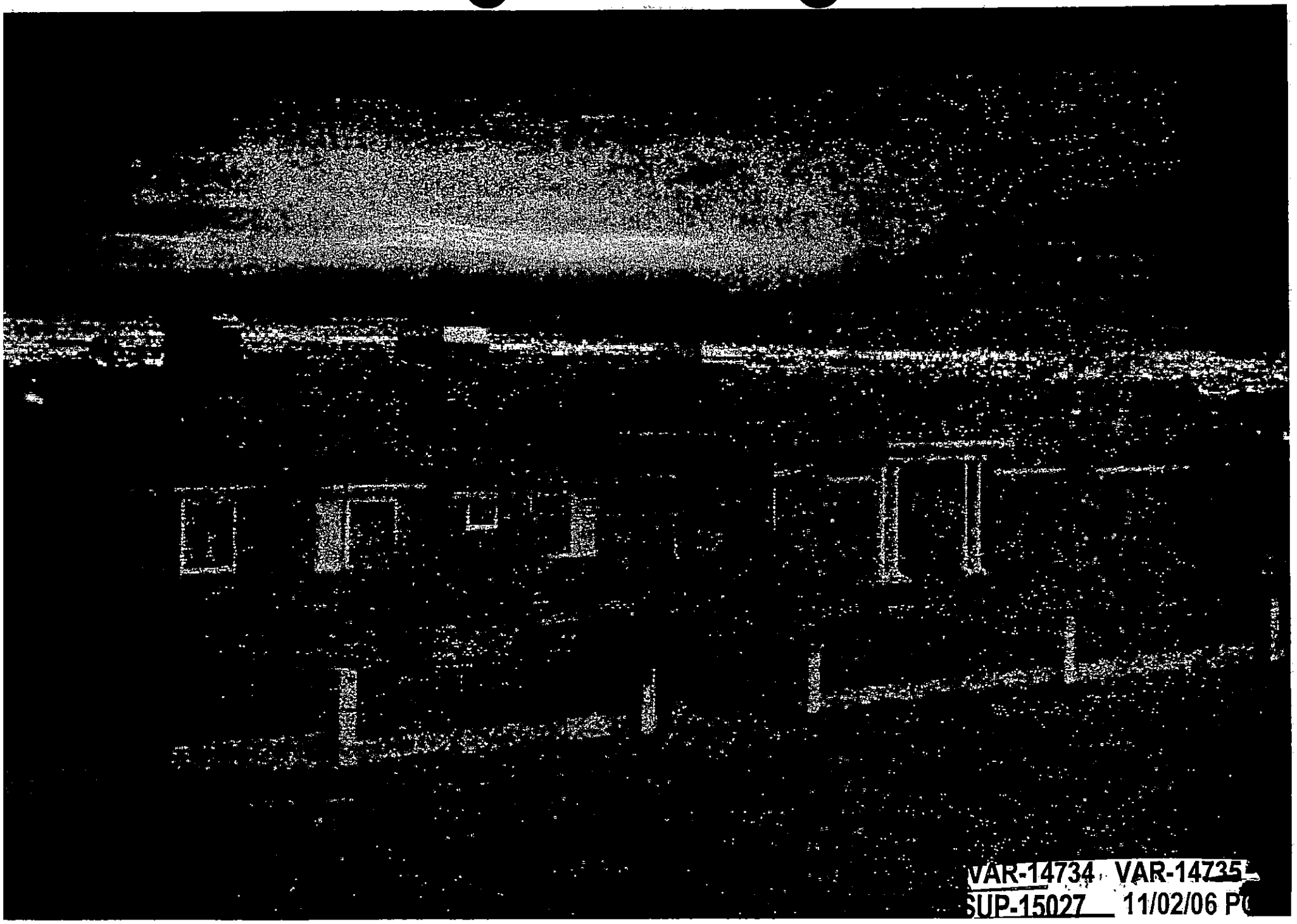
SHEET NUMBER 1 OF 1

JOB NUMBER

FILE NO. PORTNOFF-001

RECEIVED
SEP 12 2006

VAR-14734 VAR-14735
SUP-15027 REVISED
11/02/06 PC


VAR-14734 VAR-14735
SUP-15027 11/02/06 PC

PEAK DEVELOPMENT SERVICES

June 20, 2006

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

RE: Portnoff Residence – Justification Letter

To Whom It May Concern:

On behalf of our client, Steven Portnoff, Peak Development respectfully requests consideration of the enclosed requests for Variance of Residential Adjacency, Variance of Setbacks and Variance of Fence Height for The Portnoff Residence. The proposed property is currently zoned UR and is located on O'Bannon Ave. The proposed property would yield 1 home on .58 acres.

The request for a Variance of Residential Adjacency would accommodate the homeowners request to install an 80 ft. amateur radio tower. The Amateur Radio Station will be operated under FCC rules and regulations. Enclosed please also find Certificate of appointment by the Office of Emergency Management Clark County, Nevada.

The request for a Variance of Fence Height would allow the proposed 6ft CMU screen wall offset 4ft from the existing cul-de-sac. The home has been reoriented to front O'Bannon Ave. This screen wall would provide privacy for what is now the homeowner's rear yard.

The requests for Variance of setbacks are as follows:

Required Front 20'- Proposing 13.5' (49.56 sf)
Required Rear 35' – Proposing 29' (24.93 sf)
Required Side 10' – Proposing 10'

Due to the irregular shape of the lot and footprint, the home encroaches slightly onto the required setbacks. The actual encroachment for the rear yard is 24.93 sf and the encroachment for the front is 49.56. This has occurred due to the reorientation of the home, due to the fact that the setbacks would remain the same as if the home were fronting the private cul-de-sac and not O'Bannon. If you take into consideration the reorientation we are actually providing a 35' front yard, 54' rear yard and the required 10' side yards.

Enclosed please find a site plan, elevations for your review of the site. Should you have any questions or need additional information please contact our office at (702) 451-5700.

Sincerely,
Peak Development Services

Steffanie Nelson
Director of Development

1000 N. Green Valley Parkway, Suite 300-PMB 231; Henderson, Nevada 89
Telephone: 702 / 451-5700 Facsimile: 702 451-5715

VAR-14734 VAR-14734
SUP-15027 11/02/06 PC

August 1, 2006

To: Council Person Lois Tarkanian

City Council Chambers
400 Stewart Ave
Las Vegas, Nevada 89101

Re: Special Use Permit SUP-15027 A Proposal for 80 foot high Amateur Radio Antenna Tower located at O'bannon and Diamond Peak Ct and Diamond Brook Ct.

Dear Council Person Tarkanian

We live in a quiet neighborhood (Diamond Peak Ct and Diamond Brook Ct) that is located in an area where the land to the south of us is being developed.

There where two variances that have previously been discussed and were consider a non issue for our neighborhood that we did not object to in order to not appear obstructionists regarding growth in and around our neighborhood.

Submitted at Planning Commission
Date 8/10/06 Item #53-55

We however vigorously object to **A 80 FOOT (8 STORY) AMATEUR RADIO TOWER** being constructed at the end of our streets. There are very few homes on our streets that even have television or small satellite antennas.

Our homes are all 1 story homes and an 80 foot (8 story) radio antenna would be an eye sore to the area. Even the cell phone towers are made to look like trees. Please as our representative disallow this eye sore from being constructed in our 1 story neighborhood atmosphere. Thank you in advance for your help and understanding.

Name	Address	Phone
Dup (Tom Remerton	2005 DIAMOND PEAK CT	6835515
Jane Dixon	" " "	682-1108
Dup (Donna L Wildt	2012 Diamond PK	838-2682
Jess Hildt	2012 Diamond PK	838-2682
Dup (Barbara Nappi	2004 Diamond PK	8698006
Mario Nappi	2004 DIAMOND PEAK CT	869-8006
Dup (Thomas J. Fosselli	2113 Diamond Peak Ct	243-5525
Carolyn Fosselli	2113 Diamond Pk Ct.	243-8825
Nancy Ekeman	2112 Diamond Pk.	256-5010

CD

Cheryl-Beth Reineke
2204 Trident Maple Street
Las Vegas NV 89117-1893
702-804-9245
702-804-9247 Fax

August 9, 2006

Dear Planning Commission,

We are adamantly opposed to the approval of the Special Use Request SUP 15027 for an 80 foot amateur radio antenna in an all residential area where the residences don't have or may not allow due to HOA restrictions a TV antenna. The antenna would be an unsightly addition to the neighborhood and would not fit aesthetically.

Sincerely in Opposition,

Cheryl-Beth Reineke

Cheryl-Beth Reineke

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

D

Telephone Protest/ Approval Log

Meeting Date: 08/10/06 **Case Number:** SUP-15027 VAR-14735 VAR-14734

Date: 08/08/06
Name: Guerrero-Diaz
Address: 2173 S. Lisa Lane
L.V. NV 89117
Phone: (702) 400-8245
[X] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

Date:
Name:
Address:
Phone:
[ ] PROTEST [ ] APPROVE

ITEM NO.: 53 54, 55
CASE NO. VAR-14734, VAR-14735,
PC MEETING: 8-10-06 SUP-150

August 3, 2006

To The Planning and Development Division:

I am writing this correspondence in answer to variance VAR-14734, VAR-14735, and special use permit SUP-15027.

My family resides across the street from described property and we are very opposed to the owner's requests for variances and special uses to the Planning Commission.

1. VAR-14734 and VAR-14735: The placement of a six foot high block wall across the front of said residence in this neighborhood does not aesthetically lend itself to a proper fit. The neighborhood as a whole includes semi-custom and custom homes. The request for home placement so close to easements does not fit aesthetically with the residence styles in this neighborhood.
2. SUP-15027: This request is opposed very vigorously; an 80-foot antenna and accompanying requirements does not fit within this neighborhood. A tower of this magnitude will undoubtedly require on-site down guy supports, possible lighting for air safety, and interior barrier walls for keeping the curious away. This appears to be a hazard area for potential thrill seekers to climb this tower. There is also the possibility of interference with neigbborhood telepbone and television reception.

Overall, these requests collectively would give the appearance of a mini compound. Something of this sort does not belong in a residential neighborhood. What is to keep thrill seekers attempting to climb this structure? We have young children in this neighborhood, and I feel this would be a temptation. Any protective solutions the property owner could install would also lend itself to a non-residential look for this property.

Regards,

Frank H. Malmstedt, Jr.
2117 Diamond Peak ct
Las Vegas, NV. 89117

ITEM NO.: 53, 54, 55
CASE NO. VAR-14734, VAR-14735, SUP-15027
PC MEETING: 8-10-06

AUGUST 1, 2006

To whom it may concern..... SUP-15027

We strongly appose any variance allowing any 80 foot antenna at the south half of SW Section 04 , township 21 south, range 60 east. We live at 8317 Monarch Birch. Thank you..

Robert Worthen Jr

Robert Worthen Jr.

Debra Worthen

Debra Worthen

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

August 4, 2006

City of Las Vegas Planning & Development

Re: Case #: SUP-15027

Dear Planning Commission Members,

My name is Hanna Sweis and I live on 2161 S. Lisa Lane, Las Vegas.
I am extremely concerned about the intention of Mr. Portnoff to erect an 80 foot Tower right in front of my house, since I live adjacent to his property which he had recently purchased. I have been living in my house for 6 years and value so much the openness in this neighborhood. I looked at his proposal and I see that he is erecting this tower right in my view. Not only it would be an eyesore, but such uncommon elements will affect the value of my property. Eighty foot is extremely high for anything to be in front of anyone, and I doubt it will be acceptable to anyone but Mr. Portnoff. There are many alternatives to this tower which he should consider to exercise his hobby. This is not a ranch neighborhood and houses here occupy ½ acre or less.
I strongly object to this SUP, and I hope that you will deny it.

Best Regards,

Hanna Sweis
2161 S. Lisa Lane
Las Vegas, NV 89117
702-526-5954

RECEIVED
AUG 04 2006

ITEM # 55
CASE # SUP - 15027
PC MTG 8-10-06

Telephone Protest/ Approval Log

Meeting Date: 08/10/06 PC **Case Number:** SUP-15027

Date: 08/02/06
Name: Joe Stockett
Address: 8304 Fullmoon Maple Ave. L.V. NV. 89117
Phone: (702) 360-8867
[X] **PROTEST** [ ] **APPROVE**
Sycamore Space H.O. Assoc.

Date: 08/03/06
Name: marvin Morcow
Address: 2104 Diamond Peak Ct L.V. NV 89117
Phone: (702) 341-8659
[X] **PROTEST** [ ] **APPROVE**

Date: 08/08/06
Name: Naomi Sloan
Address: 2124 Diamond Brook Ct L.V. NV. 89117
Phone: (702) 228-9317
[X] **PROTEST** [ ] **APPROVE**

Date: 08/04/06
Name: Hanna Sweis
Address: 2161 S. Lisa Lane L.V. NV 89117
Phone: (702) 526-5954
[X] **PROTEST** [ ] **APPROVE**
*lives right next door - 80' is to high

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

ITEM # 55
CASE # SUP-15027
PC MTG 8-10-06

Planning Commission
Hearing Date: 11/2/06
Applicant: Steven Portnoff
Re: Variance #'s 14734, 14735 + 15027

Commission Members:

I continue to object to these plans. I have been provided no new information which would alter my original objection + do not clearly understand why there is a hearing to rescind the denial.

The applicant should be building in an area which would allow him to do as he wants rather than change the intent and complexion of this area.

Sincerly,

Janice Frazier
8616 Tithenist Circle
Las Vegas, NV.
89117

ITEM # 32, 34, 36
CASE # SEE ABOVE
PC MTG 11-2-06

P

City of Las Vegas

Agenda Item No.: 37

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-16769 - VARIANCE RELATED TO VAR-14734, VAR-14735 AND SUP-15027 - PUBLIC HEARING - APPLICANT/OWNER: STEVEN PORTNOFF - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE FIVE FEET FROM THE SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane (APN 163-04-401-002), U [(Undeveloped) Zone, R (Rural) General Plan Designation], Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends **DENIAL**

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

MOTION:
TRUESDELL – APPROVED subject to conditions and adding the following condition:
– The patio cover will not be an enclosed structure.
– UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 37 – VAR-16769

MINUTES – Continued

ANDY REED, Planning and Development Department, stated an alternative design of the site plan could allow compliance with the City Code and recommended denial.

STEVEN PORTNOFF, 1335 Radwick Drive, requested approval to allow his patio roof to intrude his ten-foot setback.

COMMISSIONER TRUESDELL expressed his support as the patio roof encroachment does not significantly impact any neighbors.

MR. PORTNOFF informed COMMISSIONER STEINMAN that his patio roof extends 12 feet away from his house.

MARGO WHEELER, Director of Planning and Development Department, crafted an additional condition prohibiting the enclosure of the patio at COMMISSIONER DAVENPORT'S request. MR. PORTNOFF agreed to the additional condition.

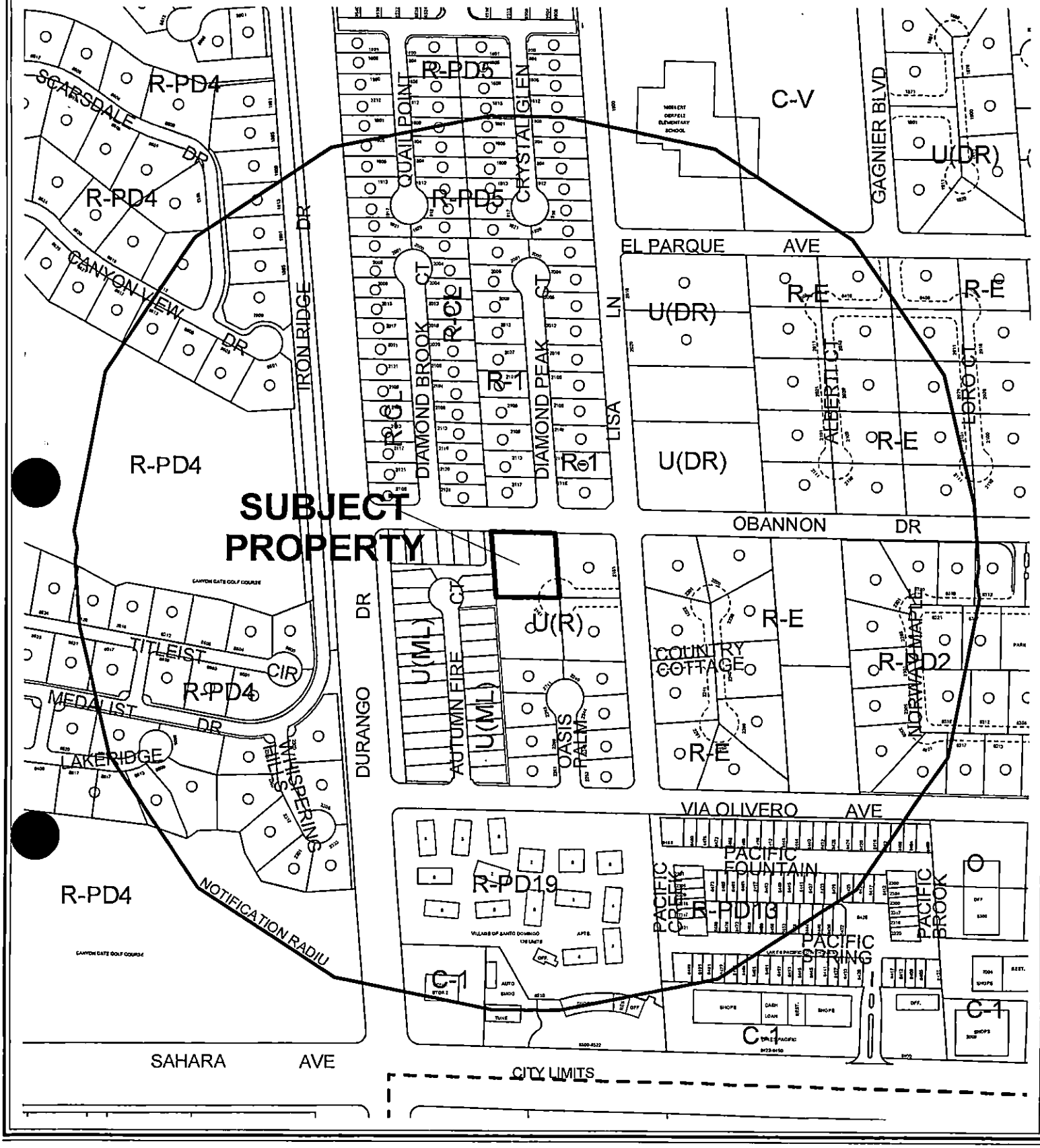
CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(7:40 – 7:43)

CONDITIONS:

Planning and Development

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



CASE: **VAR-16769**

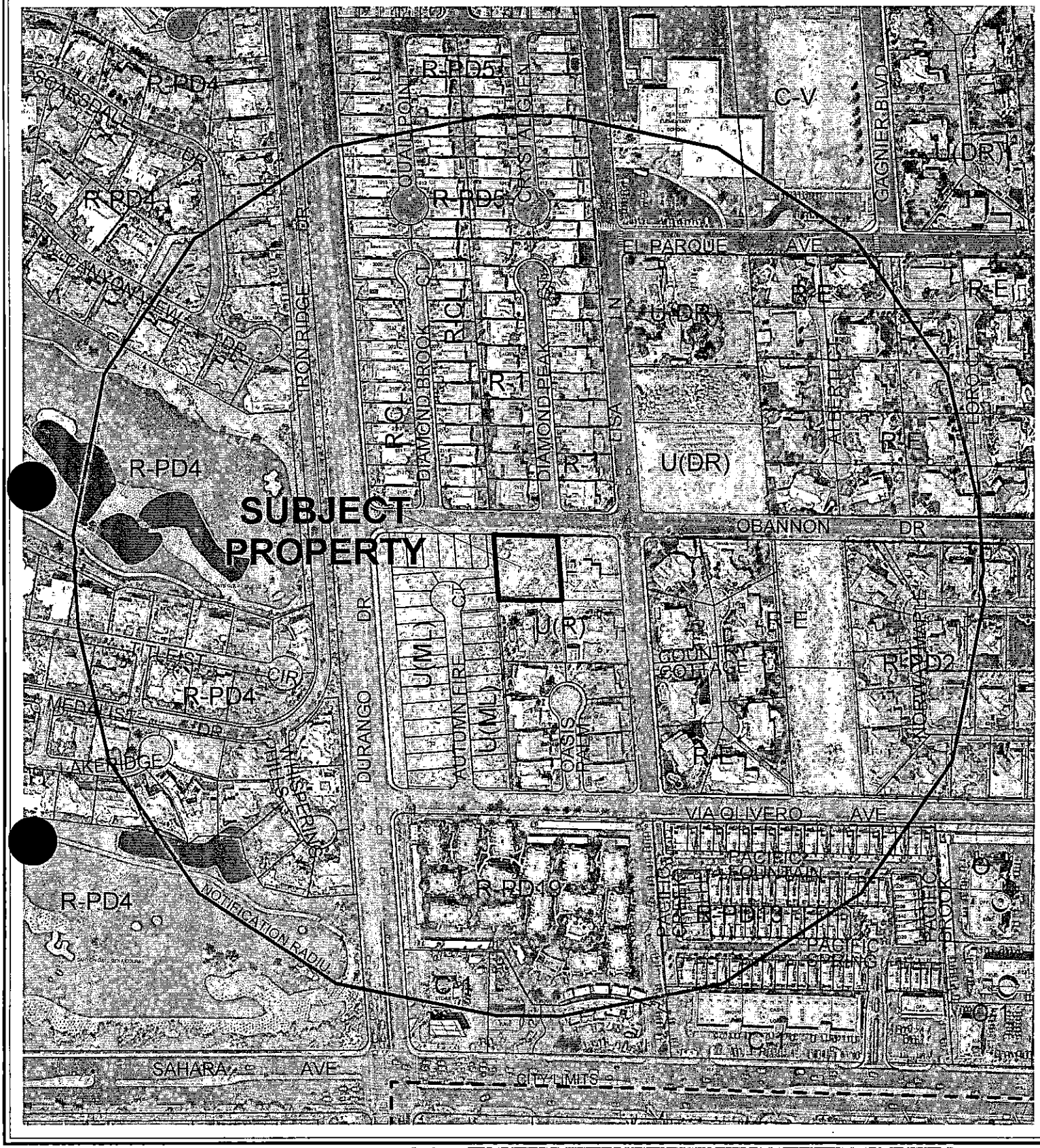
RADIUS: 1000 FEET

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [GPA (GPA Designation) GENERAL PLAN DESIGNATION]

N



CASE: **VAR-16769**

RADIUS: 1000 FEET

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [GPA (GPA Designation) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-16769 - APPLICANT/OWNER: STEVEN PORTNOFF

** CONDITIONS **

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

Planning and Development

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

VAR-16769 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a proposed single-family dwelling to be five feet from the side property line where 10 feet is the minimum setback required on 0.63 acres located on the south side of O'Bannon Drive, approximately 140 feet west of Lisa Lane. This represents a 50 - percent deviation from the zoning code.

A related Variance (VAR-14734) to allow proposed six-foot high block walls in the front yard where four feet is the maximum height allowed and a Special Use Permit (SUP-15027) to allow a proposed 80-foot high amateur radio antenna tower on the subject site will also be considered on this agenda.

BACKGROUND INFORMATION

Pre-Application Meeting	
06/14/06	The requirements of a Variance application were explained.
Neighborhood Meeting	
	A neighborhood meeting is not required as part of this application request, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	0.63

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural) Density Residential	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
North	Single Family Dwelling	R (Rural) Density Residential	R-1 (Single Family Residential)
South	Single Family Dwelling	R (Rural) Density Residential	U [(Undeveloped) Zone, R (Rural) General Plan Designation]
East	Single Family Dwelling	R (Rural) Density Residential	U [(Undeveloped) Zone, R (Rural) General Plan Designation]

West	Undeveloped - single family subdivision map recorded	ML (Medium Low) Density Residential	U (Undeveloped) zone under resolution of intent to R-PD6 (Residential Planned Development, 6 units per acre.

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

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 sf	27,443 sf	Y
Min. Lot Width	30 Feet along cul-de-sac bulb	66 Feet	Y
Min. Setbacks			
• Front	• 20 Feet from edge of cul-de-sac bulb	25 Feet	Y
• Side	• 10 Feet	5 Feet	N
• Rear	• 35 Feet	72 Feet	Y

ANALYSIS

The applicant intends to construct a covered patio along the rear side of the proposed house. The site plan indicates the patio cover will be five feet from the west property line and seven feet from the north property line.

The hardship is self-imposed and staff cannot make a finding for approval.

FINDINGS

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

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

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to overbuild the site. A smaller patio cover would allow conformance to Title 19 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 5

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 228 (Mailed with VAR-14734, VAR-14735 and SUP-15027)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-16769 APN: 163-04-401-002

Name of Property Owner: Steven Portnoff

Name of Applicant: Steven Portnoff

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: Steven Portnoff

Print Name: Steven Portnoff

Subscribed and sworn before me

This 12 day of September, 20 06

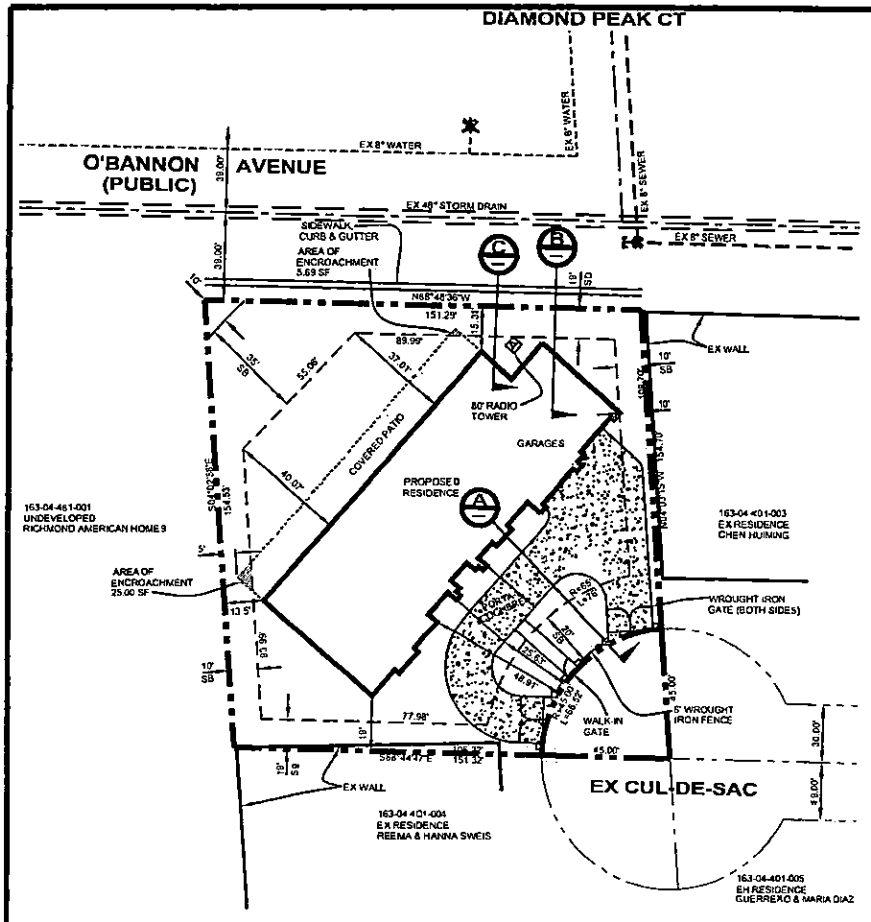
_____

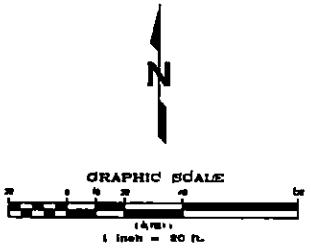
Notary Public in and for said County and State

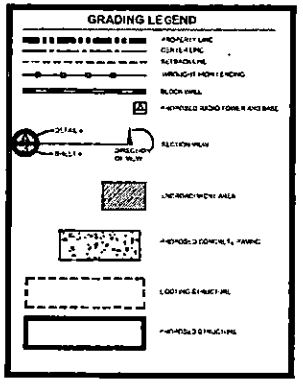
STEFFANIE E. NELSON
Notary Public, State of Nevada
Appointment No. 01-71113-1
My Appt. Expires Sep 14, 2009

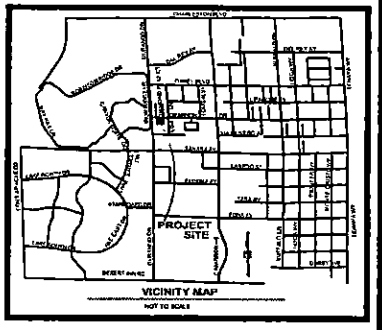
SITE PLAN FOR THE PORTNOFF RESIDENCE AT O'BANNON AVENUE AND LISA LANE

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT
APN # 163-04-401-002
BEING A PORTION OF THE SOUTH HALF (W 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M.









BENCHMARK:

CITY OF LAS VEGAS VERTICAL CONTROL STATION "Lynn Reset"
BEING A WHITE PLASTIC W. TOP OF CURB AT THE SOUTHWEST CORNER OF DURANGO & Obannon ± 20 FEET SOUTH

ELEVATION
1 FEET = 2000.27' (NAVD88)
METERS = 609.679m (NAVD88)

FLOOD ZONE DESCRIPTION:

THIS SITE IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE FROM 2% ANNUAL CHANCE FLOOD PLAIN PER THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 32 ... CLARK COUNTY, NEVADA AND INCORPORATED AREAS, PANEL 2725 F, DATED 1/6/2002

FLOOD DELINEATION PERFORMED BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

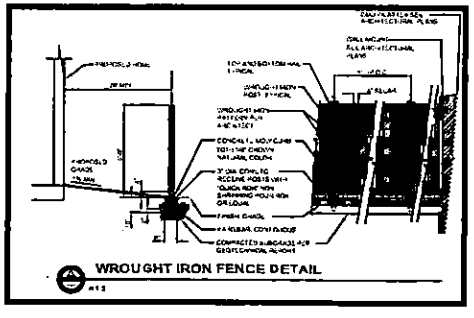
LEGAL DESCRIPTION:

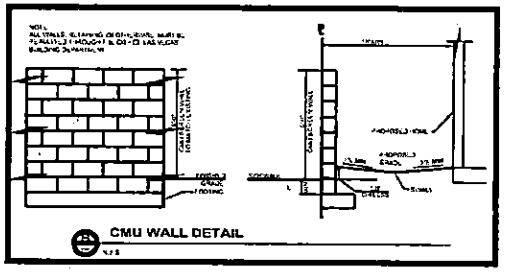
ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

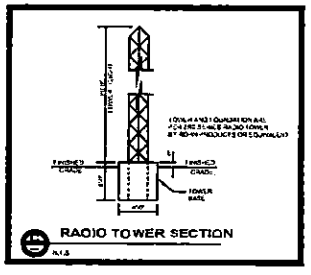
LOT 4 AS SHOWN BY MAP THEREOF ON FILE IN BOOK 31 OF PARCEL MAPS, PAGE 1, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

BASIS OF BEARINGS:

SOUTH 89°49'00" EAST, BEING THE SOUTH LINE OF A PORTION OF O'BANNON DRIVE AND THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 04, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN ON PARCEL MAP ON FILE IN BOOK 31 OF PARCEL MAPS, PAGE 1, OF OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.







LOT DATA

OWNER / DEVELOPER

No.	REVISIONS	DATE	INIT.	APPR.	DATE
	DRAWN BY: SEN	CHECKED BY: RJB			FILE NUM: PORTNOFF-X01
	DATE: AUG. 2006				

PORTNOFF RESIDENCE

PEAK DEVELOPMENT SERVICES

STEVE PORTNOFF RESIDENCE
O'BANNON AVENUE AND LISA LANE
CITY OF LAS VAGAS

SITE PLAN

Designer's Seal

SCALE 1"=20'

SHEET NUMBER 1 OF 1

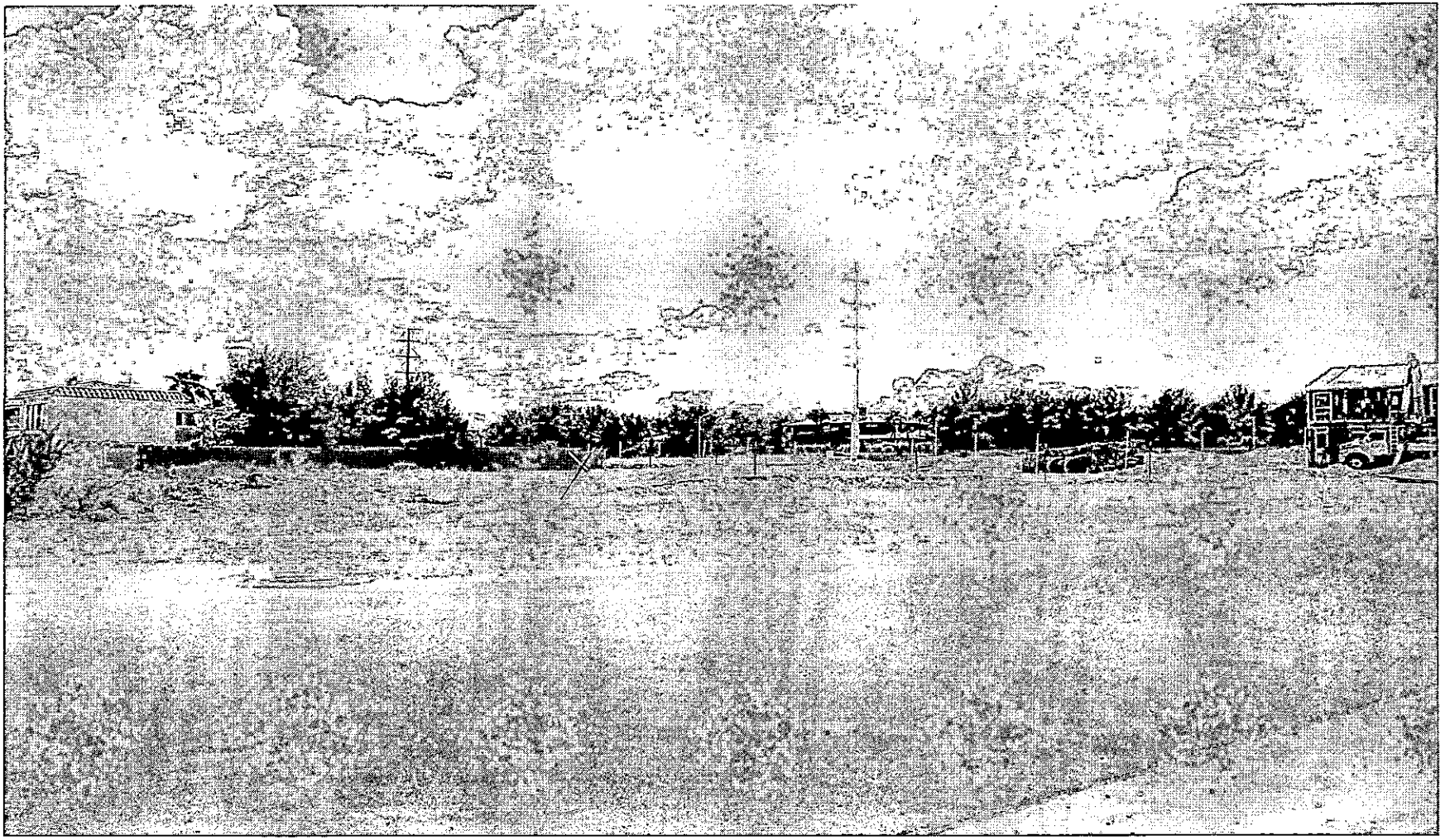
JOB NUMBER

VAR-16769
11/02/06 PC

RECEIVED
SEP 1 2 2006

VAR-14734, VAR-14735, VAR-16769 & SUP-15027 - APPLICANT/OWNER: STEVEN PORTNOFF
SOUTH SIDE OF O'BANNON DRIVE, APPROXIMATELY 140 FEET WEST OF LISA LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

07/24/06



VAR-14734, VAR-14735, VAR-16769 & SUP-15027 - APPLICANT/OWNER: STEVEN PORTNOFF
SOUTH SIDE OF O'BANNON DRIVE, APPROXIMATELY 140 FEET WEST OF LISA LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

07/24/06

VAR-14734, VAR-14735, VAR-16769 & SUP-15027 - APPLICANT/OWNER: STEVEN PORTNOFF
SOUTH SIDE OF O'BANNON DRIVE, APPROXIMATELY 140 FEET WEST OF LISA LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

07/24/06

PEAK DEVELOPMENT SERVICES

September 11, 2006

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

RE: Portnoff Residence – Justification Letter

To Whom It May Concern:

On behalf of our client, Steven Portnoff, Peak Development respectfully requests consideration of the enclosed requests for Variance for the covered patio. The proposed property is currently zoned UR and is located on O'Bannon Ave. The proposed property would yield 1 home on .58 acres.

The request for Variance for the covered patio would accommodate the homeowners request to encroach on the side set backs by 5ft. where the minimum is 10 ft. One section of the covered patio encroaches 25 sq. ft. while the other section encroaches only a mere 6 sq. ft.

Enclosed please find a site plan, elevations for your review of the site. Should you have any questions or need additional information please contact our office at (702) 451-5700.

Sincerely,
Peak Development Services

Alli Holtz
Project Coordinator

VAR-16769
11/02/06 PC

1000 N. Green Valley Parkway, Suite 300-PMB 231; Henderson, Nevada 89074
Telephone: 702 / 451-5700 Facsimile: 702 451-5715

City of Las Vegas

Agenda Item No.: 38

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - VAR-16505 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ALVY COOK - Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION at 1117 Strong Drive (APN 162-05-511-005), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	4	Planning Commission Mtg.	4
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends **DENIAL**

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protests by Marsha Pippin and Stephen Reilly
6. E-Mail Protest by James Reza
7. Submitted at meeting – Four support letters by Alvy Cook

MOTION:
GOYNES – DENIED – Motion carried with TROWBRIDGE voting NO

This is Final Action

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated this application is an attempt to overbuild the site and recommended denial.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 38 – VAR-16505

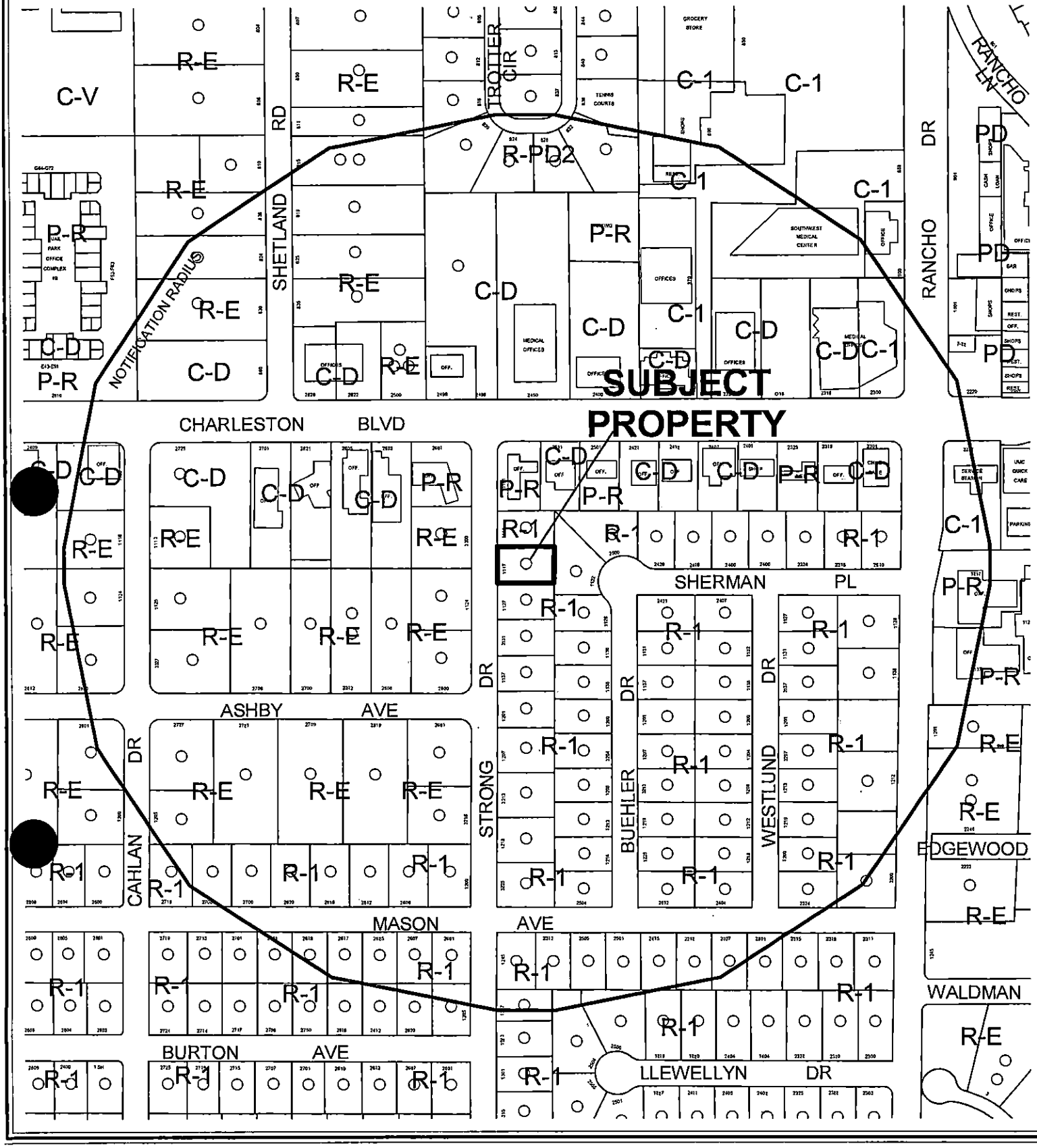
MINUTES – Continued:
ALVY COOK, 1117 Strong Drive, submitted four support letters from his neighbors.

STEPHEN REILLY, 1213 Strong Drive, appeared in opposition because the size of the proposed expansion is inappropriate in this neighborhood.

COMMISSIONER EVANS noted a letter of protest and concurred with the MR. REILLY'S concern regarding establishing a dangerous precedent. MR. COOK explained the location of the house left this design as the only option that could meet his needs.

COMMISSIONER GOYNES echoed COMMISSIONER EVANS concern and noted MR. COOK is aware of the restrictions but continues to seek exceptions to those restrictions.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.
(7:43 – 8:13)
2-340



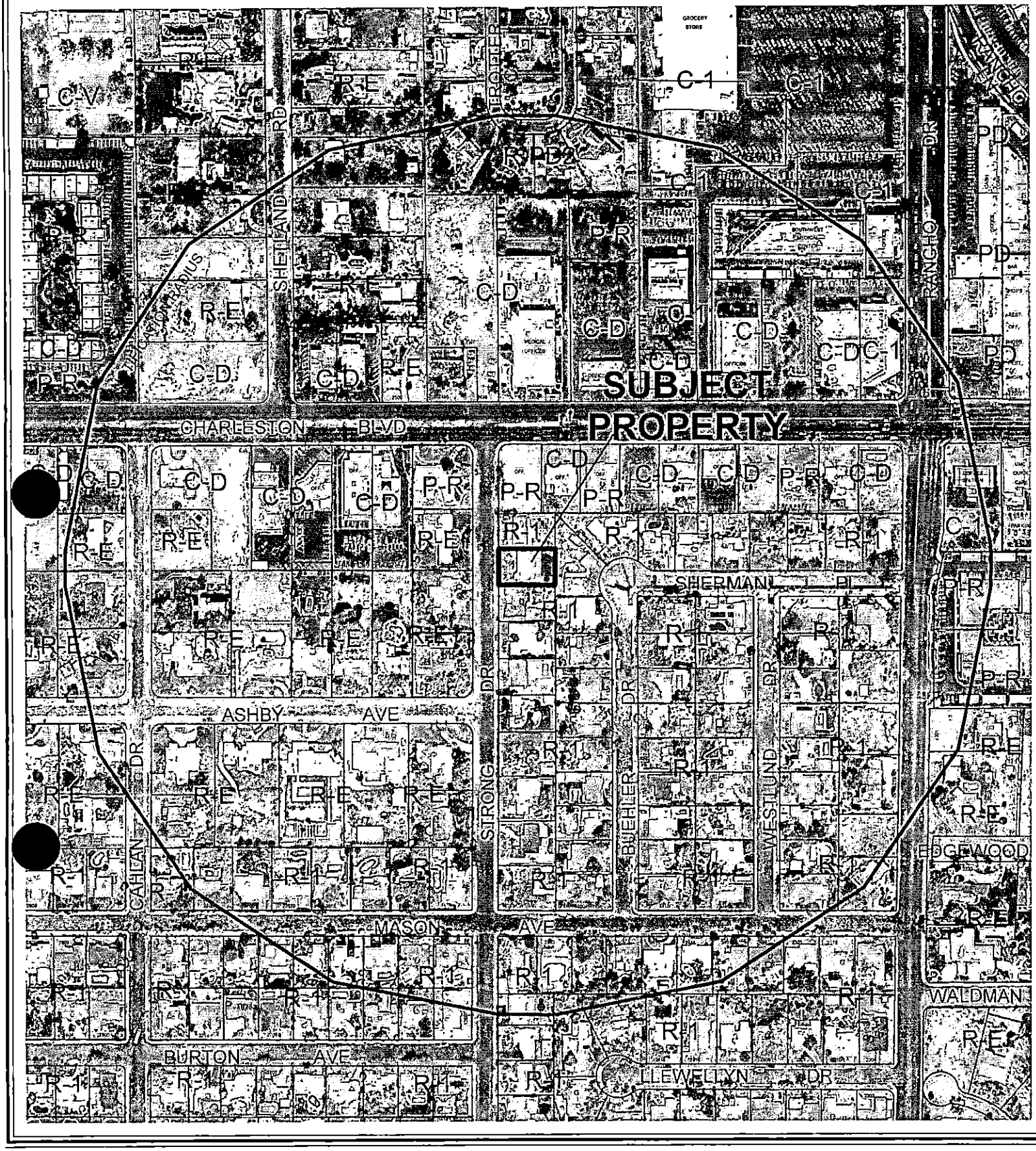
0 200 400 Feet

CASE: **VAR-16505**

RADIUS: 1000 FT

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

N



0 200 400 Feet

CASE: **VAR-16505**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-16505 - APPLICANT/OWNER: ALVY COOK

** CONDITIONS **

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

Planning and Development

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

JM

VAR-16505 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Variance to allow a rear yard setback of five feet where 15 feet is the minimum setback required for a proposed room addition at 1117 Strong Drive.

The applicant has created a self-imposed hardship by proposing to overbuild the site. As there is no indication of a hardship associated with the site's physical characteristics, the recommendation is for denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/19/06	The Planning Commission abeyed at the request of the applicant an application for a Variance (VAR-16505) to the 11/02/06 Planning Commission meeting.
Related Building Permits/Business Licenses	
	There are no permits that pertain to this site.
Pre-Application Meeting	
08/25/06	A pre-application was held. The applicant was informed that his request to build a house addition in the backyard would require a Variance. Staff then discussed the required materials needed to apply for the Variance.
Neighborhood Meeting	
	A neighborhood meeting was not held, nor is one required.

Details of Application Request	
Site Area	
Net Acres	0.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
South	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
East	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)
West	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

JM

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

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500	11,088	Y
Min. Lot Width	65 Feet	84 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Rear	15 Feet	5 Feet	Y
Max. Lot Coverage	50%	35%	Y
Max. Building Height	2 stories or 35 Feet	15.75 Feet	Y

ANALYSIS

The applicant is proposing to expand their 2,256 square-foot house by adding 625 square feet in the front part of the house and 932 square feet in the back of the house for a total of 1,626 square feet of addition. Per the site plans received, the house addition in the backyard, which forms an L-shape around the existing pool. This is the section of the house that the applicant is requesting a Variance for a five-foot rear yard setback where 15 feet is required.

FINDINGS

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

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

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 160

APPROVALS 0

PROTESTS 3

JM

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16505** APN: 162-05-511-005

Name of Property Owner: Alvy Cook

Name of Applicant: _____

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

_____Yes ____✓____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Alvy Cook

Subscribed and sworn before me

This 5 day of September 2006

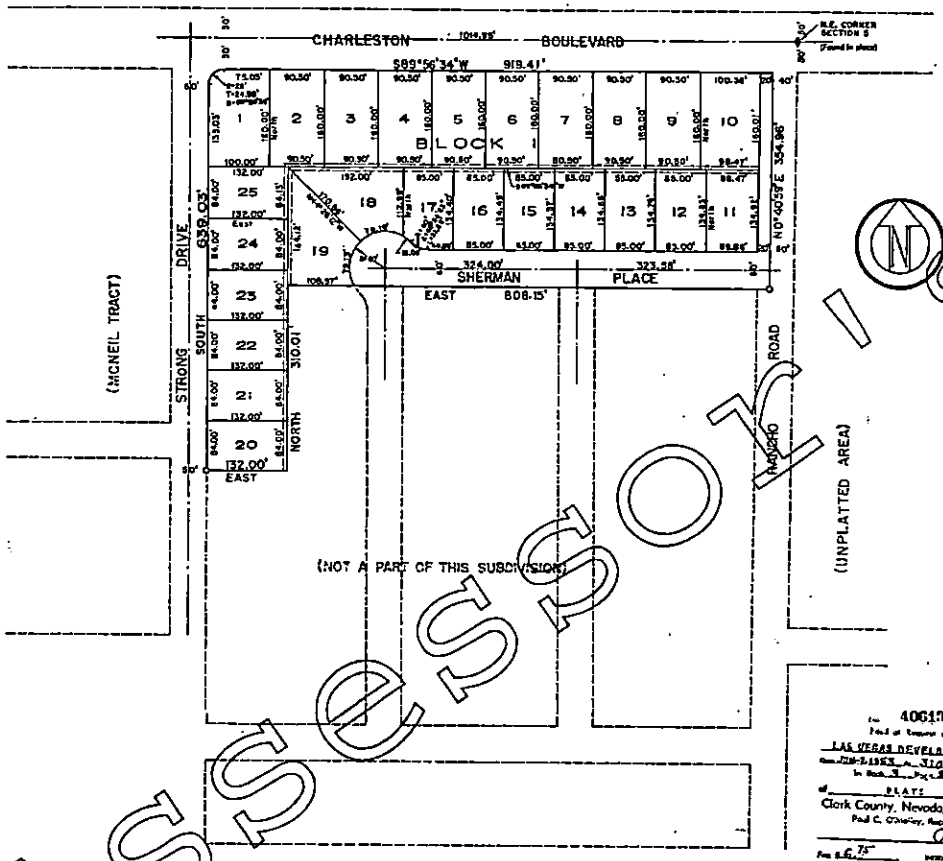
_____
Notary Public in and for said County and State

LEESA INMAN
Notary Public State of Nevada
No. 03-82099-1
My appt. exp. Apr. 9, 2007

MC NEIL TRACT NO. 2

LAS VEGAS, NEVADA

A PORTION OF THE NE 1/4, NE 1/4
SECTION 5, T21S, R61E, M.D.B. & M.
CLARK COUNTY, NEVADA



SCALE: 1" = 100'

- ○ Concrete Monuments
- Public Utilities Easement, 5' each side of lot line.

Basis of Bearings: Centerline of Charleston Blvd., McNeil Tract No. 1.

ENGINEER'S CERTIFICATE

I, Thomas T. Sheehan, a duly registered engineer and licensed land surveyor in the State of Nevada, do hereby certify that this plat is a true and complete map of the land surveyed under my direct supervision and laid out into blocks, lots, and streets at the instance of the Las Vegas Development Co., Inc.; that the location of said blocks, lots, and streets have been definitely established and monumented in strict accordance with the law and as shown hereon within the Northeast quarter of the Northeast quarter of Section 5, T21S, R61E, M.D.B.&M. City of Las Vegas, County of Clark, State of Nevada, and more particularly described as follows; beginning at the N.E. Corner of Section 5, T21S, R61E, M.D.B.&M.; thence S89°56'34"W 919.41 feet to the P.C. of a curve to the left having a radius of 25 feet and bearing South of S0°-03'-26"E; thence SOUTH 639.03 feet to a point; thence S62°E 272.00 feet to a point; thence NORTH 310.01 feet to a point; thence EAST 808.15 feet to a point; thence N0°40'59"E 354.96 feet to the real point of beginning, and that the survey was completed April 18, 1953.

Thomas T. Sheehan
Registered Professional Engineer and Licensed Land Surveyor, Nevada Certificate No. 618

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS; That the Las Vegas Development Co., Inc., a Nevada Corporation, Owner of the property platted hereon, has caused the same to be surveyed and platted into blocks, lots, and streets as shown hereon, and hereby dedicate the streets as shown to and for the use of the public forever. Easements as shown are reserved for the construction and maintenance of public utilities only.

In witness whereof we have hereto set our hands and affixed the Corporate Seal this 19th day of May, 1953

LAS VEGAS DEVELOPMENT CO., INC.

Thomas T. Brown, President
George E. Franklin Jr., Secretary

ACKNOWLEDGEMENT

STATE OF NEVADA } ss
COUNTY OF CLARK }

On this 19th day of May, 1953, personally appeared before me, the undersigned, a Notary Public in and for said County and State, Thomas T. Brown and George E. Franklin Jr. known to me to be the President and Secretary of the Corporation that executed the foregoing instrument, and upon oath, did each depose that he is the officer of the said Corporation as above designated; that he is acquainted with the seal of said Corporation and that the seal affixed to said instrument is the Corporate seal of said Corporation; that the signatures to said instrument were made by officers of said Corporation as indicated after said signatures; and that the said Corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

J.E. McManis
Notary Public in and for said County and State
My commission expires August 10, 1954

CITY ENGINEER'S CERTIFICATE

I, A.D. Goulette, Jr., acting for C.C. Boyer, City Engineer of the City of Las Vegas, Nevada, do hereby certify that I have examined the final map of McNeil Tract No. 2, that the subdivision as shown hereon is substantially the same as it appeared on the tentative map, and approval alterations thereof, that all provisions of the Planning Commission Act, and any local ordinances applicable at the time of the approval of the tentative map have been complied with, and that I am satisfied that this plat is technically correct.

Date 5-29-53

A.D. Goulette Jr.
C. C. Boyer, City Engineer
Reg. Prof. Engr. Nevada Cert. No. 563
BY: A.D. Goulette, Jr., Reg. Prof. Engineer
Nevada Certificate No. 719

APPROVALS

Approved this 19th day of May, 1953 by the Regional Planning Commission of Clark County, Nevada.

J.E. Hayford
Chairman

Approved and accepted this 20th day of May, 1953 by the Board of Commissioners of the City of Las Vegas, Clark County, Nevada.

Attest: Shirley Partington, City Clerk

C.O. Bonner, Mayor

C.C. & W. Shelley

No. 406177
Filed at Request of LAS VEGAS DEVELOPMENT CO., INC.
May 29, 1953 at 9:00 A.M.
In Book 3 of PLATS
Clark County, Nevada, Records
Paul C. O'Malley, Recorder
Fee $6.75

The undersigned, as Trustee under that Deed of Trust dated December 19, 1952, executed by Las Vegas Development Co., Inc., a Nevada Corporation, as Trustor, Title Insurance and Trust Company, Trustee, and recorded December 30, 1952, as Document No. 389707, Clark County Records, hereby joins in and consents to the dedication.

NEVADA TITLE INSURANCE AND TRUST COMPANY, TRUSTEE

Date May 13, 1953

Vice President

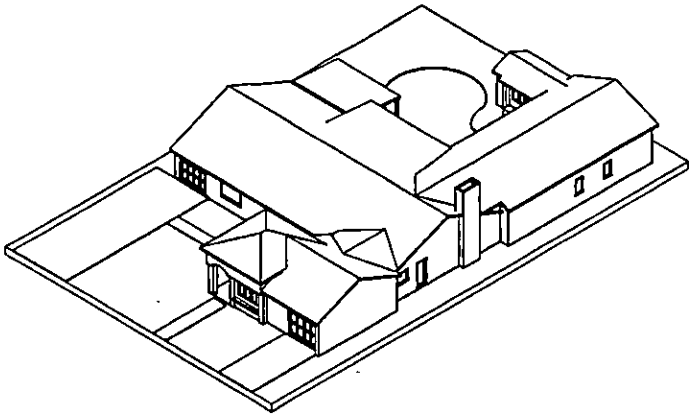
Asst. Secretary

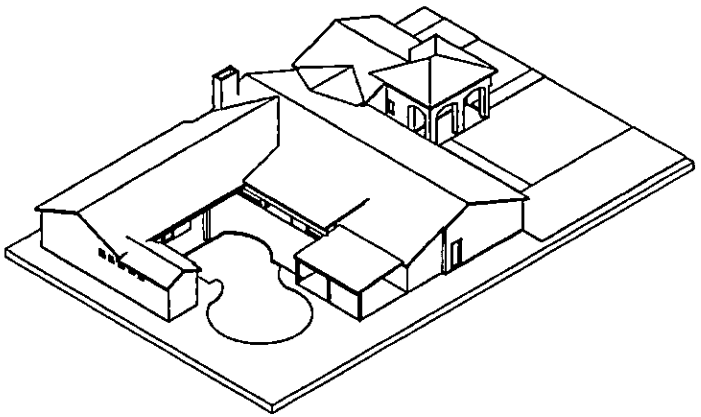
STATE OF NEVADA } ss
COUNTY OF CLARK }

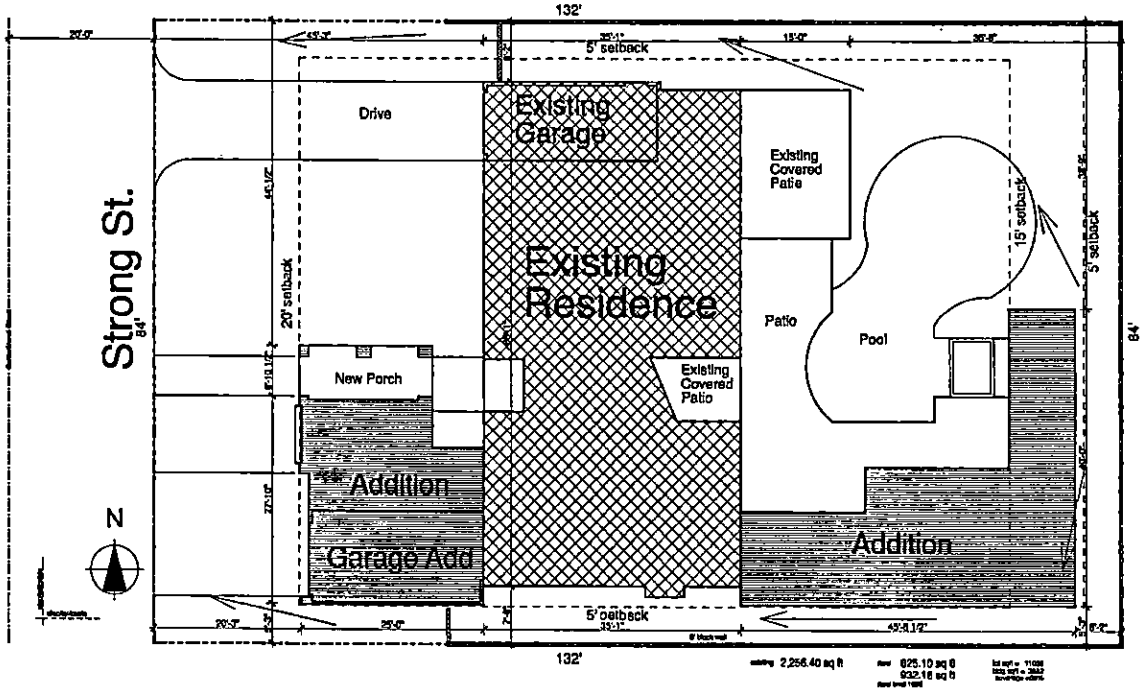
On this 13th day of May, 1953, personally appeared before me, the undersigned, a Notary Public in and for said County and State, H. M. Sweeney and Norma Wadsworth known to me to be the Vice President and Assistant Secretary of the Corporation that executed the foregoing instrument, and upon oath did each depose that he is the officer of the said Corporation as above designated; and he is acquainted with the seal of said Corporation and that the seal affixed to said instrument is the Corporate seal of said Corporation; that the signatures to said instrument were made by officers of said Corporation as indicated after said signatures; and that the said Corporation executed the said instrument freely and voluntarily and for the uses and purposes therein mentioned.

J.E. McManis
Notary Public in and for said County and State
My commission expires August 10, 1954

ASSESSOR'S COPY
VAR-16505
11/02/06 PC
SEP 05 2006







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

RECEIVED
SEP 05 2006

VAR-16505
11/02/06 PC

Cook Addition
1117 Strong Dr
Las Vegas, Nevada 89102

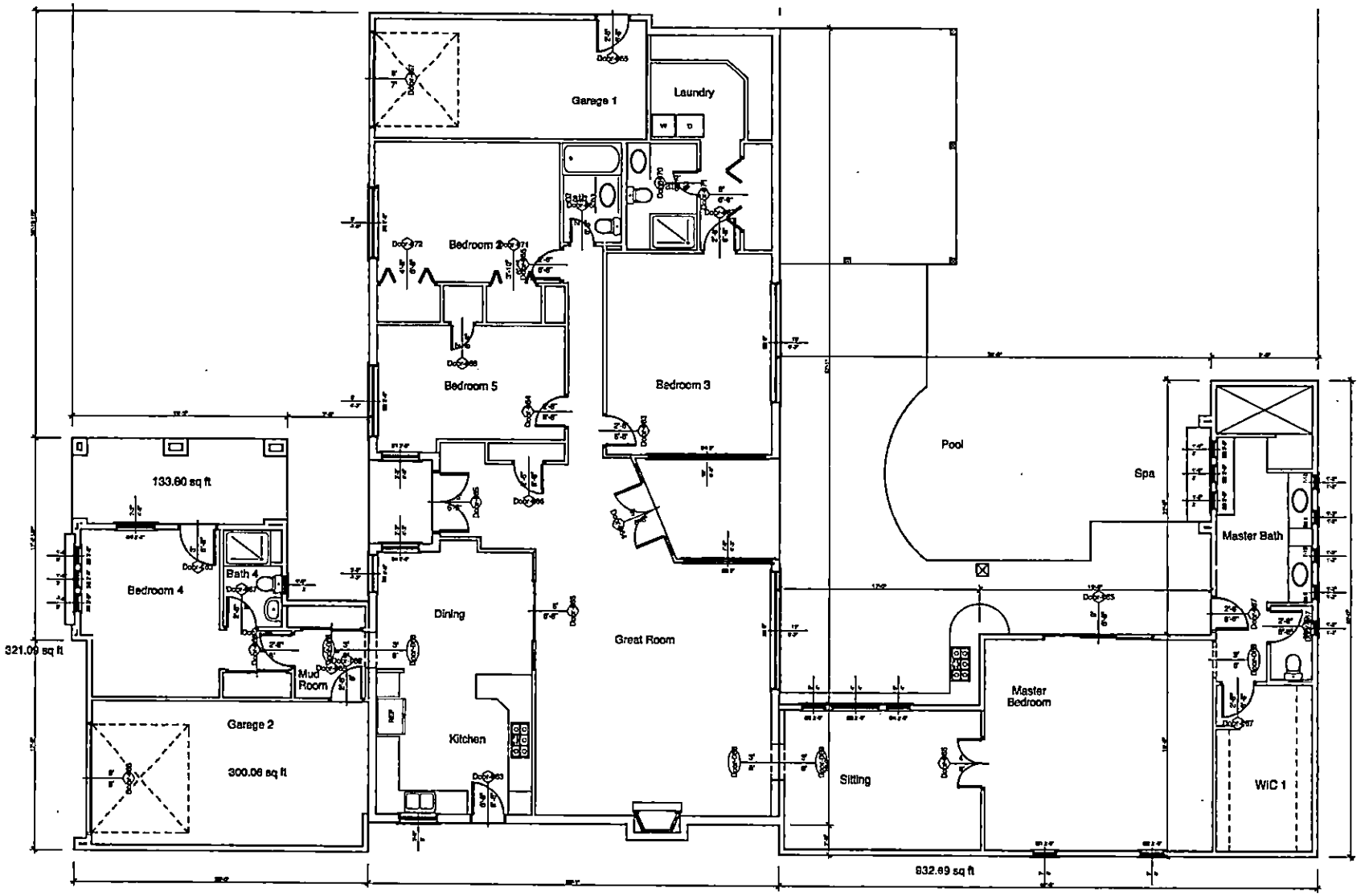
Site Plan

REVNO	DESCRIPTION	DATE	BY

DATE: 9/1/06

John Mackey
Residential Designer
Lic # 113-P
5315 N. El Capitan Way
Las Vegas, NV 89149
jmackey4@cox.net
fax 702.228.0169
702.657.2277

C1



Cook Addition
1117 Strong Dr
Las Vegas, Nevada 89102

Floor Plan

REV.NO	DESCRIPTION	DATE	BY

DATE: 9/1/06

John Mackey
Residential Designer
Lic # 113-P
5315 N. El Capitan Way
Las Vegas, NV 89149
jmackey4@cox.net
fax 702.228.0108
702.657.2277

A1

RECEIVED
SEP 05 2006

VAR-16505
11/02/06 PC

SEP 05 2006 Floor Plan
Scale: 1/4" = 1'-0"

Cook Addition
1117 Strong Dr
Las Vegas, Nevada 89102

Elevations

REV/NO	DESCRIPTION	DATE	BY

DATE: 9/1/06

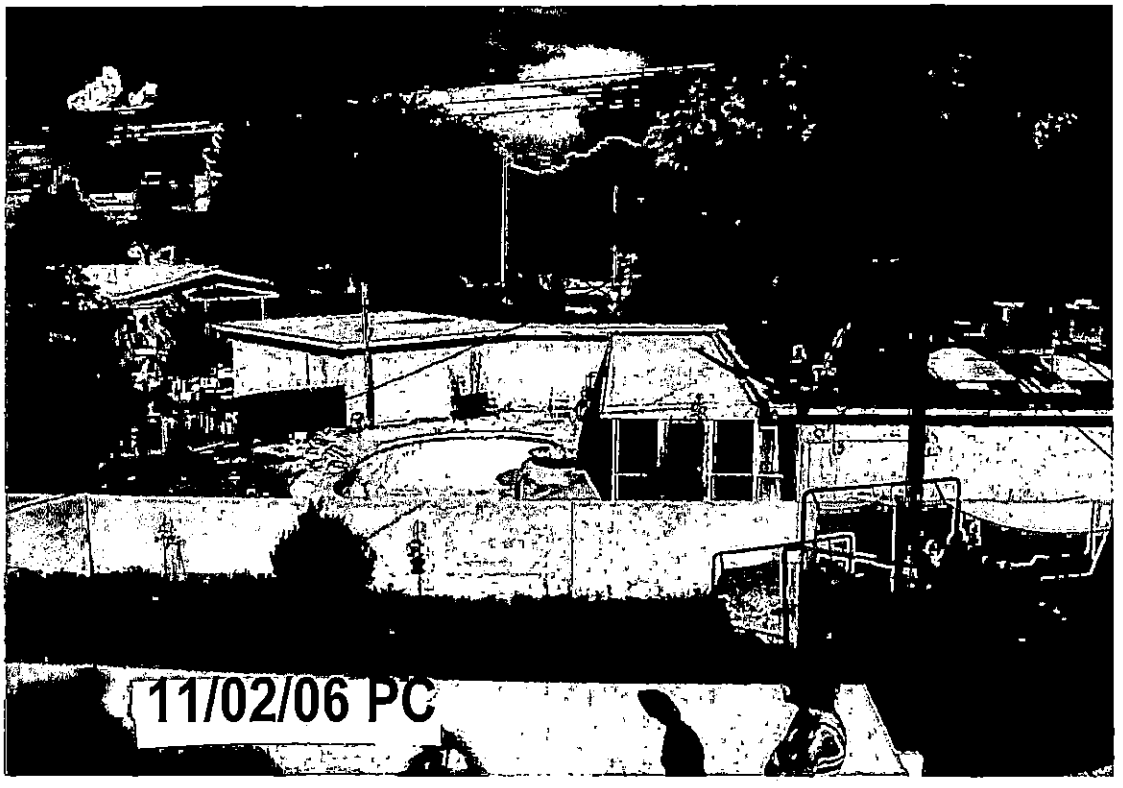
RECEIVED
SEP 05 2006

Elevations
Scale: 1/4" = 1'-0"

John Mackey
Residential Designer
Lic # 113-P
5315 N. El Capitan Way
Las Vegas, NV 89149
jmackey4@cox.net
fax 702.228.0198
702.657.2277

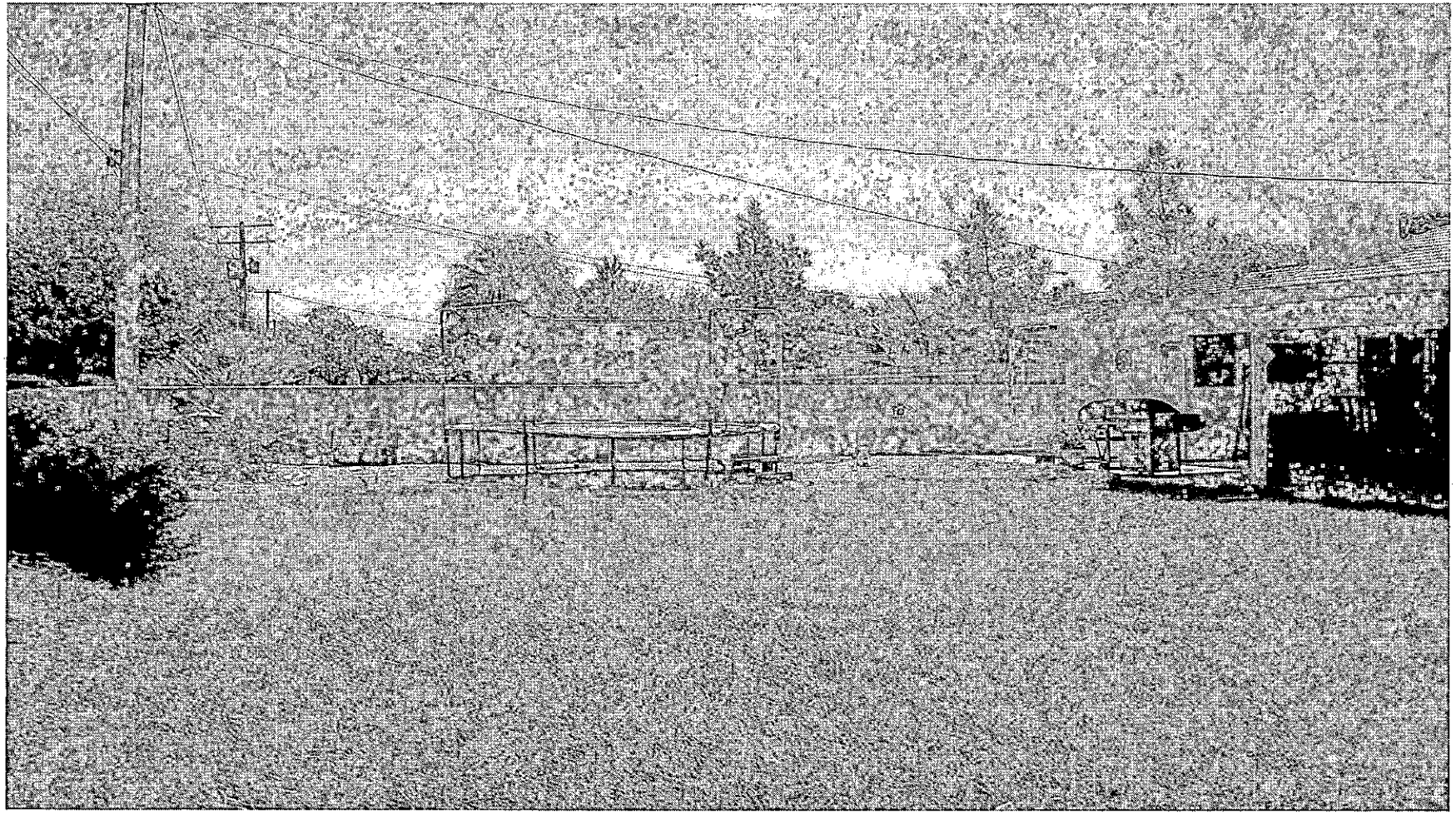
A2

VAR-16505
11/02/06 PC


11/02/06 PC

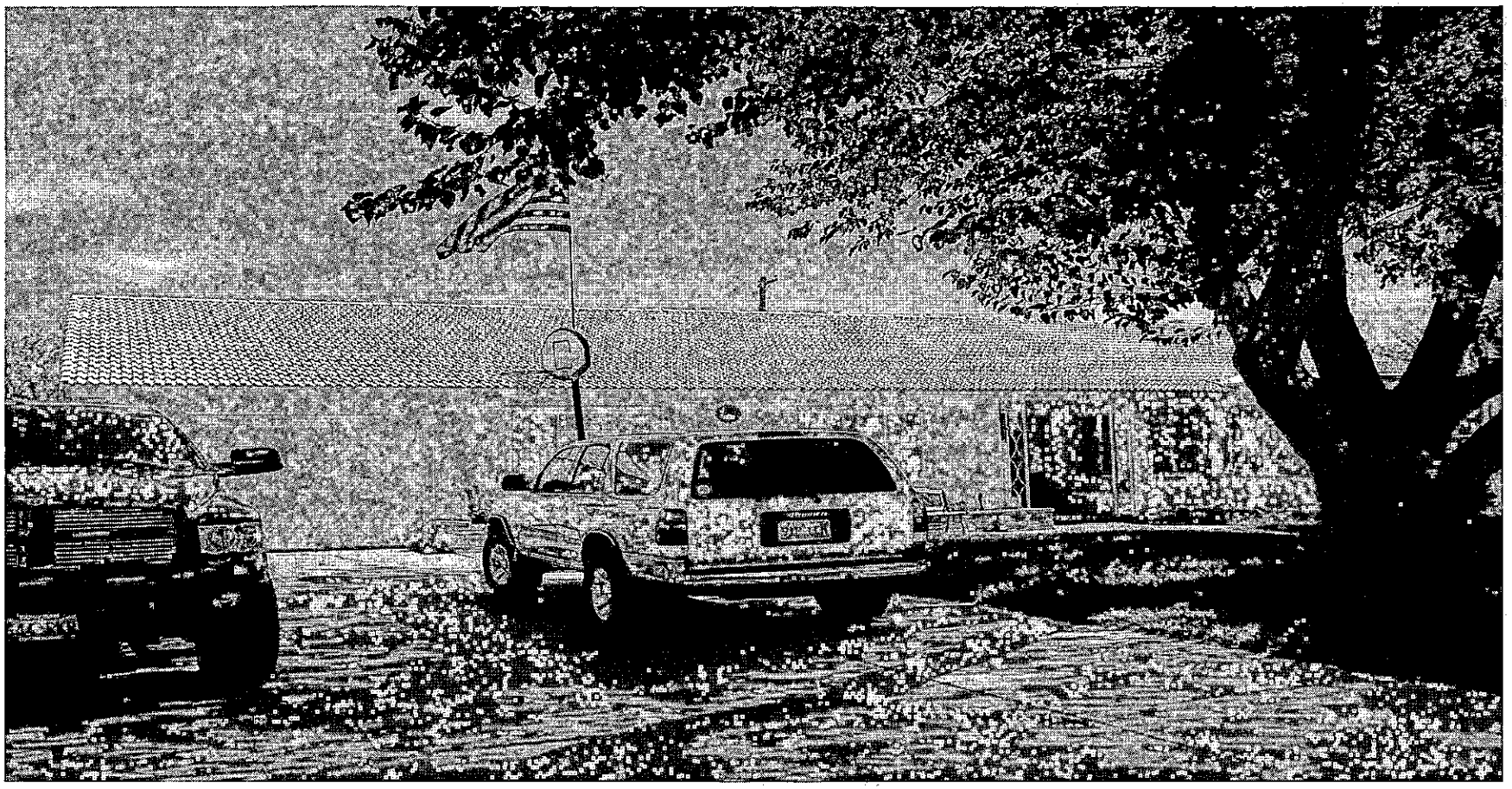
VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/21/06



VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/21/06



VAR-16505 - APPLICANT/OWNER: ALVY COOK
1117 STRONG DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/21/06

Just a short note about why we would like to get these variences, if we can get the extra 9' it would allow us to put in an 'L' shape courtyard with a pool that would give us and our neighbors more privacy. The new part of the house would have no view windows on the east side, therefore it should not be an intrusion on anybody and like I said would actually give more privacy to all parties. Without the variance, part of the existing structure would have to be cut in to and would still leave limited space. We are primarly trying to improve the livability of the property. This house is located in the Mcneil Estates a very nice older neighborhood, bu the houses are getting a little age on them and need to be renovated to keep the neighborhood up to the shape it should be. Your consideration would be appreciated.

Thank you,

VAR-16505
11/02/06 PC

Telephone protest/ Approval Log

Meeting Date: 10/19/06 **Case Number:** VAR-16505

Date: 10/12/06
Name: Marsha Pippin
Address: 1130 Buehler
Las Vegas, NV 89102
Phone: 702-768-9655
☑ **PROTEST** ☐ **APPROVE**

Date: 10/19/06
Name: Stephen Reilly
Address: 1213 Strong
LV
Phone:
☑ **PROTEST** ☐ **APPROVE**

Date:
me:
Address:
Phone:
☐ **PROTEST** ☐ **APPROVE**

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

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

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

Carman Burney

From: Nora Lares
Sent: Wednesday, October 18, 2006 1:19 PM
To: Carman Burney
Subject: FW: Internet Submission - VAR-16505 neighbor opposition

-----Original Message-----
From: jpreza@cox.net [mailto:jpreza@cox.net]
Sent: Wednesday, October 18, 2006 1:12 PM
To: planning@LasVegasNevada.gov
Subject: Internet Submission - VAR-16505 neighbor opposition

Citizen Name: James P. Reza

Email: jpreza@cox.net

Comments: Rergarding the above named variance request, I would like to register my opposition to the granting of this request. Myself and my wife are native Las Vegans who have lived at 1201 Strong Drive since June 2002, and I have appeared before the Planning Commission in recent months to register opposition to similar variance requests in the McNeil Estates neighborhood. We sold our Summmerlin home and moved to McNeil to avoid the kind of wall-to-wall development that suburban developers are forced to create. Allowing homes to be expanded to fill their lots in McNeil increases resale value for one homeowner while threatening to alter the very nature of our open, friendly neighborhood. Please do not allow a precedent to be set, please do not allow the potential for greed and higher resale values via greater square footage to change McNeil Estates. Owner Alvy Cook should be encouraged to expand and improve his home without having to build to within five short feet of his neighbor's wall.

Thank you,
James P. Reza
702-256-9688

Date: 10/18/2006 1:12:28 PM

Gidget Peterson
1111 Strong Drive
Las Vegas, NV 89102

November 01, 2006

To whom it may concern:

Mr. Cook is requesting a variance for an extension on his residential home at 1117 Strong Drive. I reside next door at 1111 Strong Drive. I am currently renting this home from Realty Executive. I have no problem with the addition to Mr. Cooks home. I feel it will be a welcomed addition not only to his home but to the neighborhood.

Sincerely,

Gidget Peterson

Ms. Gidget Peterson

Submitted at Planning Commission

Date 11/2/06 Item #38

Holly Drury
2412 Mason Ave.
Las Vegas, NV 89102-2122
(702) 877-2591
ahollyday@aol.com

October 30, 2006

To whom it may concern,

Our family moved into the McNeil sub-division over 30 years ago when I was in high school. Years later, when their children had grown, my parents provided us the opportunity to purchase their home. My husband and I were eager to move our family into this terrific neighborhood.

This well established neighborhood has under gone many changes. But what makes this neighborhood unique is the neighborly ways of the residents. The respect most of us have for one another. ***We respect the wishes of Alvy and Connie Cook, of 1117 Strong Drive, to improve their property. We do not object to their plans to expand and hope the zoning commission will approve their zone variance request.*** *We are also, currently remodeling our home and although our plans do not involve a zone variance, our neighbors are also supportive of our building plans.*

Thank you,

Holly Drury

Holly Drury

To whom it may concern, 10/20/06 9:20am

Please be advised that we are the direct neighbors to Alvy and Connie to the south. Our address is 1127 Strong Dr. We feel it is fine and welcomed to the neighborhood with the addition to their home.

Thank you

James Lash DONALD REDDING
1127 Strong Dr
Las Vegas Nv 89102
702-338-1721

SUZANNE Y. HATCH
Notary Public, State of Nevada
Appointment No. 9833541
My Appt. Expires March 31, 2008

State of Nevada
County of Clark
This Instrument was acknowledged
By Suzanne Hatch on 10-20-06

Thomas Jerald Newton

1122 Buehler Drive

Las Vegas, Nevada 89102

Phone (702) 382-1754
Fax (702) 382-3963

October 30, 2006

Alvy Cook
1117 Strong Drive
Las Vegas, Nevada 89102

RE: REQUEST FOR VARIANCE: VAR-16505

Dear Mr. & Mrs. Cook, and To Whomever This May Concern,

Your property and my property are adjoining, back-to-back.

Since you want to improve your property, I will heartily endorse any plan which you desire.

Your property is yours, which is yours to modify however you want. Since safety is a concern for you as well as for me, I'm sure your plans to remodel and to increase your house size adequately reflect your interests and any worries from your neighbors.

Good Luck on your Project!

Sincerely,

Your Neighbor,

Jerry Newton

ACE LOCKSMITHS

SECURITY ALARMS

ACE LOCKSMITHS
"YOUR WINNING SECURITY TEAM"

JERRY NEWTON, CEO
CML, Certified Master Locksmith
CPS, Certified Professional Safecracker

(702) 382-1754

1201 S. CASINO CENTER • LAS VEGAS, NEVADA 89104
FAX: (702) 382-3963 • E MAIL: acelock@earthlink.net
Visit our Web Store: www.acelock-lasvegas.com

Attachment: VAR-16505

NOTICE OF PUBLIC HEARING

VARIANCE

Case: VAR-16505

16205511025
NEWTON THOMAS JERALD
1122 BUEHLER DR
LAS VEGAS NV 89102-2106

MEETING: PLANNING COMMISSION
DATE: OCTOBER 19, 2006
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-16505

APPLICANT/OWNER: ALVY COOK - REQUEST FOR A VARIANCE TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED ROOM ADDITION AT 1117 STRONG DRIVE (APN 162-05-511-005), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE, WARD 1 (TARKANIAN).

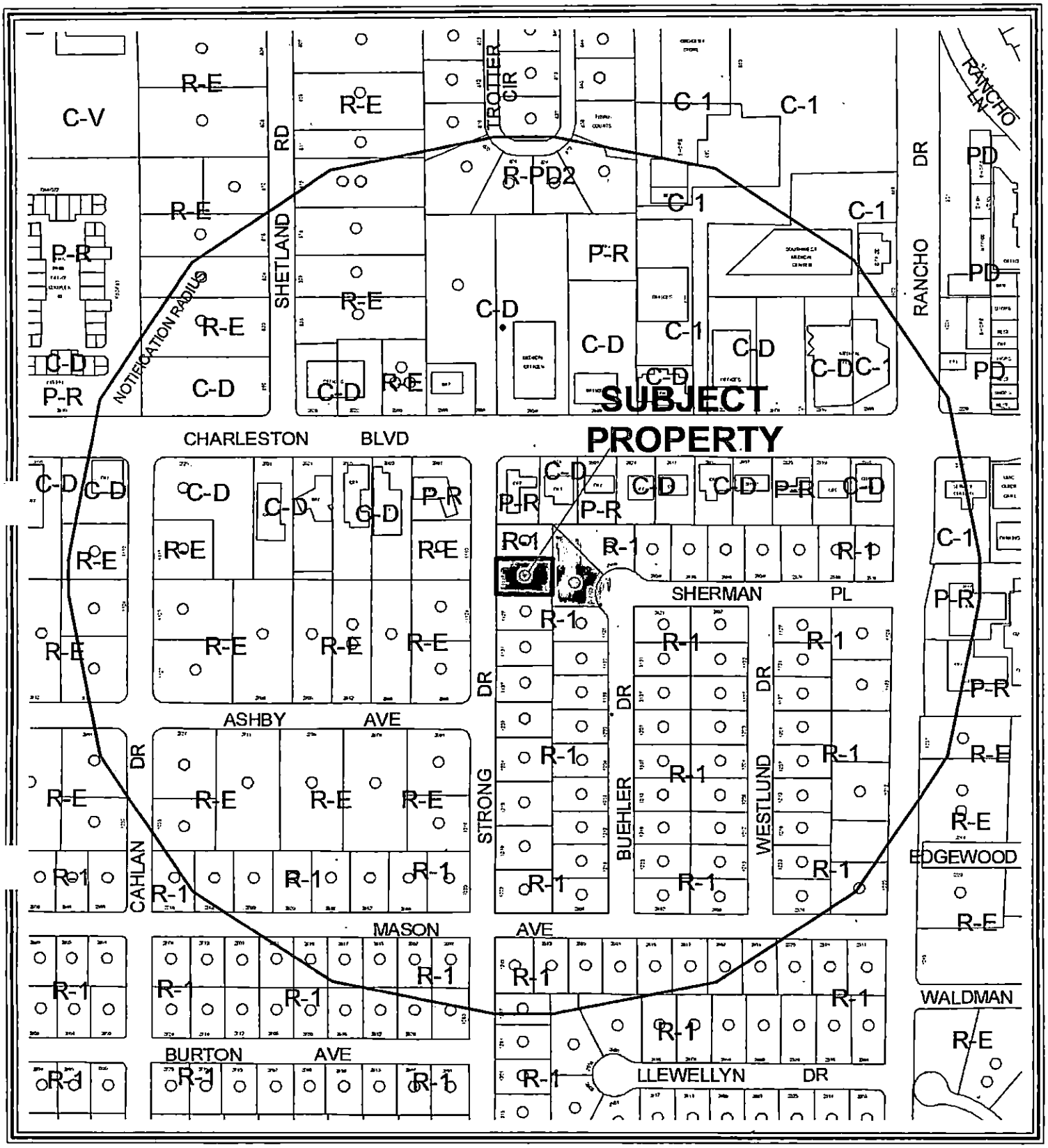
THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) http://www.lasvegasnevada.gov.

CITY OF LAS VEGAS NEVADA

JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE



0 200 400 Feet

CASE: **VAR-16505**

RADIUS: 1000 FT

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

N

City of Las Vegas

Agenda Item No.: 39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-15338 - VARIANCE - PUBLIC HEARING - OWNER/APPLICANT: S.F. INVESTMENTS, LLC - Request for a Variance TO ALLOW PROPOSED SINGLE FAMILY DWELLING TO BE 14 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS REQUIRED AND A SIDE SETBACK OF 4 FEET WHERE 5 FEET IS REQUIRED on 0.14 acres at 6163 Maxmar Court (APN 138-14-713-003), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

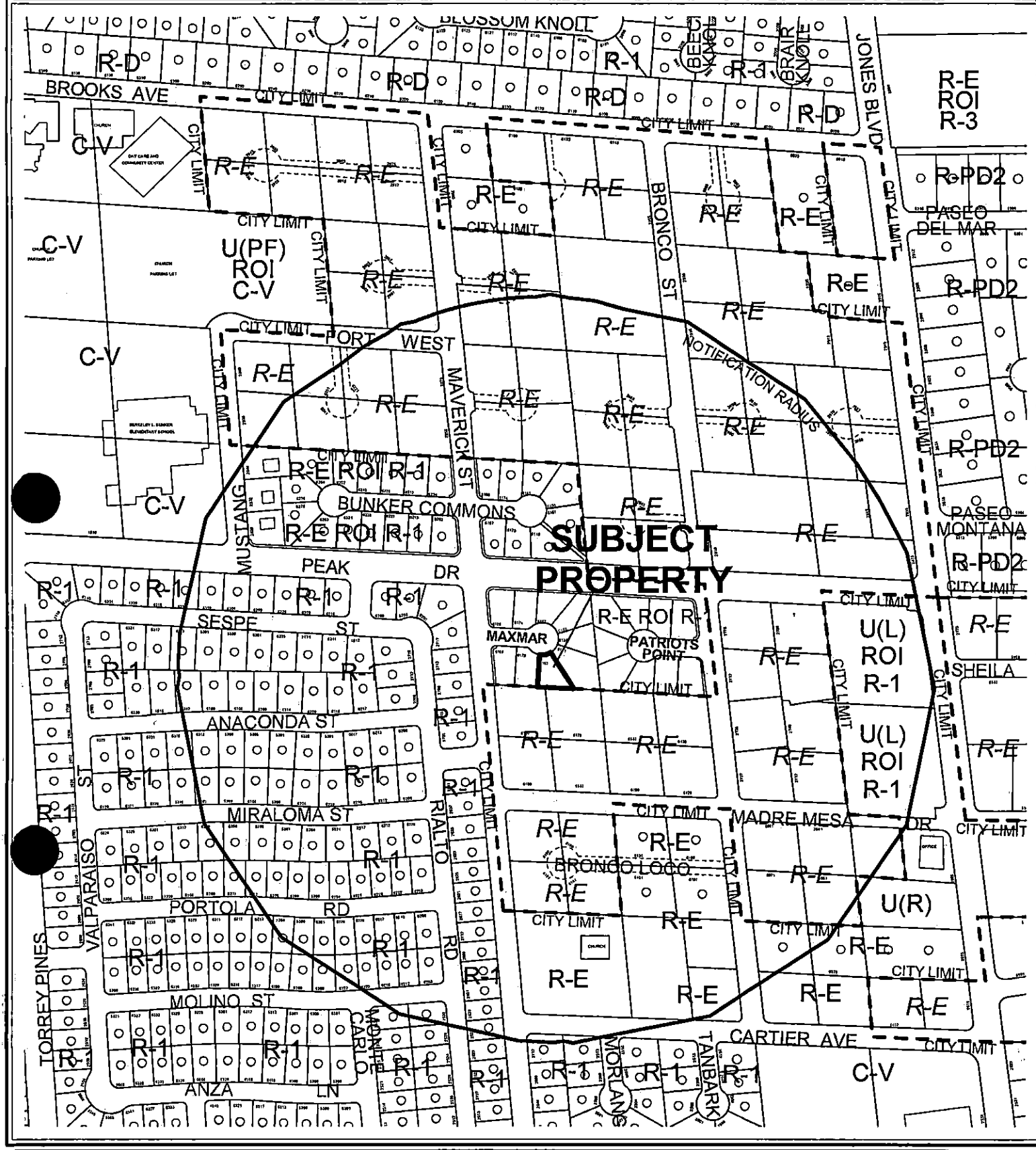
RECOMMENDATION:
Staff recommends **DENIAL**

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

MOTION:
TRUESDELL – Motion to WITHDRAW WITHOUT PREJUDICE Item 39 [VAR-15338]; TABLE Item 13 [GPA-16294], Item 14 [ZON-16296], Item 15 [VAR-16298] and Item 16 [SDR-16292]; HOLD IN ABEYANCE Item 17 [GPA-16511], Item 18 [ZON-16519], Item 19 [VAR-16525], Item 20 [SDR-16522], Item 25 [ZON-16179], Item 26 [VAR-16181], Item 27 [VAR-17191] and Item 28 [SDR-16180] to the 11/16/2006 Planning Commission Meeting; HOLD IN ABEYANCE Item 7 [SDR-16954] to the 12/07/2006 Planning Commission Meeting; and HOLD IN ABEYANCE Item 35 [SUP-15027 – rescind] and Item 36 [SUP-15027 – reconsider] to the 12/21/2006 Planning Commission Meeting – UNANIMOUS

MINUTES:
JOHN KORKOSZ, Planning and Development Department, stated that the applicant has

MOTION – Continued:
requested to withdraw without prejudice Item 39 [VAR-15338] and he supported that request.
(6:03 – 6:07)



CASE: **VAR-15338**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL)

0 200 400 Feet

CASE: **VAR-15338**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-15338 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-3119), Site Development Plan Review (SDR-3235), and Tentative Map (TMP- 3718).

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.

RL

VAR-15338 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Variance to allow a single-family home with a rear yard setback of 14 feet where 15 feet is required and a side setback of four feet where five feet is required on 0.14 acres at 6163 Maxmar Court (APNs 138-14-713-003), in the Bunker Commons subdivision.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/16/88	The City Council denied a Rezoning (Z-0133-87) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre) on a portion of the subject property. The Planning Commission recommended denial.
05/02/90	The City Council approved a Rezoning (Z-0032-90) from N-U (Non-Urban) to R-E (Residence Estates) on a portion of the subject property. The Planning Commission recommended denial. The Resolution of Intent expired on May 2, 1991.
01/19/94	The City Council denied a Rezoning (Z-0123-93) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted), R-1 (Single Family Residence) R-PD2 (Residential Planned Development – 2 Units Per Acre), and N-U (Non-Urban) and R-CL (Single Family Compact Lot) on the subject properties. The Planning Commission recommended denial.
08/03/94	The City Council approved a Rezoning (Z-0065-94) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted) on a portion of the subject property. The Planning Commission recommended approval. The Resolution of Intent expired on August 3, 1995.
11/10/97	The City Council denied a Special Use Permit (U-0078-97) for a proposed convalescent care facility on a portion of the subject property. The Planning Commission recommended denial.

08/20/03	The City Council voted to Table a General Plan Amendment (GPA-2570) to amend the General Plan from R (Rural Density Residential) to L (Low Density Residential), and approved the applicant's request to Withdraw without Prejudice a Rezoning (ZON-2573) to amend the zoning designation from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units Per Acre), Site Development Plan Review (SDR-2580) for a proposed 46-lot, single-family development and to allow 4.6 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 dwelling units per acre is permitted and a Variance (VAR-2578) to allow zero square feet of open space where 33,062 square feet is required on the subject property. The Planning Commission recommended denial for all applications on July 24, 2003.
12/03/03	The City Council approved a General Plan Amendment (GPA-2570) to L (Low Density Residential); a Rezoning (ZON-3119) to R-1 (Single Family Residential with a waiver to the RPN density limitation; and a Site Development Plan Review (SDR-3235) for a 34-lot, single-family residential development on the subject site. The Planning Commission recommended approval of all three actions.
02/26/04	The Planning Commission approved a Tentative Map (TMP-3718) titled Bunker Commons, a 34-lot, single-family residential subdivision on 10.0 acres adjacent to the northeast corner of Mustang Street and Peak Drive. Staff recommended approval.
Pre-Application Meeting	
05/25/06	A pre-application meeting was held and staff indicated that because two un-built lots in the subdivision cannot meet the required R-1 setbacks, a condition of the approved site plan (SDR-3235). This requirement would need to be removed by a variance on individual lots. If the lots were developed, the applicant could have applied for an administrative deviation. The applicant was informed that a side setback deviation of 0.05 feet and rear setback deviation of 0.46 feet was the result of a failure to perform a lot-fit analysis prior to map approval. Planning Commission may be final action for a variance; however, a review of condition would require City Council Approval.
09/08/06	A subsequent pre-application meeting was held for follow-up and to discuss a similar request in another phase of this subdivision.
Neighborhood Meeting	
	A neighborhood meeting is not required for this request nor was one held.

VAR-15338 - Staff Report Page Three
November 2, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	0.14

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
North	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family	R (Rural Density Residential)	Unincorporated Clark County
East	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
West	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 Square Feet	6,507 SF	Y
Min. Lot Width	30 Feet at cul-de-sac arc 65 Feet average	33 Feet 69 Feet	Y Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	4.5 Feet	N
• Corner	15 Feet	NA	NA
• Rear	15 Feet	14.98 Feet	N
Max. Lot Coverage	50%	29%	Y
Max. Building Height	2 Stories or 35 Feet	1 Story	Y

Existing Zoning	*Permitted Density*	*Units Allowed*	*Proposed Zoning*	*Permitted Density*	*General Plan*	*Permitted Density*
R-1	6.70 Units/Acre	1	R-1	6.70 Units/Acre 1 d/u on subject site	L (Low Density Residential)	5.5 Units/Acre 1 d/u on subject site

ANALYSIS

While the proposed deviation from standards will not have a significant effect on adjacent properties, the deviation from standards is considered a self-imposed hardship. The applicant is choosing to deviate from standards through their design choice. The parcels were designed by the applicant, and a site fit analysis completed earlier in the process would have allowed the applicant to offer an appropriate elevation which would fit within the setbacks of this lot without the self-imposed hardship of encroaching into the rear yard setback. Denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a structure that does not fit within the setbacks of the approved site plan. An alternative proposal would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	4
ASSEMBLY DISTRICT	1
SENATE DISTRICT	3
NOTICES MAILED	196
APPROVALS	0
PROTESTS	0

RL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-15338** APN: 138-14-713-003 & 138-14-610-008

Name of Property Owner: S.F. Investments, LLC

Name of Applicant: Royal Construction

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: STEPHEN B. AIZENBERG, PRESIDENT S.B.A. DEVELOPMENT INC., MANAGING MEMBER

Subscribed and sworn before me

This 12 day of July, 2006

Sonia Macias

Notary Public in and for said County and State

SONIA MACIAS
Notary Public State of Nevada
No. 05-95904-1
My appt. exp. Apr. 1, 2009

RECEIVED
JUL 21 2006

SITE PLAN FOR BUNKER COMMONS I

LOT FITMENT VARIATIONS

NOTE

OWNER 06/12/06
S.F. INVESTMENTS LLC
4511 CHEYENNE AVE SUITE #105
N. LAS VEGAS NV 89032
PHONE: (702) 873-7773
FAX: (702) 873-7776

SETBACK REQUIREMENTS:
FRONT: 20.00'
SIDE: 5.00'
BACK: 15.00'

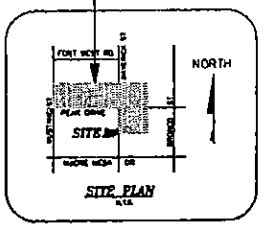
KEY

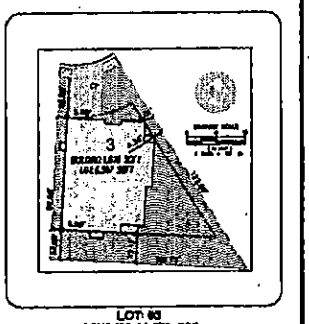
PROPOSED RESIDENCE 05/16/06

LANDSCAPE

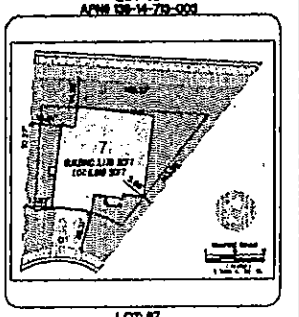
PAVING

PROJECT LOCATION





LOT #3
APN# 138-14-713-003



LOT #7
APN# 138-14-610-008

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C1	90°19'07"	15.00'	25.73'	17.34'
C2	90°19'07"	8.00'	13.44'	10.40'
C3	46°11'23"	14.50'	12.20'	6.48'
C4	276°22'46"	45.50'	219.48'	40.70'
C5	46°11'23"	14.50'	12.20'	6.48'
C6	41°20'04"	45.50'	32.82'	17.18'
C7	41°48'05"	45.50'	33.20'	17.36'
C8	37°46'35"	45.50'	30.00'	15.57'
C9	39°01'05"	45.50'	30.99'	16.12'
C10	38°05'32"	45.50'	30.25'	15.71'
C11	57°20'34"	45.50'	45.54'	24.89'
C12	31°00'32"	45.50'	18.88'	8.44'
C13	81°43'53"	8.00'	12.84'	7.78'
C14	81°43'53"	15.00'	21.40'	12.89'
C15	89°31'18"	20.00'	34.38'	23.22'
C16	89°31'18"	14.00'	24.07'	16.25'
C17	81°28'24"	20.00'	28.44'	17.22'
C18	81°28'24"	20.00'	28.44'	17.22'
C19	81°28'24"	14.00'	19.91'	12.08'
C20	98°38'36"	8.00'	15.50'	10.48'
C21	89°38'36"	15.00'	25.83'	17.46'
C22	46°11'23"	14.50'	12.20'	6.48'
C23	276°22'46"	45.50'	219.48'	40.70'
C24	46°11'23"	14.50'	12.20'	6.48'
C25	53°11'07"	45.50'	42.24'	22.78'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	TANGENT
C26	36°28'14"	45.50'	28.98'	14.99'
C27	47°14'28"	45.50'	37.52'	19.90'
C28	48°18'36"	45.50'	38.34'	20.38'
C29	64°02'51"	45.50'	52.45'	29.57'
C30	17°27'46"	45.50'	9.90'	4.97'
C31	61°20'02"	8.00'	12.78'	7.73'
C32	61°20'02"	15.00'	21.29'	12.88'
C33	98°38'36"	15.00'	25.83'	17.46'
C34	98°38'36"	8.00'	15.50'	10.48'
C35	46°11'23"	14.50'	12.20'	6.48'
C36	276°22'46"	45.50'	219.48'	40.70'
C37	46°11'23"	14.50'	12.20'	6.48'
C38	54°25'46"	45.50'	43.35'	23.48'
C39	44°32'57"	45.50'	35.38'	18.64'
C40	43°22'05"	45.50'	36.03'	19.02'
C41	43°20'14"	45.50'	34.55'	18.15'
C42	56°13'12"	45.50'	44.65'	24.30'
C43	32°08'28"	45.50'	25.52'	13.11'
C44	61°20'02"	8.00'	12.78'	7.73'
C45	61°20'02"	15.00'	21.29'	12.88'
C46	89°31'36"	20.00'	34.38'	23.22'
C47	89°31'36"	14.00'	24.07'	16.25'
C48	82°21'36"	20.00'	28.75'	17.50'
C49	82°21'36"	14.00'	20.13'	12.25'
C50	12°41'43"	45.50'	10.08'	5.06'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N03°09'16"E	8.00'
L2	N03°09'16"E	8.00'
L3	N03°32'49"E	8.00'
L4	N03°32'49"E	8.00'
L5	N03°32'49"E	8.00'
L6	N03°32'49"E	8.00'
L7	N85°46'23"E	8.00'

RECEIVED
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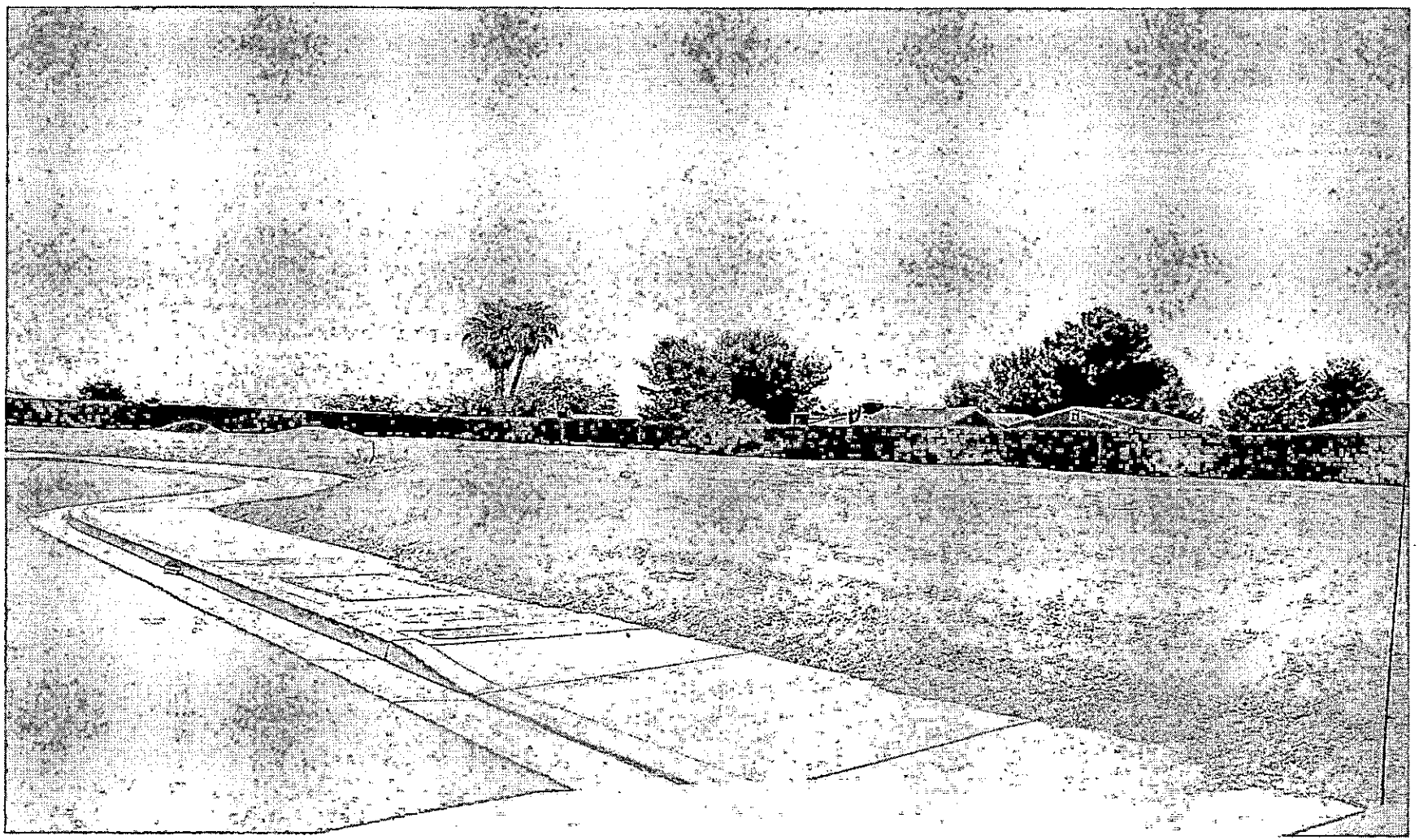
VAR-15338
11/02/06 PC



VAR-15338 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC
6163 MAXMAR COURT
NOVEMBER 2, 2006 PLANNING COMMISSION

08/15/06

DEVELOPMENT COORDINATION

May 26, 2006

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

RE: Application for Variance of Setback Requirements on Lots 3 & 7 of Bunker Commons I

To Whom It May Concern:

On behalf of our client, S.F. Investments, LLC, we herby submit for your review an application for a variance of setback requirements on Lots 3 & 7 of Bunker Commons II.

A preliminary lot fit analysis was completed by the engineer prior to approval of the Site Development Review being approved, in which one or more of the proposed models fit on every lot. However, as a condition of approval for the Site Development review certain lots were restricted from placement of the two story model, lot 7 being one of them. That condition in conjunction with the constraints of a pie shaped lots has caused an encroachment of .02' into the required rear set-back of 15' and a .5' into the required side set-back of 5' on lot 3 and .45' into the required rear set-back of 15' on lot 7. The developer and its engineer have made every effort to meet all development standards while respecting the conditions imposed by the Site Development Review, we feel this is a minor encroachment and would have no negative impact on any surrounding neighbors.

We appreciate your consideration and hope for your favorable recommendation of this application. If you should have any questions or concerns, please do not hesitate to contact me at (702) 672-3938. Thank you.

Sincerely,

Valerie Livengood

Valerie Livengood
President

VAR-15338
11/02/06 PC

RECEIVED
JUL 2 1 2006

P.O. Box 621721, Las Vegas, Nevada 89162 • Phone (702) 672-3938 • Fax (702) 434-1382 •
hawkeslivengood@cox.net

City of Las Vegas

Agenda Item No.: 40

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-16645 - VARIANCE - PUBLIC HEARING - OWNER/APPLICANT: S.F. INVESTMENTS, LLC - Request for a Variance TO ALLOW PROPOSED SINGLE FAMILY DWELLING TO BE 14 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED on 0.157 acres at 6162 Maxmar Court (APN 138-14-713-007), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends **DENIAL**

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

MOTION:
EVANS – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated the application is for a self-imposed hardship and recommended denial.

VALERIE LIVENGOOD, 1592 Maple Leaf Street, appeared on behalf of the applicant. She explained that the original engineer had informed the applicant that the models would not encroach upon any of the setbacks. After hiring a different engineer, the applicant was informed

MINUTES – Continued:

that the home on this property was slightly encroaching one foot into the rear setback. The applicant had another model designed as an option but remained unable to meet the setback requirement on this lot. She noted the encroachment was minimal and respectfully requested approval.

COMMISSIONER EVANS expressed his approval, noting the minor one foot variance request would not negatively impact anyone.

MS. LIVENGOOD informed COMMISSIONER DAVENPORT and CHAIRMAN TROWBRIDGE that this lot's rear yard backs up to Peak Drive.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:13 – 8:17)

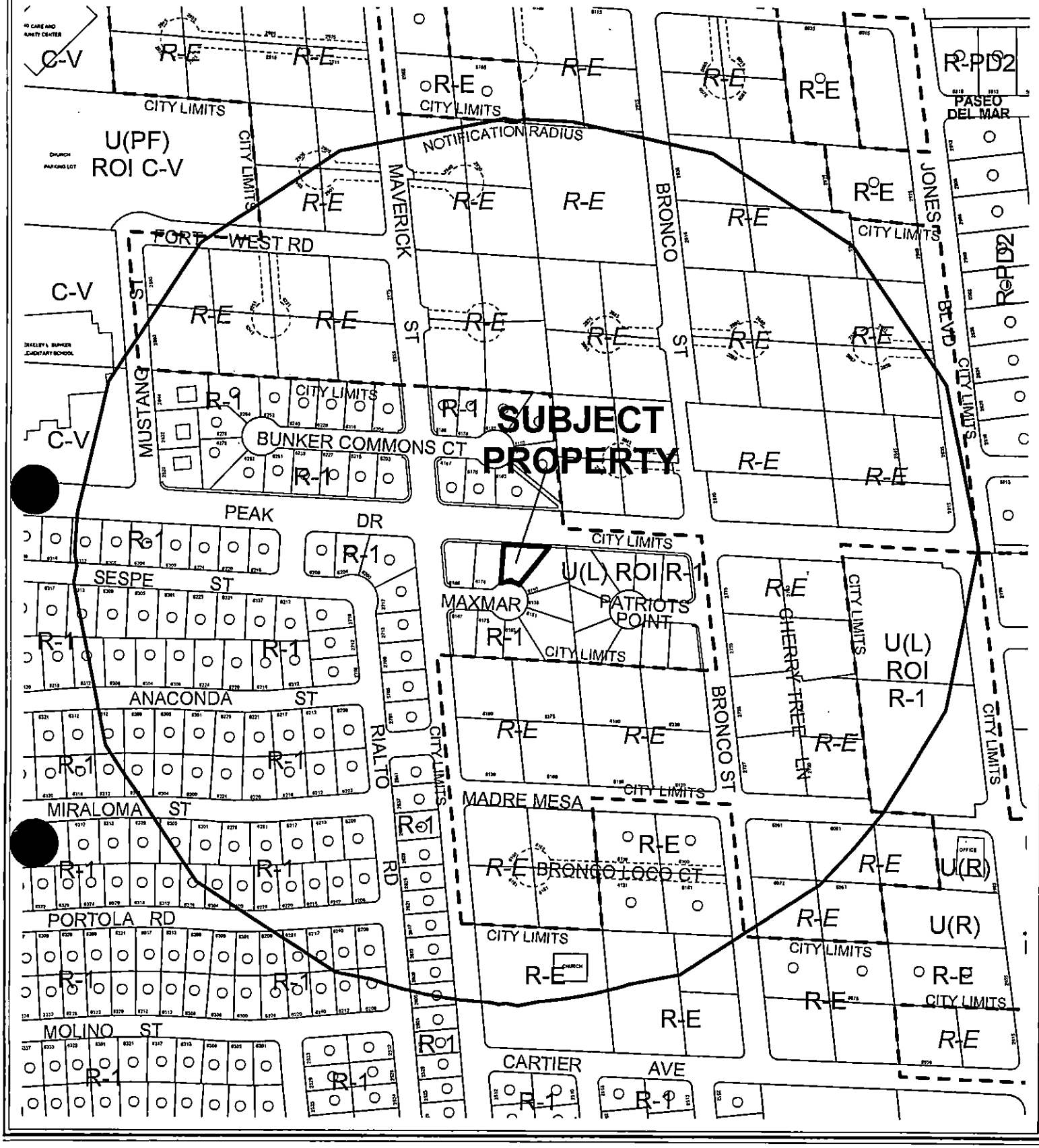
2-735

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-3119), Site Development Plan Review (SDR-3235), and Tentative Map (TMP-3718).

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



CASE: **VAR-16645**

RADIUS: 1000 FT

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

0 200 400 Feet

N

CASE: **VAR-16645**

RADIUS: 1000 FT

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

0 200 400 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-16645 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-3119), Site Development Plan Review (SDR-3235), and Tentative Map (TMP- 3718).

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.

RL

VAR-16645 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Variance to allow a proposed single-family dwelling to be 14 feet from the rear property line where 15 feet is the minimum setback required on 0.157 acres at 6162 Maxmar Court in the Bunker Commons subdivision.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/16/88	The City Council denied a Rezoning (Z-0133-87) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre) on a portion of the subject property. The Planning Commission recommended denial.
05/02/90	The City Council approved a Rezoning (Z-0032-90) from N-U (Non-Urban) to R-E (Residence Estates) on a portion of the subject property. The Planning Commission recommended denial. The Resolution of Intent expired on May 2, 1991.
01/19/94	The City Council denied a Rezoning (Z-0123-93) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted), R-1 (Single Family Residence) R-PD2 (Residential Planned Development – 2 Units Per Acre), and N-U (Non-Urban) and R-CL (Single Family Compact Lot) on the subject properties. The Planning Commission recommended denial.
08/03/94	The City Council approved a Rezoning (Z-0065-94) from R-E (Residence Estates) to R-D (Single Family Residence, Restricted) on a portion of the subject property. The Planning Commission recommended approval. The Resolution of Intent expired on August 3, 1995.
11/10/97	The City Council denied a Special Use Permit (U-0078-97) for a proposed convalescent care facility on a portion of the subject property. The Planning Commission recommended denial.

08/20/03	The City Council voted to Table a General Plan Amendment (GPA-2570) to amend the General Plan from R (Rural Density Residential) to L (Low Density Residential), and approved the applicant's request to Withdraw without Prejudice a Rezoning (ZON-2573) to amend the zoning designation from R-E (Residence Estates) to R-PD5 (Residential Planned Development – 5 Units Per Acre), Site Development Plan Review (SDR-2580) for a proposed 46-lot, single-family development and to allow 4.6 dwelling units per acre within a rural preservation neighborhood buffer where 3.0 dwelling units per acre are permitted and a Variance (VAR-2578) to allow zero square feet of open space where 33,062 square feet is required on the subject property. The Planning Commission recommended denial for all applications on July 24, 2003.
12/03/03	The City Council approved a General Plan Amendment (GPA-2570) to L (Low Density Residential); a Rezoning (ZON-3119) to R-1 (Single Family Residential with a waiver to the RPN density limitation; and a Site Development Plan Review (SDR-3235) for a 34-lot single family residential development on the subject site. The Planning Commission recommended approval of all three actions.
02/26/04	The Planning Commission approved a Tentative Map (TMP-3718) titled Bunker Commons, a 34-lot, single-family residential subdivision on 10.0 acres adjacent to the northeast corner of Mustang Street and Peak Drive. Staff recommended approval.

Pre-Application Meeting	
05/25/06	A pre-application meeting was held and staff indicated that because two unbuilt lots in the subdivision cannot meet the required R-1 setbacks, a condition of the approved site plan (SDR-3235). This requirement would need to be removed by a variance on individual lots. If the lots were developed, the applicant could have applied for an administrative deviation. The applicant was informed that a side setback deviation of 0.05 feet and rear setback deviation of 0.46 feet was the result of a failure to perform a lot-fit analysis prior to map approval. Planning Commission may be final action for a variance; however, a review of condition would require City Council Approval. Because both parcels share a common owner, staff indicated that one variance is acceptable.
09/08/06	A subsequent pre-application meeting was held for follow-up and to discuss a similar request in another phase of this subdivision.
Neighborhood Meeting	
	A neighborhood meeting is not required for this request nor was one held.

Details of Application Request			
Site Area			
Gross Acres	0.14		
Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family	L (Low Density Residential)	R-1 (Single Family Residential)
South	Undeveloped	R (Rural Density Residential)	R-1 (Single Family Residential)
East	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)
West	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 Square Feet	6,910	Y
Min. Lot Width	30 Feet at cul-de-sac arc 65 Feet average	42 Feet 77 Feet	Y Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	15 Feet	14.55 Feet	N
Max. Lot Coverage	50%	29%	Y
Max. Building Height	2 Stories or 35 Feet	2 Stories	Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-1	6.70 Units/Acre	1	R-1	6.70 Units/Acre 1 d/u on subject site	L (Low Density Residential)	5.5 Units/Acre 1 d/u on subject site

ANALYSIS

While the proposed deviation from standards will not have a significant effect on adjacent properties, the deviation from standards is considered a self-imposed hardship. The applicant is choosing to deviate from standards through their design choice. The parcels were designed by the applicant, and a site fit analysis completed earlier in the process would have allowed the applicant to offer an appropriate elevation which would fit within the setbacks of this lot without the self-imposed hardship of encroaching into the rear yard setback Denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a structure that does not fit within the setbacks of the approved site plan. An altemative proposal would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

NOTICES MAILED 183

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-16645 APN: 138-14-713-007

Name of Property Owner: S.F. Investments, LLC

Name of Applicant: Royal Construction

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

_____ Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: STEPHEN B. AIZENBERG, PRESIDENT S.B.A. DEVELOPMENT CO. INC MANAGING MEMBER

Subscribed and sworn before me

This 23rd day of August, 2006

Valerie Livengood

Notary Public in and for said County and State

VALERIE LIVENGOOD
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 02-75336-1 - Expires May 1, 2010

Revised 12-03-04

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SITE PLAN FOR BUNKER COMMONS I

LOT FITMENT VARIATIONS

NOTE

OWNER

SETBACK REQUIREMENTS:

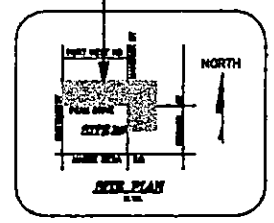
KEY

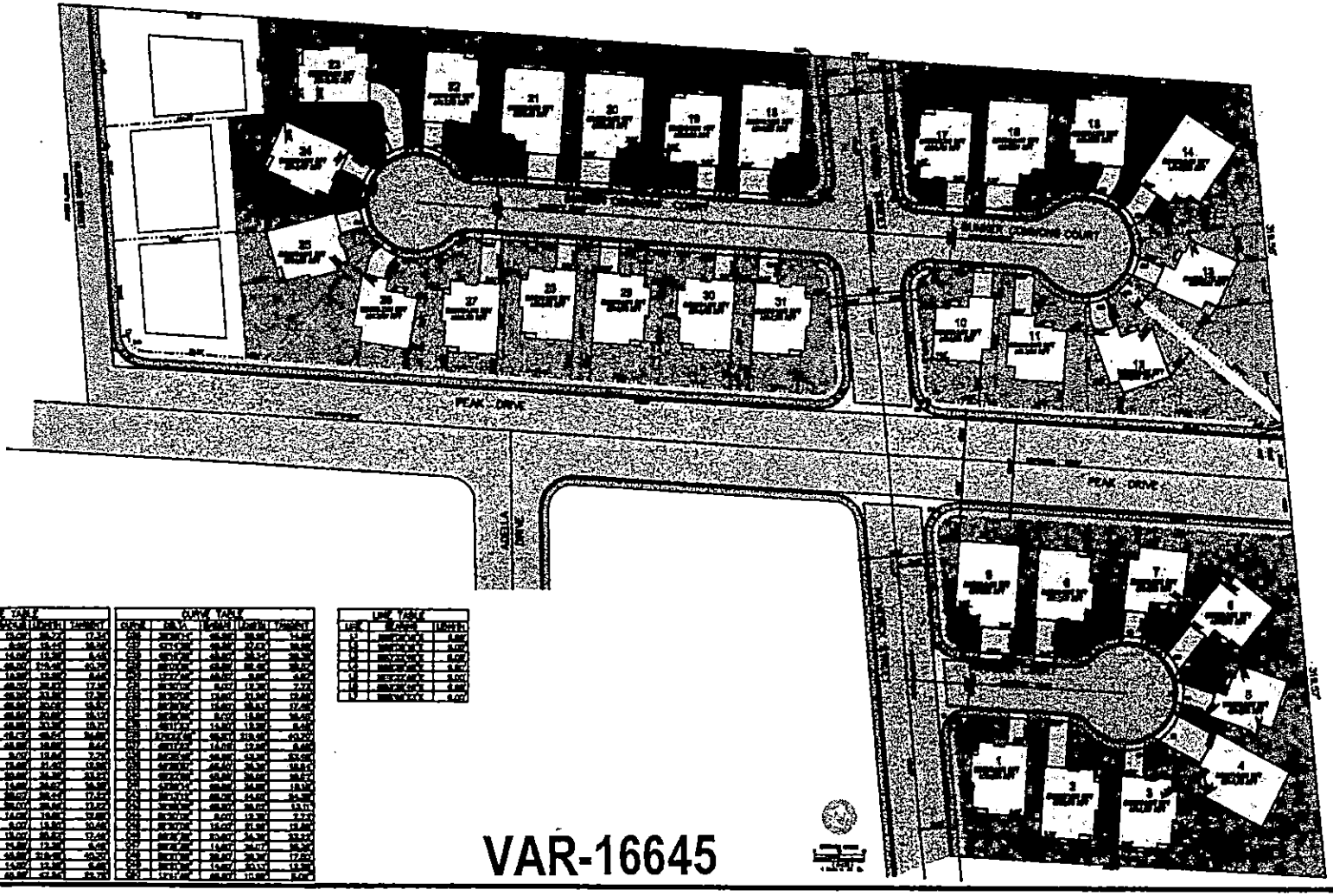
PROPOSED RESIDENCE

LANDSCAPE

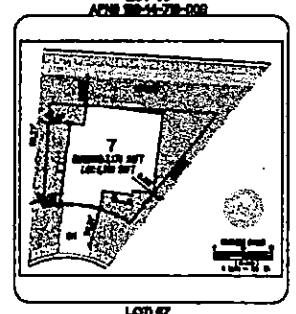
PAVING

PROJECT LOCATION





LOT 69



LOT 67

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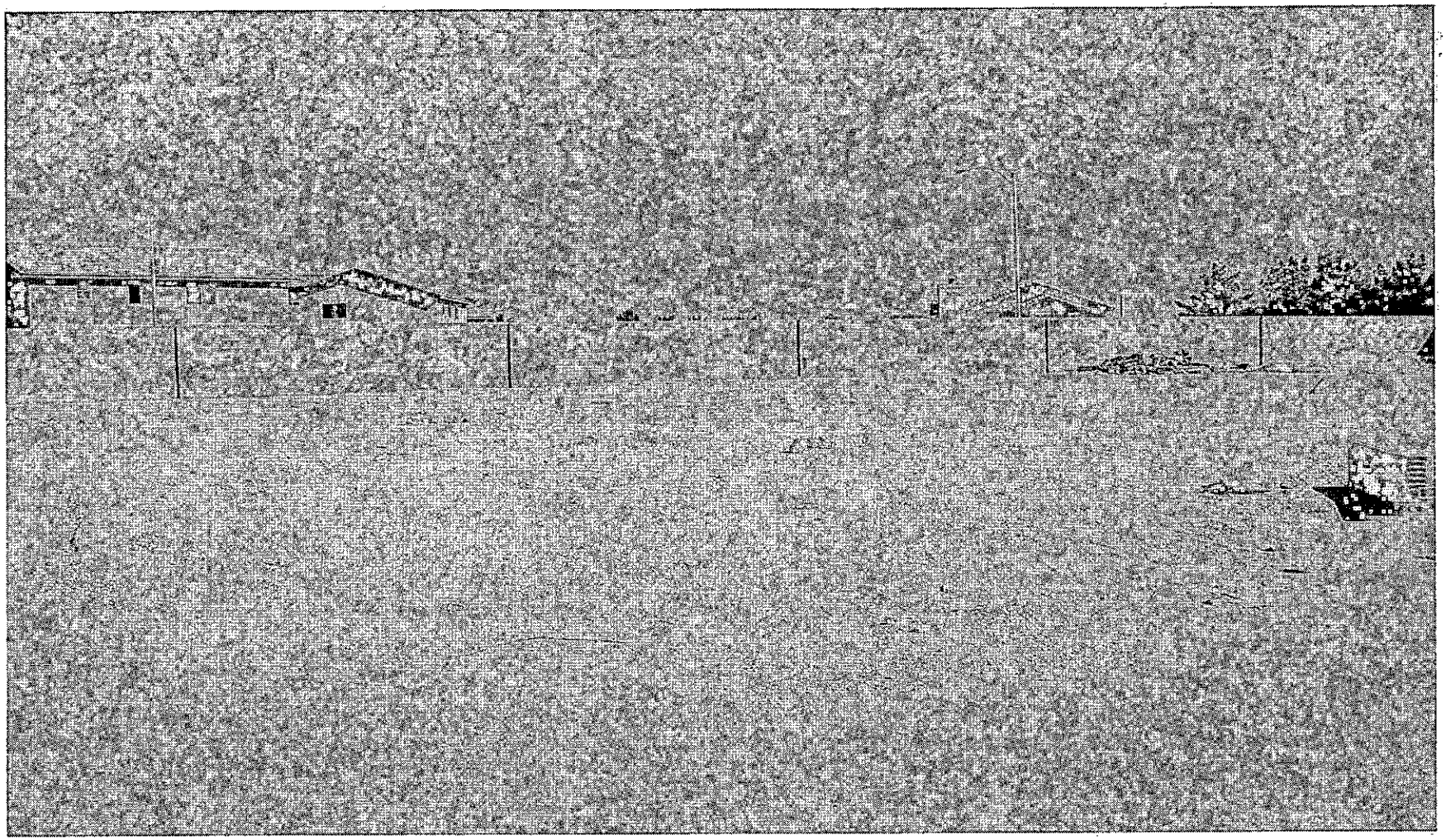
RECEIVED

SEP 0 8 2006

VAR-16645

11/02/06 PC



VAR-16645 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06

DEVELOPMENT COORDINATION

August 16, 2006

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

RE: Application for Variance of Setback Requirements on Lot 7 of Bunker Commons I

To Whom It May Concern:

On behalf of our client, S.F. Investments, LLC, we herby submit for your review an application for a variance of setback requirements on Lot 7 of Bunker Commons I.

A preliminary lot fit analysis was completed by the engineer prior to approval of the Site Development Review being approved, in which one or more of the proposed models fit on every lot. However, as a condition of approval for the Site Development review certain lots were restricted from placement of the two story model, lot 7 being one of them. That condition in conjunction with the constraints of a pie shaped lots has caused an encroachment of .45' into the required rear set-back of 15' on lot 7. The developer and its engineer have made every effort to meet all development standards while respecting the conditions imposed by the Site Development Review, we feel this is a minor encroachment and would have no negative impact on any surrounding neighbors.

We appreciate your consideration and hope for your favorable recommendation of this application. If you should have any questions or concerns, please do not hesitate to contact me at (702) 672-3938. Thank you.

Sincerely,

Valerie Livengood

Valerie Livengood
President

VAR-16645
11/02/06 PC

P.O. Box 621721, Las Vegas, Nevada 89162 ♦ Phone (702) 672-3938 ♦ Fax (702) 434-1352 ♦
www.livengoodlv.com

City of Las Vegas

Agenda Item No.: 41

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-16646 - VARIANCE - PUBLIC HEARING - OWNER/APPLICANT: S.F. INVESTMENTS, LLC - Request for a Variance TO ALLOW A PROPOSED SINGLE FAMILY DWELLING TO BE 11 FEET FROM THE REAR PROPERTY LINE WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED on 0.16 acres at 6130 Patriots Point Court (APN 138-14-714-005), U (Undeveloped) Zone Under Resolution of Intent to R-1 (Single Family Residential), Ward 5 (Weekly).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends **DENIAL**

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

MOTION:
EVANS – APPROVED subject to conditions – Motion carried with STEINMAN voting NO

This is Final Action

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated the application is for a self-imposed hardship and recommended denial.

VALERIE LIVENGOOD, 1592 Maple Leaf Street, appeared on behalf of the applicant. She

MINUTES – Continued:

explained that the original engineer had informed the applicant that the models would not encroach upon any of the setbacks. After hiring a different engineer, the applicant was informed that the home on this property was slightly encroaching one foot into the rear setback. The applicant had another model designed as an option but could not prevent the setback encroachment on this lot. She noted the encroachment was minimal and respectfully requested approval.

COMMISSIONER STEINMAN stated he could not support a four foot reduction in the rear yard setback requirements and observed that an alternative design could accommodate the setback requirements. MS. LIVENGOOD emphasized her client had made every effort to meet the setback requirements but was unable to meet those requirements on two lots out of 75 lots in the development.

COMMISSIONER EVANS expressed his support, stating a four foot variance request was not egregious.

MS. LIVENGOOD informed COMMISSIONER DAVENPORT that her client owned the entire development and would be the one most affected by this approval of this application.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:17 – 8:21)

2-1012

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-16849) if approved.

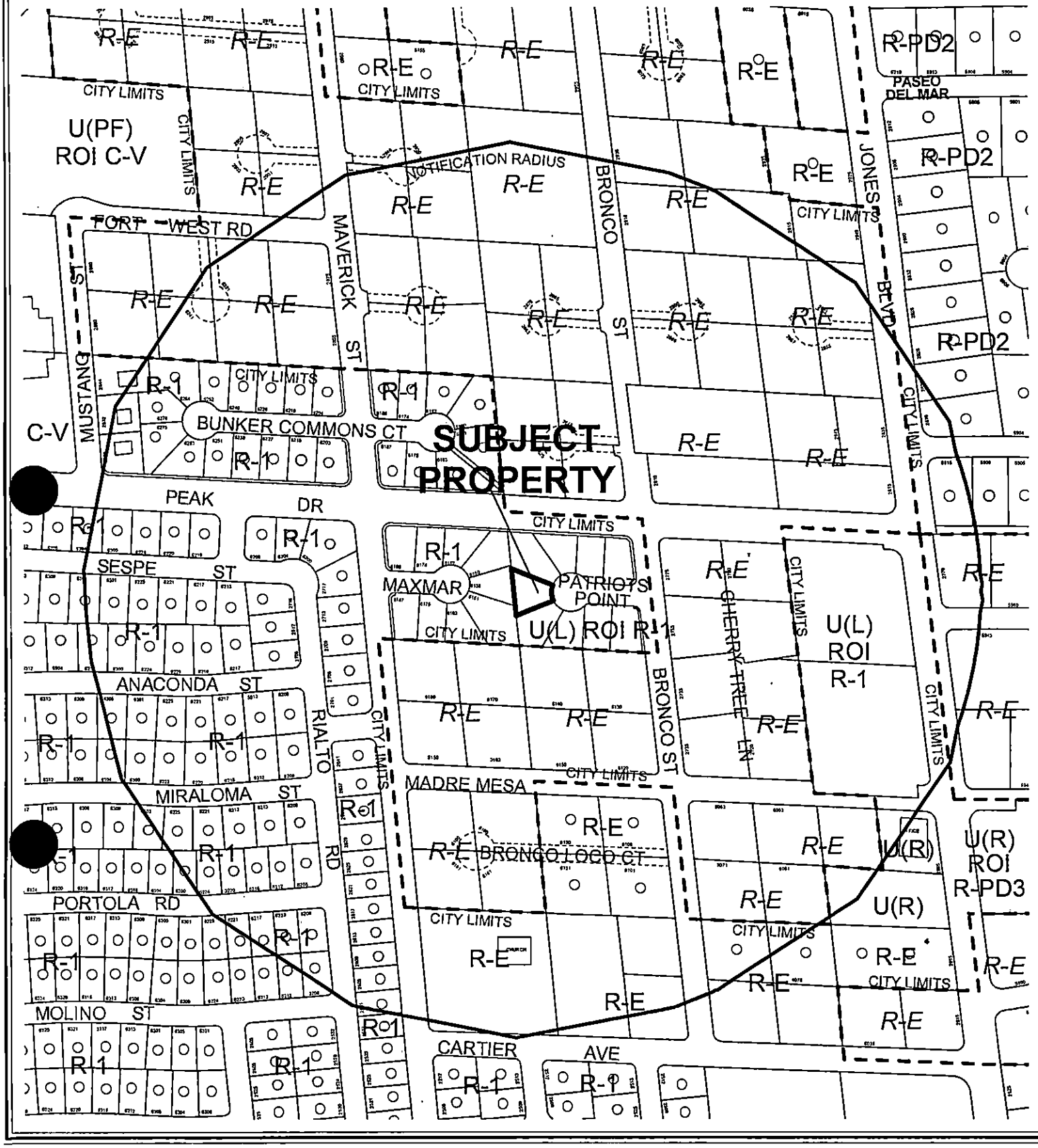
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The parking lot and landscaping must be installed prior to issuance of a Certificate of Occupancy for any finished buildings.

4. All handicapped parking spaces must comply with the Standards as provided in Title 19.010(G)3(a).

CONDITIONS – Continued:

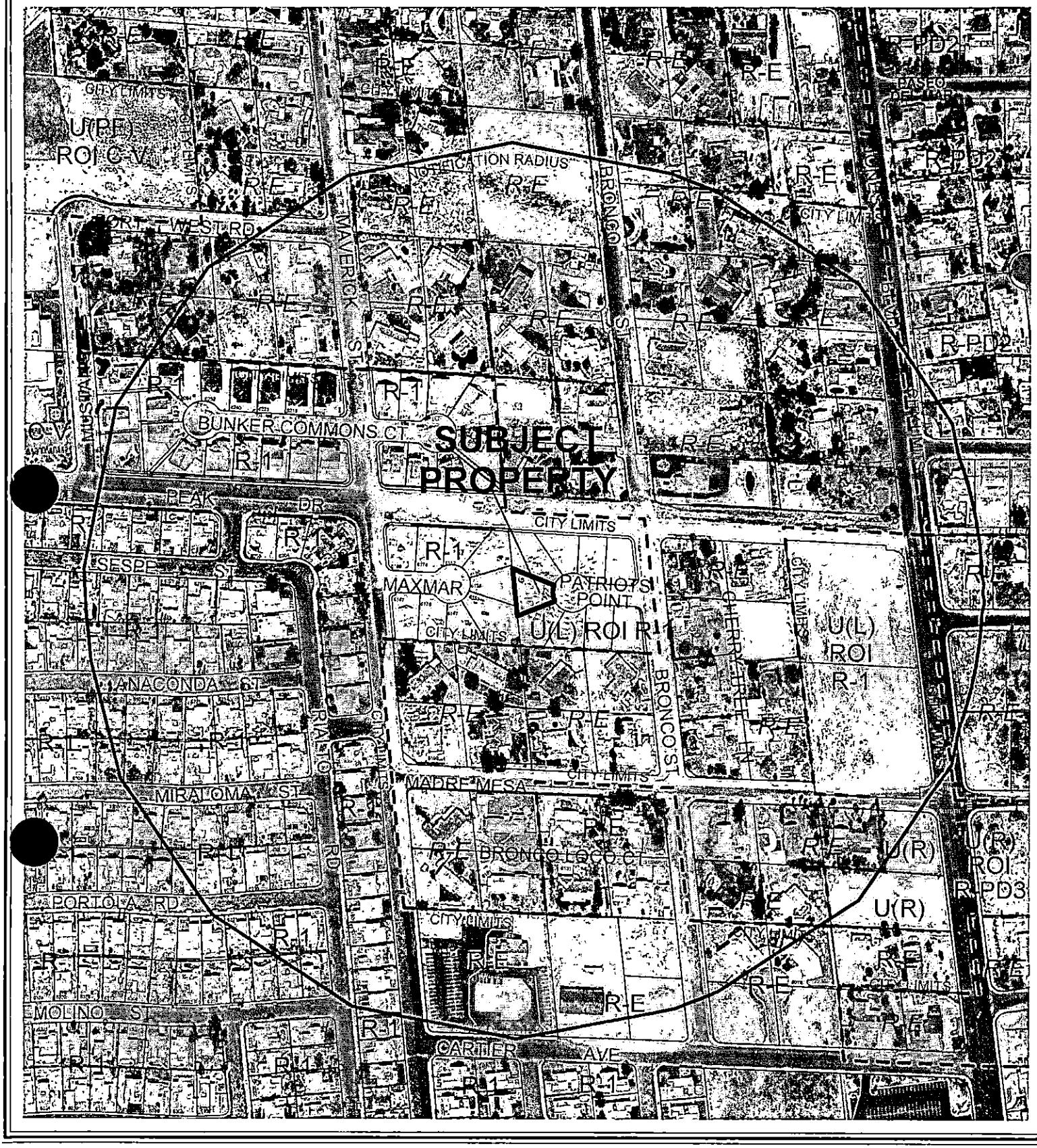
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **VAR-16646**

RADIUS: 1000 FT

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



0 200 400 Feet

CASE: **VAR-16646**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-16646 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4644), and Tentative Map (TMP-5489).

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.

RL

VAR-16646 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This request is for a Variance to allow a rear yard setback of 11 feet where 15 feet is required on 0.11 acres on a proposed single-family lot at 6130 Patriots Point Court (138-14-714-005), in the Bunker Commons subdivision.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
08/07/85	The City Council approved the Community Profiles of the city of Las Vegas by Resolution. On this plan, the subject site was designated for Rural Residential land uses with a maximum density of three dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. On this plan, the subject site was designated as R (Rural Density Residential) with a maximum density of 3.96 dwelling units per acre.
08/18/99	The City Council approved a General Plan Amendment (GPA-0014-99) 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. On this plan, the parcels were designated as R (Rural Density Residential) with a maximum density of 3.5 dwelling units per acre. The Planning Commission and staff recommended approval.
07/22/04	The City Council approved a request for a Waiver (WVR-4596) to Title 18.12.160 to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation required. Also, a request was approved for a Rezoning (ZON-4644) from U (Undeveloped) [R (Rural) General Plan Designation] to R-1 (Single Family Residential). The Planning Commission and staff recommended approval.
12/02/04	The Planning Commission approved a request for a Tentative Map (TMP-5489) for a nine-lot, single-family residential subdivision on 2.5 acres adjacent to the southwest corner of Peak Drive and Bronco Street. Staff recommended approval.

VAR-16646 - Staff Report Page Two
November 2, 2006 - Planning Commission Meeting

Pre-Application Meeting	
05/25/06	A pre-application meeting was held and staff indicated that because two unbuilt lots in the subdivision cannot meet the required R-1 setbacks, a condition of the approved site plan. This requirement would need to be removed by a variance on individual lots. If the lots were developed, the applicant could have applied for an administrative deviation. The applicant was informed that a side setback deviation of 0.05 feet and rear setback deviation of 0.46 feet was the result of a failure to perform a lot-fit analysis prior to map approval. Planning Commission may be final action for a variance; however, a review of condition would require City Council Approval. Because both parcels share a common owner, staff indicated that one variance is acceptable.
09/08/06	A subsequent pre-application meeting was held for follow-up and to specifically address the issues of the subject site.
Neighborhood Meeting	
	A neighborhood meeting was not required for this Variance nor was one held.

Details of Application Request			
Site Area			
Gross Acres	0.15		
Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Undeveloped	L (Low Density Residential)	U (Undeveloped) under Resolution of Intent to R-1 (Single Family Residential)
North	Undeveloped	L (Low Density Residential)	U (Undeveloped) under Resolution of Intent to R-1 (Single Family Residential)
South	Undeveloped	R (Rural Density Residential)	U (Undeveloped) under Resolution of Intent to R-1 (Single Family Residential)
East	Undeveloped	L (Low Density Residential)	Right of Way, Unincorporated Clark County
West	Undeveloped	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 Square Feet	6,973	Y
Min. Lot Width	30 Feet at cul-de-sac arc 65 Feet average	38 Feet 75 Feet	Y Y
Min. Setbacks			
• Front	18 Feet	18 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	15 Feet	11 Feet	N
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 Stories or 35 Feet	1 Story	Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-1	6.70 Units/Acre	1	R-1	6.70 Units/Acre	L (Low Density Residential)	5.5 Units/Acre

ANALYSIS

While the proposed deviation from standards will not have a significant effect on adjacent properties, the deviation from standards is considered a self-imposed hardship. The applicant is choosing to deviate from standards through their design choice. The parcels were designed by the applicant, and a site fit analysis completed earlier in the process would have allowed the applicant to offer an appropriate elevation which would fit within the setbacks of this lot without the self-imposed hardship of encroaching into the rear yard setback. Denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:
"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a structure that does not fit within the setbacks of the approved site plan. An alternative proposal would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

NOTICES MAILED 177

APPROVALS 0

PROTESTS 0

RL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16646** APN: 138-14-714-005

Name of Property Owner: S.F. Investments, LLC

Name of Applicant: Royal Construction

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

_____Yes __X__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: STEPHEN B. AIZENBERG PRESIDENT
S.B.A. DEVELOPMENT INC
MANAGING MEMBER

Subscribed and sworn before me

This 23 day of August, 2006

Valerie Livengood

Notary Public in and for said County and State

VALERIE LIVENGOOD
Notary Public - State of Nevada
Appointment Recorded in Clark County
No: 02-75336-1 - Expires May 1, 2010

SITE PLAN FOR BUNKER COMMONS III

LOT #5 FITMENT VARIATION

NOTE

OWNER

SETBACK REQUIREMENTS:

KEY

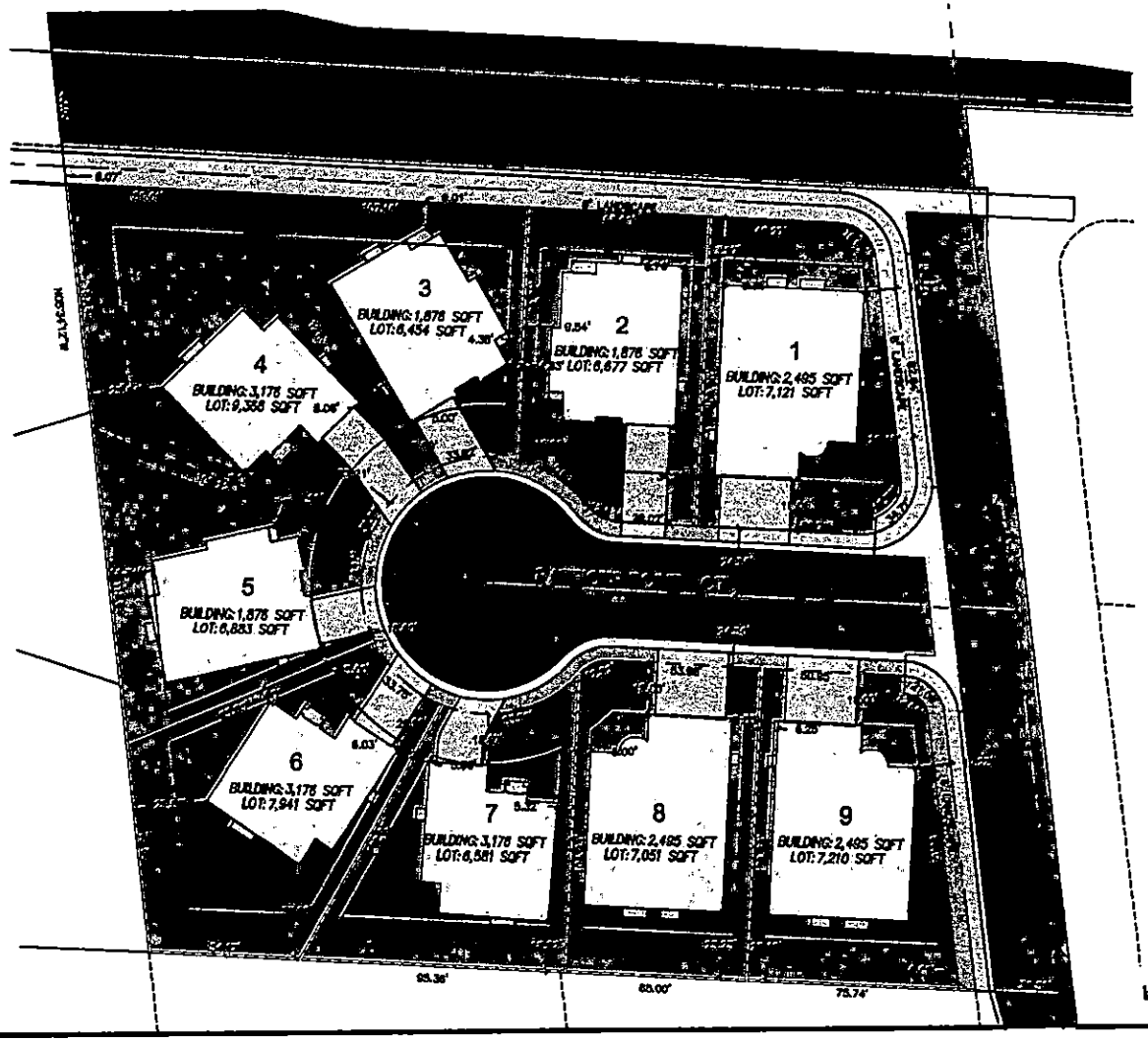
PROPOSED RESIDENCE

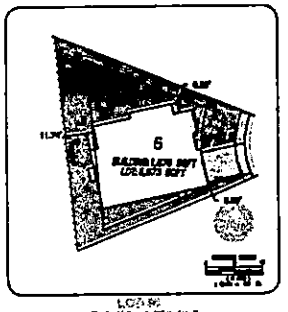
LANDSCAPE

PAVING

PROJECT LOCATION

NORTH





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SEP 0 8 2006

VAR-16646

11/02/06 PC

VAR-16646 - OWNER/APPLICANT: S.F. INVESTMENTS, LLC
SOUTHWEST CORNER OF BRONCO STREET AND PEAK DRIVE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06

DEVELOPMENT COORDINATION

September 7, 2006

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

RE: Application for Variance of Setback Requirements on Lot 5 of Bunker Commons III

To Whom It May Concern:

On behalf of our client, S.F. Investments, LLC, we herby submit for your review an application for a variance of setback requirements on Lot 5 of Bunker Commons III.

A preliminary lot fit analysis was completed by the engineer prior to approval of the Site Development Review being approved, in which one or more of the proposed models fit on every lot. However, as a condition of approval for the Site Development review certain lots were restricted from placement of the two story model, lot 5 being one of them. That condition in conjunction with the constraints of a pie shaped lots has caused an encroachment of 3.26' into the required rear set-back of 15' on lot 5. The developer and its engineer have made every effort to meet all development standards while respecting the conditions imposed by the Site Development Review, we feel this is a minor encroachment and would have no negative impact on any surrounding neighbors.

We appreciate your consideration and hope for your favorable recommendation of this application. If you should have any questions or concerns, please do not hesitate to contact me at (702) 672-3938. Thank you.

Sincerely,

Valerie Livengood
President

VAR-16646
11/02/06 PC

P.O. Box 621721, Las Vegas, Nevada 89162 ♦ Phone (702) 672-3938 ♦ Fax (702) 434-1352 ♦
hawkeslivengood@cox.net

City of Las Vegas

Agenda Item No.: 42

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-16850 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

C.C.: 12/06/06

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
TRUESDELL – ABEYANCE to the 12/07/2006 Planning Commission meeting – UNANIMOUS

To be heard by the Planning Commission on 12/07/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 42 [SUP-16850] and Item 43 [SDR-16849].

DOUG RANKIN, Planning and Development Department, explained this application was for a modular building which would initially be used as for a worship area and would later be converted into a school. He suggested an amendment to Condition 4 of Item 43 [SDR-16849] and recommended approval of both applications.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 42 – VAR-16850

MINUTES – Continued:

SHIRLEY KOSAK, 1421 North Jones Boulevard, appeared on behalf on the applicant. She accepted all conditions and requested approval

LAURIE DEFRENE, 5015 Roberta Drive, appeared in opposition and expressed her concerns with increased traffic. LINDA AUSTIN, 5075 Roberta Drive, concurred and pointed out six other churches are already in the area. LEO NASER, 2435 Apricot Lane, concurred.

MS. KOSAK pointed out the property is within the City of Las Vegas while the residents are within Clark County. She noted that the streets adjacent to the property would be improved, improving traffic flow in the area. She explained to CHAIRMAN TROWBRIDGE that the property had been annexed from the County to the City in order to obtain sewer access and not because the project had been denied in the County.

ANTHONY KOSAK appeared on behalf of the applicant and stated Roberta Lane be the main access to the property with less than 100 vehicles per service.

MR. RANKIN informed COMMISSIONER GOYNES that homeless feeding would not be permitted as this property does not have the proper zoning. MR. RANKIN pointed out this application is for a church, but noted a school use could be permitted under a Special Use Permit.

MS. KOSAK stated the school would only be elementary without any high school component. MR. KOSAK explained the number of students was expected to be less than thirty.

COMMISSIONER EVANS stated he could support the proposed church but expressed concern with the possible school component. CHAIRMAN TROWBRIDGE concurred and stated that use would be inappropriate on this site. MR. KOSAK replied the structure would be used for church services and not as a school until the permanent church was built.

COMMISSIONER TRUESDELL expressed his concern about the use of a modular structure as a school. While he could support the modular structure as a temporary church, he could not support its long term use as school.

MARGO WHEELER, Planning and Development Department, pointed out the applicant is seeking approval of a church use application and noted the applicant would have to return for approval of a school use application before it would be permitted on this property.

COMMISSIONER STEINMAN noted the modular building is intended to be permanent and could not support that proposal.

MINUTES – Continued:

BISHOP BOB BURGESS, St. Thomas Old Catholic Church, explained that the structure would be a pre-manufactured building that meets the standards of permanent buildings and that a school was only a possibility. He also noted that this church's educational program does not require playground facilities.

COMMISSIONER TRUESDELL stated he could not support the application because the proposed structure is architecturally inappropriate for the neighborhood.

CHAIRMAN TROWBRIDGE noted the elevations depicted an unattractive modular building and also expressed concern with unplanned and incomplete future phases of the project.

After observing the confusion regarding the interpretation of the applicant's elevations, COMMISSIONER TRUESDELL suggested holding the items in abeyance in order to clarify the applications and the applicant's long term plans.

MR. KOSAK argued that he had submitted all backup requested by staff, but CHAIRMAN TROWBRIDGE observed that all the submissions had failed to inform the Commissioners of the true nature of the applicant's request. COMMISSIONER EVANS suggested the applicant seek assistance in presenting this proposal to the Commissioners in a way they can better understand it and added that following staff suggestions did not guarantee his support.

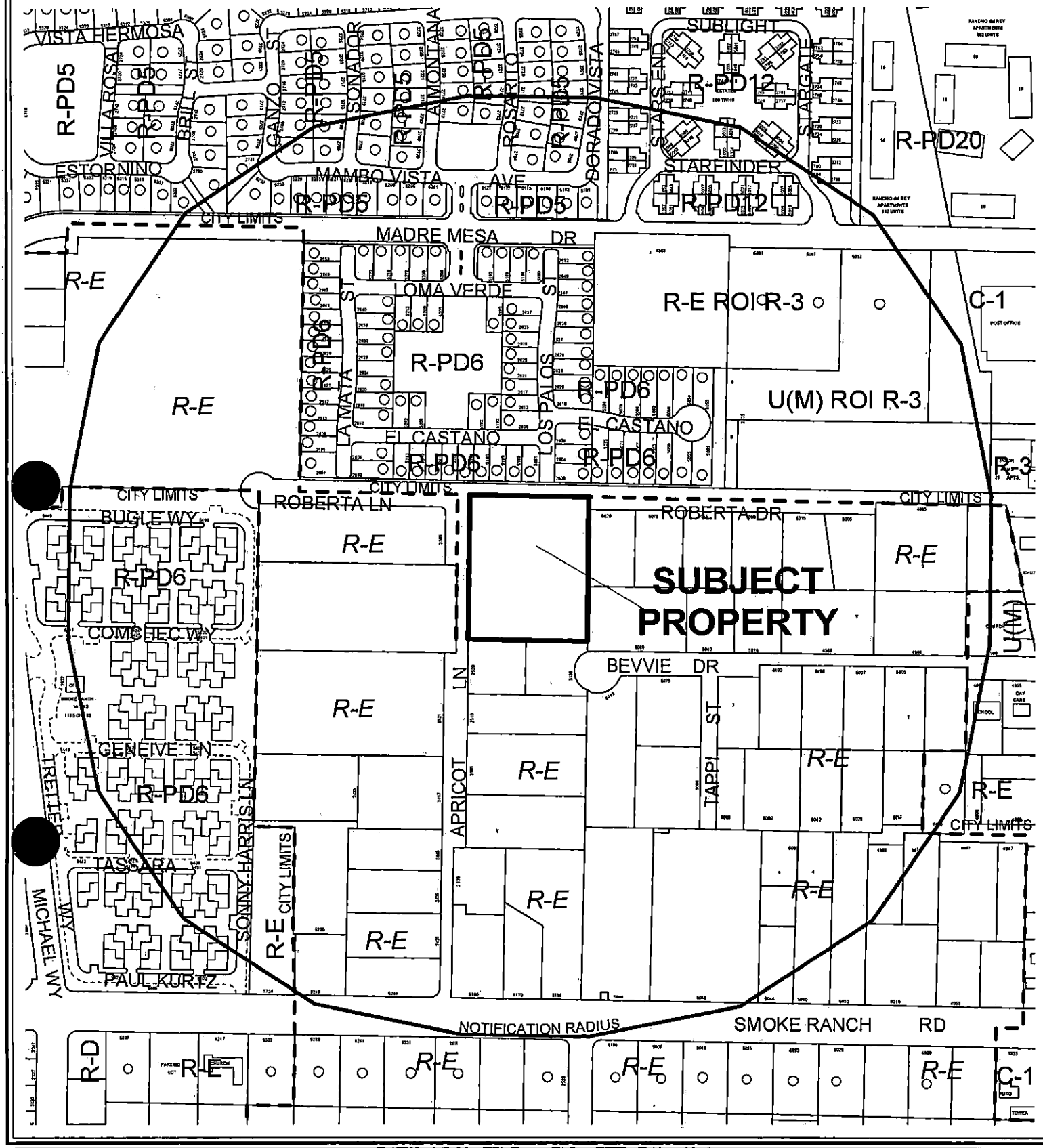
MR. and MS. KOSAK and BISHOP BURGESS each attempted to better explain the building and its proposed uses, but COMMISSIONER GOYNES, EVANS, TRUESDELL and CHAIRMAN TROWBRIDGE were not satisfied with any explanation.

COMMISSIONER DAVENPORT expressed concern that the applicants were planning to use a temporary building as a permanent structure.

COMMISSIONER GOYNES encouraged the applicants to meet with the neighbors and keep them informed regarding this proposal.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 42 [SUP-16850] and Item 43 [SDR-16849].

(8:21 – 9:03)

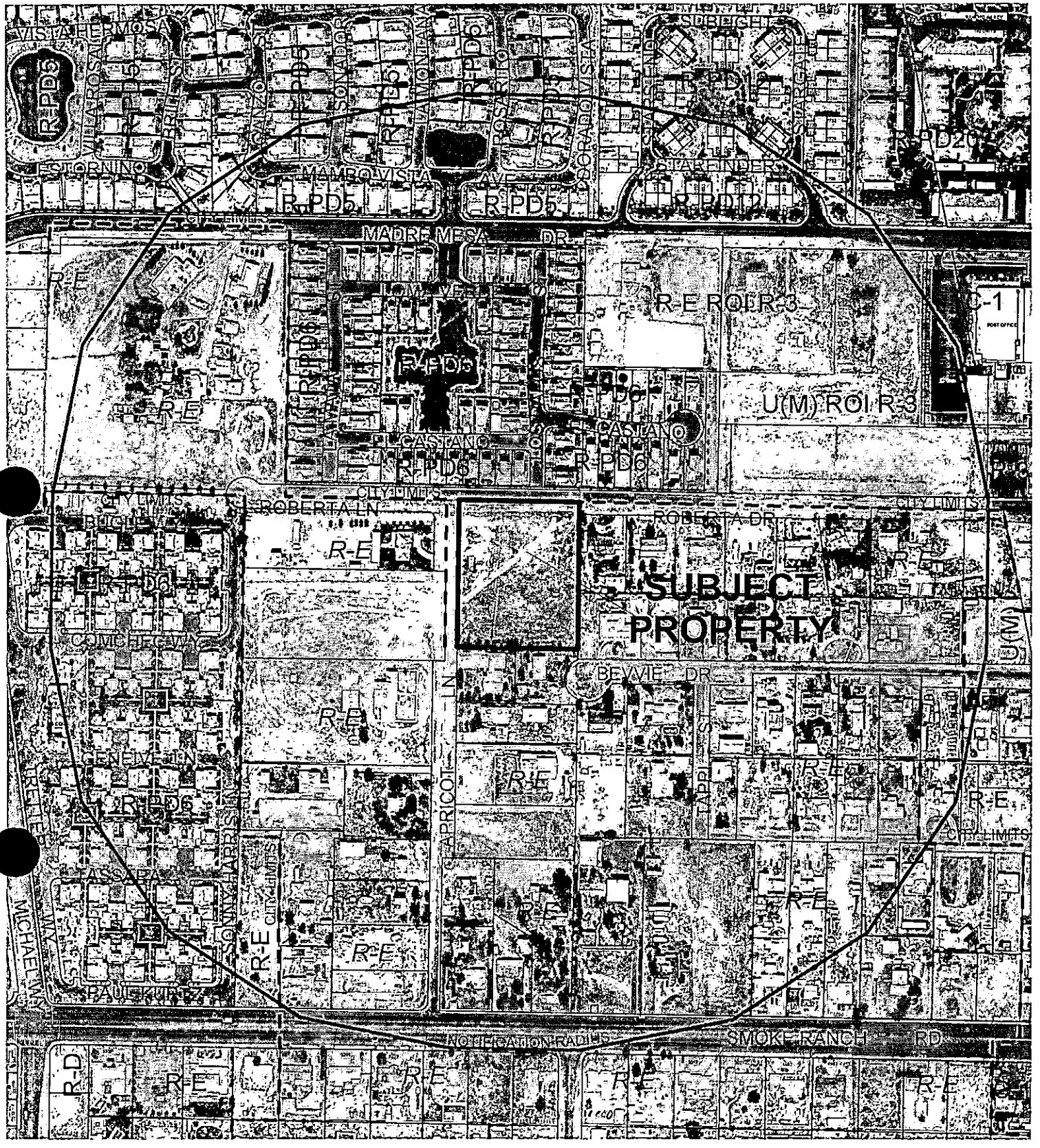


CASE: **SUP-16850**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]



0 200 400 Feet

CASE: **SUP-16850**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-16850 - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-16849) if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. The parking lot and landscaping must be installed prior to issuance of a Certificate of Occupancy for any finished buildings.

4. All handicapped parking spaces must comply with the Standards as provided in Title 19.010(G)3(a).

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

MH

SUP-16850 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit (SUP-16850) to allow a Church/House of Worship on the south side of Roberta Drive, approximately 1,280 feet west of Decatur Boulevard. A companion Site Development Plan Review (SDR-16849) has also been filed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/05/06	The City Council approved the request for Annexation (ANX-10579) into City of Las Vegas limits.
Related Building Permits/Business Licenses	
NA	NA
Pre-Application Meeting	
08/29/06	The applicant met with staff concerning the requirements for developing a church on a residentially-zoned parcel. The applicant was informed of the five conditions required for a Church use for approval of a Special Use Permit. In addition, the applicant was informed of the requirement for a Site Development Plan Review and that residential adjacency would apply to the structure's height.
Neighborhood Meeting	
NA	Although not required, a neighborhood meeting was suggested by staff. The applicant turned down the suggestion as he stated that he already has the support of the neighbors.

Details of Application Request	
Site Area	
Net Acres	2.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property:	Undeveloped	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
North:	Roberta Lane/ Single Family Residential	R (Low)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

MH

South:	Single Family Residence	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
East:	Single Family Residence	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
West:	Single Family Residence/ Undeveloped	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)

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

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required Parking*			*Provided Parking*		*Compliance*
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	3,430 sq ft	1 space: 100 sq ft	35				Y
Classrooms	6	9 spaces per classroom	54				Y
Office	536 sq ft	1:300 sq ft	2				Y
SubTotal			89	4	105	11	Y
TOTAL (including handicap)			89	4	105	11	Y

ANALYSIS

Prior to annexation into the City of Las Vegas, a Special Use Permit (UC-0273-04) for a church was approved by the Clark County Planning Commission on March 18, 2004. The subject site is currently zoned R-E (Residential Estates). The proposed use, a "Church/House of Worship", is permitted in this zoning district upon approval of a Special Use Permit and is subject to the five conditions as listed by *Title 19.04 Permitted Uses:*

The conditions for issuance of a Special Use Permit for "Church/House of Worship" are:

1. The use may include related activities.

2. Child-care facilities and related activities are allowed if specifically requested in the application.

3. If additional uses are required after approval, an additional public hearing is necessary.

4. Thrift shops, homeless shelters, etc. are limited to zones where they are allowed as primary uses.

5. Five acres is the maximum size for a church site in a U or R-prefixed district.

These last two conditions cannot be waived. The proposed development appears to comply with the listed conditions.

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 subject site is currently R-E (Residence Estates) zoned. Churches are permitted in this zoning district upon approval of a Special Use Permit, and are subject to the conditions as listed by *Title 19.04 Permitted Uses*. As proposed, the development conforms to the requirements of the zoning district.

In regard to "2":

The site is physically suitable for the proposal. The site provides an adequate area for building setback so that the building height and steeple, as proposed, meet the conditions as listed by Title 19.08 regarding residential adjacency.

In regard to "3":

The capacity of this local street is adequate to meet the requirements of the proposed church use.

In regard to "4":

The approval of the Special Use Permit for this church will not compromise the public health, safety, and welfare as it contributes to the overall objectives of the General Plan.

In regard to "5":

There are five conditions for the development of churches in a residential district. The project, as proposed, does not conflict with any of these conditions. Additionally, the proposed development will be subject to the Uniform Building Code and; therefore, the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 345 (Mailed with SDR-16849)

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-16850** APN: 138-13-801-002

Name of Property Owner: ST. THOMAS CATHOLIC CHURCH

Name of Applicant: ST. THOMAS CATHOLIC CHURCH

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: BISHOP ROBERT W. BURGESS

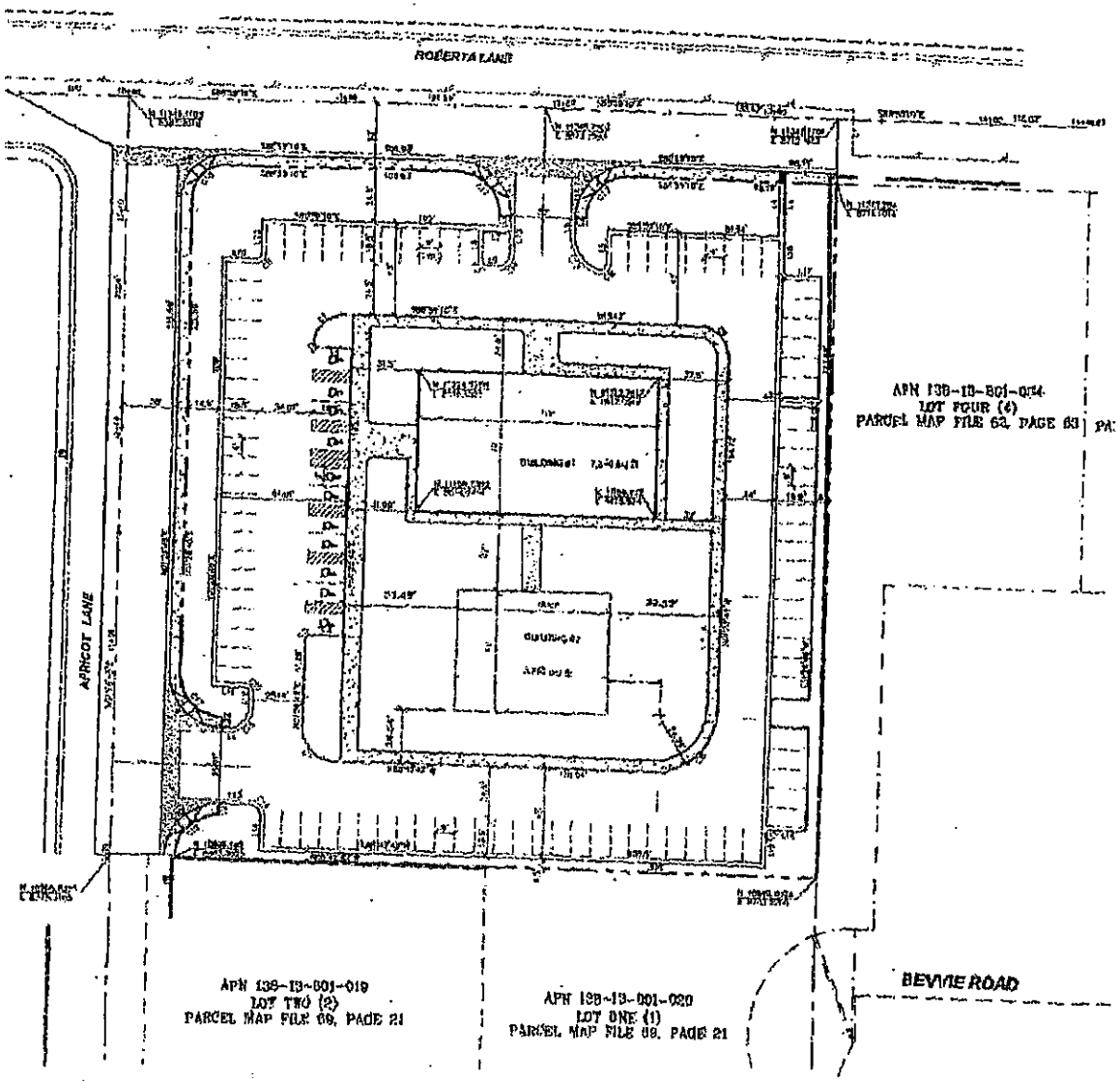
Subscribed and sworn before me

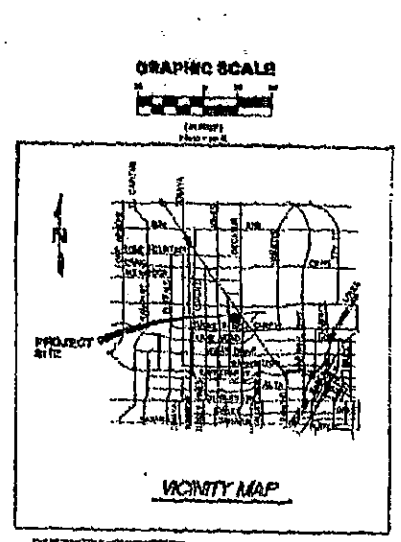
This 11TH day of AUGUST, 2006

_____

Notary Public in and for said County and State

EXPEDITA P. VEA
Notary Public, State of Nevada
Appointment No. 00-63063-1
My Appt. Expires Jul 12, 2008





LOT SIZE: 2.45 ACRES = 106,578 Sq Ft
BUILDING #1: = 7,840 " "
BUILDING #2: = 2,750 " "

OCCUPANCY LOAD
BUILDING #1 330
BUILDING #2 275

NOTE: The Occupancy Load for Building #1 will be [illegible] Building #2 is complete, [illegible] Project Sheet.

BENCHMARK

[illegible]

BASIS OF BEARINGS

[illegible]

RECEIVED
SEP 15 2006

SUP-16850
SDR-16849
11/02/06 PC

HTE# XX-XXXX

No.	REVISIONS	DATE	INIT.	APPR.	DATE

ST. THOMAS CATHOLIC CHURCH

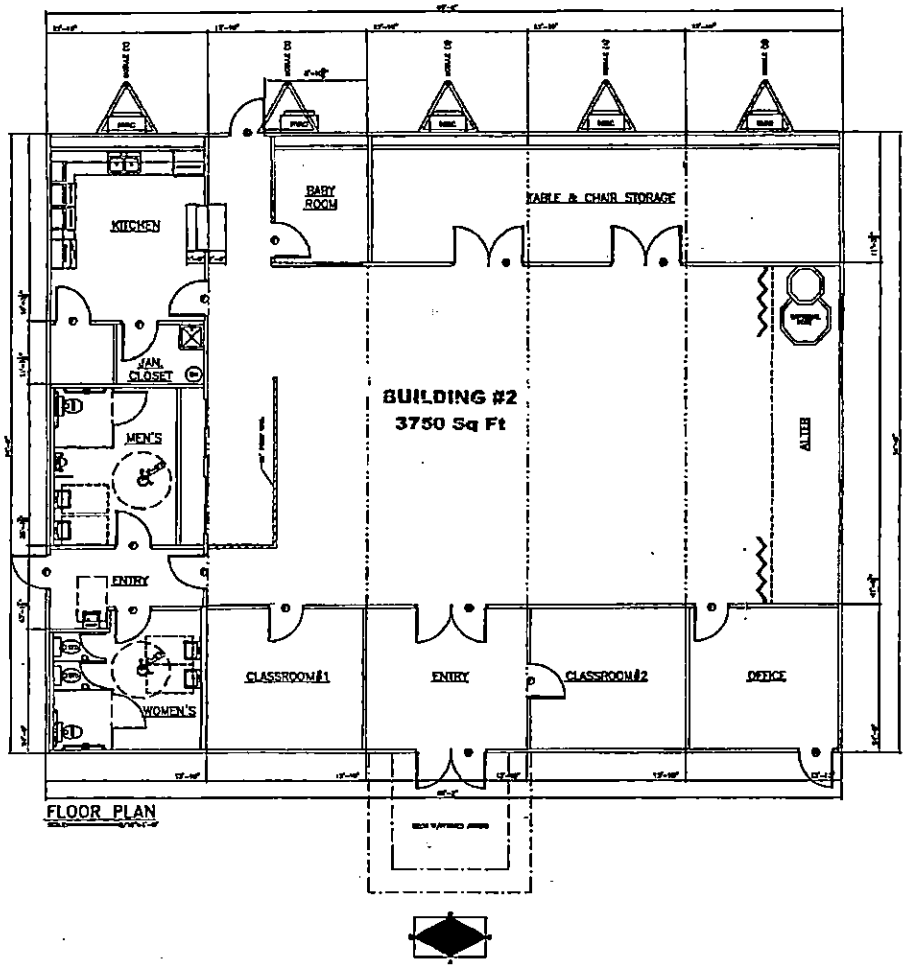
ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

SITE PLAN

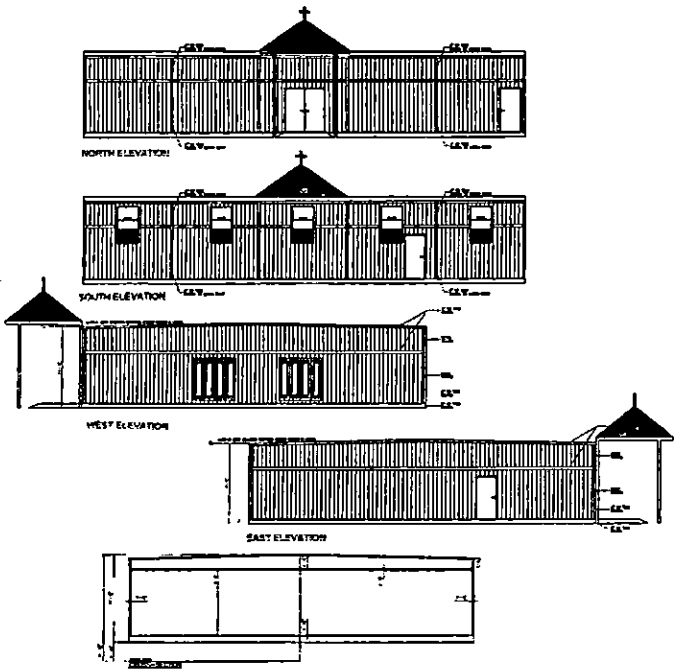
SCALE
1" = 30'

SHEET NUMBER
9

JOB NUMBER



FLOOR PLAN



BUILDING 2

LOCATION FOR STATE APPROVAL STAMP

OCCUPANCY LOAD

BUILDING #2 270

NOTE: The Occupancy Load for Building #2 will no longer be as shown, as soon a Building #1 is complete, it will no longer be used for Services, The Assembly area will no longer apply.

RECEIVED

SEP 15 2006

SUP-16850
SDR-16849
11/02/06 PC

MODTECH Manufacturing and

REVISIONS

MODTECH DIRECT

DATE: 08-01-06
DRAWN BY: V.WILLIAMS
SALES PERSON: MARIA S.
STATE: ARIZONA
DRAWING #:
PROJECT #: N/A
SHEET NO

ROOM FINISH DESIGNATIONS

FLOOR		BASE		WALLS		CEILING	
SYM.	FINISH	SYM.	FINISH	SYM.	FINISH	SYM.	FINISH
A	CONCRETE SLAB - NOTE 1	1	4" CARPET	A	GYP. BD./PAINT/ORANGE PEEL	1	SUSPENDED ACOUSTICAL TILE - TYPE 1
B	CERAMIC TILE - 8" x 8" FIELD TILE	2	4" H. CER. TILE	B	CT. WAINSCOT - NOTE 3	2	GYP. BD. SOFFIT/PAINT/ORANGE PEEL
C	CARPET #2 (TRANSITIONS - NOTE 2)	3	NONE	C	MOISTURE RESISTANT GYP. BD./PAINT/ORANGE PEEL	3	EXPOSED STRUCTURE
D	VINYL COMPOSITION TILE	4	4" VINYL			4	SUSPENDED ACOUSTICAL TILE - TYPE 2
E	UNFINISHED CONCRETE					5	SUSPENDED ACOUSTICAL TILE - TYPE 2HL
						6	GYP. BD./PAINT/ORANGE PEEL

FINISH NOTES

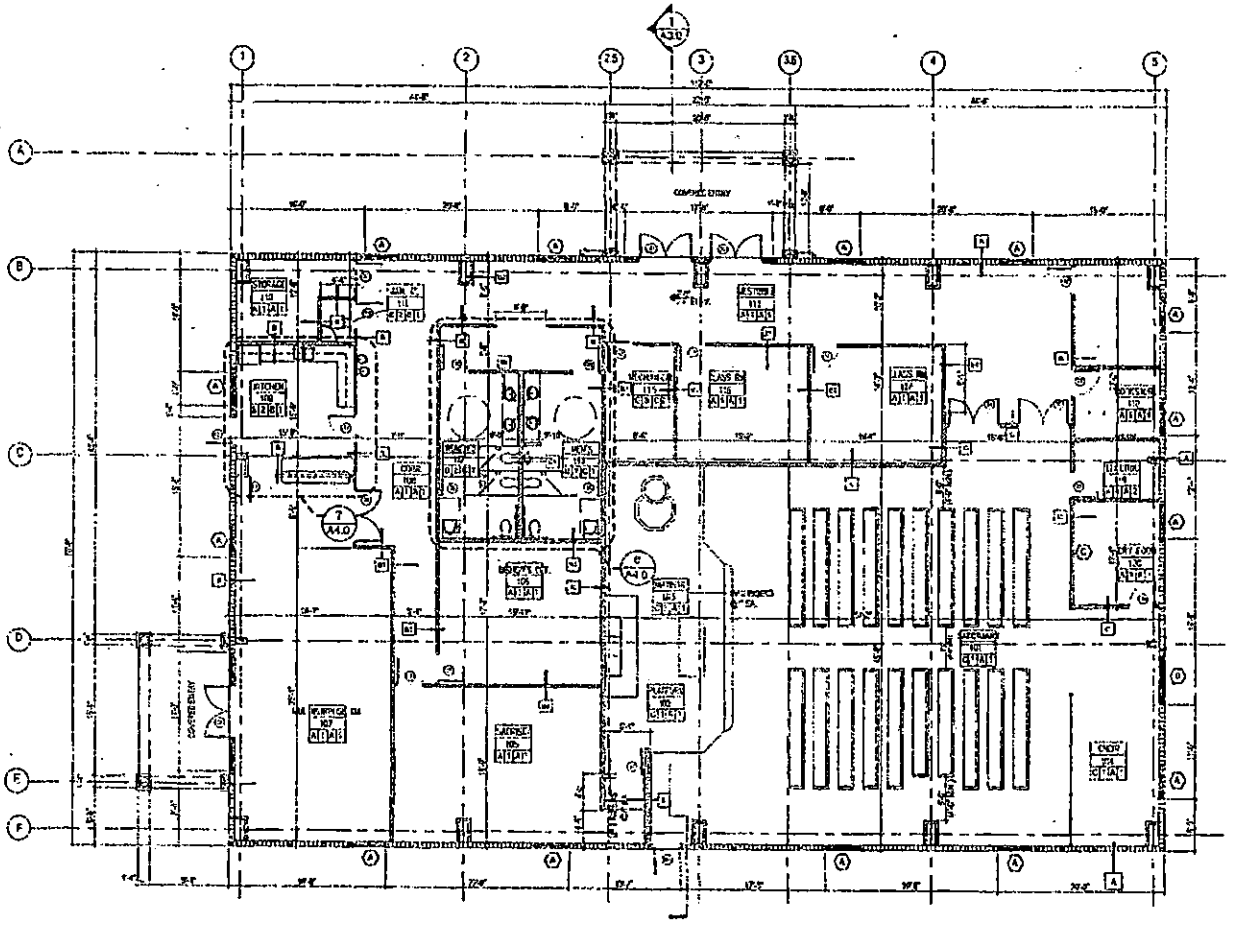
1. REFER TO WORSHIP CONCRETE FINISHES SPECIFICATION.
2. NOT USED.
3. CERAMIC TILE WAINSCOT OVER CEMENTITIOUS BOARD OR EQUAL TILE BACKER BOARD. PROVIDE MOISTURE RESISTANT GYPSUM BOARD, ORANGE PEEL PAINT FINISH TYPICAL AT ALL OTHER WALL LOCATIONS. TYPICAL OF ALL BATHROOMS.

CEILING SYSTEMS BY U.S.G. CORPORATION

TYPE 1 STANDARD: GRID SYSTEM - 24" x 24" ROOM DIMENSION STYLE EXPOSED TEE GRID WITH WALL MOLDING DETAIL. TILE - "RADAR CLIMAPLUS" MICRO EDGE, HIGH NRC - 75" - 24" MODULE SIZE TO PROVIDE GRID PROFILE "A". GRID COLOR - WHITE. TILE COLOR - WHITE.

TYPE 2 CURVED: GRID SYSTEM - 24" x 24" "ENVELOPE" 15/16 DWFT TEE SYSTEM WITH WALL MOLDING DETAIL. TILE - "ECLIPSE CLIMAPLUS" - 24" x 24" MODULE STYLE "SLP" TO PROVIDE GRID PROFILE "B". COLOR - WHITE. GRID COLOR - WHITE. TILE COLOR - WHITE.

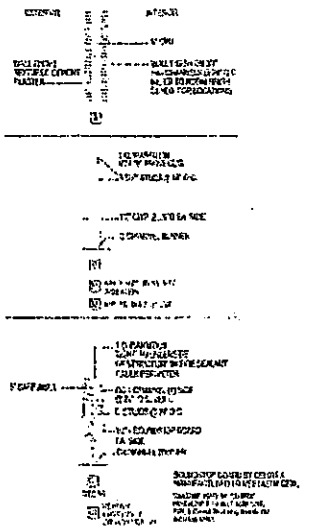
TYPE 2HL CURVED: GRID SYSTEM - 24" x 24" ROOM DIMENSION STYLE EXPOSED TEE GRID WITH WALL MOLDING DETAIL. TILE - "ECLIPSE CLIMAPLUS" - 24" x 24" MODULE STYLE "SLP" TO PROVIDE GRID PROFILE "B". COLOR - WHITE. GRID COLOR - WHITE. TILE COLOR - WHITE.



Required Plumbing Fixture Count			
Assembly Occupancy	160 M + 160 W = 320		
	Men	Women	Public
Toilet	1:150=2	1:75=3	
Lavatories	1:200=1	1:200=1	
Drinking Fountain			1:1000=1
Service Sink			1

No unisex toilet required

WALL TYPE LEGEND



NORTH

Floor Plan

BUILDING ONE

SUP-16850
SDR-16849
11/02/06 PC

RECEIVED
SEP 15 2006

Worship
722 Apex Road
Suite G
Sarasota FL 34240

Carlson
741 South Orange Ave
Sarasota, Florida 34236
941.362.4712 Tel
941.362.1921 Fax
www.carlsondesign.org
NY Lic. # 5519
Architect: Michael R. Carlson
Lic. # 5519

Client:
SAINT THOMAS CATHOLIC CHURCH
6310 Smoke Ranch Road
Las Vegas, Nevada

Consultants:
Structural:
Jenkins & Charland Engineers
2551 Fruitville Road, Suite 200
Sarasota, FL
941.953-1717

MEP:
Stewart Engineering
1959 Northgate Blvd.
Sarasota, FL 34234
941.351.9996

Date: JUNE 14, 2006

Revisions:

No.	Description	Date

Project No: WCP5-03
Drawn By: [illegible]
Reviewed By: [illegible]

Sheet Title: Floor Plan

Seal:

Sheet No: A1.0

SAINT THOMAS CATHOLIC CHURCH

6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108

BISHOP ROBERT BURGESS **PHONE (702)-655-5840**

TO; CITY OF LAS VEGAS
ATTENTION: PLANNING AND ZONING

Re: Letter of Justification

St Thomas Catholic Church has been in existence since 1998, at it's current location 6010 Smoke Ranch Road in the City of Las Vegas. This is a commercial strip center. We have acquired a Two and One Half Acre parcel of land at the Southeast corner of Apricot Lane and Roberta Lane. This parcel of land was in Clark County; we have applied for, and received, annexation into the City of Las Vegas.

The proposed use of this parcel of land is as follows:

1. To erect a Manufactured type of structure (see attached drawings Building #2) on the extreme East side of the property and to utilize this structure as our place of worship during construction of our primary house of worship (Building # 1).

2. We propose to erect Building #1 as shown on the Site Plan. Upon completion of this structure, we propose to utilize the Building #2 described in Para 1, as an educational facility.

3. We intend to have the structures blend in to the surrounding structures , as evidenced by the submittals we have presented. We hold services presently on Saturday at 5:00 PM and on Sunday at 9:00 AM and 11:00AM. We have functions that are held at various times. None of these functions are at a period of time as to intrude on the peace and serenity of the current surroundings.

4. We intend to abide by all City of Las Vegas Codes and Ordinances pertaining to this type of facility. We are requesting the following exceptions:

a. That the set back required along the South property line and East property line be reduced. There is an existing "block wall" acting as a buffer between the adjoining properties. Our Site Plan indicates that we are providing a four and one half and six feet buffer respectively. The necessity of an eight foot buffer seems extreme.

b. Along the North property line abutting Roberta Lane and West property line abutting Apricot Lane a requirement is for a fifteen feet area for landscaping. Our plans show a fourteen and one half foot landscape area, on Apricot Lane and we have also provided a twenty four and one half foot landscape area along Roberta Lane. We are asking for a trade off regarding the one half foot difference on West property line.

c. All parking spaces along the property lines require a planting area for every five parking spaces. We are asking for an elimination of these planter areas,. We are in a water crisis in our area and the requirement for additional landscaping seems superfluous. And as our congregation expands we may require more parking spaces.

Respectfully submitted

Bishop Robert Burgess

SUP-16850
SDR-16849
11/02/06 PC

City of Las Vegas

Agenda Item No.: 43

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-16849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-16850 - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 11,590 SQUARE FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARD on 2.45 acres located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard, (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

C.C.: 12/06/06

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

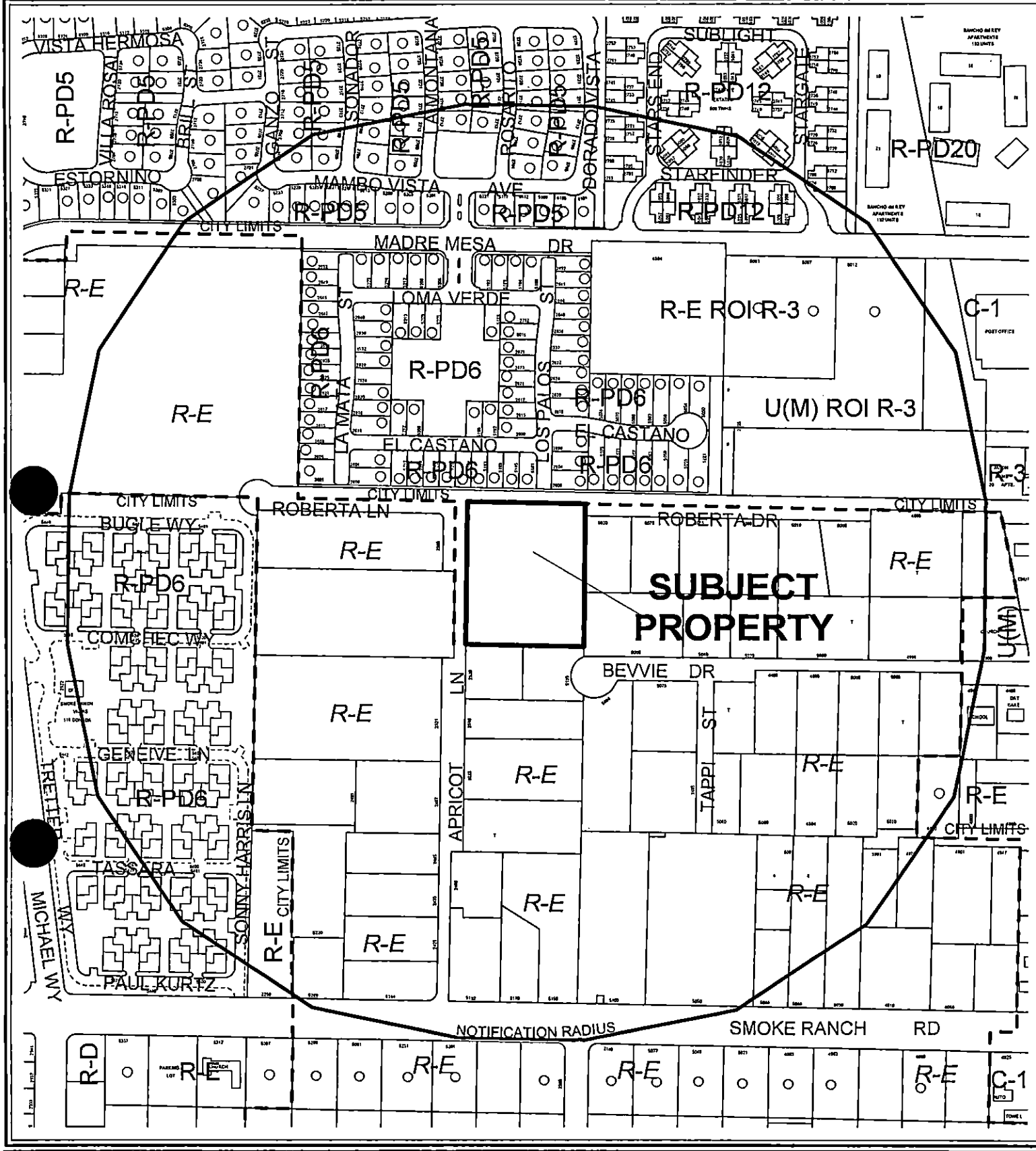
RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
TRUESDELL – ABEYANCE to the 12/07/2006 Planning Commission meeting – UNANIMOUS

To be heard by the Planning Commission on 12/07/2006

MINUTES:
NOTE: See Item 42 [SUP-16850] for all related discussion.
(8:21 – 9:03)



CASE: **SDR-16849**

RADIUS: 1000 FEET

0 200 400 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-16849 - APPLICANT/OWNER: ST.THOMAS CATHOLIC CHURCH

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-16850) if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/15/2006 , except as amended by conditions herein.

4. A Waiver from 19.12 .040 is hereby approved, to allow a four-and-a-half foot perimeter landscape buffering requirement where six feet is required and to allow no parking lot landscape fingers.

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. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off 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.

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. The parking lot and landscaping must be installed prior to issuance of a Certificate of Occupancy for any finished buildings.

14. Handicapped parking spaces must comply to Title 19.10.010 (K) Figure 4.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Dedicate 30 feet of right-of-way adjacent to this site for Roberta Lane and a 15 foot radius at the southeast corner of Roberta Lane and Apricot Lane prior to the issuance of any permits.

17. Construct half-street improvements including appropriate overpaving on Roberta Lane and Apricot Lane 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.

18. Extend public sewer in Apricot Lane from Roberta Lane to the southern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

SDR-16849 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review (SDR-16849) to allow a Church/House of Worship on the south side of Roberta Drive, approximately 1,280 feet west of Decatur Boulevard. In addition, a companion application request for a Special Use Permit (SUP-16850) has been filed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/05/06	The City Council approved the request for Annexation (ANX-10579) into city limits.
Related Building Permits/Business Licenses	
NA	NA
Pre-Application Meeting	
08/29/06	The applicant met with staff concerning the requirements for developing a church on a residentially-zoned parcel. The applicant was informed of the five conditions required for a Church use for approval of a Special Use Permit. In addition, the applicant was informed of the requirement for a Site Development Plan Review and that residential adjacency would apply to the structure's height.
Neighborhood Meeting	
NA	Although not required, a neighborhood meeting was suggested by staff. The applicant turned down the suggestion as he stated that he already has the support of the neighbors.

Details of Application Request			
Site Area			
Net Acres	2.49		
Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property:	Undeveloped	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
North:	Roberta Lane/ Single Family Residential	R (Low)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

South:	Single Family Residence	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
East:	Single Family Residence	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)
West:	Single Family Residence/ Undeveloped	R (Low)	R-E (Rural Estates Residential – Unincorporated Clark County)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060 the following standards apply

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	20,000 sq ft	106,570 sq ft	Y
Min. Lot Width	100 feet	328 feet	Y
Min. Setbacks		73.5 feet	
• Front	50 feet	76 feet &	Y
• Side	10 feet	107 feet	Y
• Corner	NA	NA	NA
• Rear	35 feet	67.5 feet	Y
Min. Distance Between Buildings	6 feet	27 feet	Y
Max. Lot Coverage	NA	10.875%	NA

Max. Building Height	35 feet	29 feet	Y
Trash Enclosure	Screened and covered	None shown	NA
Mech. Equipment	Screened	None shown	NA

Pursuant to Title 19.08.060 the following standards apply

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	The east/west elevations (gable side) require a 61.5-foot setback and the north/south elevations require a 107-foot setback.	76 feet on the east/ west sides & 148 feet on the north/south sides	Y
Adjacent development matching setback	NA	76 feet, 107 feet	NA
Trash Enclosure	50 feet from residentially zoned property	None shown	NA

Pursuant to Title 19.12 the following standards apply

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/Space	18 Trees	0*	N
Buffer: Min. Trees	1 Tree/30 Linear Feet	46 Trees	18	N
TOTAL				N
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	8 Feet		None shown	NA

*Per Title 19.10 (J)11(c) iv. Perimeter Landscaping: "Landscape materials required for perimeter landscape buffer areas may not be counted towards the requirements for landscape islands in parking lots."

SDR-16849 - Staff Report Page Four
November 2, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			Provided		Compliance
			Parking		Parking		
Use	Gross Floor Area or Number of Units	Parking Ratio	Regular	Handi-capped	Regular	Handi-capped	
Church/ House of Worship	3430 sq ft	1 space: 100 sq ft	35				
Classrooms	6	9 spaces per classroom	54				
Office	536 sq ft	1:300 sq ft	2				
SubTotal			89	4	105	11	Y
TOTAL (including handicap)			89	4	105	11	Y

Waivers		
Request	Requirement	Staff Recommendation
To allow a four-and-a-half foot perimeter landscape buffering requirement where six feet is required.	One 24-inch box tree shall be planted per 30 linear feet with a minimum of four 5-gallon shrubs for every tree.	Approval
To allow no parking lot landscape fingers where 17 are required.	One 24-inch box tree shall be planted for every six uncovered parking spaces with a minimum of four 5-gallon shrubs for every tree.	Approval

ANALYSIS

This is proposal for a Church/House of Worship on the south side of Roberta Drive, approximately 1,280 feet west of Decatur Boulevard to be completed in two phases of construction. The first phase is for a modular building that will temporarily house the congregation while the primary church is being completed. The modular building –shown as building #2 on the provided plans date stamped 09/15/06 complies with the development standards as listed in Title 19.08 and is suitably located in relation to the proposed finished church. Upon completion of the finished church –shown as building #1- the congregants will utilize the modular building for classrooms. The finished church –building #1- provides an adequate area for building setback so that the building height and steeple, as proposed, meet the conditions as listed by Title 19.08 regarding residential adjacency.

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":

Upon approval of the companion Special Use Permit (SUP-16850) the proposed development is compatible with adjacent development and development in the area.

In regard to "2":

With exception to the requested waiver to parking lot and perimeter buffer landscape requirements, the proposed development is consistent with the General Plan, Title 19, for Design, Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards.

In regard to "3":

The capacity of this local street is adequate to meet the requirements of the proposed church use.

In regard to "4":

The landscape materials are appropriate for the desert environment of the greater Las Vegas Valley area. The building materials are in compliance with Title 19 and provide an aesthetically pleasing addition to the area. Moreover, the extensive landscaping within the interior of the project around the buildings offsets any deficiencies in parking lot landscaping.

In regard to "5":

The proposal provides two phases of construction. The first phase is for a modular building that will temporarily house the congregation while the actual church is being completed. The second phase provides an adequate area for the building to meet Title 19 residential adjacency setbacks for the building height and steeple.

In regard to "6":

The development will require building permits from the Department of Building and Safety which will assure the public health, safety and general welfare are secured.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 345 (Mailed with SUP-16850)

APPROVALS 0

PROTESTS 0

MH

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16849** APN: 138-13-801-002

Name of Property Owner: ST. THOMAS CATHOLIC CHURCH

Name of Applicant: ST. THOMAS CATHOLIC CHURCH

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: BISHOP ROBERT W. BURGESS

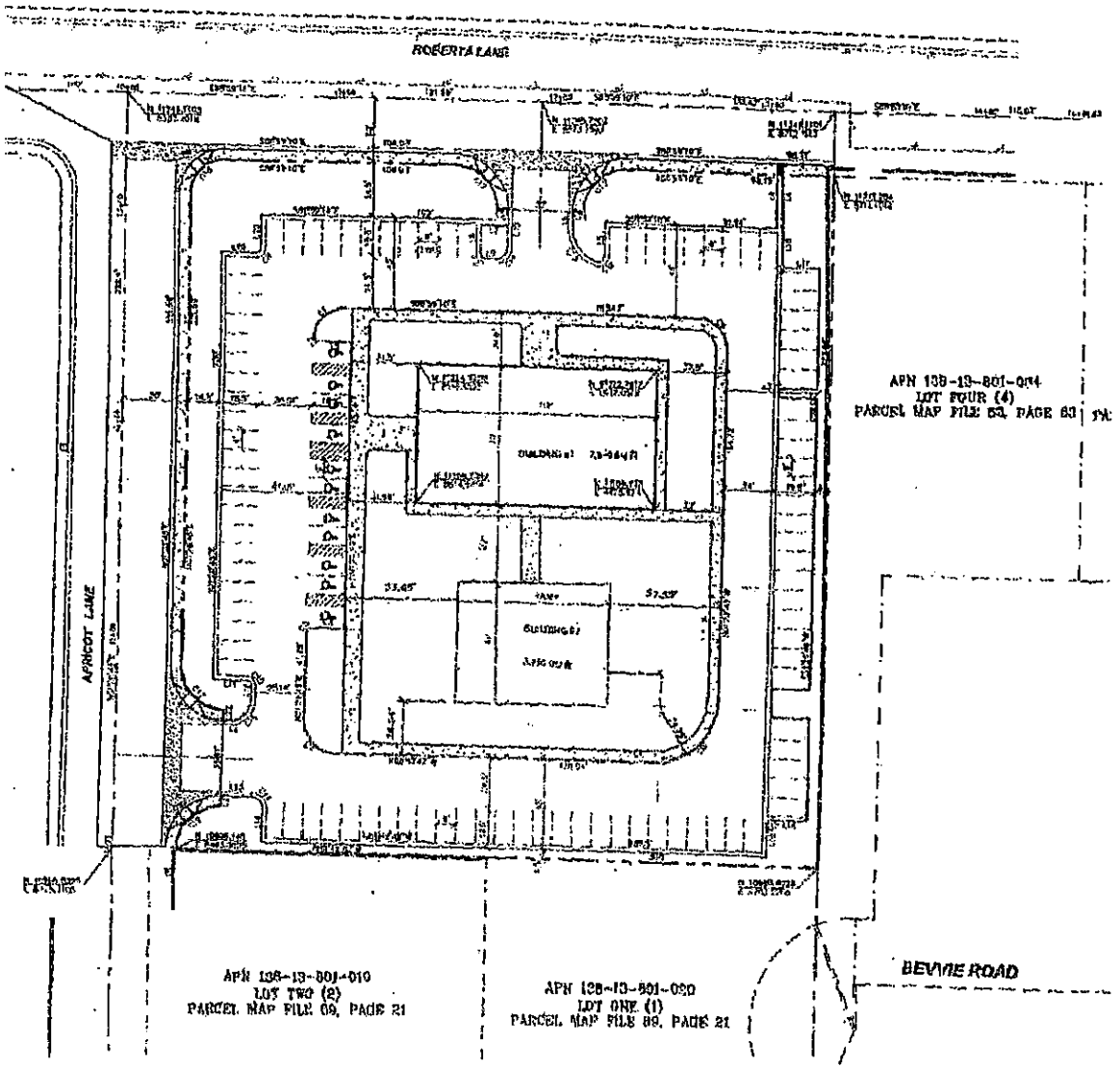
Subscribed and sworn before me

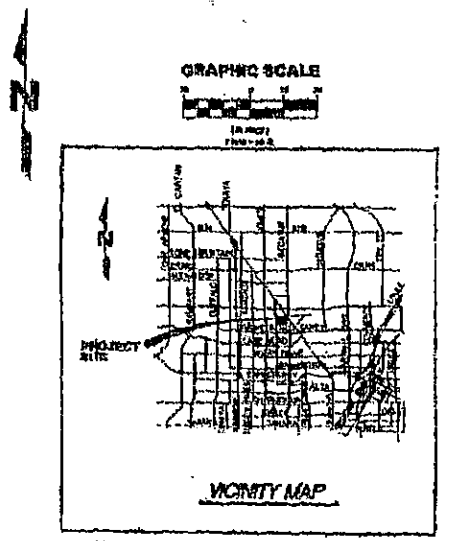
This 15th day of AUGUST, 2006

Expedita P. Vea

Notary Public in and for said County and State

EXPEDITA P. VEA
Notary Public, State of Nevada
Appointment No. 00-63063-1
My Appt. Expires Jul 12, 2008





LOT SIZE: 3.45 ACRES
BUILDING #1:
BUILDING #2:

OCCUPANCY LOAD

BENCHMARK

BASIS OF BEARINGS

RECEIVED

SEP 15 2006

SUP-16850
SDR-16849
11/02/06 PC

HTE# XX-XXXX

No.	REVISIONS	DATE	INIT.	APPR.	DATE

ST. THOMAS CATHOLIC CHURCH

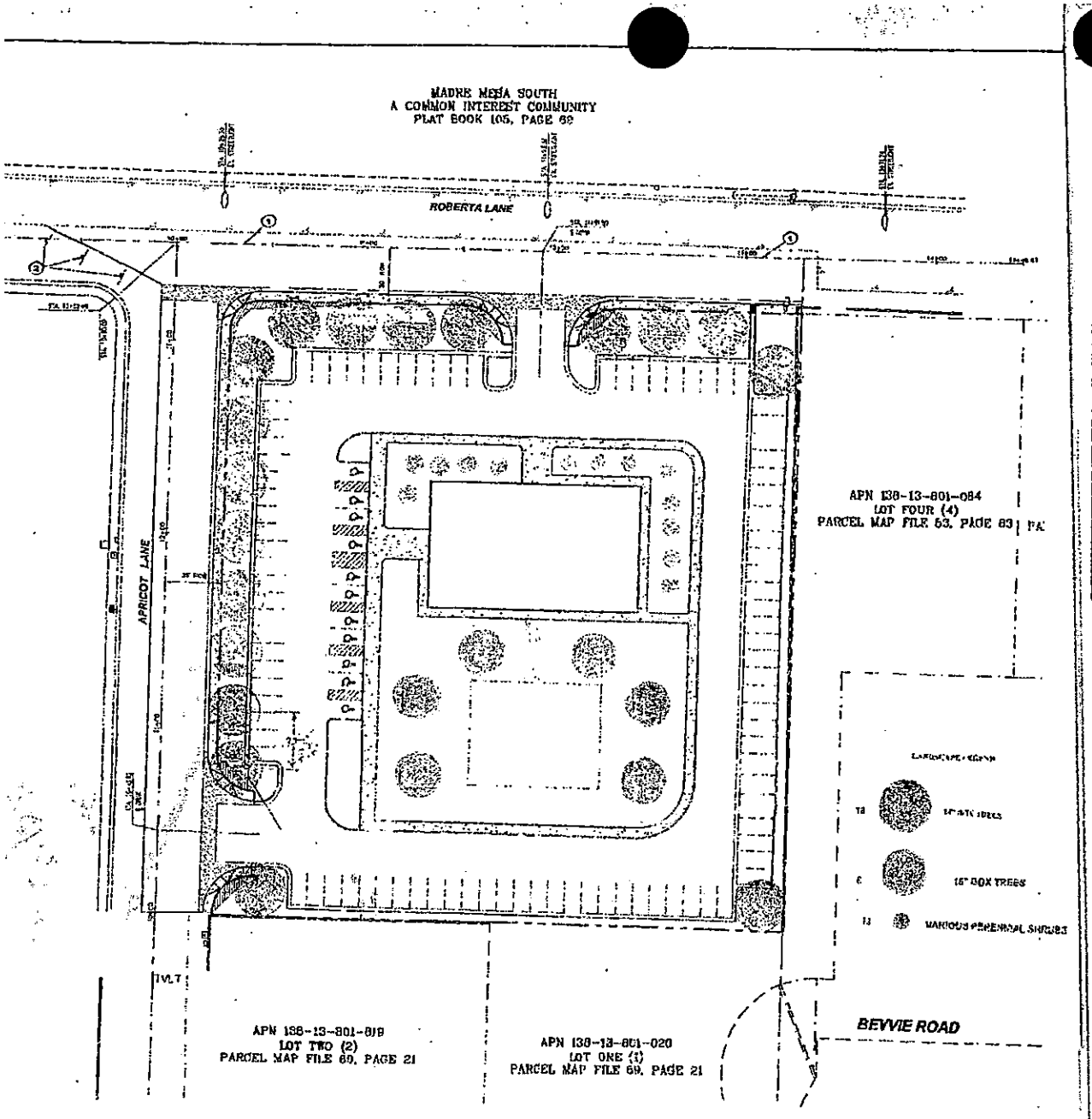
ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

SITE PLAN

SCALE
1" = 30'

SHEET NUMBER
9

JOB NUMBER



BASIS OF BEARINGS

NORTH 18°38'20" WEST, BEING THE BEARING OF THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/2) OF THE SOUTH HALF (S 1/2) OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 60 EAST, MDM., COUNTY OF CLARK, STATE OF NEVADA AS SHOWN PER PLAT BOOK 105 PAGE 69, OFFICIAL RECORDS, SAID COUNTY, SAID STATE

BENCHMARK

CLARK COUNTY BENCHMARK NO. 6000-1954 2" DOME HEAD BRASS CAP REFERENCE MONUMENT AT TOP OF CURB NORTHEAST CORNER OF SMOKE RANCH ROAD AND MICHAEL WAY NEAR SW PK OF SMOKE RANCH ROAD.

NAVD 1988 DATUM REVISED 2007
ELEVATION = 678.717 METERS
2229.99 FEET

SUP-16850
SDR-16849
11/02/06 PC

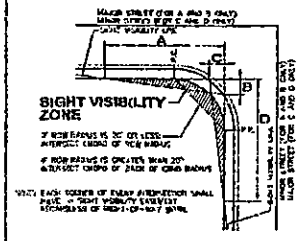
Call before you OVERHEAD 1-702-227-2929

Underground 1-702-455-7511 1-702-229-6611

GRAPHIC SCALE

SIGHT VISIBILITY RESTRICTION EASEMENT

TYPICAL INTERSECTION CORNER



RESTRICTION ZONE	A	B	C	D
1	-	-	-	-
2	-	-	-	-
3	60'	5'	4'	30'
4	-	-	-	-
5	-	-	-	-

SIGHT VISIBILITY ZONE – NO WALLS, FENCES, TREES, SHRUBS, UTILITY APPURTENANCES, OR ANY OTHER OBJECT, OTHER THAN TRAFFIC CONTROL DEVICES AND STREETLIGHT POLES, MAY BE CONSTRUCTED OR INSTALLED WITHIN THE SIGHT VISIBILITY ZONE UNLESS SAID OBJECT IS MAINTAINED AT LESS THAN 24 INCHES IN HEIGHT, MEASURED FROM TOP OF CURB, OR WHERE NO CURB EXISTS, A HEIGHT OF 27 INCHES MEASURED FROM THE TOP OF ADJACENT ASPHALT, GRAVEL, OR PAVEMENT STREET SURFACE

TRAFFIC CONSTRUCTION NOTES

1. INSTALL TYPE 3 CENTERLINE PER C.C.U.S.D. #244
2. INSTALL END OF LANE MARKERS
3. NOT USED
4. NOT USED
5. NOT USED

RECEIVED

SEP 15 2006

CLARK COUNTY DEPT. OF DEVELOPMENT SERVICES
CIVIL ENGINEERING DIVISION

ACCEPTANCE OF PLANS FOR FILING BY:

ACCEPTANCE OF THESE PLANS FOR FILING SHALL NOT BE CONSTRUED AS A PERMIT FOR, OR AN APPROVAL OF, ANY VIOLATION OF ANY OF THESE PROVISIONS OF THE STATE OR COUNTY LAWS AND/OR SPECIFICATIONS.
CLARK COUNTY SHALL BE HELD FREE FROM DAMAGES WHICH MAY RESULT FROM CONSTRUCTION OF THE IMPROVEMENTS FROM THE ENGINEERING DESIGN DEPICTED HEREIN.

NOTE: POWER POLES AND/OR OTHER EXISTING FACILITIES NOT PROPERLY LOCATED BASED ON PROPOSED IMPROVEMENTS SHOWN HEREON WILL BE RELOCATED AT NO EXPENSE TO CLARK COUNTY.

HTE# XX-XXXX

No.	REVISIONS	DATE	INIT.	APPR.	DATE

DATE 02/04/05 | DRAWN BY LLC | CHECKED BY LLC | FILE NUM.

ST. THOMAS CATHOLIC CHURCH

PEAK DEVELOPMENT SERVICES

ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

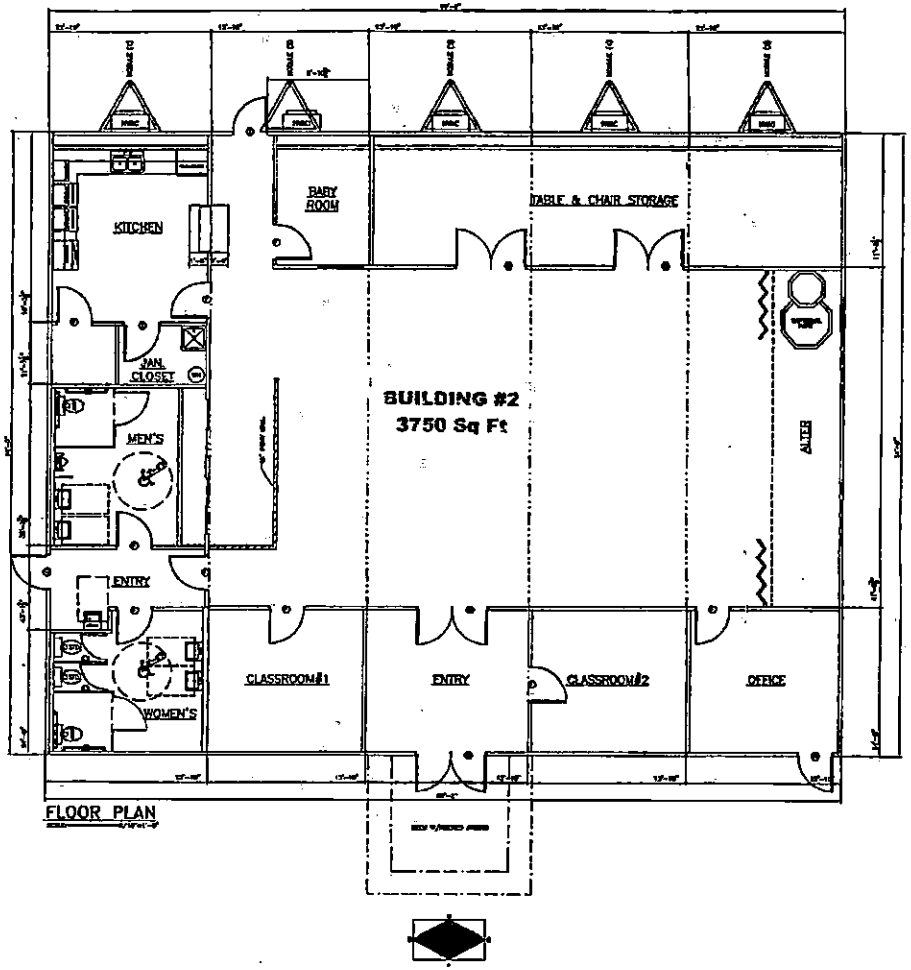
LANDSCAPE PLAN

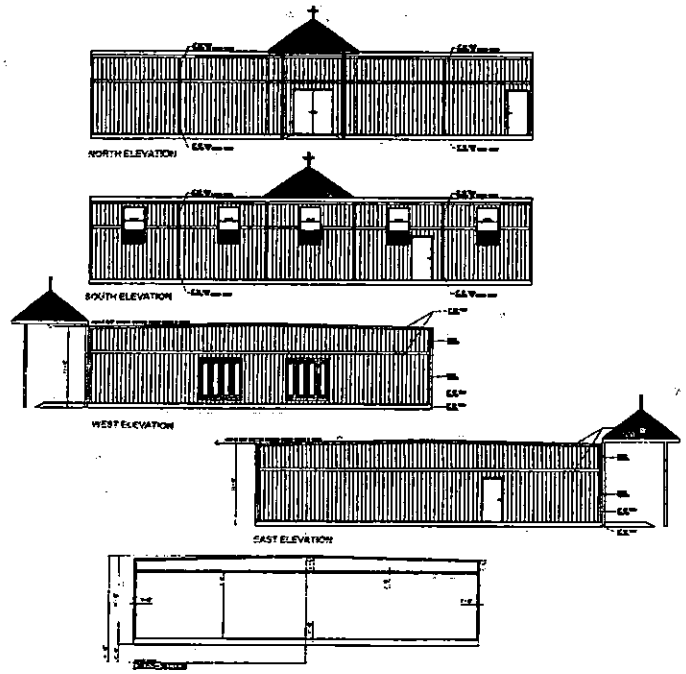
ENGINEER'S SEAL

SCALE 1" = 30'

SHEET NUMBER 8 OF 8

JOB NUMBER





BUILDING 2

OCCUPANCY LOAD

BUILDING #2 270

NOTE: The Occupancy Load for Building #2 will no longer be as shown, as soon a Building #1 is complete, it will no longer be used for Services, The Assembly area will no longer apply.

LOCATION FOR STATE APPROVAL STAMP

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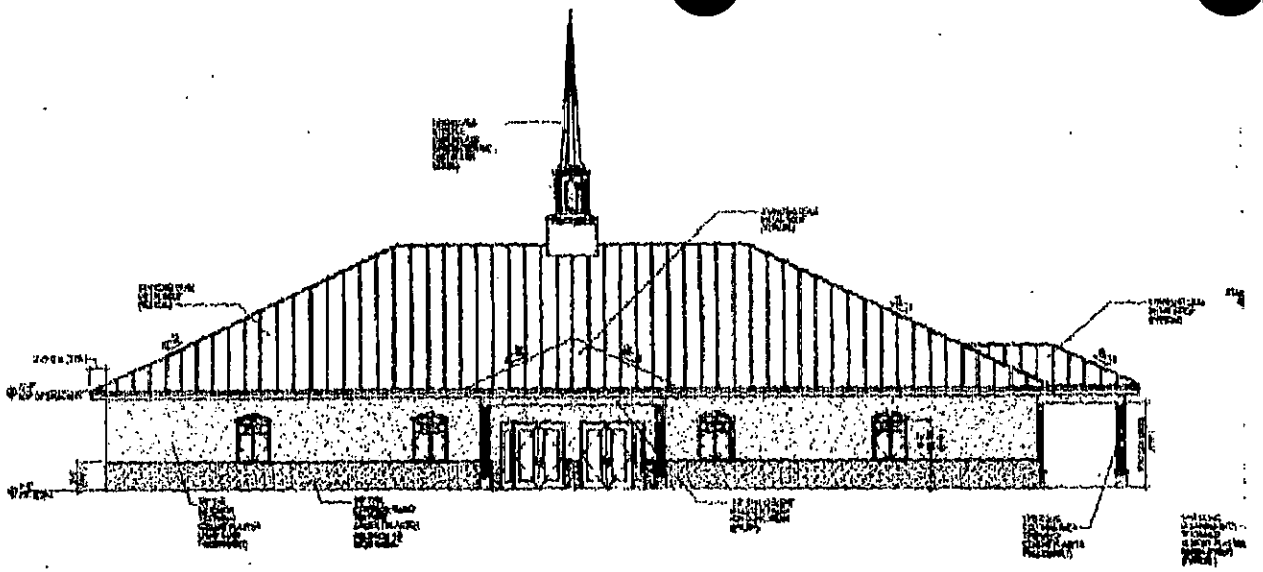
SUP-16850
SDR-16849
11/02/06 PC

MODTECH

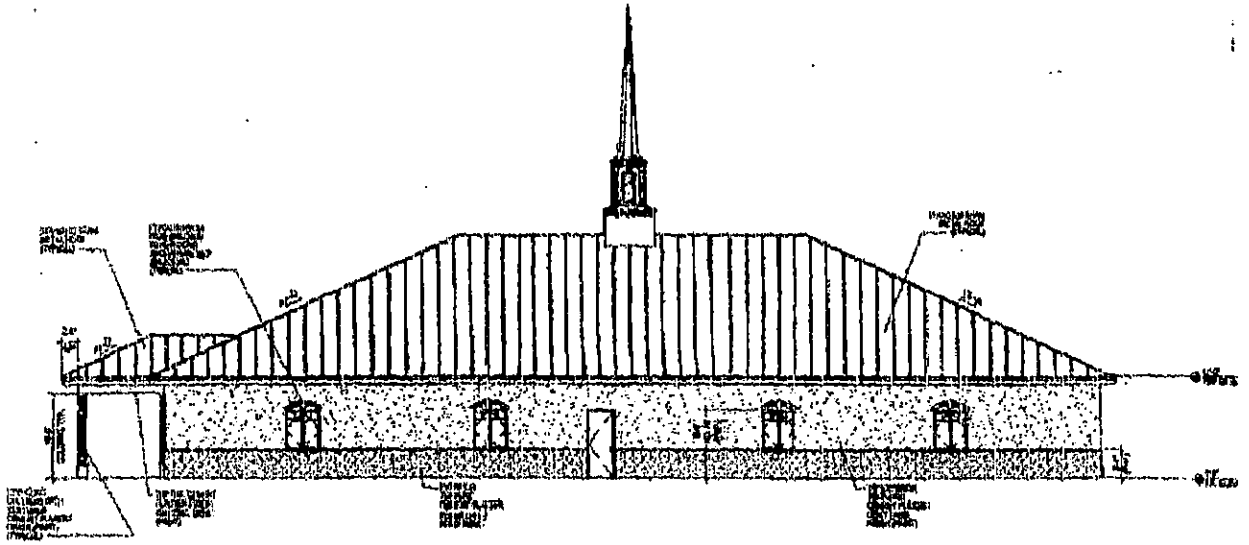
REVISIONS

MODTECH DIRECT

DATE: 08-01-06
DRAWN BY: V.WILLIAMS
SALES PERSON: MARIA S.
STATE: ARIZONA
DRAWING #:
PROJECT #: N/A
SHEET NO: 1



North Elevation



South Elevation

BUILDING ONE
NORTH - SOUTH ELEVATIONS

SUP-16850
SDR-16849
11/02/06 PC

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SEP 15 2006

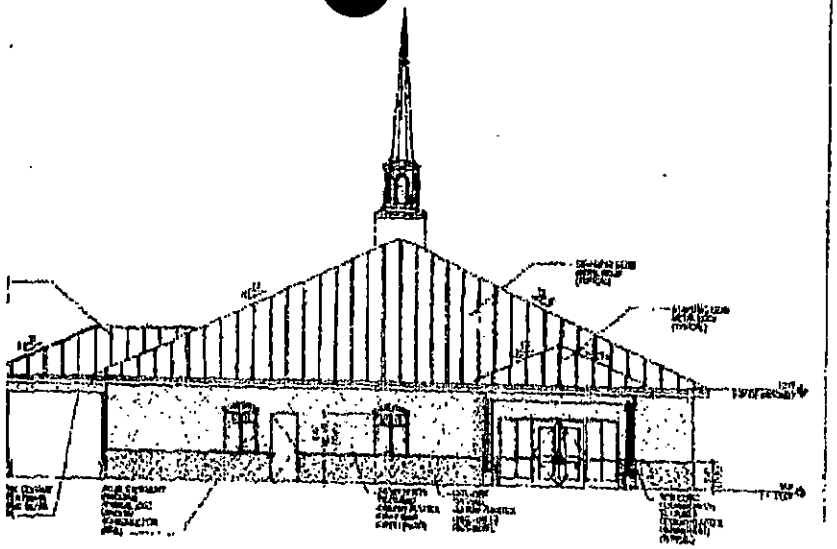
Worship

Client
SAINT NICHOLAS CATHOLIC CHURCH

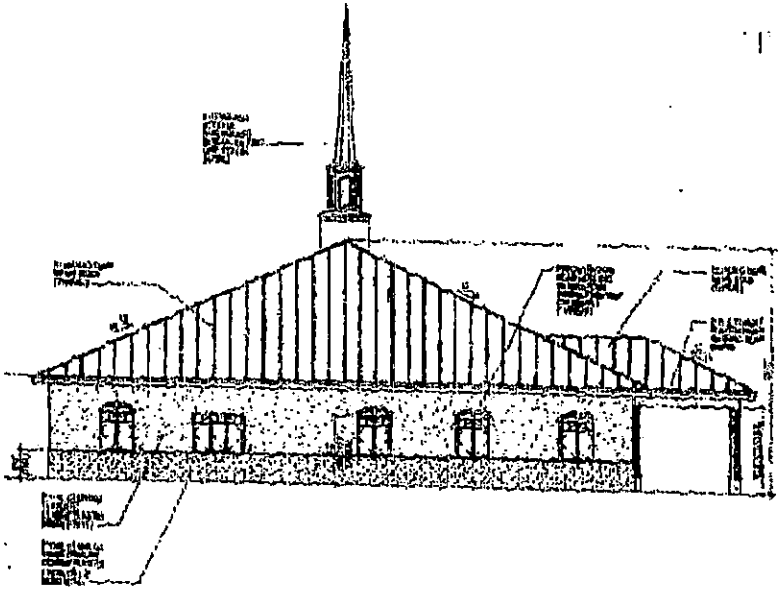
Consultants
Structural:
MEP:

Exterior Elevations

A2.0



West Elevation



East Elevation

BUILDING ONE
EAST - WEST ELEVATIONS

SUP-16850
SDR-16849
11/02/06 PC

RECEIVED
SEP 15 2006

Worship

Carlson

SAINT THOMAS
CATHOLIC CHURCH

Structural:
Janiere & Charland Engineers

MEP:
Stewart Engineering

Exterior
Elevations

A2.0

ROOM FINISH DESIGNATIONS

FLOOR		BASE		WALLS		CEILING	
SYM.	FINISH	SYM.	FINISH	SYM.	FINISH	SYM.	FINISH
A	CARPET TILE (STANDARD) - NOTE 1	1	4" CARPET	A	CFP, PERLPAINT/CERAMIC TILE	1	SUSPENDED ACOUSTICAL TILE - TYPE A
B	CERAMIC TILE - 8" x 8" TILE	B	6" M. CER. TILE	B	CFP, VARNISH - NOTE 3	2	GYP. BD. SOFFIT/PAINT/PAINTABLE FINISH
C	CARPET AT CONCRETE - NOTE 1, 3	C	WOOD	C	METAL PANEL/PERFORATED/SURFACE MTD.	3	EXPOSED STRUCTURE
D	VINYL COMPOSITION TILE	4	4" VINYL			4	SUSPENDED ACOUSTICAL TILE - TYPE B
E	CONCRETE SEALER					5	SUSPENDED ACOUSTICAL TILE - TYPE C
						6	GYP. BD/PLASTER/CERAMIC TILE

FINISH NOTES

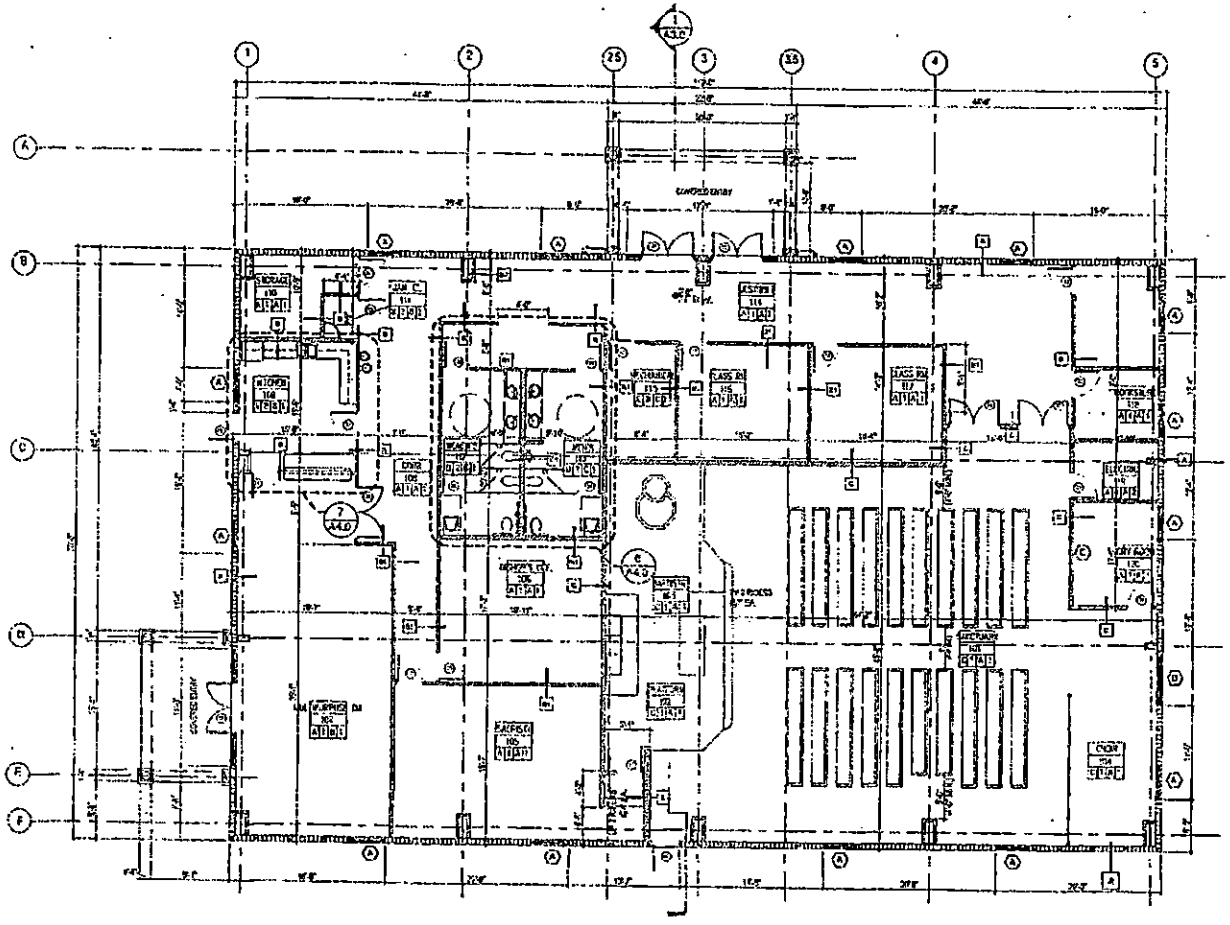
1. KEEP 10' FROM CONCRETE PERIMETER SPECIFICATION
2. NOT USED
3. CERAMIC TILE VARIOUS OVER CONDITIONS (CEMENTBOARD OR FORMED TILE BACKUP BOARD, DRYWALL MOISTURE RESISTANT GYPSUM BOARD, GYPSUM PLASTER FINISH TYPICAL AT ALL OTHER WALL LOCATIONS. TYPICAL IN ALL BATHROOMS.

CEILING SYSTEMS BY U.S.G. CORPORATION

TYPE A (STANDARD): GRID SYSTEM - 24" x 24" DONN DX SERIES EXPOSED FACE GRID w/ 9/16 WALL MOLDING DETAIL. TILE - "DUNE CLIMAPLUS" HIGH CNC, HIGH NRC, 5/8" x 24" w/SQUARE EDGE, 15 REVEAL GRID PROFILE "A". GRID COLOR - WHITE TILE COLOR - WHITE

TYPE C (CLOSED): GRID SYSTEM - 24" x 24" "ENVIRONE 9/16 DXRT" TILE SYSTEM WITH WALL MOLDING DETAIL. TILE - "SUNRISE" - 24" x 24" w/SQUARE STYLE "SLT" TO PROVIDE GRID PROFILE "B". GRID COLOR - WHITE TILE COLOR - WHITE

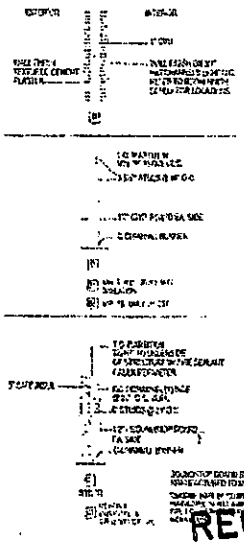
TYPE D1 (CANCELLED): GRID SYSTEM - 24" x 24" DONN DX SERIES EXPOSED FACE GRID w/9/16 WALL MOLDING DETAIL. TILE - "ECLIPSE CLIMAPLUS" - 24" x 24" w/SQUARE STYLE "SLT" TO PROVIDE GRID PROFILE "B". COLOR - WHITE GRID COLOR - WHITE TILE COLOR - WHITE

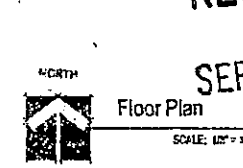


Required Plumbing Fixture Count			
Assembly Occupancy	160 M + 160 W = 320		
	Men	Women	Public
Toilet	1:150=2	1:75=3	
Lavatories	1:200=1	1:200=1	
Drinking Fountain			1:1000=1
Service Sink			1

No unisex toilet required

WALL TYPE LEGEND





RECEIVED
SEP 15 2006

NORTH

Floor Plan

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

BUILDING ONE

SUP-16850
SDR-16849
11/02/06 PC

Worship

722 Apex Road
Suite G
Sarasota, FL 34240

Carlson Architecture
741 South Orange Ave
Sarasota, Florida 34236
941.362.4042 Tel
941.362.1921 Fax
www.carlsonstalin.org
NV-Lic. # 5519
Architect: Michael R. Carlson Lic. # 5519

Client:
SAINT THOMAS CATHOLIC CHURCH
6316 Smoke Ranch Road
Las Vegas, Nevada

Consultants:

Structural:
Jenkins & Charland Engineers
2621 Fruitville Road, Suite 200
Sarasota, Fl
941.952-1717

MEP:
Stewart Engineering
1859 Hyde Park Road
Sarasota, FL 34234
941.351.9996

Date: JUNE 14, 2006

Revisions:

No.	Description	Date

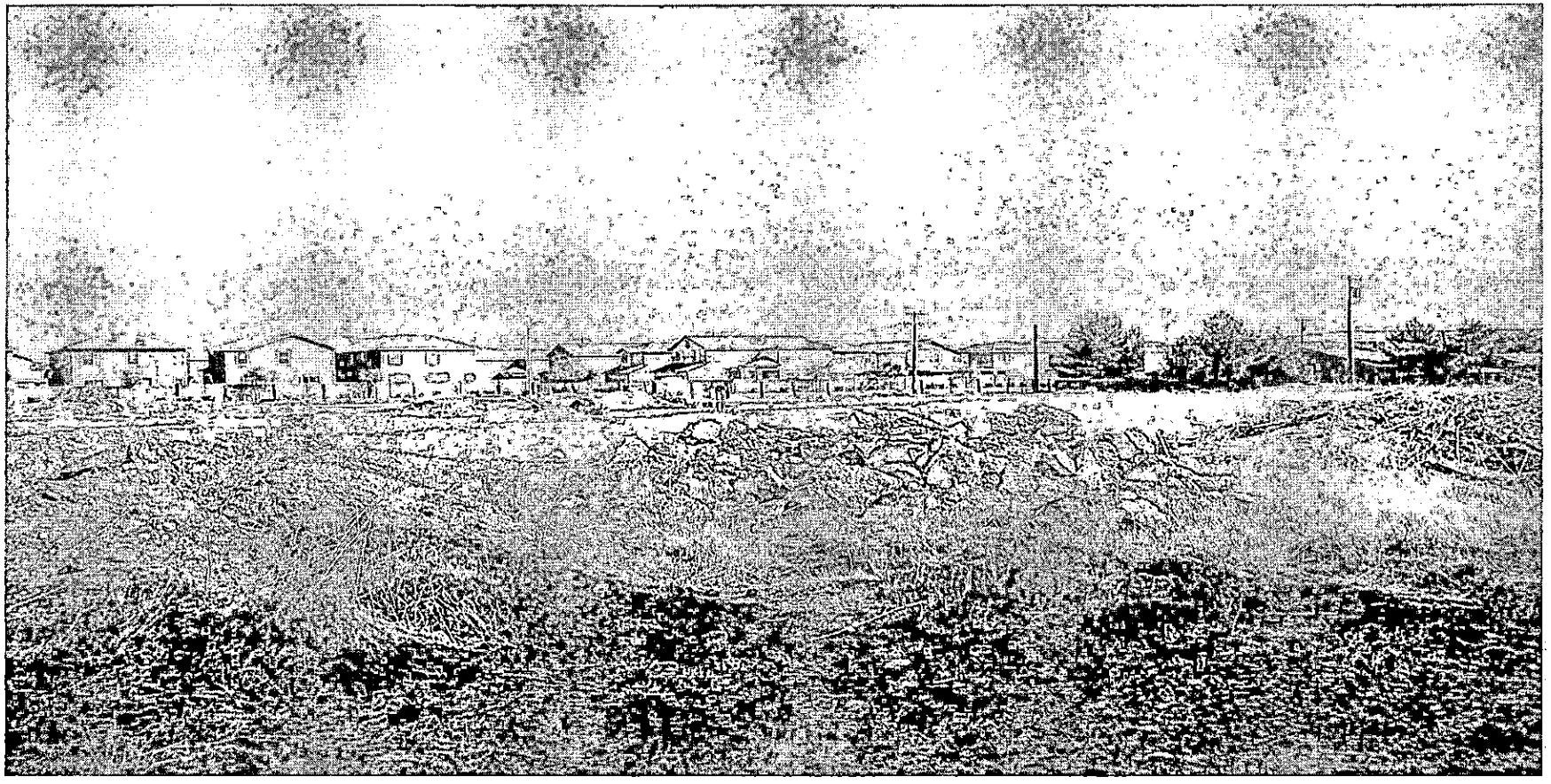
Project No: WDS-03
Drawn by: RM
Reviewed by: MRC

Sheet Title: Floor Plan

Seal:

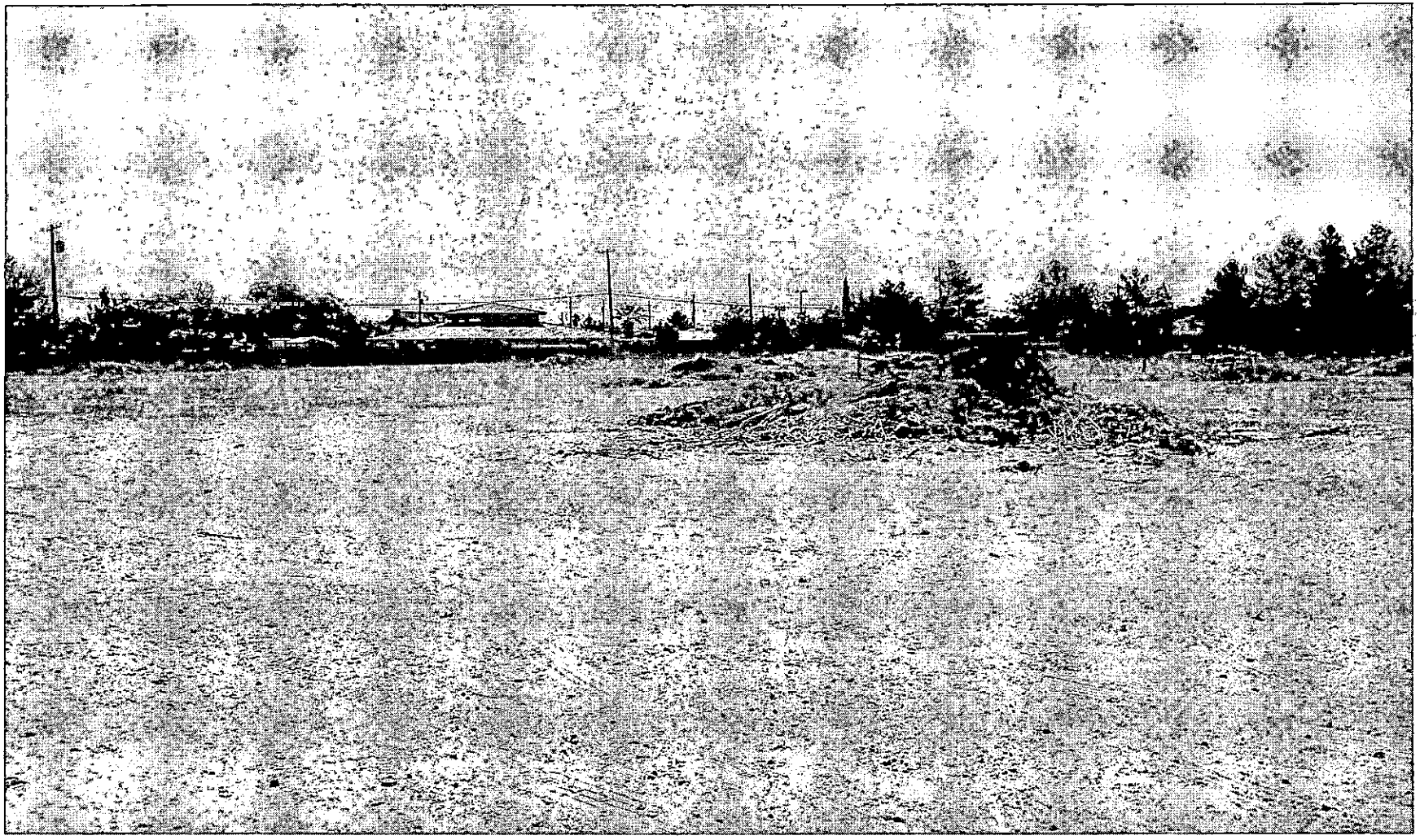
Sheet No: A1.0

SDR 16849				
St. Thomas Catholic Church				
SEC Roberta & Apricot				
Proposed 11.59 thousand square foot church.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	11.59	9.11	**106**
AM Peak Hour			0.72	**8**
PM Peak Hour			0.66	**8**
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Robera or Apricot				
Smoke Ranch Road				
Average Daily Traffic (ADT)	14,661			
PM Peak Hour	1173			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	26,972			
PM Peak Hour	2158			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT Capacity			
Smoke Ranch	32585			
Decatur	51700			
This project will add approximately 106 trips per day on Smoke Ranch and Decatur. This will increase expected volumes by less than 1 percent on Smoke Ranch and Decatur. Smoke Ranch is at about 45 percent of capacity and Decatur at about 52 percent of capacity. Counts are not available for Roberta or Apricot, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 8 additional cars into the area; which works out to about one every eight minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-16850 AND SDR-16849 - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH
SOUTH SIDE OF ROBERTA DRIVE, APPROXIMATELY 1280 FEET WEST OF DECATUR BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



SUP-16850 AND SDR-16849 - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH
SOUTH SIDE OF ROBERTA DRIVE, APPROXIMATELY 1280 FEET WEST OF DECATUR BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06

SAINT THOMAS CATHOLIC CHURCH
6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108

BISHOP ROBERT BURGESS *PHONE (702)-655-5840*

TO; CITY OF LAS VEGAS
ATTENTION: PLANNING AND ZONING

Re: Letter of Justification

St Thomas Catholic Church has been in existence since 1998, at it's current location 6010 Smoke Ranch Road in the City of Las Vegas. This is a commercial strip center. We have acquired a Two and One Half Acre parcel of land at the Southeast corner of Apricot Lane and Roberta Lane. This parcel of land was in Clark County; we have applied for, and received, annexation into the City of Las Vegas.

The proposed use of this parcel of land is as follows:

1. To erect a Manufactured type of structure (see attached drawings Building #2) on the extreme East side of the property and to utilize this structure as our place of worship during construction of our primary house of worship (Building # 1).

2. We propose to erect Building #1 as shown on the Site Plan. Upon completion of this structure, we propose to utilize the Building #2 described in Para 1, as an educational facility.

3. We intend to have the structures blend in to the surrounding structures , as evidenced by the submittals we have presented. We hold services presently on Saturday at 5:00 PM and on Sunday at 9:00 AM and 11:00AM. We have functions that are held at various times. None of these functions are at a period of time as to intrude on the peace and serenity of the current surroundings.

4. We intend to abide by all City of Las Vegas Codes and Ordinances pertaining to this type of facility. We are requesting the following exceptions:

a. That the set back required along the South property line and East property line be reduced. There is an existing "block wall" acting as a buffer between the adjoining properties. Our Site Plan indicates that we are providing a four and one half and six feet buffer respectively. The necessity of an eight foot buffer seems extreme.

b. Along the North property line abutting Roberta Lane and West property line abutting Apricot Lane a requirement is for a fifteen feet area for landscaping. Our plans show a fourteen and one half foot landscape area, on Apricot Lane and we have also provided a twenty four and one half foot landscape area along Roberta Lane. We are asking for a trade off regarding the one half foot difference on West property line.

c. All parking spaces along the property lines require a planting area for every five parking spaces. We are asking for an elimination of these planter areas,. We are in a water crisis in our area and the requirement for additional landscaping seems superfluous. And as our congregation expands we may require more parking spaces.

Respectfully submitted

Bishop Robert Burgess

SUP-16850
SDR-16849
11/02/06 PC

City of Las Vegas

Agenda Item No.: 44

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-17404 - SPECIAL USE PERMIT - PUBLIC HEARING - - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY IN CONJUNCTION WITH A BANK WITHIN A PROPOSED SHOPPING CENTER on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway, (APN 125-29-601-002 and 020), TC (Towncenter) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 12/06/06

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

RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 44 [SUP-17404], Item 45 [SUP-17405] and Item 46 [SDR-16952].

ANDY REED, Planning and Development Department, stated the proposal is appropriate and compatible with the area and recommended approval.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 44 – SUP-17404

MINUTES – Continued:

DAVE CLAPSADDLE, 1711 Whitney Mesa Drive, and MIKE YOUNG, Huffman Builders, appeared on behalf of the applicant. He agreed to all conditions and respectfully requested approval.

CHAIRMAN TROWBRIDGE complimented MR. YOUNG for selecting a drive-through design that complied with all Code requirements.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 44 [SUP-17404], Item 45 [SUP-17405] and Item 46 [SDR-16952].

(9:03 – 9:05)

2-2679

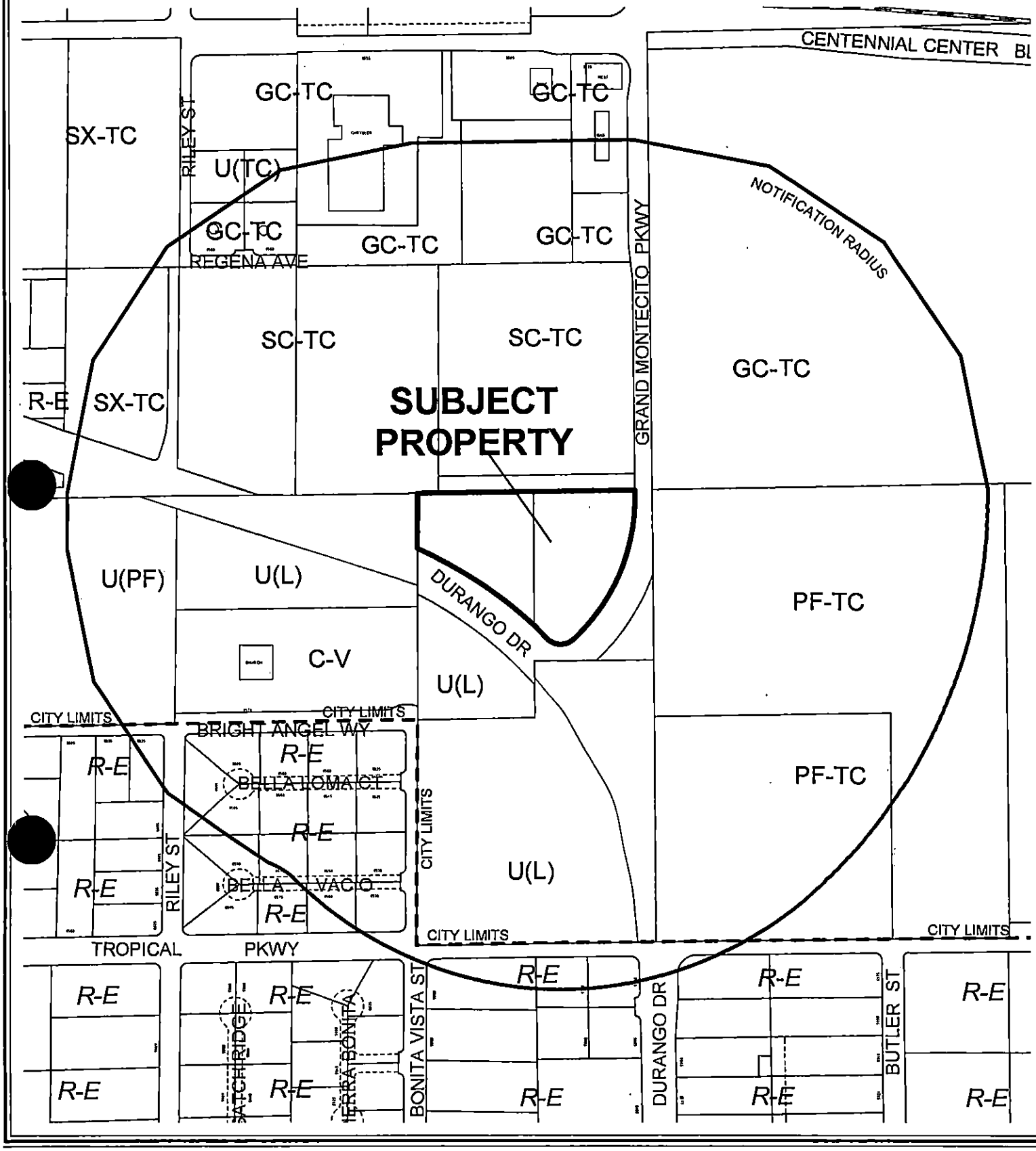
CONDITIONS:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-16952), if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



0 200 400 Feet

CASE: **SUP-17404**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-17404 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC.

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-16952), if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-17404 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a drive-through facility in conjunction with a bank within a proposed shopping center on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway.

The proposed site plan for the bank with drive-through will be compatible with the existing and proposed development around the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/01/05	The Planning Commission approved a Tentative Map for a one-lot commercial subdivision, which includes the subject site as well as the office development immediately to the north. The approval of a commercial subdivision map allows for cross-access and parking over the entire site.
12/07/05	The City Council approved a request for a Site Development Plan Review (SDR-8066) for a proposed 247,800 square-foot office complex on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive, in the north portion of the subject site. The Planning Commission and staff had recommended approval at the 11/02/05 Planning Commission meeting.
11/02/06	The Planning Commission will consider a Special Use Permit (SUP-17405) for another drive-through facility in the west portion of the site, and a Site Development Plan Review (SDR-16952) for a 42,500 square-foot shopping center on the subject site.
Pre-Application Meeting	
09/05/06	Staff indicated that a Multi-Use trail is required to be placed on Durango Drive, adjacent to this site.
Neighborhood Meeting	
10/16/06	A neighborhood meeting is not required for a Special Use Permit; however, a neighborhood meeting was held, and no property owners attended.

Details of Application Request	
Site Area	
Net Acres	4.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
North	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
South	Undeveloped	Low Density Residential	U (Undeveloped
East	Undeveloped	Public Facility-Town Center	TC (Towncenter)
West	Church	Public Facility	C-V (Civic)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	*	• 20 Feet	Y
• Corner	*	• 20 Feet	Y
• Rear	*	• 20 Feet	Y

*Pursuant to the Town Center Development Standards Manual, the Development Standards that apply to the subject proposal are determined as part of this request. Per the Town Center Development Standards Manual, setbacks for commercial buildings are to be provided only inasmuch as they enhance the sidewalk and the public and semi-public areas in front of the building. For the most part, setbacks are to be minimal in order to enhance the pedestrian realm and create an inviting streetscape corridor. This project meets the intent of the Town Center standards for setbacks and provides adequate space for sidewalks, amenity zones, and landscaping.

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	120 Feet from residential	150 Feet from residential	Y
Trash Enclosure	50 Feet from residential	360 Feet from residential	Y

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	30 Trees	42	Y
Buffer: Min. Trees	1Tree/ 30 Linear Feet	54 Trees	56	Y
Min. Zone Width	15 Feet along street frontages		15 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	*Parking*		*Parking*		
			Regular	Handi-capped	Regular	Handi-capped	
Office	247,800		826				
Retail	37,000	1/250	148				
Bank	5,500	1/200 sf	28				
TOTAL			1,002	22	1,135	22	Y

Because the subject site is part of a commercial subdivision, which includes the office development immediately to the north, the above parking analysis includes the requirements for both the proposed development and the previously approved office development.

ANALYSIS

The applicant proposes to construct 42,500 square feet of retail space on this undeveloped 4.49 acre site. The site plan indicates that three buildings will consist of retail shops, with a 5,500 square-foot bank with a drive-through located in the east portion of the site. Driveways to Durango Drive and Grand Montecito Parkway are shown. Landscaping is shown along the property lines and within the parking lot. The elevations indicate that the buildings will have a plaster exterior with decorative stone and split-face block accents at the pedestrian level.

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."

In regard to "1": The proposed site plan for the bank with a drive-through will be compatible with the existing and proposed development around the site.

In regard to "2": The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land-use as proposed by this drive-through facility use.

In regard to "3": The site will be accessed from Grand Montecito Parkway, a 90-foot Town Center Frontage Road, and Durango Drive, a 120-foot Town Center Parkway Arterial. These streets are adequate in size for the proposed development and will not be adversely impacted by approval of this request.

In regard to "4": The proposed development will be subject to regular City and County inspections for licensing and will; therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED	41	(Mailed with SUP-17405 and SDR-16952)
APPROVALS	0	
PROTESTS	0	

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-17404** APN: 125-29-601-002

Name of Property Owner: Centennial Hills Center, LLC

Name of Applicant: Centennial Hills Center, LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John B Stookey

Print Name: John Stookey

Subscribed and swom before me

This 4th day of October, 2006

Michelle R Mueller

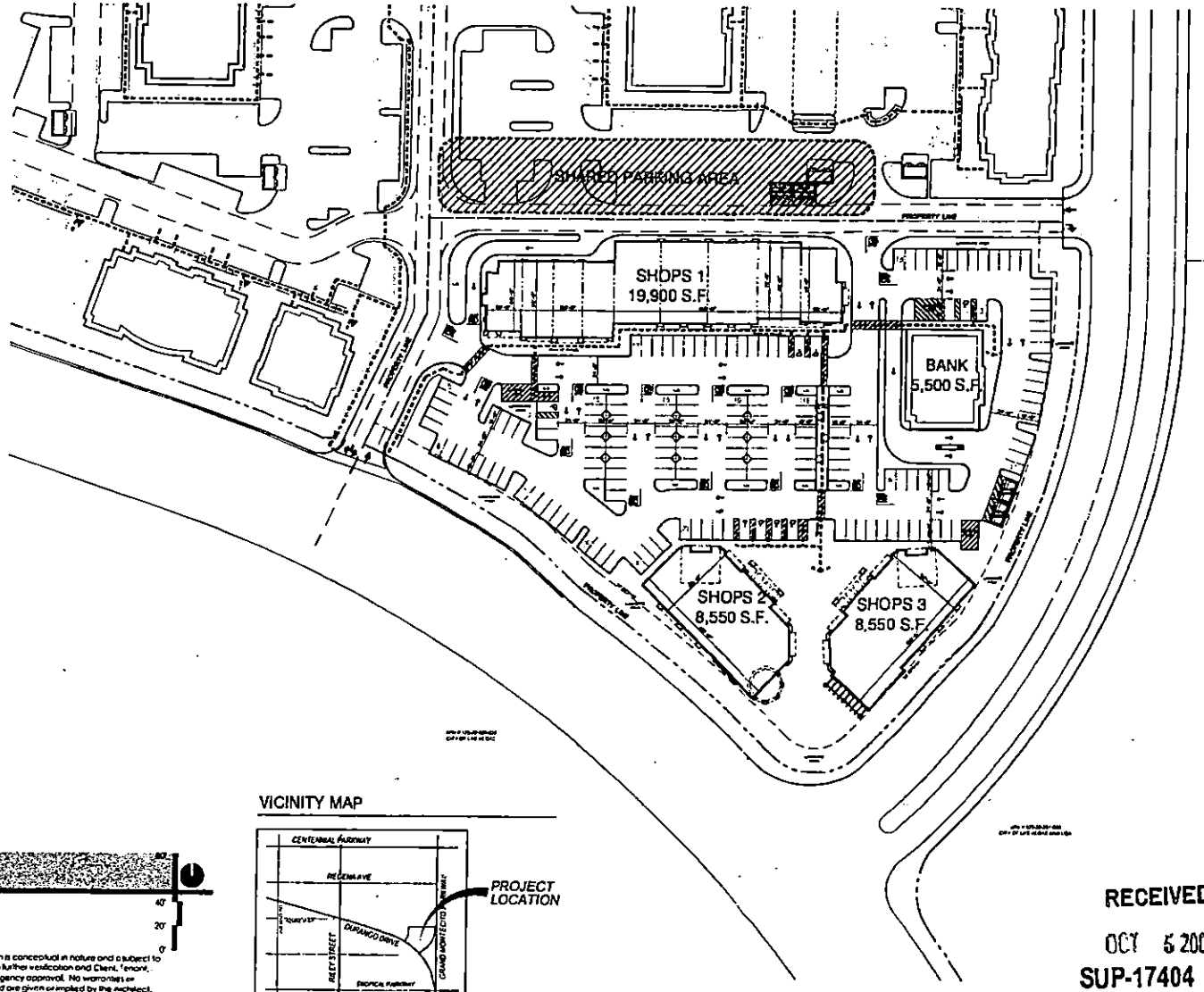
Notary Public in and for said County and State

MICHELLE R. MUELLER
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 02-20-2009
CERTIFICATE NO: 01-67231-1

DURANGO & GRAND MONTECITO

LAS VEGAS, NV No.0714.1073.01

KKE architects, Inc. 525 east colorado boulevard, fourth floor, pasadena, california 91101 626.796.8230 626.795.8735 fax www.kke.com



A PROJECT FOR:
HUFFMAN BUILDERS WEST
5735 FORT APACHE ROAD
SUITE A
LAS VEGAS, NV 89148
T: 702/341.8809
F: 949/360.3819

LEGAL DESCRIPTION

A PORTION OF THE NE QUARTER OF THE NE QUARTER OF SEC 29, T 19 S, R 60 E, MDM

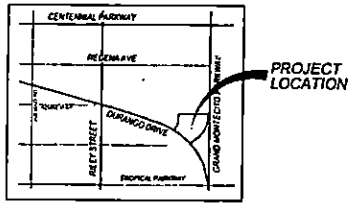
SUMMARY - RETAIL PARCEL

LAND AREA	±4.49 AC	±195,782 S.F.
BUILDING AREA		
SHOPS		37,000 S.F.
BANK/REST.		5,500 S.F.
TOTAL		42,500 S.F.
F.A.R.		0.21
PERCENT COVERAGE		21 %
PARKING REQUIRED (RETAIL)		148 STALLS
PARKING REQUIRED (BANK)		28 STALLS
PARKING PROVIDED		179
OVERALL PARKING RATIO		4.2 / 1000
PARKING STALL SIZE		9' x 18'
HANDICAP REQUIRED		5
HANDICAP PROVIDED		7
PARKING PROVIDED (W/ SHARED)		221
OVERALL PARKING RATIO (W/ SHARED)		5.2 / 1000

SUMMARY - OFFICE PARCEL

LAND AREA	±17.41 AC	±758,142 S.F.
BUILDING AREA		
OFFICE		247,769 S.F.
PARKING REQUIRED		821 STALLS
PARKING PROVIDED		956 STALLS
EXCESS PARKING PROVIDED		135 STALLS

VICINITY MAP



SITE PLAN
October 3, 2006

80'
40'
20'
0'

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

RECEIVED
OCT 5 2006
SUP-17404 SUP-17405
SDR-16952 REVISED
11/02/06 PC

NORTH

KKE architects

R:\2007\0714.1073 - Centennial Hills Retail, Las Vegas, NV\Cad\Design\01-Schematic Design\CAD\Centennial Hills Retail 100306 Site Plan.dwg, 10/3/2006 10:17:38 AM

October 5, 2006

Margo Wheeler, Director
Planning and Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89131

RE: Justification Letter for Special Use Permit- Drive-Through Lane for the Retail Center: APN-125-29-601-020

Dear Ms. Wheeler:

On behalf of our client Centennial Hills Center, LLC, please accept this letter as justification for Special Use Permit for a drive-through lane for the bank as depicted on the attached site plan. A drive-through lane is typically associated with a bank; it is oriented to the interior of the site to ensure efficient on-site vehicular traffic.

We believe the proposed application is appropriate for a bank in this location. We respectfully request your support; please feel free to contact me if you have any questions or need additional information.

Sincerely,

Melissa Walter
for David Clapsaddle
Director of Planning

GCG:mw

GCGARCIA

SUP-17404 SUP-17405
SDR-16952 REVISED
11/02/06 PC

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

City of Las Vegas

Agenda Item No.: 45

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:
SUP-17405 - SPECIAL USE PERMIT RELATED TO SUP-17404 - PUBLIC HEARING - - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC. - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY WITHIN THE WEST PORTION OF A PROPOSED SHOPPING CENTER on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway, (APN 125-29-601-002 and 020), TC (Towncenter) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 12/06/06

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

RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
NOTE: See Item 44 [SUP-17404] for all related discussion.
(9:03 – 9:05)
2-2679

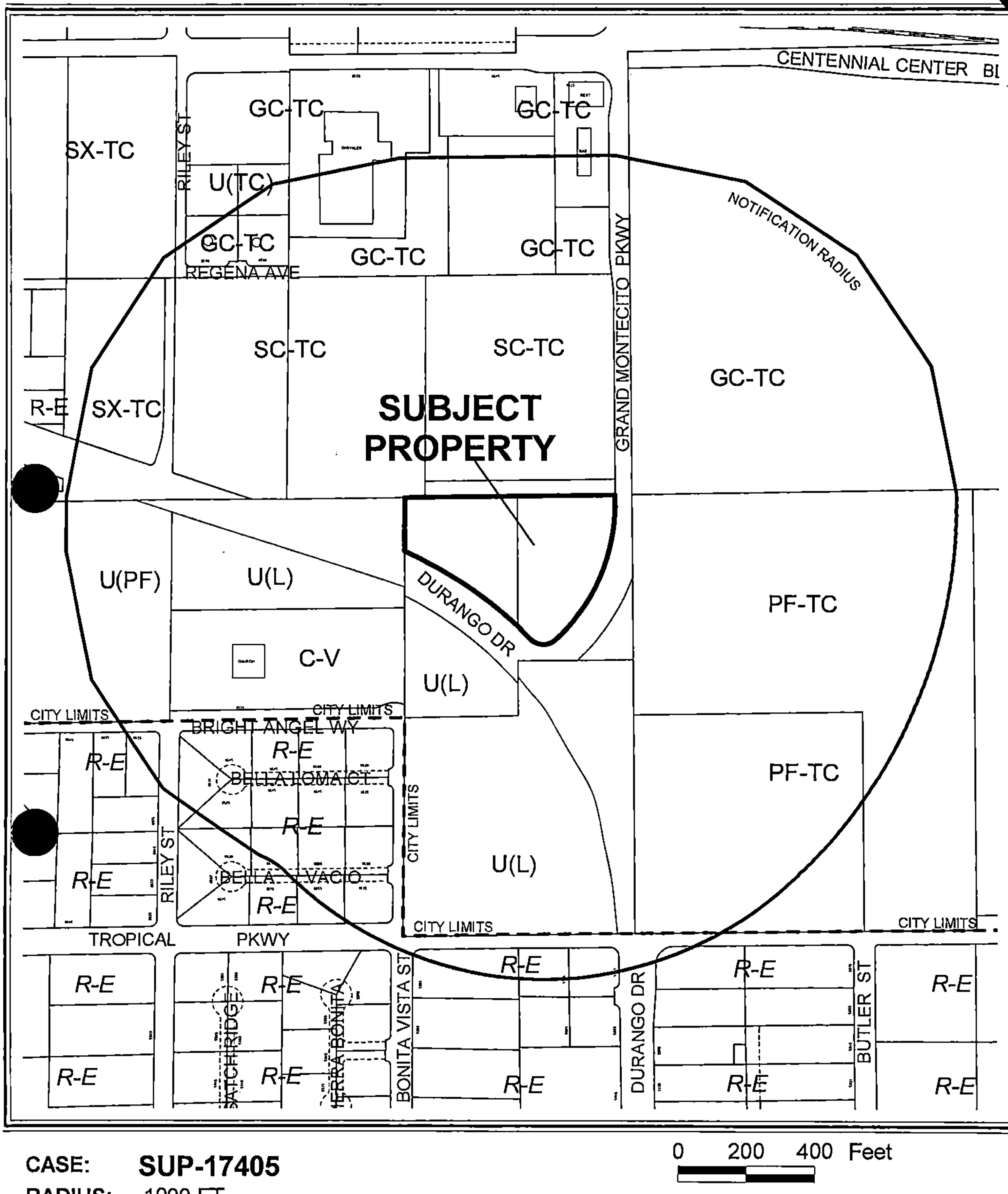
CONDITIONS:
Planning and Development
1. Conformance to the conditions for Site Development Plan Review (SDR-16952), if approved.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 45 – SUP-17405

CONDITIONS – Continued:

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **SUP-17405**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-17405 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC.

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-16952), if approved.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-17405 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a drive-through facility within the west portion of a proposed shopping center on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway.

The proposed site plan for the drive-through facility will be compatible with the existing and proposed development around the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/01/05	The Planning Commission approved a Tentative Map for a one lot commercial subdivision, which includes the subject site as well as the office development immediately to the north. The approval of a commercial subdivision map allows for cross-access and parking over the entire site.
12/07/05	The City Council approved a request for a Site Development Plan Review (SDR-8066) for a proposed 247,800 square-foot office complex on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive, in the north portion of the subject site. The Planning Commission and staff had recommended approval at the 11/02/05 Planning Commission meeting.
11/02/06	The Planning Commission will consider a Special Use Permit (SUP-17405) for another drive-through facility in the west portion of the site, and a Site Development Plan Review (SDR-16952) for a 42,500 square-foot shopping center on the subject site.
Pre-Application Meeting	
09/05/06	Staff indicated that a Multi-Use trail is required to be placed on Durango Drive, adjacent to this site.
Neighborhood Meeting	
10/16/06	A neighborhood meeting is not required for a Special Use Permit; however, a neighborhood meeting was held, and no property owners attended.

SUP-17405 - Staff Report Page Two
November 2, 2006 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	4.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
North	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
South	Undeveloped	Low Density Residential	U (Undeveloped
East	Undeveloped	Public Facility-Town Center	TC (Towncenter)
West	Church	Public Facility	C-V (Civic)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	*	• 20 Feet	Y
• Corner	*	• 20 Feet	Y
• Rear	*	• 20 Feet	Y

*Pursuant to the Town Center Development Standards Manual, the Development Standards that apply to the subject proposal are determined as part of this request. Per the Town Center Development Standards Manual, setbacks for commercial buildings are to be provided only inasmuch as they enhance the sidewalk and the public and semi-public areas in front of the building. For the most part, setbacks are to be minimal in order to enhance the pedestrian realm and create an inviting streetscape corridor. This project meets the intent of the Town Center standards for setbacks and provides adequate space for sidewalks, amenity zones, and landscaping.

AR

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	120 Feet from residential	150 Feet from residential	Y
Trash Enclosure	50 Feet from residential	360 Feet from residential	Y

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	30 Trees	42	Y
Buffer: Min. Trees	1Tree/ 30 Linear Feet	54 Trees	56	Y
Min. Zone Width	15 Feet along street frontages		15 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Office	247,800		826				
Retail	37,000	1/250	148				
Bank	5,500	1/200 sf	28				
TOTAL			1,002	22	1,135	22	Y

Because the subject site is part of a commercial subdivision, which includes the office development immediately to the north, the above parking analysis includes the requirements for both the proposed development and the previously approved office development.

ANALYSIS

The applicant proposes to construct 42,500 square feet of retail space on this undeveloped 4.49 acre site. The site plan indicates that three buildings will consist of retail shops and that the retail building located in the east portion of the site will also include a drive-through facility, with driveways to Durango Drive and Grand Montecito Parkway shown. Landscaping is shown along the property lines and within the parking lot. The elevations indicated that the buildings will have a plaster exterior with decorative stone and split-face block accents at the pedestrian level.

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."

In regard to "1": The proposed site plan for the drive-through facility will be compatible with the existing and proposed development around the site.

In regard to "2": The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this drive-through facility use.

In regard to "3": The site will be accessed from Grand Montecito Parkway, a 90-foot Town Center Frontage Road, and Durango Drive, a 120-foot Town Center Parkway Arterial. These streets are adequate in size for the proposed development and will not be adversely impacted by approval of this request.

In regard to "4": The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED	41	(Mailed with SUP-17404 and SDR-16952)
APPROVALS	0	
PROTESTS	0	

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-17405 APN: 125-29-601-020

Name of Property Owner: Centennial Hills Center, LLC

Name of Applicant: Centennial Hills Center, LLC

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

_____ Yes __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: John A Stookey

Print Name: John A Stookey

Subscribed and sworn before me

This 4th day of October, 2006

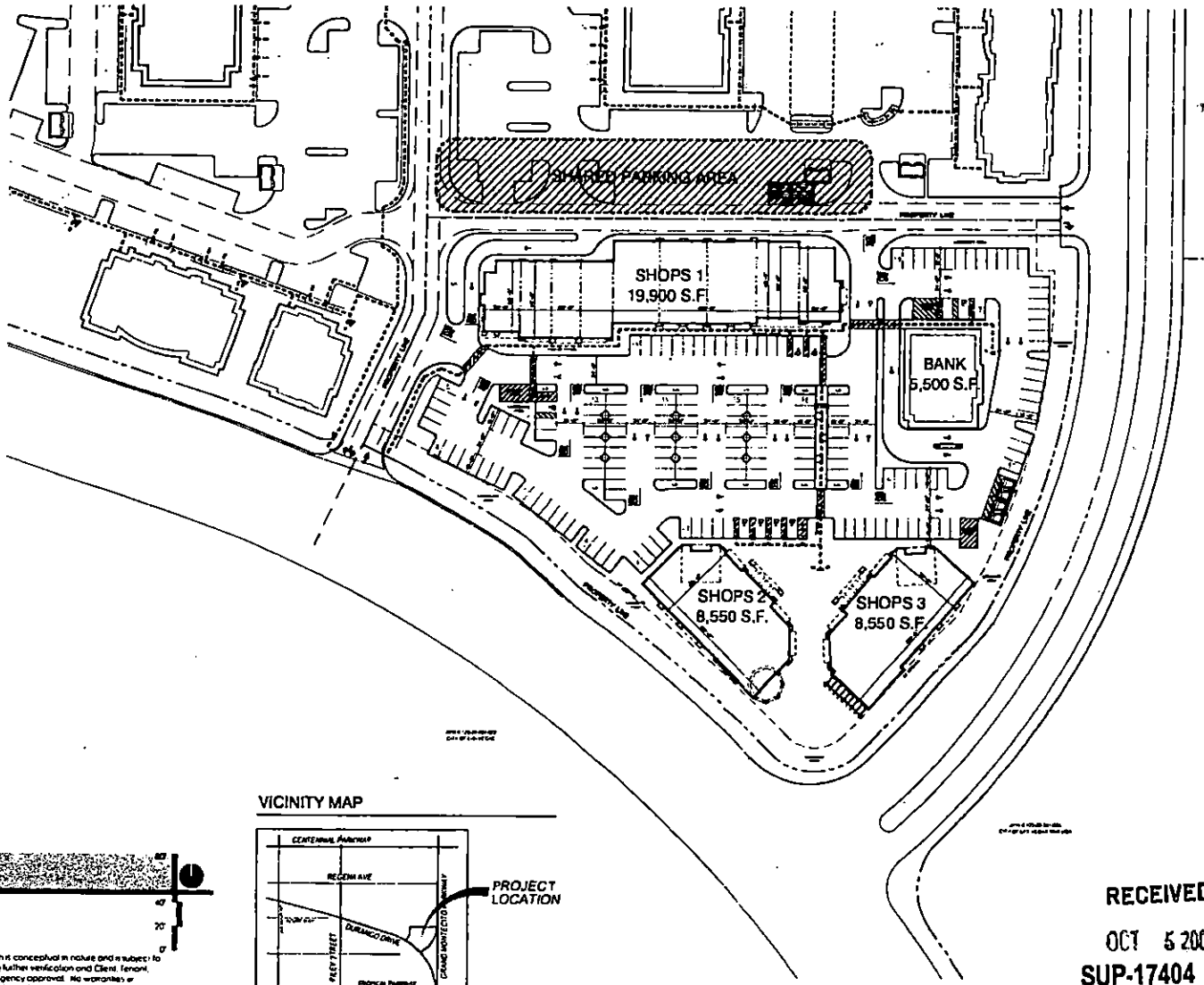
Michelle R Mueller

Notary Public in and for said County and State

MICHELLE R. MUELLER
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 02-20-2009
CERTIFICATE NO: 01-87231-1

DURANGO & GRAND MONTECITO

LAS VEGAS, NV



A PROJECT FOR:
HUFFMAN BUILDERS WEST
5735 FORT APACHE ROAD
SUITE A
LAS VEGAS, NV 89148
T: 702/341.8809
F: 949/360.3819

LEGAL DESCRIPTION

A PORTION OF THE NE QUARTER OF THE NE QUARTER OF SEC 29, T 19 S, R 60 E, MDM

SUMMARY - RETAIL PARCEL

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PARKING REQUIRED (BANK)		28 STALLS
PARKING PROVIDED		179
OVERALL PARKING RATIO		4.2 / 1000
PARKING STALL SIZE		9' x 18'
HANDICAP REQUIRED		5
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SUMMARY - OFFICE PARCEL

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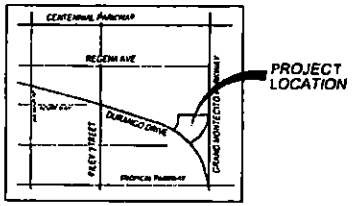
BUILDING AREA		
OFFICE		247,769 S.F.
PARKING REQUIRED		821 STALLS
PARKING PROVIDED		956 STALLS
EXCESS PARKING PROVIDED		135 STALLS

VICINITY MAP



SITE PLAN
October 3, 2006

NOTE: this information is conceptual in nature and is subject to adjustment pending further verification and Client, Tenant, and Governmental Agency approval. No warranties or guarantees of any kind are given or implied by the Architect

RECEIVED
OCT 5 2006
NORTH

SUP-17404 SUP-17405
SDR-16952 REVISED
11/02/06 PC

KKa architects

R:\2007\07114.1073 - Centennial Hills Retail, Las Vegas, NV\Cad\Dwg\01-Schematic Design\CAD\Centennial Hills Retail 100306 Site Plan.dwg, 10/3/2006 10:37:38 AM

October 5, 2006

Margo Wheeler, Director
Planning and Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89131

RE: Justification Letter for Special Use Permit- Drive-Through Lane for the Bank: APN-125-29-601-020

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Sincerely,

Melissa Walter
for David Clapsaddle
Director of Planning

GCG:mw

SUP-17404 SUP-17405
SDR-16952 REVISED
11/02/06 PC

GCGARCIA
A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

City of Las Vegas

Agenda Item No.: 46

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-16952 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-17404 AND SUP-17405 - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC - Request for a Site Development Plan Review FOR A 42,500 SQUARE FOOT SHOPPING CENTER on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway, (APN 125-29-601-002 and 020), TC (Towncenter) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

C.C.: 12/06/06

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

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:

NOTE: See Item 44 [SUP-17404] for all related discussion.

(9:03 – 9:05)

2-2679

CONDITIONS:

Planning and Development

1. A Multi-use Transportation Trail shall be provided along Durango Drive and designed as specified on Exhibit 1 of the Transportation Trails Element.

CONDITIONS – Continued:

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All development shall be in conformance with the site plan date stamped 10/05/06, and landscape plan and building elevations date stamped 09/19/06, except as amended by conditions herein.

4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CONDITIONS – Continued:

10 A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. Dedicate the right-of-way necessary to complete Durango Drive adjacent to Assessor's Parcel Number 125-29-601-025 and the additional right-of-way for a bus turnout in accordance with Standard Drawing #234.3 on Durango Drive northwest of Grand Montecito Parkway, located to provide a deceleration lane for the driveway for this site on Durango Drive prior to the issuance of any permits or, alternatively, through recordation of a map for this site.

14. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

15. Construct all incomplete half-street improvements on Grand Montecito Parkway adjacent to this site concurrent with development of this site. This site shall be responsible for construction of all, if any, incomplete half-street improvements on Durango Drive, including median landscaping and deceleration lane/bus turnout, that are not constructed by a capital improvement project. Obtain appropriate encroachment agreements for such landscaping in accordance with Town Center Standards. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

16. Coordinate with the City Surveyor to determine if mapping is necessary or recommended for this site; comply with the recommendations of the City Surveyor.

CONDITIONS – Continued:

17. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

18. Provide a copy of a recorded Joint Access Agreement between the parcels comprising this site and the adjoining parcels to the north and west prior to the issuance of any permits.

19. The proposed driveway accessing Durango Drive shall be designed and constructed to allow right-in and right-out traffic movements only.

20. 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.

21. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

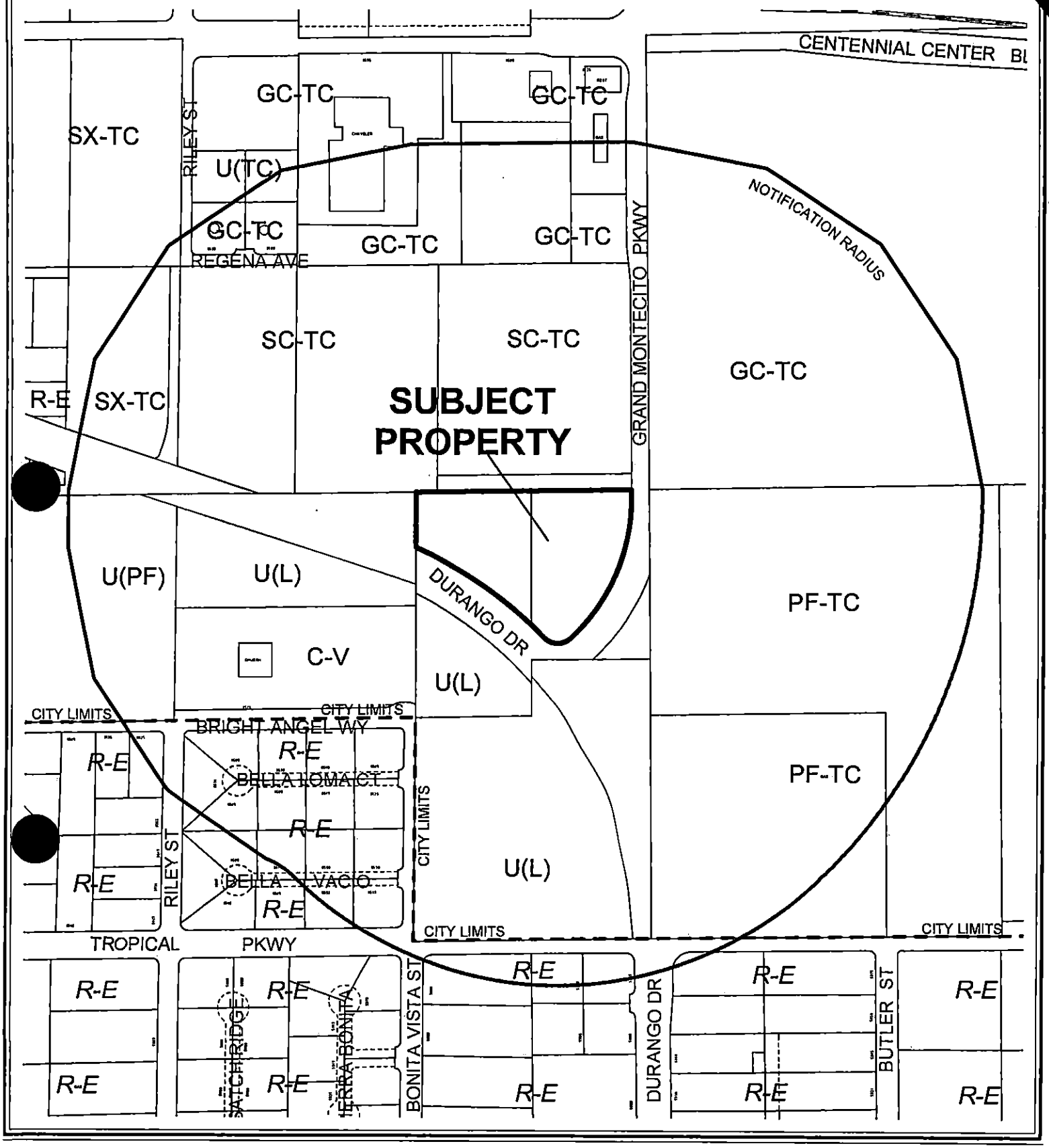
22. Landscape and maintain all unimproved rights-of-way, if any, on Durango Drive and Grand Montecito Parkway adjacent to this site.

23. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

24. 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

CONDITIONS – Continued:

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.

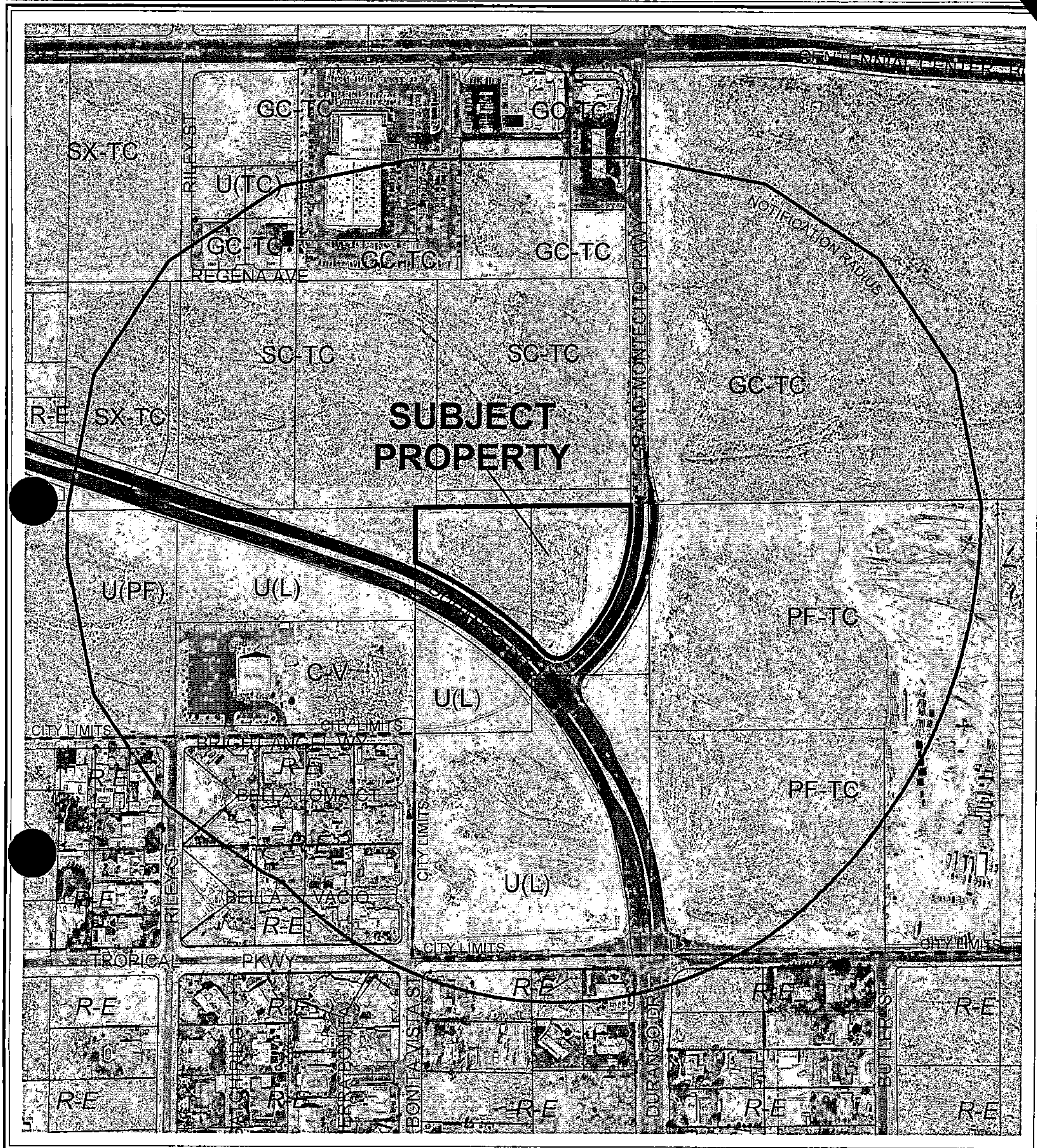


CASE: **SDR-16952**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



CASE: **SDR-16952**

0 200 400 Feet

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-16952 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC

** CONDITIONS **

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

Planning and Development

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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.

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SDR-16952 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 42,500 square-foot shopping center on 4.49 acres at the northwest corner of Durango Drive and Grand Montecito Parkway.

The proposed site plan conforms to both the General Plan and the Town Center land-use designations for the site. The proposed site plan conforms to other city policies and standards.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/01/05	The Planning Commission approved a Tentative Map for a one lot commercial subdivision, which includes the subject site as well as the office development immediately to the north. The approval of a commercial subdivision map allows for cross-access and parking over the entire site.
12/07/05	The City Council approved a request for a Site Development Plan Review (SDR-8066) for a proposed 247,800 square-foot office complex on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive, in the north portion of the subject site. The Planning Commission and staff had recommended approval at the 11/02/05 Planning Commission meeting.
11/02/06	The Planning Commission will consider applications SUP-17404 and SUP-17405, both of which are related to drive-through facilities proposed for the subject site.
Pre-Application Meeting	
09/05/06	Staff indicated that a Multi-Use trail is required to be placed on Durango Drive, adjacent to this site.
Neighborhood Meeting	
10/16/06	A neighborhood meeting is not required for a Site Development Plan Review; however, a neighborhood meeting was held, and no property owners attended.

Details of Application Request	
Site Area	
Net Acres	4.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
North	Undeveloped	Service Commercial - Town Center	TC (Towncenter)
South	Undeveloped	Low Density Residential	U (Undeveloped
East	Undeveloped	Public Facility-Town Center	TC (Towncenter)
West	Church	Public Facility	C-V (Civic)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Setbacks			
• Front	*	• 20 Feet	Y
• Corner	*	• 20 Feet	Y
• Rear	*	• 20 Feet	Y

*Pursuant to the Town Center Development Standards Manual, the Development Standards that apply to the subject proposal are determined as part of this request. Per the Town Center Development Standards Manual, setbacks for commercial buildings are to be provided only inasmuch as they enhance the sidewalk and the public and semi-public areas in front of the building. For the most part, setbacks are to be minimal in order to enhance the pedestrian realm and create an inviting streetscape corridor. This project meets the intent of the Town Center standards for setbacks and provides adequate space for sidewalks, amenity zones, and landscaping.

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
3:1 proximity slope	120 Feet from residential	150 Feet from residential	Y
Trash Enclosure	50 Feet from residential	360 Feet from residential	Y

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/6 Spaces	30 Trees	42	Y
Buffer: Min. Trees	1Tree/ 30 Linear Feet	54 Trees	56	Y
Min. Zone Width	15 Feet along street frontages		15 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Office	247,800		826				
Retail	37,000	1/250	148				
Bank	5,500	1/200 sf	28				
TOTAL			1,002	22	1,135	22	Y

Because the subject site is part of a commercial subdivision, which includes the office development immediately to the north, the above parking analysis includes the requirements for both the proposed development and the previously approved office development.

ANALYSIS

The applicant proposes to construct 42,500 square feet of retail space on this undeveloped 4.49 acre site. The site plan indicates that three buildings will consist of retail shops, with a 5,500 square foot bank located in the east portion of the site. Driveways to Durango Drive and Grand Montecito Parkway are shown. Landscaping is shown along the property lines and within the parking lot. The elevations indicated that the buildings will have a plaster exterior with decorative stone and split-face block accents at the pedestrian level.

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 proposed development will be consistent with the existing and proposed development around the site.

In regard to "2": The proposed site plan conforms to both the General Plan and the Town Center land-use designations for the site. The proposed site plan conforms to other city policies and standards.

In regard to "3": The site will be accessed from Grand Montecito Parkway, a 90-foot Town Center Frontage Road, and Durango Drive, a 120-foot Town Center Parkway Arterial. These streets are adequate in size for the proposed development and will not be adversely impacted by approval of this request.

In regard to "4": The building and landscape materials are appropriate for this type of development in this portion of the City.

In regard to "5": The building elevations are typical of commercial development and will be compatible with existing and planned development around the site.

In regard to "6": The proposed development will be subject to the Uniform Building Code and; therefore, the development will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	5	
ASSEMBLY DISTRICT	13	
SENATE DISTRICT	9	
NOTICES MAILED	41	(Mailed with SUP-17404 and SUP-17405)
APPROVALS	0	
PROTESTS	0	

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16952** APN: 125-29-601-020 & 002

Name of Property Owner: Centennial Hills Center, LLC

Name of Applicant: Centennial Hills Center, LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: John B. Stookey

Print Name: John B. Stookey

Subscribed and sworn before me

This 14th day of September, 2006

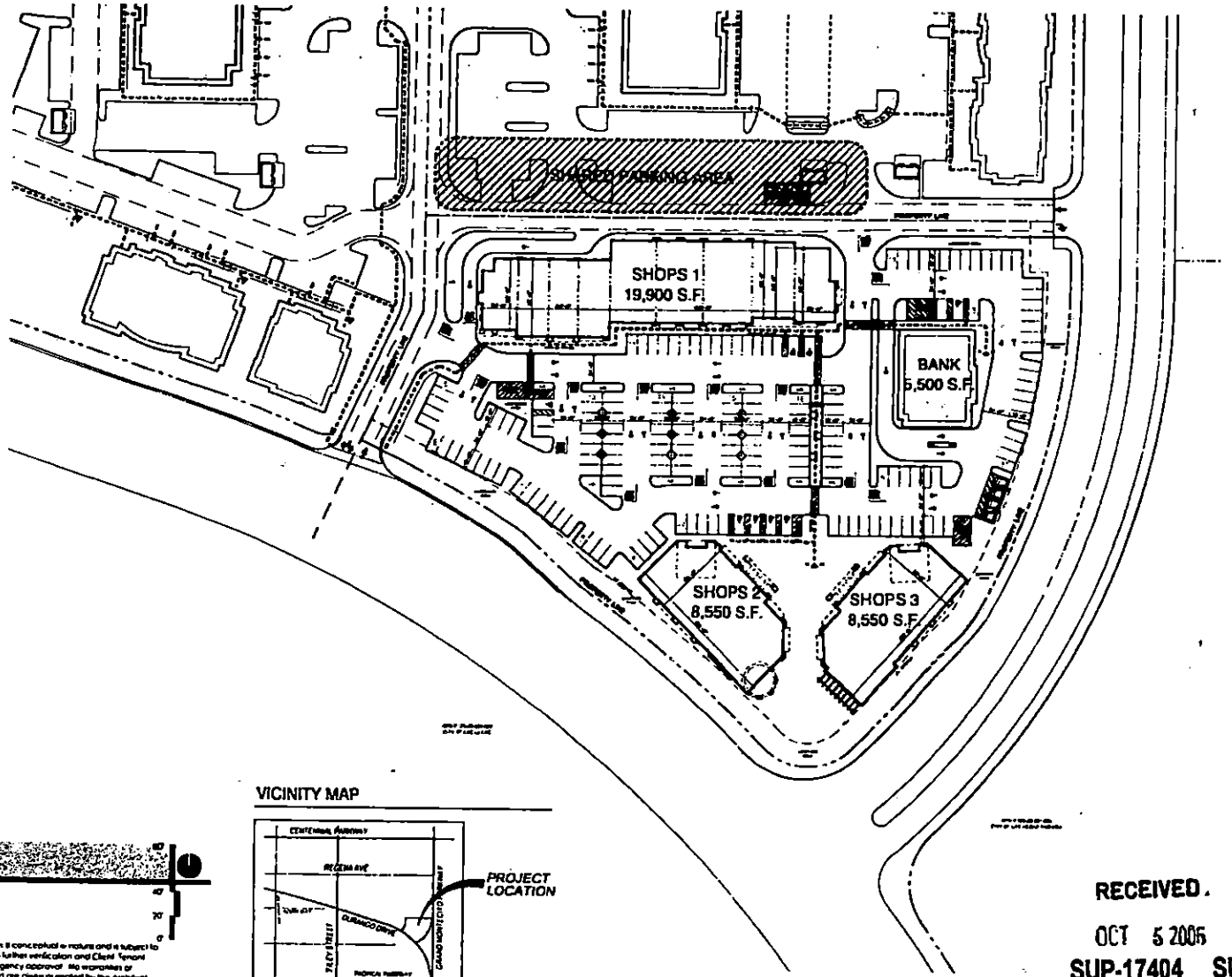
Michelle R. Mueller

Notary Public in and for said County and State

MICHELLE R. MUELLER
NOTARY PUBLIC
STATE OF NEVADA
DATE APPOINTMENT EXP: 02-20-2009
CERTIFICATE NO: 01-67231-1

DURANGO & GRAND MONTECITO

A PROJECT FOR:
HUFFMAN BUILDERS WEST
5735 FORT APACHE ROAD
SUITE A
LAS VEGAS NV 89148
T: 702/341 8809
F: 949/360.3819



LEGAL DESCRIPTION

A PORTION OF THE NE QUARTER OF THE NE QUARTER OF SEC 29, T 19 S, R 60 E, MDM

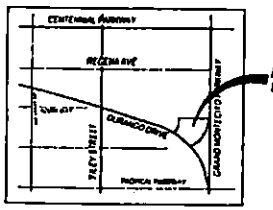
SUMMARY - RETAIL PARCEL

LAND AREA	±4.49 AC	±195,782 S.F.
BUILDING AREA		
SHOPS		37,000 S.F.
BANK/REST.		5,500 S.F.
TOTAL		42,500 S.F.
F.A.R.		0.21
PERCENT COVERAGE		21 %
PARKING REQUIRED (RETAIL)		148 STALLS
PARKING REQUIRED (BANK)		28 STALLS
PARKING PROVIDED		179
OVERALL PARKING RATIO		4.2 / 1000
PARKING STALL SIZE		9' x 18'
HANDICAP REQUIRED		5
HANDICAP PROVIDED		7
PARKING PROVIDED (W/ SHARED)		221
OVERALL PARKING RATIO (W/ SHARED)		5.2 / 1000

SUMMARY - OFFICE PARCEL

LAND AREA	±17.41 AC	±758,142 S.F.
BUILDING AREA		
OFFICE		247,769 S.F.
PARKING REQUIRED		821 STALLS
PARKING PROVIDED		956 STALLS
EXCESS PARKING PROVIDED		135 STALLS

VICINITY MAP



SITE PLAN
October 3, 2006

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

RECEIVED
OCT 5 2006
NORTH
SUP-17404 SUP-17405
SDR-16952 REVISED
11/02/06 PC

KKe architects

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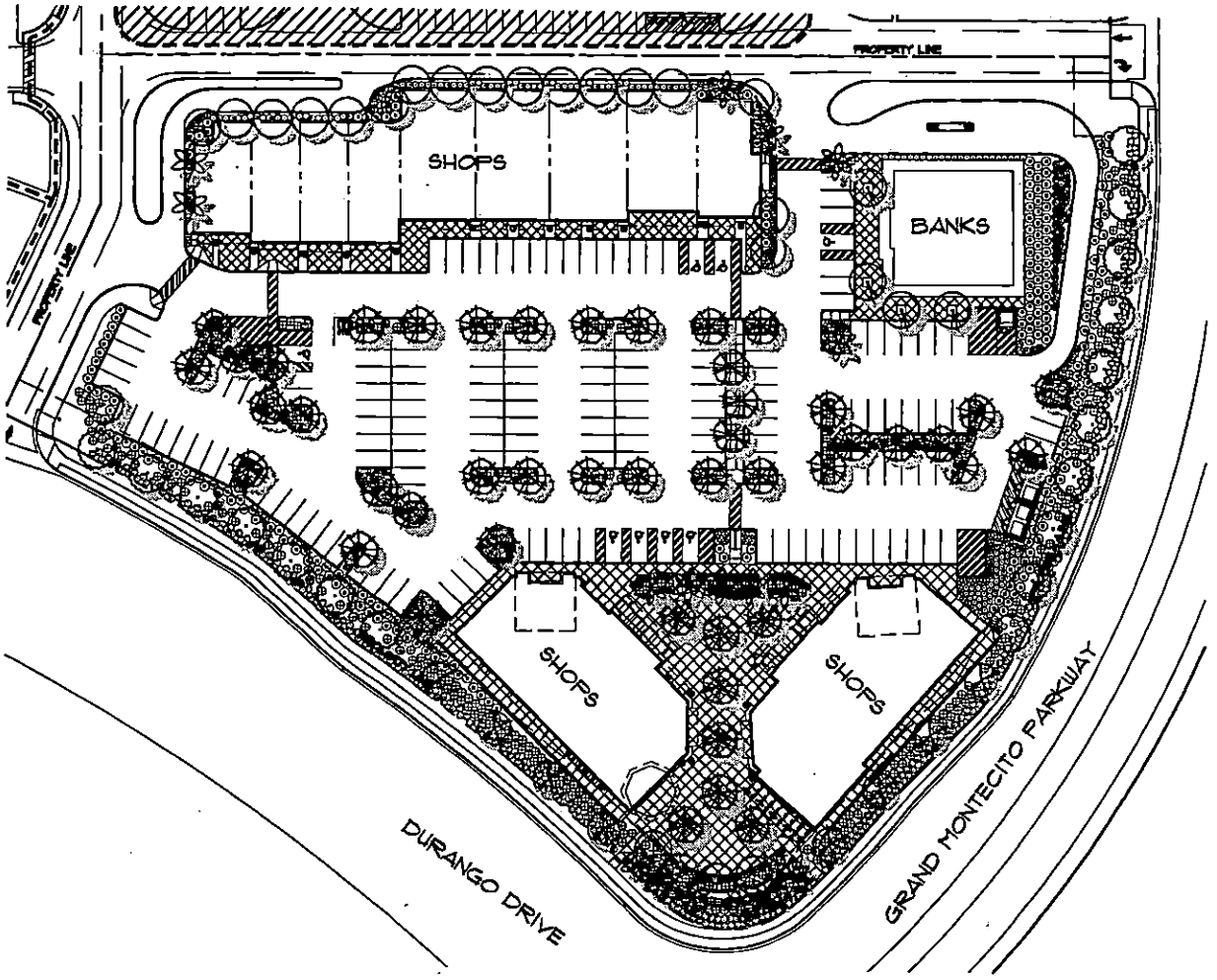

TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	COMMENTS	QTY
	CERCIDIUM H. 'DESERT MUSEUM' / DESERT MUSEUM PALO VERDE	24" BOX	STANDARD DBL	
	CATALPA TASHKENTENSIS / CATALPA	24" BOX	STANDARD DBL ENTRY ACCENT	
	CATALPA TASHKENTENSIS / CATALPA	36" BOX	STANDARD DBL STREET TREES	
	ACACIA STENOPHYLLA / ACACIA	24" BOX	STANDARD DBL	
	PROSOPIS CHILENSIS / CHILEAN MESQUITE	24" BOX	STANDARD DBL	
	ROBINIA AMBIGUA 'PURPLE ROBE' / PURPLE ROBE LOCUST	24" BOX	STANDARD DBL	
	SAMANEA SAMAN / MONKEY PAW PALM	15' HEIGHT	BOXED TRUNK RICH BOTTOM TO TOP	

SHRUB LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	COMMENTS
	CAESALPINIA PULCHERRIMA / RED BIRD OF PARADISE	5 GAL	5'-0" O.C.
	DASYLIRION WHEELERI / DESERT SPOON	5 GAL	3'-6" O.C.
	RUSCUS HYPOPHYLLUM / EVERGREEN BUCKTHORN	5 GAL	3'-0" O.C.
	HESPERALOE PARVIFLORA / RED YUCCA	1 GAL	3'-0" O.C.
	LEUCOPHYLLUM F. 'GREEN CLOUD' / GREEN CLOUD TEXAS RANGER	5 GAL	3'-0" O.C.
	MUHLENBERGIA RIGENS / DEER GRASS	5 GAL	4'-0" O.C.
	PENNISETUM SETACEUM 'RUBRUM' / RED FOUNTAIN GRASS	5 GAL	SEE PLAN FOR SIZE

GROUND COVER LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	COMMENTS
D	DALEA C. 'SIERRA GOLD' / SIERRA GOLD DALEA	1 GAL	3'-0" O.C.
A	LANTANA CAMARA 'NEW GOLD' / NEW GOLD LANTANA	1 GAL	3'-0" O.C.
R	ROSMARINUS O. 'PROSTRATUS' / DWARF ROSEMARY	1 GAL	3'-6" O.C.

POT LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	COMMENTS
D	AGAVE PALMERI / PALMER AGAVE	5 GAL	1 EACH POT

ROCK MULCH

APPLY A 3" DEEP LAYER OF 3/4" SIZE PINK CORAL ROCK MULCH BY KALAMAZOO, INC. (702) 733-825 IN ALL NON PAVED AREAS. THE CONTRACTOR SHALL SUPPLY A SAMPLE (5 LB) OF THE ROCK MULCH TO THE LANDSCAPE ARCHITECT. USE 2" TO 4" ROCK MULCH BOXED MULCH PARENT SOURCE ON ALL SLOPES 5-4%H OR GREATER. ALT. BID TO USE MATCHING ROCK MULCH FROM A COLOR SOURCE.

Note: Durango Trail to be provided per City Standards

PRELIMINARY LANDSCAPE PLAN

CENTENNIAL HILLS RETAIL

DURANGO AND GRAND MONTECITO PARKWAY
LAS VEGAS, NV
KKE ARCHITECTS, INC.

0 30 60 120
1"=30'-0"

R·P·A | LANDSCAPE ARCHITECTURE PLANNING

CALIFORNIA
2127 Calle Arroyo, Suite 101
San Juan Capistrano, CA 92675
949-240-1030 Fax 949-240-1039
CA License No. 3161, 2001

NEVADA
10130 South Eastern Ave., Suite 200
Henderson, NV 89052
702-450-1617 Fax 702-454-1218
NV License # 1170

RPA #26159

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CENTENNIAL HILLS RETAIL

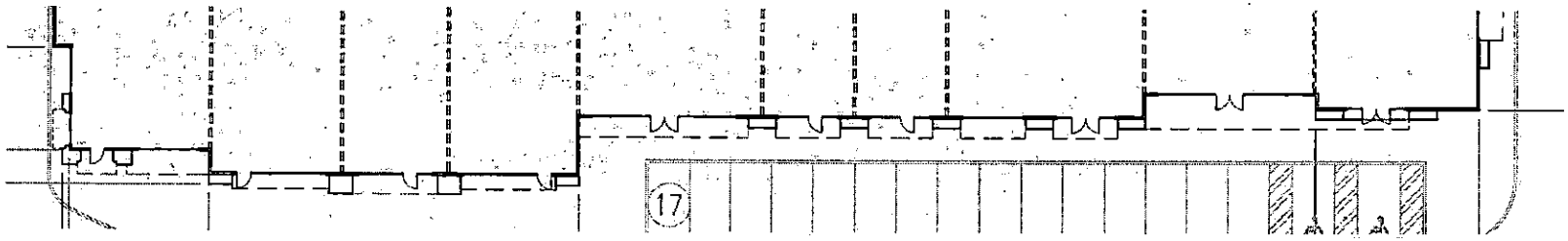
LAS VEGAS, NV 0713.1073.01

KKE architects, Inc. 525 E. Colorado Boulevard, 4th Floor, Pasadena, CA 91101 T: 626.796.8230 F: 626.796.8735

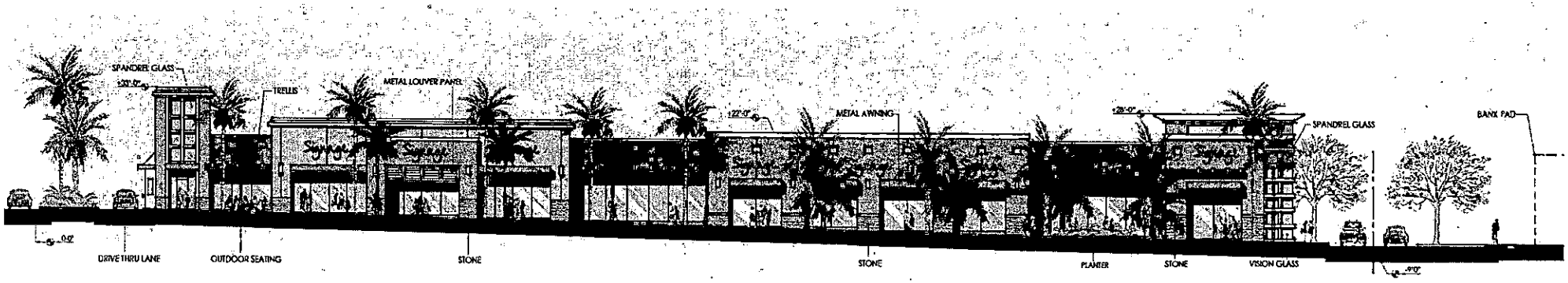
A PROJECT FOR:

HUFFMAN BUILDERS WEST

5735 S. FORT APACHE RD.
SUITE A
LAS VEGAS, NV 89148
T: 702.341.8809
M: 702.604.6209

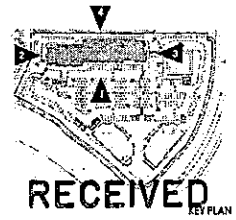


5HOP-1: PARTIAL PLAN PROFILE



1. SHOP-1: NORTH ELEVATION

SHOP-1
SEPTEMBER 18, 2006



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CENTENNIAL HILLS RETAIL

LAS VEGAS, NV 0713.1073.01

KKE architects, Inc. 525 E. Colorado Boulevard, 4th Floor, Pasadena, CA 91101 T: 626.796.8230 F: 626.796.8735

A PROJECT FOR:

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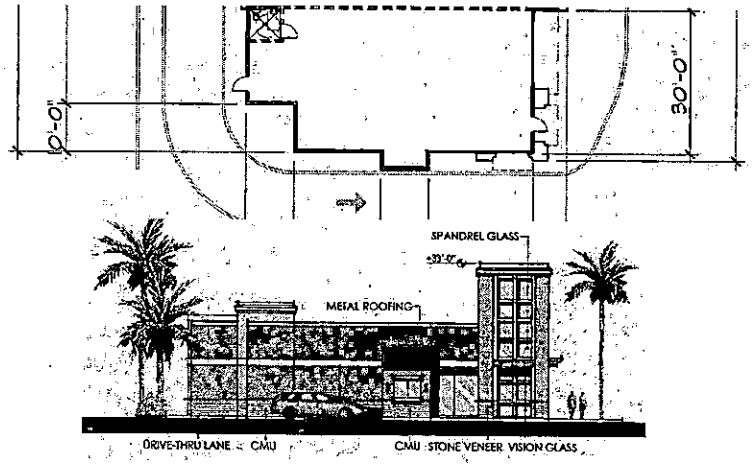
735 S. FORT APACHE RD.
UITE A
AS VEGAS, NV 89148
T: 702.341.8809
M: 702.604.6209



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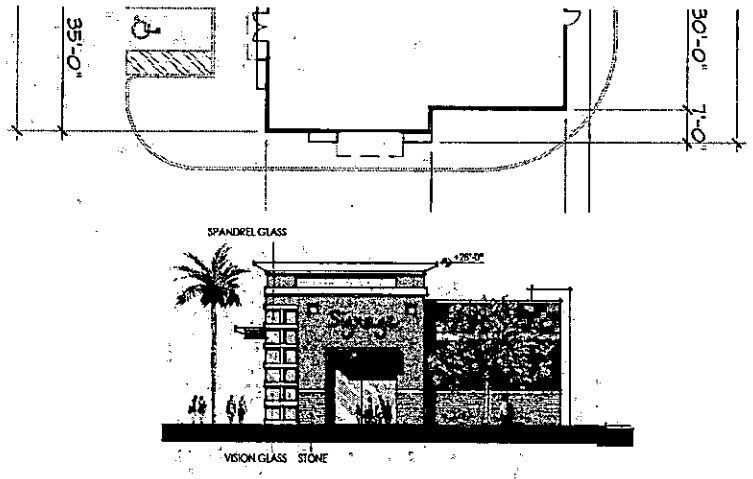
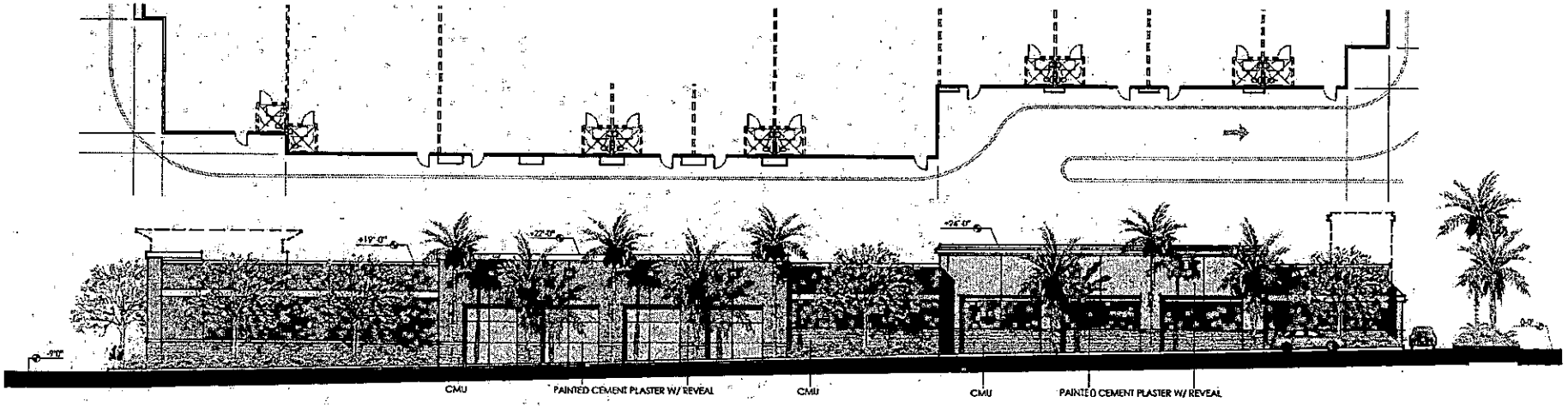


3. SHOP-1: EAST ELEVATION



4. SHOP-1: SOUTH ELEVATION

SHOP-1
SEPTEMBER 18, 2006

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CENTENNIAL HILLS RETAIL

LAS VEGAS, NV 0713.1073.01

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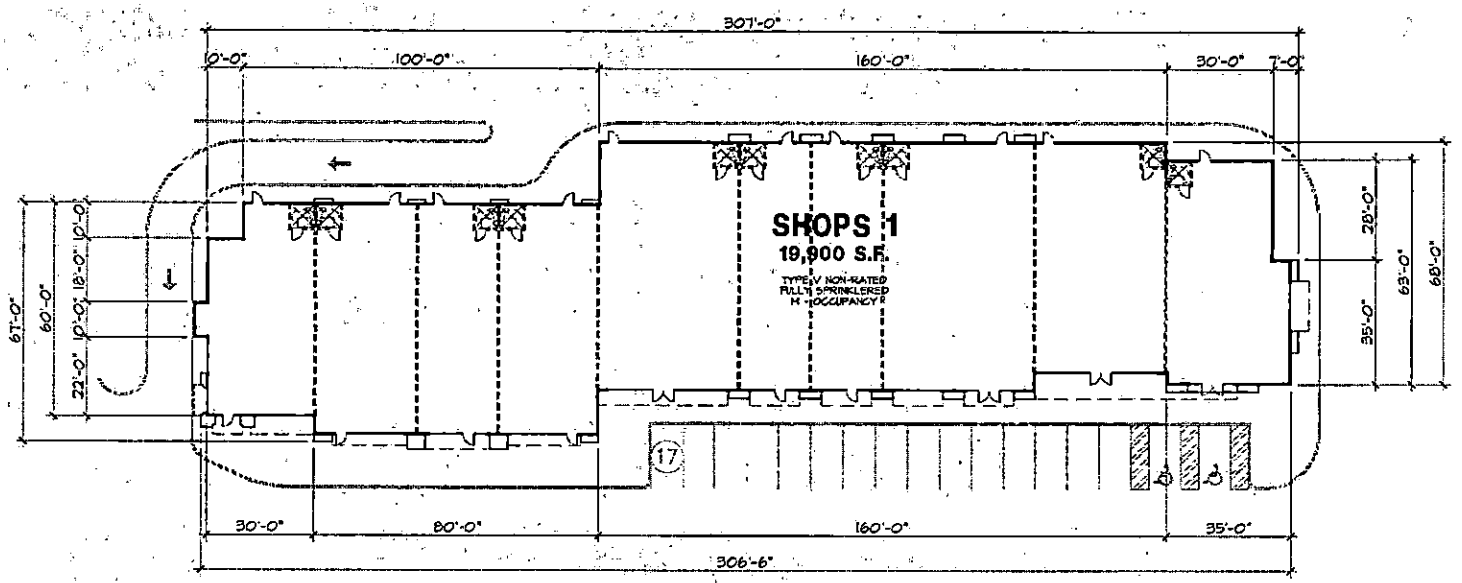

SHOP-1: FLOOR PLAN

SHOP-1
SEPTEMBER 18, 2006

KEY PLAN

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CENTENNIAL HILLS RETAIL

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KKE architects, Inc. 525 E. Colorado Boulevard, 4th Floor, Pasadena, CA 91101 T: 626.796.8230 F: 626.796.8235

A PROJECT FOR:

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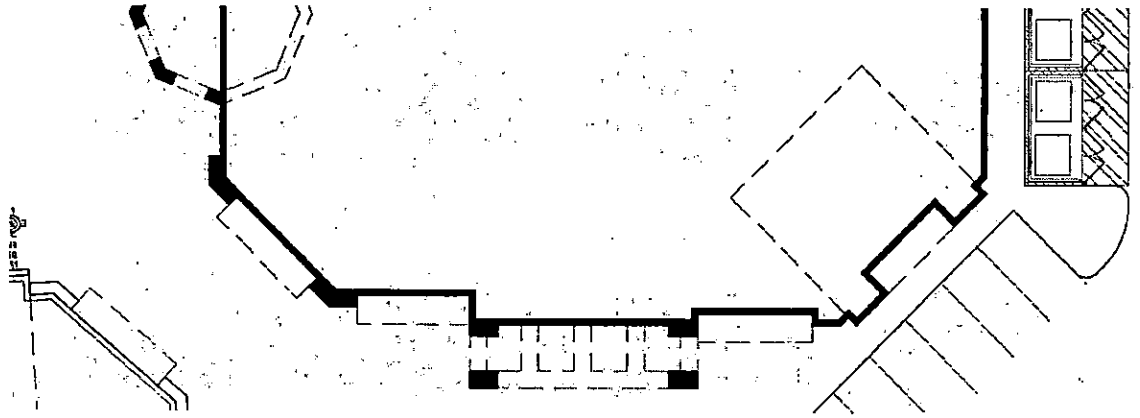
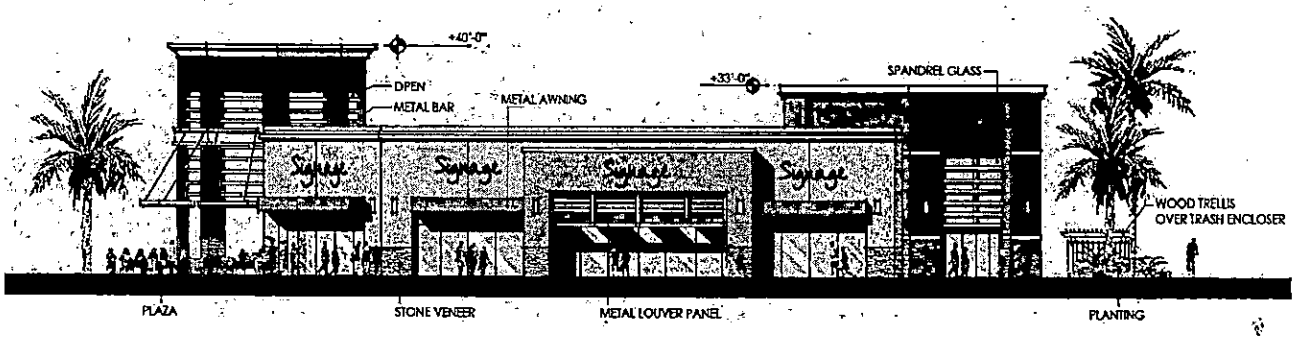


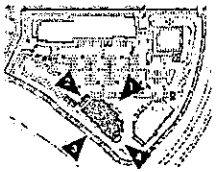
SHOP-2: PARTIAL PLAN PROFILE



1. SHOP-2: SOUTHWEST ELEVATION

SHOP-2

SEPTEMBER 18, 2006



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A PROJECT FOR:
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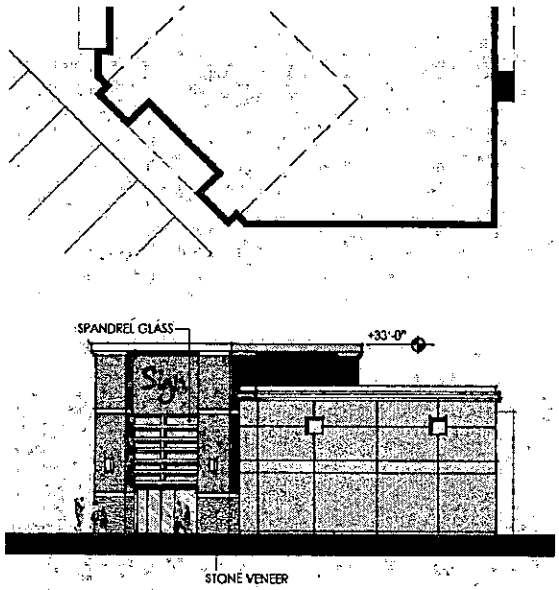
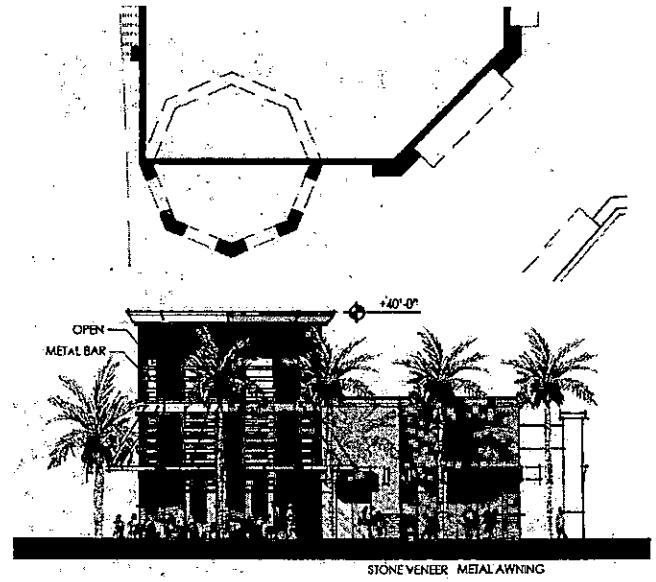
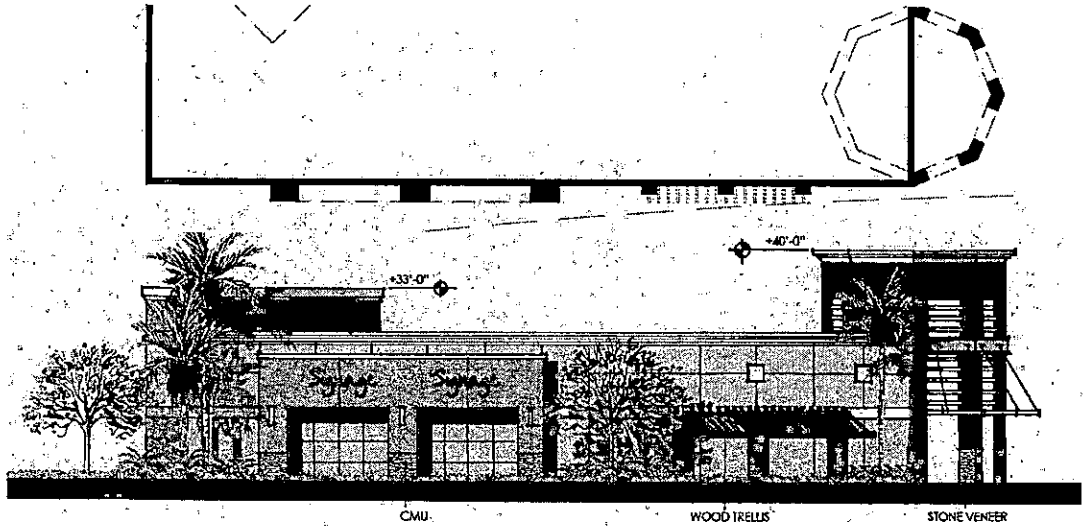


2. SHOP-2: SOUTHEAST ELEVATION



3. SHOP-2: NORTHWEST ELEVATION



SHOP-2: NORTHEAST ELEVATION

SHOP-2
SEPTEMBER 18, 2006

20'
10'
05'
00'

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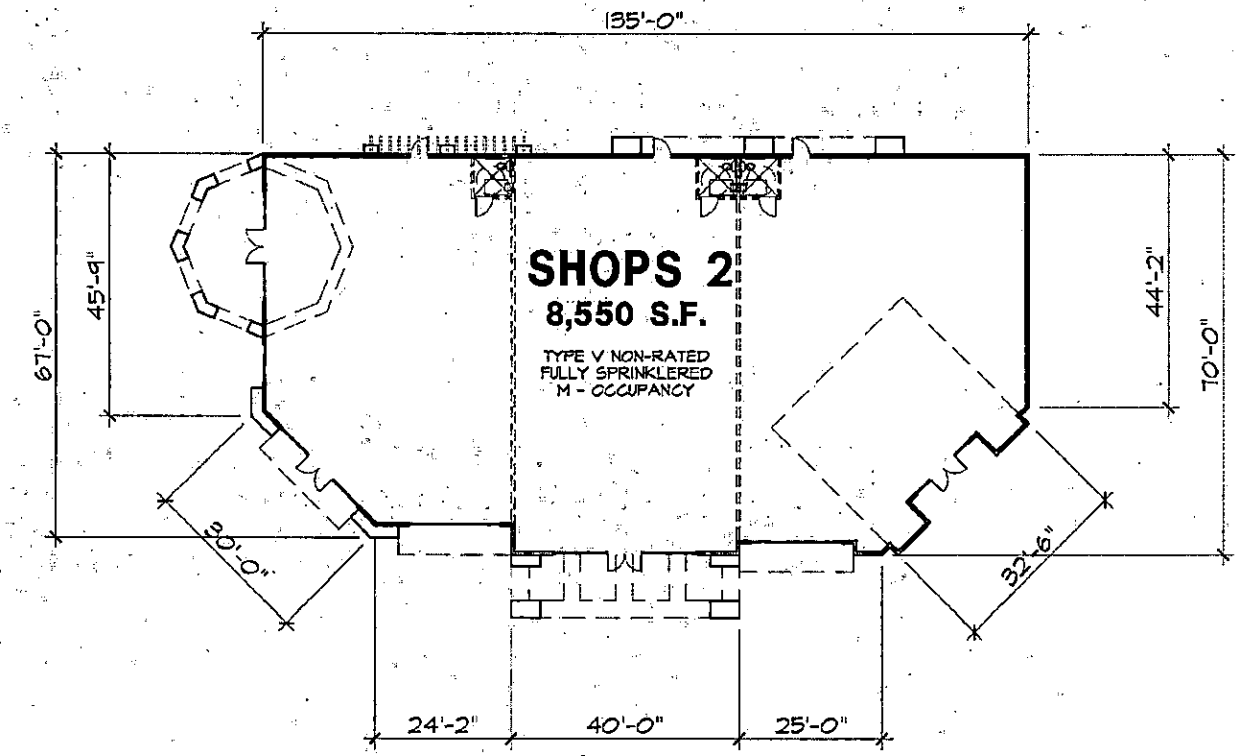
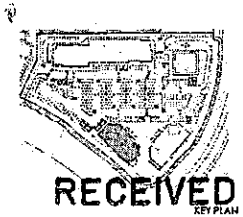


SHOP-2: FLOOR PLAN

SHOP-2
SEPTEMBER 18, 2006



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CENTENNIAL HILLS RETAIL

LAS VEGAS, NV 0713.1073.01

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5735 S. FORT APACHE RD.
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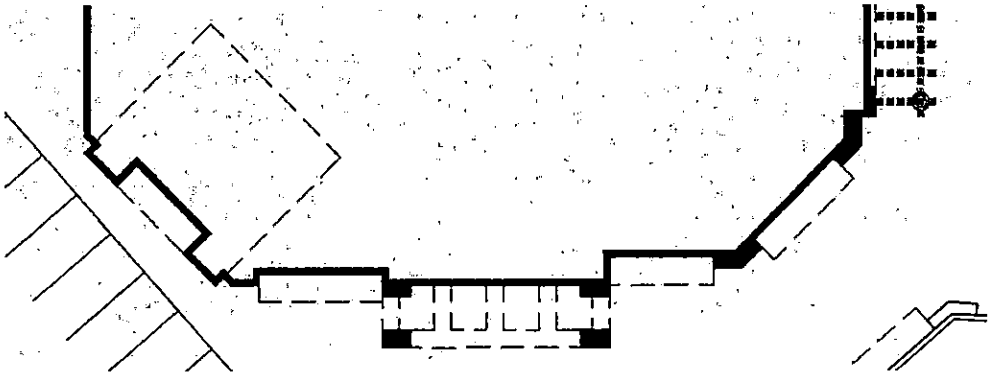
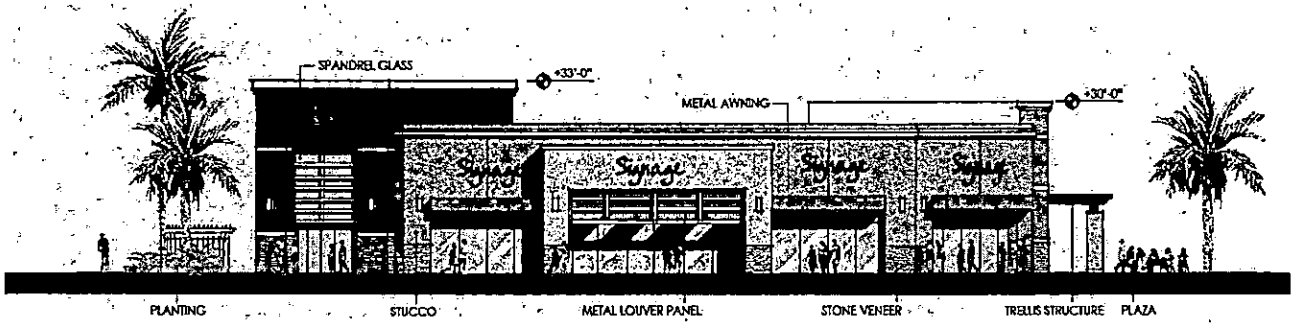


SHOP-3: PARTIAL PLAN PROFILE



1. SHOP-3: SOUTHEAST ELEVATION

SHOP-3
SEPTEMBER 18, 2006

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PLAN
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CENTENNIAL HILLS RETAIL

LAS VEGAS, NV 0713.1073.01

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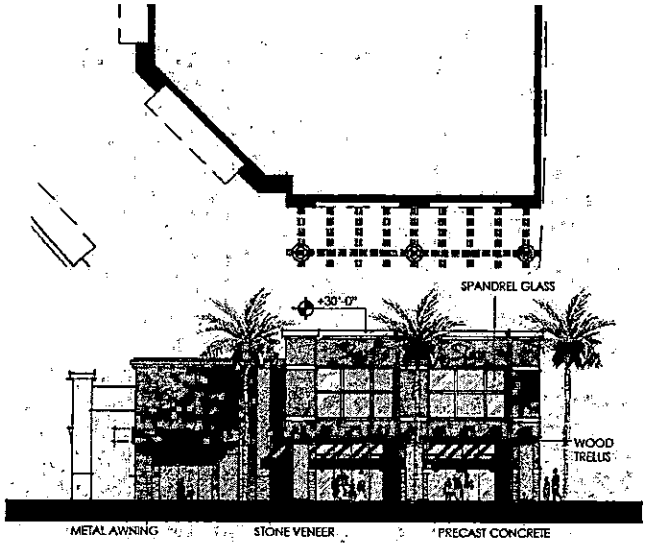
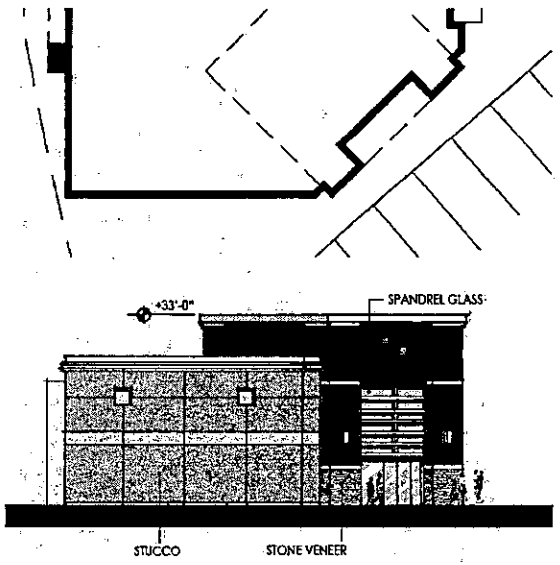
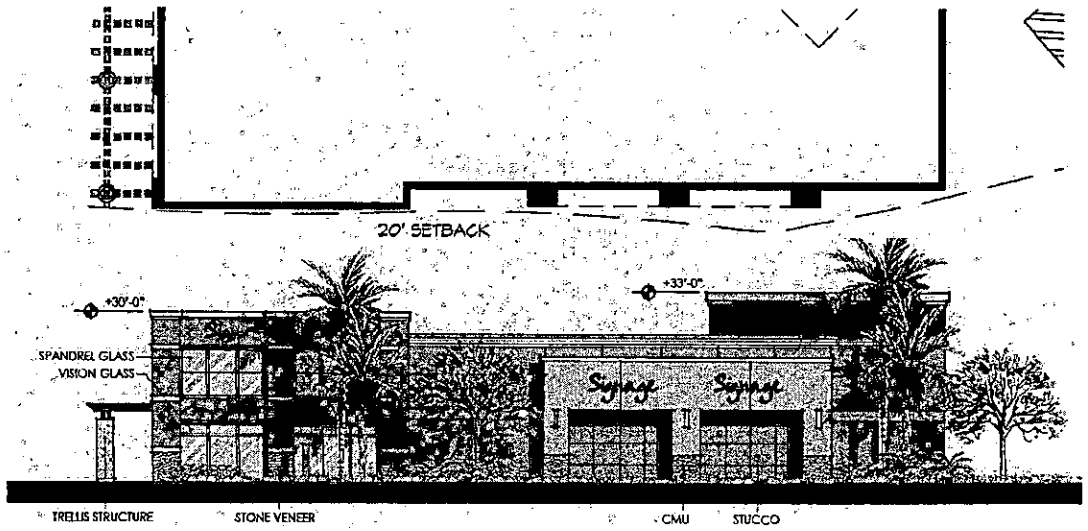


2. SHOP-3: NORTHEAST ELEVATION

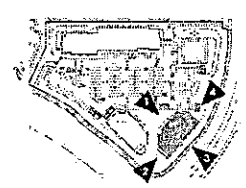


4. SHOP-3: SOUTHWEST ELEVATION



3. SHOP-3: NORTHWEST ELEVATION

SHOP-3
SEPTEMBER 18, 2006



KEY PLAN

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LAS VEGAS, NV 0713.1073.01

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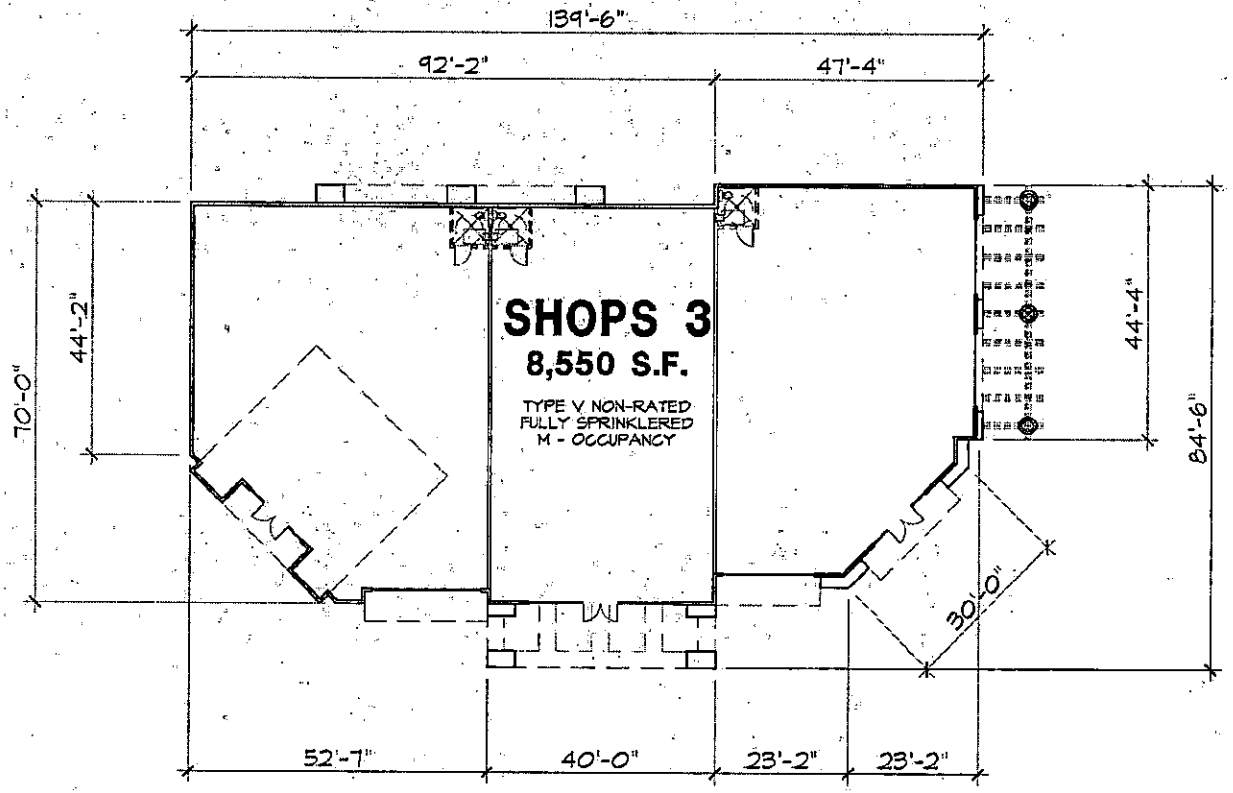

SHOP-3: FLOOR PLAN

SHOP-3
SEPTEMBER 18, 2006

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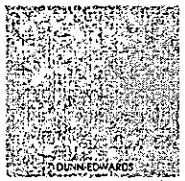
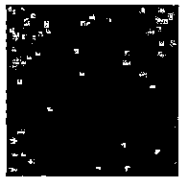


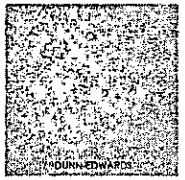
1. DE5162 : DESERT DAWN

4. DE5117: REDWOOD CITY

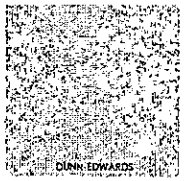


2. DE6209: ROCK 'N' OAK

5. DEA103: STRIKING RED



3. DE5192: FRESH APRICOT

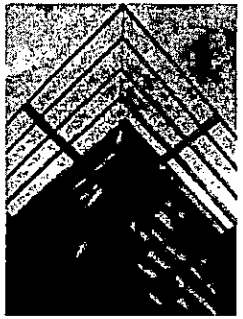


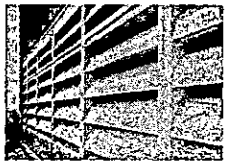
6. DEW341: SWISS COFFEE

CORNER STORE/ LANDMARK

SIDEWALK CONCEPT

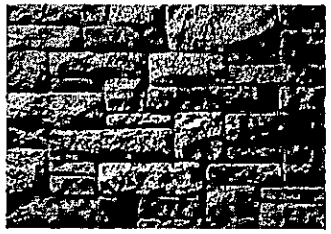
OUTDOOR PLAZA



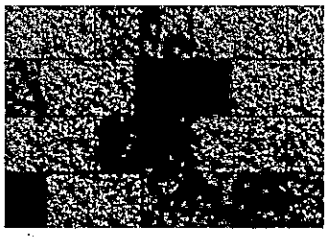


METAL LOUVER AND SCREEN

TRELLIS STRUCTURE



OWNENS CORNING
CULTURED STONE
CSV-2044: CEDAR LIMESTONE



ANGELUS BLOCK CMU COMBINATION:
TEXTURE: SPLIT FACE
COLORS: CHAMPAGNE, SUNSET, MARIGOLD, AND SPICE

COLOR, MATERIALS & CONCEPT IMAGES

SEPTEMBER 18, 2006

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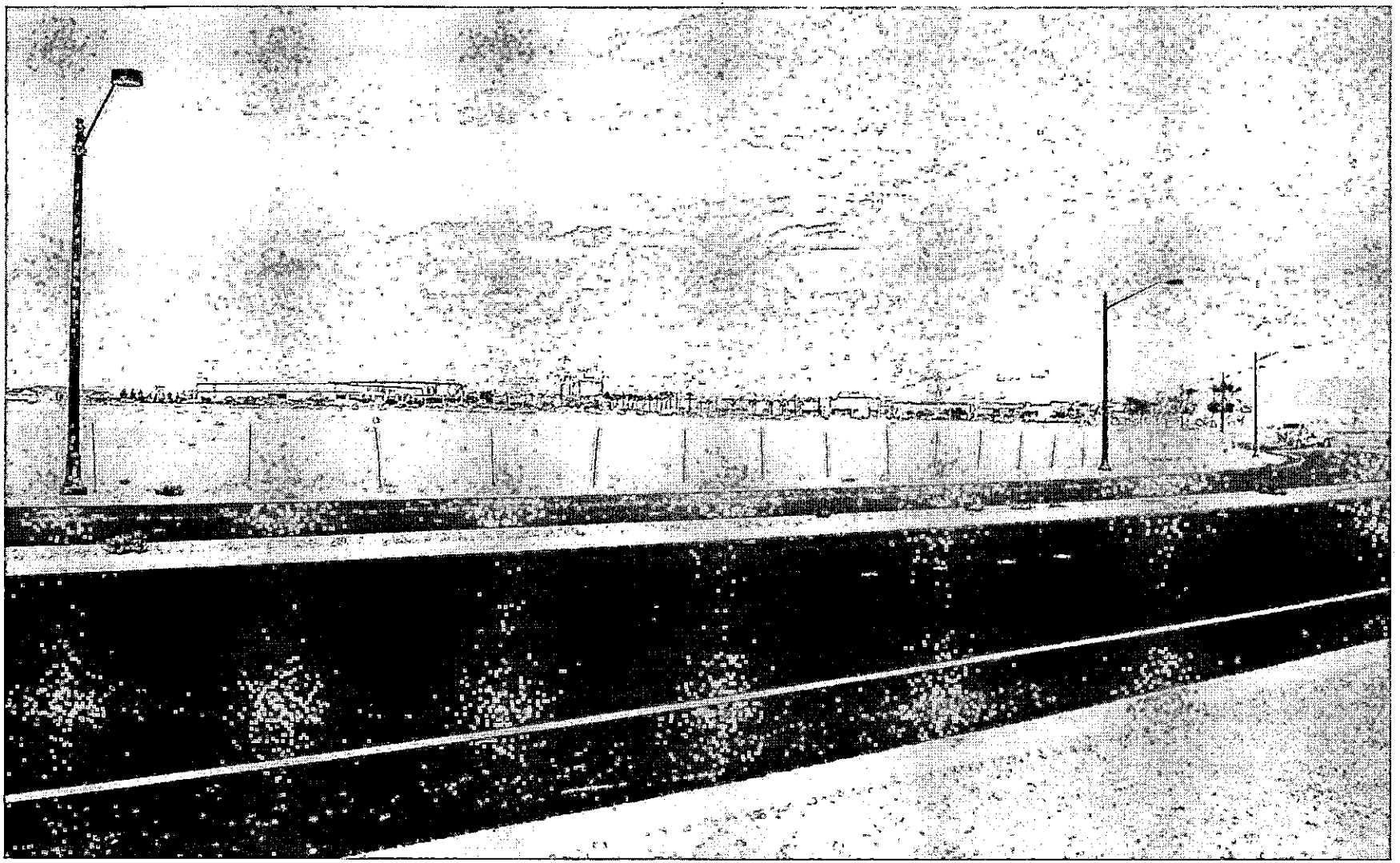
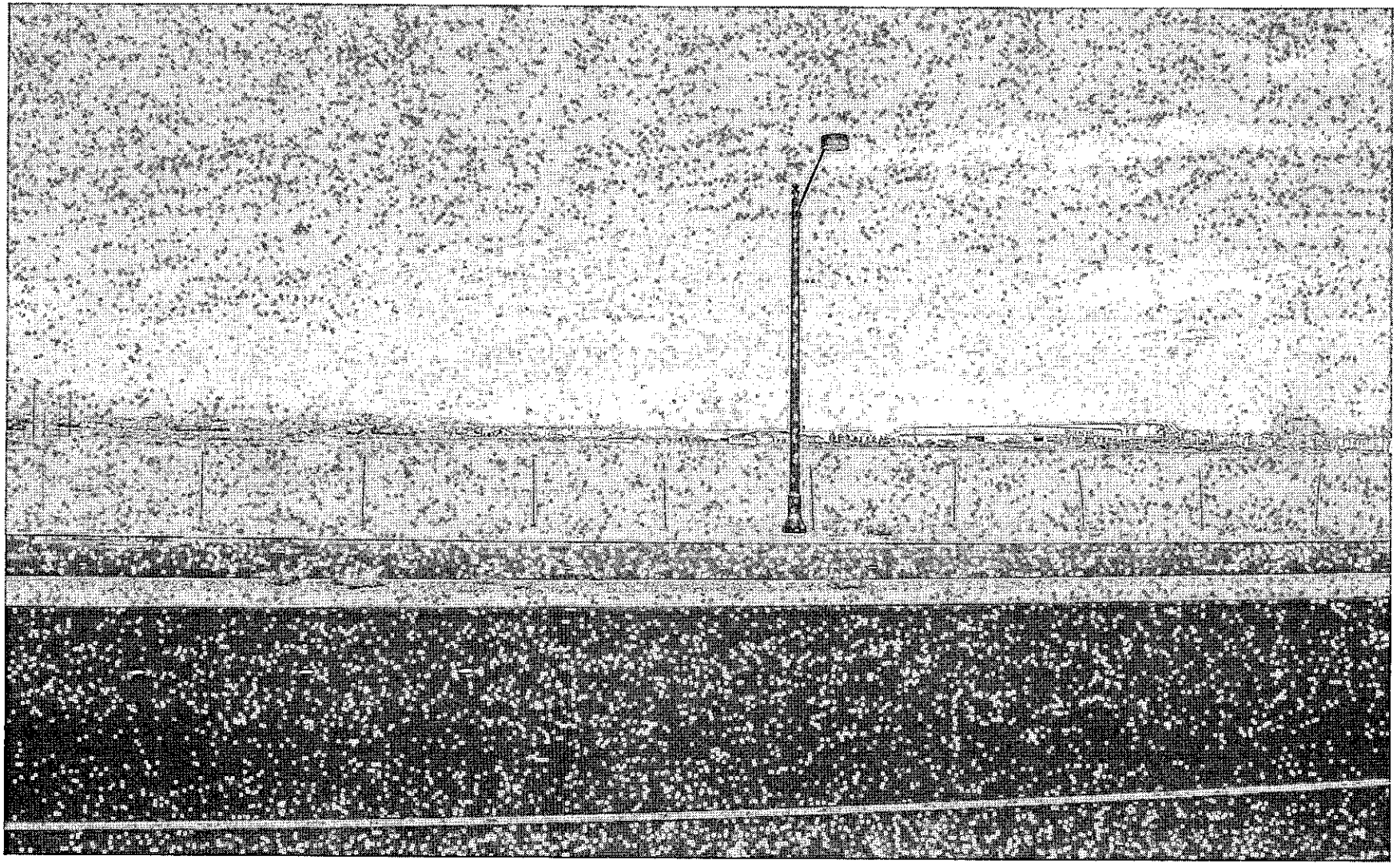
SDR 16952				
Centennial Hills Center, LLC				
NWC Durango & Grand Montecito				
Proposed 42.5 thousand square foot retail development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRIVE-IN BANK [1000 SF]	5.5	72.79	**400**
AM Peak Hour			12.34	**68**
PM Peak Hour			8.65	**48**
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	37	42.94	**1,589**
AM Peak Hour			1.03	**38**
PM Peak Hour			3.75	**139**
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	42.5		**1,989**
AM Peak Hour				**106**
PM Peak Hour				**186**
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Durango Drive				
Average Daily Traffic (ADT)	18,362			
PM Peak Hour	1469			
(heaviest 60 minutes)				
Grand Montecito Parkway				
Average Daily Traffic (ADT)	1,088			
PM Peak Hour	87			
(heaviest 60 minutes)				
Centennial Parkway				
Average Daily Traffic	8,113			

(ADT)				
PM Peak Hour	649			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Durango Drive	51700			
Grand Montecito Parkway	30970			
Centennial Parkway	32600			
This project will add approximately 1,989 trips per day on Durango,				
Grand Montecito and Centennial. This will increase expected volumes				
by about 11 percent on Durango, 183 percent on Grand Montecio and				
25 percent on Centennial. Durango is at about 36 percent of capacity,				
Grand Montecio is at about 4 percent of capacity and Centennial is at				
about 25 percent of capacity.				
Based on Peak Hour use, this development will add roughly 186 additional				
cars into the area; which works out to about three every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-17404, SUP-17405 AND SDR-16952 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC
INTERSECTION OF DURANGO DRIVE AND GRAND MONTECITO PARKWAY
NOVEMBER 2, 2006 PLANNING COMMISSION

10/10/06



SUP-17404, SUP-17405 AND SDR-16952 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC
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NOVEMBER 2, 2006 PLANNING COMMISSION

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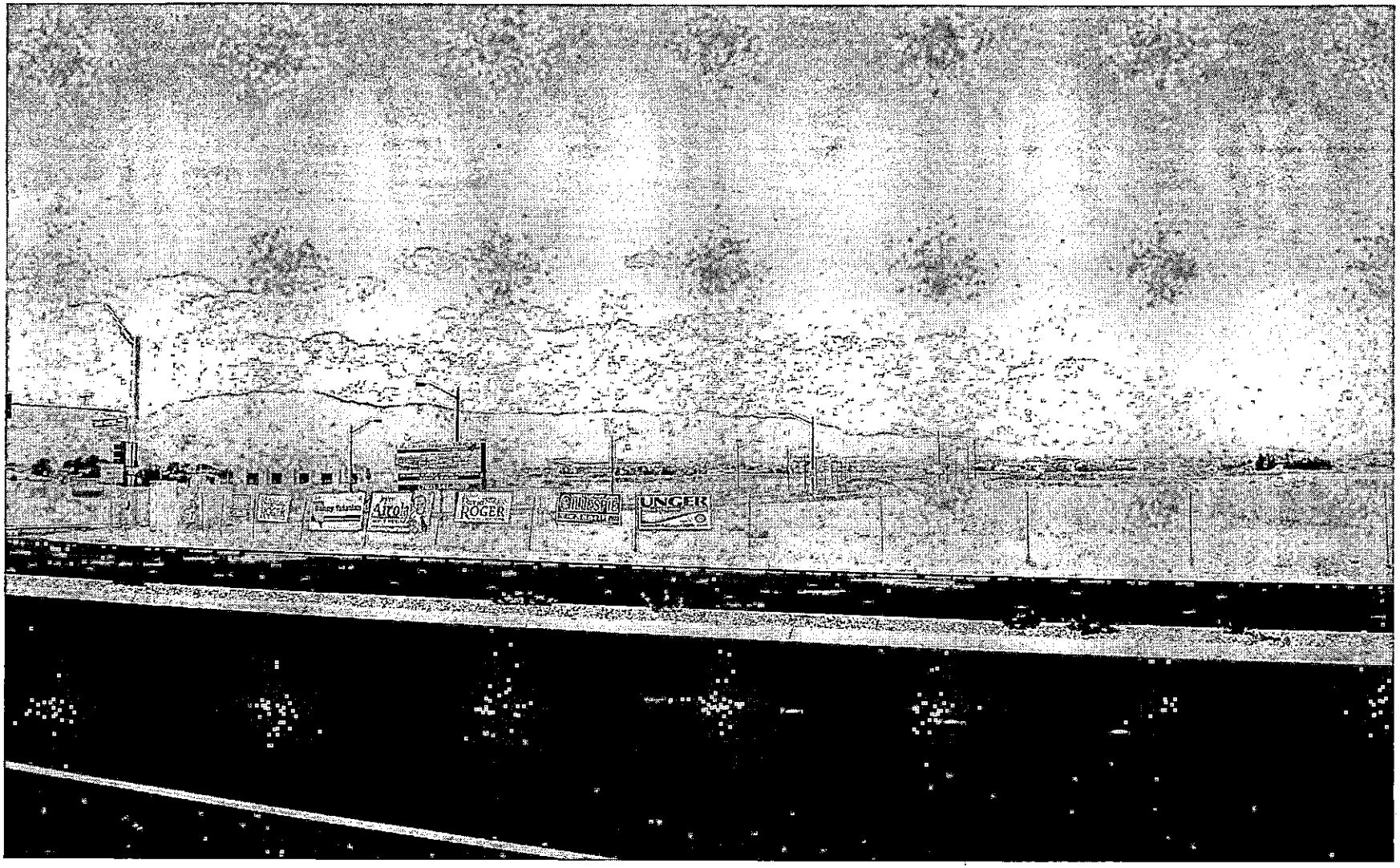


SUP-17404, SUP-17405 AND SDR-16952 - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC
INTERSECTION OF DURANGO DRIVE AND GRAND MONTECITO PARKWAY
NOVEMBER 2, 2006 PLANNING COMMISSION

10/10/06

September 18, 2006

Margo Wheeler, Director
Planning and Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89131

RE: Justification Letter for Site Plan Review of Retail Portion of Grand Montecito and Durango: APN-125-29-601-020 & 002

Dear Ms. Wheeler:

On behalf of our client Centennial Hills Center, LLC, please accept this letter as justification for a site plan review of the retail portion of the project located at the intersection of Grand Montecito Parkway and Durango. The Major Modification and Site Plan Review for the office portion of the project was approved by the City Council on December 8, 2005. At that time, our client committed to doing a separate review for the retail portion of the overall development. A Tentative Map for the overall site has also been approved.

The retail portion of the site is approximately 4.49 +/- acres located directly on the intersection of Grand Montecito and Durango. The plan shows 42,500 square feet of retail space, including a 5,500 square foot bank. Shops 1 and 2 are placed directly on the intersection, providing an attractive entry feature for the center. The building elevations for the retail are designed to provide a consistent appearance for both the office and retail areas. There are no waivers submitted with this application; it is the intent to meet the standards of the Town Center Development Standards Manual.

As noted at the pre-application conference, the approval of a commercial subdivision allows for cross-access and parking over the entire site. There are 956 parking stalls provided for the entire office and retail project, where 821 are required. The purpose of delineating the shared parking area is to provide assurance that all retail parking is in close proximity to the shops.

We believe the proposed application will be an exciting, attractive addition to this area of the Town Center plan. We respectfully request your support; please feel free to contact me if you have any questions or need additional information.

Sincerely,

David Clapsaddle
Director of Planning

GCG:mw

GCGARCIA

SDR-16952
11/02/06 PC

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702.435.9909 • Facsimile: 702.435.0457 • E-Mail: ggarcia@gcgarciainc.com

City of Las Vegas

Agenda Item No.: 47

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-16750 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: DOUG HERMANSEN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT, LLC - Request for a Special Use Permit FOR A MASSAGE ESTABLISHMENT WITH WAIVERS OF THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE AND THE 1000 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER MASSAGE ESTABLISHMENT at 6800 West Cheyenne Avenue (APN 138-10-816-007), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated this massage permit would be used in conjunction with an existing medical office. He noted a massage establishment already exists at 6706 Cheyenne Avenue, but pointed out a text amendment would be presented to the

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 47 – SUP-16750

MINUTES – Continued:
Commissioners that would allow a massage permit in conjunction with a medical office. Therefore, he recommended approval.

DR. DOUG HERMANSEN was present and explained the massage use would not be advertised and was intended to give his customers a more pampering and spa-like experience. He stated the massage use would only be a small portion of his business and agreed to all conditions.

DR. HERMANSEN assured COMMISSIONER TRUESDELL that there would be no call-out service and that the hours of operation would be 9 a.m. to 7 p.m.

MR. KORKOSZ confirmed for COMMISSIONER DAVENPORT that if the text amendment regarding this use is approved, this application and procedure will be unnecessary.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

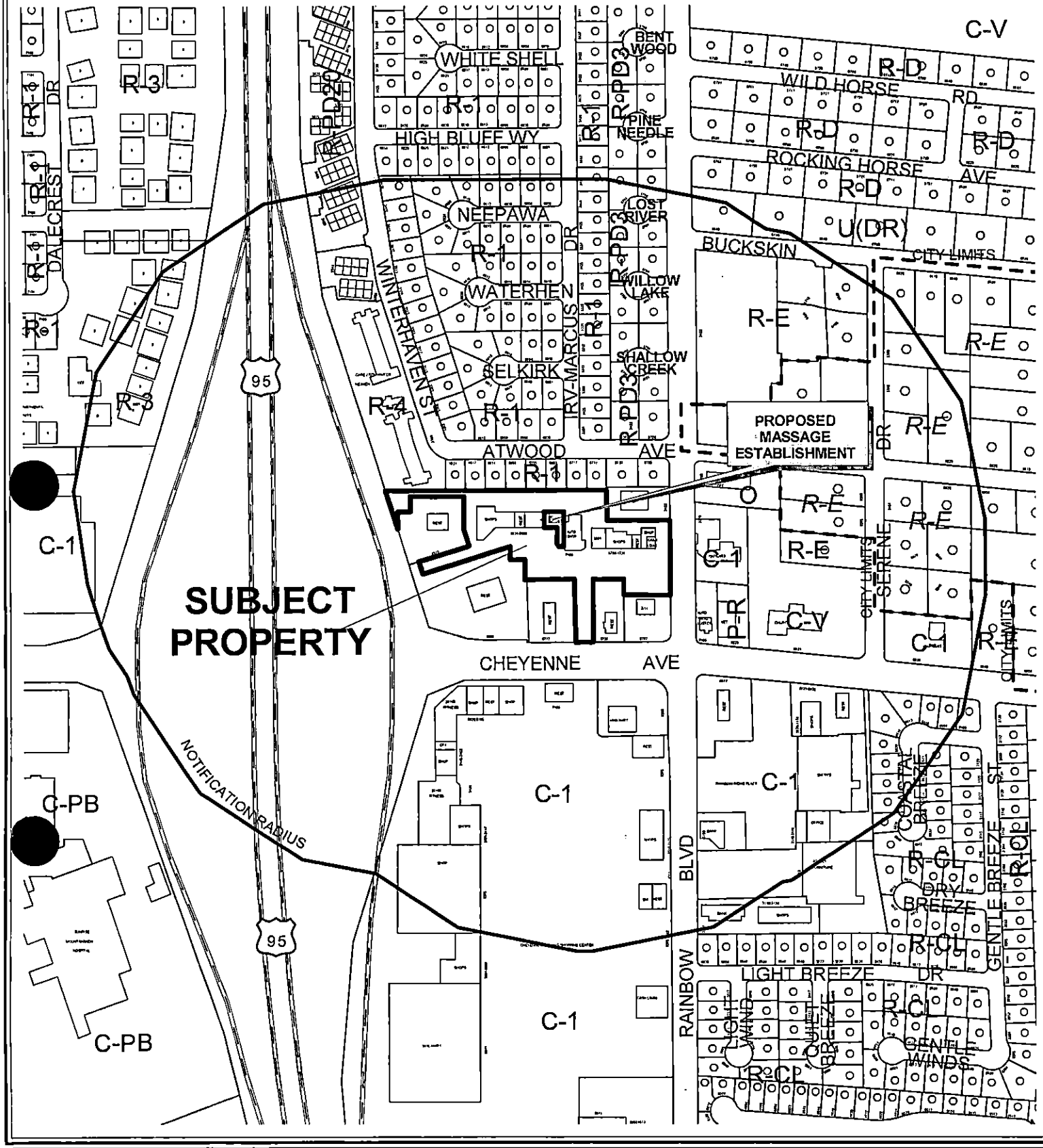
(9:05 – 9:11)

2-2822

CONDITIONS:
Planning and Development

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

2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



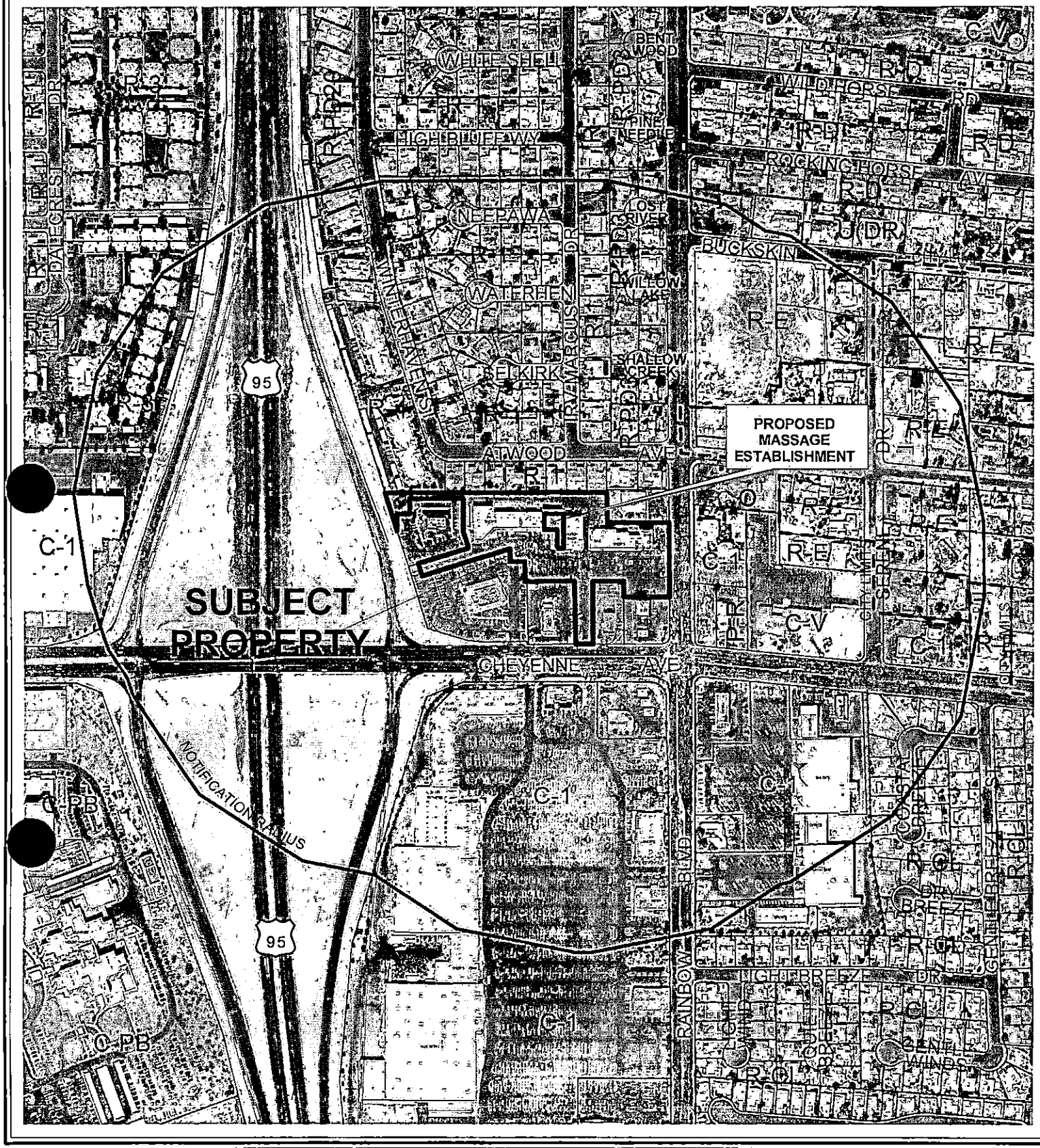
CASE: **SUP-16750**

RADIUS: 1000 FT

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

0 300 600 Feet

N



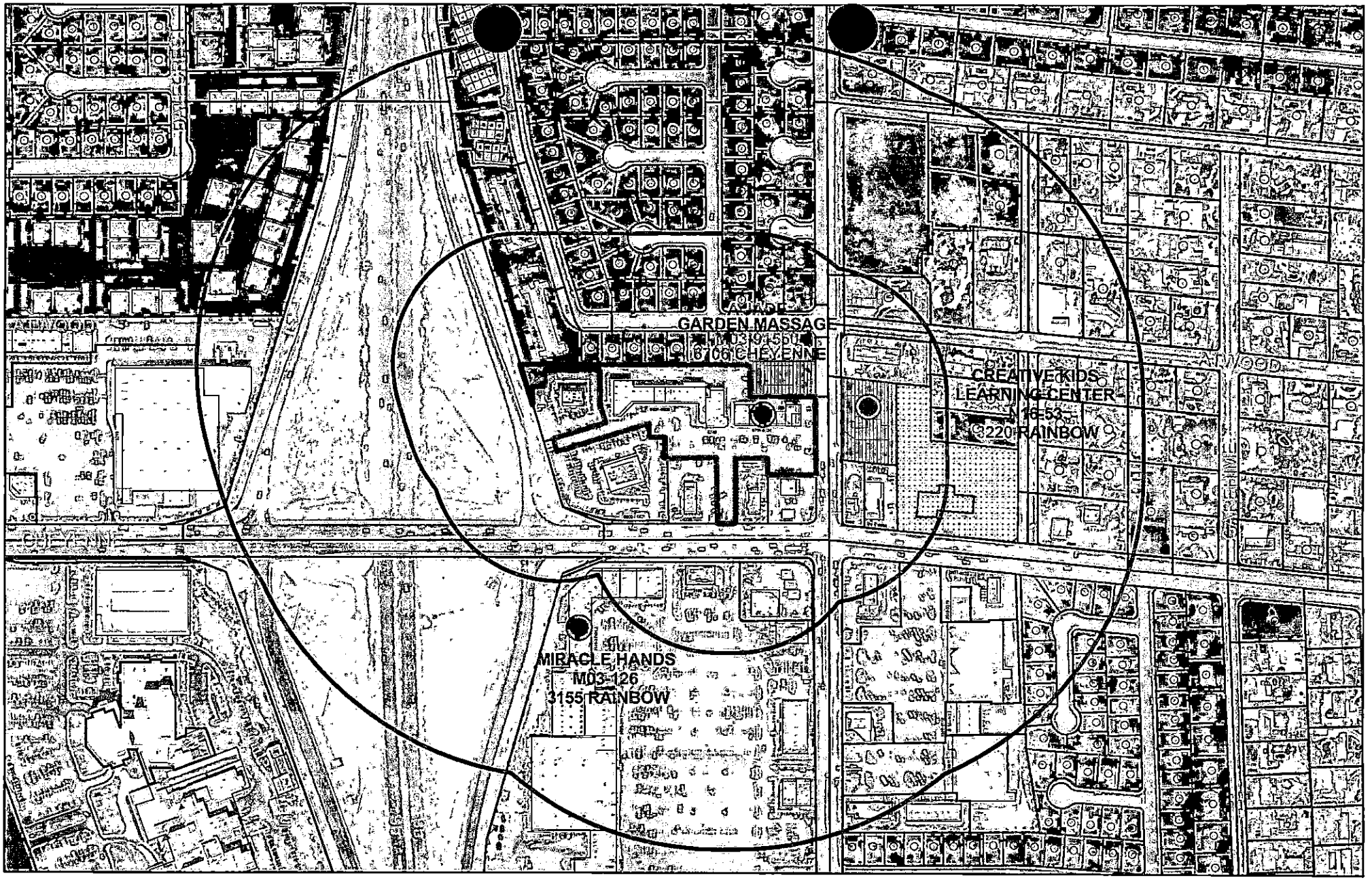
0 300 600 Feet

CASE: **SUP-16750**

RADIUS: 1000 FT

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

N



SUP-16750
Massage Establishment

Business Licenses

- Massage Establishment
- Child Care/ Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

Subject Property
Residential Property
Buffer

0 260 520 1,040 Feet

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-16750 - APPLICANT: DOUG HERMANSEN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT, LLC

** CONDITIONS **

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

Planning and Development

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

2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RL

SUP-16750 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Massage Establishment and a waiver of the 400-foot separation requirement from a residential use, and a waiver of the 1,000-foot separation requirement from another Massage Establishment, in an existing chiropractic office located at 6800 West Cheyenne Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/06/78	The City Council approved a request to rezone the subject site from N-U (Non-Urban) to C-1 (Limited Commercial) as part of a larger request (Z-0071-78). The Planning Commission recommended approval.
04/17/85	The City Council approved a request for a Plot Plan Review [Z-0071-78(2)] for a retail center, tavern, and convenience store on the subject property. The Planning Commission and staff recommended approval on 03/26/85.
10/23/90	The Planning Commission approved a request for a Plot Plan Review [Z-0071-78(5)] for a 38,000 square-foot addition to an existing shopping center on the subject site. Staff recommended approval.
11/20/90	The Board of Zoning Adjustment approved a Variance (V-0129-90) application to allow a 466 square-foot shopping center identification sign where 400 square feet is the maximum size allowed, on property located on the north side of Cheyenne Avenue between Oran K. Gragson Highway and Lorenzi Boulevard. Staff recommended denial.
11/12/91	The Board of Zoning Adjustment approved a Variance (V-0015-91) application to allow 140 parking spaces where the proposed uses require 212 parking spaces on property located on the northwest corner of Cheyenne Avenue and Rainbow Boulevard. Staff recommended denial.
03/17/93	The City Council approved a Variance (V-0004-93) application to allow the secondhand sales of women's clothing and apparel where secondhand dealerships are not permitted on property located at 6718 West Cheyenne Avenue. The Board of Zoning Adjustment recommended approval. Staff recommended denial.

07/17/96	The City Council approved a request for a Plot Plan and Building Elevation Review [Z-0071-78(8)] for a proposed 70-foot high on-premise sign on property located at 6824 West Cheyenne Avenue. The Planning Commission recommended approval on 06/27/96.
03/10/97	The City Council approved an appeal of the Board of Zoning Adjustment's denial of a Variance (V-0155-96) application to allow a proposed off-premise sign 50 feet from an "R" designated zone where 300 feet is the minimum required distance separation at 6704 West Cheyenne Avenue. Staff had no objection.
05/12/97	The City Council approved a request for a Special Use Permit (U-0147-96) application for a 55-foot high, 14-foot by 48-foot off-premise advertising (billboard) sign at 6704 West Cheyenne Avenue. The Board of Zoning Adjustment recommended denial on 01/28/97. Staff had no objection.
01/12/98	The City Council approved a Variance (V-0087-97) application on property located at 6740 West Cheyenne Avenue to allow a proposed 2,346 square-foot freestanding six bay automotive service building on the side property line and 20 feet from the rear property line where ten feet and 60 feet are the minimum setbacks required in conjunction with an existing tire store (Goodyear Tire Center). The Board of Zoning Adjustment recommended approval. Staff recommended denial.
01/26/98	The City Council approved a Special Use Permit (U-0126-97) application on property located at 6810 West Cheyenne Avenue for a minor auto repair (glass) business. The Planning Commission and Staff both recommended approval.
01/07/04	The City Council approved the appeal filed by Cingular Wireless from the denial by the Planning Commission of a request for a Special Use Permit (SUP-3237) for a proposed 73-foot tall slim-line wireless communications facility (non-stealth). Staff recommended denial.
11/17/04	The City Council approved a Special Use Permit (SUP-5072) on property located at 6708 West Cheyenne Avenue for an Auto Title Loan business with waivers of the required 1,000-foot separation distance from similar uses, the 200-foot distance separation from residential uses and the 1,500 square-foot floor area minimum requirements. Planning Commission recommended approval and staff recommended denial.

Related Building Permits/Business Licenses	
08/11/93	Business License Q07-6115 -55903 for a Medical Firm was issued to Hermansen Chiropractic, Out of Business effective 04/25/06.
08/11/93	Business License M06-18054-55903 for a Miscellaneous Sales was issued to Hermansen Chiropractic, Out of Business effective 07/10/06.
04/11/96	Business License C04-227J-68942 for a Chiropractor was issued to Terry Akers, Inactive effective 04/01/06.
10/30/03	Business License Q07-6335-113751 for a Medical Firm was issued to Darcuiel Chiropractic, Out of Business effective 06/07/06.
11/03/04	Business License Q07-615-68942 for a Medical Firm was issued to Akers Chiropractic (formally Hermansen Chiropractic), Remains active.
11/18/04	Business License Q07-615-68942 for a Medical Firm was issued to Desert Pines Family Health Center (formally Hermansen Chiropractic), Remains active.
07/24/06	Business License C14-967411129143 for a Clinic/Lab/X-ray/Imaging was denied to Desert Pines Family Health Center dba Valhalla Medical Spa.
Pre-Application Meeting	
08/16/06	At a pre-application meeting, the applicant was told the special use requirements for a massage establishment, and informed that the justification letter should include waivers for the distance separation requirements. Due to the location of the subject site within 500 feet of Unincorporated Clark County, the requirements for a Project of Regional Significance were explained to the applicant.
Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	4.44
Net Acres	4.34

RL

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
North	Service Commercial General Commercial Office	L (Low Density Residential) H (High Density Residential)	R-1 (Single Family Residential) R-4 (High Density Residential)
South	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Group Quarters Facility, Single Family Residential	SC (Service Commercial)	C-1 (Limited Commercial) O (Office)
West	U.S. 95	Right of Way	Right of Way

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140 Foot Buffer)	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
			Required Parking		*Provided Parking*		*Compliance*
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	53,885	1 space per 250 Square Feet	209	7	517	26	Y
TOTAL			216		543		Y

RL

Waivers		
Request	**Requirement**	**Staff Recommendation**
No separation from residential use	400-foot Separation from Residential Use	Approval
No separation from another massage establishment	1000-foot Separation from Massage Establishment	Approval

ANALYSIS

- Zoning

The site is located in the Centennial Hills Sector of the General Plan and has a designation of SC (Service Commercial). As the subject site is zoned C-1 (Limited Commercial), the General Plan and the zoning are in compliance with each other. The proposed use for Massage Establishment is permitted in the C-1 zoning district with a special use permit.

The subject site is located in the North Las Vegas Airport Overlay District which restricts the height of buildings to 175 feet. The subject proposal will be well under this maximum height allowed.

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

1) Any Special Use Permit within 500 feet of Unincorporated Clark County.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and entities for the mandated 15-day period and no significant issues were identified. No responses have been received indicating any concerns regarding the impact of the proposed special use.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to making a decision on the proposal

- Use

The application proposes a Massage Establishment use within an existing chiropractic practice. The proposal, however, does not meet minimum distance separation requirements from a residential use, nor from another massage establishment as set forth in Title 19.02 and Title 19.04. Waivers of these requirements have been requested as part of this application. Due to the ancillary nature of this use within a chiropractic facility, it is determined that granting a Special Use Permit will not have a negative impact upon the surrounding environment.

- Conditions

1. The use shall comply with all applicable requirements of LVMC Title 6.
2. The use must be located on a secondary thoroughfare or larger.
3. The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.
4. The use may not be located within one thousand feet of any other massage establishment.
5. The hours of operation shall be limited to the period between 8:00 a.m. and 9:00 p.m., unless further limited by the City Council on a case-by-case basis.

Waivers have been requested to allow the special use less than 400 feet from a residential use and less than 1,000 feet from an existing massage establishment. Because this Special Use Permit is requested to offer massage as an ancillary use in an existing chiropractic office, there is no negative impact on the neighborhood.

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 proposed Massage Establishment is an ancillary use within an existing chiropractic office in an existing shopping center at the northwest corner of Cheyenne Avenue and Rainbow Boulevard. As it is an ancillary use with no foreseeable impacts, it 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.

In regard to "2":

The proposed site is well suited for the proposed use, as it is located within an established retail center along a major arterial.

In regard to "3":

The site receives access from Cheyenne Avenue and Rainbow Boulevard, both of which are 100-foot Primary Arterials adequate in size to serve the requirements of the proposed Massage Establishment.

In regard to "4":

The proposed use on this site will be subject to regular inspection and will, therefore, not compromise the public health, safety, and general welfare, or the overall objectives of the General Plan.

In regard to "5":

Although the proposed use requires distance separation waivers from the required conditions of Title 19.04, the ancillary nature of the proposed Massage Establishment within the existing chiropractic office will have no negative impact on the community.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED	195
APPROVALS	0
PROTESTS	0

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-16750** APN: 138-10-816-007

Name of Property Owner: CHARLESTON HEIGHTS DEVELOPMENT, L.L.C.

Name of Applicant: DR. DOUG HERMANSEN

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 owner

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

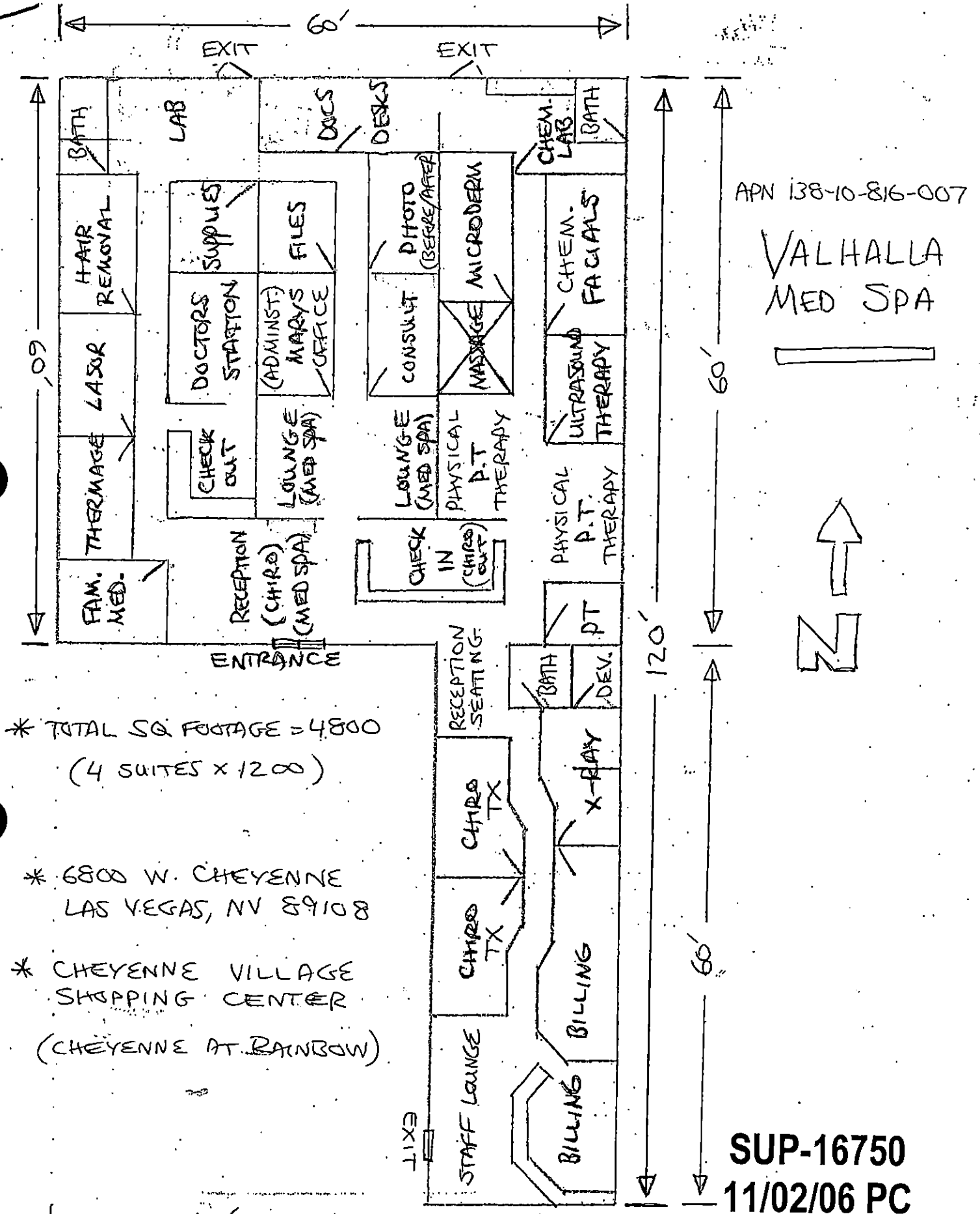
This 6th day of September, 2006

_____

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DEBRA S. ALSTON
Appt. No. 03-84766-1
My Appt. Expires Oct. 10, 2007

RECEIVED
SEP 12 2006



* TOTAL SQ FOOTAGE = 4800
(4 SUITES x 1200)

* 6800 W. CHEYENNE
LAS VEGAS, NV 89108

* CHEYENNE VILLAGE
SHOPPING CENTER
(CHEYENNE AT RAINBOW)

SUP-16750
11/02/06 PC

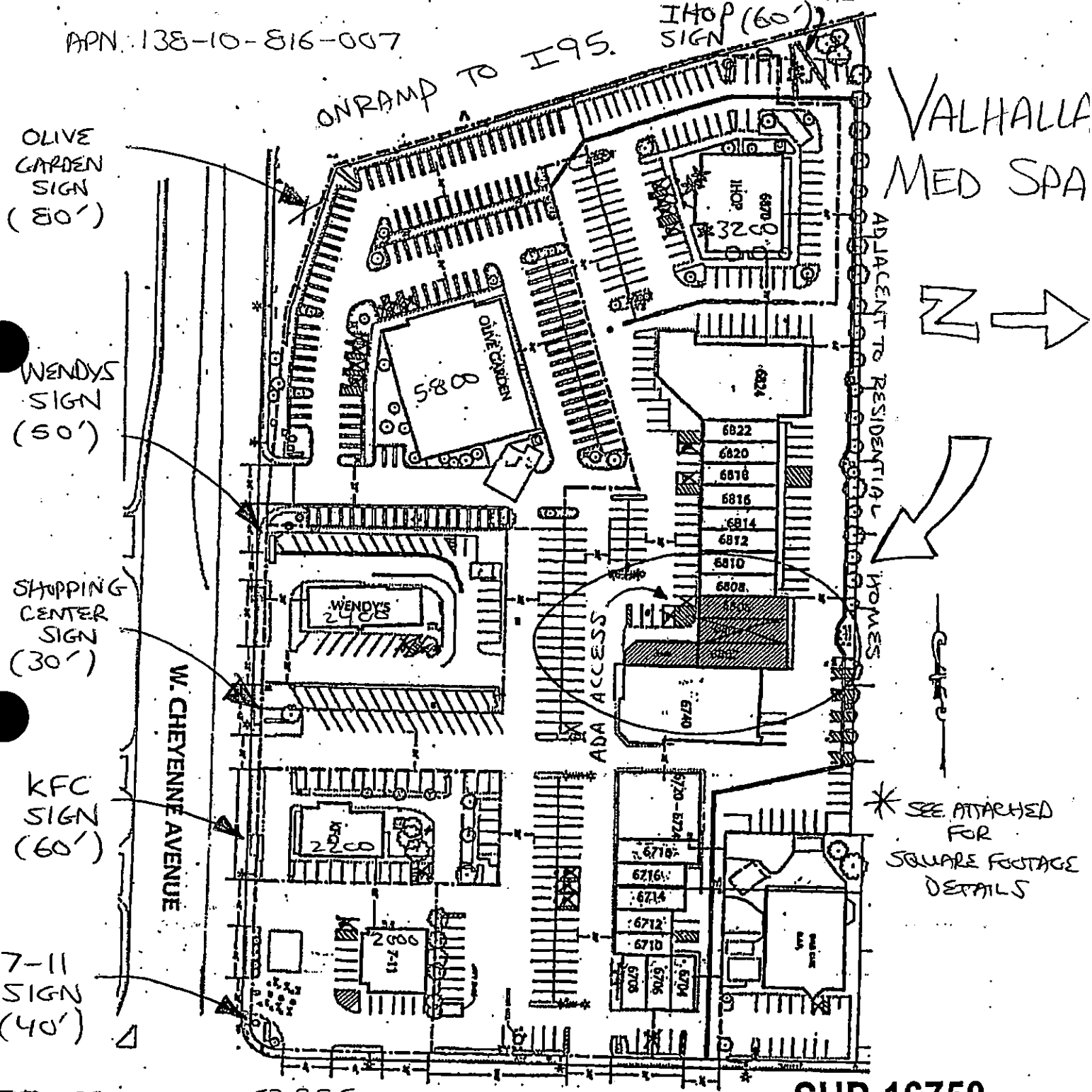
RECEIVED
SEP 12 2006

6804 and 6806 West Cheyenne Ave, Las Vegas, Nevada 89108

CHEYENNE VILLAGE SHOPPING CENTER

Northwest corner of Cheyenne Avenue & Rainbow Boulevard

APN: 138-10-816-007



* SEE ATTACHED FOR SQUARE FOOTAGE DETAILS

← TOTAL SQ FOOTAGE OF SHOPPING CENTER	53,885
	÷ 250
	= 216
HANDICAP PARKING	26
FULL SIZE PARKING	517
COMPACT PARKING	-0-

SUP-16750
11/02/06 PC

LANDLORD

RECEIVED
SEP 12 2006

Cheyenne Village Shopping Center
Las Vegas Nevada

APN 138-10-816-007

Premises Address	Square footage
6704 W. CHEYENNE	800
6706 W. CHEYENNE	800
6708 W. CHEYENNE	800
6710 W. CHEYENNE	800
6712 W. CHEYENNE	800
6714 W. CHEYENNE	1,000
6716 W. CHEYENNE	1,000
6718 W. CHEYENNE	1,200
6720 - 24 W. CHEYENNE	3,600
6740 W. CHEYENNE	6,260
6800-6806 W. CHEYENNE	4,750
6808 W. CHEYENNE	1,000
6810 W. CHEYENNE	1,000
6812 W. CHEYENNE	1,000
6814 - 6816 CHEYENNE	2,000
6818 W. CHEYENNE	1,000
6820 W. CHEYENNE	1,000
6822 W. Cheyenne	1,000
6824 West Cheyenne Ave	5,990
6702 W. CHEYENNE	2,485
Total	38,285
IHOP	3,200
OLIVE GARDEN	5,800
WENDYS	2,400
KFC	2,200
7-11	2,000
TOTAL	53,885
HANDICAP PARKING	26
FULL SIZE PARKING	517
COMPACT PARKING	0
TOTAL	543
CALCULATION	53,885 ÷ 250 = 216

SUP-16750
11/02/06 PC

RECEIVED
SEP 1 9 2006

We are requesting a wavier of the 400ft distance separation from residential use.

We are requesting a waiver of the 1000ft distance separation from another massage establishment.

We are also requesting a waiver of the 500 ft distance separation from county line, attached please find the required Development Impact Notification and Assessment (DINA) application.

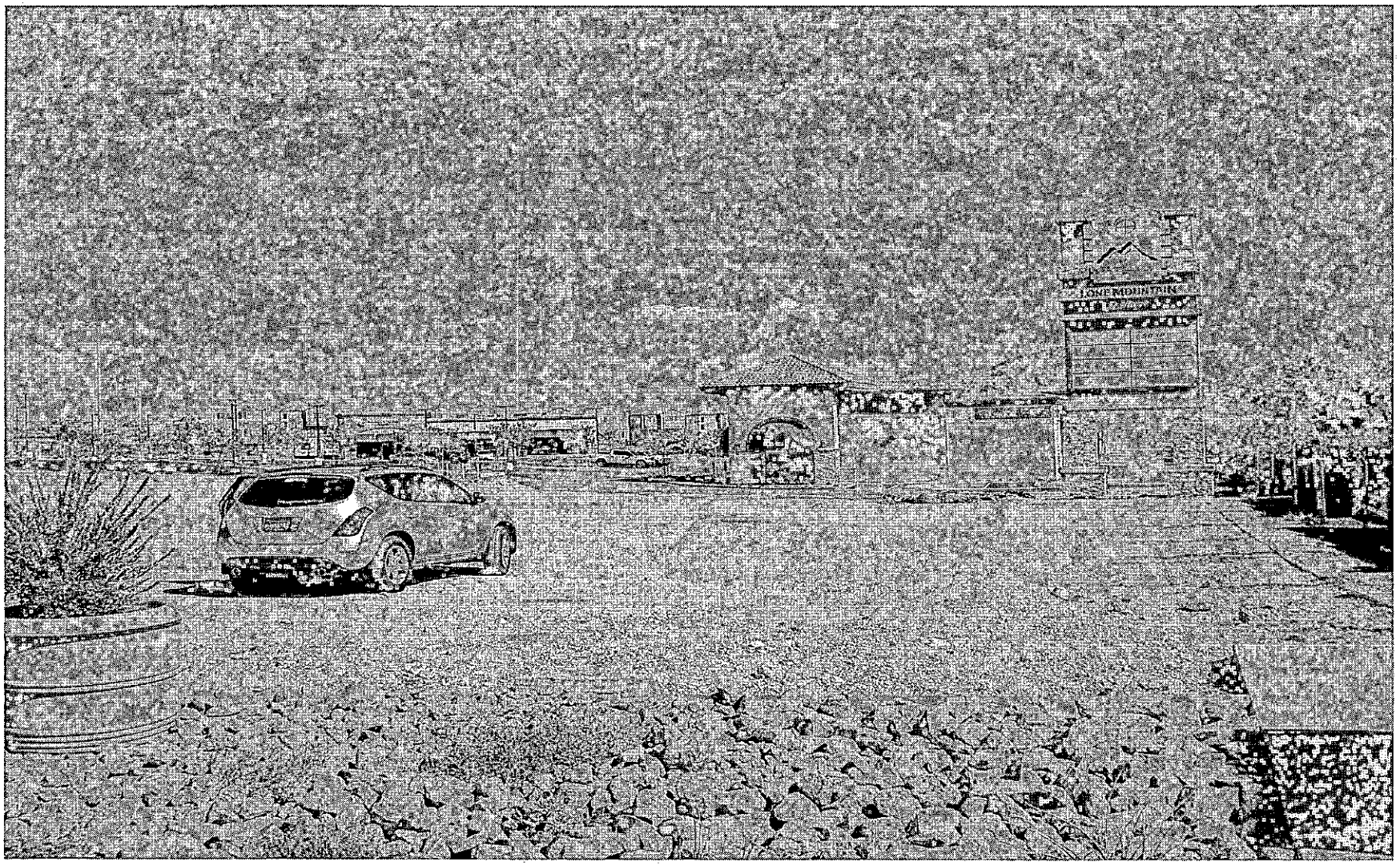
Attached please see our application and all other required documents.

Sincerely,

Doug Hermansen, DC
Owner

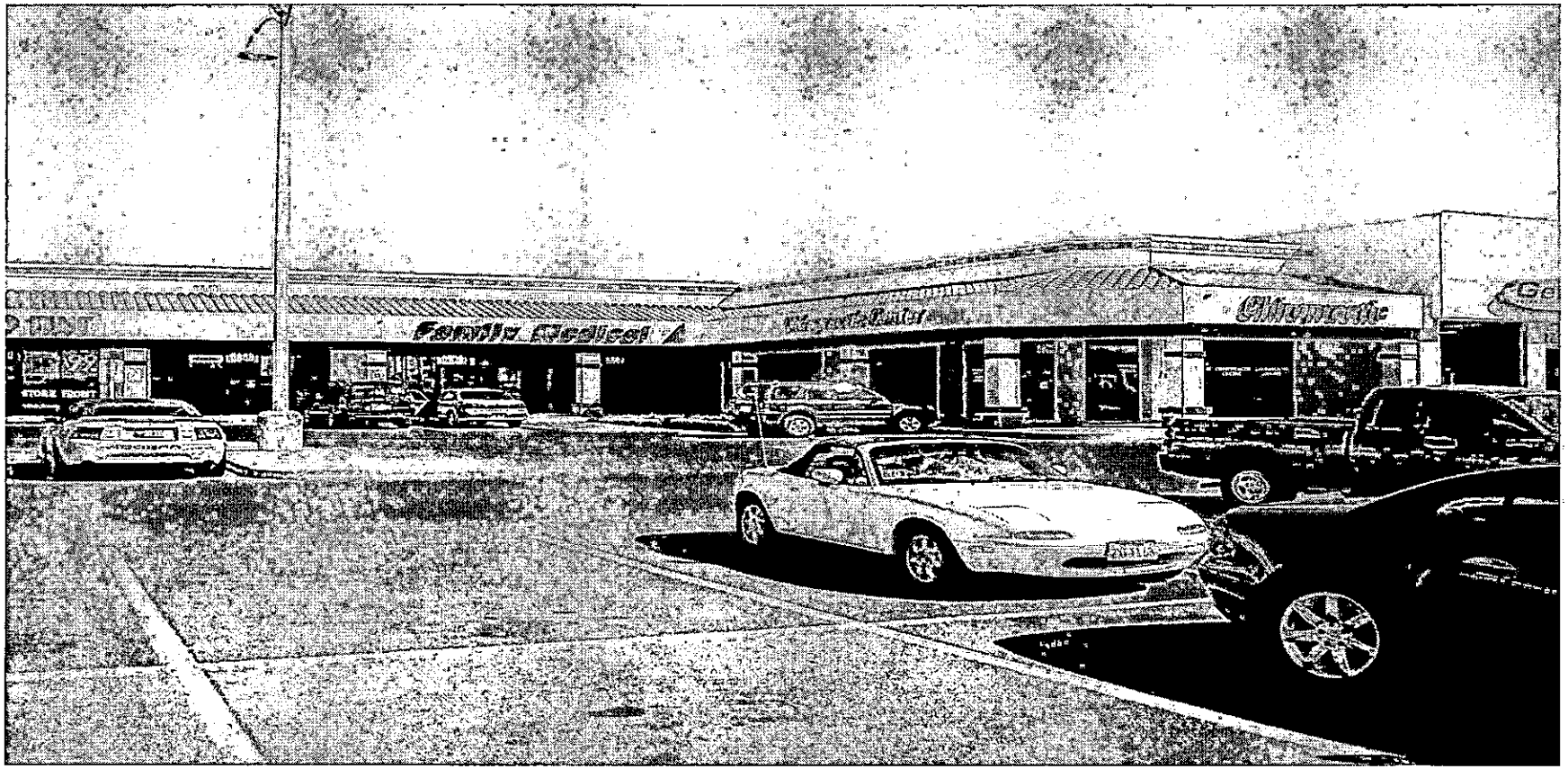
SUP-16750
11/02/06 PC

RECEIVED



SUP-16750 - APPLICANT: DOUG HERMANSEN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT, LLC
6800 WEST CHEYENNE AVENUE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



SUP-16750 - APPLICANT: DOUG HERMANSEN - OWNER: CHARLESTON HEIGHTS DEVELOPMENT, LLC
6800 WEST CHEYENNE AVENUE
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06

DESERT PINES
FAMILY HEALTH CENTERS
FAMILY MEDICINE • CHIROPRACTIC

DESERT PINES FAMILY HEALTH CENTERS
DBA
VALHALLA MED SPA

JUSTIFICATION LETTER FOR SPECIAL USE PERMIT

APN 138-10-816-007

Dear Planning Commissioners and Town Council:

We are a 4800sq ft Family Practice and Chiropractic clinic, located in the strip mall at 6800 W Cheyenne Ave. Dr. Hermansen has been successfully practicing at this location for the last 12 years. Our hours of operation do not exceed the required 8:00am to 9:00pm

We are now expanding the practice to include a Medical Spa, the new services are listed below:

Thermage ™ Skin Tightening
Facials
Microdermabrasion
Laser Hair removal
Fotofacial Skin Rejuvenation
Relaxation /Stress Relief and Therapeutic Massage
Injectable Fills for Wrinkles

Relaxation Massage in this setting and industry is a critical part of the services we will be offering as a Med Spa, Since we are now adding Relaxation Massage, which is considered a spa service; we have been advised that we need a special use permit. To that end we are submitting our request for that permit and additional requests for the following waivers; on page 2

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SEP 12 2006

SUP-16750
11/02/06 PC

West Clinic. Ph:658-8800
6800 W. Cheyenne, Las Vegas, NV 89108
(Cheyenne at Rainbow) Fax: (702) 658-1079

www.desertpinesfhc.com

East Clinic. Ph:437-0800
3551 E. Bonanza #108, Las Vegas, NV 89110
(Bonanza at Pecos) Fax: (702) 437-7857

City of Las Vegas

Agenda Item No.: 48

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SUP-16911 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FL SMITH, LLC - OWNER: FORT APACHE COMMONS LTD, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at 1101 South Fort Apache Road (APN 163-05-110-006), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 12/06/06
IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protest by Edward Kulas

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, explained this application was to allow an existing convenience store to sell beer and wine. He noted one protest and recommended approval.

SHAWN HUGGINS, 528 South Casino Center Boulevard, appeared on behalf of the applicant and accepted all conditions.

MINUTES – Continued:

MR. HUGGINS informed COMMISSIONER STEINMAN that this use would not be in conjunction with a food establishment opening within the convenience store.

DEPUTY CITY ATTORNEY BRYAN SCOTT and MR. KORKOSZ assured COMMISSIONER STEINMAN that alcohol consumption would not be permitted on the premises.

COMMISSIONER TRUESDELL stated he could support this application but warned he would not support additional uses at this site in the future due to the many uses already in place.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:11 – 9:16)

2-3098

CONDITIONS:

Planning and Development

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

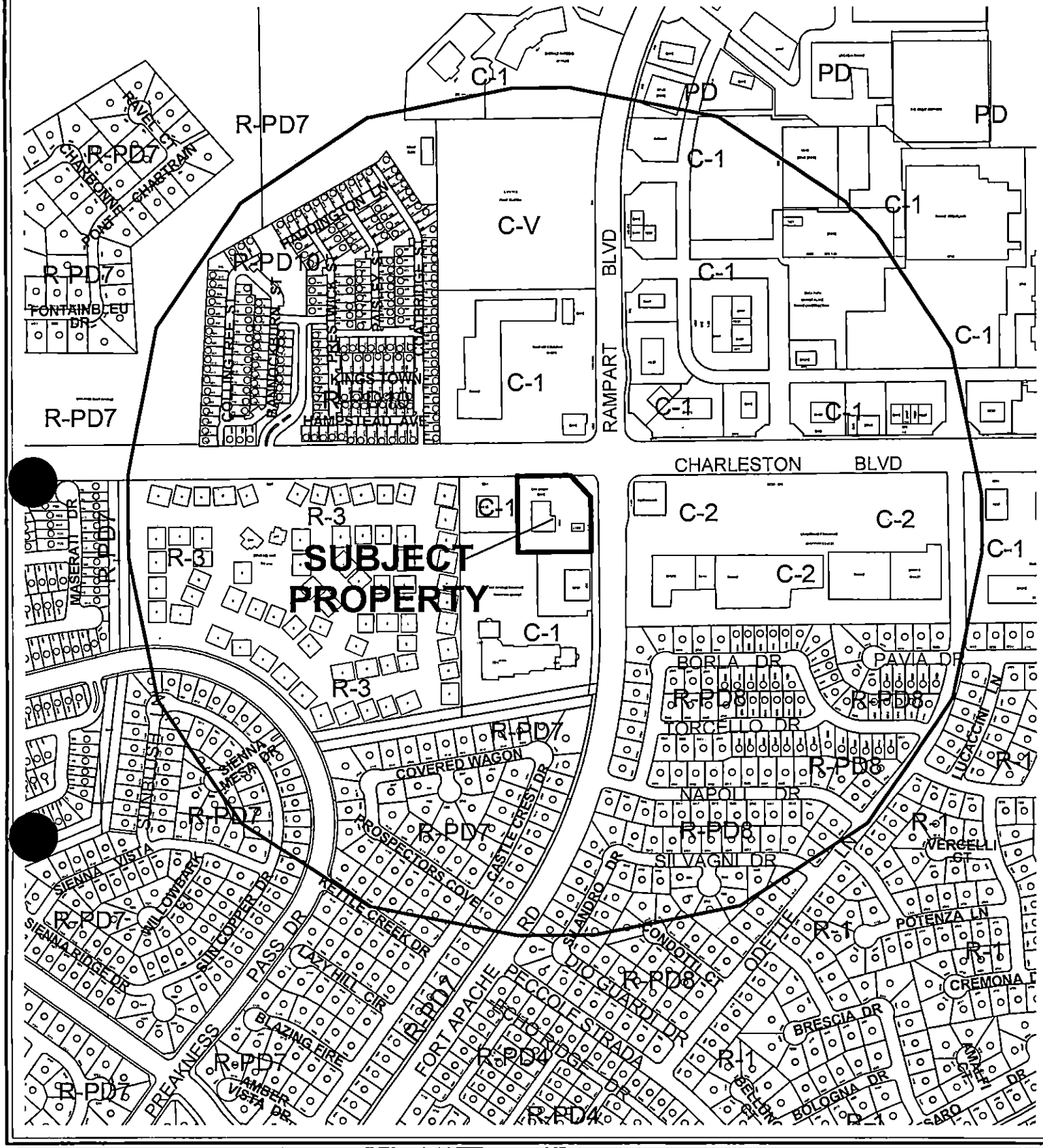
2. Approval of this Special Use Permit does not constitute approval of a liquor license.

3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

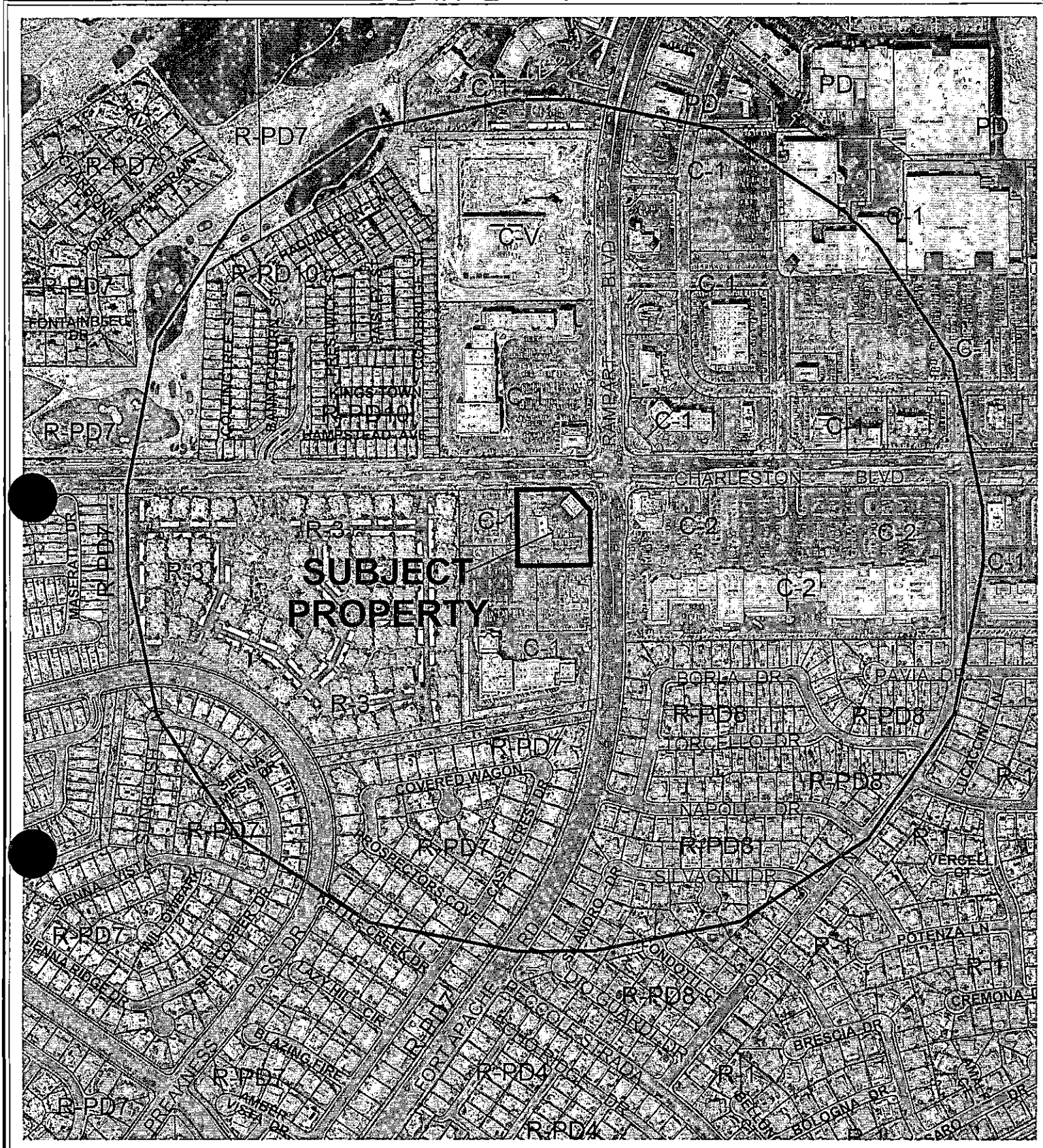
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **SUP-16911**

RADIUS: 1500 FT

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



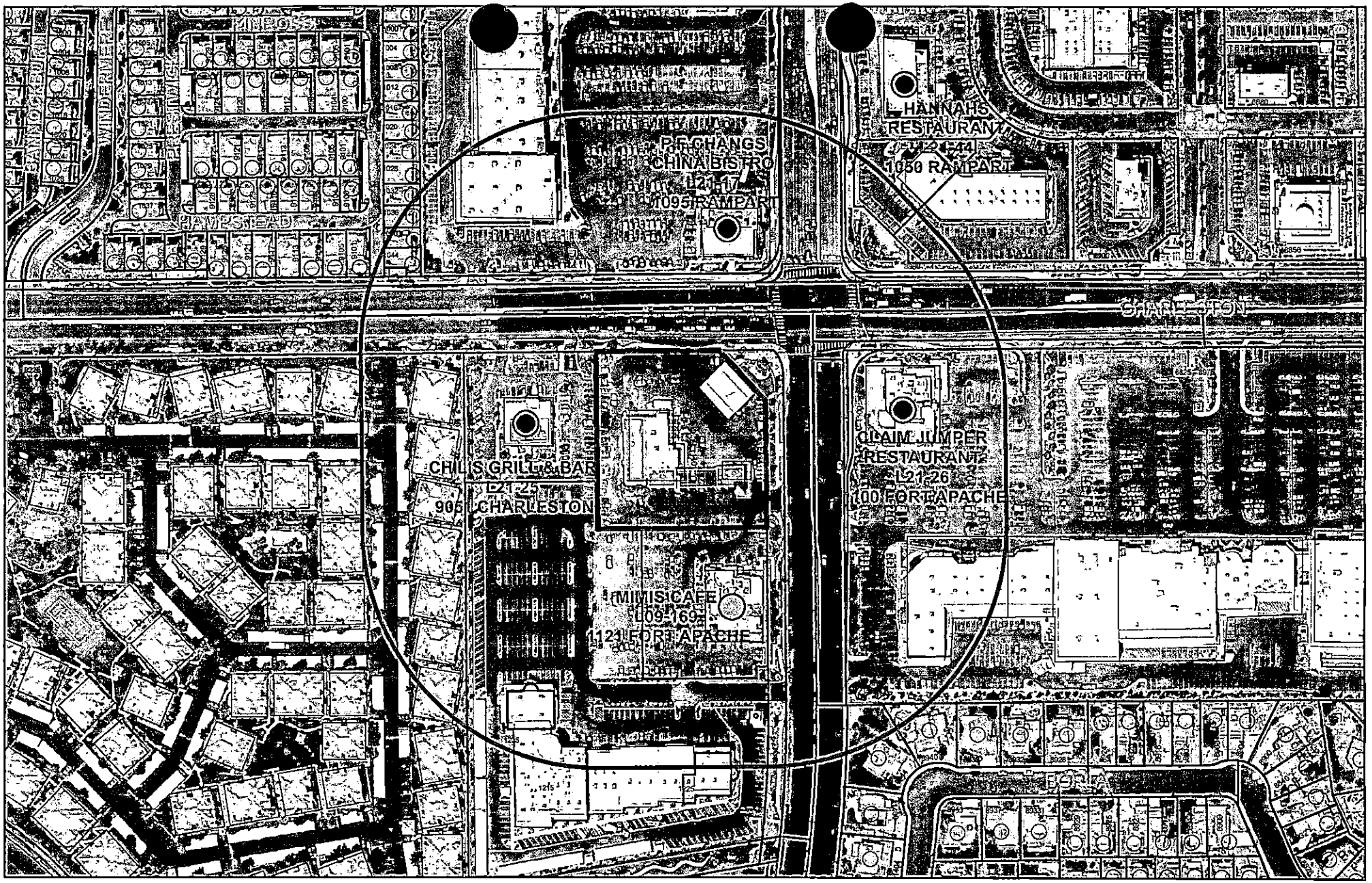
0 500 1000 Feet

CASE: **SUP-16911**

RADIUS: 1500 FT

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

N



SUP-16911

Package Liquor Sales

Business Licenses

- Child Care/ Children Facility
- Supper Club/ Restaurant Service Bar
- Tavern
- Liquor on/off Sales

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-16911 - APPLICANT: FL SMITH, LLC - OWNER: FORT APACHE COMMONS LTD, LLC

** CONDITIONS **

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

Planning and Development

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

2. Approval of this Special Use Permit does not constitute approval of a liquor license.

3. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-16911 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is for a Special Use Permit for a Beer/Wine/Cooler Off-Sale Establishment at 1101 South Fort Apache Road at an existing car wash.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/15/89	The City Council approved a request (Z-0139-88) for Reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, from N-U (Non Urban) Zone under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units per Acre), P-R (Professional Office & Parking), C-1(Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development - 7 Units per Acre), R-3 (Limited Multiple Residence), and C-1 (Limited Commercial). The Planning Commission recommended approval.
12/04/02	The City Council approved a request Special Use Permit (SUP-1047) for a tavern and a waiver of the separation distance between taverns and a Site Development Plan Review (SDR-1048) for the tavern on this site. The Planning Commission recommended approval.
02/05/03	The City Council approved a Site Development Plan Review (SDR-1318) for the Retail Building Addition to the overall shopping center. The Planning Commission recommended approval.
10/19/06	The Planning Commission approval a Site Development Plan Review (SDR-16500) for a 580 square-foot Fast Food Restaurant Addition to an existing service station on the subject site. Staff recommended approval.

Related Building Permits/Business Licenses	
08/07/02	Active Business License G02-5483-97173 issued to Smog Xpress for Garage-Minor Auto Repair.
12/02/02	Active Business License P35-47-0-77658 issued to Central Pay Phones for an Outdoor Payphone.
08/21/03	Building Permit issued for Fire Repair on the subject site.
10/02/03	Building Permit issued for Temporary Sales Trailer on the subject site.
10/09/03	Building Permit issued for Interior Remodel on the subject site.
10/28/03	Building Permit issued for 3 Sets Channel Letters on the subject site.
10/29/03	Building Permit issued for Installation of a Combination Cooler/Freezer on the subject site.
11/6/03	Building Permits issued for Low Voltage, Wire and CCTV devices on the subject site.
11/07/03	Building Permit issued for Low Voltage Only on the subject site.
04/21/05	Active Business License R01-5062-109547 issued to AAA Auto Glass for Repairs – Miscellaneous.
06/02/05	Active Business License C02-185L-82137 issued to Fabulous Freddy's Car Wash for Car Wash.
06/02/05	Active Business License M03-565-82137 issued to Fabulous Freddy's Car Wash for a Massage Establishment
09/26/05	Active Business License S05-10373-82137 issued to Fabulous Shoe Shine Stand for a Shoe Shine Stand.
Pre-Application Meeting	
08/16/06	At a pre-application meeting, the applicant was informed of the special use requirements for a Beer/Wine/Cooler off-sale establishment, including the parking requirements.
Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	1.86
Net Acres	1.86

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	General Commercial	SC (Service Commerical)	C-1 (Limited Commercial)
North	Service Commercial	SC (Service Commerical)	C-1 (Limited Commercial)
South	Service Commercial	SC (Service Commerical)	C-1 (Limited Commercial)
East	School/ Park/ Open Space	SC (Service Commerical)	C-1 (Limited Commercial)
West	Servicce Commercial	SC (Service Commerical)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	NA	81,064 SF	Y
Min. Lot Width	100 Feet	293 Feet	Y
Min. Setbacks			
• Front	20 Feet	54 Feet	Y
• Side	8 Feet	61 Feet	Y
• Corner	15 Feet	108 Feet	Y
• Rear	8 Feet	44 Feet	Y
Max. Lot Coverage	50%	12%	Y
Max. Building Height	NA	16 Feet	Y
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required Parking*			*Provided Parking*		*Compliance*
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Retail	3,600 SF	1/250 SF	15 Total		53	3	Y
Car Wash	3,300 SF	1/150 SF	22 Total				
Restaurant							
Seating	100 SF	1/50 SF	2 Total				
Other	580 SF	1/200 SF	3 Total				
			40	2	53	3	Y
TOTAL			42		56		Y

ANALYSIS

- **General Plan and Zoning**

  The subject site is located in the Southwest Sector of the General Plan. Within that Sector, it has a land-use designation of SC (Service Commercial). This designation allows for a variety of commercial uses that serve primarily local area patrons. The underlying zoning of C-1 (Limited Commercial) is in compliance with the General Plan designation. The subject site is located in the North Las Vegas Airport Overlay District 200-foot buffer. The existing single-story structure on the subject site is well under the maximum height allowed.

- **Use**

  The sale of beer/wine/coolers for consumption off-premise in conjunction with a car wash is an allowed use within the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit. The reason for a special use permit is to ensure that a proposed use conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others (Subsection 19.18.060 A.). The subject site is appropriate for the proposed use, and sufficient parking is provided.

  The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties.

- **Conditions**

The following conditions apply to the proposed use:

1. Except as otherwise provided in this Chapter, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, child care facility licensed for more than twelve children, or City park.
2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purpose of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or
   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Paragraph 1 do not apply to:
   a. An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or

b. A proposed establishment having more than fifty thousand square feet of retail floor space.

6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

7. The minimum distance requirements set forth in paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, maybe be waived:

   a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

   b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

   c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of at least one hundred feet.

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 project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements. The project, located in a substantial commercial development at an intersection where all four corners are occupied by major commercial developments, can be expected to be compatible with, and mutually supportive of, these other commercial uses.

In regard to "2":

There is no evidence of any physical constraint to the location of the proposed Beer/Wine/Cooler Off-Sale Establishment use on the subject site.

In regard to "3":

The proposed Beer/Wine/Cooler Off-Sale Establishment use will be accessed from Fort Apache Road and Charleston Boulevard, both identified on the Master Plan of Streets and Highways as 100-foot Primary Arterials. These roads have adequate capacity to serve the proposed development. The project will not have any negative traffic impact on nearby residential neighborhoods.

In regard to "4":

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

In regard to "5":

The subject site meets all applicable conditions for a Beer/Wine/Cooler Off-Sale Establishment as per the requirements of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	6
ASSEMBLY DISTRICT	2
SENATE DISTRICT	8
NOTICES MAILED	467
APPROVALS	0
PROTESTS	1

RL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-16911 APN: 163-05-110-006

Name of Property Owner: Fort Apache Commons Ltd., LLC

Name of Applicant: F.L. Smith - Fabulous Freddys Car Wash

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: J. Bruce Bayne

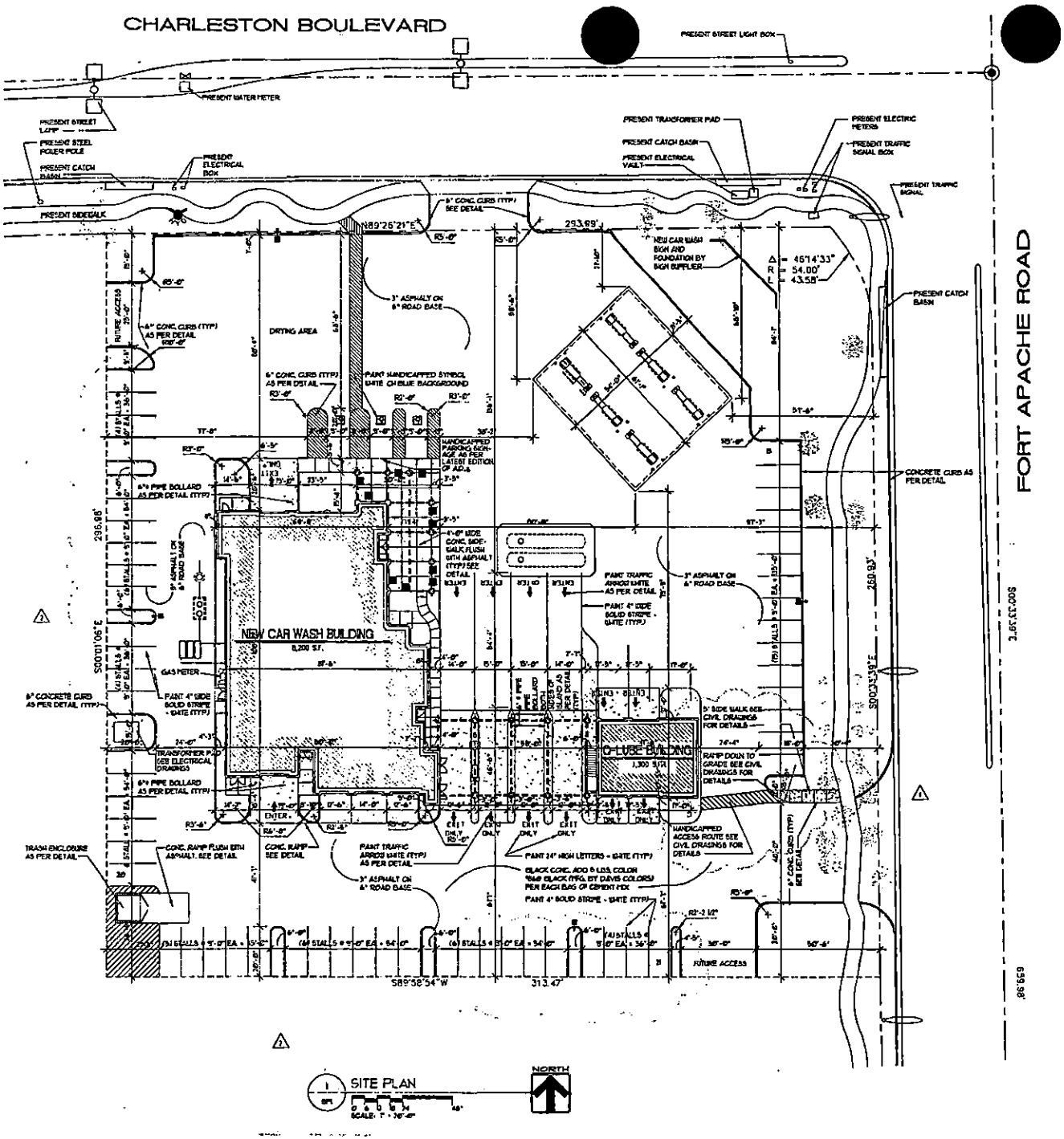
Subscribed and sworn before me

This 1st day of May, 2006

Joanne Baldassare

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JOANNE BALDASSARE
My Appointment Expires
No: 98-3510-1 June 2, 2006



RECEIVED
SEP 18 2006

SUP-16911
11/02/06 PC

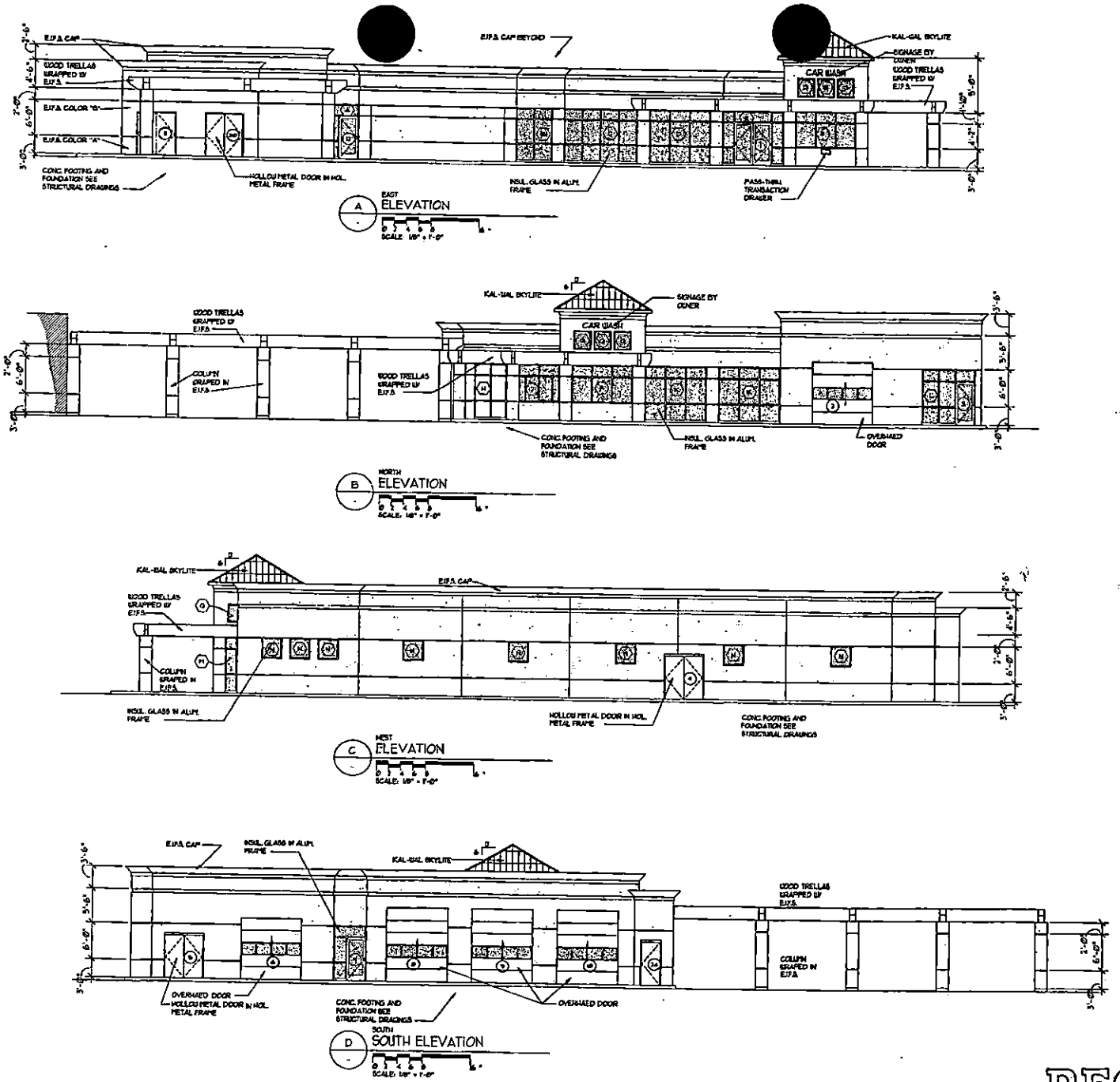
LYNN F. MORGAN A
ARCHITECT / PLANNER / CONSULT
143 WEST 1400 SOUTH, SALT LAKE CITY, 1

FABULOUS FREDDY'S CAR WASH
APPROX. CHARLESTON BLVD. AND FORT APACHE ROAD
LAS VEGAS, NEVADA

SITE PLAN

CONSULTANTS
STRUCTURAL:
O. GEORGE HANSEN
MECHANICAL:
DALE R. MUDE
ELECTRICAL:

DRAWING
AS



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SEP 18 2006

SUP-16911
11/02/06 PC

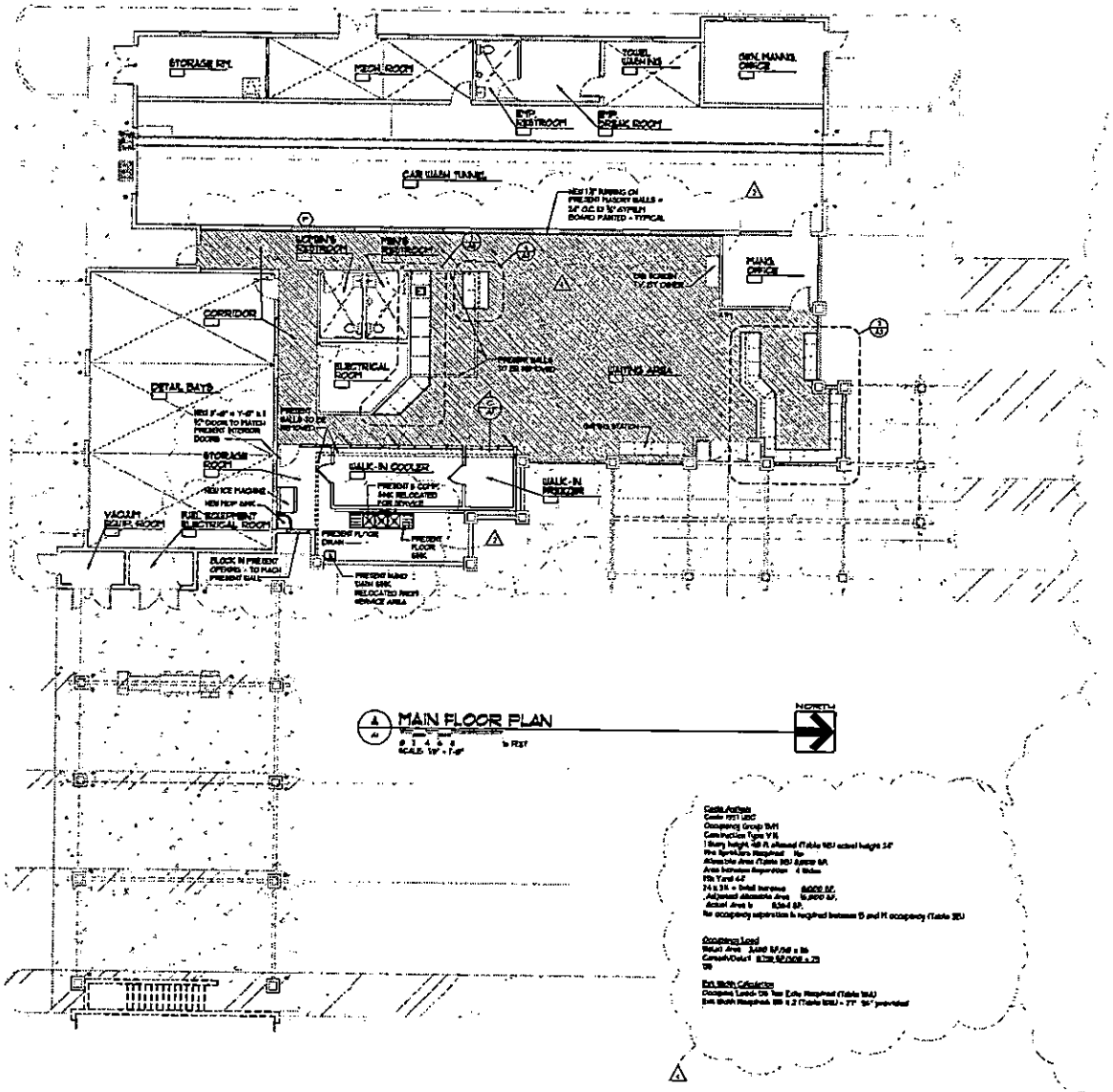
LYNN F. MORGAN A
ARCHITECT / PLANNER / CONSULTA
143 WEST 1400 SOUTH, SALT LAKE CITY, U

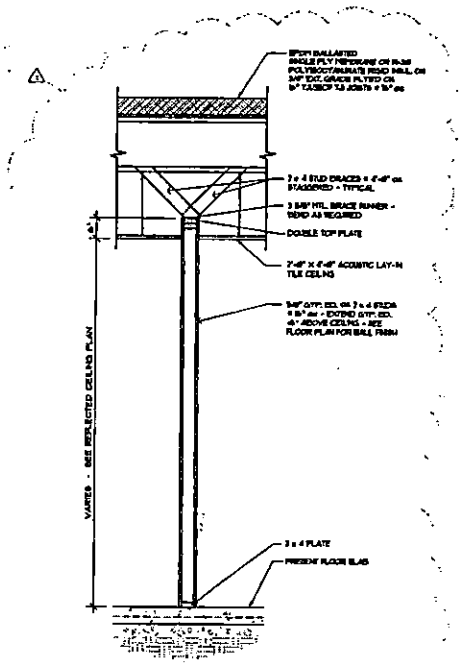
FABULOUS FREDDY'S CAR WASH
APPROX. CHARLESTON BLVD. AND FORT APACHE ROAD
LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

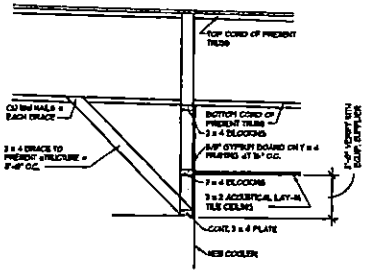
CONSULTANTS
STRUCTURAL:
D. GEORGE HANSEN
MECHANICAL:
DALE R. BILDE
ELECTRICAL:
JSM & ASSOCIATES INC.

DRAWING
A4





WALL BRACE DETAIL
SCALE: 3/4" = 1'-0"



SOFFIT DETAIL
SCALE: 3/4" = 1'-0"

RECEIVED
SEP 18 2006

SUP-16911
11/02/06 PC

PROJECT NUMBER

REVISIONS
1. Per City Review Comments 9-20-06
2. Expansion to Tunnel 10-10-06
3. Tunnel Length Changed 10-13-06
4. Ceiling Grid and Light Fixture Changed 10-13-06
5. Detail Added Area 3 Corrected 10-16-06
6. Tunnel Detail Added 11-15-06
7. Seismic Bracing Detail 12-5-06

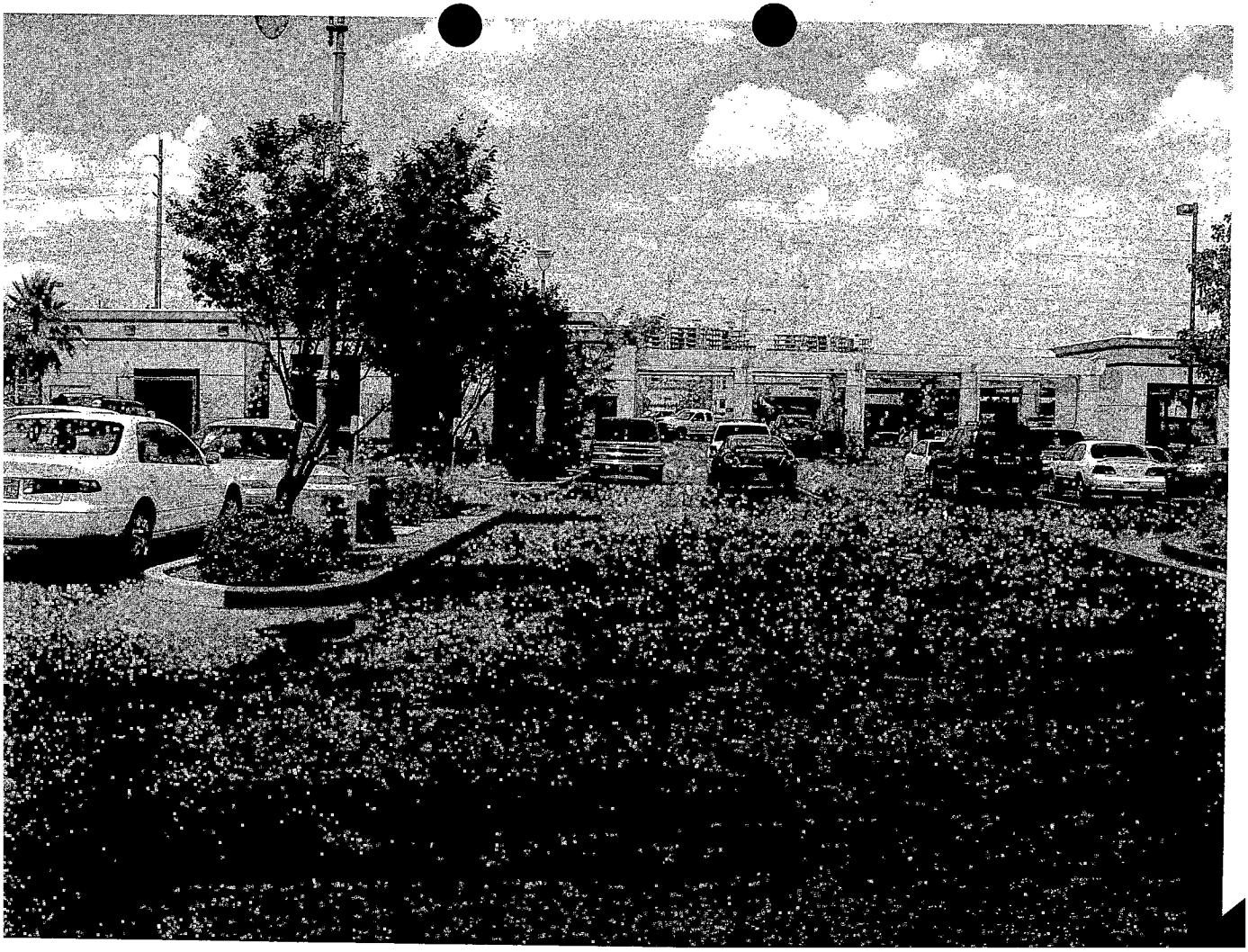
SHEET TITLE
FLOOR PLAN

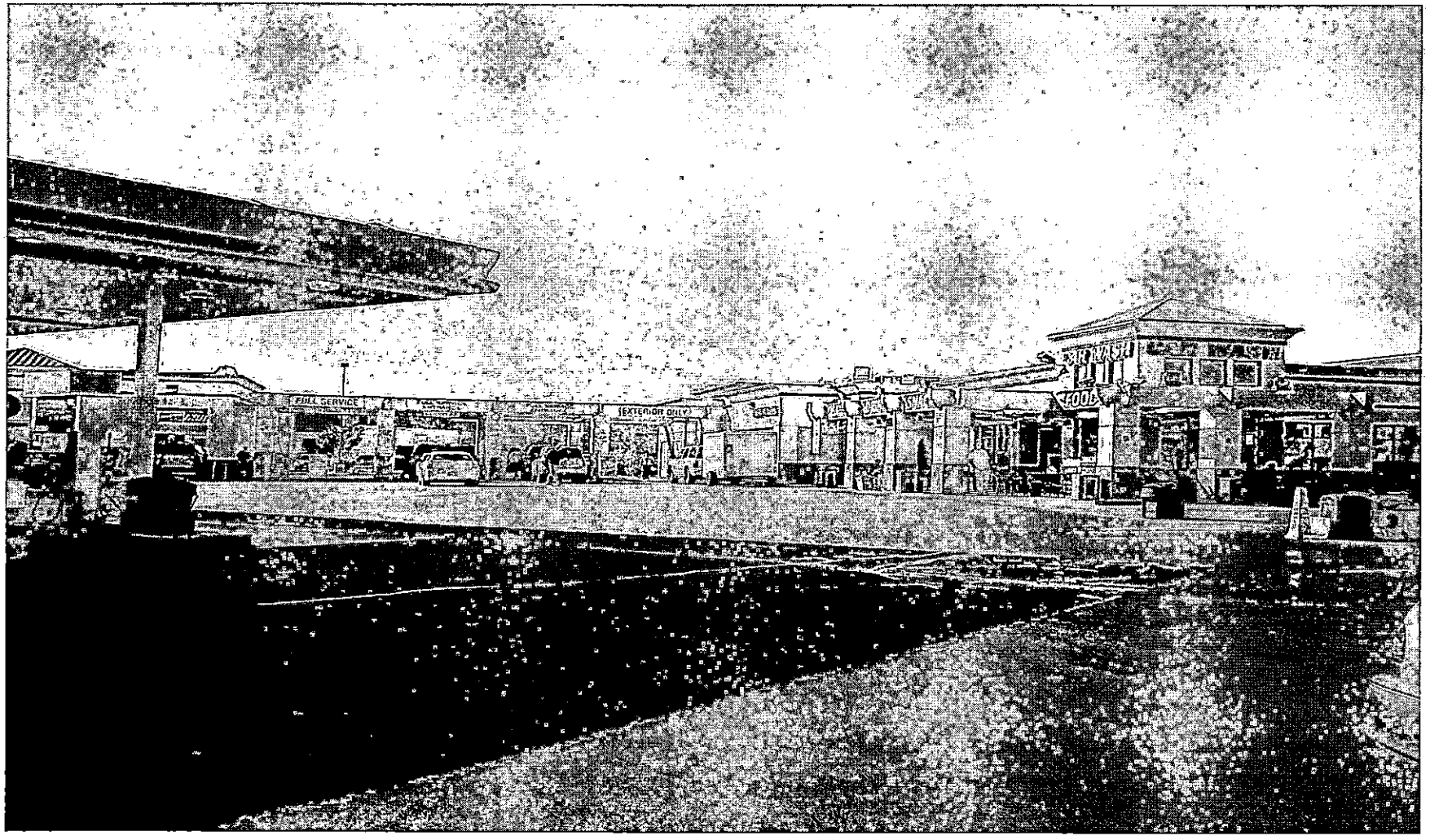
PROJECT/OWNER
FABULOUS FREDDY'S CAR WASH
CHARLESTON BLVD. & FORT APACHE RD
LAS VEGAS, NEVADA
FRED SMITH
1001 SKI SLOPE DR. LAS VEGAS

ARCHITECT
RUSS NAYOLR ARCHITECT
1535 EAST WILMINGTON AVENUE SUITE 250
SALT LAKE CITY, UTAH 84106 (801) 467-3336

DATE
SEPT. 4, 2003

SHEET NUMBER
A1



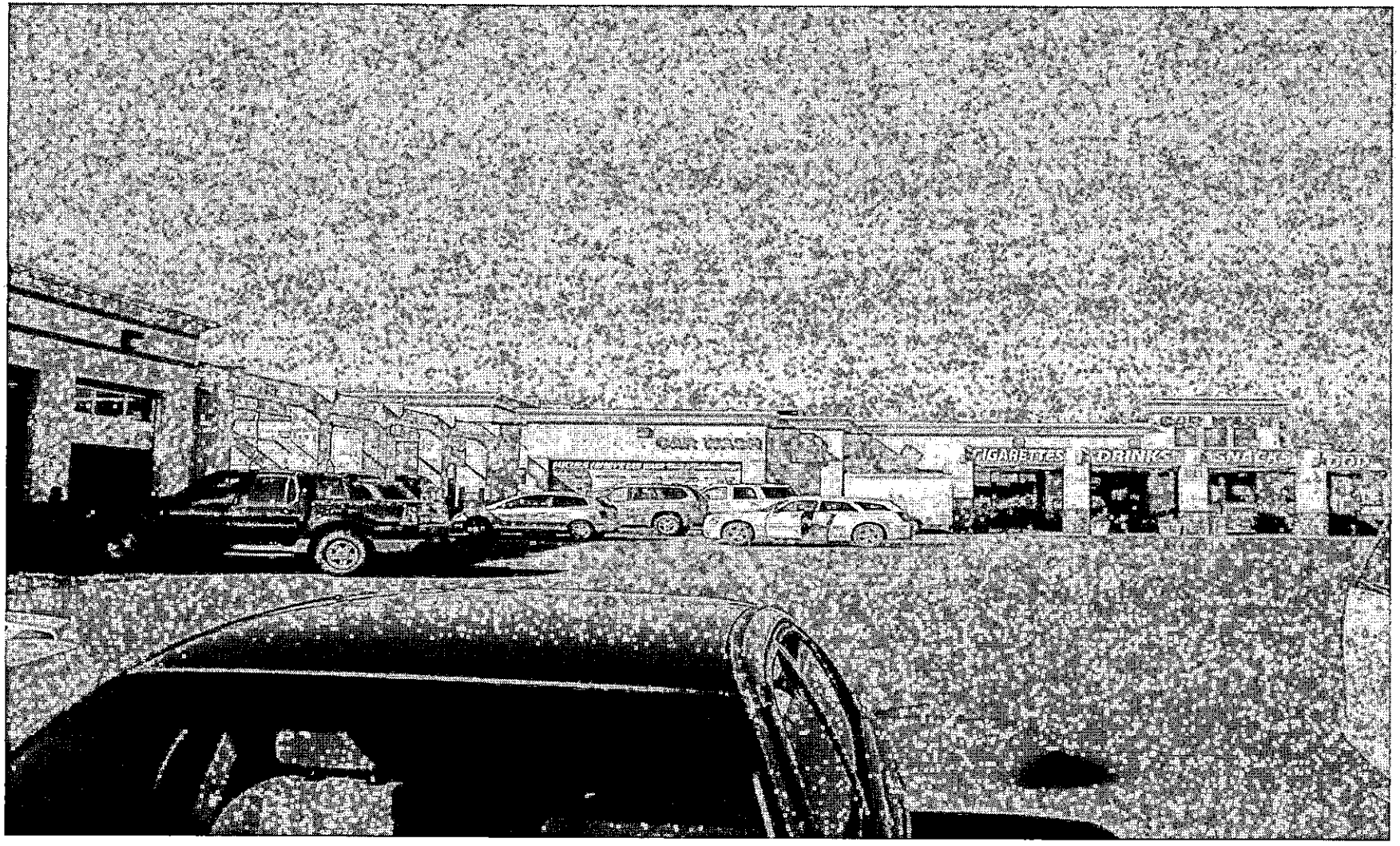


SUP-16911 - APPLICANT: FL SMITH, LLC - OWNER: FORT APACHE COMMONS LTD, LLC
1101 SOUTH FORT APACHE ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06

SUP-16911 - APPLICANT: FL SMITH, LLC - OWNER: FORT APACHE COMMONS LTD, LLC
1101 SOUTH FORT APACHE ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06



SUP-16911 - APPLICANT: FL SMITH, LLC - OWNER: FORT APACHE COMMONS LTD, LLC
1101 SOUTH FORT APACHE ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06

HUGGINS LAW OFFICE
A PROFESSIONAL CORPORATION

SHAWN R. HUGGINS, ESQ.
ATTORNEY AT LAW

September 18, 2006

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

RE: JUSTIFICATION LETTER
FABULOUS FREDDY'S CAR WASH
1101 S. FORT APACHE

To Whom It May Concern:

This letter is written as justification for FL Smith, LLC, Fabulous Freddy's Car Wash's request for Special Use Permit to operate a convenience with off premises beer and wine sales.

At this time, Fabulous Freddy's Car Wash is a full service carwash location which includes services such as gas, carwash, detailing, lube facilities, smog and other incidental related businesses. Fabulous Freddy's Car Wash requests the Special Use Permit so it may operate a convenience in conjunction with its other services on the premises. In addition to the convenience store application Fabulous Freddy's will be requesting a business license for wine and beer sales.

This application is necessitated by business circumstances and is compatible with the current uses on the premises. Therefore, it is respectfully requested this Special use Permit be granted for the convenience store operation with off premises sale of beer and wine on Fabulous Freddy's Car Wash.

Very truly yours,

Shawn R. Huggins
SRHlm

Cc: Fabulous Freddy's Car Wash

SUP-16911
11/02/06 PC

528 SOUTH CASINO CENTER BOULEVARD, SUITE 203, LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 387-4014 · FACSIMILE: (702) 387-3129 · HUGGINSLAWOFFICE.COM

Telephone Protest/ Approval Log

Meeting Date: 11/2/06 **Case Number:** SUP 16911

Date: 10/24/06
Name: Kwas, Edward
Address: 9124 Prospectors Cove Dr
Las Vegas NV 89117
Phone: 255-0559
[X] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
me:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

Date:
Name:
Address:
Phone:
[ ] **PROTEST** [ ] **APPROVE**

ITEM # 48
CASE # SUP-16911
PC MTG 11-2-06

P

City of Las Vegas

Agenda Item No.: 49

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-16919 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT /OWNER: CHARLESTON & JONES LLC - Request for a Site Development Plan Review and a Waiver of the Perimeter Landscape Buffering Requirement FOR THE CONVERSION OF A 192-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 7.41 acres at 5905 West Charleston Boulevard (APN 163-01-102-038), R-E (Residence Estates) and C-2 (General Commercial) under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 1 (Tarkanian).

C.C.: 12/06/06

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	1	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
DAVENPORT – APPROVED subject to conditions, deleting Condition 4 and 13 and amending the following conditions as follows:
1. Add the phrase "except as amended herein."
20. Strike the language "prior to the issuance of any grading or building permits."
– UNANIMOUS

To be heard by City Council on 12/06/2006

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 49 – SDR-16919

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated this site plan conforms to the approved original site plan and that no changes have been proposed. He recommended approval and noted the units are currently unoccupied.

BARRY BENDER, 7391 Prairie Falcon Road, appeared on behalf of the applicant. He requested clarification of Condition 21 regarding a drainage study.

MR. RANKIN informed AL OSBOURNE, 1350 Duneville Street, that a landscape waiver was not being approved and that this application was to change the approved use from an apartment complex to a condominium project.

MIRON HELVIK, 1375 Duneville Street, expressed concern for the apartments north of Charleston Boulevard which contribute to the depletion of the neighborhood. He noted he did not support the idea of luxury apartments and would not support a condominium development.

JILL and WADE CHRISTENSEN, 1295 Duneville Street, appeared and stated the project is directly behind their property. MS. CHRISTENSEN expressed hope that condominiums would increase property values in the area. She requested that all previous agreements be maintained, which include no access at Duneville Street and Holmby Avenue, no pedestrian gate or vehicle access and that the alleyway created from the project be maintained since the neighborhood is known for vagrancies. MS. CHRISTENSON verified that she spoke with Nevada Power who confirmed it is possible to fence off the alleyway; however, it would be expensive.

COMMISSIONER EVANS clarified that the application is only to modify the site plan from apartments to condominiums. The commissioners cannot consider whether the alleyway could be fenced off or not. MS. CHRISTENSEN requested that privacy issues be addressed. MR. CHRISTENSEN stated they appeared in response to notification of some landscaping shortage and noted that mature trees were promised in the line of sight.

CHAIRMAN TROWBRIDGE noted that if those conditions were enforced at the time of approval, they would remain and could be enforced. MR. RANKIN read the conditions of approval in conjunction with the plan approved in 2002 and since the plans have not changed, he verified that all conditions would remain.

COMMISSIONER GOYNES requested the applicant visit the property of MR. and MRS. CHRISTENSEN to mitigate the concern of privacy. MR. BENDER confirmed that the developer would satisfy the CHRISTENSEN'S concern even if it may require that the trees be increased in height from what was originally imposed.

PLANNING COMMISSION MEETING OF NOVEMBER 2, 2006
Planning and Development Department
Item 49 – SDR-16919

MINUTES – Continued:

BART ANDERSON, Public Works Department, stated that condominium projects are dealt with differently than apartments in regard to public easements. The Flood Control Section would need to verify that what was originally approved is still acceptable for a multi-owner situation and at that time could also determine if the drainage study needed to be resubmitted. MR. BENDER expressed understanding but noted a conflict that no permits are to be issued until the drainage study is approved. MR. ANDERSON confirmed that the language stating "prior to building permits" could be stricken from Condition 20 leaving the portion that states "prior to the final map."

Upon COMMISSIONER TRUESDELL'S inquiry, MR. BENDER confirmed that garages would be part of the condominiums and sold as personal garages. COMMISSIONER DAVENPORT requested additional language be added to Condition 4 to require mature trees be installed in the line of sight so as to protect existing property owners. MR. RANKIN recommended Condition 4 be deleted so COMMISSIONER DAVENPORT requested that language be included as an added condition to which MR. BENDER agreed.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:16 – 9:35)

2-3380

CONDITIONS:

Planning and Development

1. Conformance to the conditions of Z-0037-02, Z-0037-02(1) and VAR-0041-02 approved by City Council 09/02/02.

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 09/18/06, except as amended by conditions herein. NOTE: reduced copies are date stamped 09/19/06.

4. The minimum distance between buildings shall be 10 feet.

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

CONDITIONS – Continued:

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. Air conditioning units shall not be mounted on rooftops.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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

12. This approval shall be void two years from the date of final approval, unless a Final Map has been submitted and approved. An Extension of Time may be filed for consideration by the City of Las Vegas.

13. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/18/06 except as amended by conditions herein.

CONDITIONS – Continued:

14. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.

15. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.

Public Works

16. 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.

17. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Submit copies of the receipts to the Collection Systems Planning Section of the Department of Public Works with Final Map mylar submittal.

18. Gated driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

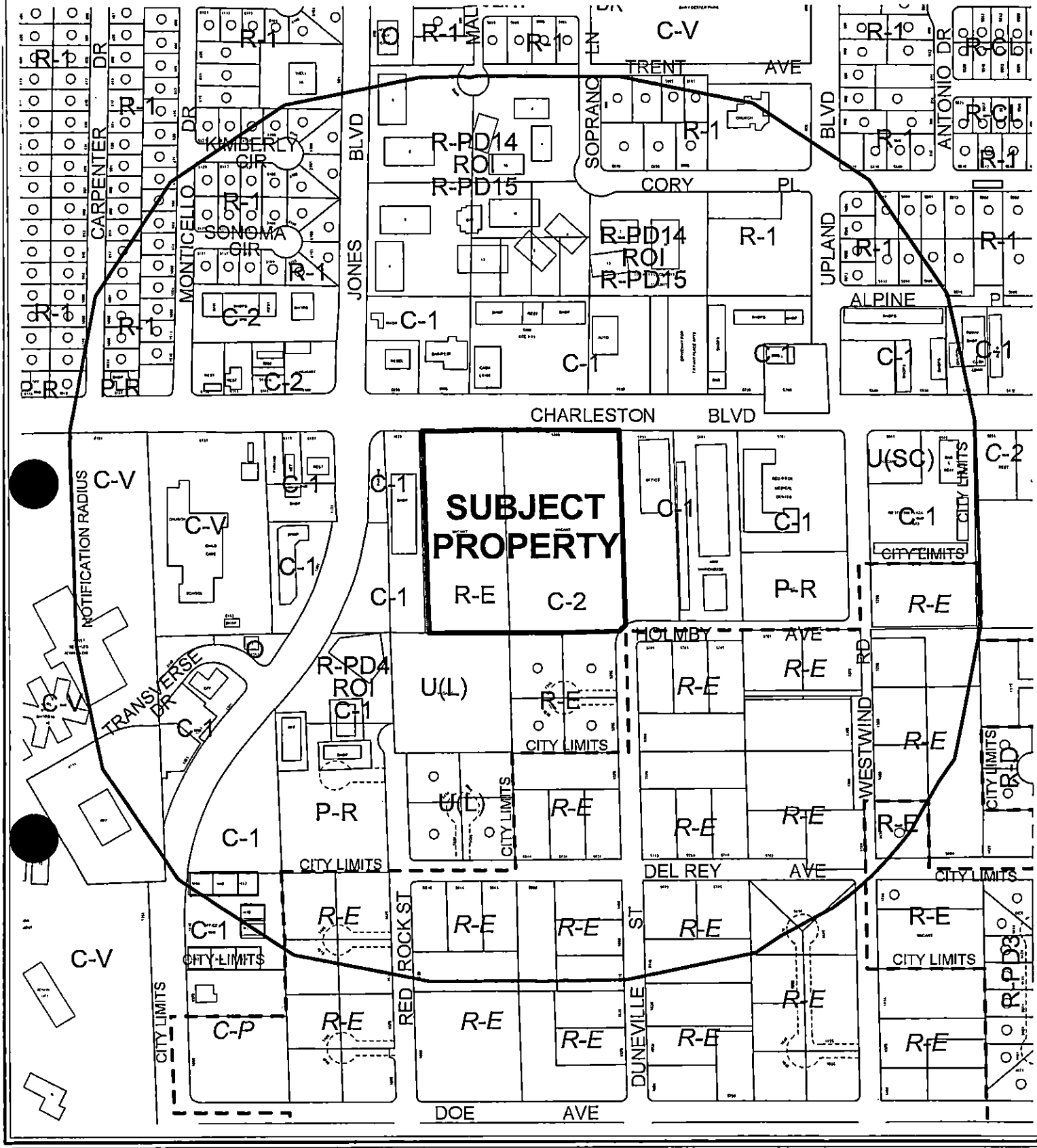
20. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

21. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular

CONDITIONS – Continued:

traffic at all development access drives and abutting street intersections.

22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.



0 500 1000 Feet

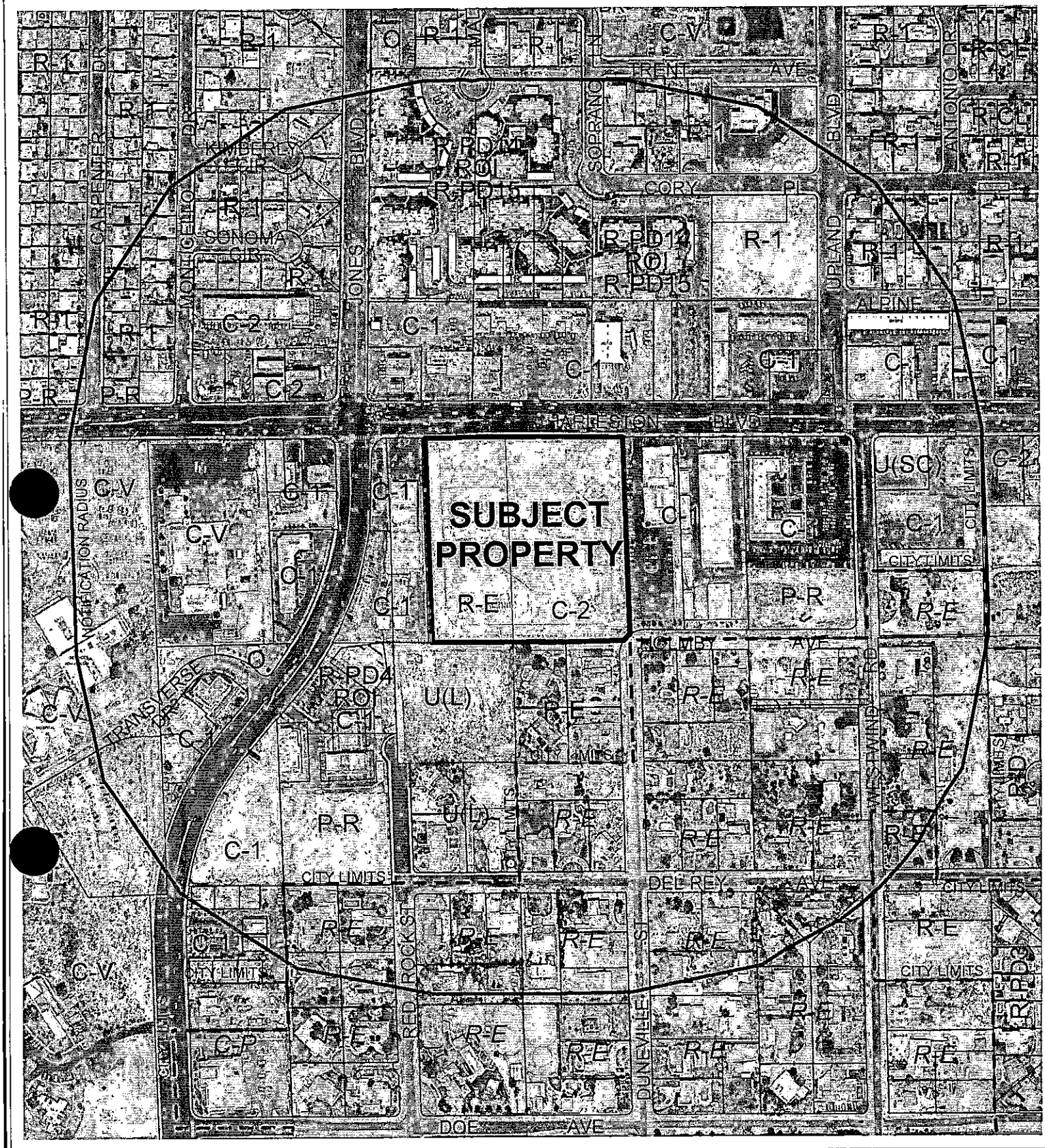
CASE: **SDR-16919**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL) AND C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

N



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N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-16919 - APPLICANT /OWNER: CHARLESTON & JONES LLC

** CONDITIONS **

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

Planning and Development

1. Conformance to the conditions of Z-0037-02, Z-0037-02(1) and VAR-0041-02 approved by City Council 09/02/02.

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.

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22. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

SDR-16919 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review and a Waiver of the perimeter landscape buffer requirements for the conversion of an approved 192-unit apartment complex to a condominium development on 7.39 acres at 5905 West Charleston Boulevard.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/19/72	A portion of the subject site was Annexed (A-0001-71) into the City of Las Vegas.
02/07/96	The City Council approved a Rezoning (Z-0104-95) to C-1 (Limited Commercial) on a portion of this site. The Planning Commission recommended approval.
09/04/02	The City Council approved a General Plan Amendment (GPA-0014-02) to M (Medium Density Residential), a Rezoning (Z-0037-02) to C-2 (General Commercial), a Variance (V-0041-02) to allow the proposed apartment buildings to be three stories and 38 feet tall where two stories and 35 feet are the maximum height allowed, and Site Development Plan Review [Z-0037-02(1)] for a 192-unit three-story, apartment complex on this site. The Planning Commission and staff recommended approval on August 8, 2002.
10/06/04	The City Council approved an Extension of Time (EOT-5144) of Rezoning Z-0037-02; an Extension of Time (EOT-5146) of Site Development Plan Review Z-0037-02(1); and an Extension of Time (EOT-5147) of Variance (V-0041-02).
Pre-Application Meeting	
09/05/06	A pre-application meeting was held at which the applicant was instructed that a Site Development Plan Review would be required for the proposed conversion, and that it would be heard by City Council. Further, a list of requirements was provided and the applicant was told that they should meet with Flood Control and conform to the previously approved site plan (Z-37-02(1)).
Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.

SDR-16919 - Staff Report Page Two
November 2, 2006 - Planning Commission Meeting

Details of Application Request			
Site Area			
Gross Acres	7.41		
Net Acres	7.39		
Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant	M (Medium Density Residential)	C-2 (General Commercial) and R-E (Residential Estates) Under Resolution of Intent for R-3 (Medium Density Residential)
North	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family, Vacant	DR (Desert Rural Density Residential), SC (Service Commercial)	R-E (Residential Estates) and U (Undeveloped) [L (Low Density Residential General Plan Designation)]
East	Office	SC (Service Commercial)	C-1 (Limited Commercial)
West	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	Y

Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – **200 Feet**	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

RL

DEVELOPMENT STANDARDS

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	322,812 SF	Y
Min. Lot Width	NA	538 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	5 Feet	5 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	25 Feet	Y
Max. Building Height	3 Stories/38 Feet per V-0041-02	3 Stories/38 Feet	Y

Existing Zoning	*Permitted Density*	*Units Allowed*	*Proposed Zoning*	*Permitted Density*	*General Plan*	*Permitted Density*
R-3	25du/acre 192 units on the subject site	192	R-3	25du/acre 192 units on the subject site	M	25.89 197 units on the subject site

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	Tree/ 6 Spaces	15 Trees	36 Trees	Y
Buffer:				
Min. Trees				
• North	1 Tree/20 Linear Feet	28 Trees	16 Trees	Y
• South	1 Tree/20 Linear Feet	26 Trees	13 Trees	Y
• East	1 Tree/20 Linear Feet	28 Trees	10 Trees	N
• West	1 Tree/20 Linear Feet	28 Trees	10 Trees	N
Total Buffer		110 Trees	49 Trees	61 Trees Deficient
TOTAL		125 Trees	95 Trees	Y
Min. Zone Width	10 Feet along right-of-way 5 Feet along interior lot lines		10 Feet 5 Feet	Y

RL

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	Required			Provided		Compliance
			Parking		Parking		
Use		Parking Ratio	Regular	Handi-capped	Regular	Handi-capped	
1 Bedroom 2 Bedroom Guest Spaces	84 108	1.25/Unit 1.75/Unit 1/6 Units	105 189 32	7	322	7	Y
TOTAL	192		326		329		Y

Waivers		
Request	Requirement	Staff Recommendation
Perimeter Landscape Buffer	1 Tree every 20 Feet, 55 Trees Total	Conformance to the conditions of Z-0037-02(1).

ANALYSIS

ZONING

The subject property is currently designated as M (Medium Density Residential) within the Southwest Sector Plan of the General Plan. The M (Medium Density Residential) designation includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The subject site is under a Resolution of Intent to R-3 (Medium Density Residential) zoning. The proposed site plan is in compliance with the requirements of this land-use designation and zoning district. The property is within the Airport Overlay District (200-foot Buffer) and is in full compliance with the appropriate regulations therein.

SITE PLAN

The submitted site plan with conditions was previously approved by City Council as Z-0037-02(1), and is appropriate for this type of conversion. In addition, staff notes that the buildings that are being proposed are three stories in height, to a maximum of 38 feet. While this exceeds the maximum height of the R-3 (Medium Density Residential) Zone, an approved Variance (V-0041-02) allows this deviation on the subject site.

LANDSCAPE PLAN

The submitted landscape plan indicates that the development shall provide a minimum ten-foot wide landscape buffer along any public right-of-way; and a minimum six-foot wide landscape buffer along all interior property lines, except behind the garage structures. Conditions of the previously approved site plan (Z-0037-02(1)) require all landscape buffers shall contain a minimum of one 24-inch box tree spaced a maximum of 30 feet, consistent with the conditions of the approved site plan. In addition, a total of four, five-gallon shrubs shall be provided in addition to each tree. The submitted landscape plan indicates five-foot landscape buffers along the south, east and west property lines. In addition, the landscape plan depicts 24-inch box trees around the perimeter of the site with no regularity. Therefore, staff has included a condition requiring conformance to the approved site plan (Z-0037-02(1)).

ELEVATIONS

Staff finds the submitted elevations for the proposed condominium buildings are appropriate in that proper articulation and materials are depicted. The zoning code states that buildings that are zoned R-3 (Medium Density Residential); are allowed a maximum height of two stories or 35 feet, whichever is less. An approved Variance (V-0041-02) on the subject site, however, allows a height of 38 feet. Staff finds the elevations of the garage structures to be appropriate for this development.

FLOOR PLAN

Staff finds the submitted floor plans indicate different one-bedroom and two-bedroom plans that range in size from 792 square feet for a one-bedroom unit to 1,159 square feet for a two-bedroom unit.

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":

Staff finds the proposed condominiums to be compatible with the adjacent commercial development to the north, east and west; and with the residential development to the south of this site.

In regard to "2":

Staff finds that the proposed development as amended by the recommended conditions will be consistent with the General Plan, Title 19A, the Design Standards Manual, the Landscape, wall and buffer standards in that property circulation, buffering and landscaping will occur.

In regard to "3":

Staff finds that access to the site will be accomplished by one primary driveway from Charleston Boulevard, a 100-foot wide Primary Arterial roadway and; therefore, will not negatively impact adjacent roadways or neighborhood traffic.

In regard to "4":

Staff finds the proposed building materials are appropriate for the area and are consistent with other buildings within the City of Las Vegas. Staff finds the landscaping as amended by the recommended conditions to be appropriate for the area and will help provide an adequate buffer.

In regard to "5":

Staff finds the proposed architecture and landscaping as amended by the recommended conditions will create an orderly and aesthetically pleasing environment that is harmonious and compatible with development in the area.

In regard to "6":

The proposed development will be subject to inspection by the City and will not compromise the health, safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	12
ASSEMBLY DISTRICT	3
SENATE DISTRICT	8
NOTICES MAILED	162
APPROVALS	0
PROTESTS	0

RL

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-16919 APN: 163-01-102-038

Name of Property Owner: Charleston & Jones LLC

Name of Applicant: Charleston & Jones LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: Richard H. Plaster

Print Name: Richard H. Plaster

Subscribed and sworn before me

This 7 day of September, 2006

Notary Public in and for said County and State

K. Fedrizzi
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 04-18-2009
Certificate No: 05-96250-1

Site Information

ZONING - City of Las Vegas
R-3 High Density Residential
APN: 163-01-102-003, 004

AREA (Approximate, to be verified)

Gross Area:	351,665 sf	8.04 acres
Net Area:	323,498 sf	7.43 acres

BUILDING AREA

	Bldgs	1-bd (43.7%)	2b-3bd (56.3%)		Total
Type I	3	36	36	37.5%	72 units
Type II	4	48	48	50.0%	96 units
Type III	1		24	12.5%	24 units
Total	8	84	108	108.0%	192 units
Density			192 units / 8.04 acres		23.89 du/acre

PARKING REQUIREMENTS (approx.)

		Req'd
1 - Bedroom	1.25 * 84	105 spaces
2 - Bedroom	1.75 * 108	189 spaces
Guest	192 units/6	32 spaces
Total		326 spaces
Parking Provided		
Garage		48 spaces
Covered		192 spaces
Open		89 spaces
	Total	329 spaces
Handicapped Req'd		7 spaces
Handicapped Provided		7 spaces

SETBACKS

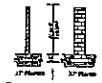
Front:	10 ft
Rear	20 ft
Corner and Side	5 ft

BUILDING HEIGHT

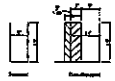
Allowed:	3 stories - 55 ft
Provided	3-Stories - 35 ft

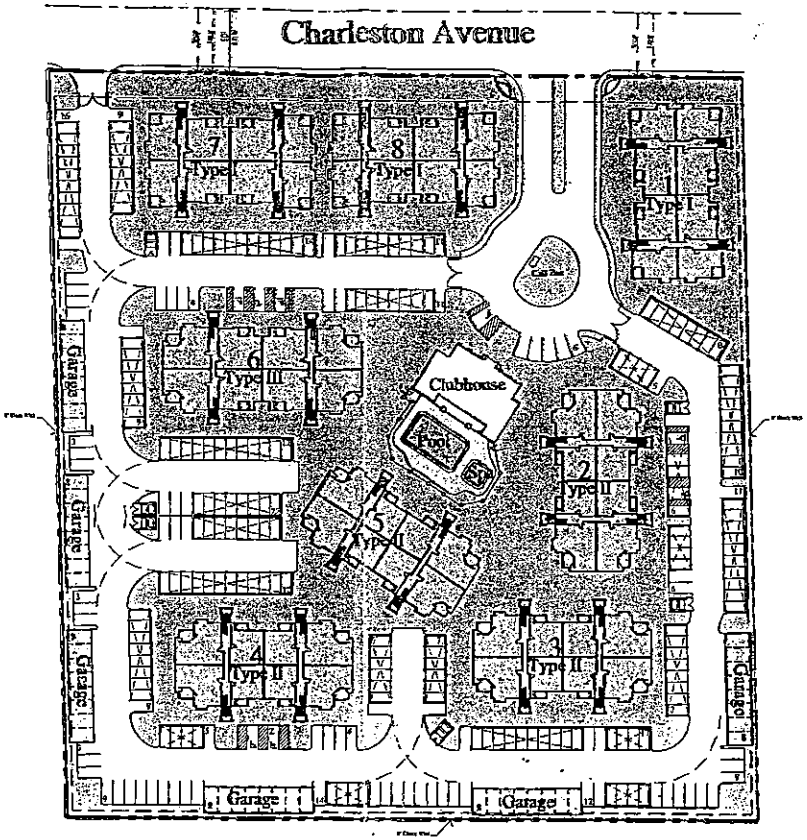
LANDSCAPE AREA (approximate)

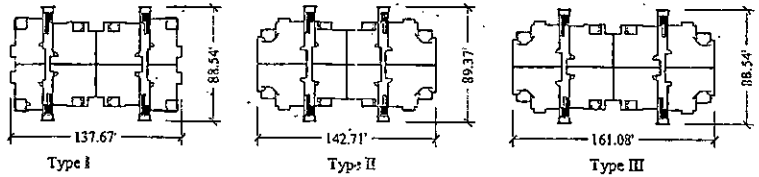
Minimum Req'd	15%
Provided	15%


CMU Wall B-B

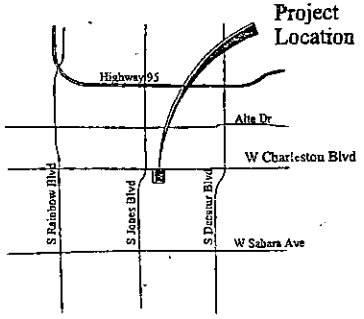
Fire Turning Radius


Typical Parking Spaces





Type I Type II Type III



Location Map

Vicinity Map

SITE PLAN
(CONDOMINIUM CONVERSION)
DESERT SHADOW CONDOMINIUMS
SIGNATURE HOMES
CITY OF LAS VEGAS

ORION ENGINEERING AND SURVEYING, INC.
7391 PRAIRIE FALCON ROAD, SUITE 150
LAS VEGAS, NEVADA 89128
(702) 739-5921 FAX (702) 739-5929

SHEET 1 of 1

RECEIVED
SEP 19 2006

SDR-16919
11/02/06 PC

Site Information

ZONING - City of Las Vegas
R-5 High Density Resedential
APN: 163-01-102-003, 004

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Handicapped Req'd		7 spaces
Handicapped Provided		7 spaces

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Corner and Side	5 ft

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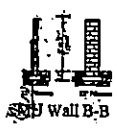
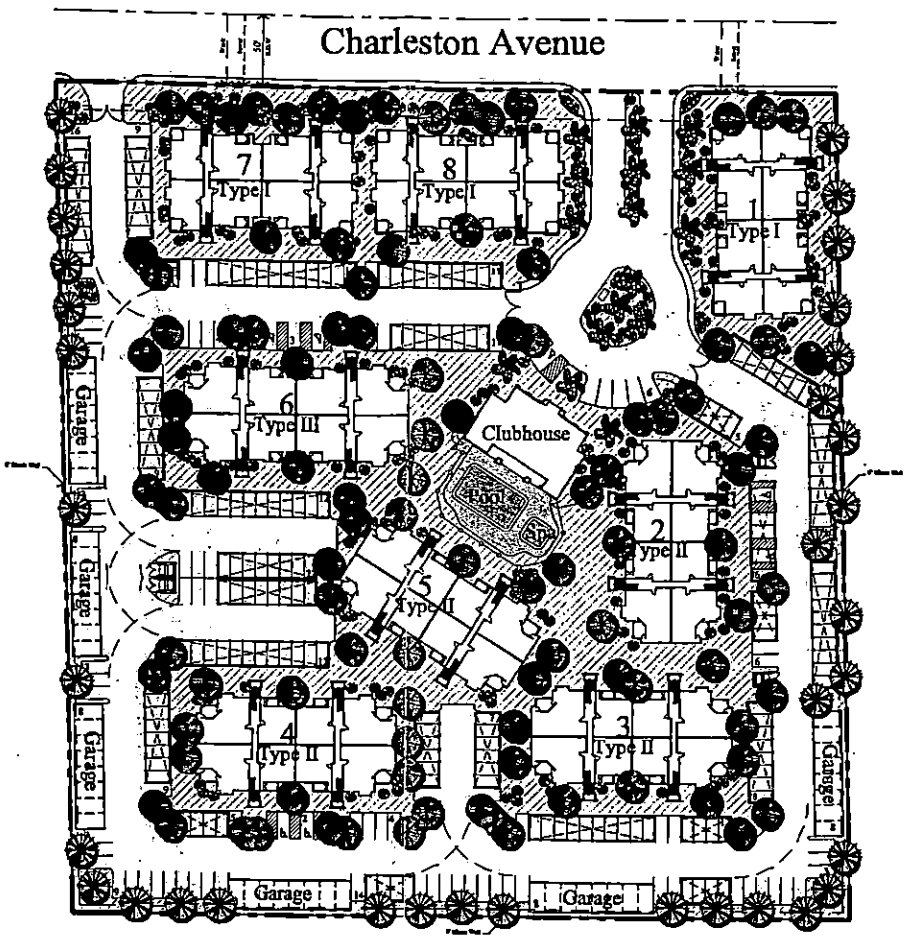

SMU Wall B-B

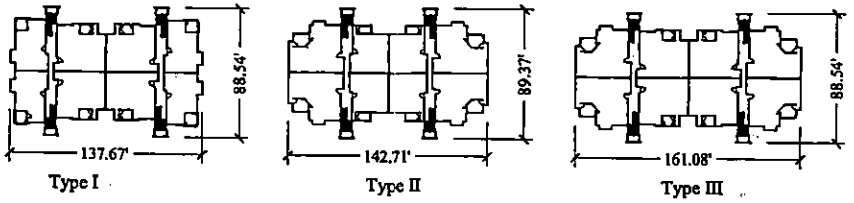
Fire Turning Radius

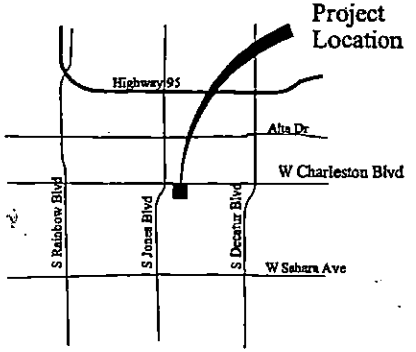
Typical Parking Spaces

TREE / PLANT SCHEDULE

SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
	110	1-1/2" Caliper Balled & burlapped	[illegible]	MODESTO ASH	Fraxinus velutina "Modesto"
	35	1-1/2" Caliper Balled & burlapped	[illegible]	MONDEL PINE	Pinus pinea
	16	Bright Vision	N/A	MEXICAN FAN PALM	Washingtonia velutina "Mexican Fan Palm"
	200	N/A	N/A	Compositional Ground Cover and Cover	
		N/A	N/A	Turf Lawn	







Location Map

Vicinity Map

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11/02/06 PC

Charleston/Jones Multi-Family

Executive Development
Las Vegas, NV 702.877.6048

Scale: 1" = 40'

Perlman Architects, Inc.
2230 CORPORATE CIRCLE, SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

Charleston Boulevard East of Jones Boulevard, Las Vegas, NV

Conceptual Landscape Plan - Scheme A-1

Date: May 7, 2002
Project Number: 102035

SEP 19 2006

Bldg - I 24-Plex Building

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

Bldg - II 24-Plex Building

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

CHARLESTON & JONES MULTIFAMILY

Las Vegas, Nevada

EXECUTIVE DEVELOPMENT

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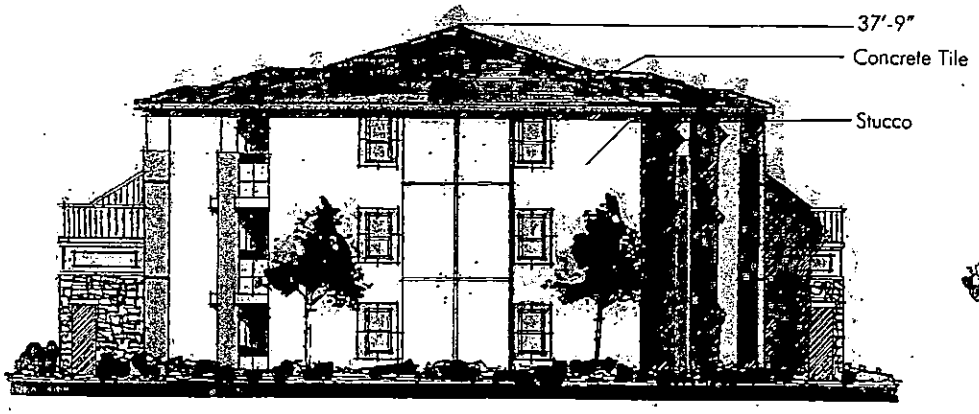

TYPICAL SIDE ELEV

TYPICAL SIDE ELEV.

Bldg - III 24-Plex Building

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

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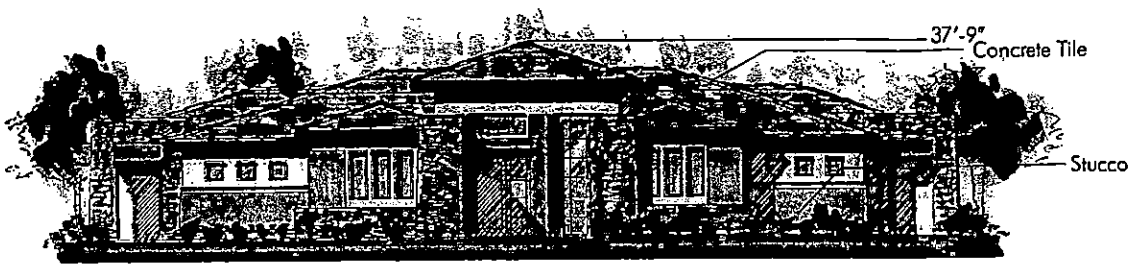
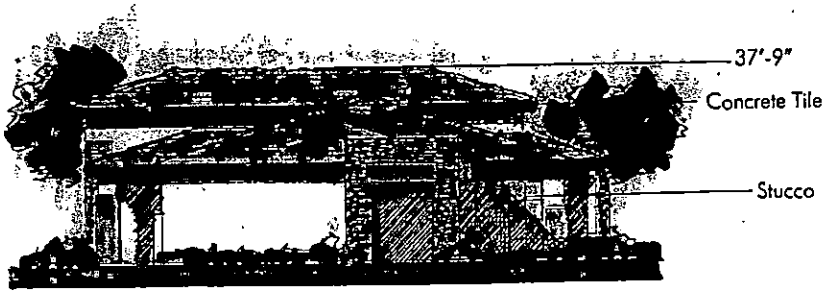


Recreation Building - Front

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

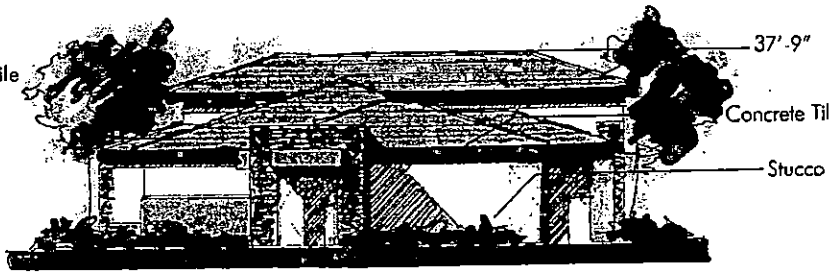


Recreation Building - Left

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

Recreation Building - Rear

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



Recreation Building - Right

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

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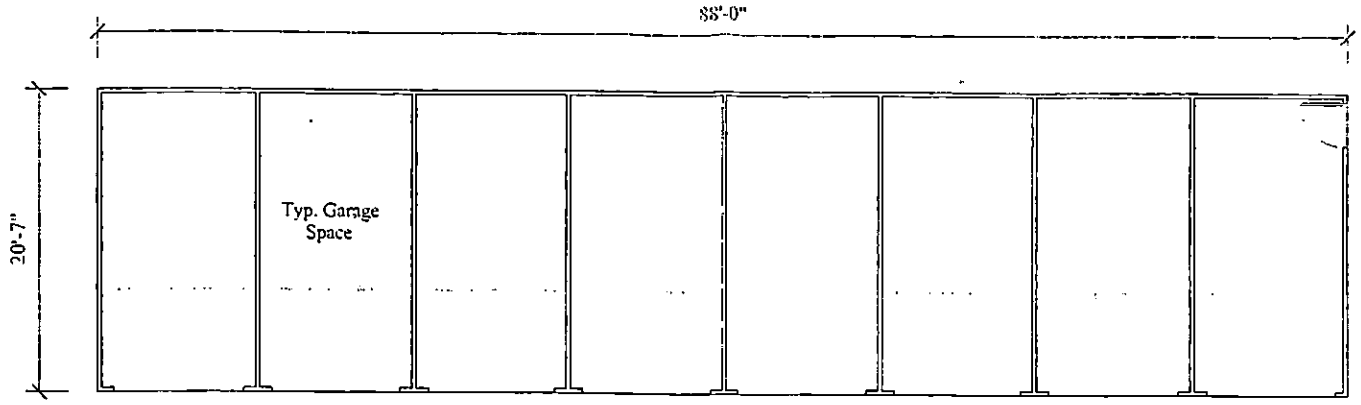
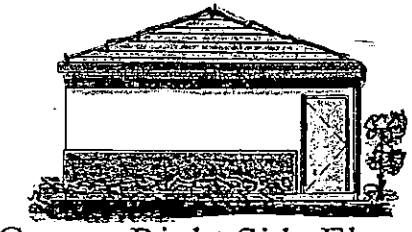


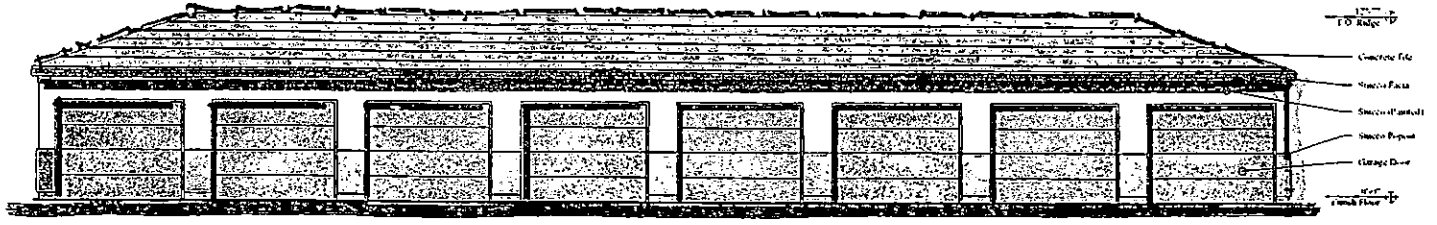
Garage Floor Plan

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



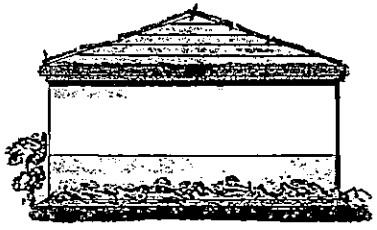
Garage Right Side Elev.

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



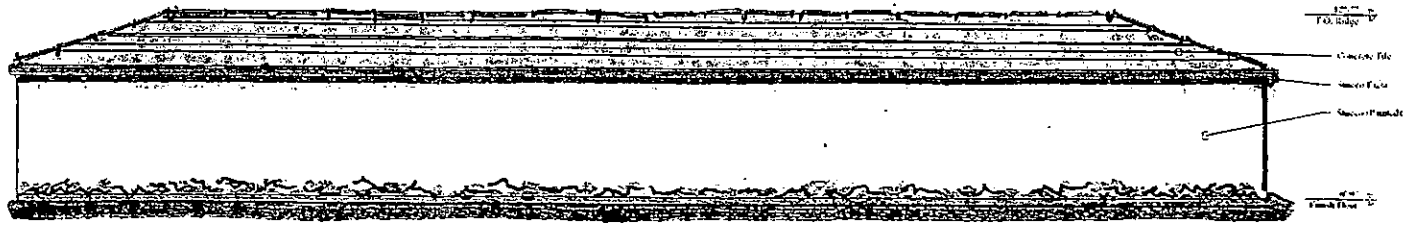
Garage Front Elev.

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



Garage Left Side Elev.

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



Garage Rear Elev.

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

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Charleston near Jones, Las Vegas, Nevada

Garage Plan and Elevations

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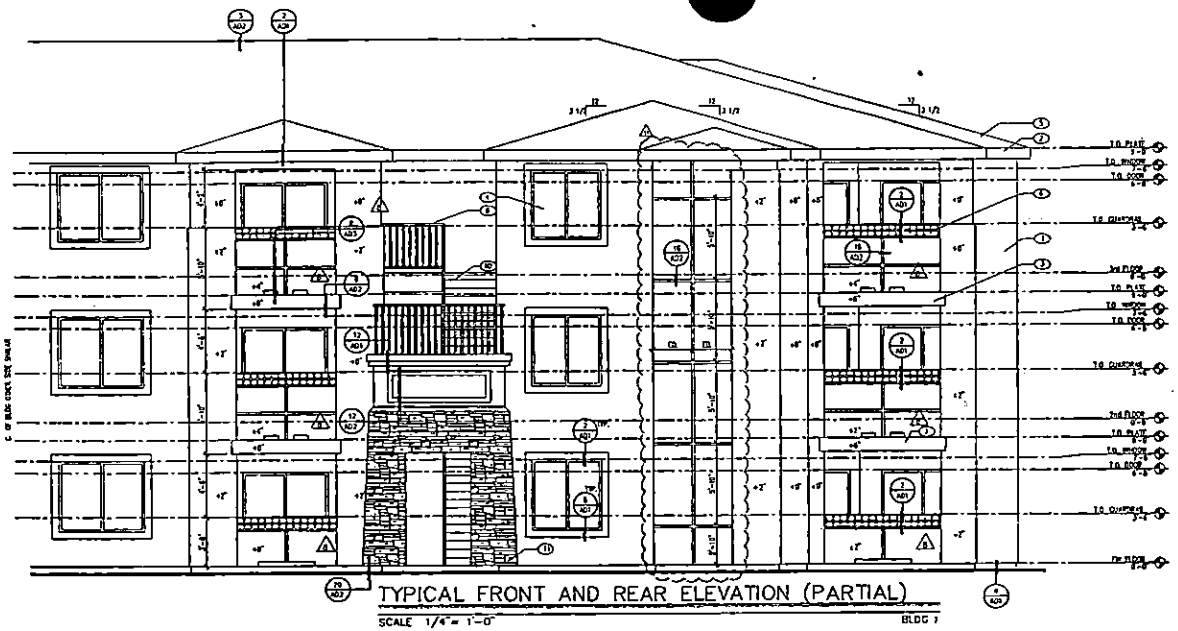


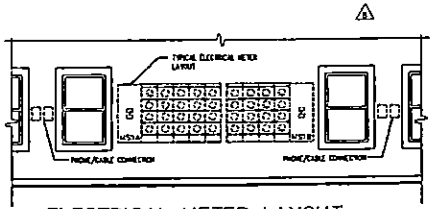
TYPICAL FRONT AND REAR ELEVATION (PARTIAL)

SCALE 1/4" = 1'-0"

BLDG 1

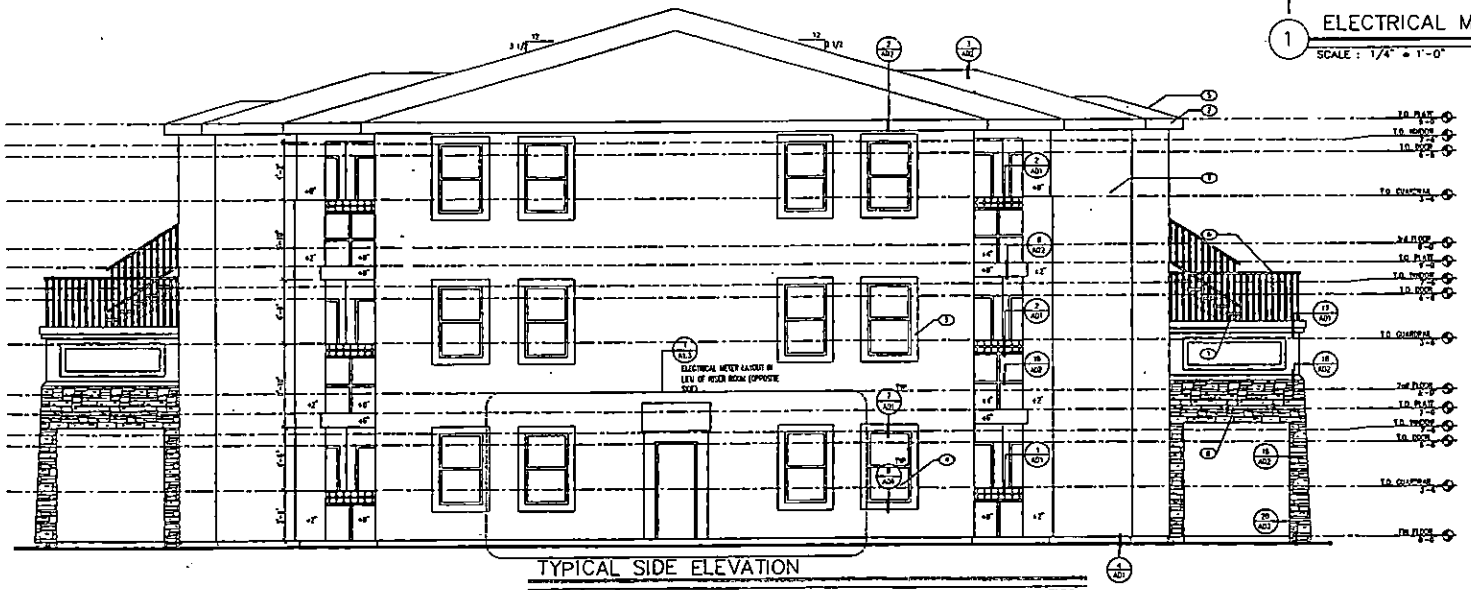
KEY NOTES

#	DESCRIPTION
1	7/8" 3-COAT EXTERIOR PLASTER
2	FASCIA – SEE DETAIL
3	STUCCO POPOUT
4	WINDOW – SEE PLAN
5	CONC. TILE – SEE ROOF PLAN
6	WROUGHT IRON GUARDRAIL
7	STAIRS – SEE STAIR PLANS & SECTIONS
8	ADHERED VENEER (PER IBC 1405.9) SEE AD4
9	6" x 4" SCUPPER DRAIN



1 ELECTRICAL METER LAYOUT

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



TYPICAL SIDE ELEVATION

SCALE 1/4" = 1'-0"

BLDG 1

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Desert Shadows Apartments

Perlman

PA Residential, LLC
A Perlman Design Group Company
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Henderson, Nevada 89074
702.990.9910 702.992.0281 fax

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Rev	Date	By	Description
1	6-13-06	BJ	CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	8/23/06	TJ	ARCHITECTURAL REVISIONS
3	8-23-06	SAC	PLAN CORRECTIONS
4	11-13-06	LAT	PLAN REVISIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING I ELEVATIONS

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A1.3

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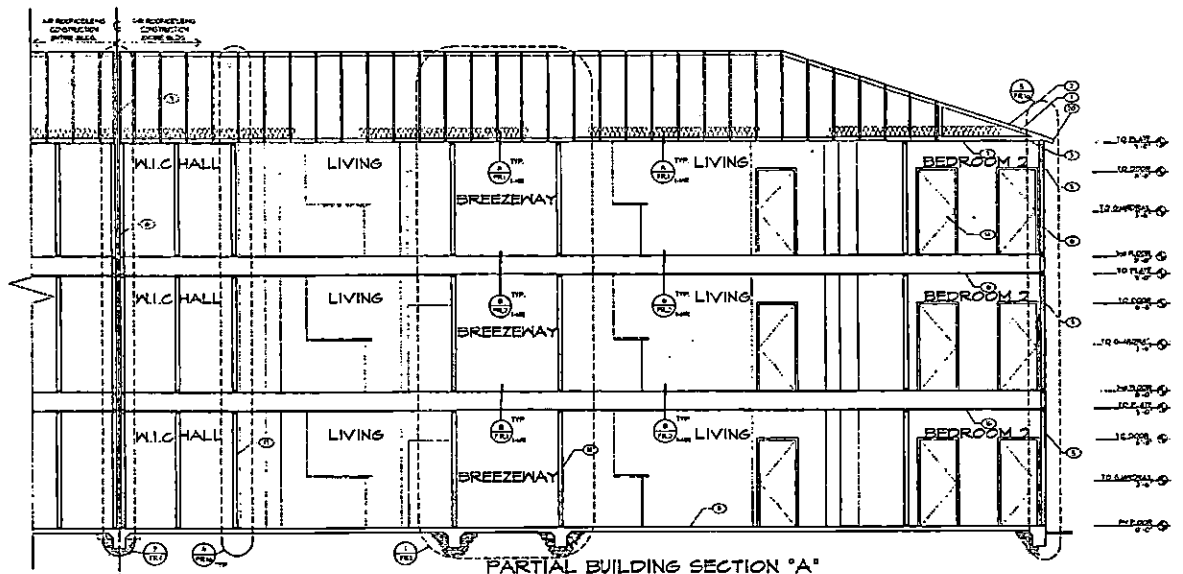
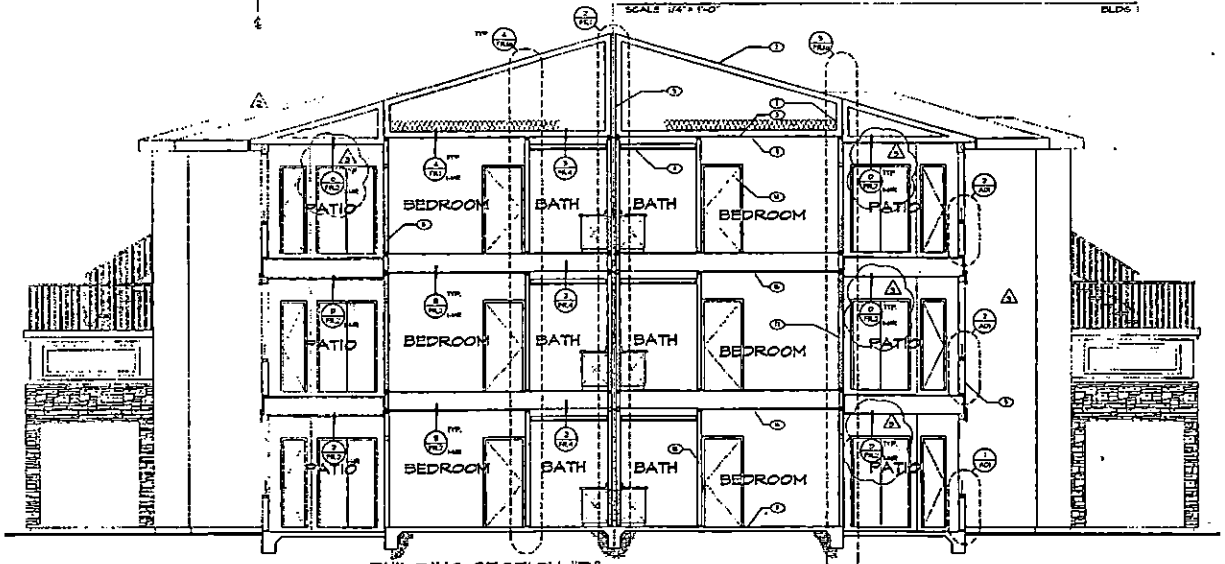


PARTIAL BUILDING SECTION "A"

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



BUILDING SECTION "B"

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

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CITY OF LAS VEGAS PERMITS

KEY NOTES

NO.	DESCRIPTION
1	PRE-FAB ROOF TRUSSES @ 24" O.C.
2	CONC. ROOF TILES w/ 150 lb PLYRD
3	R-30 BATT. INSULATION
4	DROPPED CEILING
5	3-COAT STUCCO SYSTEM EXTERIOR FINISH
6	R-13 BATT. INSULATION
7	8 LAYER OVER R.S.I 5/8" TYPE 'C' GYP BD SEE SHEET A/PR-4
8	NOT USED
9	DRAFTSTOP
10	NOT USED
11	CONCRETE SLAB SEE STRUCT SHEETS
12	FIRE-STOP ALL PENETRATIONS OF FIRE-RATED WALLS AND CEILINGS AS REQUIRED - SEE FIRE-STOP DETAILS
13	MIRROR - SEE PLAN
14	DOOR - SEE PLAN
15	WATER HEATER
16	8 LAYER OVER R.S.I 5/8" TYPE 'C' GYP BD SEE SHEET B/PR-2
17	5/8" GYP. BD. TYP. X (TYP)
18	PARTITION WALL
19	10 LAYERS 5/8" TYPE 'C' EXT GRADE GYP BD OVER R.C. CHANNEL PER A/PR-3 OR B/PR-3
20	STUCCO FASCIA

102035
DESERT SHADOWS

Perlman ARCHITECTS

PERLMAN ARCHITECTS, INC.
2250 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
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Dev	Date	By	Description
1	6/9/04	PL	CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	1/13/04	PL	CITY OF LAS VEGAS BUILDING

Project: DESERT SHADOWS APARTMENTS

Owner: EXECUTIVE DEVELOPMENT LAS VEGAS, NEVADA

Sheet Title: BUILDING I BUILDING SECTION

Drawn/Checked By: KP/BC

Date: February 11, 2004

Project Number: 102035

Sheet Number: A1.4

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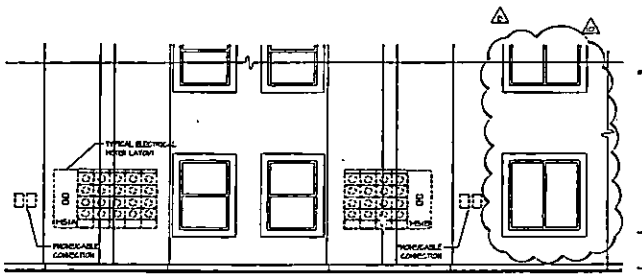
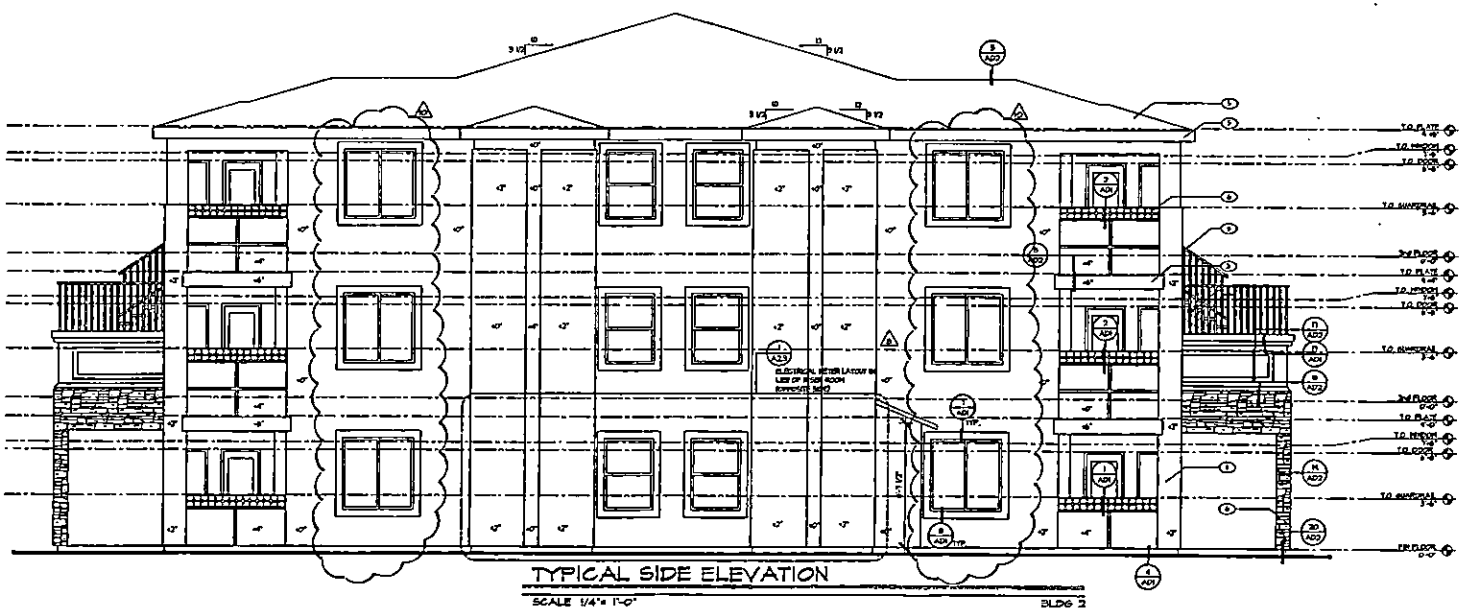
TYPICAL FRONT AND REAR ELEVATION (PARTIAL)

SCALE 1/4" = 1'-0" BLDG 2



ELECTRICAL METER LAYOUT

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



TYPICAL SIDE ELEVATION

SCALE 1/4" = 1'-0" BLDG 2

KEY NOTES

#	DESCRIPTION
1	"MF" 3-COAT EXTERIOR PLASTER
2	FASCIA - SEE DETAIL
3	STUCCO POPOUT
4	WINDOW - SEE PLAN
5	CONC. TILE - SEE ROOF PLAN
6	PROJECT IRON GUARDRAIL
7	STAIRS - SEE STAIR PLANS & SECTIONS
8	ADHERED VENEER (PER IBC 1405.5) SEE AD4
9	5" 2 4" SCUPPER DRAIN

APPROVAL IS FOR CLOUDED AREAS OR LATEST REVISIONS ONLY. SEE ORIGINALS

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Desert Shadows Apartments

Perlman

PA Residential, LLC
A Perlman Design Group Company
2230 Corporate Circle, Suite 290
Henderson, Nevada 89074
702.990.9910 702.992.0281 fax

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No. 2134

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Rev	Date	By	Description
1	10-04-06		CITY OF LAS VEGAS SHADOW DEPARTMENT COMMENTS
2	9-25-06		ARCHITECTURAL REVISIONS
3	9-25-06		PLAN CORRECTIONS
4	07-07-06		FIELD AS-BUILT CONDITIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING II ELEVATIONS

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A2.3

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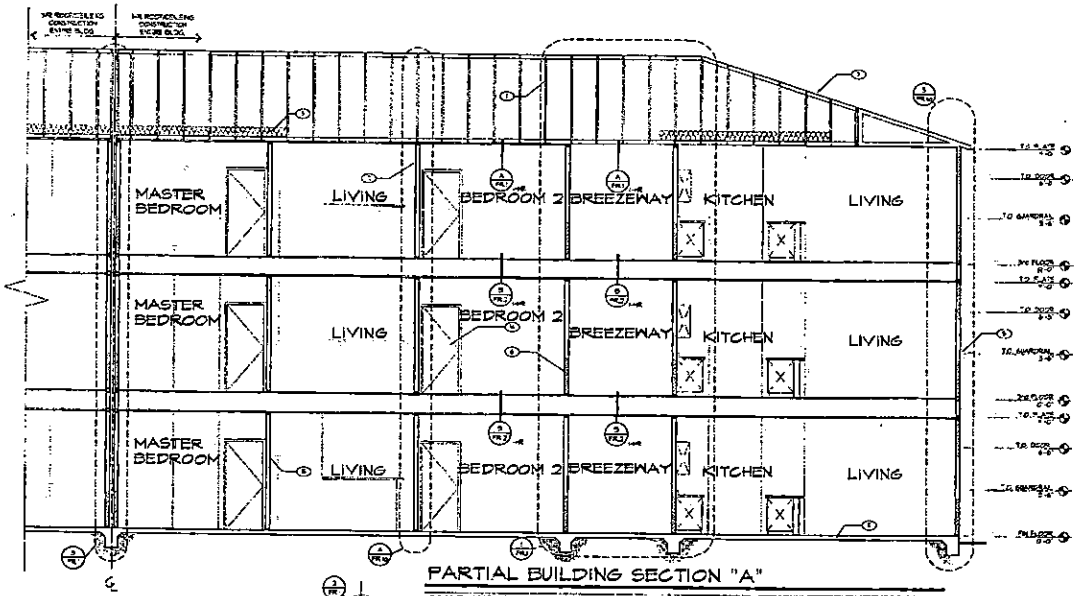
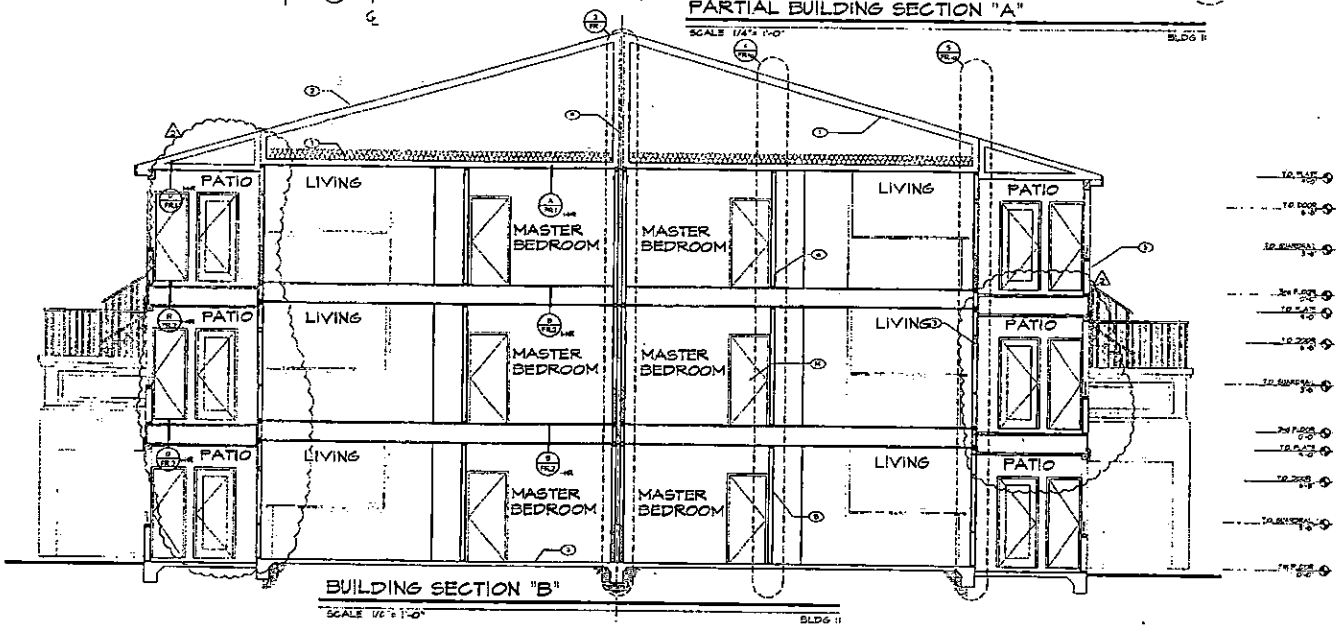


PARTIAL BUILDING SECTION "A"

SCALE 1/4" = 1'-0"



BUILDING SECTION "B"

SCALE 1/8" = 1'-0"

KEY NOTES

NO.	DESCRIPTION
1	PRE-FAB ROOF TRUSSES @ 24" O.C.
2	CONC. ROOF TILES @ PSQ @ 1" O.C.
3	R-30 BATT. INSULATION
4	DROPPED CEILING
5	3-COAT STUCCO SYSTEM EXTERIOR FINISH
6	R-13 BATT. INSULATION
7	6 LAYER OVER R.C.I. 5/8" TYPE 'X' GYP. BD. SEE SHEET A/PR-1
8	NOT USED
9	DRAFTSTOP
10	NOT USED
11	CONCRETE SLAB SEE STRUCT SHEETS
12	FIRE-STOP ALL PENETRATIONS OF FIRE-RATED WALLS AND CEILINGS AS REQUIRED - SEE FIRE-STOP DETAILS
13	WINDOW - SEE PLAN
14	DOOR - SEE PLAN
15	WATER HEATER
16	6 LAYER OVER R.C.I. 5/8" TYPE 'X' GYP. BD. SEE SHEET A/PR-2
17	5/8" GYP. BD. TYP. 'X' (TYP)
18	PARTITION WALL
19	8 LAYERS 5/8" TYPE 'X' EXT. GRADE GYP. BD. OVER R.C. CHANNEL PER A/PR-2 PR B/PR-3
20	6" WOOD FASCIA

102035
DESERT SHADOWS

Perlman ARCHITECTS

PERLMAN ARCHITECTS, INC.
2230 CORPORATE CIRCLE
SUITE 200
HENDERSON, NEVADA 89074
702.990.9900 702.932.3222 fax

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Rev	Date	By	Description
1	10-3-04		CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS

Project: DESERT SHADOWS APARTMENTS

Owner: EXECUTIVE DEVELOPMENT LAS VEGAS, NEVADA

Sheet Title: BUILDING II BUILDING SECTION

Drawn/Checked By: KP/BC

Date: February 11, 2004

Project Number: 102035

Sheet Number: A2.4

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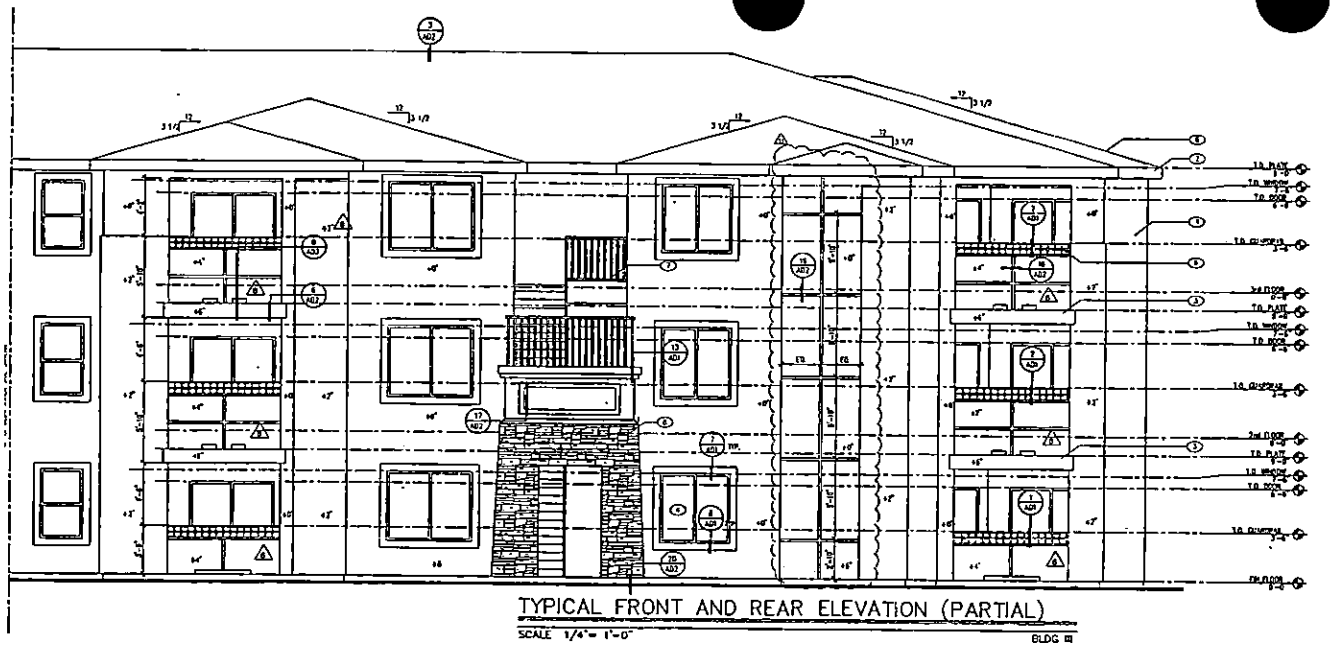
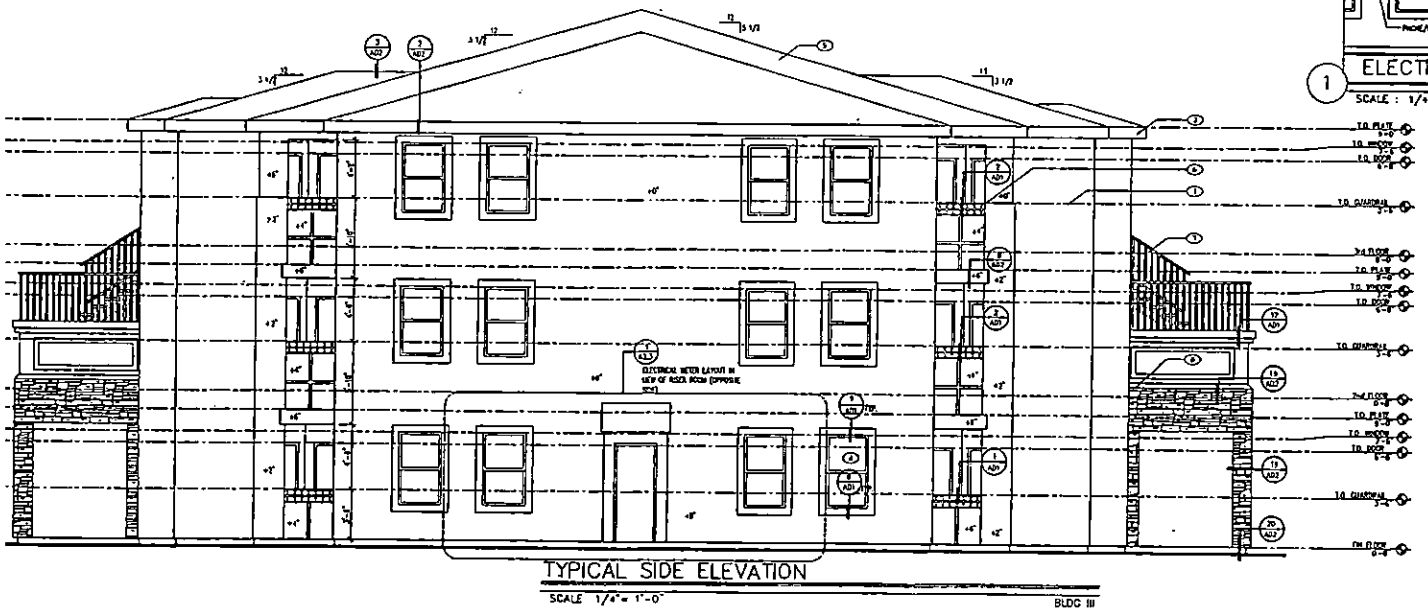


TYPICAL FRONT AND REAR ELEVATION (PARTIAL)

SCALE 1/4" = 1'-0"

BLDG III



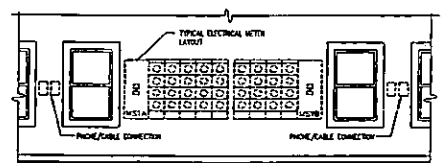
TYPICAL SIDE ELEVATION

SCALE 1/4" = 1'-0"

BLDG III

KEY NOTES

#	DESCRIPTION
1	7/8" 3-COAT EXTERIOR PLASTER
2	FASCIA – SEE DETAIL
3	STUCCO POPOUT
4	WINDOW – SEE PLAN
5	CONC. TILE – SEE ROOF PLAN
6	WROUGHT IRON GUARDRAIL
7	STAIRS – SEE STAIR PLANS & SECTIONS
8	ADHERED VENEER (PER MC 1405.9) SEE A04
9	6" X 4" SCUPPER DRAIN



1 ELECTRICAL METER LAYOUT

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

APPROVAL IS FOR CLOUDED AREAS OR LATEST REVISIONS ONLY. SEE ORIGINALS

PLANS APPROVED CONSTRUCTION

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Perlman

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A Perlman Design Group Company
2230 Corporate Circle, Suite 290
Henderson, Nevada 89074
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Rev	Date	By	Description
1	10-18-01		CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2			ARCHITECTURAL REVISIONS
3			PLAN CORRECTIONS
4			PLAN REVISIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING III ELEVATIONS

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A3.3

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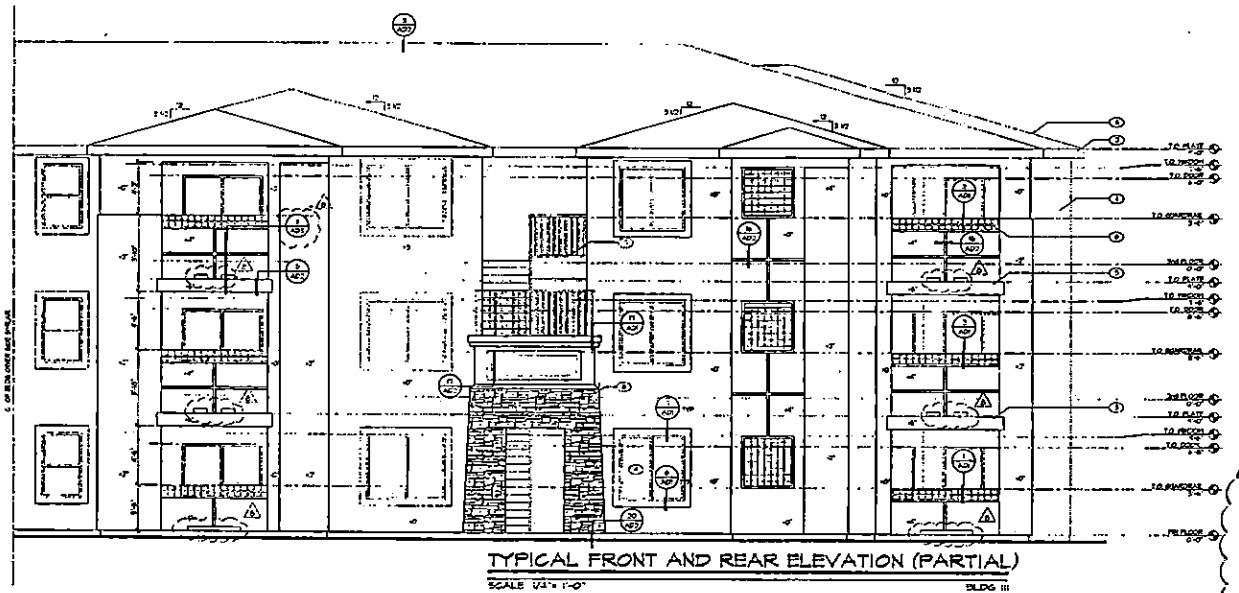
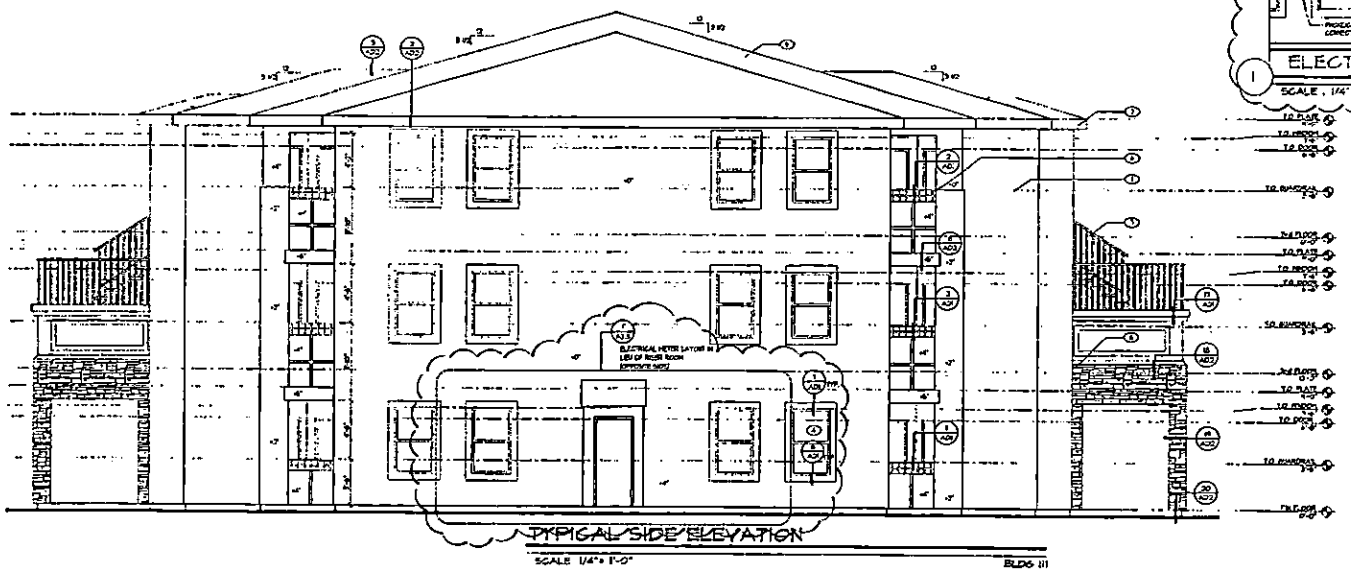


TYPICAL FRONT AND REAR ELEVATION (PARTIAL)

SCALE 1/4" = 1'-0"

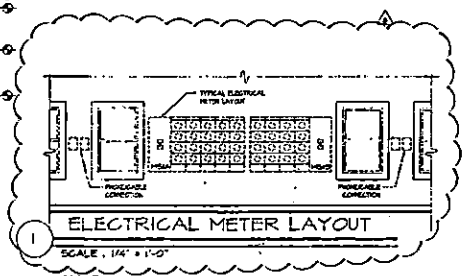
BLDG III



TYPICAL SIDE ELEVATION

SCALE 1/4" = 1'-0"

BLDG III



ELECTRICAL METER LAYOUT

SCALE 1/4" = 1'-0"

KEY NOTES

#	DESCRIPTION
1	7/8" 3-COAT EXTERIOR PLASTER
2	FASCIA - SEE DETAIL
3	SLUCCO POPOUT
4	REDOUT - SEE PLAN
5	CONC. TILE - SEE ROOF PLAN
6	FROUNT ROW BOARDRAIL
7	STAIRS - SEE STAIR PLANS & SECTIONS
8	ADHERED VENEER (PER IBC 1605.4) SEE A04
9	6" x 4" SCUPPER DRAIN

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Desert Shadows Apartments

Perlman

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Rev	Date	By	Description
1	10-18-04	DH	CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	9-23-05	SHC	ARCHITECTURAL REVISIONS PLAN CORRECTIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING III ELEVATIONS

Drawn by / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A3.3

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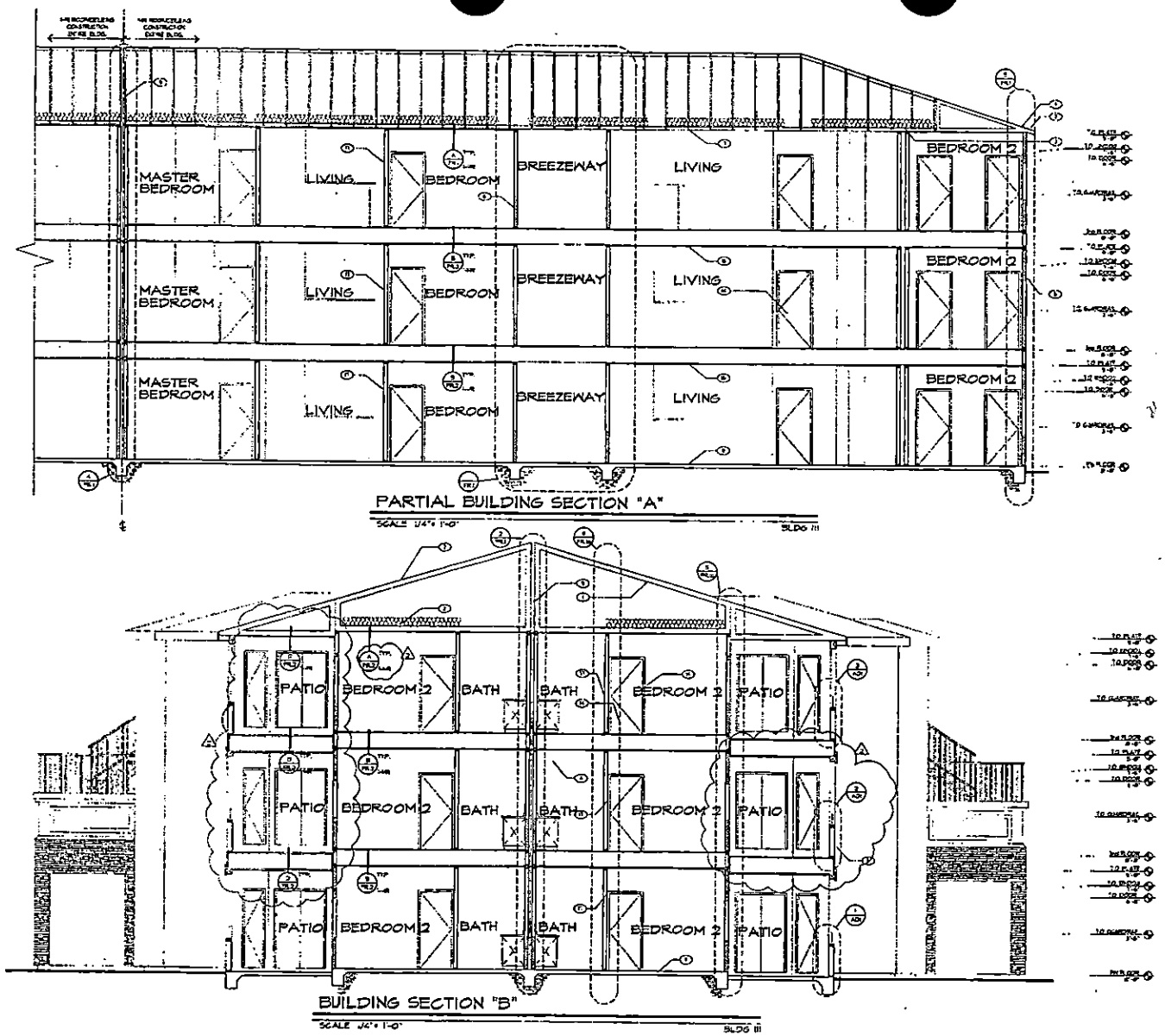

PARTIAL BUILDING SECTION "A"

SCALE 1/4" = 1'-0"

BLDG III

BUILDING SECTION "B"

SCALE 1/4" = 1'-0"

BLDG III

KEY NOTES

NO.	DESCRIPTION
1	PRE-FAB ROOF TRUSSES @ 24" O.A.
2	CONC. ROOF TILES @ 1'-0" @ PLYWD
3	R-30 BATT. INSULATION
4	DROPPED CEILING
5	3-COAT STUCCO SYSTEM EXTERIOR FINISH
6	R-13 BATT. INSULATION
7	8 LAYER OVER R.C.I. 5/8" TYPE 'C' GYP. BD SEE SHEET A/P-1
8	NOT USED
9	DRAFTSTOP
10	NOT USED
11	CONCRETE SLAB SEE STRUCT SHEETS
12	FIRE-STOP ALL PENETRATIONS OF FIRE-RATED WALLS AND CEILINGS AS REQ'D. REF - SEE FIRE-STOP DETAILS
13	INDOOR - SEE PLAN
14	DOOR - SEE PLAN
15	WATER HEATER
16	8 LAYER OVER R.C.I. 5/8" TYPE 'C' GYP. BD SEE SHEET B/P-1
17	5/8" GYP. BD, TYP. 'W' (TYP.)
18	PARTITION WALL
19	8 LAYERS 5/8" TYPE 'W' EXT. GRADE GYP. BD OVER R.C. CHANNEL PER A/P-2 OR B/P-2
20	STUCCO FASCIA

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DESERT SHADOWS

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OCT 1 9 2004

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Rev	Date	By	Description
1	10-8-04		C.T. OF LAS VEGAS BUILDING DEPARTMENT COMMENTS

Project: DESERT SHADOWS APARTMENTS

Owner: EXECUTIVE DEVELOPMENT
LAS VEGAS, NEVADA

Sheet Title: BUILDING III BUILDING SECTION

Drawn/Checked By: KP/BC

Date: February 11, 2004

Project Number: 102035

Sheet Number: A3.4

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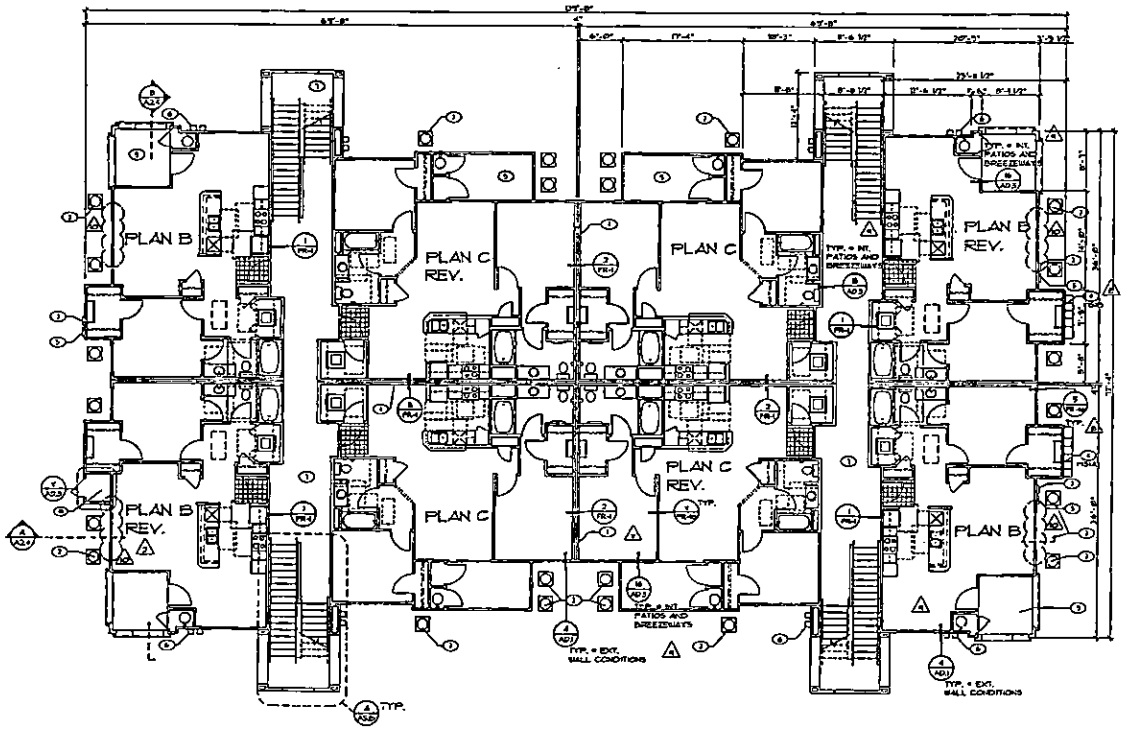

BUILDING 2 - FLOOR BUILDING PLAN

SCALE 1/8"= 1'-0" 1st Floor

KEY NOTES:

	DESCRIPTION
1	3 - HOUR RISE PARTITION - SEE SHEET PR-1
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE SPR-1
4	ELECTRIC SERVICE CONNECTION SEE SPR-1
5	CABLE CONNECTION SEE SPR-1
6	GAS METER
7	CONCRETE STOOP - SLOPE TO DRAIN
8	1 1/2" HARDROCK CONC. BALCONY - SLOPE TO DRAIN
9	CONC. PATIO - SLOPE TO DRAIN
10	FIRE RISER ROOM - SEE A2.5 FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH = 3/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER GRADE BUILDING PAPER - ARCHOR RF 5 BA, + 2.5lb/ SQ. YD. STUCCO MESH OR 16 GA. + 1.5lb/ 1,000 LBS STAPLES @ 6" O.C.
2. NOTED TYPICAL WALL CONSTRUCTION - 2x4 STUDS AT 16" O.C. - U.N.O. SEE UNIT FLOOR PLANS FOR 2x6 RSD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD - UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL PENETRATIONS OF HOUR WALLS SHALL CONFORM TO UBC 1223.2 + SEE SHEET PR-3a AND PR-5a FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY ENCLOSED IN PREMANUFACTURED BOXES 1/2" FLUSH WITH ADJACENT WALLS TO PROVIDE PROTECTION FROM ABUSE AND TAMPERING, AND BE ELEMENTS, HANDLES EASY ACCESS FOR SHUT-OFF AND JOB SERVICE
6. PROVIDE LATH BOARD ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

NOTE: ALL GROUND FLOOR UNITS TO BE TYPE "B" ADAPTABLE DWELLING UNITS CONFORMING WITH 7B AND SECTION 1003, EXCEPT WHERE TYPE A DWELLING UNITS CONFORMING WITH 7A AND SECTION 1002 ARE SPECIFIED. SEE SITE PLAN FOR LOCATIONS OF TYPE A DWELLING UNITS

APPROVAL IS FOR CLOUDED [illegible] LATEST REVISIONS

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Desert Shadows Apartments

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Rev	Date	By	Description
1	06-04-01	BC	CITY OF LAS VEGAS PLANNING DEPARTMENT COMMENTS
2	07-06-06	BC	PLAN CORRECTIONS
3	07-20-06	BC	ARCHITECTURAL REVISIONS
4	07-31-06	BC	ARCHITECTURAL REVISIONS
5	08-01-06	BC	PER AS-BUILT COMMENTS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING II FLOOR PLAN 1st FLOOR

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A2.1a

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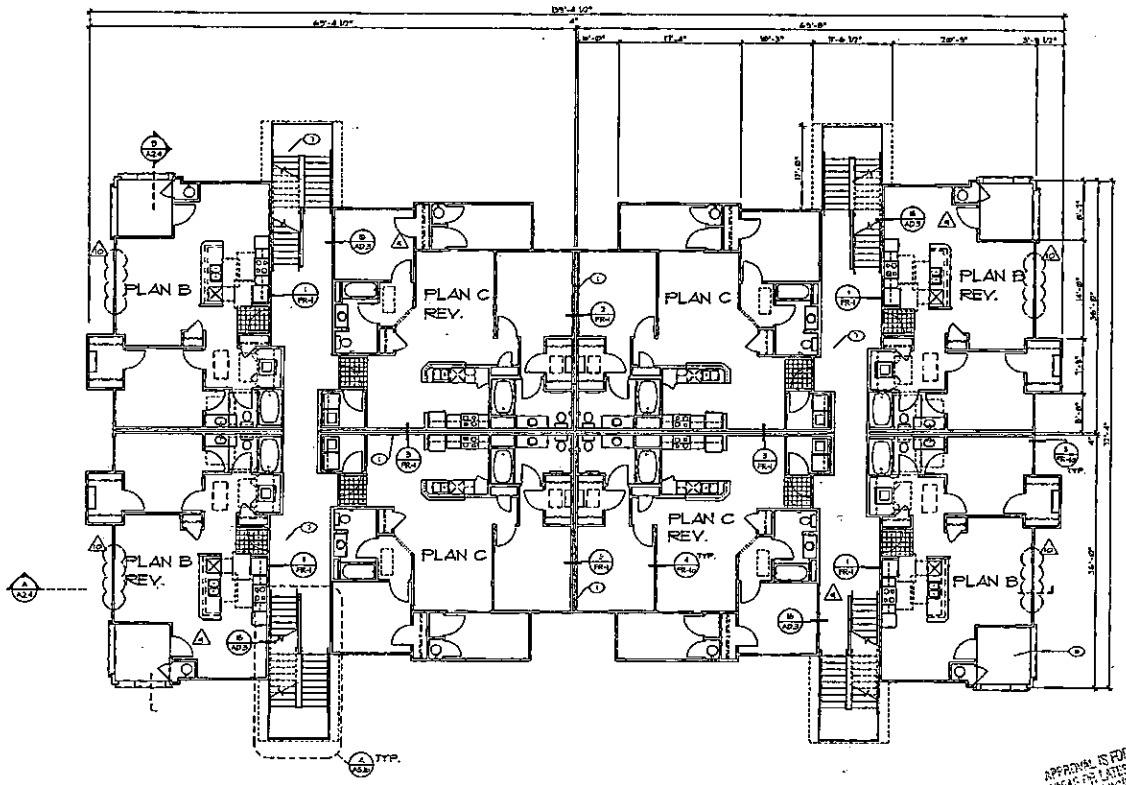

BUILDING 2 - FLOOR BUILDING PLAN

SCALE 1/8" = 1'-0" 2nd Floor

APPROVAL IS FOR CLOUDED AREAS PR LATEST REVISIONS ONLY. SEE CONSTRUCTION

KEY NOTES:

	DESCRIPTION
1	1 - HOUR FIRE PARTITION - SEE SHEET PR-1
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE SHT-1
4	ELECTRIC SERVICE CONNECTION SEE SHT-1
5	CABLE CONNECTION SEE SHT-1
6	GAS METER
7	CONCRETE STOOP - SLOPE TO DRAIN
8	1 1/2" HARDROCK CONC. BALCONY - SLOPE TO DRAIN
9	CONC. PATIO - SLOPE TO DRAIN
10	FIRE RISER ROOM - SEE A2.0 FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH - 3/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER GRADE BUILDING PAPER - ANCHOR AT 8 GA. x 7/8" DIAM. HEAD NAILS OR 16 GA. x 7/8" LONG USS STAPLES @ 6" O.C.
2. NOTES TYPICAL WALL CONSTRUCTION - 2x4 STUDS AT 16" O.C. - SEE UNIT FLOOR PLANS FOR 2x6 STUD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD - UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL PENETRATIONS OF WEAR WALLS SHALL CONFORM TO IBC 1203.3 - SEE SHEET PR-5a AND PR-5d FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY ENCLOSED IN PREMANUFACTURED BOXES SET FLUSH WITH ADJACENT GRADE TO PROVIDE PROTECTION FROM ABUSE AND THE ELEMENTS, MAINTAIN EASY ACCESS FOR SHUT-OFF AND SUB SERVICE
6. PROVIDE LATH BEHIND ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

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Rev	Date	By	Description
4	10-01-06	MC	ARCHITECTURAL REVISIONS PER CITY COMMENTS
3	9-5-06	MC	ARCHITECTURAL REVISIONS FIELD AS-BUILT CONDITIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING II FLOOR PLAN 2nd FLOOR

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A2.1b

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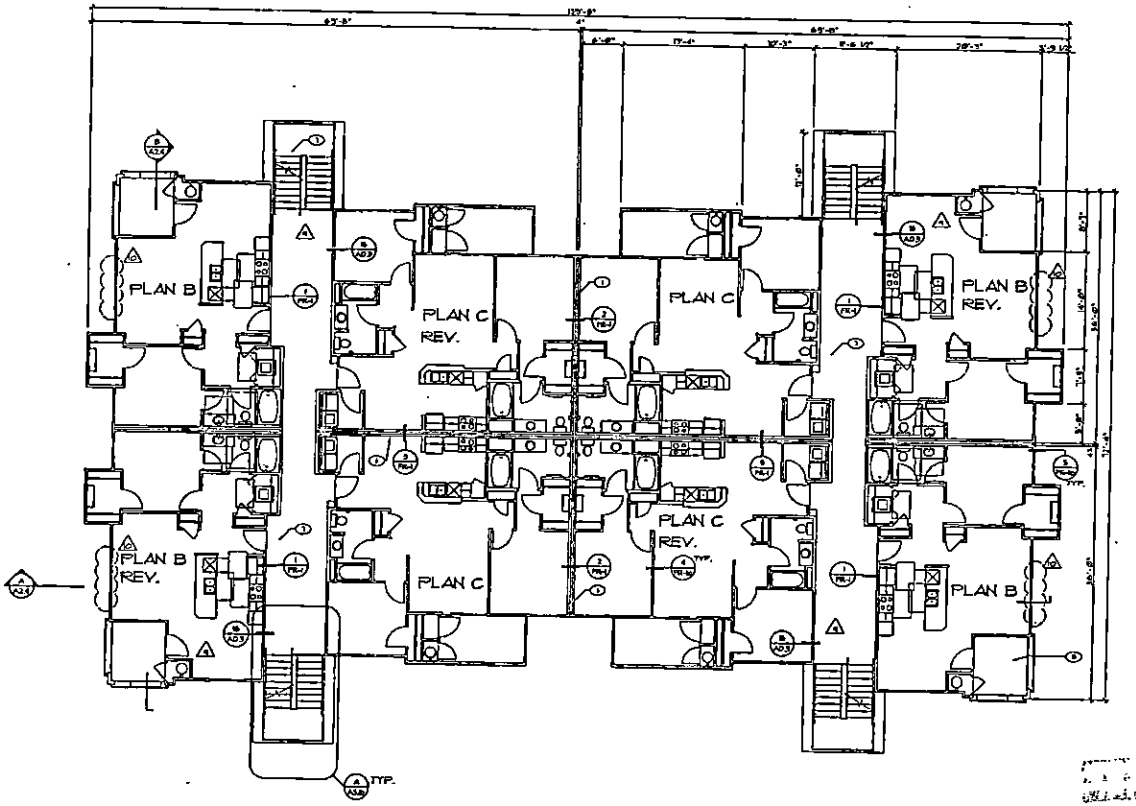

BUILDING 2 - FLOOR BUILDING PLAN

SCALE 1/8" = 1'-0"

3rd Floor

KEY NOTES:

	DESCRIPTION
1	1 - HOUR FIRE PARTITION - SEE SHEET FR-4
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE SIPR.4
4	ELECTRIC SERVICE CONNECTION SEE SIPR.4
5	CABLE CONNECTION SEE SIPR.4
6	GAS METER
7	CONCRETE STOOP - SLOPE TO DRAIN
8	1 1/2" HARDROCK CONC. BALCONY - SLOPE TO DRAIN
9	CONC. PATIO - SLOPE TO DRAIN
10	FIRE RISER ROOM - SEE AD'S FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH - 1/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER 15# BUILDING PAPER - ANCHOR W/ 8 GA. x 1/16" DIAM. HEAD NAILS OR 16 GA. x 1/8" LONG LEG STAPLES @ 6" O.C.
2. NOTES TYPICAL WALL CONSTRUCTION - 2x4 STUDS AT 16" O.C. - U.N.O. SEE UNIT FLOOR PLANS, FOR 2x6 STUD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD - UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL FENESTRATIONS OF 1-HOUR WALLS SHALL CONFORM TO SEC. 70-33 - SEE SHEET FR-5a AND FR-5d FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY ENCLOSED IN PREMANUFACTURED BOXES SET FLUSH WITH ADJACENT GRADE TO PROVIDE PROTECTION FROM ABUSE AND THE ELEMENTS, MAINTAIN EASY ACCESS FOR SHUT-OFF AND FOR SERVICE
6. PROVIDE LATH BEHIND ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

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Rev	Date	By	Description
1	8/11/06	[illegible]	ARCHITECTURAL REVISIONS
2	8-4-06	PC	ARCHITECTURAL REVISIONS
3	07-07-06	[illegible]	FIELD AS-BUILT CONDITIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING II FLOOR PLAN 3rd FLOOR

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A2.1c

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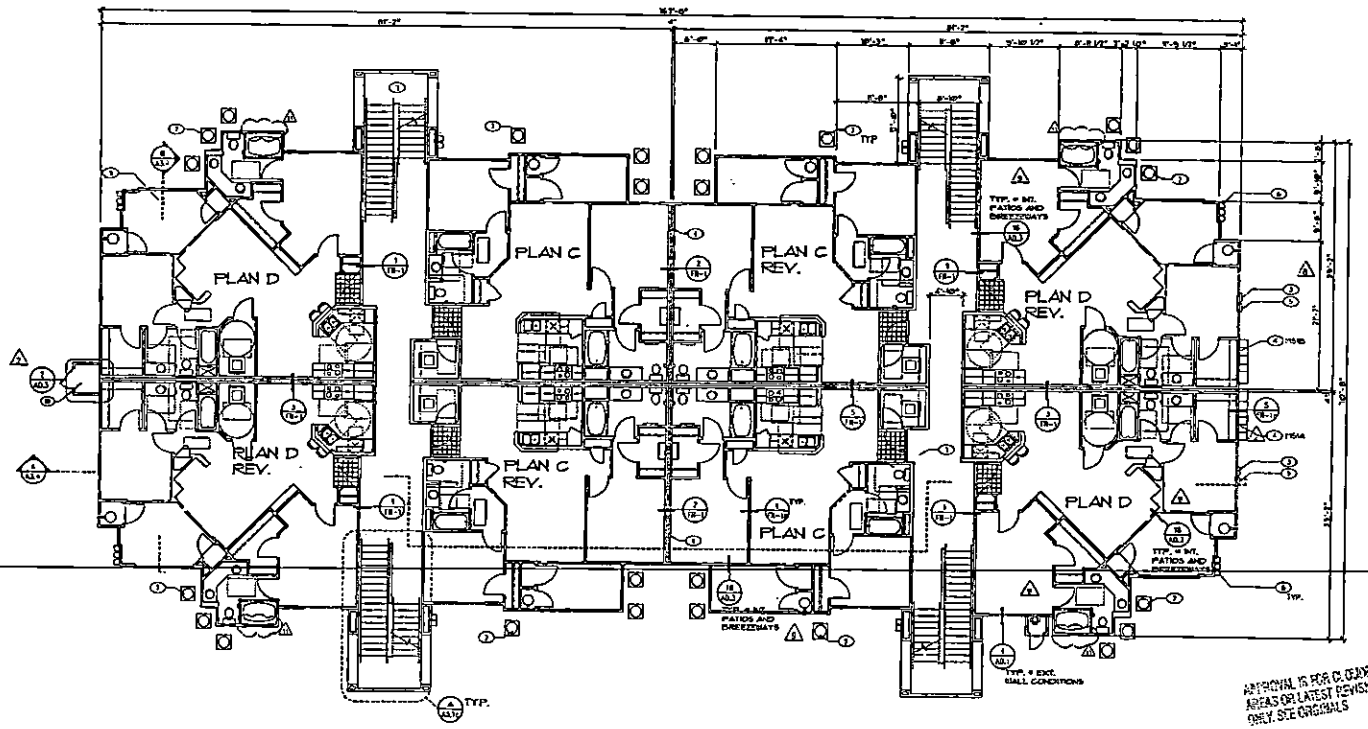

FLOOR PLAN BUILDING III

SCALE 1/8"= 1'-0" 1st Floor

APPROVAL IS FOR CLOUDED AREAS OF LATEST REVISIONS ONLY. SEE ORIGINALS

NOTE: ALL GROUND FLOOR UNITS TO BE TYPE 'B1' AS APPLICABLE SHELLED UNITS COMPLYING WITH 2003 IBC SECTION 1106.2 AND SECTION 1107.5. EXCEPT 5 WHERE TYPE A DWELLING UNITS EXIST. 5% WITH 2% ADDITIONAL UNITS ARE REQUIRED. SEE SITE PLAN FOR LOCATIONS OF TYPE A DWELLING UNITS

KEY NOTES:

	DESCRIPTION
1	1 - HOUR FIRE PARTITION - SEE SHEET FR-1
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE S/ELE-1
4	ELECTRIC SERVICE CONNECTION SEE S/ELE-1
5	CABLE CONNECTION SEE S/ELE-1
6	GAS METER
7	CONCRETE STOOP - SLOPE TO DRAIN
8	4 1/2" PAVEROCK CONC. BALCONY - SLOPE TO DRAIN
9	CONC. PATIO - SLOPE TO DRAIN
10	FIRE RISER ROOM - SEE A05 FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH - 7/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER 1/2" BUILDING PAPER - ANCHOR 6" / 12 GA. x 2 1/2" DIAM. HEAD NAILS OR 16 GA. x 7/8" LONG LEG STAPLES @ 6" O.C.
2. NOTES TYPICAL WALL CONSTRUCTION - 2x4 STUDS AT 16" O.C. - U.N.O. SEE UNIT FLOOR PLANS FOR 2x6 STUD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD - UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL PENETRATIONS OF 1-HOUR WALLS SHALL CONFORM TO IBC 712.3.4 - SEE SHEET FR-3a AND FR-3d FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY ENCLOSED IN PREMANUFACTURED BOXES SET FLUSH WITH ADJACENT GRADE TO PROVIDE PROTECTION FROM ABUSE AND THE ELEMENTS, MAINTAIN EASY ACCESS FOR SHUT-OFF AND /OR SERVICE
6. PROVIDE LATH BEHIND ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

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DESERT SHADOWS

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STATE OF NEVADA

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Rev	Date	By	Description
1	6-30-04		CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	9-1-04	BRC	PLAN CORRECTIONS
3	9-29-05	BRC	ARCHITECTURAL REVISIONS
4	07-10-06	LH	PLAN REVISIONS

Project: DESERT SHADOWS APARTMENTS

Owner: EXECUTIVE DEVELOPMENT LAS VEGAS, NEVADA

Sheet Title: BUILDING III FLOOR PLAN 1st FLOOR

Drawn/Checked By: KP/BC

Date: February 11, 2004

Project Number: 102035

Sheet Number: A3.1a

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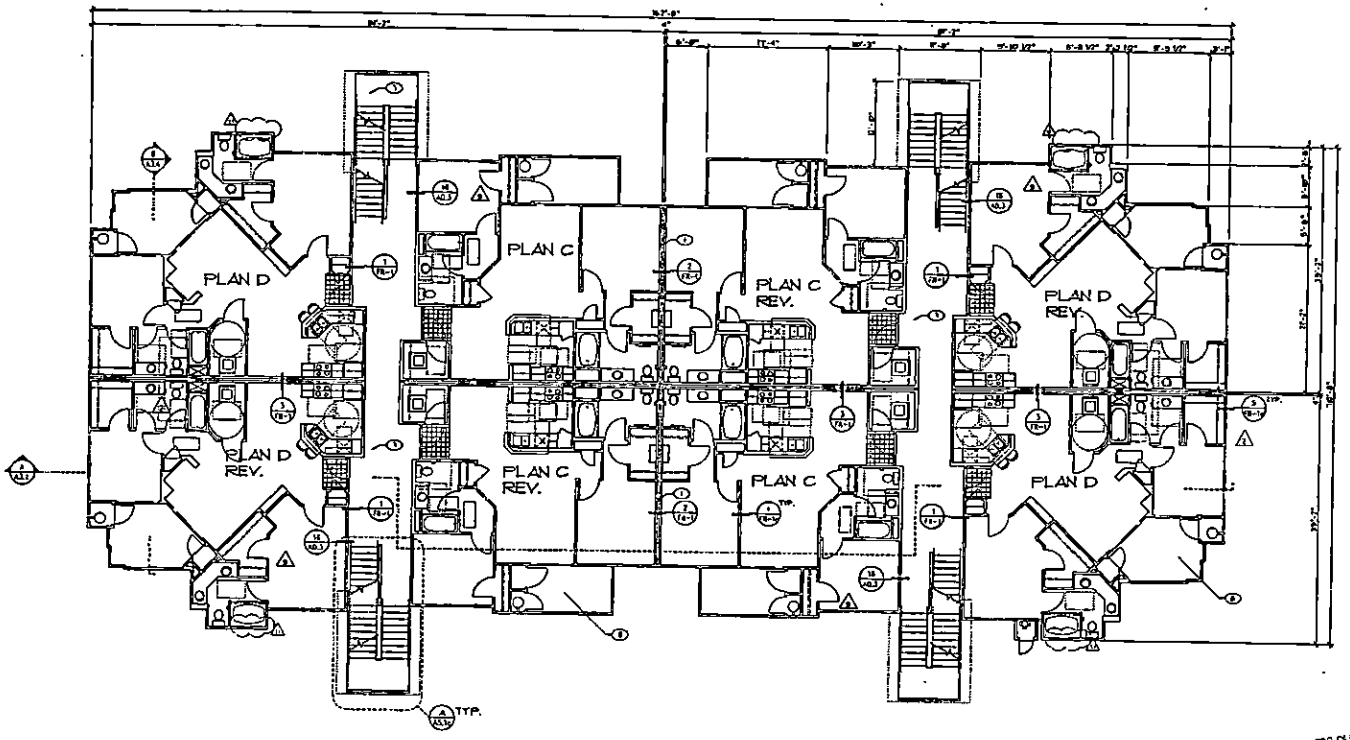

FLOOR PLAN BUILDING III

SCALE 1/8" = 1'-0"

2nd Floor

KEY NOTES:

	DESCRIPTION
1	1 - HOUR FIRE PARTITION - SEE SHEET FR-1
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE 5/FR.4
4	ELECTRIC SERVICE CONNECTION SEE 5/FR.4
5	CABLE CONNECTION SEE 5/FR.4
6	GAS METER
7	CONCRETE STOOP - SLOPE TO DRAIN
8	1 1/2" HARDROCK CONC. BALCONY - SLOPE TO DRAIN
9	CONC. PATIO - SLOPE TO DRAIN
10	FIRE RISER ROOM - SEE A03 FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH - 7/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER 15# BUILDING PAPER - ANCHOR W/ 11 GA. x 7/16" DIAM. HEAD NAILS ON 16 GA. x 7/8" LONG LEG STAPLES @ 6" O.C.
2. GRIDS TYPICAL WALL CONSTRUCTION - 2x4 STUDS AT 16" O.C. - U.N.O. SEE UNIT FLOOR PLANS FOR 2x6 STUD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD - UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL PENETRATIONS OF 1-HOUR WALLS SHALL CONFORM TO IBC 712.3.1 - SEE SHEET FR-5a AND FR-5b FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY EXPOSED IN PREMANUFACTURED BOXES SET FLUSH WITH ADJACENT GRADE TO PROVIDE PROTECTION FROM ABUSE AND THE ELEMENTS, MAINTAIN EASY ACCESS FOR SHUT-OFF AND FOR SERVICE
6. PROVIDE LATH BEHIND ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

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Rev	Date	By	Description
1	10-9-04	RI	CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	01-24-06	RI	ARCHITECTURAL REVISIONS
3	6-7-06	BPC	ARCHITECTURAL REVISIONS
4	01-28-06	LFI	PLAN REVISIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING III FLOOR PLAN 2nd FLOOR

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A3.1b

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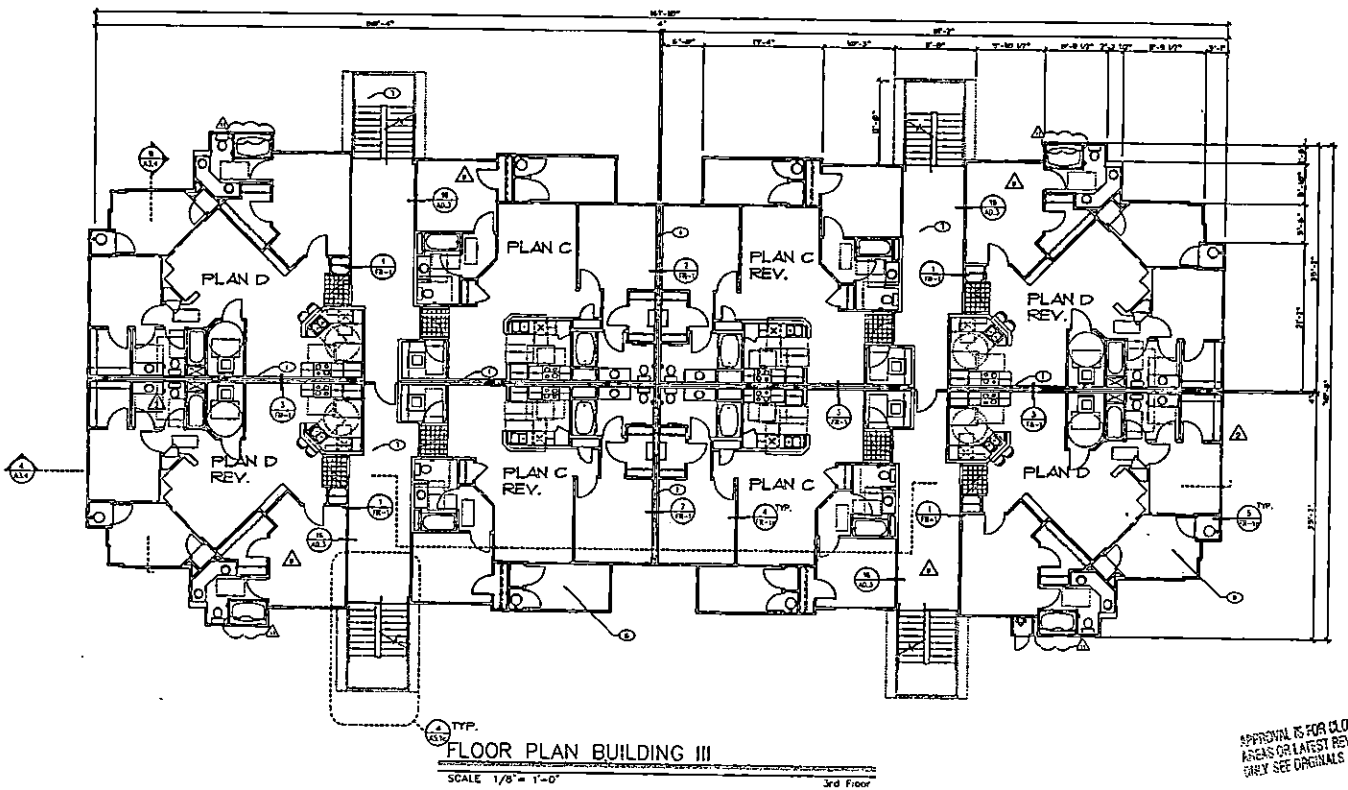

FLOOR PLAN BUILDING III

SCALE 1/8" = 1'-0" 3rd Floor

APPROVAL IS FOR CLOUDED AREAS OR LATEST REVISIONS ONLY SEE ORIGINALS

KEY NOTES:

	DESCRIPTION
1	1 – HOUR FIRE PARTITION – SEE SHEET FR-1
2	A/C UNIT LOCATION (TYPICAL)
3	TELEPHONE CONNECTION SEE S/FR.4
4	ELECTRIC SERVICE CONNECTION SEE S/FR.4
5	CABLE CONNECTION SEE S/FR.4
6	GAS METER
7	CONCRETE STOOP – SLOPE TO DRAIN
8	1 1/2" HARDWOOD CONC. BALCONY – SLOPE TO DRAIN
9	CONC. PATIO – SLOPE TO DRAIN
10	FIRE RISER ROOM – SEE A03 FOR DETAILS

GENERAL NOTES:

1. EXTERIOR FINISH – 7/8" 3-COAT EXTERIOR PLASTER OVER METAL LATH OVER (1)# BUILDING PAPER – ANCHOR 9" TI GA. x 2 7/8" DIAM. HEAD NAILS OR 16 GA. x 1 7/8" LONG ICS STAPLES @ 6" O.C.
2. NOTES TYPICAL WALL CONSTRUCTION – 2x4 STUDS AT 16" O.C. – U.N.O. SEE UNIT FLOOR PLANS FOR 2x6 STUD WALLS AND TYPICAL DETAILS
3. ALL DIMENSIONS ARE TO FACE OF STUD – UNLESS OTHERWISE NOTED
4. PLUMBING AND ELECTRICAL PENETRATIONS OF 1-HOUR WALLS SHALL CONFORM TO UBC 711.3.3 – SEE SHEET FR-5a AND FR-5b FOR LISTED ASSEMBLIES
5. ALL SERVICE VALVES SHALL BE COMPLETELY ENCLOSED IN PACKAGED/FACTORY BOXES. SET FLUSH WITH ADJACENT SURFACE TO PROVIDE PROTECTION FROM ABUSE, AND THE ELEMENTS, MAINTAIN EASY ACCESS FOR SHUT-OFF AND JOB SERVICE
6. PROVIDE LATH BEHIND ELECTRICAL AND TELEPHONE BOXES
7. REFER TO MECHANICAL, PLUMBING, ELECTRICAL AND CIVIL PLANS FOR METER LOCATIONS

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Rev	Date	By	Description
1	8-8-06	BC	CITY OF LAS VEGAS BUILDING DEPARTMENT COMMENTS
2	9-7-06	BC	ARCHITECTURAL REVISIONS
3	9-28-06	BC	ARCHITECTURAL REVISIONS PLAN REVISIONS

Project: DESERT SHADOWS APARTMENTS

Owner: CHARLESTON & JONES, LLC
LAS VEGAS, NEVADA

Title: BUILDING III
FLOOR PLAN
3rd FLOOR

Drawn By / Checked By: KP/BC

Date: December 23, 2005

Project Number: 905026

Sheet Number: A3.1c

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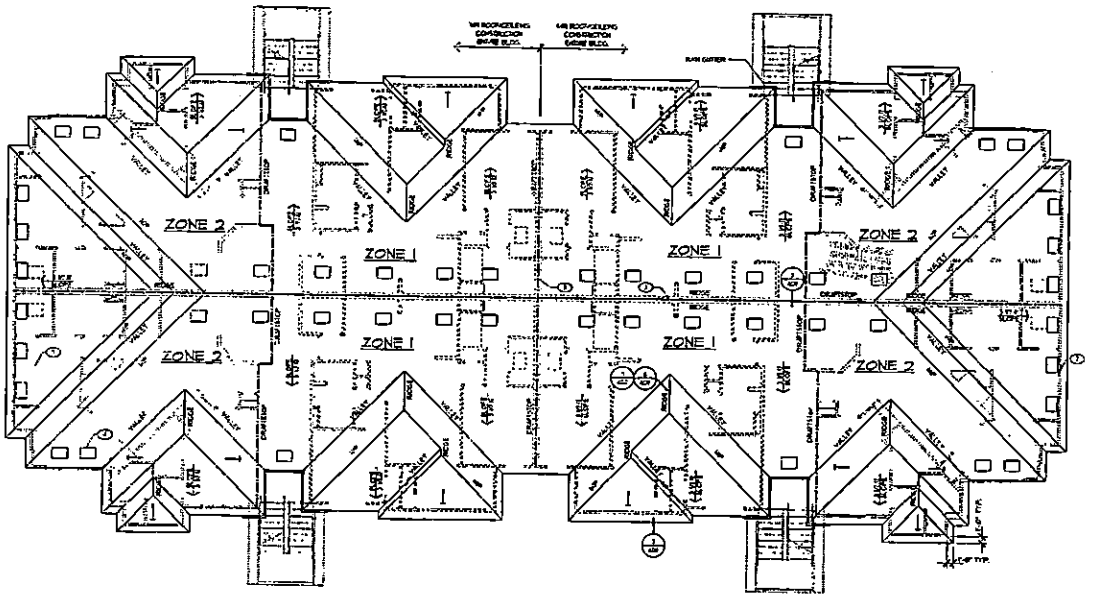

BLDG. III ROOF PLAN

SCALE: 1/8" = 1'-0" 3rd FLOOR BLDG III

ATTIC VENTILATION

ZONE	AREA (SF.)	VENTILATION REQUIRED (SF.)	VENTILATION PROVIDED (SF.)
1	8,448 SF.	8,448 SF. / 300 = 4,676 SF.	
2	4,704 SF.	4,704 SF. / 300 = 4,676 SF.	

REMARKS

1. PROVIDE EXPANSION JOINTS IN IMPERVIOUS ROOF APPLICATIONS PER MANUFACTURERS SPECIFICATIONS.
2. CONCRETE TILE TO BE VERIFIED BY OWNER.
3. TILE VENTS TO BE PLACED EVENLY THROUGHOUT FIELD OF TILE AT 1/150 SF. FREE AREA.

KEY NOTES:

NO.	DESCRIPTION
1	CONC. TILE - SEE ELEVATIONS
2	EAVE OF WALLS BELOW
3	SKYLIGHT - ABOVE AND IN LINE WITH WALLS SEPERATING UNITS - SEE PLAN
4	PVC WHELL LOW PROFILE FLAT OR TILE VENTS SENT 1/150 SF FREE AREA EACH ALTERNATE VARIATION TO THE EXISTING NEW 4X4 SF PER UNIT EACH MAY BE SUBSTITUTED FOR WHICH NEED SEE ATTACHED CALCULATIONS

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Rev	Date	By	Description

Project: DESERT SHADOWS APARTMENTS
Owner: EXECUTIVE DEVELOPMENT LAS VEGAS, NEVADA

Sheet Title: BUILDING III ROOF PLAN

Drawn/Checked By: KP/BC

Date: February 11, 2004

Project Number: 102035

Sheet Number: A3.2

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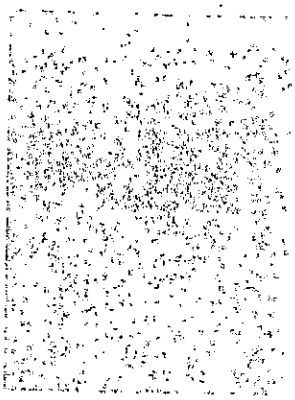
CHARLESTON & JONES

MULTI-FAMILY

SCHEME 1

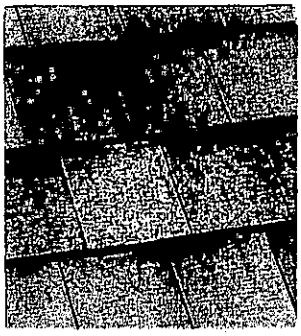


1. Primary

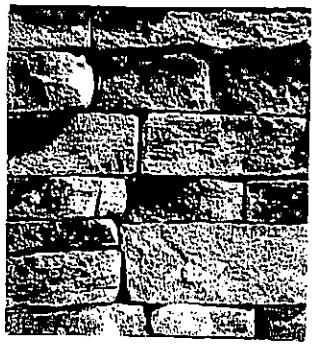
2. Secondary

3. Fascia

4. Trim



5. Roof Tile



6. Stone

SDR-16919
11/02/06 PC

RECEIVED
SEP 18 2006

Perlman ARCHITECTS
2230 Corporate Circle, Suite 200 Henderson, NV 89074 (702) 990-9900 (702) 932-3222 Fax

Perlman
Architects, Inc.

5/16/02

CHARLESTON & JONES

MULTI-FAMILY
SCHEME 2

	Location	Color	Notes
1.	Primary	7761W Nutmeg Dust	
2.	Secondary	7763M Highland Buff	
3.	Fascia	8616N Clermont Green	
4.	Trim	8704D Stratford Brown	
5.	Roof Tile	Hanson 4549 Santa Paula (1 color)	
6.	Stone	Eldorado – Mountain Ledge Buckskin	

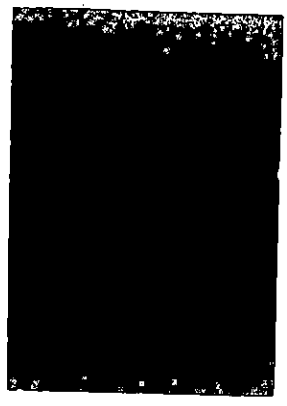
SDR-16919
11/02/06 PC

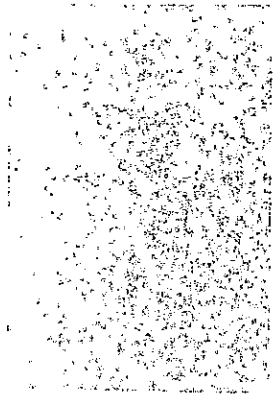
RECEIVED
SEP 18 2006

CHARLESTON & JONES

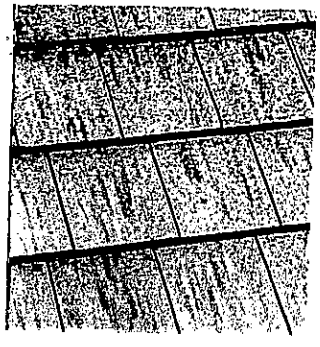
MULTI-FAMILY

SCHEME 2





1. Primary
2. Secondary
3. Fascia
4. Trim



5. Roof Tile
6. Stone

SDR-16919
11/02/06 PC

RECEIVED
SEP 18 2006

Perlman Architects
2230 Corporate Circle, Suite 200 Henderson, NV 89074 (702) 990-9900 (702) 932-3222 Fax

Perlman

Architects, Inc.

5/16/02

CHARLESTON & JONES

MULTI-FAMILY

SCHEME 1

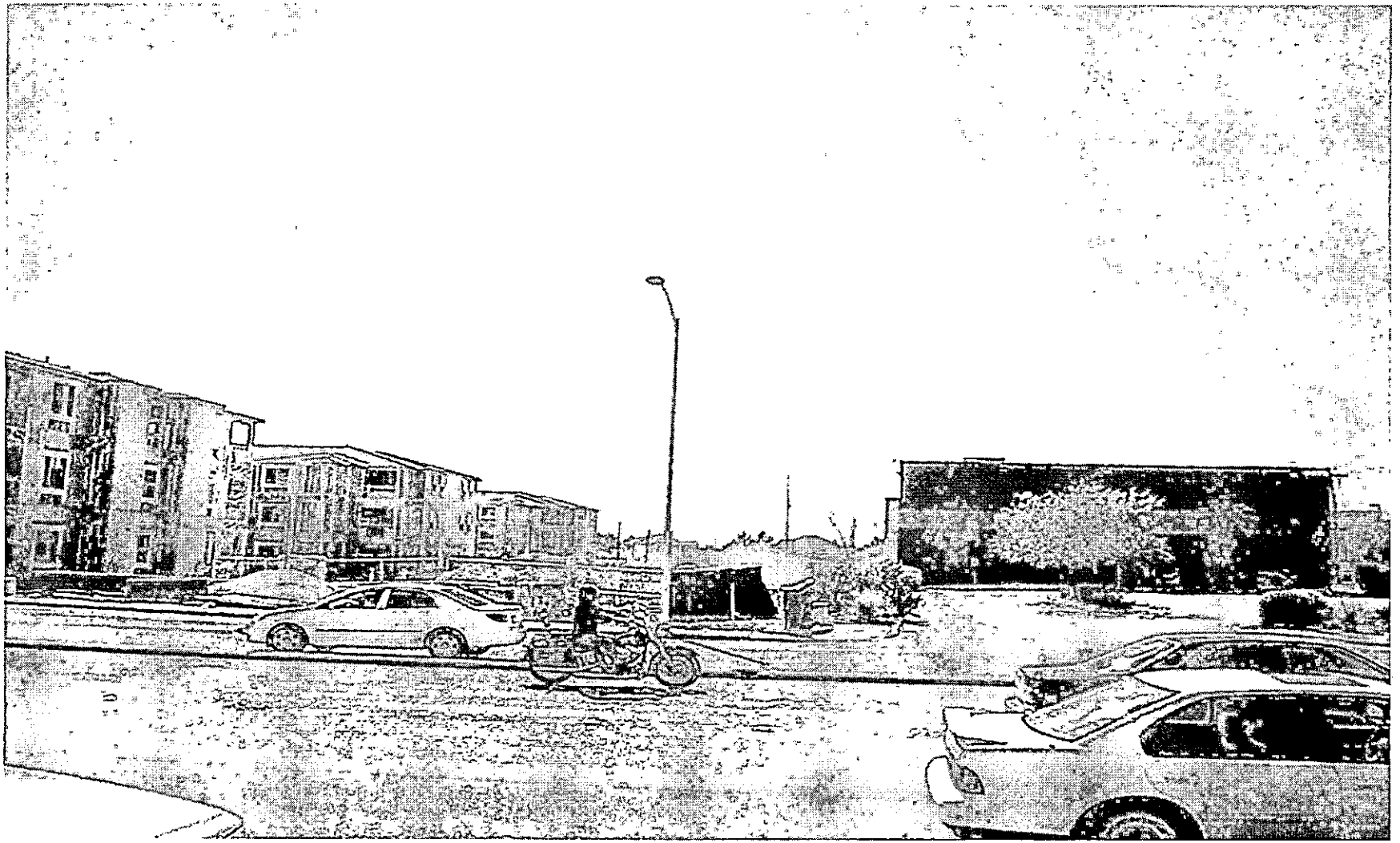
	Location	Color	Notes
1.	Primary	8740W Barrister White	
2.	Secondary	8714M Wildcat	
3.	Fascia	8886N Best Burgundy	
4.	Trim	8702W Beige Pediment	
5.	Roof Tile	HANSON: 4684 San Raphael Blend (3 color blend)	
6.	Stone	Eldorado – Mountain Ledge Warm Springs	

RECEIVED

SEP 18 2006

SDR-16919

11/02/06 PC



SDR-16919 - APPLICANT/OWNER: CHARLESTON & JONES LLC
5905 WEST CHARLESTON BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06

SDR-16919 - APPLICANT/OWNER: CHARLESTON & JONES LLC
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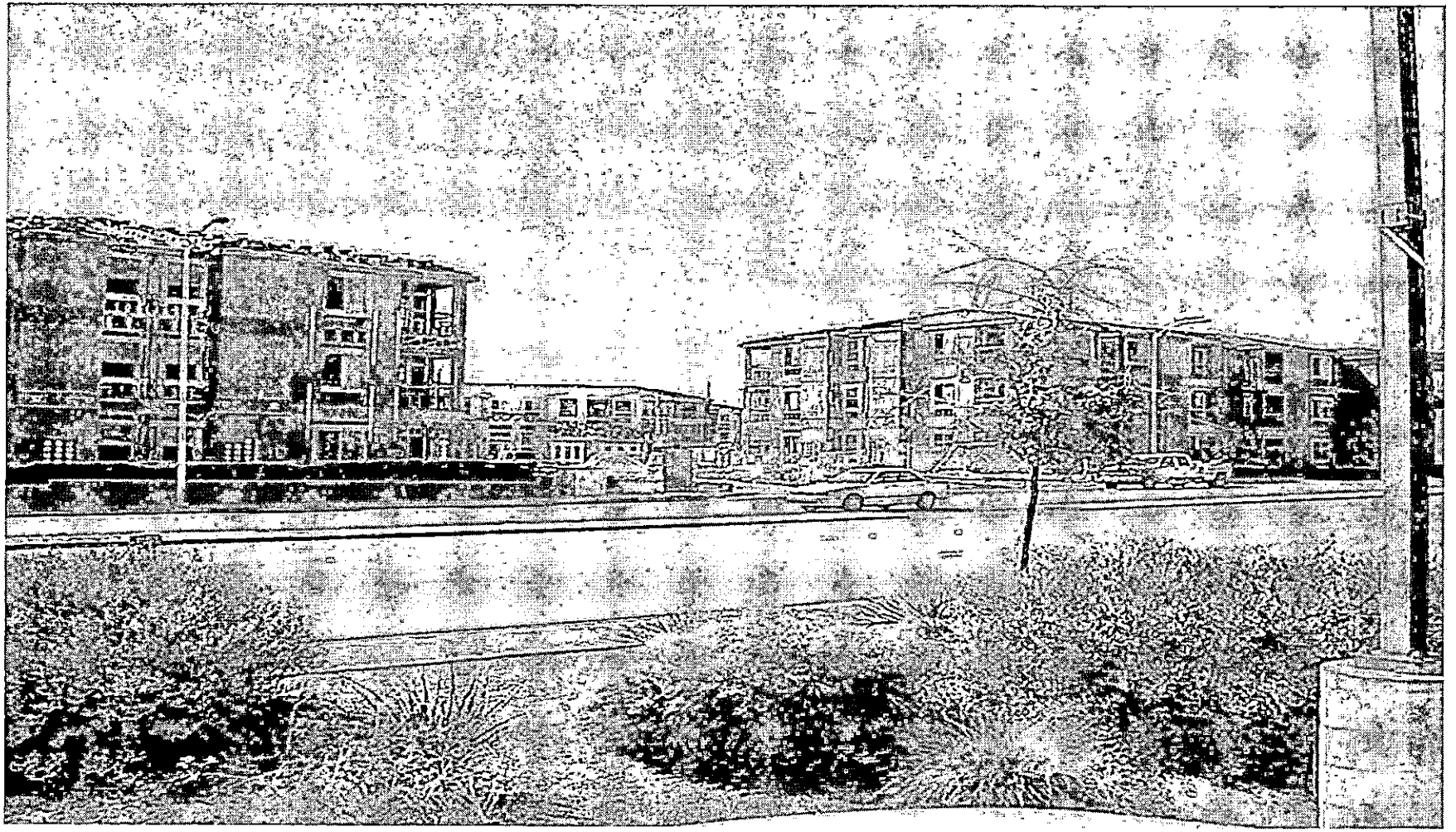
10/15/06



SDR-16919 - APPLICANT/OWNER: CHARLESTON & JONES LLC
5905 WEST CHARLESTON BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06

Orion
ENGINEERING AND SURVEYING, INC.

September 18, 2006

City of Las Vegas
Comprehensive Planning Department
Current Planning Division
731 South Fourth Street
Las Vegas, NV 89101

RE: REQUEST FOR SITE DEVELOPMENT PLAN REVIEW
APN: 163-01-102-038
Desert Shadows – Condo Conversion

City Staff,

On behalf of Signature Homes, Orion Engineering and Surveying is submitting Site Development Plan Review for an exiting apartment complex to propose a +/-8.04 gross acre condo conversion development generally located of W. Charleston Boulevard and S. Jones Blvd within Ward 1 of the City of Las Vegas, Nevada.

SITE PLAN REVIEW FOR 192 UNITS

The applicant seeks approval of a Site Plan Review for 192 multi-family units - **CONDO CONVERSION**. The project includes 8 multi-family residential buildings having 18 units per building that are 3-story having a maximum building height of approximately 31.8 feet. There are three specific building types; Building "I" is approximately 836 sq. ft. that will include 1 bedroom units and Buildings "II & III" are approximately 1,156 sq. ft. that will include 2 bedroom units. All units will have private covered patio and storage areas. These buildings will feature a modern color scheme with light grey tile roofs and light to dark Fascia stucco exteriors. The three story building concept allows the lot coverage of the site to be lowered to approximately 15 percent. This allows more common open space for recreational amenities and on-site parking. In addition, this project will feature 181 covered parking spaces, 9 ADA spaces and 38 garage spaces with 326 spaces being provided for the entire site.

It is our opinion that project will meet or exceed the objectives of urban growth in a planned, orderly manner to encourage high quality development and to create a cost effective urban development pattern. Therefore, this request will be consistent with the goals, objectives and policies of the City's Comprehensive Plan and Title 19 of the Zoning Ordinance.

Should you require any additional information feel free to call our office at 739-5921.

Sincerely,

Aimee Ignatowicz
Assistant Planner

SDR-16919
11/02/06 PC

City of Las Vegas

Agenda Item No.: 50

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER, AICP [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

SDR-16959 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: TODD & ASSOCIATES - OWNER: DONREY OF NEVADA INC. - Request for a Site Development Plan Review FOR THREE PROPOSED TEMPORARY BUILDINGS TOTALLING 7,920 SQUARE FEET on 1.9 acres at 919 West Bonanza Road (APN 139-28-801-005), M (Industrial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION (Unless appealed within 10 days)

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

RECOMMENDATION:
Staff recommends **APPROVAL**

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

MOTION:
DAVENPORT – APPROVED subject to conditions and adding the following condition as follows:
– The application shall be reviewed by the Planning Commission in 24 months.
– UNANIMOUS with DUNNAM not voting

This is Final Action

MINUTES:
CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained the applicant was proposing to place temporary modular offices on the property in conformance to Title 19. He

MINUTES – Continued:
stated the offices would be in place for 12 to 36 months during construction of new buildings on the site and recommended approval.

DOUG SEXTON, 4919 North 44th Street, Phoenix, Arizona, appeared on behalf of the applicant. He explained the Las Vegas Review Journal is improving the site and these buildings would provide working space while interior renovations take place. He emphasized that the modular buildings will be removed when the renovations are finished.

COMMISSIONER DAVENPORT suggested an additional condition requiring a 12-month review before the Planning Commission in order to ensure the temporary buildings are not used as permanent structures. MR. SEXTON agreed to a review in 24 months which was acceptable to COMMISSIONER DAVENPORT.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.
(9:35 – 9:39)
3-469

CONDITIONS:
Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the revised site/landscape plan date stamped 10/13/06, and building elevations, date stamped 08/19/06, except as amended by conditions herein.

3. 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.

4. 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

CONDITIONS – Continued:

inspection will not be approved until the landscape inspections have been completed.

5. 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).

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

11. All temporary improvements associated with this application must be removed within three years of the date of issuance of the certificate of occupancy.

Public Works

12. Provide a copy of a recorded joint access agreement between this site and the adjacent parcel to the west prior to the issuance of any building permits.

13. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road adjacent to this site.

CONDITIONS – Continued:

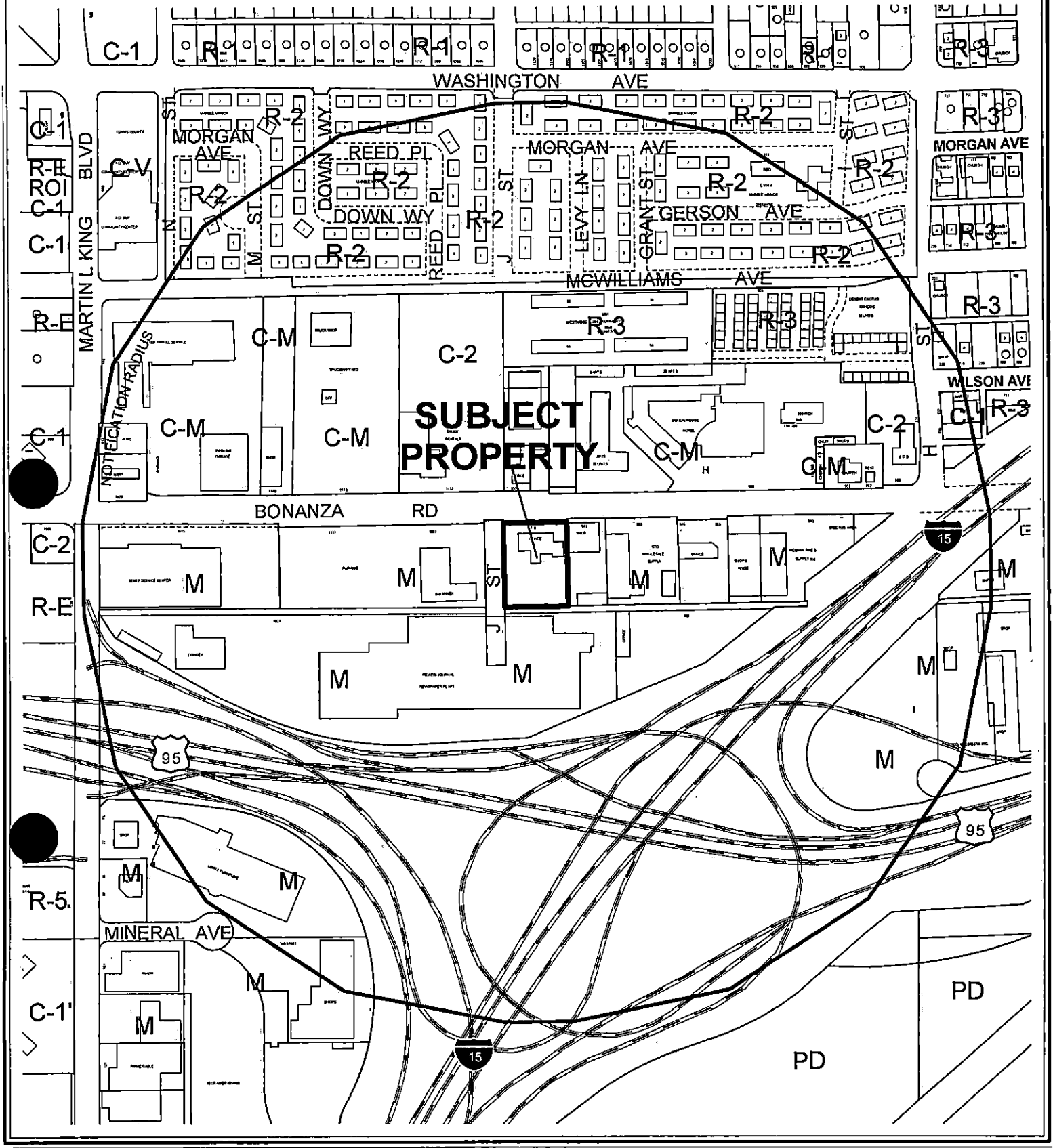
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonanza Road public rights-of-way adjacent to this site prior to occupancy of this site.

16. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

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

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

19. Obtain an Occupancy Permit for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site.



0 200 400 Feet

CASE: **SDR-16959**

RADIUS: 1000 FT

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

N

0 200 400 Feet

CASE: **SDR-16959**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 2, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-16959 - APPLICANT: TODD & ASSOCIATES - OWNER: DONREY OF NEVADA INC.

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the revised site/landscape plan date stamped 10/13/06, and building elevations, date stamped 08/19/06, except as amended by conditions herein.

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4. 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.

5. 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).

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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13. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road adjacent to this site.

15. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonanza Road public rights-of-way adjacent to this site prior to occupancy of this site.

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18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

19. Obtain an Occupancy Permit for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site.

SDR-16959 - Staff Report Page One
November 2, 2006 - Planning Commission Meeting

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for two proposed temporary buildings totaling 5,760 square feet on 1.9 acres at 919 West Bonanza Road.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
03/16/88	The City Council approved a Special Use Permit (U-11-88) to allow an existing six-foot by 12-foot off-premise (billboard) sign on a structure containing an existing on-premise identification sign on the subject site. The Zoning Board of Adjustment recommended approval.
Pre-Application Meeting	
09/07/06	At the pre-application meeting, the applicant was informed of the requirements for a Site Development Plan Review, and asked to include a plan to show existing landscaping on the subject site, as well as a photo montage of the proposed structure in the application packet.
Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	1.21
Net Acres	1.19

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	LI/R (Light Industrial/ Resarch)	M (Industrial)
North	Service Commercial	(MXU) Mixed Use	(C-M) Commercial/ Industrial)
South	Industrial/Communications/ Transportation/Utilities	LI/R (Light Industrial/ Resarch)	M (Industrial)
East	Service Commercial	LI/R (Light Industrial/ Resarch)	M (Industrial)
West	Industrial/Communications/ Transportation/Utilities	LI/R (Light Industrial/ Resarch)	M (Industrial)

Special Districts/Zones		Yes	No	Compliance
Special Area Plan				
Redevelopment Plan Area		X		Y
West Las Vegas Plan		X		Y
Special Districts/Zones		*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts				
A-O Airport Overlay District	175-foot	X		Y
Trails		X		Y
Rural Preservation Overlay District			X	Y
Development Impact Notification Assessment			X	Y
Project of Regional Significance			X	Y

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	52,000 SF	Y
Min. Lot Width	100 Feet	200 Feet	Y
Min. Setbacks			
• Front	10 Feet	50 Feet	Y
• Side	0 Feet	18 Feet	Y
• Corner	10 Feet	18 Feet	Y
• Rear	0 Feet	80 Feet	Y
Max. Lot Coverage	NA	15.25%	Y
Max. Building Height	NA	14.25 Feet	Y
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	6 Trees	6 Trees	Y
Buffer: Min. Trees	1 Tree/30 Linear Feet	7 Trees	7 Trees	Y
TOTAL		13 Trees	7 Trees	Y
Min. Zone Width	15 Feet		40 Feet	Y
Wall Height	6-8 Feet		Existing Fence	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	*Required Parking*			*Provided Parking*		*Compliance*
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Office	5,760 SF	1/300	18	2	43	2	Y
TOTAL			20		45		Y

ANALYSIS

- Zoning

The subject site is currently zoned M (Industrial) in a LI/R (Light Industrial/Research) General Plan designation. The subject site is designated as Industrial by the Downtown Redevelopment Area Land Use Map. This area allows light industrial and research uses. The proposed office use is permitted in the M (Industrial) Zone.

- Site Plan

The site plan depicts two 2,880 square-foot temporary modular offices on 1.21 acres at 919 West Bonanza Avenue. The modular structures will serve to temporarily replace an existing structure to be demolished on the subject site. The site plan also shows four handicapped accessible parking spaces, including one van accessible space. However, two of these spaces do not meet the minimum requirements of a handicapped accessible space, and since the site only requires two handicapped accessible spaces, they are counted as regular parking in the analysis.

- Landscape Plan

The landscape plan depicts a deficiency of trees in the perimeter buffer area along Bonanza Avenue. However, a site inspection demonstrated that seven trees are planted in the landscape buffer. An additional parking lot finger planter depicted on the revised site plan dated 10/13/06, but was absent on the original landscape plan, replaces a parking space in order to accommodate an existing underground telephone vault on the subject site, further enhancing the parking lot landscaping. The required number of trees for the perimeter and the parking area are present and no waivers are required.

- Waivers

  While the site plan indicates that waivers are necessary for the perimeter landscaping and the parking lot landscaping requirements in Title 19.10, a site inspection indicates that additional trees are present and no waivers are required.

- Elevation

  The elevations depict three temporary modular offices with a maximum height of 14 feet. The elevations are typical for this type of temporary structure. Building "C" as depicted in the elevation plans was eliminated on the revised site plan and will not be constructed.

- Floor Plan

  The floor plans depict two 2,880 square-foot structures and indicate a large open office area that is approximately 46 feet by 46 feet, two ADA compliant restrooms, and four 11.5-foot by 12.5-foot smaller offices in each structure.

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 temporary office structures are compatible with the industrial and commercial uses in the area, and comply with the requirements of the West Las Vegas Plan and the Redevelopment Area.

In regard to "2":

While the site plan indicates that waivers are necessary for the perimeter landscaping and the parking lot landscaping requirements in Title 19.10, a site inspection indicates that additional trees are present and no waivers are required. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly adopted City Plans, Policies and Standards.

In regard to "3":

The site will receive access from Bonanza Road, a 100-foot Primary Arterial, and will not negatively impact adjacent roadways or neighborhood traffic.

In regard to "4":

The building and landscaping materials used for this temporary site are appropriate for the area and the city.

In regard to "5":

The modular offices are a temporary use, and will be harmonious and compatible with development in the area during the limited time of its operation.

In regard to "6":

The proposed development will be subject to inspection by the City and will not compromise the health, safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED	22
ASSEMBLY DISTRICT	6
SENATE DISTRICT	4
NOTICES MAILED	38
APPROVALS	0
PROTESTS	0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

RECEIVED
AUG 19 2006

Case Number: SDR-16959 APN: 139-28-801-005

Name of Property Owner: ~~Don Rey, Inc.~~ DR Partners

Name of Applicant: Todd & Associates, Inc.

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: DR Partners, d/b/a Las Vegas Review-Journal

Print Name: By: Mark A. Hinueber, General Counsel

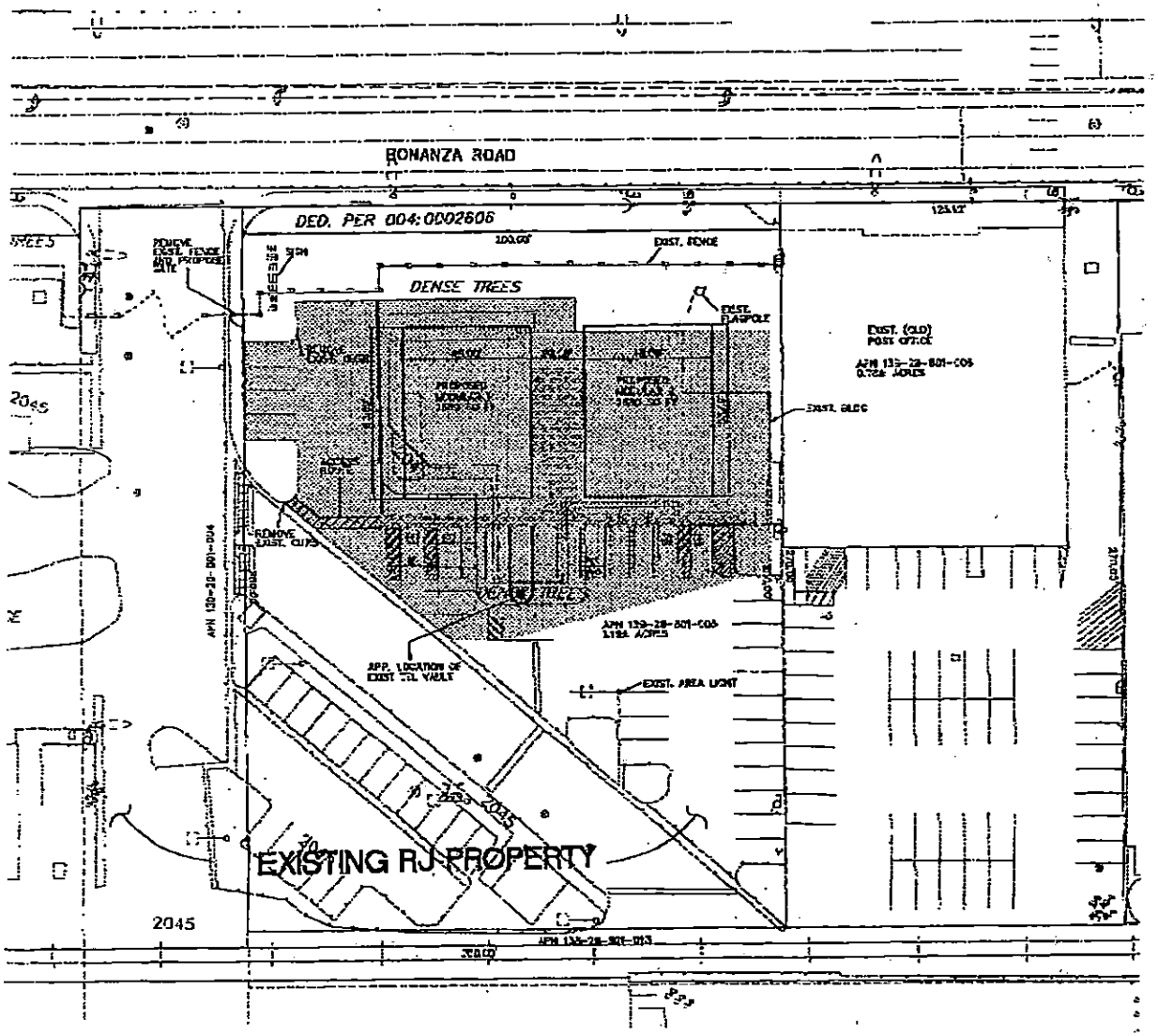
Subscribed and sworn before me

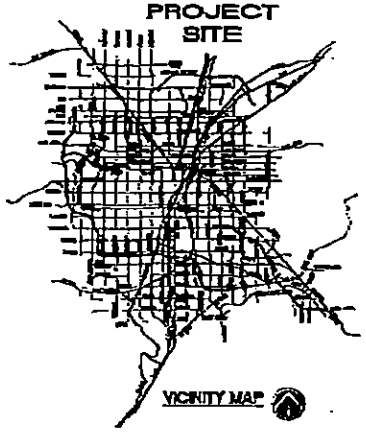
This 18th day of September, 2006

Janet R. Lemelin

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
JANET R. LEMELIN
My Appointment Expires
No: 97-1709-1 May 10, 2009





GRAPHIC SCALE

PARKING SPACE QUANTITIES

RECEIVED
OCT 13 2006

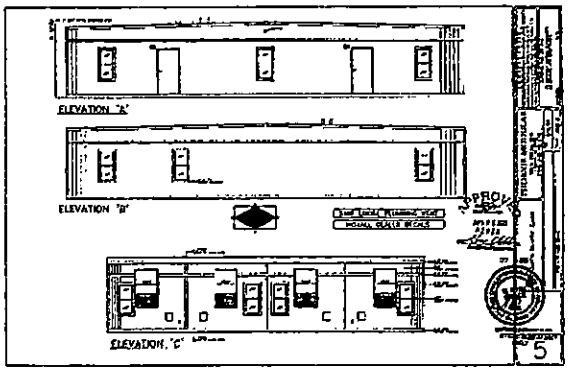
REVISED SITEPLAN

LAS VEGAS REVIEW JOURNAL

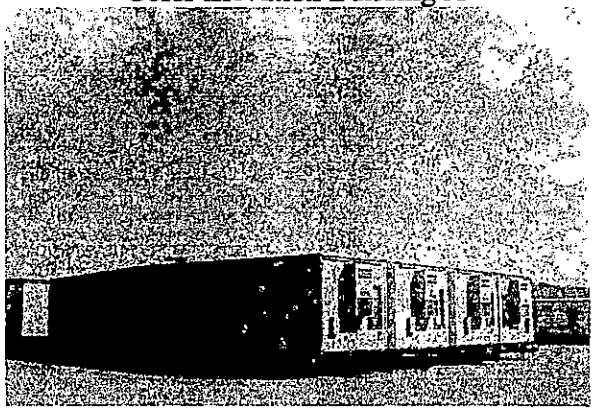
SDR-16959
11/02/06 PC
REVISED

Modular Space

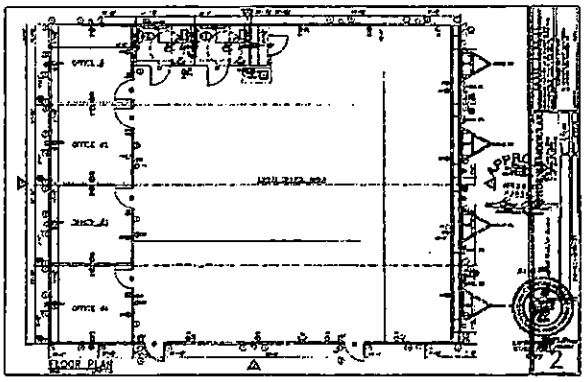
Elevation Building A



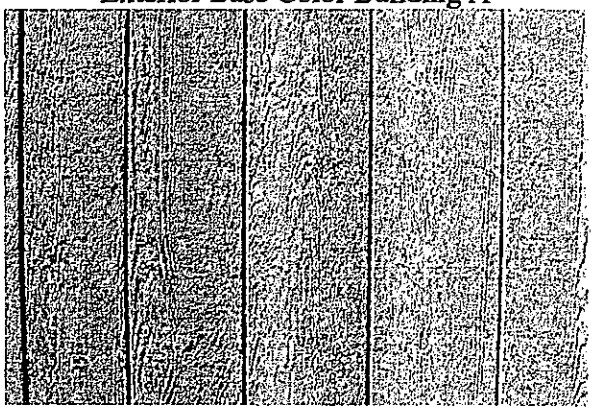
Color Elevation Building A



Floor Plan Building A



Exterior Base Color Building A



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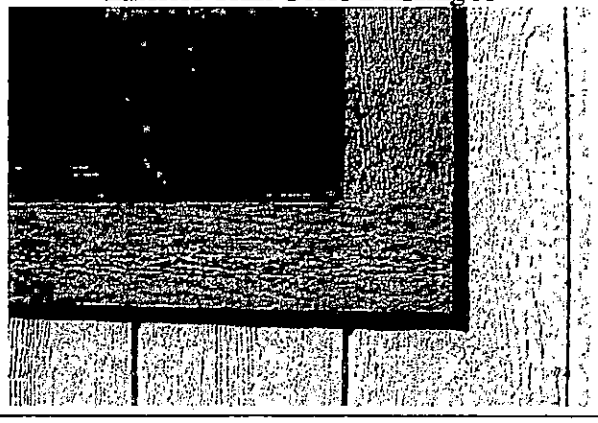
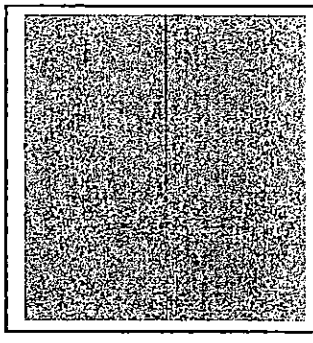
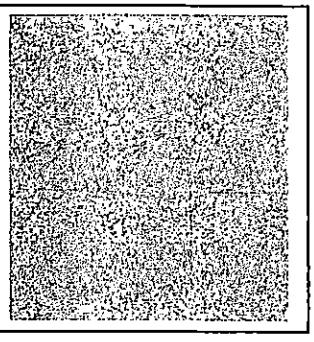


Interior Building A

Paneling



Flooring



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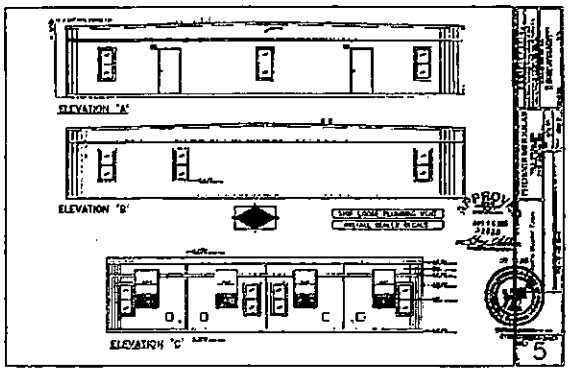
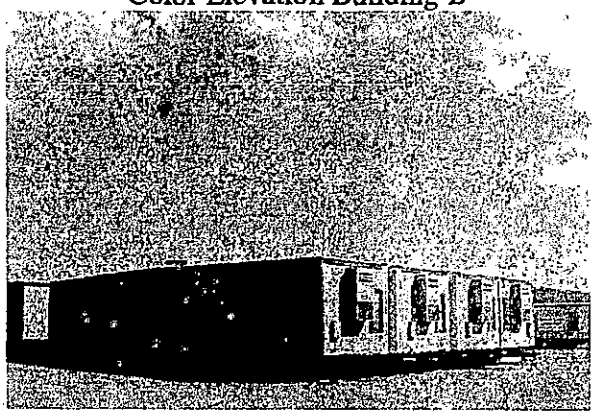
Modular Space

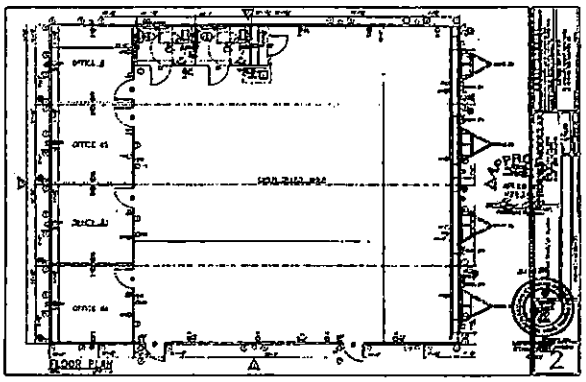
Elevation Building B



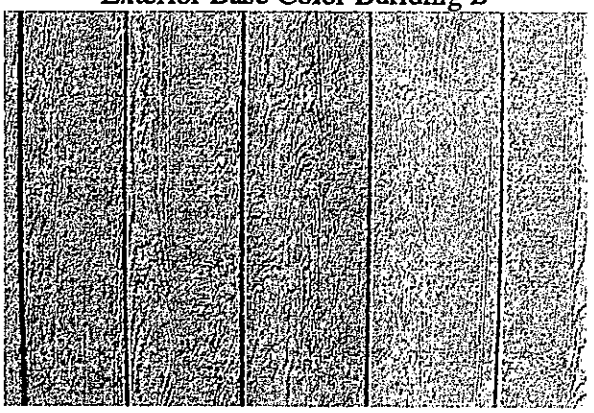
Color Elevation Building B



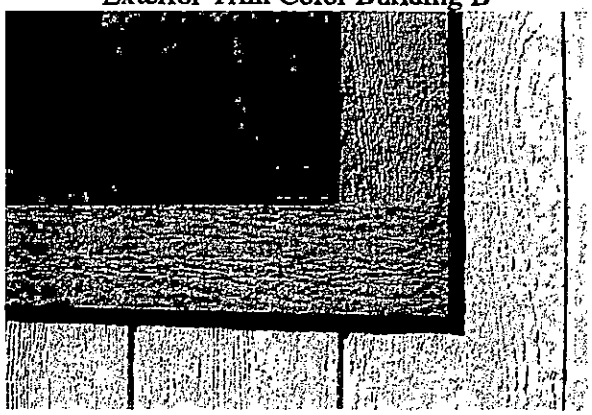
Floor Plan Building B



Exterior Base Color Building B

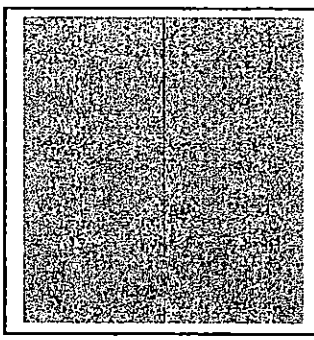


Exterior Trim Color Building B

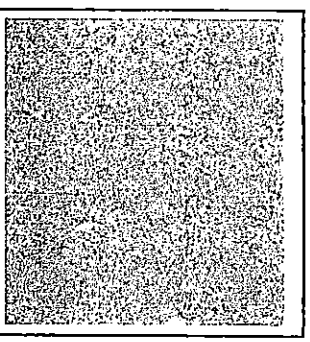


Interior Building B

Paneling



Flooring



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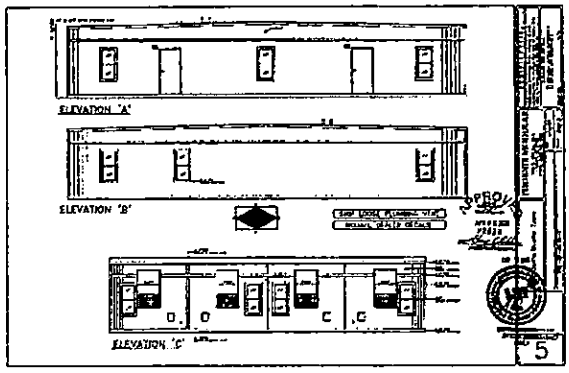
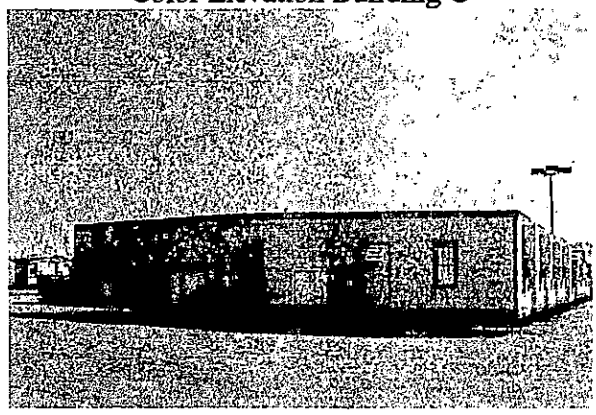
Modular Space

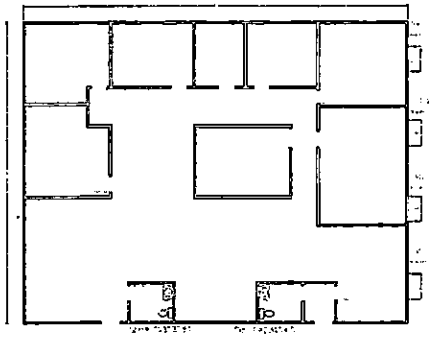
Elevation Building C



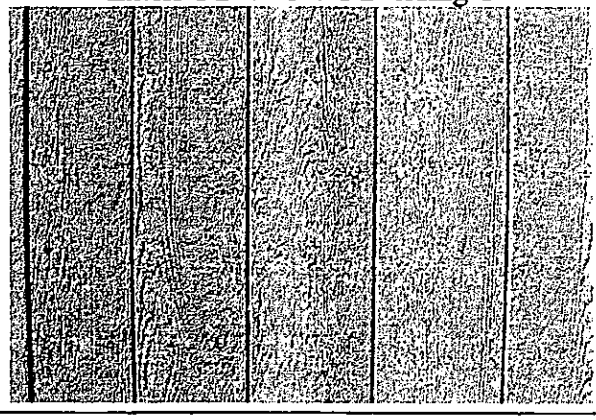
Color Elevation Building C



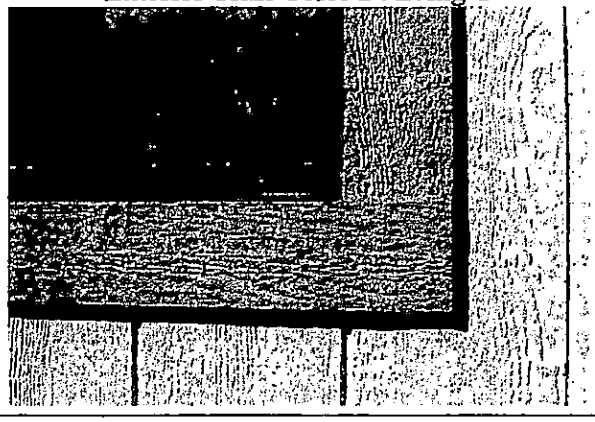
Floor Plan Building C



Exterior Base Color Building C

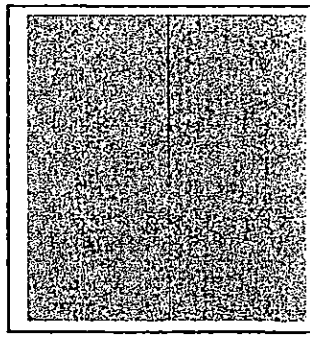


Exterior Trim Color Building C

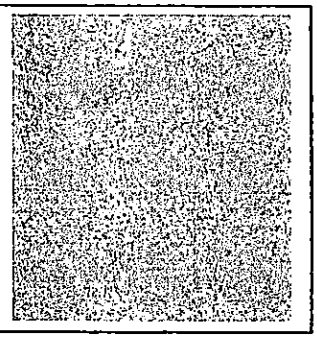


Interior Building C

Paneling



Flooring



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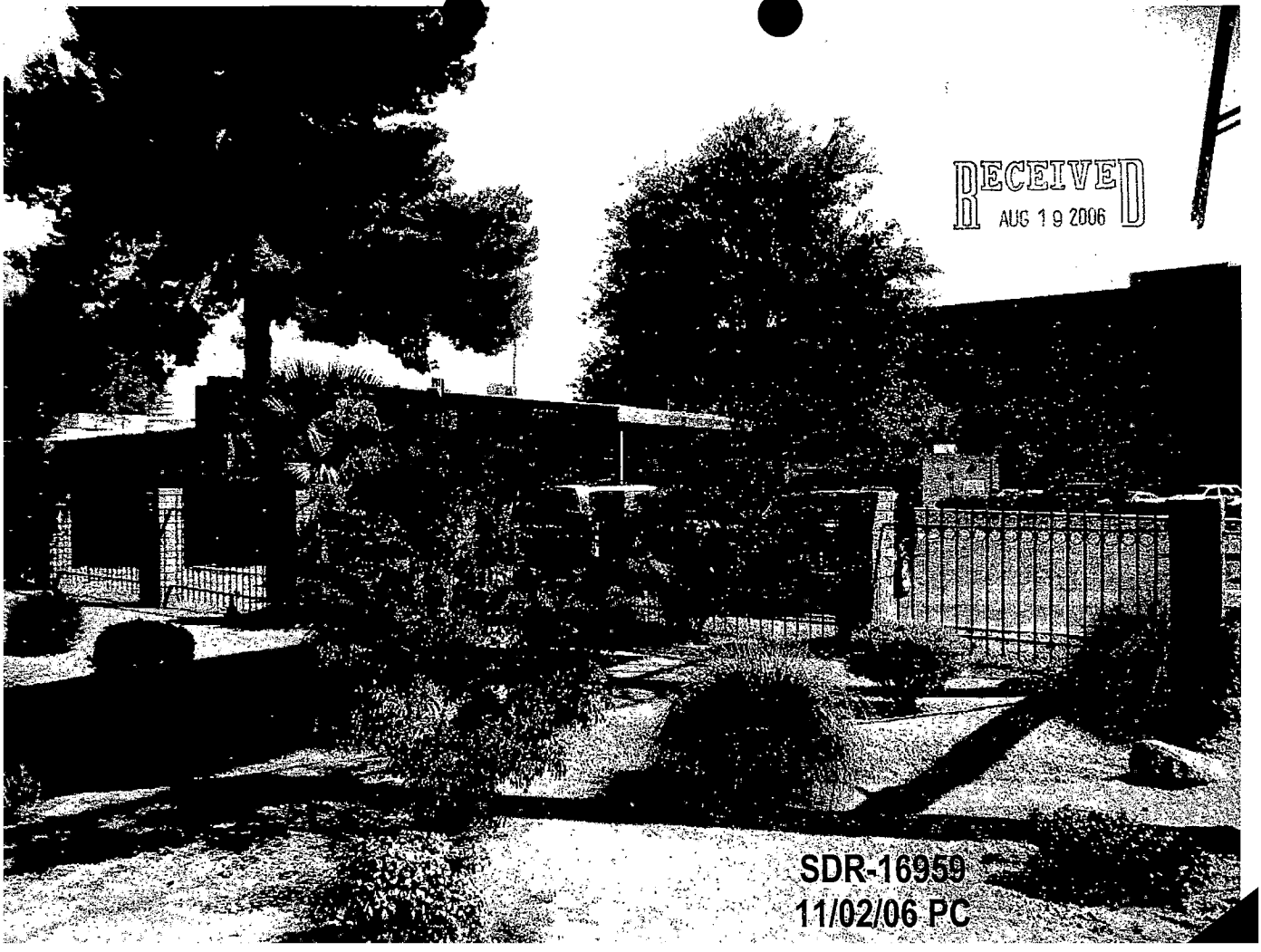

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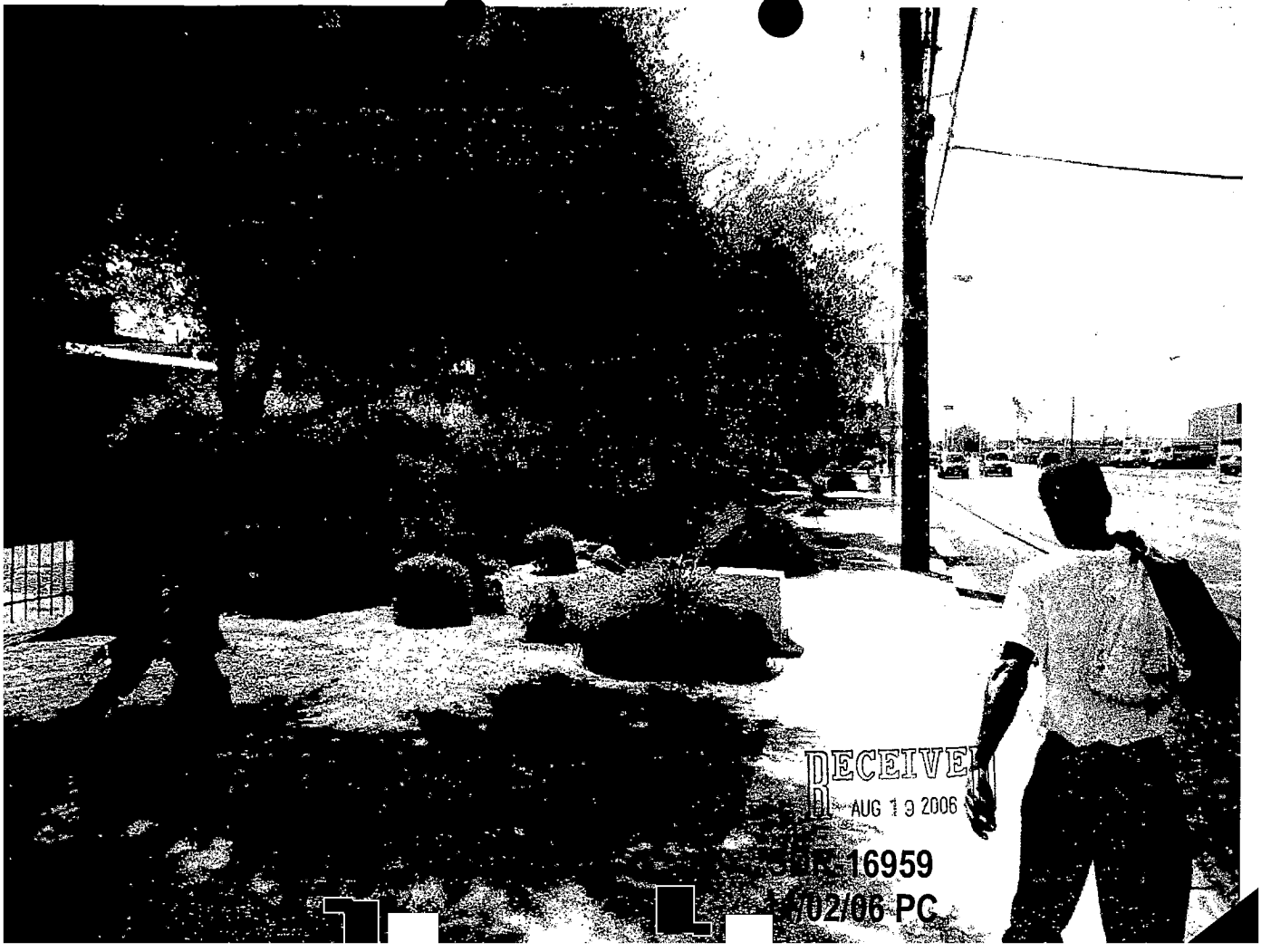
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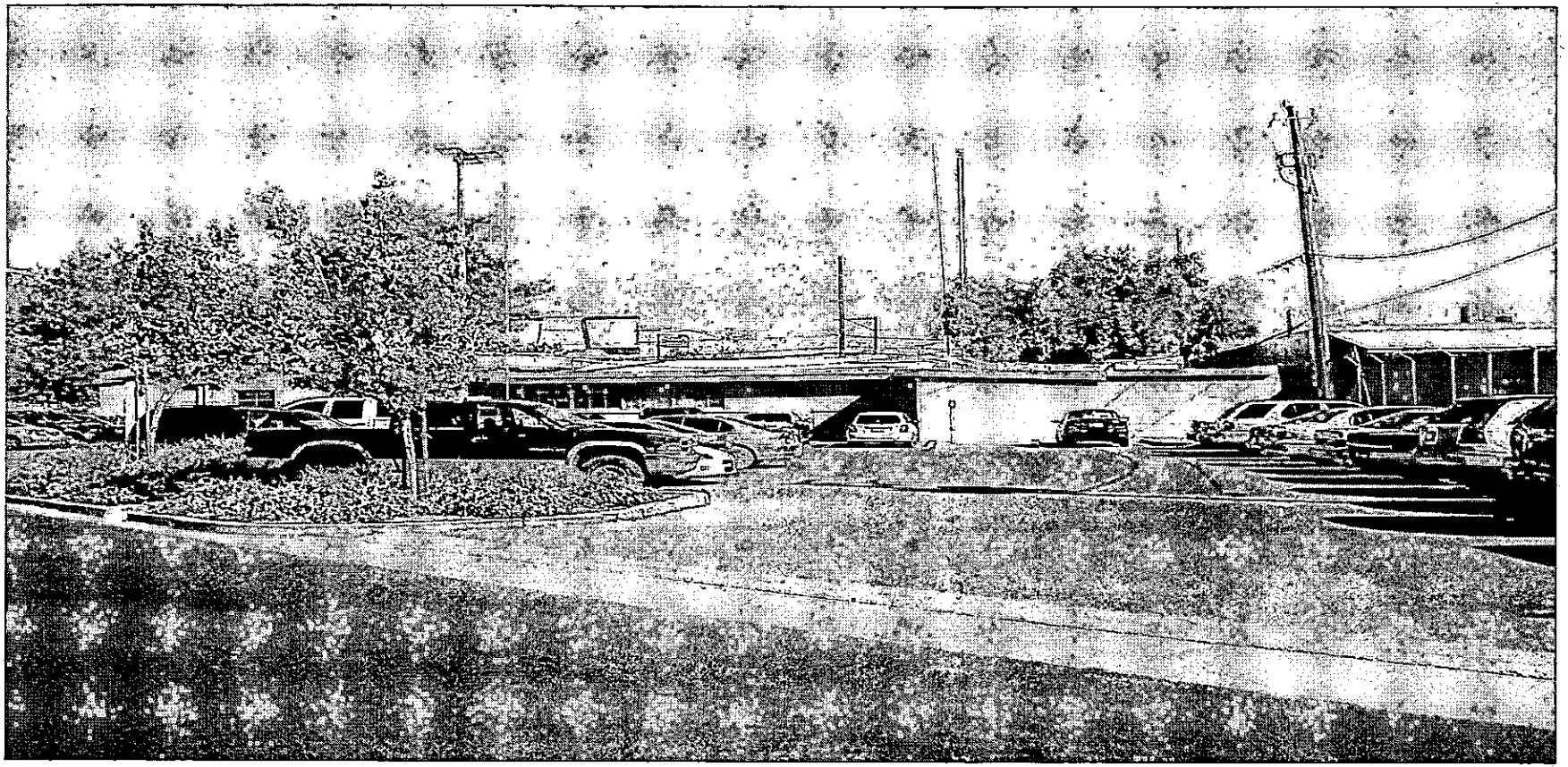
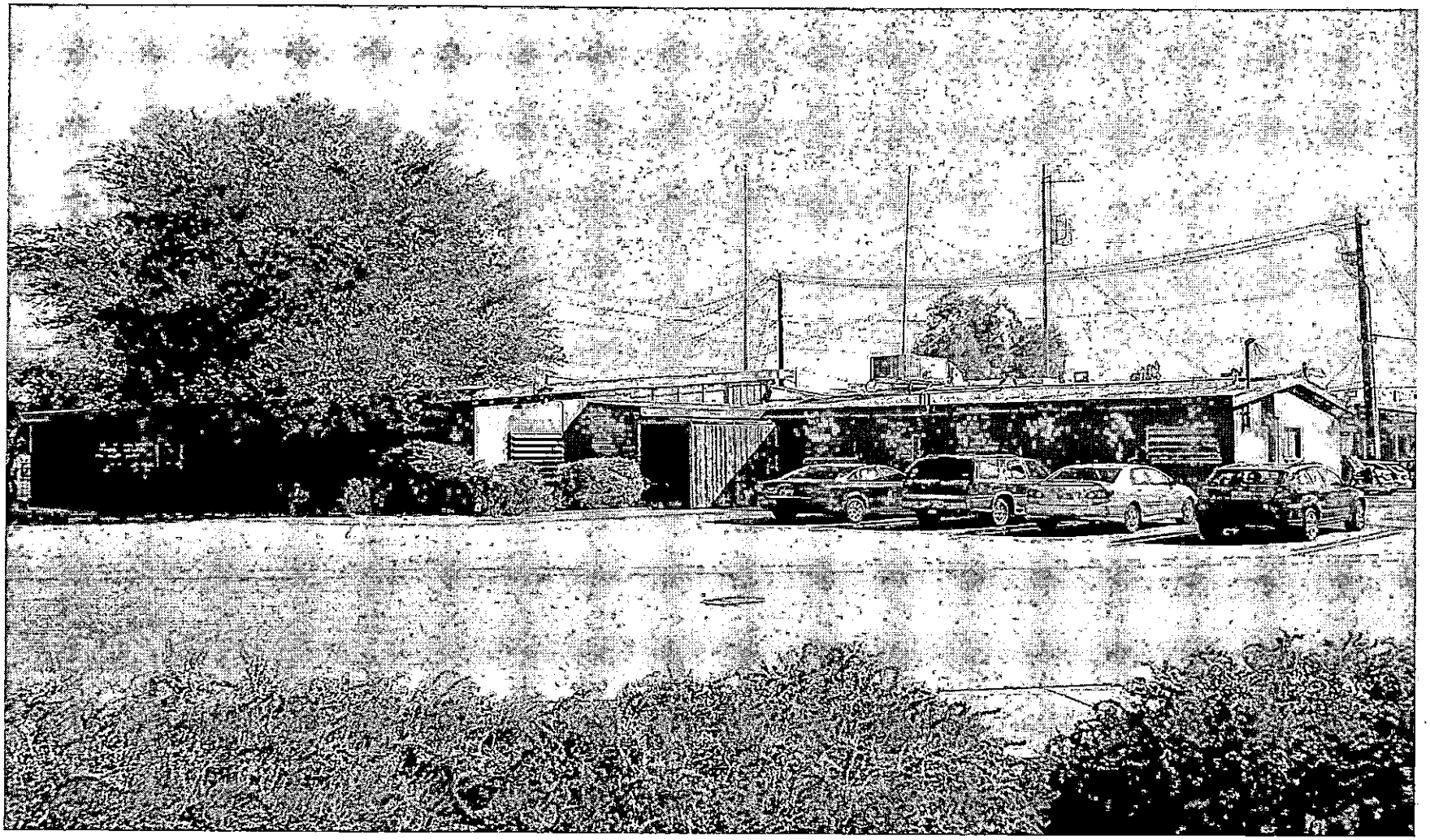


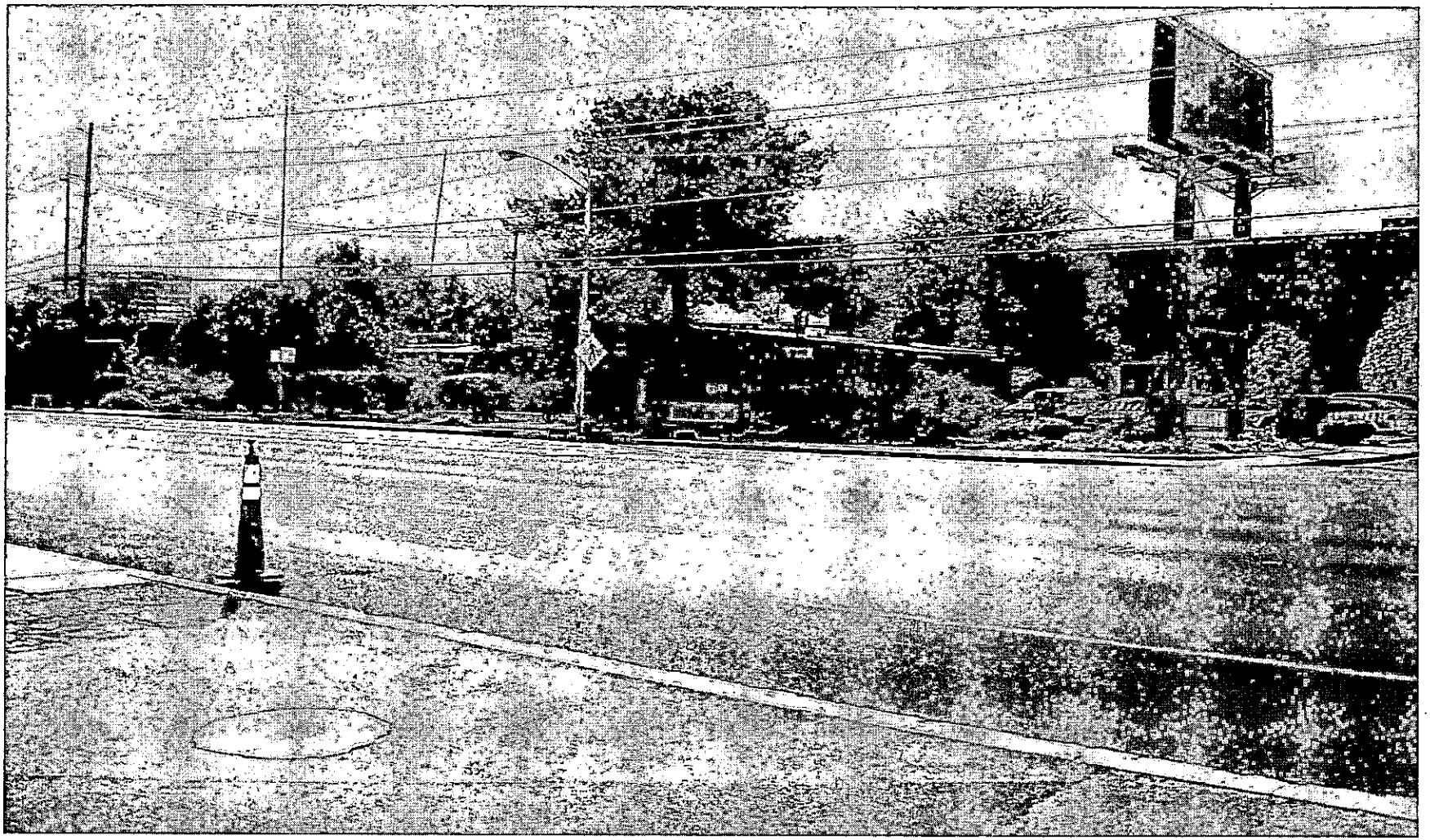
SDR-16959 - APPLICANT: TODD & ASSOCIATES - OWNER: DONREY OF NEVADA INC.
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



SDR-16959 - APPLICANT: TODD & ASSOCIATES - OWNER: DONREY OF NEVADA INC.
919 WEST BONANZA ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



SDR-16959 - APPLICANT: TODD & ASSOCIATES - OWNER: DONREY OF NEVADA INC.
919 WEST BONANZA ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06

Todd & Associates, Inc.
Architecture/
Planning/
Landscape
Architecture

September 14, 2006

Mr. Mike Howe
Site Design Review (SDR)
Planning & Development Department
City of Las Vegas , Nevada

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Project Description:

919 W. Bonanza Road
Building Demolition and Installation of
Temporary modular offices
For the Las Vegas Review Journal

This project is located in the C-M Industrial Zoning district.
The LasVegas Review Journal is in the process of reorganizing staff and their respective work spaces. They are modernizing and providing desperately needed workspace improvements. This involves remodeling in several different locations on the RJ property. The working spaces in the existing 5 buildings on the property are at maximum capacity. During this extensive process, in order to provide the safest and least disruptive environment, the staff must be relocated to alternative quarters.

Temporary dedicated workspace is required. The nature of the work requires employees to be located on site. The fastest and most direct solution involves installing proposed ,temporary factory built, State of Nevada Certified modular industrial units. These will be delivered and set up on site. The ground space will be provided by razing the obsolete building constructed originally as a radio station in 1955. This building number 919 fronts on Bonanza and is at the end of its life cycle.

The new temporary offices are composed of 3 independent modular buildings fabricated from 12' wide by 60' long units. Two of the floor plans will be comprised of combining 4 units and total 2880 square feet each. The third will be smaller 2160 square feet. The three independent one story structures total 7,920 square feet. They will be a "B" business use occupancy and provide office workstations for approximately 90 workers. The existing adjacent parking on the property will meet the required needs. The new temporary buildings will take up majority of the existing site. The existing building setbacks shall be maintained as will the street frontage landscaping. The new buildings shall not exceed 14' in overall height. The existing landscaping is located in front of an attractive 5' tall ornamental wrought iron between brick columns. The fence traverses the entire frontage.

The mature trees , shrubs and ground cover plantings will screen the modulars from street view from Bonanza Road. The buildings will comply with city zoning and building safety requirements. They will meet ADAA accessibility requirements. These buildings are anticipated to be one site for (12) twelve to possibly (36) months during the remodeling of the various project phases. The buildings will be delivered with the factory standard 2 tone paint scheme. The building body color

is a light gray with a contrasting dark grey trim. The roof is essentially flat and not visible from grade.

The future of the space to be vacated by the modulars is not known at this time. An SDR will be submitted for new construction when the time arises.

These interim buildings are essential to the necessary remodeling and modernization of the existing facilities. The modulars are located approximately 50 feet from the curb, located behind mature trees and landscaping and aren't expected to stand out in the C-M zoning district.

SDR-16959
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City of Las Vegas

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 2, 2006

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

COMMISSIONER DAVENPORT suggested a text amendment requiring every member of a homeowners association (HOA) be notified of any actions impacting their neighborhoods.

MARGO WHEELER, Director of Planning and Development Department, stated the boards of the affected HOAs are notified as well as any impacted property owners.

DEPUTY CITY ATTORNEY BRYAN SCOTT explained the responsibility of notifying the members of the HOAs rested upon their boards.

COMMISSIONER STEINMAN noted that several HOAs are very large and the cost of mailing could be prohibitive.

MEETING ADJOURNED AT 9:41 P.M.

Respectfully submitted:

_____

YDOLEENA YTURRALDE, DEPUTY CITY CLERK

_____

CARMEL VIADO, DEPUTY CITY CLERK