

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO RONEMUS

☐ Consent ☒ Discussion

SUBJECT:

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

Motion made by GARY REESE to Hold in Abeyance Item 87 [GPA-16201], Item 88 [ZON-16196], Item 89 [SUP-16198], Item 90 [SUP-16200] and Item 91 [SDR-16197], Item 92 [ZON-15031], Item 93 [SDR-15030], Item 101 [GPA-16538], Item 102 [ZON-16609], Item 103 [WVR-16610] and Item 104 [SDR-16611], Item 107 [VAR-14734], Item 108 [VAR-16769], Item 111 [SUP-17404], Item 112 [SUP-17405], Item 113 [SDR-16952] and Item 119 [ROC-17677] to 12/20/2006; Item 94 [VAR-16144], Item 95 [SUP-16143] and Item 109 [VAR-16505] to 01/03/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 96 [SUP-15347]

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
LOIS TARKANIAN, LAWRENCE WEEKLY, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LARRY BROWN, STEVEN D. ROSS)

Minutes:

MARGO WHEELER, Director of Planning and Development Department, clarified that the request to hold in abeyance Items 107 and 108 was made by the applicant and not staff.

COUNCILMAN REESE verified for DEPUTY CITY ATTORNEY BRYAN SCOTT that Item 96 be withdrawn without prejudice, as the applicant did not indicate that on the request.

COUNCILWOMAN TARKANIAN requested that Item 109 be held in abeyance for 30 days to address concerns raised by the adjacent neighbors.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PUBLIC WORKS

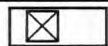
DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

Public hearing on proposed local improvement district for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) - Ward 5 (Weekly)

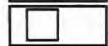
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

The construction of pedestrian enhancements which include sidewalk bulb-outs, mid-block pedestrian crossings with landscaping and decorative and directional signage, gateway arches, removal and installation of new curb, gutter, sidewalk, streetlights, and related traffic signalization and drainage improvements. Costs will be recovered over a 20-year period, in accordance with the Provisional Order approved by City Council on the 1st day of November, 2006.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public hearing notice
2. 17 support letters
3. Submitted after final agenda – 3 protest letters and 2 support letters

Minutes:

CHARLIE KAJKOWSKI, Director of Public Works Department, indicated that Special Improvement District (SID) 1506 would improve streets between Fremont Street, Fifth and Eight Streets, SID 1516 provides for the continuous maintenance. The parcels affected by this SID are properties within Ogden to Carson, Las Vegas Boulevard to Eight Street. He showed photographs depicting the entrance to Fremont Street. Additional improvements would include sign icons of Las Vegas' past, such as replicas of the Silver Slipper. The improvements will include widening the sidewalks, install landscaping and a pedestrian crossing mid-block to facilitate the street being pedestrian friendly. The street will be one lane of traffic each direction, except for turn lanes. Notices were sent out and meetings were held with the affected property owners. Written protests are less than 16 percent. To move forward with the improvements they need 51 percent or better, which they have. To affect the maintenance they would need 33

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

percent or more of protests, which were not received. The item is in order.

MAYOR GOODMAN stated the ambitious, wonderful project would add to the success of downtown. He verified with MR. KAJKOWSKI that the project would be completed by the Spring or Summer of 2007. MAYOR GOODMAN thanked staff for the time they have put into this project, in particular the Council members who represent the downtown area.

TOM McGOWAN, Las Vegas resident, asked when and where the public meetings were held and asked for the minutes. SCOTT ADAMS, Director of the Office of Business Development, replied meetings were conducted by the property owners association and they relied on them to provide notices and facilitate those meetings. Staff has continually had meetings and there have been large scale meetings where all the owners have been invited.

JOHN KITCHEN, 515 Fremont Street, stated he never received a notice regarding any meetings; therefore, he was unable to give his input. He has never been wrong in his prediction as to the outcome of any City induced projects and this project is destined to fail. He does not believe there is a need for another bar in downtown. His business is located adjacent to the Beauty Bar, which has late night concerts and during those concerts, the front of his building is covered with feces, urine and vomit. Additionally, his business depended on the parking meters, they were removed based on information provided by Metro, which is a detriment to businesses because no parking is available for customers. He would like to see the street return to normal with the parking meters reinstalled. He referred to the pictures shown by staff where no pedestrian traffic is present.

FRANK ELEM, 115 North Seventh Street, President of the owners association for Fremont East, indicated that every property owner was notified, including MR. KITCHEN. MR. ELEM supports the SID, as it would increase property values. He represents owners of 101 and 105 Las Vegas Boulevard and 501-513 Las Vegas Boulevard, who fully support this SID. The property owners appreciate the City Council's support of this project.

THEODORE RUSSELL, Las Vegas resident, supports the plan. He believes that the Fremont Street Experience could be extended.

DOUG DEMASI, 1001 Ogden Avenue, appeared on behalf of business owners, who fully support the project.

ALEX LAVECCHIA, General Manager of the Good Day Inn, 707 Fremont Street, fully supports the plan.

VERA BUSICK, owner of a business located at 115 North Seventh Street, stated she will open a restaurant/night club and internet cafe with an upscale soul food theme. She supports the project and looks forward to locating in downtown.

KEVIN KELLY, 120 North Las Vegas Boulevard, Streamline Group, stated that things such as the proposed project encouraged them to move forward with their development. He indicated

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

that Streamline will be completed in January 2008.

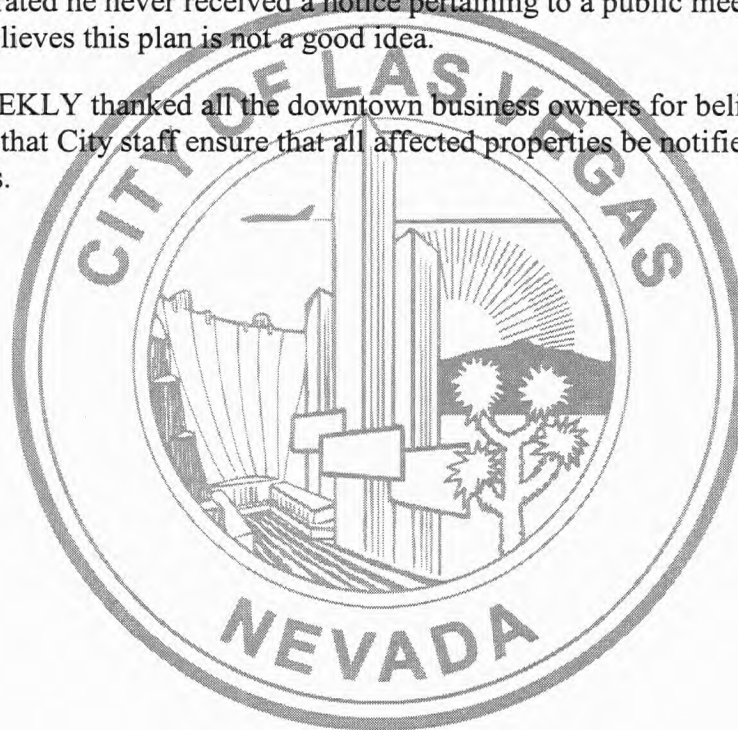
JUSTIN MARTINEZ, 709 through 731 Fremont Street, supports the project because value will be added and draw people to the area.

MIKE NOLEN and JOE WOODY, KENNY and LAWRENCE EPSTEIN, El Cortez, 600 East Fremont Street, were present. MR. NOLEN stated he is excited and wholeheartedly supports the plan. MAYOR GOODMAN pointed out that the El Cortez has become a wonderful casino.

CHARLES FOX, 11 Fremont Street, feels this plan will bring more people downtown. MAYOR GOODMAN thanked him and other business owners for bringing their businesses downtown.

MR. KITCHEN reiterated he never received a notice pertaining to a public meeting regarding this plan. He stills believes this plan is not a good idea.

COUNCILMAN WEEKLY thanked all the downtown business owners for believing in the concept. He stressed that City staff ensure that all affected properties be notified about any future public hearings.



NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS
WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL
IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN
IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City," respectively), Clark County, Nevada, has provisionally ordered the acquisition of a Street Project (the "Project") in and along the following street:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

Except as shown on the preliminary plans and specifications now on file in the Office of the City Clerk and in the office of the Special Improvement District, Department of Public Works in Las Vegas, Nevada, the character of the Project which will be acquired is described more particularly as follows: the Project will consist of the construction of pedestrian enhancements which include sidewalk bulb-outs, mid-block pedestrian crossings with landscaping and decorative and directional signage, gateway arches, removal and installation of new curb, gutter, sidewalk, and streetlights, and related traffic signalization and drainage improvements.

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
\$ 1,970,000	\$ 3,536,280	\$ 5,506,280

Pursuant to NRS 271.300 any estimate of cost does not constitute a limitation upon such cost or a limitation upon the rights and powers of the City.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessment against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project. For example, the assessment for a .5 acre parcel fronting Fremont Street would be calculated as follows:

1.5 (weighting factor) times .5 (parcel acreage) divided by 20.86 (the total weighted acreage in the District), times the total amount to be assessed. If the total amount assessed for the Project was \$1,970,000 (the estimated cost to be

assessed), the property in this example would have an assessment of \$70,829.34.

The boundaries of the District shall be the exterior boundary of each parcel of property bounded by Las Vegas Boulevard, Carson Avenue, Eighth Street, and Ogden Avenue.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots, tracts and parcels of land to be assessed, the portion of the cost to be assessed there against, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, December 6, 2006, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefore, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, December 1, 2006. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing periodically. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council has determined that one-half or more of the total cost of the Project shall be paid with monies derived from sources other than the levy of special assessments and accordingly may take advantage of the exception stated in paragraph (a) of subsection (2) of

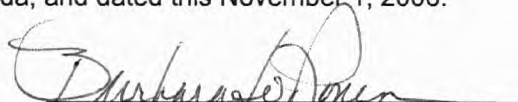
NRS 271.306, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in forty (40) substantially equal semi-annual installments of principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments (at a rate not exceeding two percent (2%) per month or such lower rate, which may be zero percent, for such period as determined by the City Treasurer). The City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. A person desiring to apply for a Hardship Determination shall file an application no later than December 1, 2006, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this November 1, 2006.


BARBARA JO RONEMUS, City Clerk

Fremont East

ENTERTAINMENT DISTRICT

November 10, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

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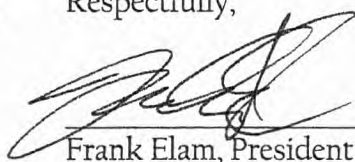
Dear Councilman Weekly:

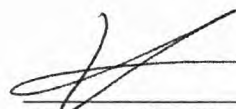
On June 20, 2006, at the annual meeting of the Downtown Entertainment Corporation (DEC), the Board of Directors voted to support the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

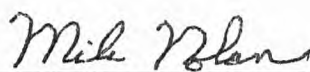
Since the creation of the "Downtown Entertainment Overlay District", the property owners and the City of Las Vegas have worked together to establish, develop and implement the entertainment district; develop and establish special improvement districts (SID), such as the ones under consideration; and develop and implement a security and maintenance plan for the entertainment district which will be in place by July 2007.

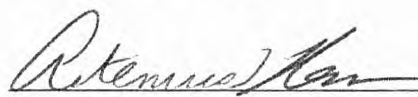
We look forward to the continued growth and expansion of the entertainment district and are willing to work with the City of Las Vegas to create a world-class entertainment venue for all residents and visitors to downtown Las Vegas.

Respectfully,


Frank Elam, President


Kevin Kelly, Vice President


Mike Nolan, Secretary


Artemus Hampp, Treasurer

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 21, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a property owner within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Dario Prati (Name)

707 Fremont, Las Vegas (Address)

____ (Address)

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk



SUPER 8 MOTEL — LAS VEGAS

700 East Fremont Street • Las Vegas, NV 89101 • PHONE: 702-382-4766 • FAX: 702-384-8471

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As an owner of property at 700 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

A handwritten signature in black ink, appearing to read "Ralph J. [unclear]", written over a horizontal line.

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

See you along the way.SM

Operated under a franchise agreement with SUPER 8 MOTELS, INC.

7th Street Properties, LLC
1023 Whitney Ranch Drive
Henderson, NV 89014

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

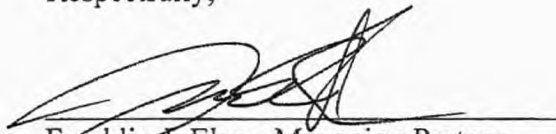
Dear Councilman Weekly:

As a property owner of 111 and 115 N. 7th Street, which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Franklin J. Elam, Managing Partner
7th Street Properties, LLC
1023 Whitney Ranch Drive
Henderson, NV 89014

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Mele Pono Holding Company
P.O. Box 450
Ponderay, ID 83852

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

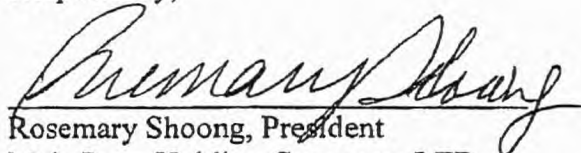
Dear Councilman Weekly:

As a property owner of 501-513 Fremont St and 105 and 111 Las Vegas Blvd. which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,


Rosemary Shoong, President
Mele Pono Holding Company, LTD
P.O. Box 450
Ponderay, ID 83852

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Mele Pono Holding Company
P.O. Box 450
Ponderay, ID 83852

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

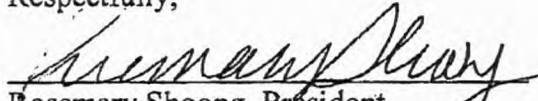
Dear Councilman Weekly:

As a property owner of 124 S 6th St. which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Rosemary Shoong, President
Mele Pono Holding Company, LTD
P.O. Box 450
Ponderay, ID 83852

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 124 S. 6th St #160, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

THAYER & TROylETTE Burton
Just-A-Cut Hair Salon
124 S. SIXTH ST #160

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 124 S 6TH ST, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

CARSON FINANCIAL

WESTERN UNION

Andi Dan

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at V'S CHOC'LET CITY
115 N. 7th ST., LV. 89101, which is within the "Fremont East
Entertainment District", I would like to offer you my support of Special Improvement
District 1506- "Fremont Street Improvements and Special Improvement District 1516-
"Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of
downtown and will be an important attraction for new entertainment venues opening
throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and
look forward to working with the City of Las Vegas in revitalization of our
neighborhood.

Respectfully,



3638 DUNEVILLE ST.

LAS VEGAS, NV. 89103

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 511 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Aaron Chepenik

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at ^{"DOWNTOWN"} 111 S. LV BLVD, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



MICHAEL CORANTHWAITE

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

TAKE 1 NIGHT CLUB

As a tenant at 707 Fremont St, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



707 Fremont St

Las Vegas, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 505 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Harbi Xhindi

2305 Avery Dr.

Las Vegas, NV, 89108

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

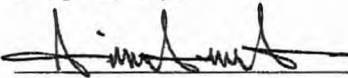
Dear Councilman Weekly:

As a tenant at SO7-E FREMONT, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



811 BIRDGIER 347

LAS VEGAS, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 59 Fremont St., which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Matt S. S.

11000 DESERT DOCK AVE

LAS VEGAS N.V. 89144

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

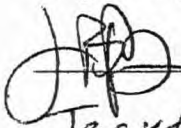
Dear Councilman Weekly:

As a tenant at 124 S 6th #150, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

 Jason Yoon
Jackpot Bail Bond, LLC &
INSURMART, INC.

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Choc'let City
115 N. 7th Street
Las Vegas, NV 89101

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

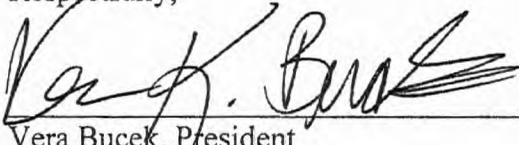
Dear Councilman Weekly:

As a tenant at 111 and 115 N. 7th Street, which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

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

Vera Bucek, President
Choc'let City
115 N. 7th Street
Las Vegas, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

DOWNTOWNER MOTEL
129 N. 8TH STREET
LAS VEGAS, NV. 89101

RECEIVED
CITY CLERK

NOVEMBER 30, 2006

2006 NOV 29 P 3:05

OFFICE OF THE CITY CLERK
400 STEWART AVE
LAS VEGAS, NV 89101

ATTENTION: CITY CLERK

SUBJECT: OBJECTION TO THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT

GENTLEMEN:

I HEREBY OBJECT TO THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT #1506
ND #1516 DUE TO THE FACT THAT IN 2005 AND 2006 I'VE INCURED LARGE EXPENSES
IMPROVING PROPERTIES OPERATING AS THE DOWNTOWNER MOTEL AND ANY
ADDITIONAL EXPENDITURES WOULD ENDANGER MY ABILITY TO STAY IN BUSINESS.

HERE IS A LIST OF ALL THE PROPERTY ADDRESSES AND PARCEL NUMBERS
BELONGING TO THE DOWNTOWNER MOTEL:

129 N. 8TH STREET	139-34-612-017
121 N. 8TH STREET	139-34-612-018
108 N. 8TH STREET	139-34-612-031
800 E. FREEMONT STREET	139-34-612-030
110 N. 8TH STREET	139-34-612-032
120 N. 8TH STREET	139-34-612-033
210 N. 8TH STREET	139-34-612-014
218 N. 8TH STREET	139-34-612-013
100 N. 7TH STREET	139-34-612-009
124 N. 8TH STREET	139-34-612-034

Protest

SINCERELY,

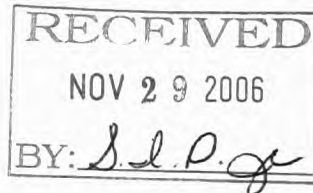


ADA COHEN, OWNER

Submitted after final agenda

Date 11/29/06 Item #75 + 76

November 27, 2006



RECEIVED
CITY CLERK Page 1 of 2

Department of Public Works
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

2006 NOV 30 A 8:31
APN: # 139-34-611-021
139-34-611-022
139-34-612-005

Re: Protest and Objection of Special Improvement Districts # 1506 and # 1516

Protest

Dear Sir or Madam:

Please be advised that on behalf of Mr. Dario Pini; owner of the three (3) parcels noted above, we are protesting and objecting to the formation of the two (2) districts proposed. The November 1, 2006 Notice and enclosures for the December 6, 2006 Public Hearing is fraught with problems and issues of inequality and methodology in cost and financing.

The procedure of Hardship Determination only for those of principal residence, is biased and favorable, at best. Consider that Mr. Pini is from California and faces State Income Tax payment while a Nevada resident does not. Mr. Pini also operates a hotel in the area that contributes room taxes to the City of Las Vegas, whereas an individual does not. It is clear that a strong argument is at hand regarding the disparity of cost/benefit to residents.

The Special Improvement Districts themselves; their costs and their funding is suspect. One District (No. 1506) appears clearly for construction; financed over twenty (20) years and aside from the fact that an arbitrary "estimate" of special assessment cost is used in the notice (which "conveniently" places the assessment cost at less than 50% of the total), appears reasonable on the surface. However, the other District does not even seem to be reasonable. This "Vitalization Project" appears to be a perpetual annual cost that is a mishmash of construction, maintenance, security, and even entertainment; far outside the scope of Public Works. The construction and rehabilitation capital costs should not be in this District, but should be in District No. 1506; properly ingrained in that project, having these costs also financed over twenty (20) years, not one (1). Elements of security should relate to the law enforcement agencies, with promotions to the Chamber of Commerce.

The methodology of cost determination against the parcels in the District is arbitrary. The "weights" of Fremont Street frontage (1.5x factor) vs Side Street frontage (1.0x factor) is totally subjective and not correct. This infers that 50% more benefit is derived from the "Front" vs the "Side" streets, whereas foot traffic is foot traffic; everyone benefits. In the District plan for "enhanced protection of persons and property" and "promotion of public events", it is evident that actually "Side Street" frontage derives the greatest benefit, with the "favored" person of principle residence perhaps deriving most while paying the least. There is also another "implicit" cost involved; the cost of business disruption during the period of construction. Business (especially in "Front" Street), suffers and "pays" most. There is no "weighing factor" that can be fair; only a percentage of acreage to the total.

Department of Public Works (Cont.)

Even the timing of the date of notice, leading to the date of public hearing, is suspect. The date of the Notice was 11/1/06; however, the notice was not even mailed until 11/16/06. It then was received in California on 11/20/06 and not able to be picked up by the Owner, Mr. Pini, who was traveling, until 11/22/06. Compare this against an ensuing 12/1/06 "request date" to respond in writing, followed up by a 12/6/06 public hearing date, where "A Property Owner's Only Chance To Present Evidence To Demonstrate That His or Her Estimated Assessments Are Excessive Will Be At The Public Hearing And A Property Owner Will Not Be Able To Present Any Additional Evidence Upon Subsequent Appeal To District Court." Twenty-Two (22) days to get the information to the Owner against only Fourteen (14) days to review, understand, research and appeal against a unilateral "drop dead date" of 12/6/06 for complete information presentation? Unreasonable, if not an illegal attempt to "fast track" these onerous and costly Special Improvements along.

In summary, The Department of Public Works is arbitrarily and subjectively attempting to fund over \$2,200,000 of costs in one year and establish a perpetuity of funded costs over subsequent years, directly from property owners. The Department has not proven that it has maximized funding available from other sources, it has not optimized bond funding for hard capital costs to spread them out over 20 year instead of 1 and it has been very arbitrary in it's methods of exempting certain individuals from cost, while also using subjective "weighing" criterion at hand to incorrectly "redistribute" costs involved. This imparts too grave and unfair an economic burden to the owners within the Districts. Work that is needed should be optimally funded by other sources with any remainder funded by bond issues that enable owners the opportunity to spread out the cost over 20+ years on an equitable basis; this being the percentage of acreage to the total involved. All other "soft" and "recurring" costs that can't be absorbed by other agencies, should be specific in nature, agreed upon by the majority of owners involved on an annual basis for approval.

The above is the primary basis for our Objection and Protest, but in no way is a waiver of any and all legal rights available to us to pursue any legal recourse, despite the attempt to limit information and possible discovery, subsequent to the 12/6/06 Hearing Date. We believe limited information has been provided to us from the November 1, 2006 mailing.

Sincerely,



John R. Burchette, for Dario Pini

CC: Mr. Dario Pini, Property Owner
Mr. Larry Powell, Esq., Bright & Powell at Law



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

CHARLES KAJKOWSKI, JR.
PUBLIC WORKS DIRECTOR

November 1, 2006

CERTIFIED MAIL

Pini Dario
1335 Mission Ridge Rd
Santa Barbara CA 93103-2056

APN: 139-34-611-021
139-34-611-022
139-34-612-005

RE: Notice of Public Hearing on Special Improvement District Nos. 1506 and 1516

Dear Property Owner:

The enclosed hearing notices describe two (2) Special Improvement Districts that are being proposed within the Downtown Entertainment Overlay District. Special Improvement District (SID) 1506 is being proposed to construct pedestrian improvements along Fremont Street between Las Vegas Boulevard and 8th Street and SID 1516 is a Commercial Area Vitalization Project (CAVP) being proposed to provide maintenance and security along the same Fremont Street corridor.

Please refer to the enclosed notices for a complete description of the improvements proposed and to determine how your assessments were calculated. Additionally, attached are your Preliminary Assessments for the two (2) referenced districts.

A Public Hearing with the City Council to address your concerns with SID 1506 and 1516 will be held Wednesday, **December 6, 2006**, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, Las Vegas, Nevada.

The City acknowledges that assessment projects such as these may pose financial concerns for property owners. In an effort to address this possibility, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. A person desiring to apply must file an application with Clark County Department of Social Service (CCSS) no later than December 1, 2006. Please contact CCSS at (702) 455-8687 for a pre-qualification screening and application.

If you have project design or construction questions, contact Dave Bowers at (702) 229-6272. If you have any questions regarding your property assessments, contact Mike Thompson, at (702) 229-2136.

Sincerely,

Charles Kajkowski, Jr., P.E.
Director of Public Works

cc: Councilman Lawrence Weekly
Jorge Cervantes, P.E., P.T.O.E
Dave Bowers, P.E.
Mike Thompson

CK:jc

Attachments

DEPARTMENT OF PUBLIC WORKS
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101
OFFICE 702.229.6276
FAX 702.382.0848
TTY 702.386.9108
www.lasvegasnevada.gov



NATIONWIDE CHECK SERVICE, INC.

515 Fremont Street • Las Vegas, Nevada 89101

(702) 384-2228 • Fax (702) 382-2311

RECEIVED
CITY CLERK

2006 DEC -1 P 2:40

1 DEC. 2006

LAS VEGAS, NV.

CITY OF LAS VEGAS

CITY COUNCIL

400 STEWART AVE

LAS VEGAS, NV. 89101

Protest

RE:

SPECIAL IMPROVEMENT DISTRICT NO. 1506

SPECIAL IMPROVEMENT DISTRICT NO. 1516

TO WHOM IT MAY CONCERN

MY NAME IS JOHN KITCHEN AND I OWN THE BUILDING AT
515 FREMONT ST. I WOULD LIKE TO FILE THIS NOTICE
OF MY TOTAL OPPOSITION TO BOTH OF THESE PROJECTS AS
REQUIRED BY THE CERTIFIED LETTER THAT I RECEIVED
RECENTLY. I AM DEEPLY DISTURBED WITH THESE PROJECTS AND
WOULD LIKE THE OPPORTUNITY TO FULLY DISCLOSE MY
OBJECTIONS AT THE CITY COUNCIL MEETING SCHEDULED
FOR 6TH DECEMBER 2006 AT 1:00 PM.

John Kitchen

JOHN KITCHEN

PRESIDENT

NATIONWIDE CHECK SERVICE

515 FREMONT ST.

Submitted after final agency

Date 12/1/06 Item #75 +
#76

November 20, 2006

RECEIVED
CITY CLERK

2006 NOV 30 A 10: 36

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

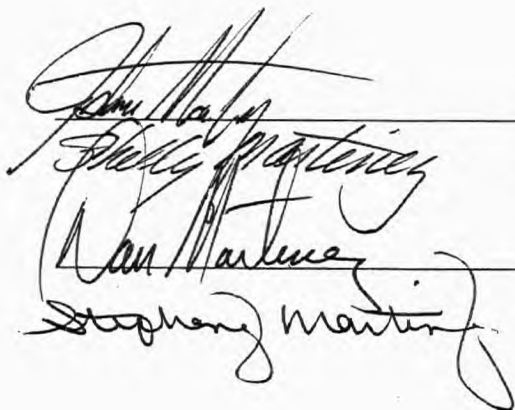
Dear Councilman Weekly:

As property owners (parcel # 139-34-612-084) within the "Fremont East Entertainment District", we would like to offer our support for the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attracting more visitors to downtown Las Vegas.

Again, we support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in the revitalization of our neighborhood. We hope that you support and approve of our project "Neon Heights".

Respectfully,



Justen and Shelly Martinez
1729 Wandering Winds Way
Las Vegas, NV 89128

Dan and Stephany Martinez
585 Camino Montebello
Santa Fe, NM 87501

Support

Cc: Mayor Oscar Goodman
Mayor Pro-Tern Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

601 Fremont, LLC

425 North Federal Highway
Hallandale, FL 33009
(954) 922-6070

December 1, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2006 DEC - 1 P 4: 25

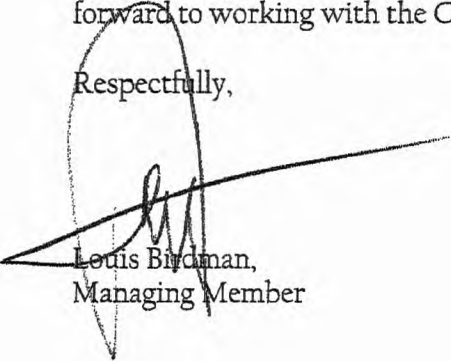
Dear Councilman Weekly:

As a property owner within the "Fremont East Entertainment District", I would like to offer my support for the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attracting more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in the revitalization of our neighborhood.

Respectfully,


Louis Birdman,
Managing Member

Support

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Submitted after final agency

Date 12/1/06 Item #75 &
76

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

Public hearing on proposed local improvement district for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) - Ward 5 (Weekly)

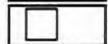
Fiscal Impact



No Impact



Augmentation Required



Budget Funds Available

Dept./Division:

Amount:

Funding Source:

PURPOSE/BACKGROUND:

The District is being formed to provide annual funding for the general maintenance of the Fremont Street Pedestrian Improvements. Costs will be recovered through annual assessments, which shall be paid each year in four (4) substantially equal quarterly installments of principal without interest, in accordance with the Provisional Order approved by City Council on the 1st day of November, 2006.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public hearing notice
2. 17 support letters
3. Submitted after final agenda – 3 protest letters and 2 support letters

Minutes:

See Item 75 for related discussion.

NOTICE OF HEARING ON A PROPOSED COMMERCIAL AREA
VITALIZATION PROJECT AND ASSESSMENTS WITHIN THE PROPOSED
CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT
NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS
BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN to the property owners and tenants within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City," respectively), Clark County, Nevada, has provisionally ordered the acquisition, improvement and maintenance of a Commercial Area Vitalization Project (the "Project") in and along the following street:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

Except as shown on the preliminary plans and specifications now on file in the Office of the City Clerk and in the office of the Special Improvement District, Department of Public Works in Las Vegas, Nevada, the character of the Project which will be maintained is described more particularly as follows: The Project will consist of all or part of the following: the beautification and improvement of the public portions of any area zoned primarily for business or commercial purposes, including, without limitation, public restrooms, facilities for outdoor lighting and heating, decorations, fountains, landscaping, facilities or equipment, or both, to enhance protection of persons and property, ramps, sidewalks, rehabilitation or removal of existing structures, promotional activities including the promotion of public events that benefit business or real property, providing music in any public place, promotion of tourism marketing and economic development, including the recruitment and retention of retail business, providing services related to security, sanitation, the removal of graffiti, the cleaning of streets and sidewalks and providing other municipal services that are supplemental to those typically provided by the City and any other activity that benefits businesses and real property located in the District. The District is being formed to finance the annual costs of acquiring, improving and maintaining the Project. The City will annually adopt a budget for the Project and will annually assess the costs of maintenance against all benefited tracts in the District.

The preliminary estimated annual cost of the Project and the amount to be assessed is as follows:

Estimated Annual Amount of Special Assessments	Amount Available from Other Sources	Total Annual Cost
\$ 245,052	\$ 0.00	\$ 245,052

Pursuant to NRS 271.300 any estimate of cost does not constitute a limitation upon such cost or a limitation upon the rights and powers of the City.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessment against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project. For example, the assessment for a .5 acre parcel fronting Fremont Street would be calculated as follows:

1.5 (weighting factor) times .5 (parcel acreage) divided by 20.86 (the total weighted acreage in the District), times the total amount to be assessed. If the total amount assessed for the Project was \$245,052 (the estimated preliminary annual cost to be assessed), the parcel in this example would have an annual assessment of \$8,810.60.

The boundaries of the District shall be the exterior boundary of each parcel of property bounded by Las Vegas Boulevard, Carson Avenue, Eighth Street, and Ogden Avenue.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements in the Project) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the annual cost, a description of the lots, tracts and parcels of land to be assessed, the portion of the cost to be assessed there against, and the amount of maximum annual benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the Office of the Special Improvement District, Department of Public Works, and at the Office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

On Wednesday, December 6, 2006, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring, improving and maintaining such Project, as to the estimated cost thereof, as to the manner of payment therefore, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the Office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, December 1, 2006. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing periodically. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination, but thereafter all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

- (1) He is entitled to be represented by counsel at the hearing;

(2) Any evidence he desires to present on these issues must be presented at the hearing; and

(3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

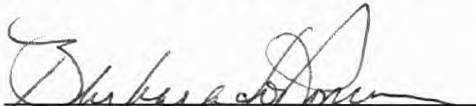
A person who owns or resides within a tract in the District which is used exclusively for residential purposes may file a protest to inclusion in the assessment plat pursuant to NRS 271.392. Pursuant to NRS 271.306, if written remonstrance's by the owners of tracts constituting one-third or more of the basis for the computation assessments for the Project are presented to the City Council, the City Council shall not proceed with the Project.

After such hearing, the City Council shall determine the advisability of undertaking the Project, and, if it determines to proceed, shall determine the kind and character of such improvements so to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the annual assessments shall be paid each year in four (4) substantially equal quarterly installments of principal without interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties (at a rate not exceeding two percent (2%) per month or such lower rate, which may be zero percent, for such period as determined by the City Treasurer) to be collected upon delinquent payments.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. A person desiring to apply for a Hardship Determination shall file an application no later than December 1, 2006 with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City of Las Vegas, Nevada, and dated this November 1, 2006.


BARBARA JO RONEMUS
City Clerk

Fremont East

ENTERTAINMENT DISTRICT

November 10, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

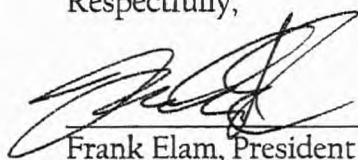
Dear Councilman Weekly:

On June 20, 2006, at the annual meeting of the Downtown Entertainment Corporation (DEC), the Board of Directors voted to support the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

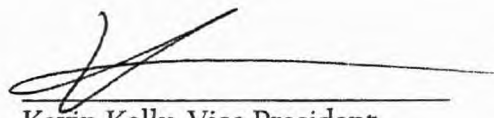
Since the creation of the "Downtown Entertainment Overlay District", the property owners and the City of Las Vegas have worked together to establish, develop and implement the entertainment district; develop and establish special improvement districts (SID), such as the ones under consideration; and develop and implement a security and maintenance plan for the entertainment district which will be in place by July 2007.

We look forward to the continued growth and expansion of the entertainment district and are willing to work with the City of Las Vegas to create a world-class entertainment venue for all residents and visitors to downtown Las Vegas.

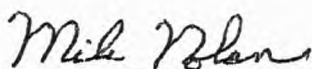
Respectfully,



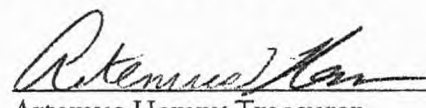
Frank Elam, President



Kevin Kelly, Vice President



Mike Nolan, Secretary



Artemus Hampp, Treasurer

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 21, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a property owner within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Dario Priari (Name)

707 Fremont, Las Vegas (Address)

____ (Address)

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk



SUPER 8 MOTEL — LAS VEGAS

700 East Fremont Street • Las Vegas, NV 89101 • PHONE: 702-382-4766 • FAX: 702-384-8471

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As an owner of property at 700 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

A handwritten signature in black ink, appearing to read "R. Joseph J. J. J.", written over a horizontal line.

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

See you along the way.

Operated under a franchise agreement with SUPER 8 MOTELS, INC.

7th Street Properties, LLC
1023 Whitney Ranch Drive
Henderson, NV 89014

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

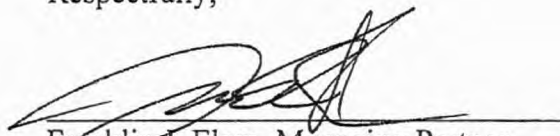
Dear Councilman Weekly:

As a property owner of 111 and 115 N. 7th Street, which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Franklin J. Elam, Managing Partner
7th Street Properties, LLC
1023 Whitney Ranch Drive
Henderson, NV 89014

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Mele Pono Holding Company
P.O. Box 450
Ponderay, ID 83852

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

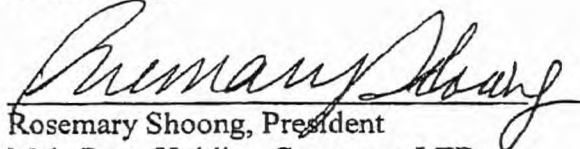
Dear Councilman Weekly:

As a property owner of 501-513 Fremont St and 105 and 111 Las Vegas Blvd. which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Rosemary Shoong, President
Mele Pono Holding Company, LTD
P.O. Box 450
Ponderay, ID 83852

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Mele Pono Holding Company
P.O. Box 450
Ponderay, ID 83852

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

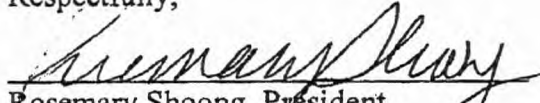
Dear Councilman Weekly:

As a property owner of 124 S 6th St. which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Rosemary Shoong, President
Mele Pono Holding Company, LTD
P.O. Box 450
Ponderay, ID 83852

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 124 S. 6th St #160, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

THAYER & TROylETTE Burton
Just-A-Cut Hair Salon
124 S. SIXTH ST #160

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 124 S 6TH ST, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

CARSON FINANCIAL

WESTERN UNION

And Dan

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

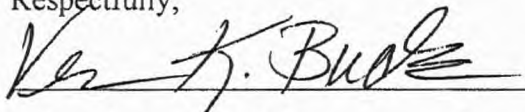
Dear Councilman Weekly:

As a tenant at V'S CHOC'LET CITY
115 N. 7th ST., LV. 89101, which is within the "Fremont East
Entertainment District", I would like to offer you my support of Special Improvement
District 1506- "Fremont Street Improvements and Special Improvement District 1516-
"Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of
downtown and will be an important attraction for new entertainment venues opening
throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and
look forward to working with the City of Las Vegas in revitalization of our
neighborhood.

Respectfully,


3638 DUNEVILLE ST.
LAS VEGAS, NV. 89103

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

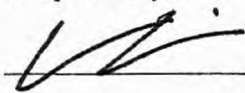
Dear Councilman Weekly:

As a tenant at 511 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Aaron Chepenik

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

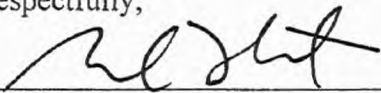
Dear Councilman Weekly:

As a tenant at ^{"DOWNTOWN"} 111 S. LV BLVD, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



MICHAEL CORNTHWAITE

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

TAKE 7 NIGHT CLUB

As a tenant at 707 FREMONT ST, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



707 FREMONT ST

LAS VEGAS, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 505 E. Fremont, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Harbi Xhindi

2305 Avery Dr.

Las Vegas, NV, 89108

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

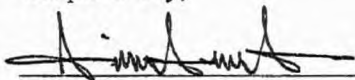
Dear Councilman Weekly:

As a tenant at 507. E FREMONT, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



811 BIRDGIER 347

LAS VEGAS, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

Dear Councilman Weekly:

As a tenant at 59 Fremont St., which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,

Walt Sells
11000 DESERT DOCK AVE
LAS VEGAS N.V. 89144

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

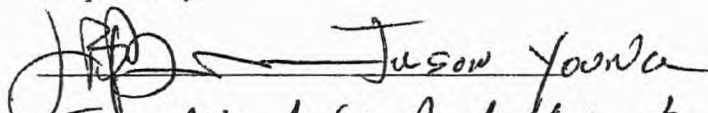
Dear Councilman Weekly:

As a tenant at 124 S 6th #150, which is within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,


Jason Yonka
Jackpot Bail Bond, LLC &
INSURMART, INC.

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Choc'let City
115 N. 7th Street
Las Vegas, NV 89101

November 9, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

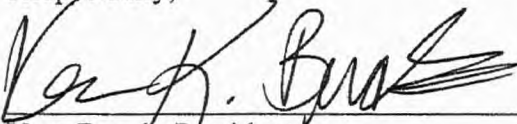
Dear Councilman Weekly:

As a tenant at 111 and 115 N. 7th Street, which are within the "Fremont East Entertainment District", I would like to offer you my support of Special Improvement District 1506- "Fremont Street Improvements and Special Improvement District 1516- "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attraction more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in revitalization of our neighborhood.

Respectfully,



Vera Bucek, President
Choc'let City
115 N. 7th Street
Las Vegas, NV 89101

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

DOWNTOWNER MOTEL
129 N. 8TH STREET
LAS VEGAS, NV. 89101

RECEIVED
CITY CLERK

NOVEMBER 30, 2006

2006 NOV 29 P 3:05

OFFICE OF THE CITY CLERK
400 STEWART AVE
LAS VEGAS, NV 89101

ATTENTION: CITY CLERK

SUBJECT: OBJECTION TO THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT

GENTLEMEN:

HEREBY OBJECT TO THE SPECIAL IMPROVEMENT DISTRICT ASSESSMENT #1506
AND #1516 DUE TO THE FACT THAT IN 2005 AND 2006 I'VE INCURED LARGE EXPENSES
IMPROVING PROPERTIES OPERATING AS THE DOWNTOWNER MOTEL AND ANY
ADDITIONAL EXPENDITURES WOULD ENDANGER MY ABILITY TO STAY IN BUSINESS.

HERE IS A LIST OF ALL THE PROPERTY ADDRESSES AND PARCEL NUMBERS
BELONGING TO THE DOWNTOWNER MOTEL:

129 N. 8TH STREET	139-34-612-017
121 N. 8TH STREET	139-34-612-018
108 N. 8TH STREET	139-34-612-031
800 E. FREEMONT STREET	139-34-612-030
110 N. 8TH STREET	139-34-612-032
120 N. 8TH STREET	139-34-612-033
210 N. 8TH STREET	139-34-612-014
218 N. 8TH STREET	139-34-612-013
100 N. 7TH STREET	139-34-612-009
124 N. 8TH STREET	139-34-612-034

Protest

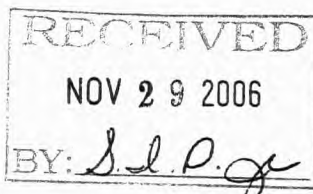
SINCERELY,

Ada Cohen
ADA COHEN, OWNER

Submitted after final agenda

Date 11/29/06 Item #75 + 76

November 27, 2006



RECEIVED
CITY CLERK of 2

Department of Public Works
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

2006 NOV 30 A 8:31
APN: # 139-34-611-021
139-34-611-022
139-34-612-005

Re: Protest and Objection of Special Improvement Districts # 1506 and # 1516

Protest

Dear Sir or Madam:

Please be advised that on behalf of Mr. Dario Pini; owner of the three (3) parcels noted above, we are protesting and objecting to the formation of the two (2) districts proposed. The November 1, 2006 Notice and enclosures for the December 6, 2006 Public Hearing is fraught with problems and issues of inequality and methodology in cost and financing.

The procedure of Hardship Determination only for those of principal residence, is biased and favorable, at best. Consider that Mr. Pini is from California and faces State Income Tax payment while a Nevada resident does not. Mr. Pini also operates a hotel in the area that contributes room taxes to the City of Las Vegas, whereas an individual does not. It is clear that a strong argument is at hand regarding the disparity of cost/benefit to residents.

The Special Improvement Districts themselves; their costs and their funding is suspect. One District (No. 1506) appears clearly for construction; financed over twenty (20) years and aside from the fact that an arbitrary "estimate" of special assessment cost is used in the notice (which "conveniently" places the assessment cost at less than 50% of the total), appears reasonable on the surface. However, the other District does not even seem to be reasonable. This "Vitalization Project" appears to be a perpetual annual cost that is a mishmash of construction, maintenance, security, and even entertainment; far outside the scope of Public Works. The construction and rehabilitation capital costs should not be in this District, but should be in District No. 1506; properly ingrained in that project, having these costs also financed over twenty (20) years, not one (1). Elements of security should relate to the law enforcement agencies, with promotions to the Chamber of Commerce.

The methodology of cost determination against the parcels in the District is arbitrary. The "weights" of Fremont Street frontage (1.5x factor) vs Side Street frontage (1.0x factor) is totally subjective and not correct. This infers that 50% more benefit is derived from the "Front" vs the "Side" streets, whereas foot traffic is foot traffic; everyone benefits. In the District plan for "enhanced protection of persons and property" and "promotion of public events", it is evident that actually "Side Street" frontage derives the greatest benefit, with the "favored" person of principle residence perhaps deriving most while paying the least. There is also another "implicit" cost involved; the cost of business disruption during the period of construction. Business (especially in "Front" Street), suffers and "pays" most. There is no "weighing factor" that can be fair; only a percentage of acreage to the total.

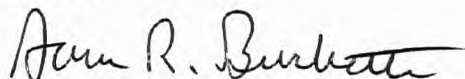
Department of Public Works (Cont.)

Even the timing of the date of notice, leading to the date of public hearing, is suspect. The date of the Notice was 11/1/06; however, the notice was not even mailed until 11/16/06. It then was received in California on 11/20/06 and not able to be picked up by the Owner, Mr. Pini, who was traveling, until 11/22/06. Compare this against an ensuing 12/1/06 "request date" to respond in writing, followed up by a 12/6/06 public hearing date, where "A Property Owner's Only Chance To Present Evidence To Demonstrate That His or Her Estimated Assessments Are Excessive Will Be At The Public Hearing And A Property Owner Will Not Be Able To Present Any Additional Evidence Upon Subsequent Appeal To District Court." Twenty-Two (22) days to get the information to the Owner against only Fourteen (14) days to review, understand, research and appeal against a unilateral "drop dead date" of 12/6/06 for complete information presentation? Unreasonable, if not an illegal attempt to "fast track" these onerous and costly Special Improvements along.

In summary, The Department of Public Works is arbitrarily and subjectively attempting to fund over \$2,200,000 of costs in one year and establish a perpetuity of funded costs over subsequent years, directly from property owners. The Department has not proven that it has maximized funding available from other sources, it has not optimized bond funding for hard capital costs to spread them out over 20 year instead of 1 and it has been very arbitrary in it's methods of exempting certain individuals from cost, while also using subjective "weighing" criterion at hand to incorrectly "redistribute" costs involved. This imparts too grave and unfair an economic burden to the owners within the Districts. Work that is needed should be optimally funded by other sources with any remainder funded by bond issues that enable owners the opportunity to spread out the cost over 20+ years on an equitable basis; this being the percentage of acreage to the total involved. All other soft" and "recurring" costs that can't be absorbed by other agencies, should be specific in nature, agreed upon by the majority of owners involved on an annual basis for approval.

The above is the primary basis for our Objection and Protest, but in no way is a waiver of any and all legal rights available to us to pursue any legal recourse, despite the attempt to limit information and possible discovery, subsequent to the 12/6/06 Hearing Date. We believe limited information has been provided to us from the November 1, 2006 mailing.

Sincerely,



John R. Burchette, for Dario Pini

CC: Mr. Dario Pini, Property Owner
Mr. Larry Powell, Esq., Bright & Powell at Law



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

CHARLES KAJKOWSKI, JR.
PUBLIC WORKS DIRECTOR

DEPARTMENT OF PUBLIC WORKS
CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

OFFICE 702.229.6276

FAX 702.382.0848

TTY 702.386.9108

www.lasvegasnevada.gov

November 1, 2006

CERTIFIED MAIL

Pini Dario
1335 Mission Ridge Rd
Santa Barbara CA 93103-2056

APN: 139-34-611-021
139-34-611-022
139-34-612-005

RE: Notice of Public Hearing on Special Improvement District Nos. 1506 and 1516

Dear Property Owner:

The enclosed hearing notices describe two (2) Special Improvement Districts that are being proposed within the Downtown Entertainment Overlay District. Special Improvement District (SID) 1506 is being proposed to construct pedestrian improvements along Fremont Street between Las Vegas Boulevard and 8th Street and SID 1516 is a Commercial Area Vitalization Project (CAVP) being proposed to provide maintenance and security along the same Fremont Street corridor.

Please refer to the enclosed notices for a complete description of the improvements proposed and to determine how your assessments were calculated. Additionally, attached are your Preliminary Assessments for the two (2) referenced districts.

A Public Hearing with the City Council to address your concerns with SID 1506 and 1516 will be held Wednesday, **December 6, 2006**, at 1:00 p.m., in the City Council Chambers at 400 Stewart Avenue, Las Vegas, Nevada.

The City acknowledges that assessment projects such as these may pose financial concerns for property owners. In an effort to address this possibility, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. A person desiring to apply must file an application with Clark County Department of Social Service (CCSS) no later than December 1, 2006. Please contact CCSS at (702) 455-8687 for a pre-qualification screening and application.

If you have project design or construction questions, contact Dave Bowers at (702) 229-6272. If you have any questions regarding your property assessments, contact Mike Thompson, at (702) 229-2136.

Sincerely,

Charles Kajkowski, Jr., P.E.
Director of Public Works

cc: Councilman Lawrence Weekly
Jorge Cervantes, P.E., P.T.O.E
Dave Bowers, P.E.
Mike Thompson

CK:jc

Attachments



NATIONWIDE CHECK SERVICE, INC.

515 Fremont Street • Las Vegas, Nevada 89101
(702) 384-2228 • Fax (702) 382-2311

RECEIVED
CITY CLERK

2006 DEC -1 P 2:40

1 DEC. 2006

LAS VEGAS, NV.

CITY OF LAS VEGAS

CITY COUNCIL

400 STEWART AVE

LAS VEGAS, NV. 89101

Protest

RE:

SPECIAL IMPROVEMENT DISTRICT NO. 1506

SPECIAL IMPROVEMENT DISTRICT NO. 1516

TO WHOM IT MAY CONCERN

MY NAME IS JOHN KITCHEN AND I OWN THE BUILDING AT
515 FREMONT ST. I WOULD LIKE TO FILE THIS NOTICE
OF MY TOTAL OPPOSITION TO BOTH OF THESE PROJECTS AS
REQUIRED BY THE CERTIFIED LETTER THAT I RECEIVED
RECENTLY. I AM DEEPLY DISTURBED WITH THESE PROJECTS AND
WOULD LIKE THE OPPORTUNITY TO FULLY DISCLOSE MY
OBJECTIONS AT THE CITY COUNCIL MEETING SCHEDULED
FOR 6TH DECEMBER 2006 AT 1:00 PM.

John Kitchen

JOHN KITCHEN

PRESIDENT

NATIONWIDE CHECK SERVICE

515 FREMONT ST

Submitted after final agency

Date 12/1/06 Item #75 +
#76

601 Fremont, LLC

425 North Federal Highway
Hallandale, FL 33009
(954) 922-6070

December 1, 2006

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

2006 DEC - 1 P 4: 25

RECEIVED
CITY CLERK

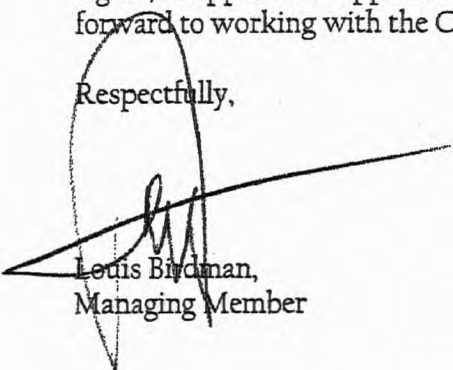
Dear Councilman Weekly:

As a property owner within the "Fremont East Entertainment District", I would like to offer my support for the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attracting more visitors to downtown Las Vegas.

Again, I support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in the revitalization of our neighborhood.

Respectfully,


Louis Birdman,
Managing Member

Support

Cc: Mayor Oscar Goodman
Mayor Pro-Tem Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

Submitted after final agency

Date 12/1/06 Item #75 & 76

November 20, 2006

RECEIVED
CITY CLERK

2006 NOV 30 A 10: 36

Councilman Lawrence Weekly
City of Las Vegas
400 Stewart Avenue, 10th Floor
Las Vegas, Nevada 89101

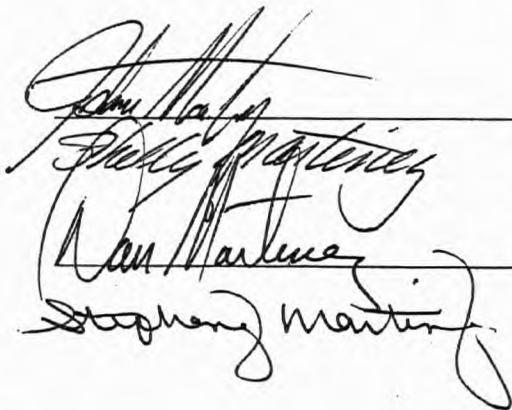
Dear Councilman Weekly:

As property owners (parcel # 139-34-612-084) within the "Fremont East Entertainment District", we would like to offer our support for the creation of Special Improvement District 1506 - "Fremont Street Improvements" and Special Improvement District 1516 - "Maintenance District".

The proposed streetscape improvements will be a wonderful addition to this area of downtown and will be an important attraction for new entertainment venues opening throughout Fremont East and attracting more visitors to downtown Las Vegas.

Again, we support and approve of the creation of the two special improvement districts and look forward to working with the City of Las Vegas in the revitalization of our neighborhood. We hope that you support and approve of our project "Neon Heights".

Respectfully,



Justen and Shelly Martinez
1729 Wandering Winds Way
Las Vegas, NV 89128

Dan and Stephany Martinez
585 Camino Montebello
Santa Fe, NM 87501

Support

Cc: Mayor Oscar Goodman
Mayor Pro-Term Gary Reese
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steve Ross
Las Vegas Office of City Clerk

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-16956 – ABEYANCE ITEM - APPLICANT/OWNER: RINKAI AMERICA INC - Request for an Extension of Time of an approved Special Use Permit (SUP-5028) THAT ALLOWED A 73-STORY MIXED-USE DEVELOPMENT at 2423 and 2417 Las Vegas Boulevard (APN 162-04-813-070 and 071; 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

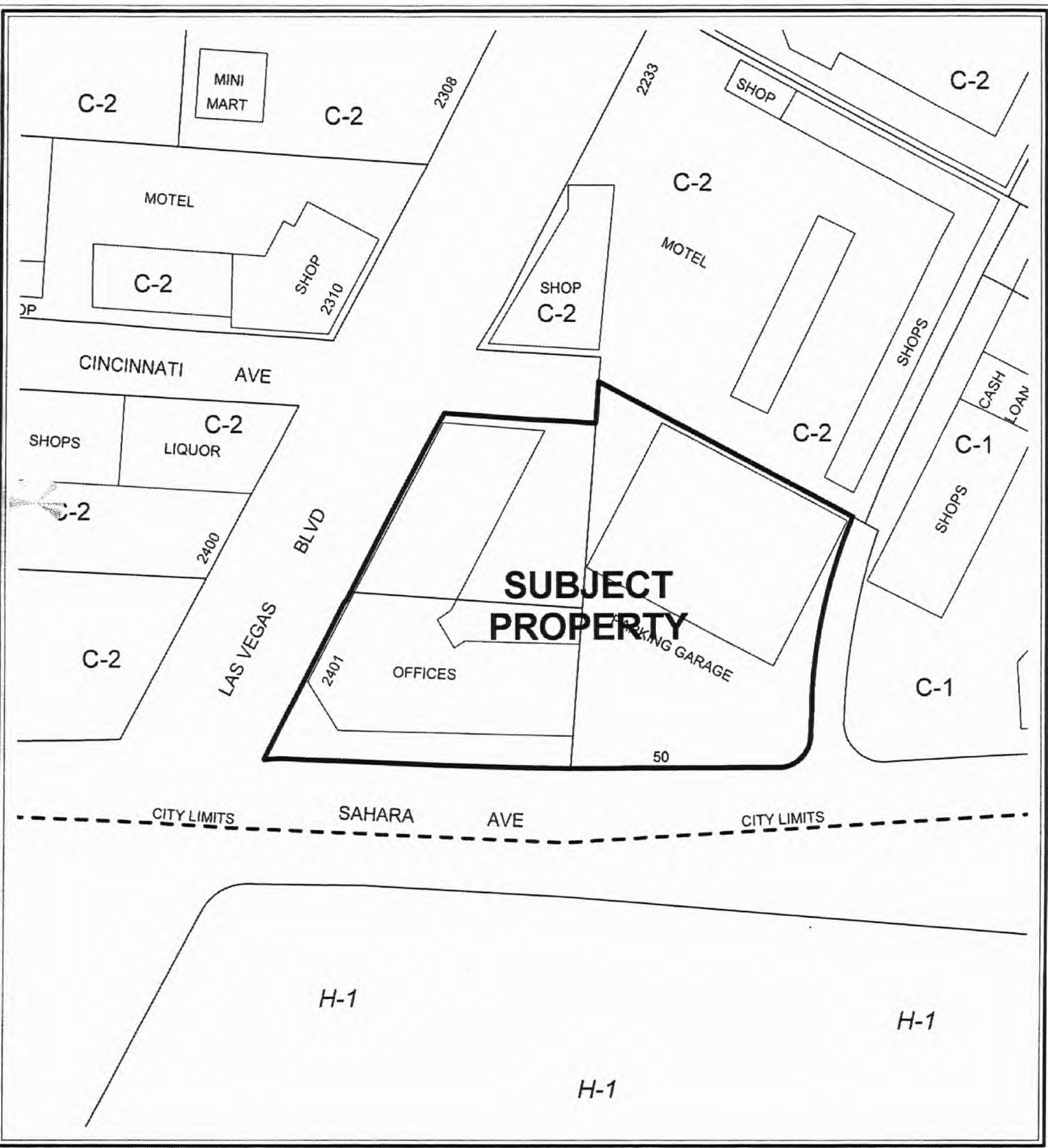
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-5028

Motion made by GARY REESE to Approve subject to conditions Item 77 [EOT-16956], Item 78 [EOT-17462], Item 79 [EOT-17460] and Item 80 [EOT-16702]

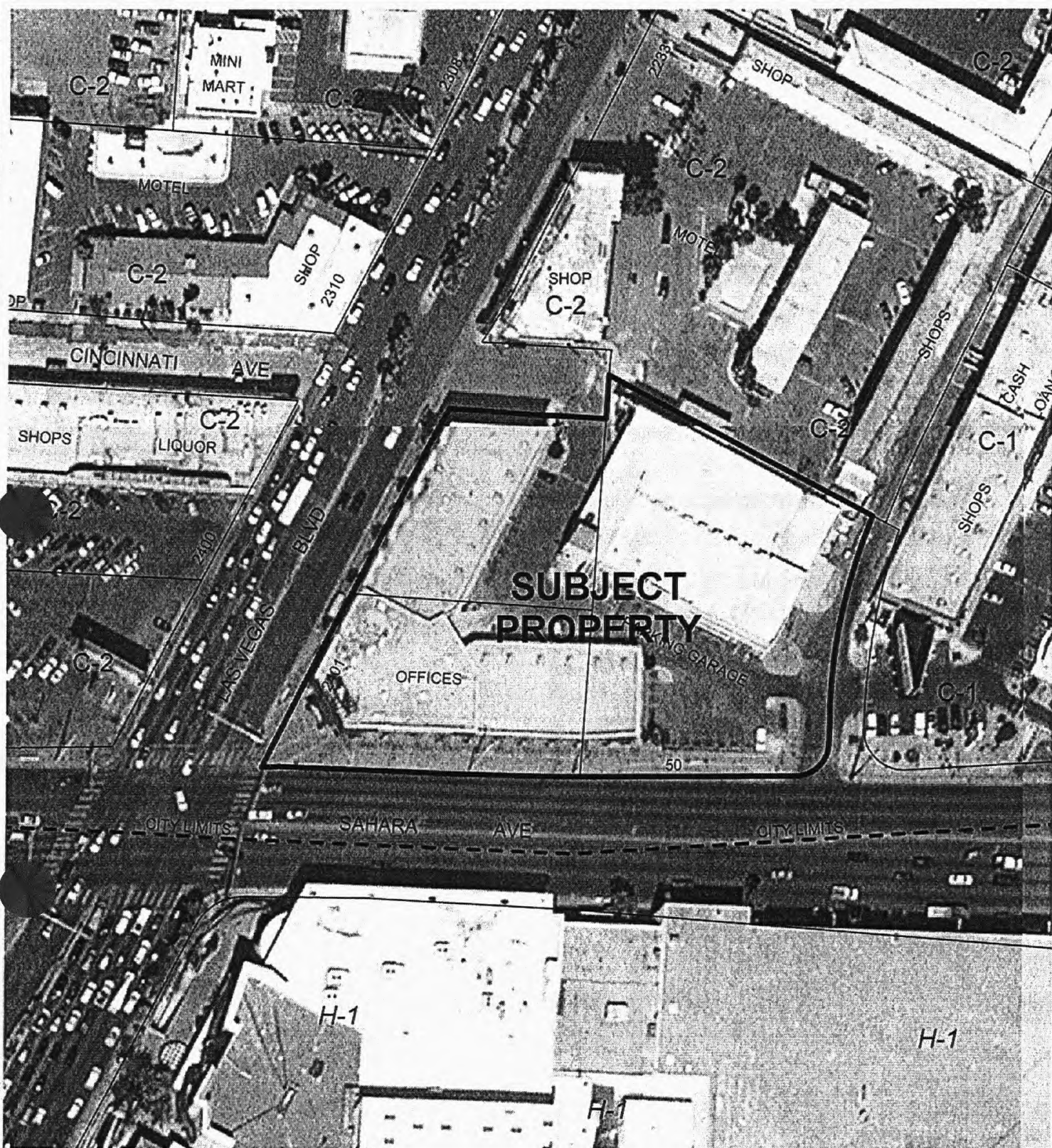
Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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



CASE: EOT-16956

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



0 60 120 Feet

CASE: EOT-16956

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - EOT-16956 - EXTENSION OF TIME - SPECIAL
USE PERMIT - APPLICANT/OWNER: RINKAI AMERICA INC

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on November 3, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-5028) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/03/04	The City Council approved a Site Development Plan Review (SDR-5027) and Waivers of Downtown Centennial Plan Standards for streetscaping, building stepbacks, and reflective glazing for a 73-story, 1,300,000 square-foot mixed use development consisting of 960 condominium units and 25,000 square feet of commercial uses and Special Use Permit (SUP-5028) for a proposed 73-story mixed-use development on 2.17 acres at 2423 and 2417 Las Vegas Boulevard. The Planning Commission and staff recommended approval on 10/07/04.
03/02/05	The City Council approved a Vacation (VAC-5030) Petition to Vacate a 20-foot (20') wide public alley generally located north of Sahara Avenue, west of Paradise Road. The Planning Commission and staff recommended approval on 01/27/05.
06/15/05	The City Council approved a Review of Condition (ROC-6691) Request for a Review of Conditions for an approved Site Development Plan Review (SDR-5027) to remove Condition Numbers 18, 27 and 30 for an approved 73-story, 863-foot tall, 1,300,000 square foot mixed use development consisting of 951 condominium units and 41,000 square feet of commercial uses 2.17 acres at 2417 and 2423 South Las Vegas Boulevard. Staff recommended approval of the request.
11/03/05	The Planning Commission approved a Tentative Map (TMP-9117) for a 944-Unit Mixed Use Condominium Development 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued; and nothing is in the plan check process on the subject site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant building	C (Downtown Commercial)	C-2 (General Commercial)
North	Commercial building/parking garage	C (Downtown Commercial)	C-2 (General Commercial)
South	Casino	Clark County	Clark County

East	Parking garage	C (Downtown Commercial)	C-2 (General Commercial)
West	Multi-tenant commercial	C (Downtown Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-5028) that allowed a 73-story mixed-use development at 2423 and 2417 Las Vegas Boulevard.

ANALYSIS

This is the first Extension of Time for the subject Special Use Permit (SUP-5028), which was approved by the City Council on 11/03/04. There was an associated Site Development Plan Review (SDR-5027) also approved by the City Council. An Extension of Time for the Site Development Plan Review has not been submitted. The justification letter indicates that the applicant will be redesigning the project. Also, the applicant indicates that the project has been delayed due to financial constraints, but includes that they will be moving forward with a modified version of the project. Therefore, the Extension of Time cannot be supported since the Site Development Plan Review has expired.

Previous Conditions of Approval from Special Use Permit (SUP-5028)

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5027).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

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

FINDINGS

Staff cannot support the Extension of Time for the Special Use Permit (SUP-5028). The related Site Development Plan Review (SDR-5027) has since expired. The applicant indicates that the project will be redesigned at a later date. Therefore, the subject Extension of Time cannot be supported and recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-16956 APN: APN 162-04-813-070 AND 071, 162-03-410-008

Name of Property Owner: Rinkai America Inc

Name of Applicant: Ken Kim

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: _____

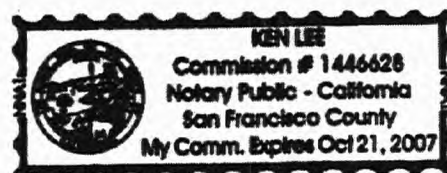
Signature of Property Owner: (KK)

Print Name: Ken Kim

Subscribed and sworn before me

This 15th day of SEPTEMBER, 2006

Notary Public in and for said County and State



Summit Residential Condos on the Strip

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE
LAS VEGAS, NEVADA



City of Las Vegas

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Date: August 12, 2004

DR

Project # 200401166
Proposal # 200401001.110

10150 COWINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-1234 WWW.JMARCH.COM

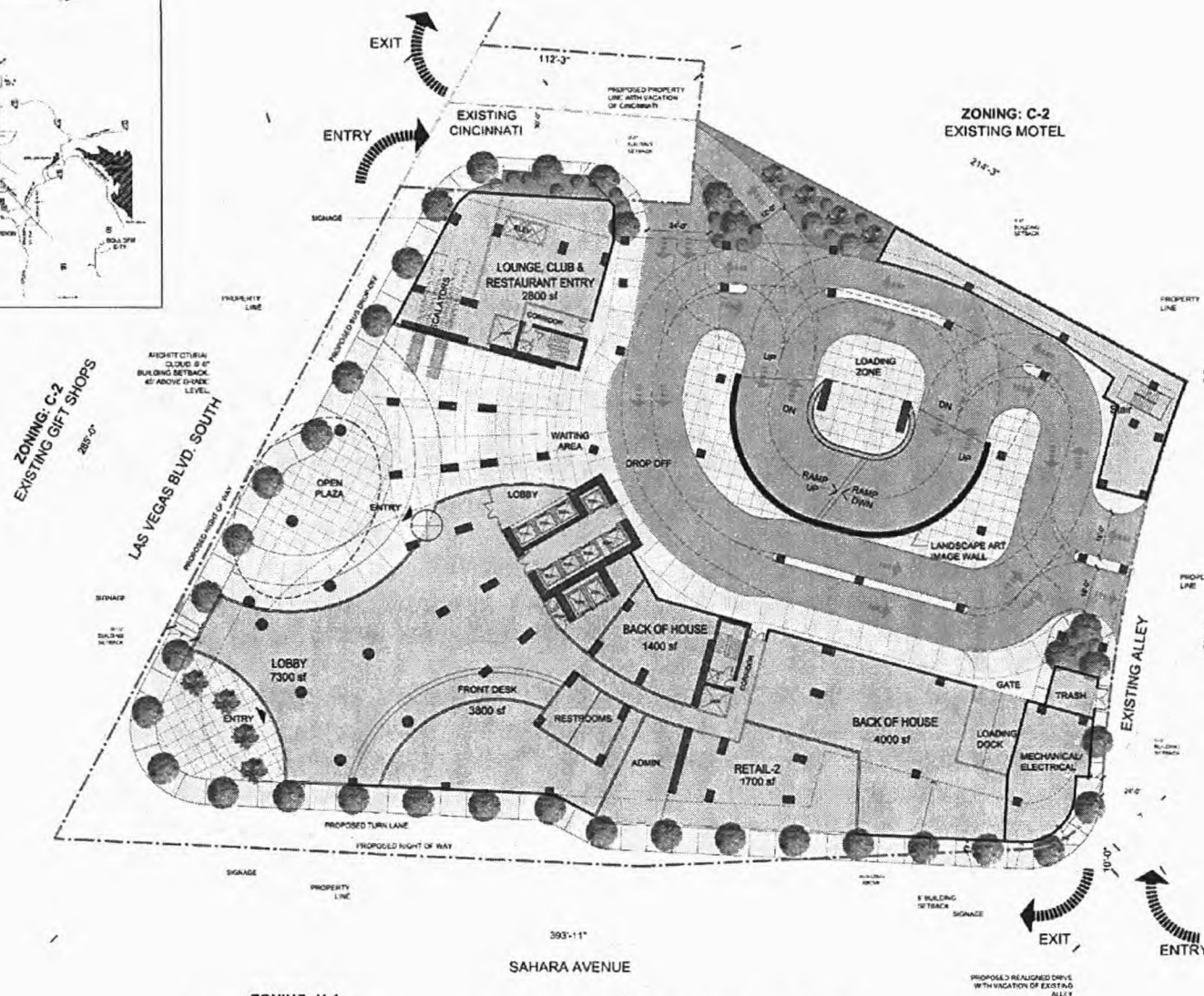
RECEIVED

SEP 19 2006

EOT-16956
11/01/06 CC



PLANTING LEGEND	
SYMBOL	BOTANICAL COMMON NAME
	LEUCOPHLEA LEUCUM GLADIOS PRIVET
	UNUS PARVIFLORUS SHALE (M. STD) DRAGE (M)
	WATERFRONTIA BUCCHIA MAYO'S PINK PALM - 27' TALL
	CAPPARINA GRIFFIN YELLOW ELEG OF PARADISE
	FALSA - AFRICA JUNIPERO AKA A



ZONING: H-1
EXISTING SAHARA HOTEL

SITE PLAN / GROUND LEVEL
SCALE: 1"= 20'

393-11°

SAHARA AVENUE

THE PLAIN

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

BOULEVARD

-16956

52

700 CC

JMA ARCHITECTURE STUDIOS

Parking

PARKING STRUCTURE

TOTAL 12 LEVELS	4100 SPACES
STANDARD - SINGLE SPACE	876 SPACES
STANDARD - DOUBLE SPACE	767 / 767 SPACES

TYPICAL PARKING (FUTURE) (FLOOR 5-11): 1 FLOOR @ 1100 SPACES EACH _____ 7700 SPACES
 RESTROOMS - 1 EACH FLOOR (FLOOR 5-11) - 1 FLOOR @ 200 SPACES EACH _____ 2000 SPACES
 STAIRWELL (LEVEL 5-11) @ 100 SPACES EACH _____ 1000 SPACES
 STAIRWELL (LEVEL 1-4) @ 100 SPACES EACH _____ 1000 SPACES
 STAIRWELL (LEVEL 12) @ 100 SPACES EACH _____ 100 SPACES

Proposed Parking Calculations:

[illegible][illegible]

Site Zoning

BITE AREA:	217 Acres (M425 #1)
Parcel Number:	162-04-113-000 162-04-113-037 162-04-113-030
Map Address:	2423 S Los Vegas Blvd 2417 S Los Vegas Blvd Los Vegas - 89101
Jurisdiction:	
City Ward:	Gary Reese
Rating Class:	
Existing:	General Commercial District (C-1)
Proposed:	General Commercial District (C-1)
Special Use Permit:	Mixed Use
Discussed Overlay District:	
Underwritten by the Las Vegas Developmental Commission:	
Dwelling Unit Density:	960 units per 217 Acres
Year Sequence Winner:	
1st Sequence:	Front Interior: 0 feet
2nd Sequence:	Front Interior side: 0 feet
3rd Sequence:	Side: 0 feet
Height:	82.5 feet
BUILDING AREA:	~1,300,000 sq ft

BUILDING AREA: +/- 1,300,000 sq

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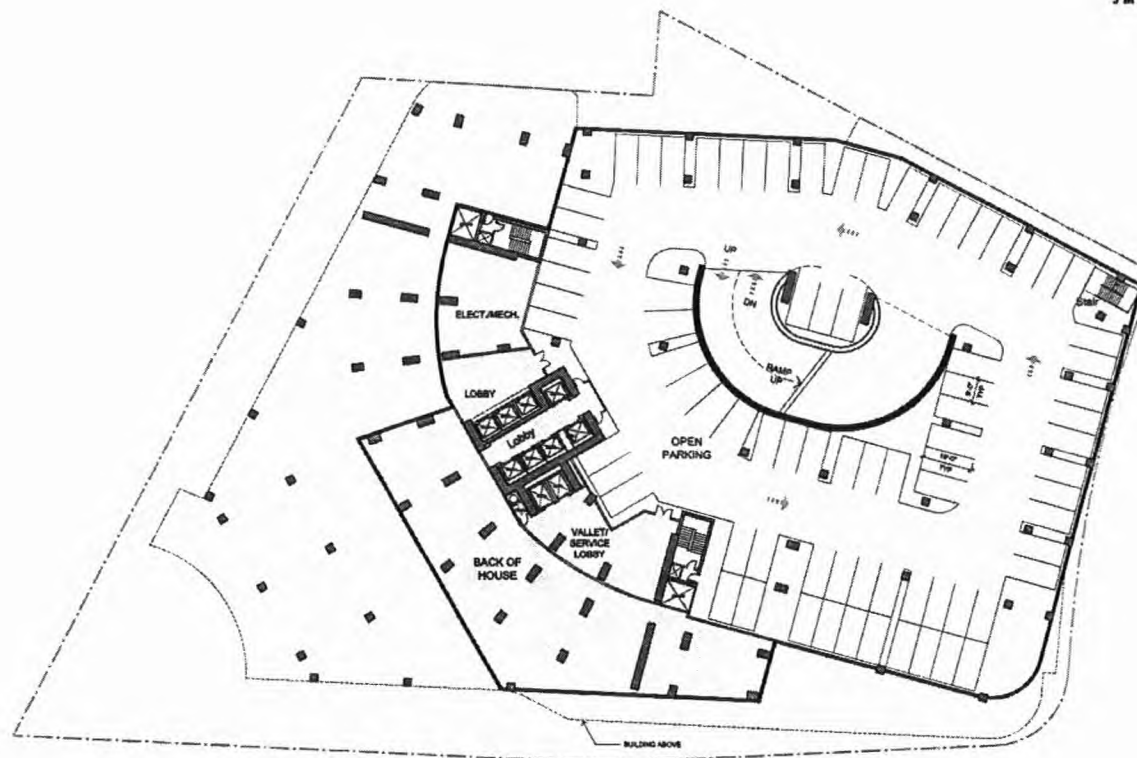
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0-40-
61 101 104 40 1004

Order

DR-01



PARKING SPACES PER LEVEL:
 OPEN PARKING: 58 (OPEN)
 SINGLE SPACE PARKING: 10/10 (OPEN)
 DOUBLE SPACE / TANDEM PARKING: 10/10 (OPEN)
 TOTAL: 78

TYPICAL SUB-GRADE LEVEL (SUB FLOOR 1 and 2)

SCALE: 1"= 20'

SITE DEVELOPMENT PLAN REVIEW
 SPECIAL USE PERMIT

Summit Residential Condos on the Strip

City of Las Vegas
 LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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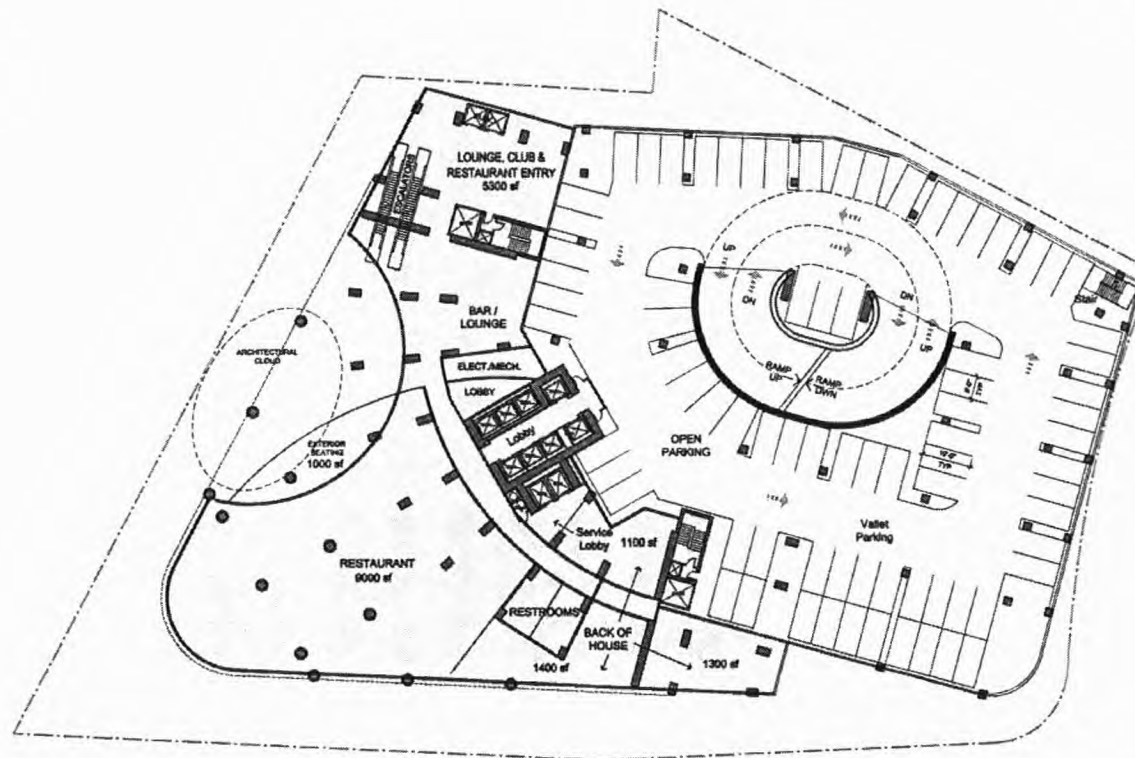
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PARKING SPACES PER LEVEL:
 OPEN PARKING: 58 (OPEN)
 SINGLE SPACE PARKING: 10/10 (VALLEY)
 DOUBLE SPACE / TANDEM PARKING: 10/10 (VALLEY)
 TOTAL: 78

RESTAURANT LEVEL (FLOOR 2)

SCALE: 1" = 20'

SITE DEVELOPMENT PLAN REVIEW
 SPECIAL USE PERMIT

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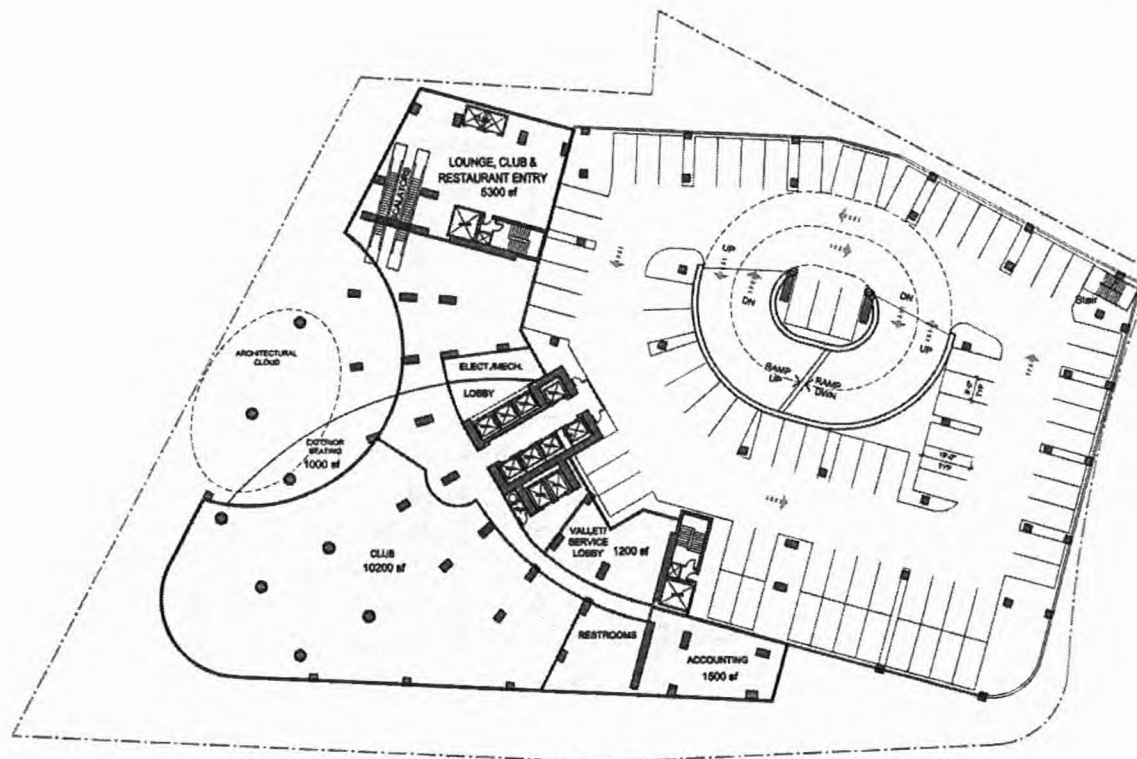
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CLUB LEVEL (FLOOR 3)

SCALE: 1" = 20'

PARKING SPACES PER LEVEL:	
SINGLE SPACE PARKING:	98
DOUBLE SPACE / TANDEM PARKING:	10/10
TOTAL:	78

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

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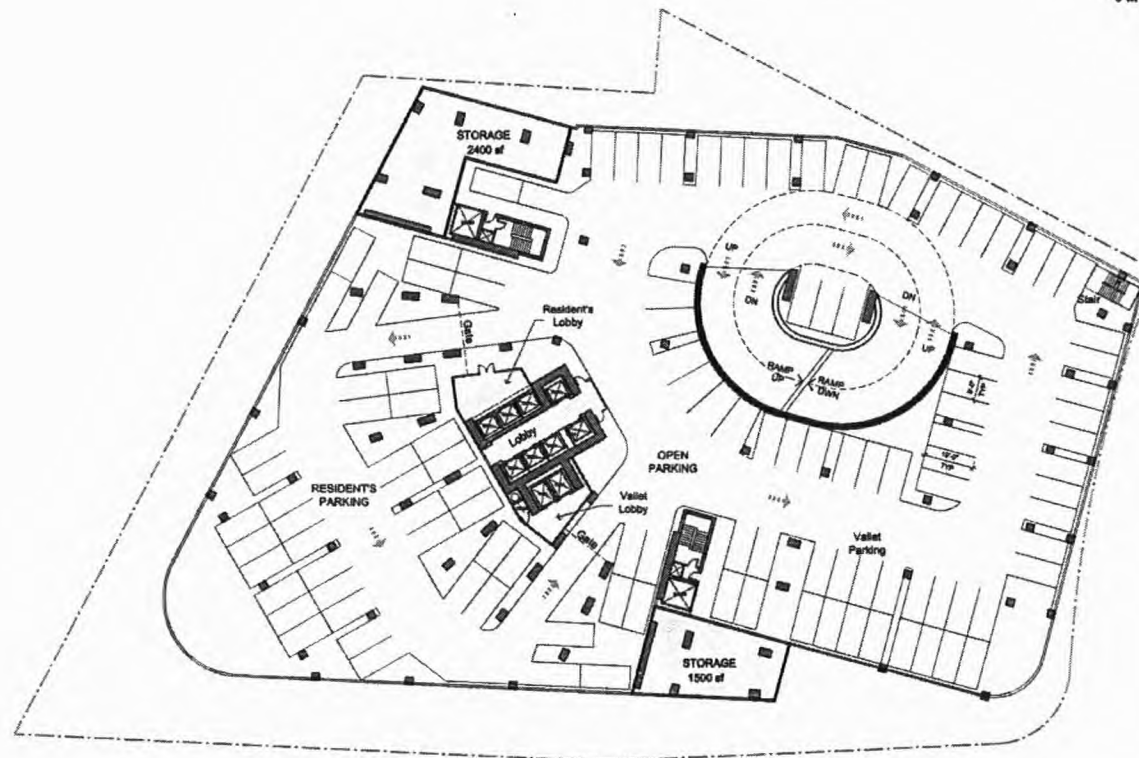


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PARKING SPACES PER LEVEL:

OPEN PARKING	
SINGLE SPACE PARKING:	50 (OPEN)
DOUBLE SPACE / TANDUM PARKING:	15/15 (VALLET)
RESIDENT'S PARKING	
SINGLE SPACE PARKING:	8
DOUBLE SPACE / TANDUM PARKING:	15/15
TOTAL:	118

TYPICAL PARKING LEVEL (FLOOR 4 - 11) 8 LEVELS

SCALE: 1"= 20'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

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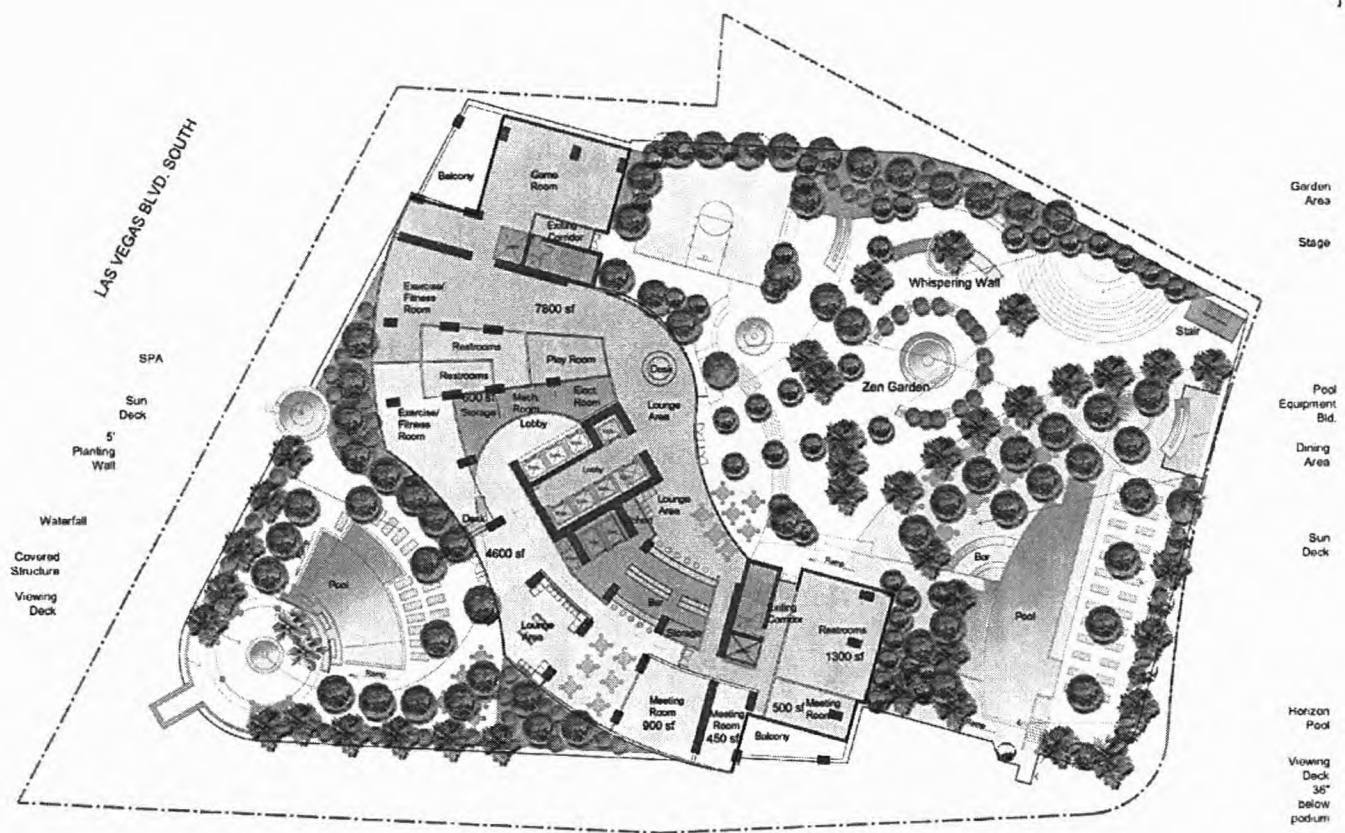


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SAHARA

PODIUM LEVEL (FLOOR 12)
SCALE: 1" = 20'

Garden Area
Stage
Pool Equipment Bld.
Dining Area
Sun Deck
Horizon Pool
Viewing Deck
36' below podium

PLANTING LEGEND	
SYMBOL	BOTANICAL - COMMON NAME
	LEUCOSTEMUM LUCIDUM
	GLOSSY PRIVET
	ULMUS PARVIFOLIUS ORANGE (30' DTD)
	DRACAENA ELM
	WASHINGTONIA ROBUSTA
	MEXICAN FAN PALM - 25' HIGH
	CASSIA BISPINOSA
	YELLOW BIRD OF PARADISE
	FATSIA JAPONICA
	JAPANESE AMARYLLIS

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

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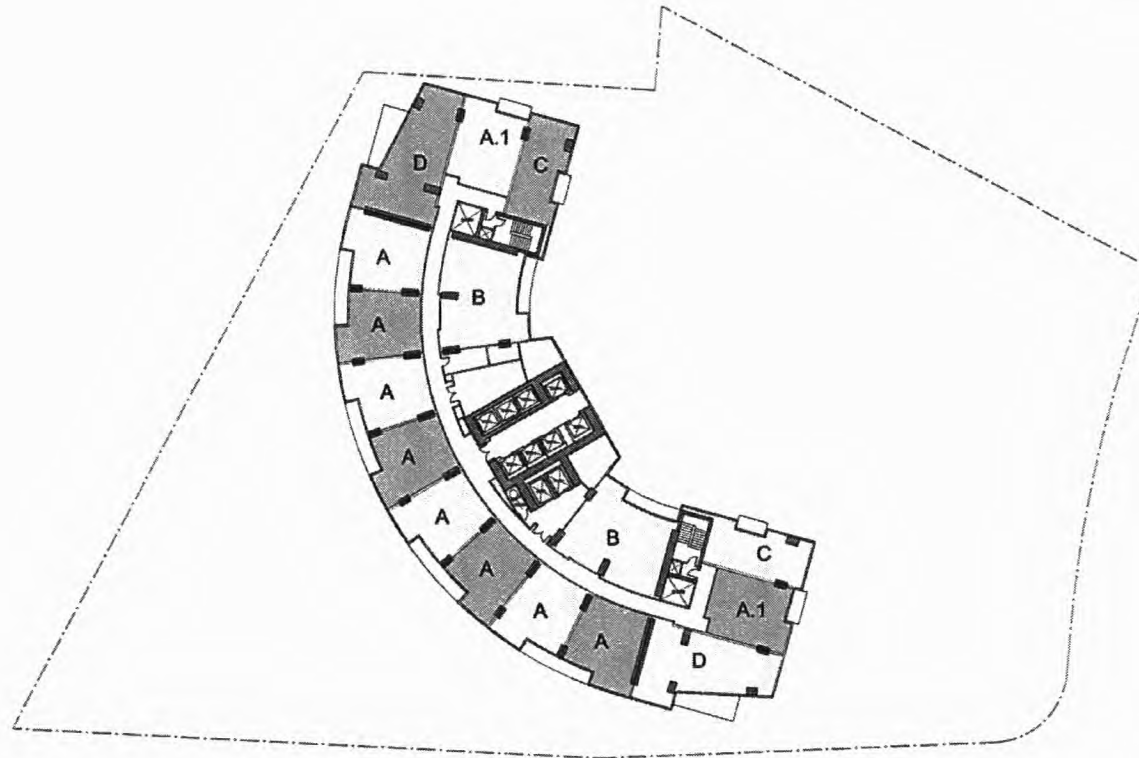
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TYPICAL CITY HOME RESIDENTIAL CONDO LEVEL(FLOOR 13-52) 40 LEVELS

SCALE: 1" = 20'

SITE DEVELOPMENT PLAN REVIEW
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LAS VEGAS, NEVADA

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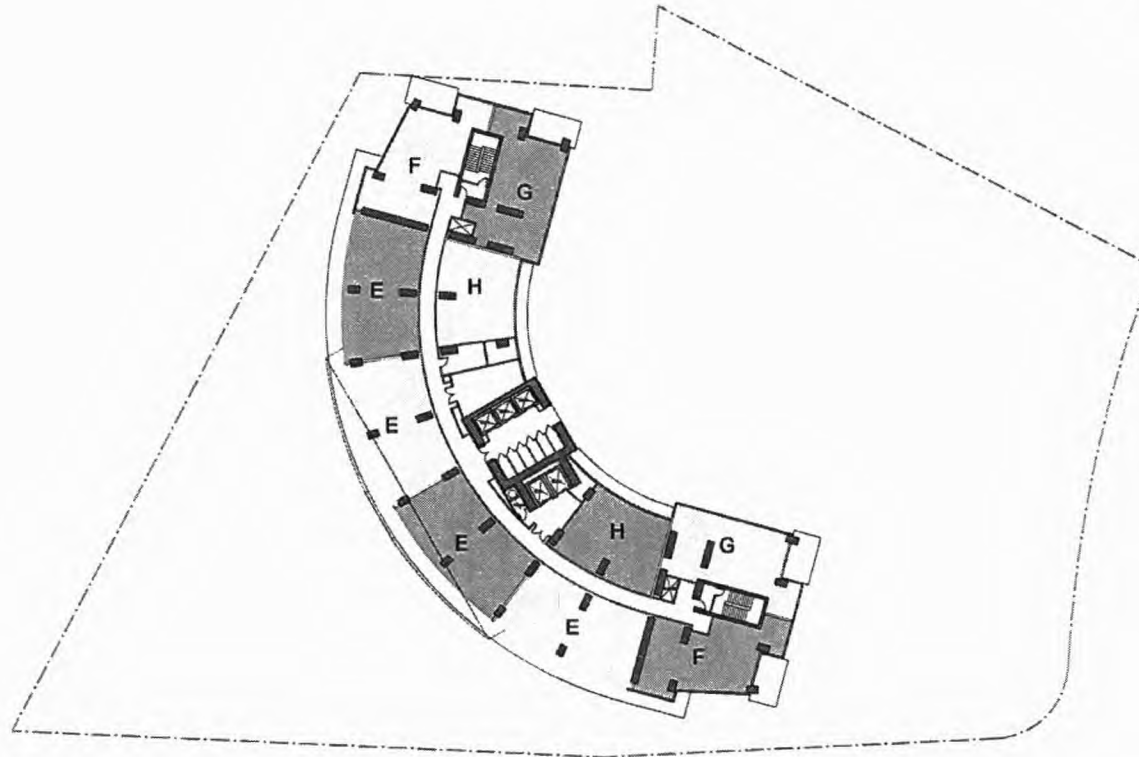
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TYPICAL SKY HOME RESIDENTIAL CONDO LEVEL(FLOOR 54-65) 12 LEVELS

SCALE: 1"= 20'

SITE DEVELOPMENT PLAN REVIEW
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Summit Residential Condos on the Strip

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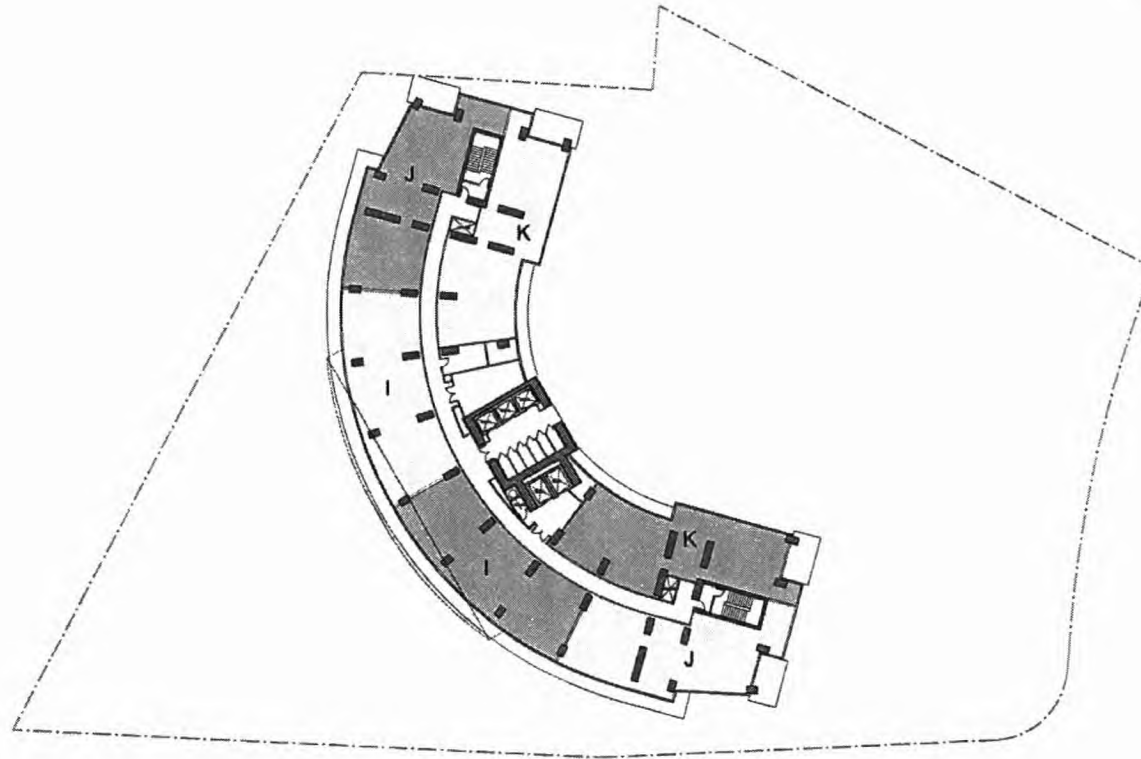
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TYPICAL SIGNATURE RESIDENTIAL CONDO LEVEL (FLOOR 66-70) 5 LEVELS

SCALE: 1"= 20'

SITE DEVELOPMENT PLAN REVIEW
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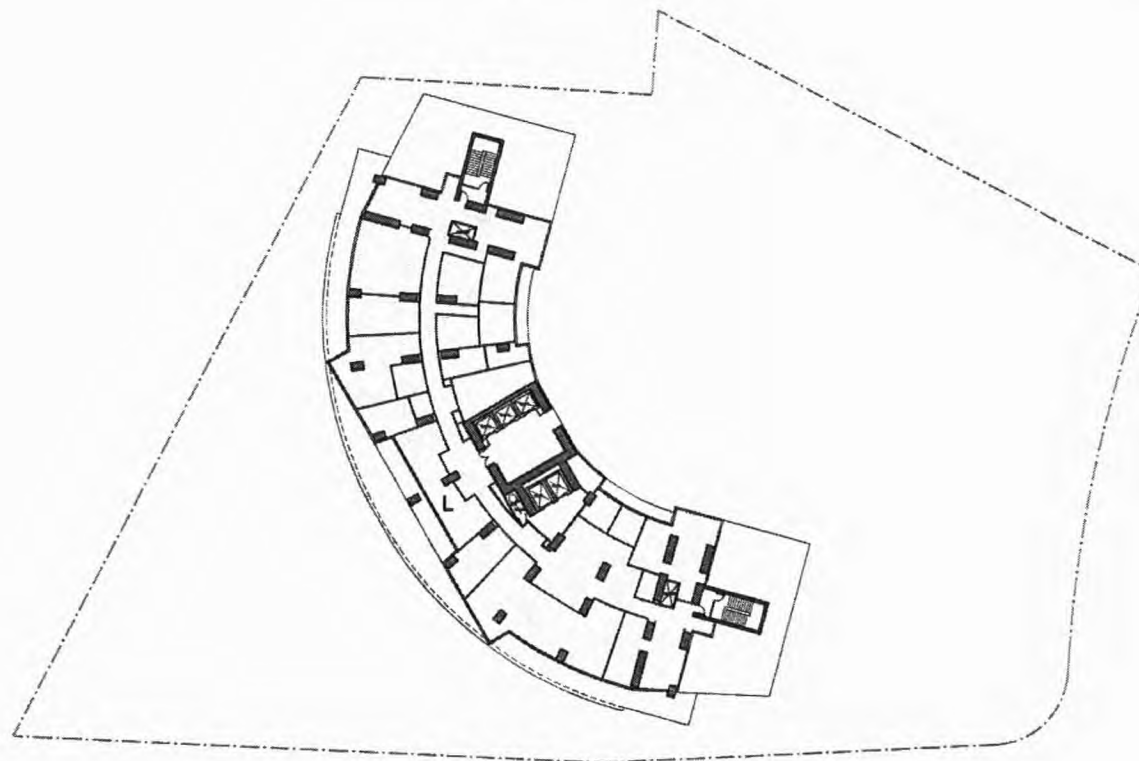
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PENTHOUSE RESIDENTIAL CONDO LEVEL (FLOOR 71)

SCALE: 1"= 20'

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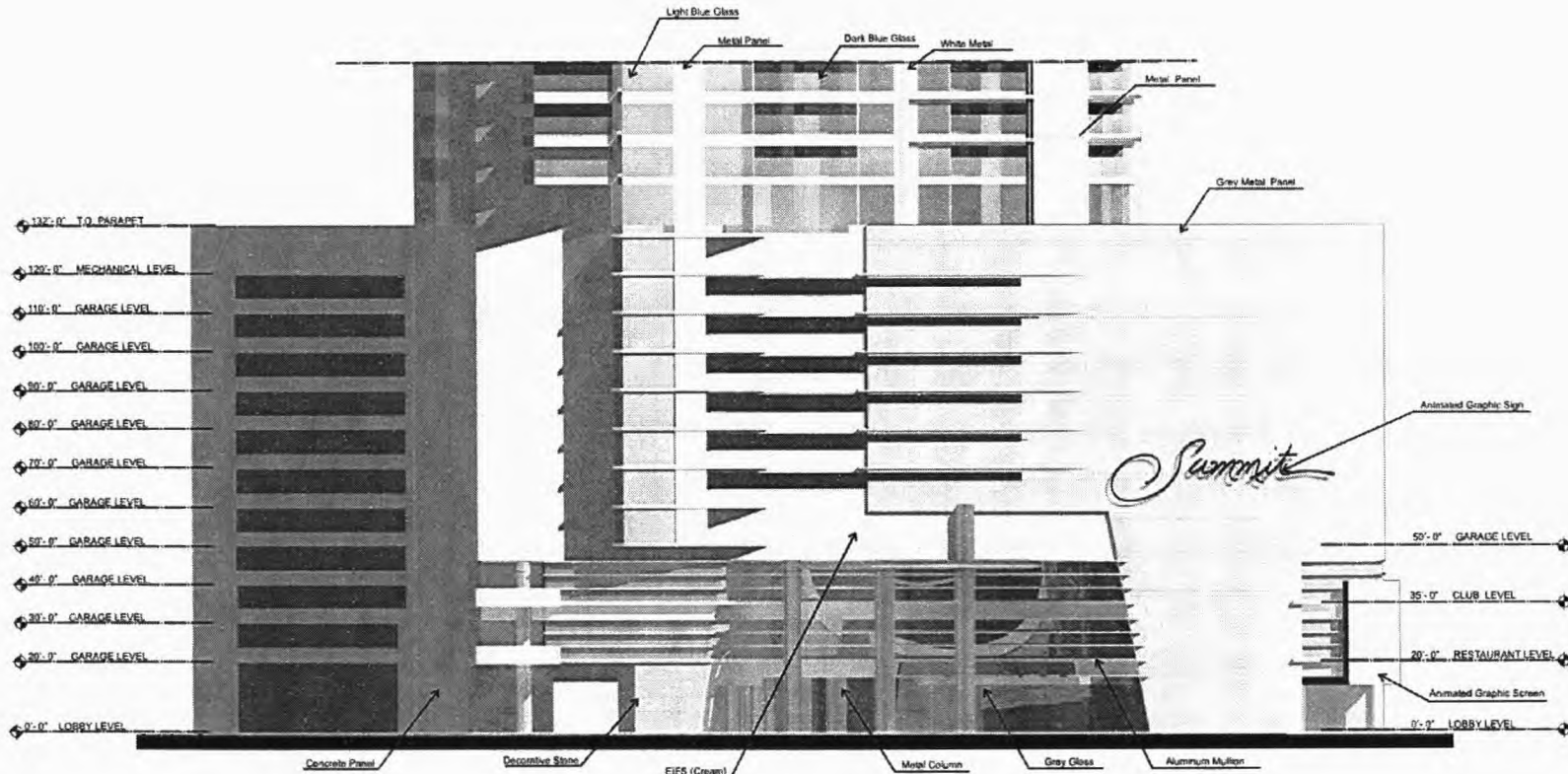
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LAS VEGAS BOULEVARD ELEVATION

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

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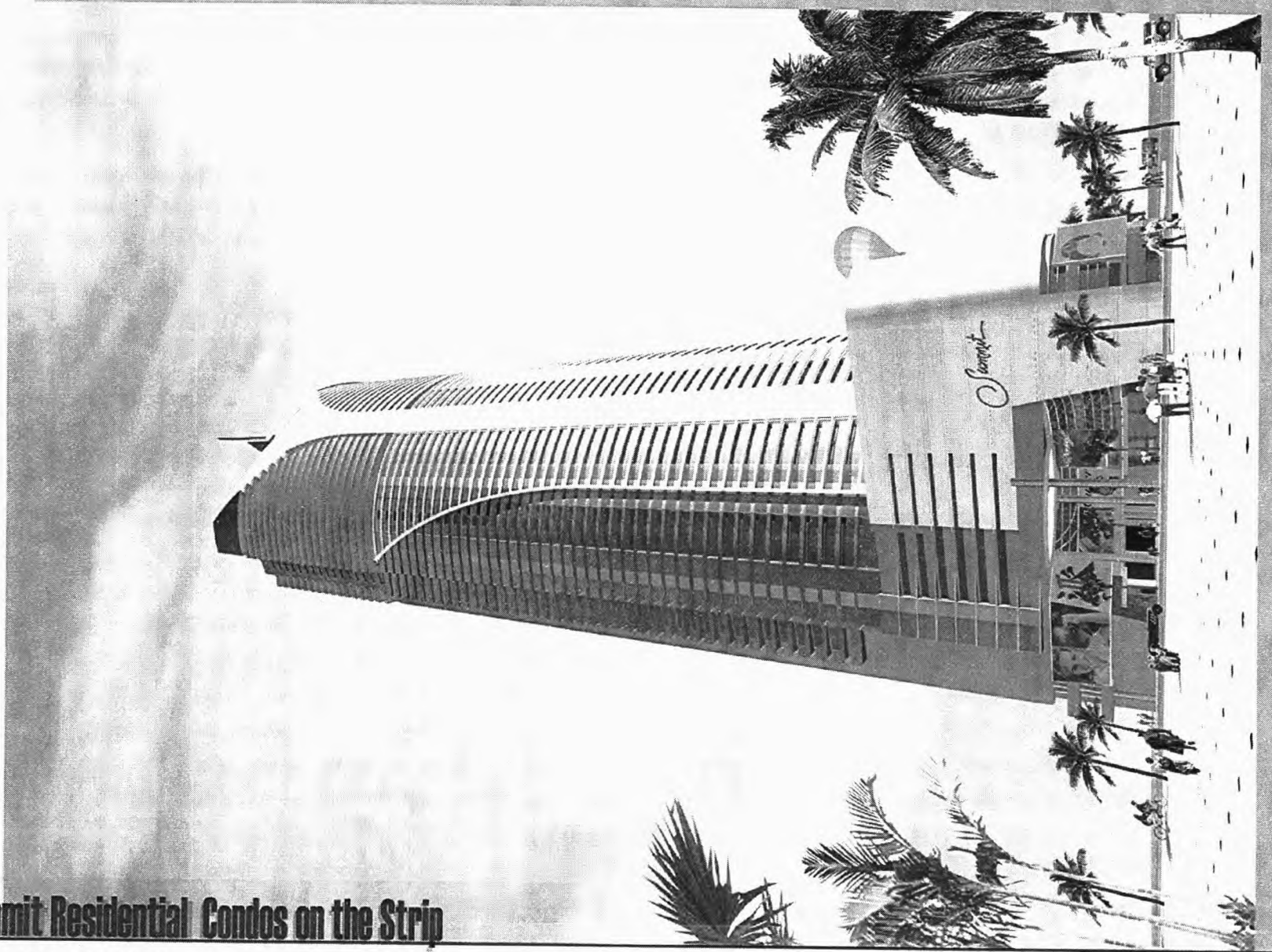
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VIEW FROM LAS VEGAS BOULEVARD

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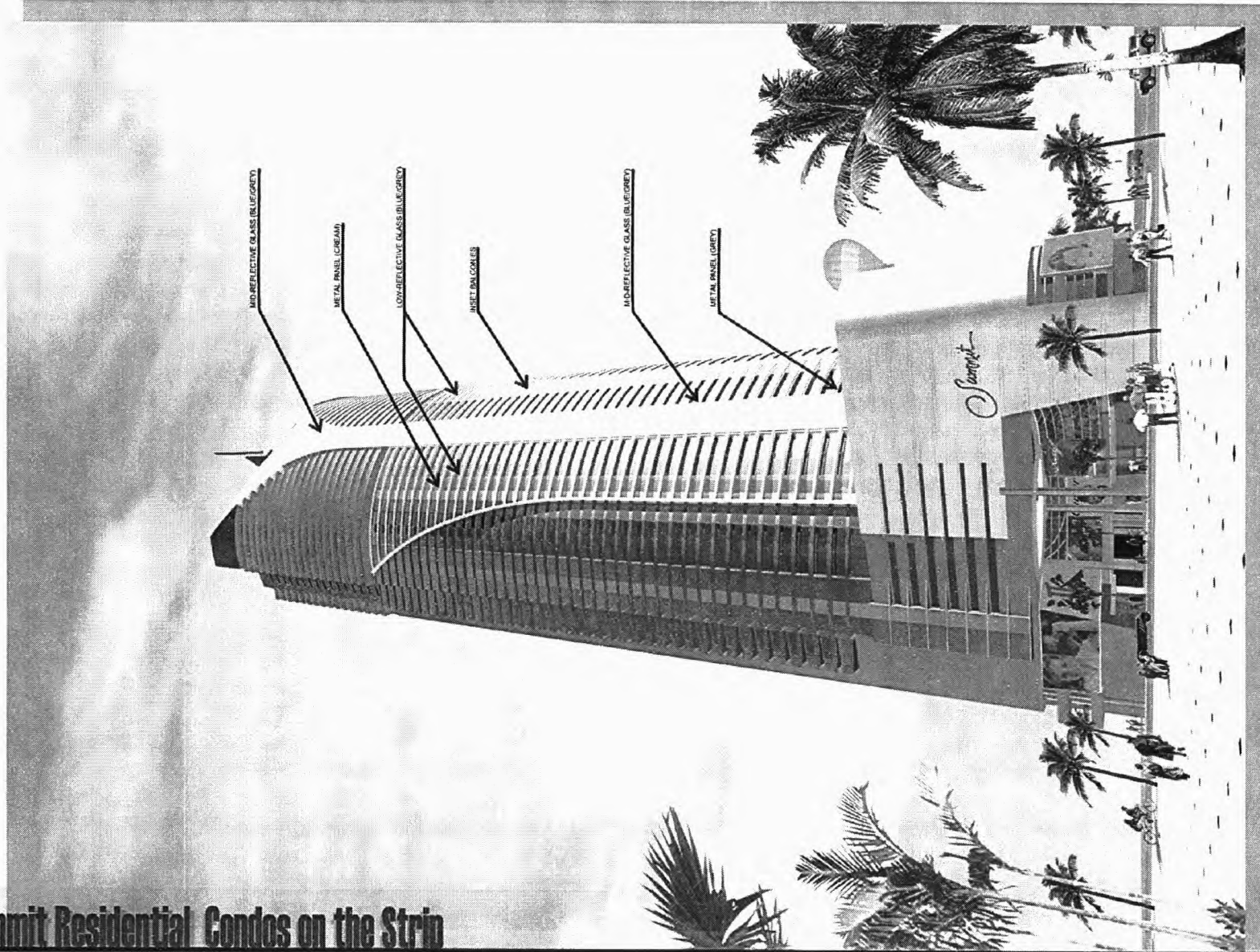


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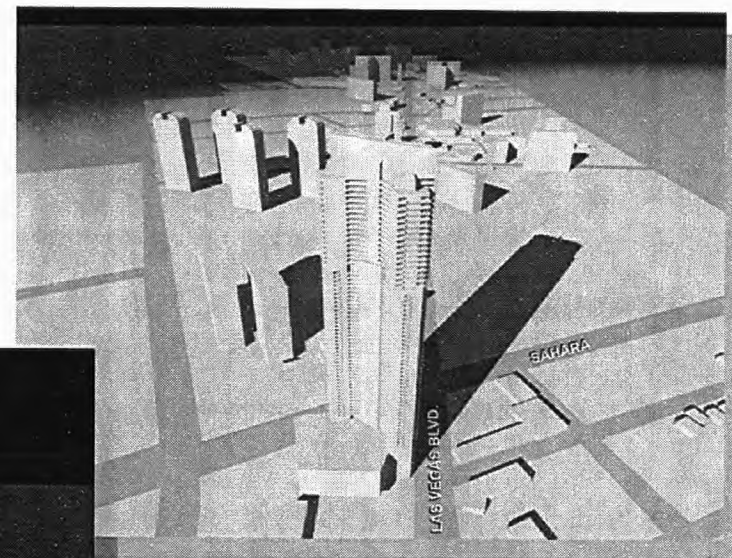
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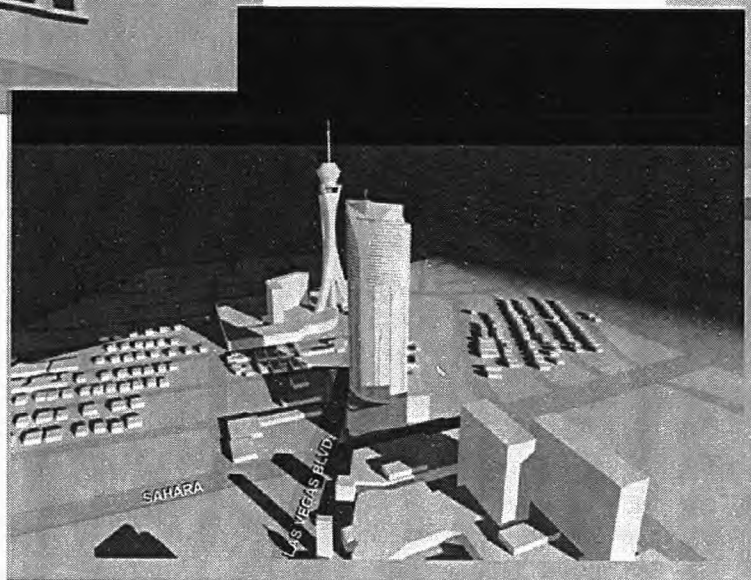
VIEW FROM LAS VEGAS BOULEVARD



VIEW FROM THE EAST



VIEW FROM THE NORTH



VIEW FROM THE SOUTH

MASSING PERSPECTIVES

Summit Residential Condos on the Strip

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LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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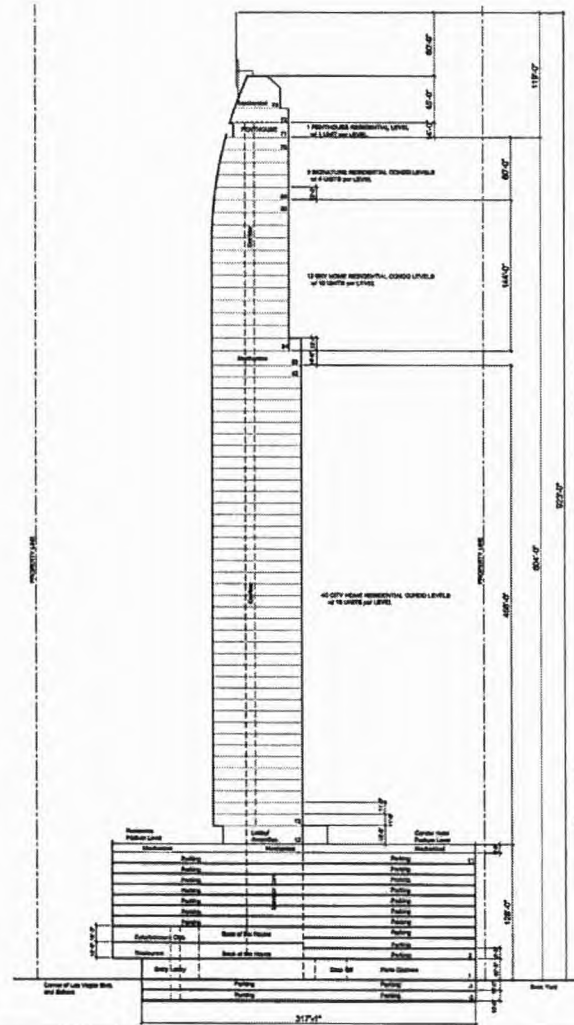
Date:

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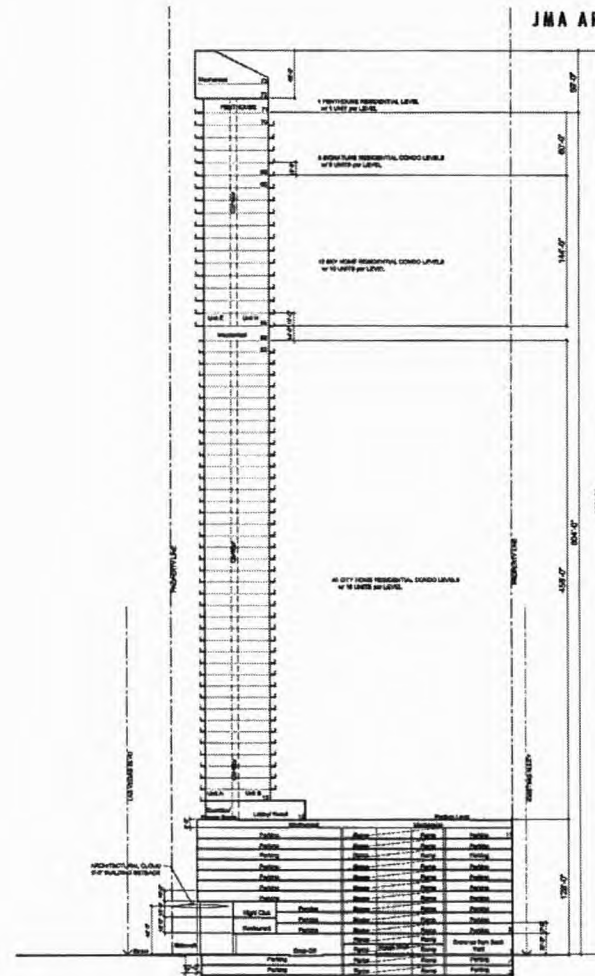
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SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT



SECTION thru the
corner of LAS
VEGAS BLVD and
SAHARA
SCALE: 1"= 50'



SECTION thru
LAS VEGAS
BLVD and
EXISTING ALLEY
SCALE: 1"= 50'

JMA ARCHITECTURE STUDIOS

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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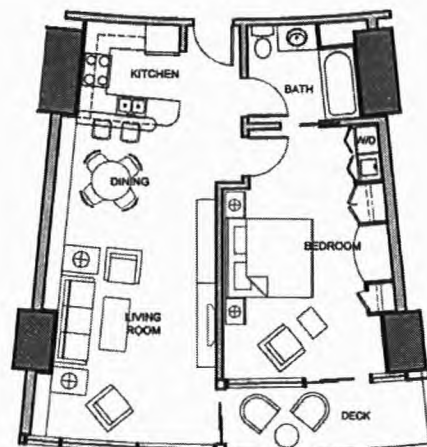


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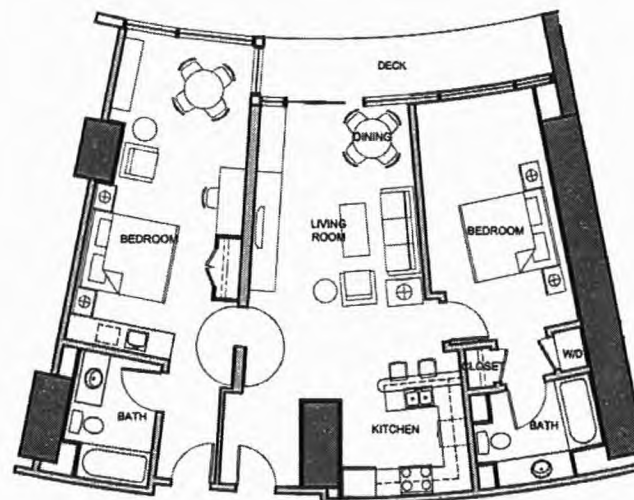
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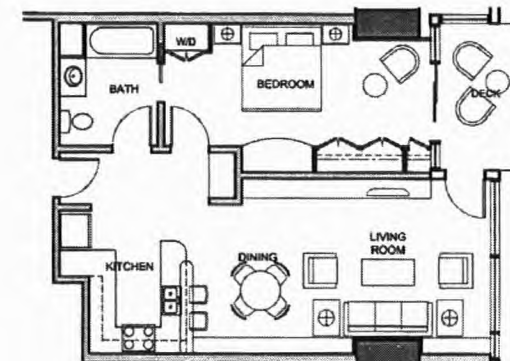
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UNIT A
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 13-42)
1 BEDROOM UNIT
818 SF and
70 SF BALCONY



UNIT B
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 13-42)
2 BEDROOM UNIT
1,278 SF and
120 SF BALCONY



UNIT A1
CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVEL (FLOOR 13-42)
1 BEDROOM UNIT
818 SF and
70 SF BALCONY

FLOOR PLANS UNITS A, A1, B

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

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LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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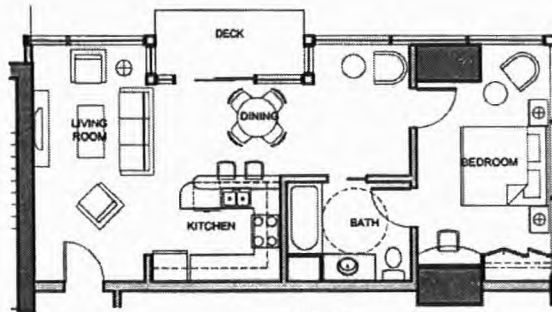
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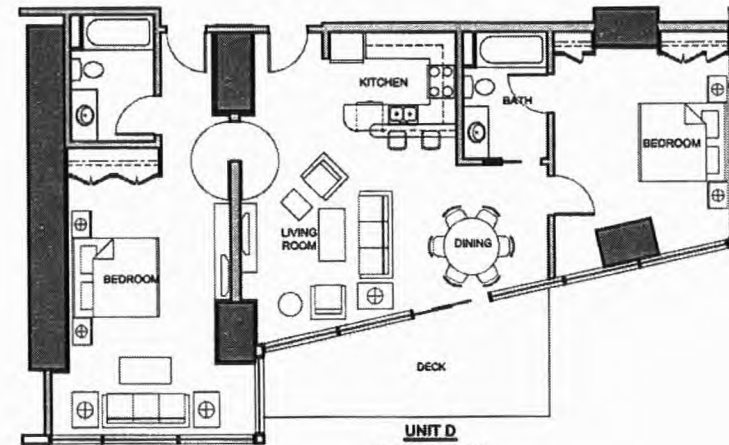
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UNIT C

CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVELS (FLOOR 19-52)
1 BEDROOM UNIT
740 SF and
88 SF BALCONY



UNIT D

CITY HOME RESIDENTIAL CONDO
40 FLOOR LEVELS (FLOOR 19-52)
2 BEDROOM UNIT
1,200 SF and
101 SF BALCONY

FLOOR PLANS UNITS C, D

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

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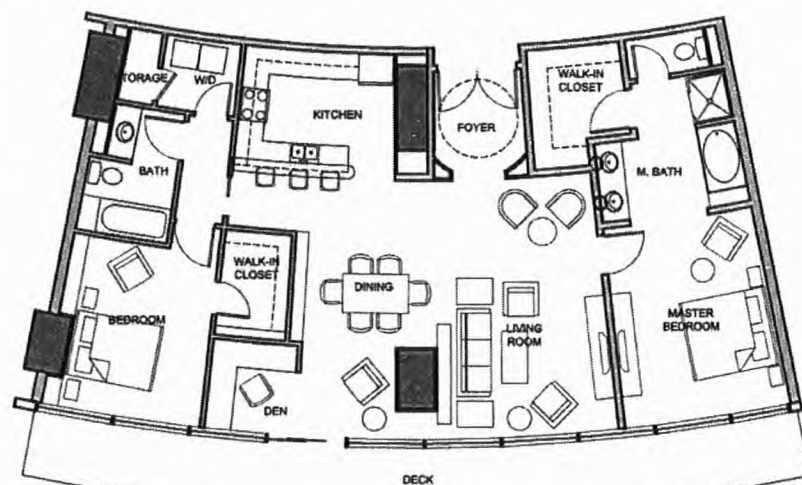
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UNIT E
 BAY HOME RESIDENTIAL CONDO
 13 LEVEL (FLOOR #14-15)
 2 BEDROOM UNIT W/ DEN
 1,400 SF
 300 SF BALCONY



UNIT F
 BAY HOME RESIDENTIAL CONDO
 13 LEVEL (FLOOR #14-15)
 2 BEDROOM UNIT W/ DEN
 1,400 SF
 300 SF BALCONY

FLOOR PLANS UNITS C, D

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
 SPECIAL USE PERMIT

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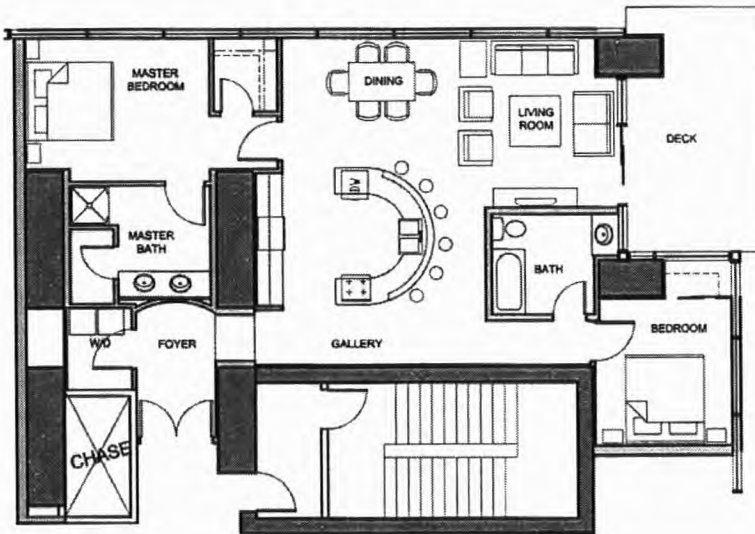
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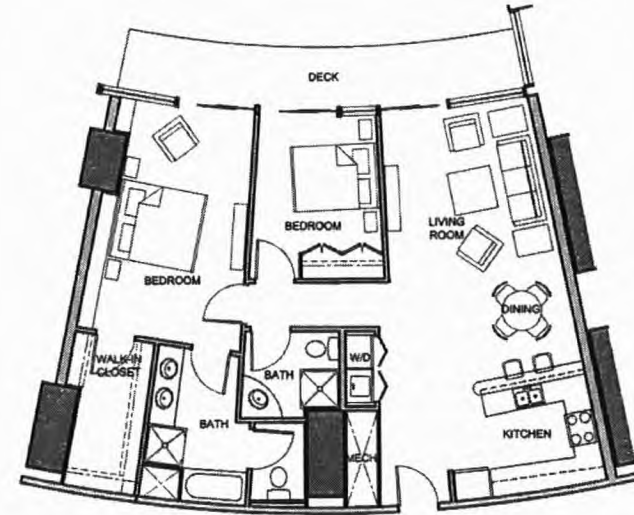
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UNIT G
 SIXTY FIVE RESIDENTIAL CONDO
 12 LEVELS (FLOOR 14-25)
 2 BEDROOM UNIT
 1,357 SF and
 128 SF BALCONY



UNIT H
 SIXTY FIVE RESIDENTIAL CONDO
 12 LEVELS (FLOOR 14-25)
 2 BEDROOM UNIT
 1,174 SF and
 128 SF BALCONY

FLOOR PLANS UNITS G, H
 SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
 SPECIAL USE PERMIT

Summit Residential Condos on the Strip

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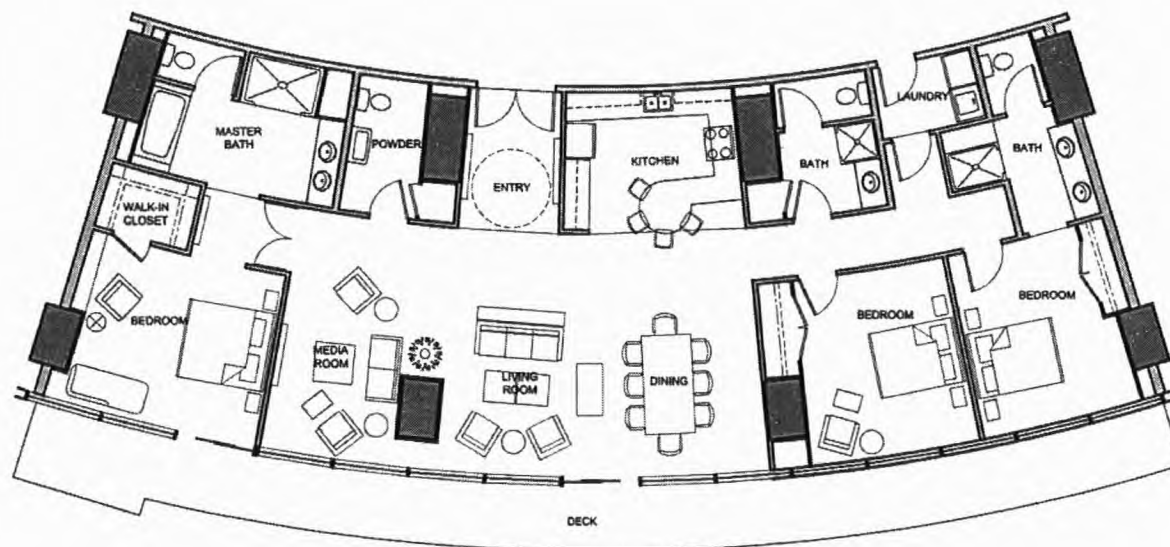
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UNIT I
SIGNATURE RESIDENTIAL CONDO
3 LEVELS (PUSH 18-70)
3 BEDROOM UNIT
2,401 SF
408 SF BALCONY

FLOOR PLAN UNIT I

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

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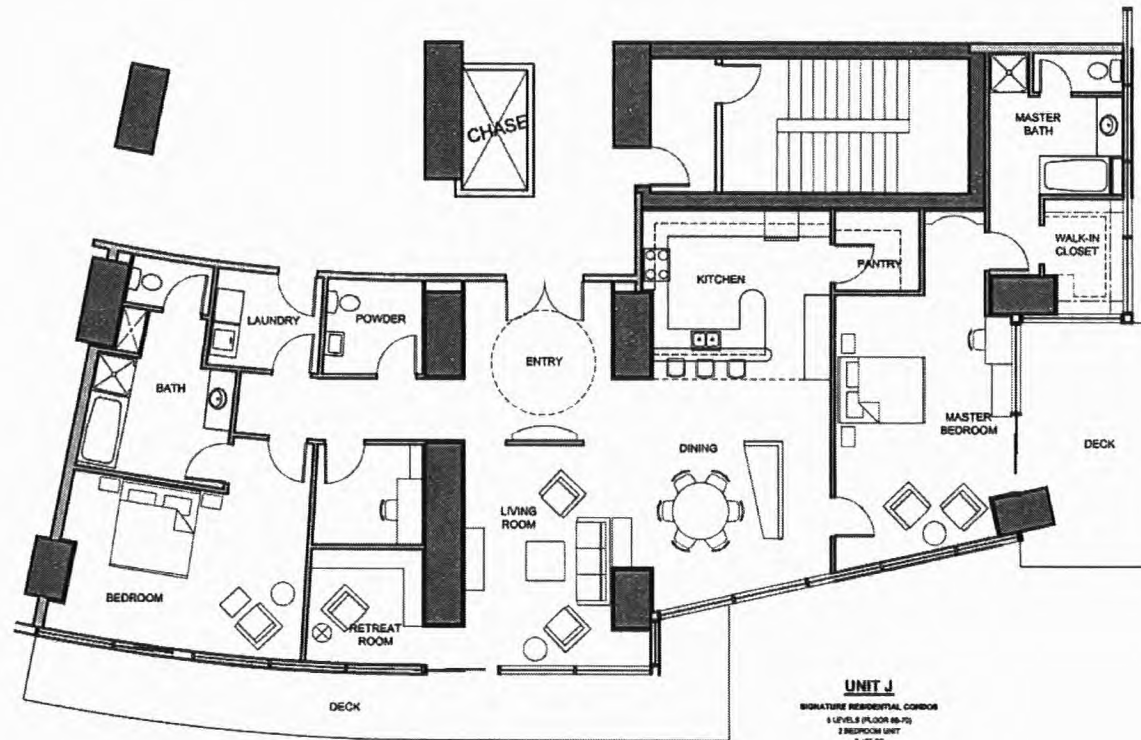
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FLOOR PLAN UNIT J

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

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LAS VEGAS, NEVADA

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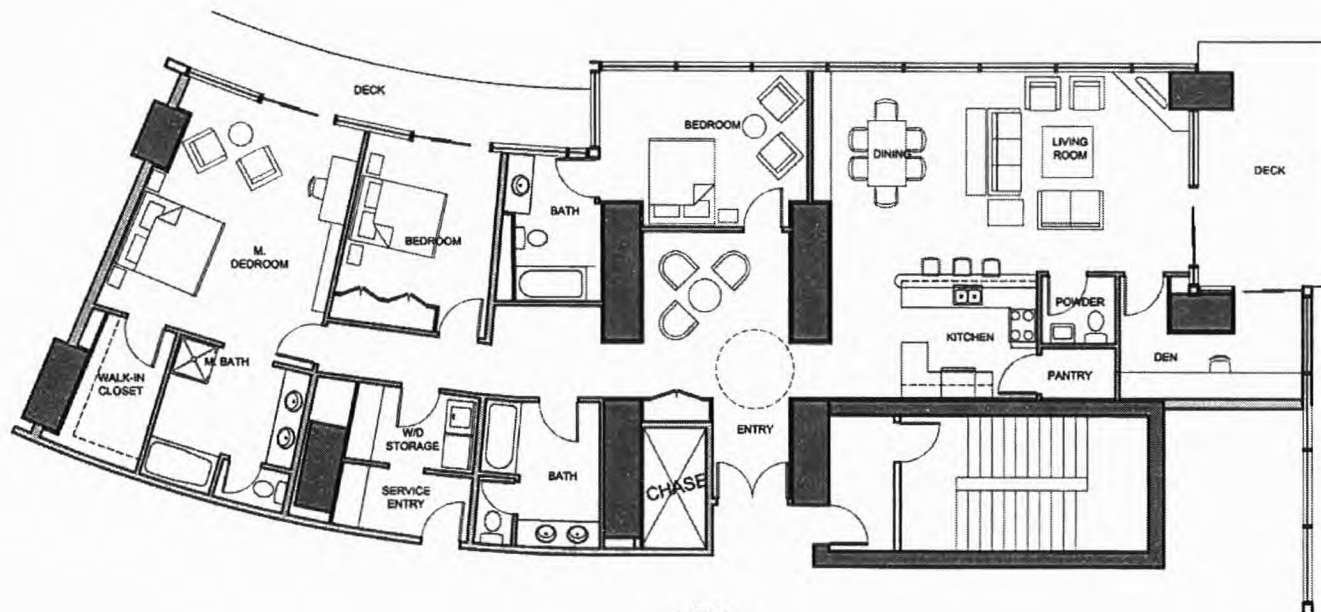
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UNIT K
SIGNATURE RESIDENTIAL CONDOS
1 LEVEL 8 FLOOR (NORTH)
3 BEDROOM UNIT
2,816 SF AND
340 SF BALCONY

FLOOR PLAN UNIT L

SCALE: 1/4" = 1'

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

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LAS VEGAS, NEVADA

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10156 CONINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2033 FAX: (702) 731-2038 WWW.JMAARCH.COM



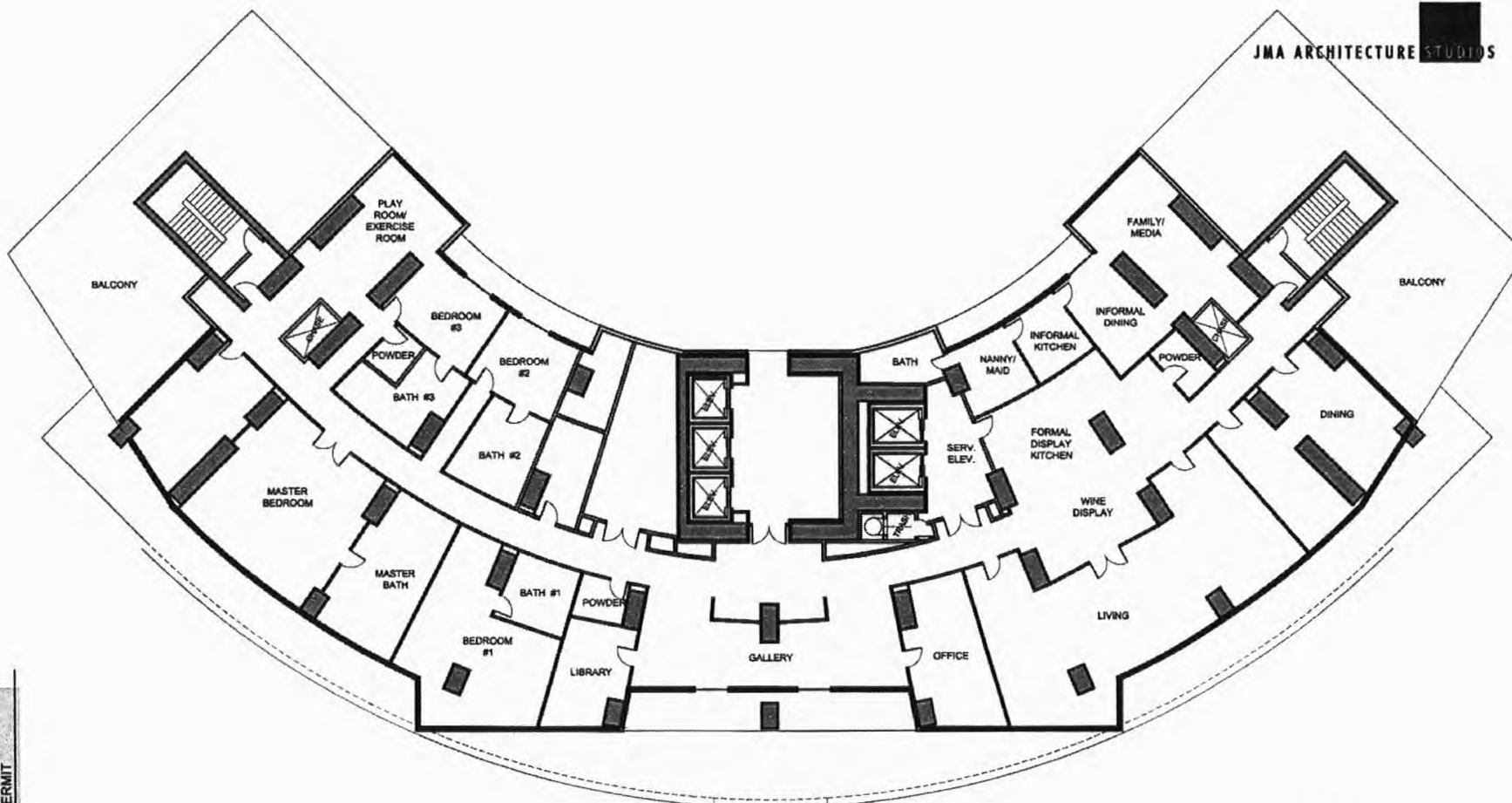
DATE: AUGUST 12, 2004

DR-21

EOT-16956
11/01/06 CC

RECEIVED

SEP 19 2006



FLOOR PLAN UNIT L

SCALE: 1/4" = 1'

UNIT L

PENTHOUSE RESIDENTIAL CONDO

1 LEVEL (FLOOR T1)
8 BEDROOM UNIT
11,765 SF
1,700 SF BALCONY

SITE DEVELOPMENT PLAN REVIEW
SPECIAL USE PERMIT

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

Project # 200401186
Proposal # 200401901.110

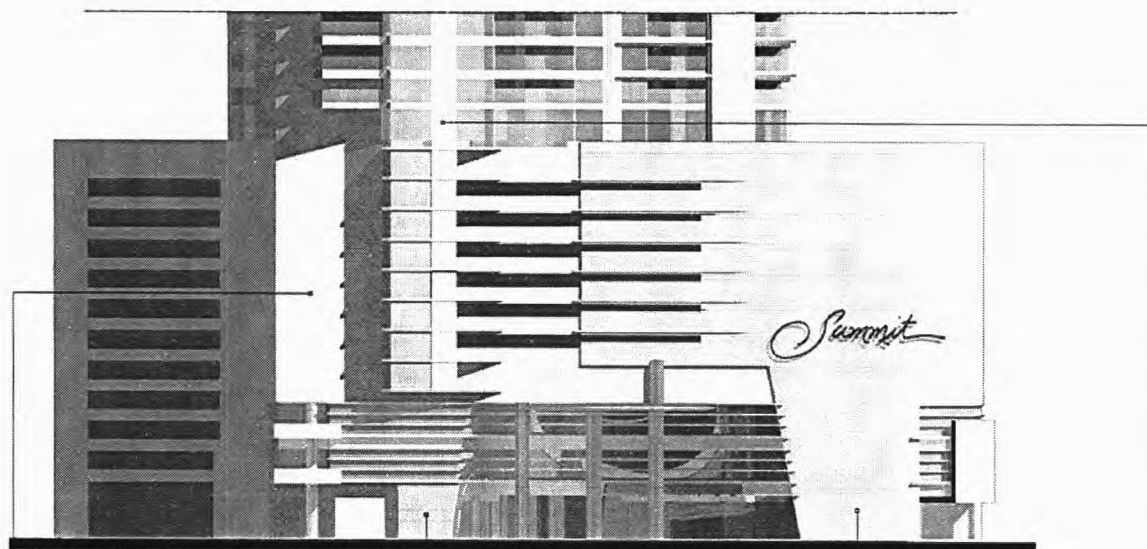
10150 COVINGTON CROSS DRIVE LAS VEGAS, NV 89114
PHONE: (702) 731-2033 FAX: (702) 731-2039 WWW.JMAARCH.COM

DATE: AUGUST 12, 2004

DR-22

EOT-16956
11/01/06 CC

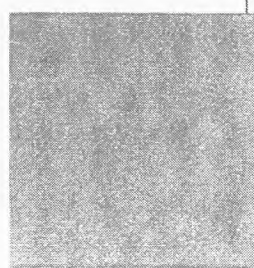
RECEIVED
SEP 19 2006



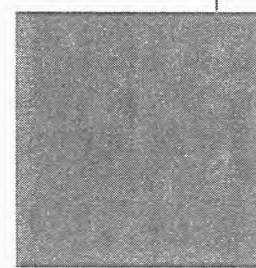
St. Hubert SLG
220 Grit Finish



Natural Stone
Dual Cream



Alucobond Material
Platinum A2006-M



Alucobond Material
Copper Metallic

EXTERIOR COLOR SCHEME

Summit Residential Condos on the Strip

City of Las Vegas
LAS VEGAS, NEVADA

SOUTH LAS VEGAS BOULEVARD/ SAHARA AVENUE

EOT-16956
11/01/06 CC

Project # 200401166
Proposal # 200401901.110

RECEIVED
10150 GUNNING CROSS DRIVE *** LAS VEGAS, NV 89114
PHONE: (702) 731-2033 *** FAX: (702) 731-2038 *** WWW.JMAARCH.COM

SEP 19 2006

Date: AUGUST 12, 2004

Rinkai America Inc
2417 S Las Vegas Blvd, Las Vegas 89104

City Councilors
Las Vegas City Council
City Hall, Tenth Floor
400 Stewart Avenue
Las Vegas, NV 89101

September 19, 2006

Dear Councilors,

**Re: Justification for extension to entitlements for Cnr. Las Vegas Boulevard and Sahara
Boulevards Las Vegas SUP 5028 APN 162-04-813-070, 162-04-813-071, 162-03-410-008**

We hereby respectfully request the entitlements granted on the third day of November 2004 be extended for a period of two years.

The property has not been developed due to a number of factors including:

- a. the change in economic circumstances that lead to the original launch not achieving the desired results.
- b. An increase in building costs, leading to a need to partially redesign the project, and
- c. the failure of deposit bonds to enter the market thereby allowing for the more expeditious sale of the project.

We've worked to resolve these issues and now believe that the project can proceed.

The extension will continue to provide for the property to be used to construct a world class, leading edge resort condominium/condominium project of 945 units with associated retail and car parking facilities.

The proposed development will create an iconic landmark for the City of Las Vegas and will delineate the break from the City of Las Vegas and Clark County.

It will provide both permanent and rental accommodation for the citizens of Las Vegas and visitors and will help to revitalize the surrounding area by creating a precedent for future development.

The development will also assist in the alleviation of the traffic congestion on the corner of Las Vegas Boulevard and Sahara Avenue by providing a dedicated bus turn out and additional lane for traffic turning north from Sahara Avenue onto Las Vegas Boulevard.

Additionally, the development has provision for over head pedestrian walk ways which will further assist traffic flows and accordingly permit the further development of the area.

EOT-16956
11/01/06 CC

The development also provides for a people friendly retail component which will create and promote pedestrian traffic in the surrounding areas.

Finally the development will lead to the current unused structure being demolished and the new development being constructed improving the ambience and feel of the neighborhood whilst at the same time making the area safer for residents and visitors alike

Yours Truly

A handwritten signature in black ink, appearing to read 'Joseph DiMauro', with a stylized flourish at the end.

Joseph DiMauro
As agent for Rinkai America Inc

EOT-16956
11/01/06 CC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

November 4, 2004

Mr. Ken Kim
Rinkai America, Inc.
3265 East Tropicana Avenue, Suite E-1
Las Vegas, Nevada 89121

RE: SUP-5028 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF NOVEMBER 3, 2004
Related to VAC-5029 and SDR-5027

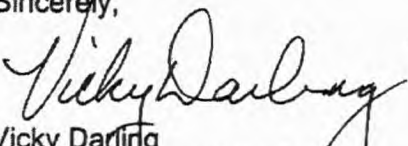
Dear Mr. Kim:

The City Council at a regular meeting held November 3, 2004 APPROVED the request for a Special Use Permit FOR A PROPOSED 73-STORY MIXED-USE DEVELOPMENT at 2423 and 2417 Las Vegas Boulevard (APN 162-04-813-070 and 071; 162-03-410-008), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 4, 2004. This approval is subject to:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for a Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5027).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,


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

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

cc: See Attached List

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

EOT-16956
11/01/06 CC

Mr. Ken Kim
SUP-5028 – Page Two
November 4, 2004

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

Mr. Nic Niccum
JMA Architecture Studio
10150 Covington Cross Drive
Las Vegas, Nevada 89144

Mr. Greg Borgell
Moreno & Associates
300 South Fourth Street, Suite #1500
Las Vegas, Nevada 89101

EOT-16956
11/01/06 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - REZONING

EOT-17462 - APPLICANT/OWNER: SEARLES PROPERTY DEVELOPMENT, LLC - Request for an Extension of Time of an approved Rezoning (ZON-5062) FROM: C-2 (GENERAL COMMERCIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

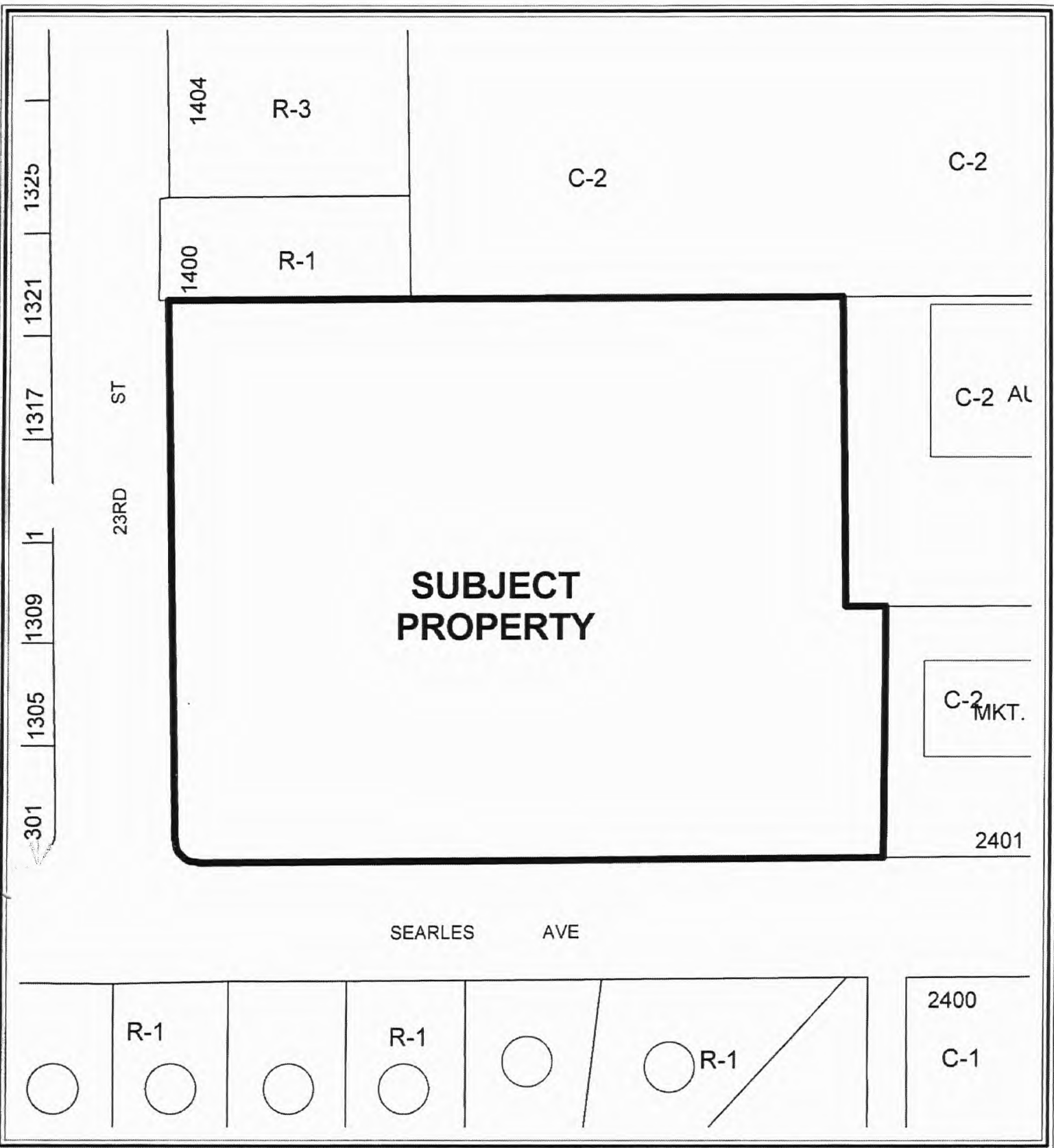
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-5062

Motion made by GARY REESE to Approve subject to conditions Item 77 [EOT-16956], Item 78 [EOT-17462], Item 79 [EOT-17460] and Item 80 [EOT-16702]

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

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



CASE: EOT-17462

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-17462 - APPLICANT/OWNER: SEARLES PROPERTY DEVELOPMENT, LLC

**** CONDITIONS ****

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

Planning and Development

1. This Extension of Time will expire on November 3, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-5062) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/03/04	The City Council approved a General Plan Amendment (GPA-5060) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential); a Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential); and a Site Development Plan Review (SDR-5063) for a 52 Unit Apartment Complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street. The Planning Commission and staff recommended approval on 10/07/04.
12/06/06	The City Council will consider a related Extension of Time (EOT-17460) of an approved Site Development Plan Review (SDR-5063) for a 52 Unit Apartment Complex.
<i>Related Building Permits/Business Licenses</i>	
02/08/06	Civil improvement plans (L-11593) were submitted, but have not been approved.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.48
Net Acres	2.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	C-2 (General Commercial)
North	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
South	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Auto Repair Garage/Market	SC (Service Commercial)	C-2 (General Commercial)
West	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
Neighborhood Revitalization Area	X		Y

Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential), which was approved by the City Council on 11/03/04. The applicant has also submitted a related Extension of Time (EOT-17460) of an approved Site Development Plan Review (SDR-5063) for a 52 Unit Apartment Complex.

The applicant has indicated that they will submit a new Site Development Plan Review, which is a re-design of the proposed apartment complex. The applicant has indicated that a new rezoning submittal will not be submitted to accompany the new site plan. The Extension of Time applications will allow the applicant to proceed with the proposed redesign of the apartment complex.

Previous Conditions of Approval from Rezoning (ZON-5062)

1. A General Plan Amendment (GPA-5060) to an M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-5063) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. Construct all incomplete half-street improvements on Searles Avenue and 23rd Street adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to submit plans for a revised Site Development Plan Review application. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
--	-----

<u>ASSEMBLY DISTRICT</u>	N/A
---------------------------------	-----

<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-17442 APN: 139-26-508-016
Name of Property Owner: SEAVES PROPERTY DEVELOPMENT, LLC
Name of Applicant: SCOTT R. STEPHENS

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: _____

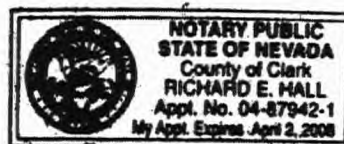
Signature of Property Owner: Scott R. Stephens

Print Name: SCOTT R. STEPHENS

Subscribed and sworn before me

This 9th day of OCT, 2006

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



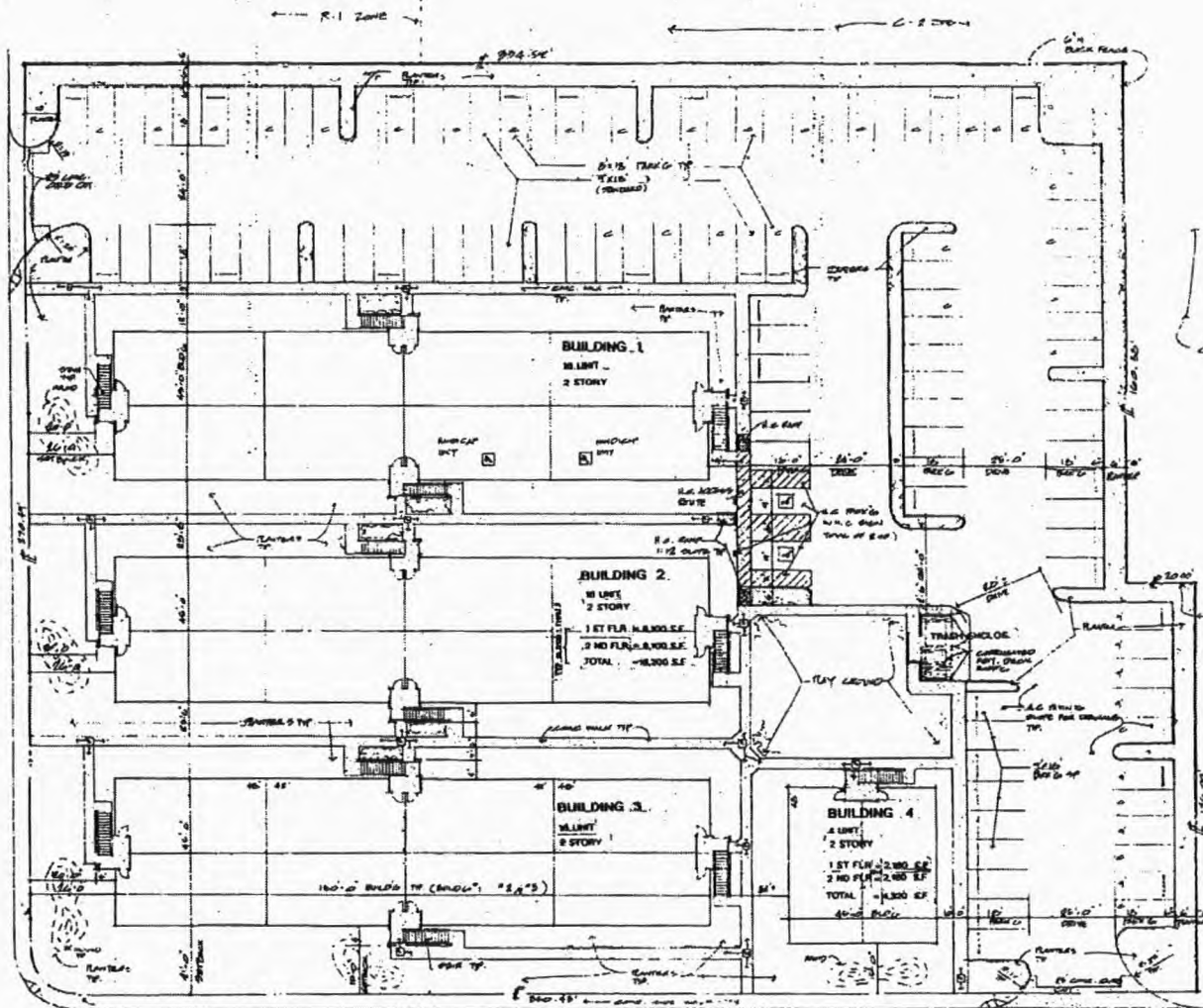
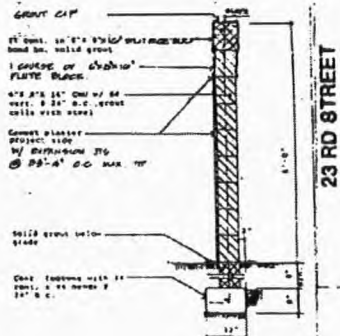


52 UNIT APARTMENTS

AT 23 RD STREET & SEARLES AVE LAS VEGAS, NEVADA

GREYMOUTH HOLDING LLC OWNER
3020 SUMMIT AVE SUITE 101 LAS VEGAS, NEVADA 89101

ERROL HILL ARCHITECT LTD. ARCHITECT
1514 MARYLAND PARKWAY LAS VEGAS, NEVADA 89104



PARKING REQUIREMENT RECAP:

1 REQUIRED PARKING:	
18 THREE BEDROOM UNITS @ 2/UNIT	= 36
18 ONE BEDROOM UNITS @ 1/UNIT	= 18
18 TWO BEDROOM UNITS @ 1.75/UNIT	= 31.5
GRAND TOTAL	= 85.5
2 PROVIDED PARKING:	
18 x 10' (18' x 10') (18' x 10')	= 18
18 x 10' (18' x 10') (18' x 10')	= 18
18 x 10' (18' x 10') (18' x 10')	= 18
GRAND TOTAL PROVIDED PARKING	= 54

SITE PLAN

APR 138 - 28 - 508 - 07
NET SITE 2.25 A

SCALE 1/8" = 1'-0"



EOT-17462
12-06-06 CC

RECEIVED
OCT 09 2006

Searles Property Development, LLC

11620 Evergreen Creek Lane

Las Vegas, NV 89125

(702) 804-1331

October 9, 2006

Planning & Development

400 Stewart Avenue

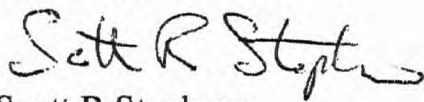
Las Vegas, Nevada 89101

Re: SDR-5063 – Rezoning Extension *ZON-5062*

To Whom It May Concern:

The City Council at a regular meeting held November 3, 2004 approved the request for a Rezoning From: C-2 (General Commercial) to: R-3 (Medium Density Residential) on 2.48 acres adjacent to the Northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016). We would like to file for an extension of our rezoning. Our new plan for 52 unit apartments is better suited for the residents and it meets all of the City of Las Vegas requirements.

Sincerely,



Scott R Stephens

Manager

Searles Property Development, LLC

**EOT-17462
12-06-06 CC**



050561



November 4, 2004

Mr. Steven Marx
5990 Thiros Circle
Las Vegas, Nevada 89146

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

RE: ZON-5062 - REZONING
CITY COUNCIL MEETING OF NOVEMBER 3, 2004
Related to GPA-5060 and SDR-5063

Dear Mr. Marx:

The City Council at a regular meeting held November 3, 2004 APPROVED the request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016). The Notice of Final Action was filed with the Las Vegas City Clerk on November 4, 2004. This approval is subject to:

Planning and Development

1. A General Plan Amendment (GPA-5060) to an M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-5063) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Searles Avenue and 23rd Street adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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

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

EOT-17462
12-06-06 CC

Mr. Steven Marx
ZON-5062 - Page Two
November 4, 2004

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



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

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

Mr. Geoff Robins
Greymouth Holdings, LLC
3320 Sunrise Avenue, Suite #101
Las Vegas, Nevada 89101

Mr. Errol Hill
Errol Hill - Architects
1614 Maryland Parkway
Las Vegas, Nevada 89104

EOT-17462
12-06-06 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW RELATED TO EOT-17462

EOT-17460 - APPLICANT/OWNER: SEARLES PROPERTY DEVELOPMENT, LLC - Request for an Extension of Time of an approved Site Development Plan Review (SDR-5063) THAT ALLOWED A 52 UNIT APARTMENT COMPLEX on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), C-2 (General Commercial) under Resolution of Intent to R-3 (Medium Density Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

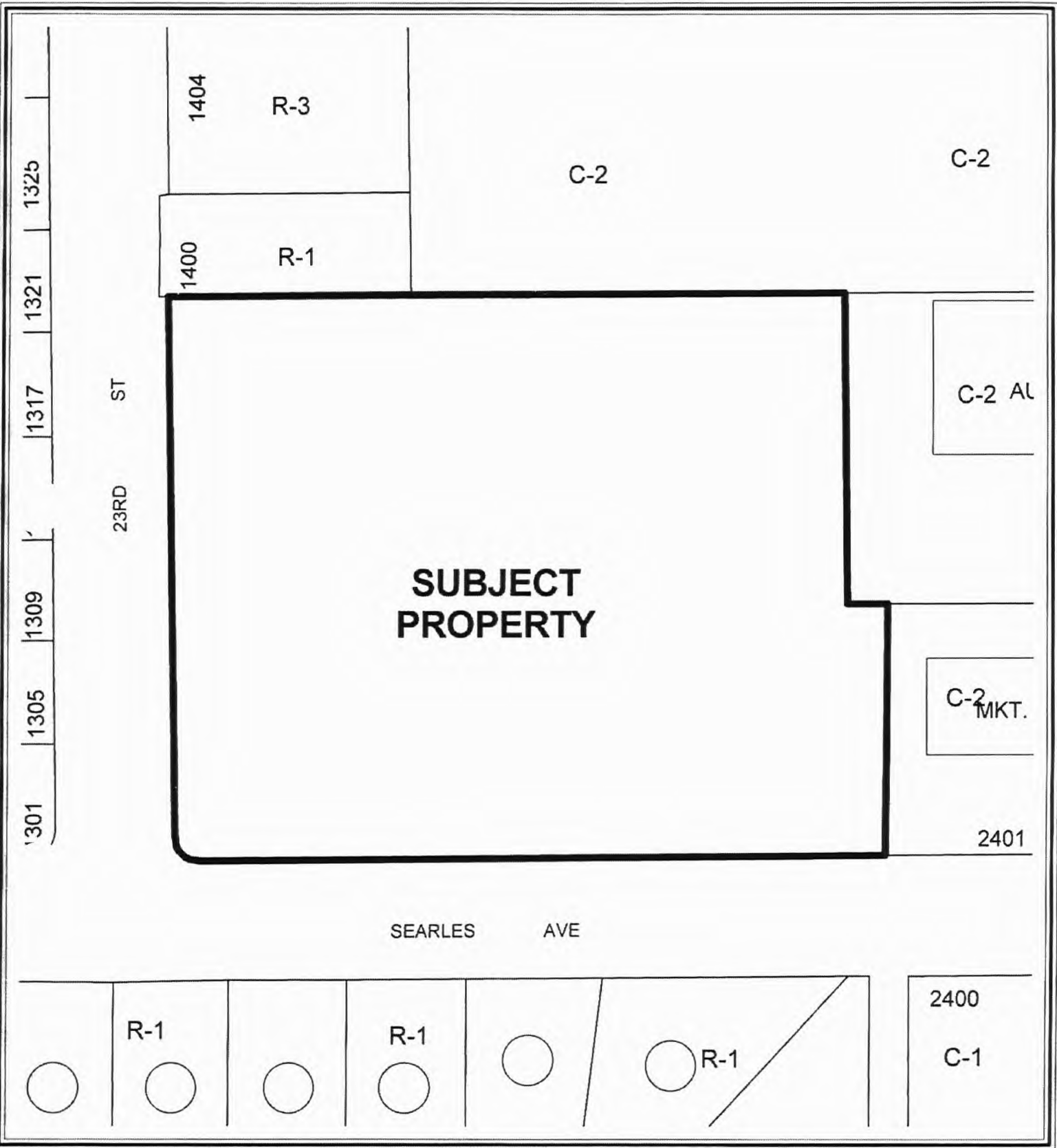
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-5063

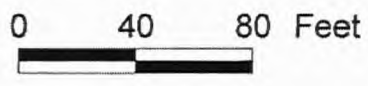
Motion made by GARY REESE to Approve subject to conditions Item 77 [EOT-16956], Item 78 [EOT-17462], Item 79 [EOT-17460] and Item 80 [EOT-16702]

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

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

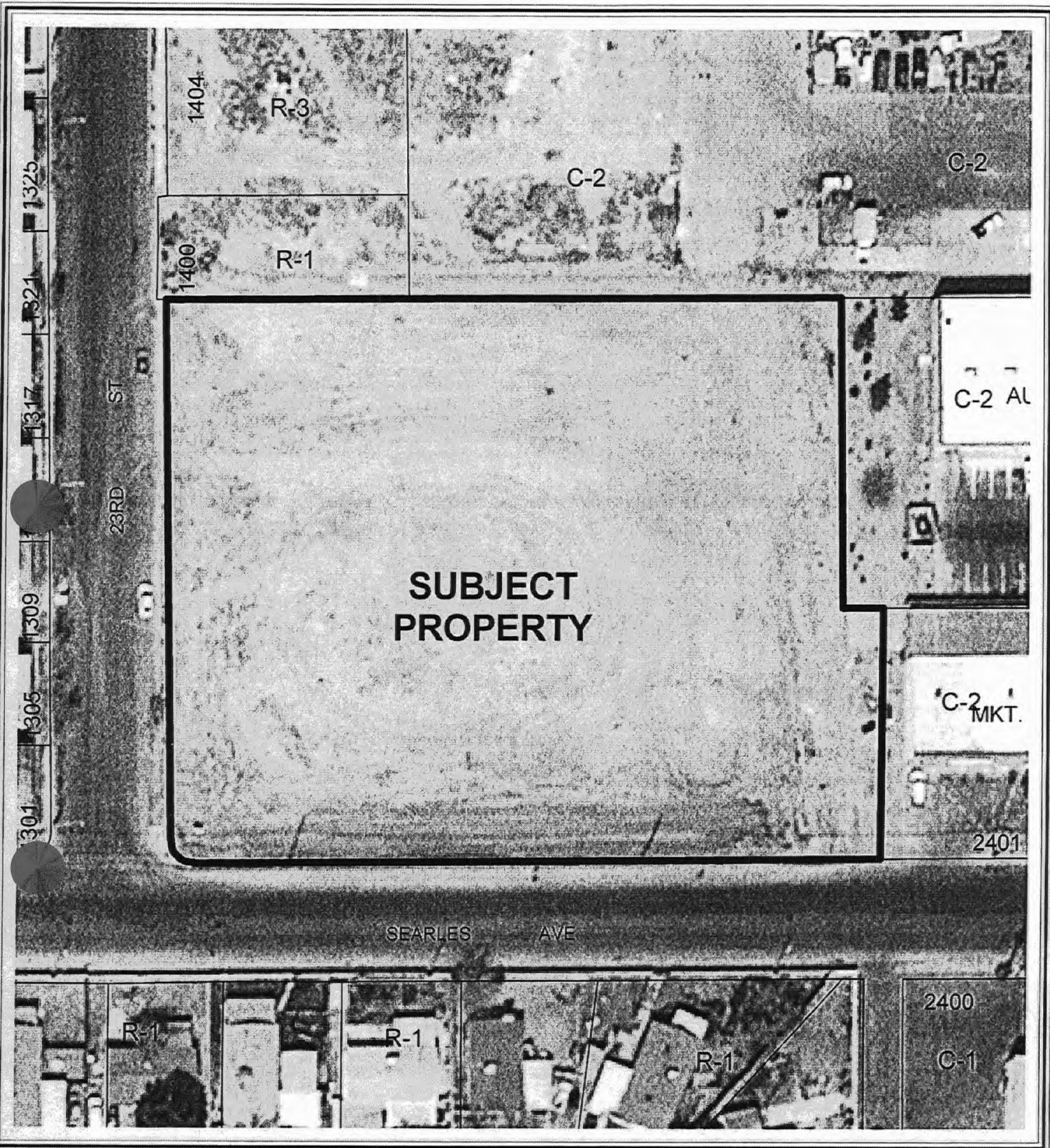


CASE: EOT-17460



ZONING OF SUBJECT PROPERTY:
C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)





0 40 80 Feet

CASE: EOT-17460

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-17460 - APPLICANT/OWNER: SEARLES PROPERTY DEVELOPMENT, LLC

**** CONDITIONS ****

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

Planning and Development

1. This Extension of Time will expire on November 3, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5063) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/03/04	The City Council approved a General Plan Amendment (GPA-5060) to amend a portion of the Southeast Sector Plan of the General Plan from SC (Service Commercial) to M (Medium Density Residential); a Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential); and a Site Development Plan Review (SDR-5063) for a 52 Unit Apartment Complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street. The Planning Commission and staff recommended approval on 10/07/04.
12/06/06	The City Council will consider a related Extension of Time (EOT-17462) of an approved Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential) on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.
<i>Related Building Permits/Business Licenses</i>	
02/08/06	Civil improvement plans (L-11593) were submitted, but have not been approved.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.48
Net Acres	2.25

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	C-2 (General Commercial)
North	Undeveloped	SC (Service Commercial)	C-2 (General Commercial)
South	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Auto Repair Garage/Market	SC (Service Commercial)	C-2 (General Commercial)
West	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Redevelopment Plan Area	X		Y

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

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-5063) that allowed a 52 Unit Apartment Complex on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street.

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5063) that allowed a 52 Unit Apartment Complex, which was approved by the City Council on 11/03/04. The applicant has also submitted a related Extension of Time (EOT-17462) of an approved Rezoning (ZON-5062) from C-2 (General Commercial) to R-3 (Medium Density Residential).

The applicant has indicated that they will submit a new Site Development Plan Review, which is a re-design of the proposed apartment complex. The applicant has indicated that a new rezoning submittal will not be submitted to accompany the new site plan. The Extension of Time applications will allow the applicant to proceed with the proposed redesign of the apartment complex. Therefore, staff is recommending approval of the subject Extension of Time.

Previous Conditions of Approval from Site Development Plan Review (SDR-5063)

1. A Rezoning (ZON-5062) to an R-3 (Medium Density Residential) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 08/23/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot size of 6,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
9. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
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 Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. Site development to comply with all applicable conditions of approval for ZON-5062 and all other subsequent site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to submit plans for a revised Site Development Plan Review application. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-17460 APN: 139-26-508-016

Name of Property Owner: SEARLES PROPERTY DEVELOPMENT, LLC

Name of Applicant: SCOTT R STEPHENS

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: _____

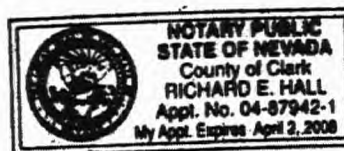
Signature of Property Owner: Scott R Stephens

Print Name: SCOTT R STEPHENS

Subscribed and sworn before me

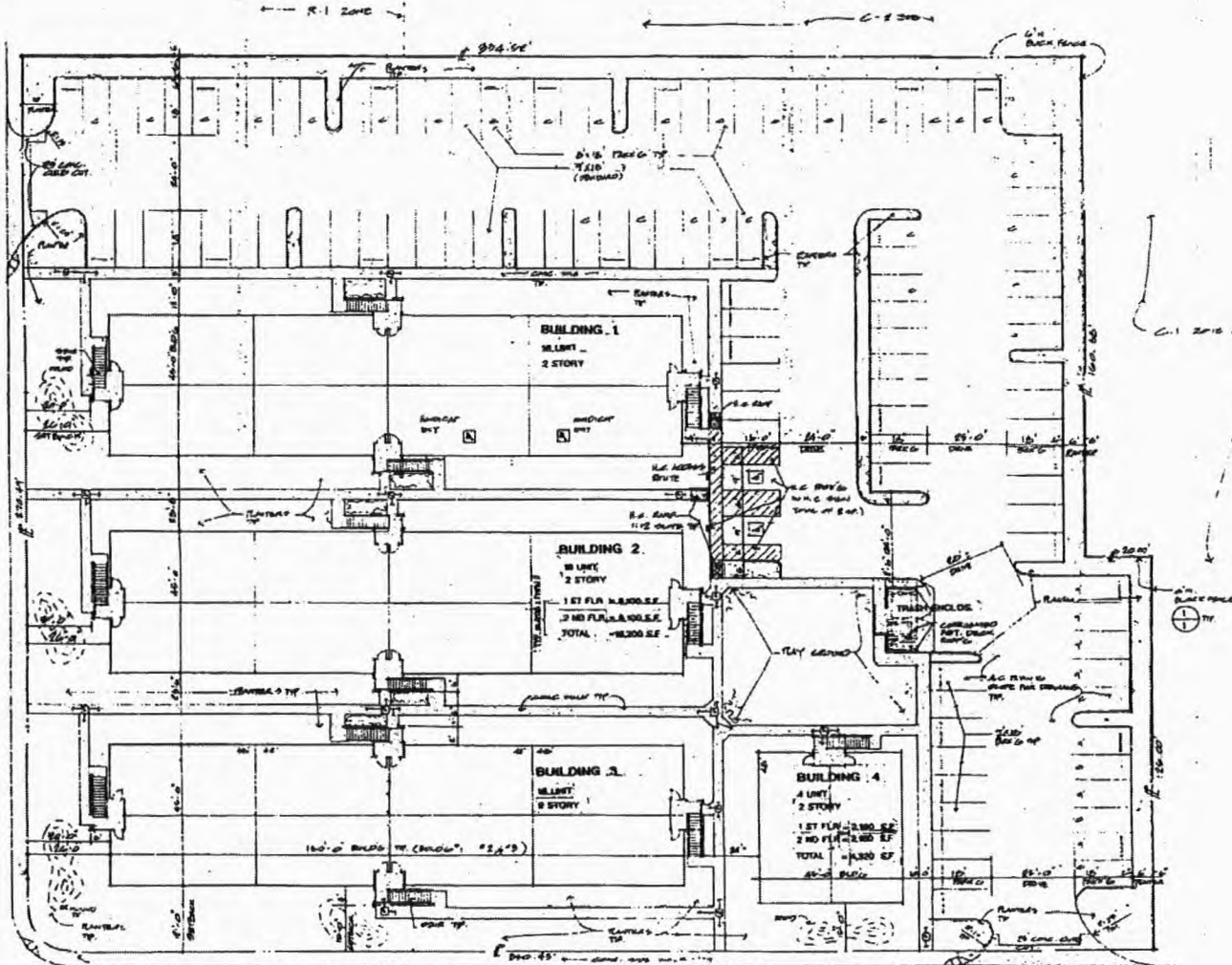
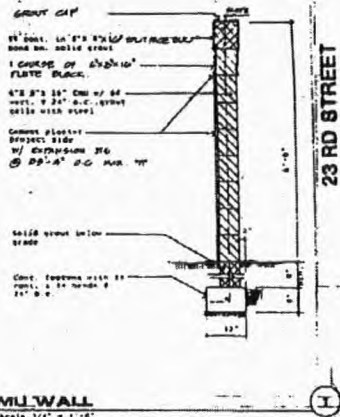
This 9th day of Oct, 2006

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





52 UNIT APARTMENTS
 AT 23 RD STREET & SEARLES AVE LAS VEGAS, NEVADA
 GREYMOUTH HOLDING LLC OWNER
 3320 SUNRISE AVE SUITE 101 LAS VEGAS, NEVADA 89101
 ERROL HILL ARCHITECT LTD. ARCHITECT
 1614 MARYLAND PARKWAY LAS VEGAS, NEVADA 89104



PARKING REQUIREMENT RECAP:

1 REQUIRED PARKING:		
25 THREE PROGRAM UNITS @ 2/UNIT	=	50
25 TWO PROGRAM UNITS @ 1/10 UNIT	=	25
25 TWO PROGRAM UNITS @ 1/10 UNIT	=	25
25 TWO PROGRAM UNITS @ 1/10 UNIT	=	25
TOTAL REQUIRED PARKING	=	125
2 PROVIDED PARKING:		
11 x 18' DRIVEWAY (STANDARD)	=	76
2 x 18' DRIVEWAY (STANDARD)	=	22
7 x 18' DRIVEWAY SPACE	=	2
TOTAL PROVIDED PARKING	=	100

SITE PLAN
 APR 108 - 28 - 108 - 01
 NET SITE 2.25 A

SCALE 1/4" = 1'-0"

EOT-17460
12-06-06 CC
OCT 09 2006

SHEET 1
 RECEIVED



TYPICAL NOTES: DISCREPANCY IN
THIS DIRECTION

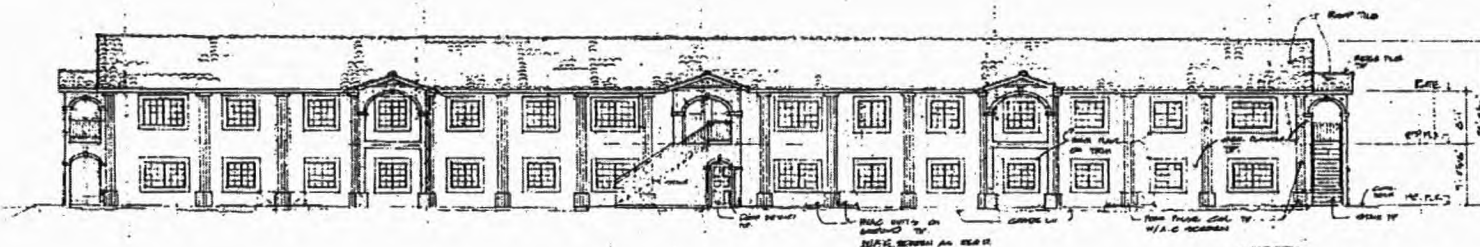


BUILDING #4

EXTERIOR ELEVATION

SCALE 1000 = 1-0'

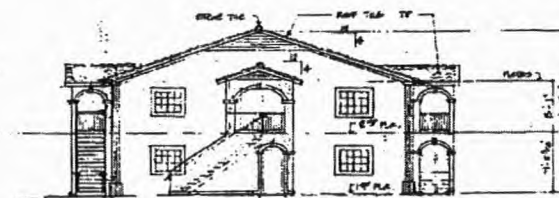
RECEIVED
OCT 09 2006



NORTH
TYCH. W/TS, CHAIRS, etc.
THIS ELEVATION



WEST



EAST

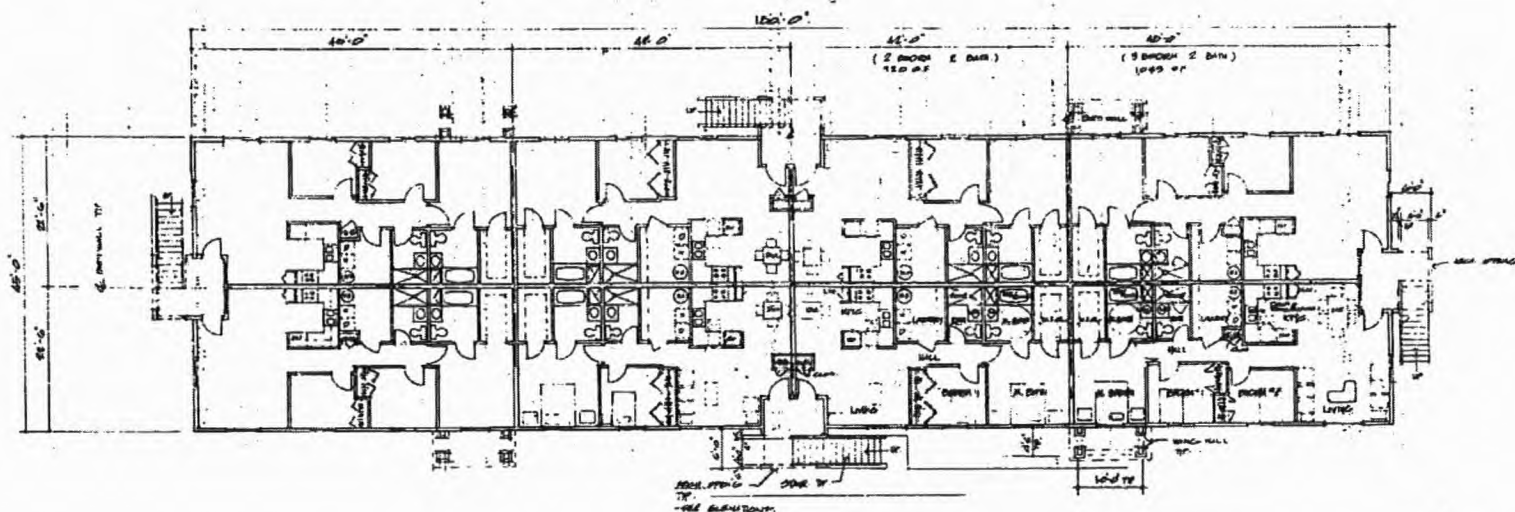


BUILD'G #1 THRU BUILD'G #3
EXTERIOR ELEVATIONS

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

EOT-17460
12-06-06 CC

RECEIVED
OCT 09 2006



BUILDING #1 THRU BUILDING #3
1ST FLOOR PLAN

SCALE 1/8" = 1'-0"

8/100 S.F.



EOT-17460
12-06-06 CC

RECEIVED
OCT 09 2006

Searles Property Development, LLC

11620 Evergreen Creek Lane

Las Vegas, NV 89125

(702) 804-1331

October 9, 2006

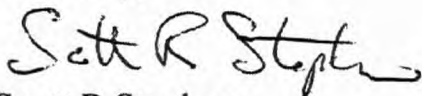
Planning & Development
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: SDR-5063 – Rezoning Extension *20N-5062*

To Whom It May Concern:

The City Council at a regular meeting held November 3, 2004 approved the request for a Rezoning From: C-2 (General Commercial) to: R-3 (Medium Density Residential) on 2.48 acres adjacent to the Northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016). We would like to file for an extension of our rezoning. Our new plan for 52 unit apartments is better suited for the residents and it meets all of the City of Las Vegas requirements.

Sincerely,



Scott R Stephens

Manager

Searles Property Development, LLC

EOT-17460

12-06-06 CC



052041



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEM
LARRY BROWN
AWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSONDOUGLAS A. SELBY
CITY MANAGER

January 24, 2005

Mr. Steven Marx
5990 Thiros Circle
Las Vegas, Nevada 89146RE: SDR-5063 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF NOVEMBER 3, 2004
Related to GPA-5060 and ZON-5062

Dear Mr. Marx:

The City Council at a regular meeting held November 3, 2004 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 52-UNIT APARTMENT COMPLEX on 2.48 acres adjacent to the northeast corner of Searles Avenue and 23rd Street (APN 139-26-508-016), C-2 (General Commercial) Zone [PROPOSED: R-3 (Medium Density Residential)]. The Notice of Final Action was filed with the Las Vegas City Clerk on November 4, 2004. This approval is subject to:

Planning and Development

1. Councilman Weekly's office shall be consulted on the color of the finished project.
2. A Rezoning (ZON-5062) to an R-3 (Medium Density Residential) Zoning District and a General Plan Amendment from SC (Service Commercial) to M (Medium Density Residential) approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped 08/23/04, except as amended by conditions herein.
5. The standards for this development shall include the following: minimum lot size of 6,500 square feet, minimum distance between buildings of 10 feet, and building height shall not exceed two stories or 35 feet, whichever is less.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-6/04EOT-17460
12-06-06 CC

Mr. Steven Marx
SDR-5063 – Page Two
January 24, 2005

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones, in this development.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
10. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Site development to comply with all applicable conditions of approval for ZON-5062 and all other subsequent site-related actions.

**EOT-17460
12-06-06 CC**

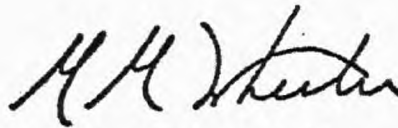
Mr. Steven Marx
SDR-5063 – Page Three
January 24, 2005

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings; whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,



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



M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Geoff Robins
Greymouth Holdings, LLC
3320 Sunrise Avenue, Suite #101
Las Vegas, Nevada 89101

Mr. Errol Hill
Errol Hill - Architects
1614 Maryland Parkway
Las Vegas, Nevada 89104

EOT-17460
12-06-06 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-16702 - APPLICANT: TERRIBLE HERBST, INC. - OWNER: CHEYENNE AND BELTWAY 2005, LLC - Request for an Extension of Time of an approved Special Use Permit (U-0112-00) FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located at the northwest corner of Cliff Shadows Parkway and the Beltway alignment (APN 137-12-410-009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

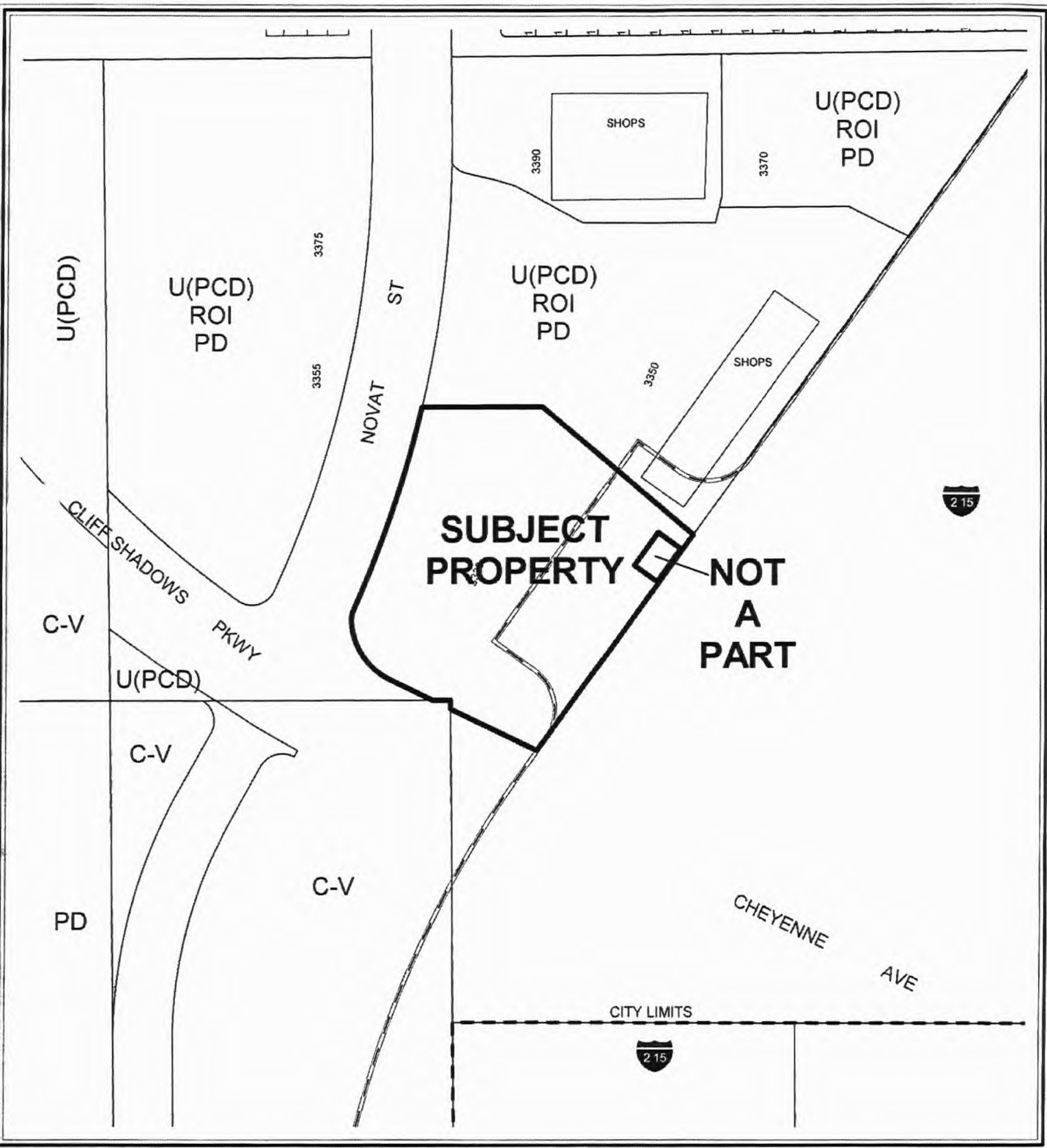
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for EOT-4448
6. City Council approval letter for U-0112-00

Motion made by GARY REESE to Approve subject to conditions Item 77 [EOT-16956], Item 78 [EOT-17462], Item 79 [EOT-17460] and Item 80 [EOT-16702]

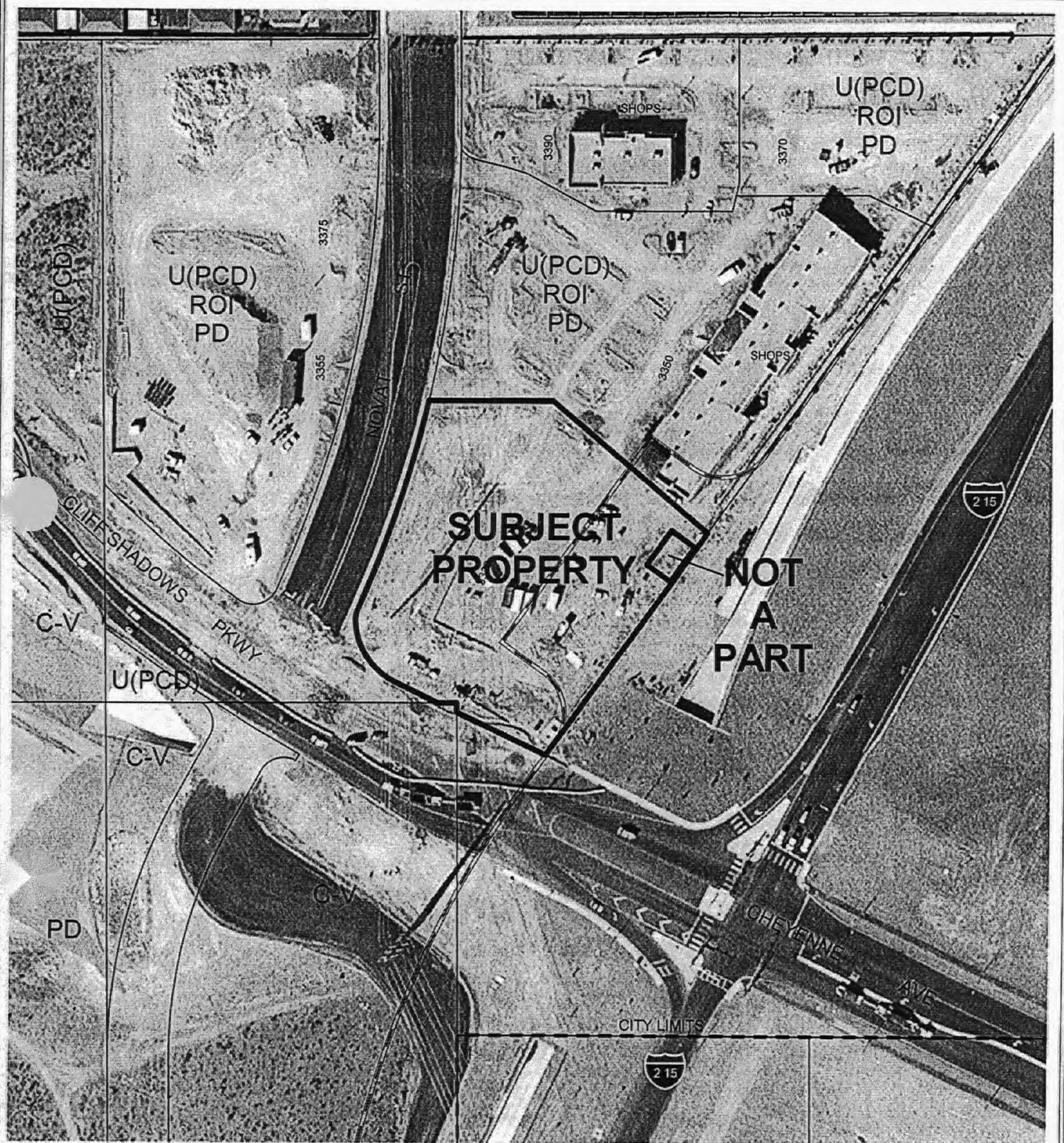
Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

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



CASE: EOT-16702

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL
PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)



0 80 160 Feet



CASE: EOT-16702

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-16702 - APPLICANT: TERRIBLE HERBST, INC. -
OWNER: CHEYENNE AND BELTWAY 2005, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on October 18, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0112-00) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/18/00	The City Council approved a Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of the intersection of Cheyenne Avenue and the Beltway alignment within the Lone Mountain Master Plan. The Planning Commission and staff recommended approval on 08/24/00.
08/07/02	The City Council approved an Extension of Time [U-0112-00(1)] for an approved Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of the intersection of Cheyenne Avenue and the Beltway alignment within the Lone Mountain Master Plan. The Planning Commission and staff recommended approval on 06/27/02.
07/07/04	The City Council approved an Extension of Time (EOT-4448) of an approved Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store on the northwest corner of Cliff Shadows Parkway and the Beltway alignment. Staff recommended approval of the subject case.
11/01/06	The City Council approved a Site Development Plan Review (SDR-15956) for a 3,200 square foot Service Station with an 1,821 square foot Auto Repair Garage, Minor, and a 3,480 square foot Car Wash with a Waiver of the Perimeter Landscape Standards and a Special Use Permit (SUP-15959) for an Auto Repair Garage, Minor at the northwest corner of Cliff Shadows Parkway and the Clark County 215 Beltway Alignment. The Planning Commission and staff recommended approval on 10/05/06.
<i>Related Building Permits/Business Licenses</i>	
	The applicant has not submitted building plans or civil improvement plans.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	8.65

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

North	Multi-tenant retail building	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	Right-Of-Way (215 Beltway)
East	Right-Of-Way (215 Beltway)	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development)

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

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed convenience store property located at the northwest corner of Cliff Shadows Parkway and the Beltway alignment.

ANALYSIS

This is the third Extension of Time for the subject Special Use Permit for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed convenience store. The original Special Use Permit was approved by the City Council on 10/18/00.

The applicant has indicated that they will be moving forward with the development of the subject site. All necessary approvals have been obtained, which include; Site Development Plan Review (SDR-15956) for a 3,200 square foot Service Station with an 1,821 square foot Auto Repair Garage, Minor, and a 3,480 square foot Car Wash; Special Use Permit (SUP-15959) for a Auto Repair Garage, Minor; and Special Use Permit (U-0112-00) for a Liquor Establishment (Off-Premise Consumption). Therefore, staff is recommending approval of the subject application.

Previous Conditions of Approval from Special Use Permit (U-0112-00) and Extension of Time (EOT-4448)

Special Use Permit (U-0112-00)

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0033-97(17) & Z-0024-99(6)].
5. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
6. All City Code requirements and all City departments' design standards shall be met.

Extension of Time (EOT-4448)

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0112-00) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to submit plans for the plan review and permitting process. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-116702 APN: 137-12-410-009

Name of Property Owner: Cheyenne and Beltway 2005, LLC

Name of Applicant: Terrible Herbst, 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

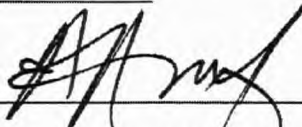
☒ No

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): _____

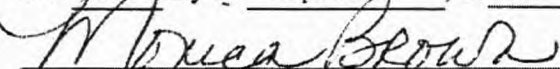
APN: _____

Signature of Property Owner: 

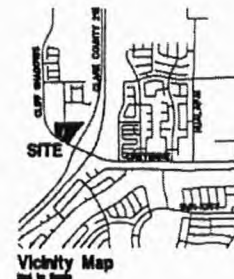
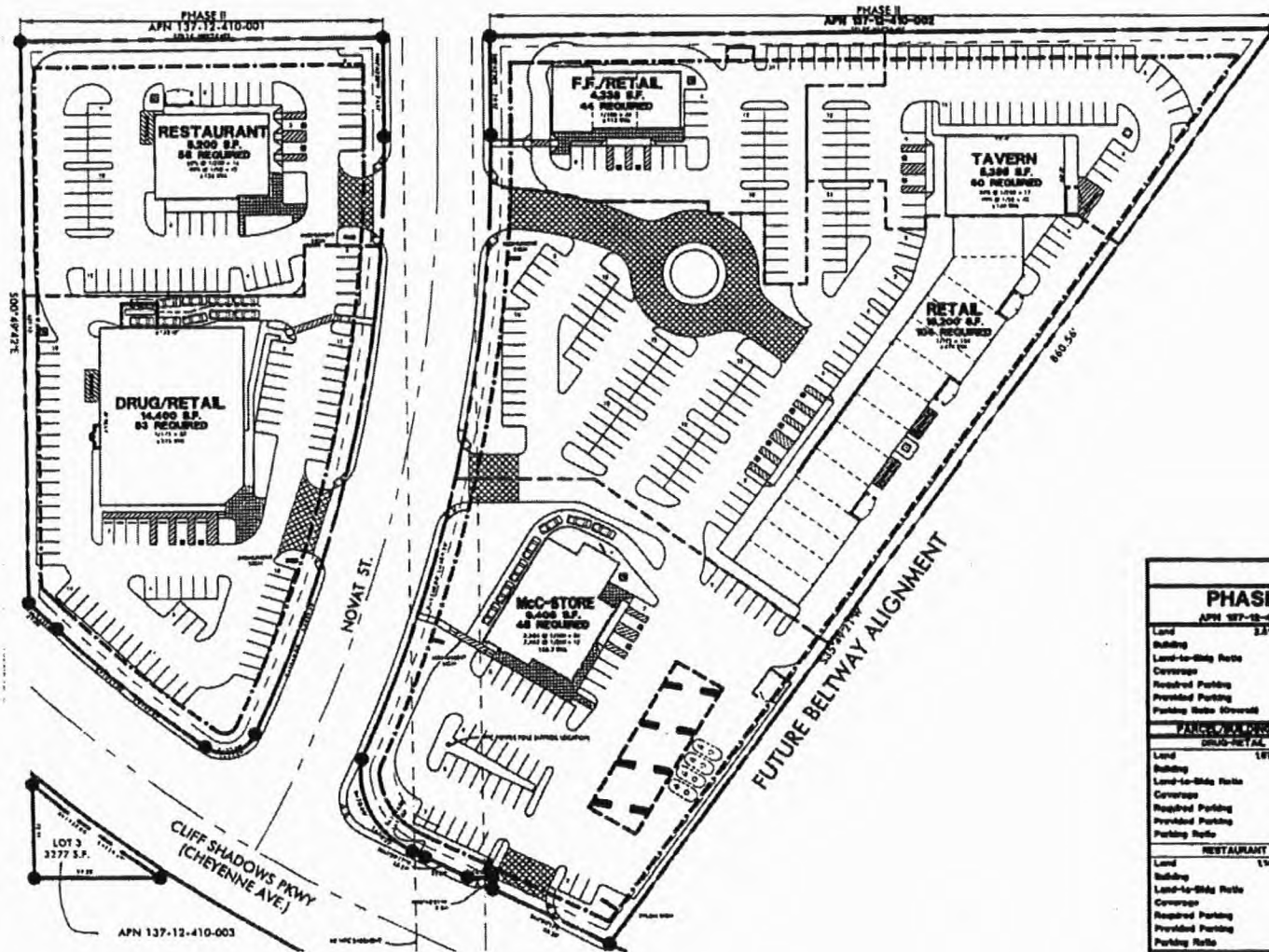
Print Name: Abdus Asif

Subscribed and sworn before me

This 6th day of September, 20 06


Notary Public in and for said County and State





ALL BUILDINGS, IMPROVEMENTS, THEIR OCCUPANTS AND THE USER AS SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO MODIFICATION AT THE OWNER'S DISCRETION WITHOUT NOTICE. THIS PRELIMINARY SITE PLAN IS BASED ON INFORMATION FURNISHED TO NWS, ARCHITECTS, INC. AND IS SUBJECT TO VERIFICATION BY SURVEY, ENGINEERS AND OTHERS. THE ENGINEER IS NOT NECESSARILY A REPRESENTATIVE AS TO EXISTING, TYPE, SIZE, LOCATION, TERMS OR OCCUPANCY OF ANY BUILDING WITHIN THIS CENTER.

PROJECT SUMMARY					
PHASE II APN 137-12-410-001			PHASE I APN 137-12-410-002		
Land	3.31 AC	121,454 SF	Land	3.34 AC	124,344 SF
Building		20,700 SF	Building		34,332 SF
Land-to-Bldg Ratio		6.6/1	Land-to-Bldg Ratio		7.4/1
Coverage		17 %	Coverage		27.8 %
Required Parking		170 Spaces	Required Parking		200
Provided Parking		170 Spaces	Provided Parking		200
Parking Ratio (Overall)		1/174	Parking Ratio (Overall)		1/120
PHASE II BUILDING SUMMARY			PHASE I BUILDING SUMMARY		
DRUG/RETAIL (Pkg A)			FF/RETAIL (Pkg C)		
Land	1.87 AC	72,000.0 SF	Land	0.79 AC	28,000.0 SF
Building		14,400 SF	Building		4,330 SF
Land-to-Bldg Ratio		5.0/1	Land-to-Bldg Ratio		7.0/1
Coverage		19.8 %	Coverage		15.5 %
Required Parking		63 Spaces	Required Parking		44 Spaces
Provided Parking		63 Spaces	Provided Parking		44 Spaces
Parking Ratio		1/176	Parking Ratio		1/100
RESTAURANT (Pkg B)			TAVERN (Pkg D)		
Land	1.14 AC	40,000.0 SF	Land	0.88 AC	30,000.0 SF
Building		5,200 SF	Building		5,300 SF
Land-to-Bldg Ratio		12/1	Land-to-Bldg Ratio		7.6/1
Coverage		13.0 %	Coverage		17.7 %
Required Parking		58 Spaces	Required Parking		50 Spaces
Provided Parking		58 Spaces	Provided Parking		50 Spaces
Parking Ratio		1/69	Parking Ratio		1/59
RETAIL (Shops G)			RETAIL (Shops H)		
Land	1.36 AC	49,000.0 SF	Land	1.36 AC	49,000.0 SF
Building		16,200 SF	Building		16,200 SF
Land-to-Bldg Ratio		3.0/1	Land-to-Bldg Ratio		3.0/1
Coverage		32.9 %	Coverage		32.9 %
Required Parking		70 Spaces	Required Parking		70 Spaces
Provided Parking		70 Spaces	Provided Parking		70 Spaces
Parking Ratio		1/70	Parking Ratio		1/70

PRELIMINARY SITE PLAN - Design Review

NWC I-215 & CHEYENNE
LAS VEGAS, NEVADA

Site Development Services, Inc.
ARCHITECTS, ENGINEERS, PLANNERS

DATE: APRIL 26, 2004
NAME: JWB

700 S. INDUSTRIAL, SU. 1000
LAS VEGAS, NV 89101
770.444.0000 FAX 770.444.0001
WWW.SDSI.COM

National Architects Inc

EOT-16702
12-06-06 CC

JONES VARGAS

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEVIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
PAUL A. LEMCKE

PHILIP M. BALLIF
MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. WELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89169

TEL (702) 862-3300 FAX (702) 734-2722

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MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
JENNIFER BEATTY BRINTON
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
TYRUS O. COBB
TRACY A. DIFILIPPO
ELIZABETH M. FIELDER
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
BENJAMIN W. KENNEDY
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

Writer's Direct Line
(702) 862-3342
E-Mail Address
struesdell@jonesvargas.com

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

September 11, 2006

HAND DELIVERED

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

RE: Justification Letter – Extension of Time – U-0112-00 (related application EOT-4448)

Dear Planning and Development Department:

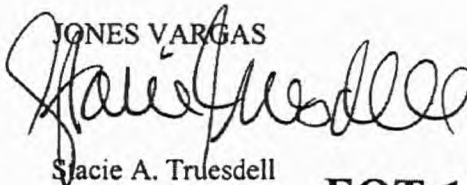
Enclosed is an application for an extension of time for an approved special use permit (U-0112-00) to permit a liquor establishment (for off-premise consumption) in conjunction with a proposed convenience store for that property located at the northwest corner of Cliff Shadows Parkway and the 215 Beltway (APN 137-12-410-009) (the "**Property**") submitted on behalf of Terrible Herbst, Inc. (the "**Applicant**").

On July 7, 2004, the Las Vegas City Council approved EOT-4448, a second extension of time for U-0112-00. This application is necessary because EOT-4448 was subject to a two-year resolution of intent, which expires on October 18, 2006.

The Applicant holds a long-term lease for the Property and intends to operate a convenience store on the Property which would include the sale of alcoholic beverages for off-premise consumption. The Applicant is currently moving forward with plans to develop the aforementioned convenience store and the submission of plans to the building department is imminent. Therefore, the Applicant respectfully requests approval of an extension of time for U-0112-00.

Please feel free to contact me at (702) 862-3342 with any question or concerns.

Very truly yours,

JONES VARGAS

Stacie A. Truesdell

SAT

**EOT-16702
12-06-06 CC**

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY



048395

July 9, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM
LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Ryan Carstensen
Site Four, Limited Liability Company
1608 Club View Drive
Bakersfield, California 93309-3543

RE: EOT-4448 - EXTENTION OF TIME - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 7, 2004
Related to EOT-4446, EOT-4449 & EOT-4578

Dear Applicant:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for a second Extension of Time of an approved Special Use Permit (U-0112-00) FOR A LIQUOR ESTABLISHMENT (FOR OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on property located at the northwest corner of Cliff Shadows Parkway and the Beltway alignment (APN: 137-12-410-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development). Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

1. This Extension of Time will expire on October 18, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (U-0112-00) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

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

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-8/04

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

Mr. John Sargent
Nadel Architects
7180 South Industrial Road, #800
Las Vegas, Nevada 89118

EOT-16702
12-06-06 CC



MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE



003215

November 8, 2000

Mr. John Ritter
Las Vegas Properties, Limited Liability Company
3320 North Buffalo Drive, Suite #204
Las Vegas, Nevada 89129

RE: U-0112-00 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 18, 2000
RELATED TO Z-0033-97(17) AND Z-0024-99(6)

Dear Mr. Ritter:

The City Council at a regular meeting held October 18, 2000 APPROVED the request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (OFF-PREMISE CONSUMPTION) IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE on the northwest corner of the intersection of Cheyenne Avenue and the Beltway alignment within the Lone Mountain Master Plan (APN: 137-12-301-014, 137-12-401-002, 003, 019, 023, and 025), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development). The Notice of Final Action was filed with the Las Vegas City Clerk on October 19, 2000. This approval is subject to:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of individual containers of any size beer, wine coolers, or screw cap wine is prohibited.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0033-97(17) & Z-0024-99(6)].
5. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

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

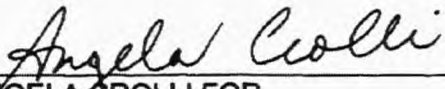
VOICE 702.229.6011
TDD 702.386.9108
www.ci.las-vegas.nv.us

EOT-16702
12-06-06 CC

Mr. John Ritter
U-0112-00 – Page Two
November 8, 2000

6. All City Code requirements and all City departments' design standards shall be met.

Sincerely,


ANGELA CROLLI FOR
BARBARA JO RONEMUS, City Clerk

AR

/ac

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

Mr. Calvin Champlin
Quadrant Planning
3320 North Buffalo Dr., Suite #205
Las Vegas, Nevada 89129

Mr. Darrin Badger
Southwest Desert Equities, Limited Liability Company
3320 North Buffalo Drive, Suite #205
Las Vegas, Nevada 89129

EOT-16702
12-06-06 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING

ZON-16915 - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHFERFI - Request for a Rezoning FROM: R-E (RESIDENTIAL ESTATES) TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Concern Letter from John and Margaret Rodriguez for Items 81 and 82
6. Backup referenced from the 11-02-06 Planning Commission Meeting Item 2

Motion made by LAWRENCE WEEKLY to Hold in Abeyance Items 81, 82, and 83 to 1/3/2007

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 81 [ZON-16915], Item 82 [VAR-16996] and Item 83 [SDR-16914].

THOMAS HELLUMS, 7330 Smoke Ranch Road, Suite B, appeared on behalf of the applicant.

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

COUNCILMAN WEEKLY asked if he met with the residents. MR. HELLUMS replied in the affirmative and added that these items were approved three years ago. Since another buyer bought the property, they had to begin the process again. The project will be exactly as previously presented. COUNCILMAN WEEKLY pointed out that many residents have concerns about the project.

ELEANOR ALVORD, 5425 Tassara Way, President of the Smoke Ranch Villas Homeowners Association, expressed concern about its closeness to their development, its affect on parking, traffic and the size of the homes. MR. HELLUMS replied that the one-acre site will be developed with two-story homes. The access will be off of Smoke Ranch Road providing a good buffer between the condos on the west and R-E lots to the east. MR. HELLUMS added they comply with the setback requirements. MR. HELLUMS confirmed that the proposed homes will abut a portion of their development on the south side. MAYOR GOODMAN indicated the setback requirements are 15 feet from the front and 10 feet in the rear. The rear of the project will face the villas, where MS. ALVORD resides.

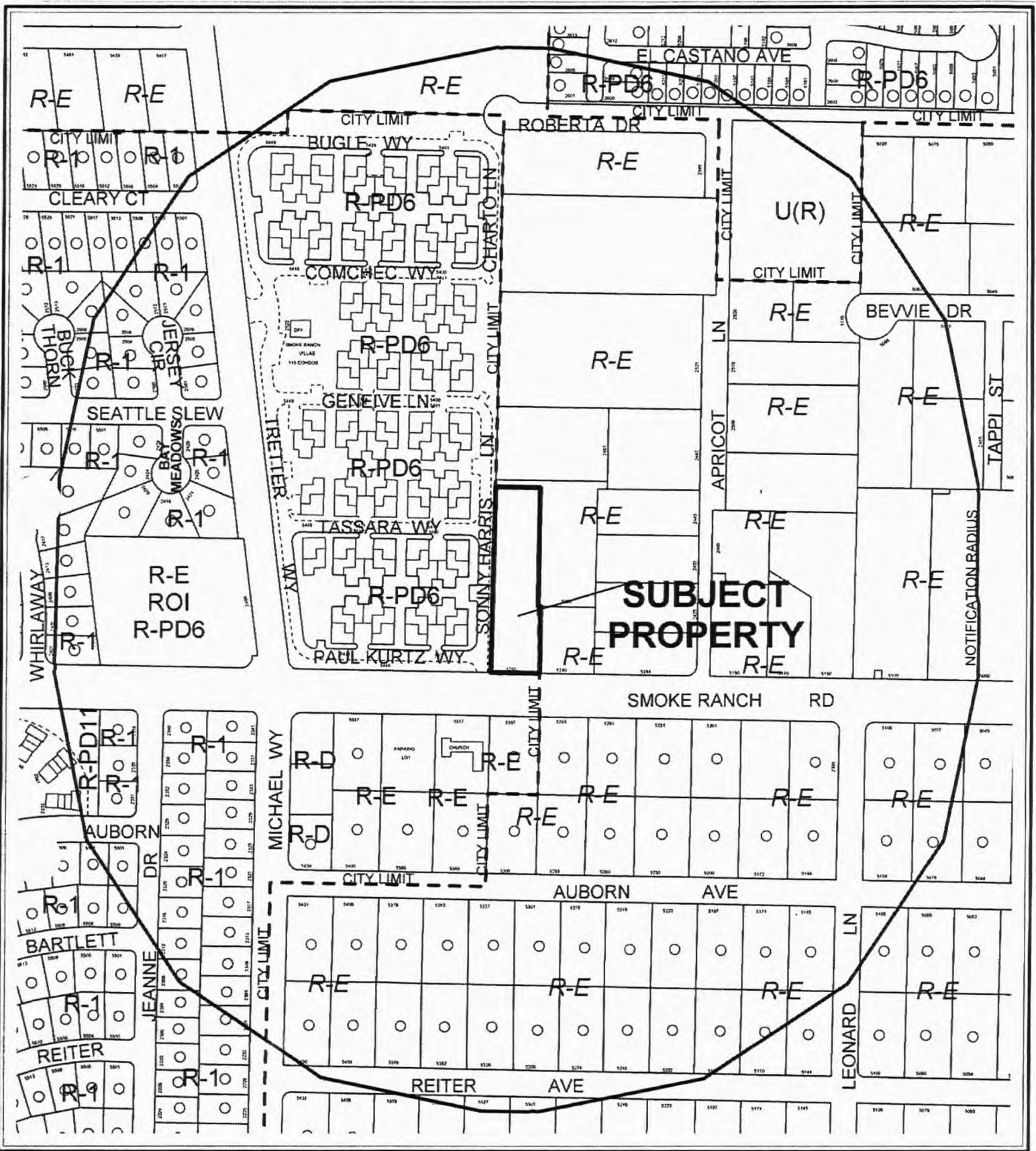
CLARA CENTRONE, 5424 Geneive Lane, expressed concern about the two-story units and asked if it would be possible to eliminate the windows in the back. The lot is too narrow for this type of development.

MARGARET and JUAN RAUL RODRIGUEZ, 5244 Smoke Ranch Road, reside on the other side of the subject parcel. MRS. RODRIGUEZ pointed out that a similar project was proposed three years ago. She and her husband do not support this plan because the two-story units will overlook into their backyard. Additionally, their only source of water comes from a well situated on the property proposed for the six units. MR. RODRIGUEZ added they cannot get water from the City because he does not own the land. There is a nine-foot access easement on his property but not an utility easement. MAYOR GOODMAN discussed with ASSISTANT CITY ATTORNEY BRYAN SCOTT that if it is a typical easement, it probably is a perpetual easement in favor of both parcels. MAYOR GOODMAN felt there are many unanswered questions.

COUNCILMAN WEEKLY moved to abey the items because not everyone was aware of the well and to address the concerns expressed by the adjacent residents. As these infill projects come forward, it is important to take into consideration the quality of life of the adjacent residents. MR. HELLUMS stated that the developer will be providing the municipal water and the hook up to MR. RODRIGUEZ'S parcel.

COUNCILMAN WEEKLY announced that the residents would be notified of a neighborhood meeting. ASSISTANT CITY ATTORNEY SCOTT asked MR. RODRIGUEZ to provide him with a copy of the easement.

MAYOR GOODMAN declared the Public Hearing closed on Item 81 [ZON-16915], Item 82 [VAR-16996] and Item 83 [SDR-16914].



0 200 400 Feet



CASE: ZON-16915

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16915 - APPLICANT/OWNER: GHASSAN MISHERRI

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-16914) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing offsite improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Grant a perpetual, irrevocable vehicular and pedestrian access easement in favor of Assessor's Parcel Number 138-13-801-053 on the Final Map for this site; alternatively provide a copy of a recorded Access Easement/Agreement between this site and Assessor's Parcel Number 138-13-801-053 prior to the recordation of a map for this site.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Rezoning from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units Per Acre) on 1.08 acres located adjacent to the north side of Smoke Ranch Road, approximately 470 feet east of Michael Way. Approval would permit the development of a six-lot, single family subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03	The City Council approved an Annexation (ANX-1752) for the subject property. The Planning Commission recommended approval. The effective date was 06/13/03.
08/20/03	The City Council approved the General Plan Amendment GPA-2572, Rezoning ZON-2574, and Site Plan Review SDR-2577. The Planning Commission and staff recommended approval.
03/26/04	The Planning Commission approved a seven-lot Tentative Map TMP-3876 at 5250 Smoke Ranch Road.
08/04/04	The Planning and Development staff administratively approved the Final Map FMP-3876. The Final Map was not recorded.
05/10/05	Code Enforcement Case #29821: Vacant Building. Case resolved on 8/17/05.
11/02/06	The Planning Commission recommended approval of companion items VAR-16996 and SDR-16914 concurrently with this application.
	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #2/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
08/07/06	The applicant's representative met with staff to discuss reactivating a previously-expired entitlement for a six-lot Residential, Planned Development.
<i>Neighborhood Meeting</i>	
N/A	N/A

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.08
Net Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	ML (Medium Low Residential)	R-E (Residence Estates)
North	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County (Rural Estates)
South	Single Family Dwelling and church	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County (Rural Estates)
West	Single Family Dwelling	MLA (Medium Low Density Attached)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD Residential Planned Development District	X		N
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 the following standards apply:

<i>Standard</i>	<i>Proposed</i>	<i>Acceptable</i>
Min. Lot Size	3,510	Y
Min. Lot Width	52 Feet	Y
Min. Setbacks • Front (Garage) • Front (House) • Side • Rear	20 Feet 15 Feet 5 Feet 10 Feet	Y
Max. Lot Coverage	NA	NA
Max. Building Height	2 stories/ 35 Feet	Y

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
RE	2du/ac	(2)	R-PD6	6.49du/ac max. 7d/u for subject site	ML	8.49du/ac max. 9.1d/u for subject site

Pursuant to Title 19.12 the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer:				
• Min. 24-inch box Trees	1 Tree/ 30 Linear Feet	3 Trees	8 Trees	
• Min. 5-gallon shrubs	4 shrubs / 24-inch box tree	12 Shrubs	33 Shrubs	
Min. Zone Width	6 Feet		6-feet wide	Y
Wall Height	8 Feet Max		6-feet high	Y

Pursuant to Title 19.06 the following standards apply:

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
1.08	5.55	1.65	0	0	0	0	Y*

*Pursuant to Title 19.06 projects with less than 12 lots have no open space requirement.

ANALYSIS

The applicant is proposing a six-unit subdivision on 1.08 acres. Per Title 19.06.040, R-PD developments require a minimum site size of five acres which the applicant is seeking to remedy with a request for a Variance (VAR-16996). The proposed density of 5.55 units per acre is compatible with the existing ML (Medium Low Density) general plan category that allows for 8.49 units per acre. Lots range in size from 3,884 square feet to 4,043 square feet.

Notably, an application of identical size and similar characteristics had been previously approved at this location by City Council on 8/20/03 (ZON-2574). The planned subdivision will provide an adequate buffer in housing density between the existing 6-unit per acre condominium complex and the lower density, Unincorporated Clark County-Rural Estates housing.

A cul-de-sac off of Smoke Ranch Road will provide access to the development. A common lot, as depicted on the submitted site plan, is shown on the northernmost portion of the site. A six-foot wide landscape buffer is depicted adjacent to the Smoke Ranch right-of-way.

FINDINGS

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

1. **“The proposal conforms to the General Plan.”**
2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**
3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**
4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

In regard to “1”:

The proposal is in conformance with the existing ML (Medium-Low) designation as the 5.55 units/acre is below the 8.49 units/acre allowed.

In regard to “2”:

The parcel is directly adjacent to the R-PD6 (Residential Planned Development-6 unit per acre) condominium project to the west. The properties to the north, east and south are R-E (Residence Estates) zoned properties and developed as minimum half-acre lots. However, both the small scale of the proposal and the low housing density make the project compatible with the area.

In regard to “3”:

The proximity of the condominium project and intersection of Smoke Ranch Road and Michael Way make this request a reasonable use of land and density for this area of the City.

In regard to “4”:

The proposed subdivision has direct access to Smoke Ranch Road, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The design of the project will have little impact on neighborhood traffic as the roadway is adequate to handle the proposed six-lot subdivision.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 304 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16915** APN: 138-13-801-068

Name of Property Owner: Ghassan Misherti

Name of Applicant: Dwyer Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN 138-13-801-068

Signature of Property Owner: Ghassan Misherti

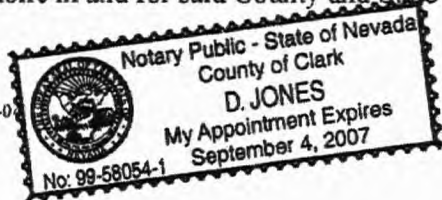
Print Name: GHASSAN MISHERTI

Subscribed and sworn before me

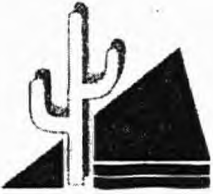
This 30 day of August, 2006

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

Revised 12-03-06



f: depot Application Packet Statement of Financial Interest.pdf



DWYER ENGINEERING, INC.

CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

September 18, 2006

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

RE: London Circle
Rezoning Petition APN: 138-46-801-068
Justification Letter

Dear Sirs:

We formally request the rezoning of this parcel located at 5250 Smoke Ranch Road, East of Michael Way to R-PD6. This zoning was previously approved as ZON-2574 but expired before the final map was approved for recording.

The improvement plans are approved and we wish to proceed with the project. We are submitting a site development review and tentative map concurrently with this zoning application.

There have been no changes to the previously approved tentative map.

We request approval of this rezoning.

Sincerely,
DWYER ENGINEERING, INC.

Thomas L. Hellums, P.L.S., W.R.S.
Principal

ZON-16915
SDR-16914
11/02/06 PC

FROM: { JUAN RAUL
MARGARET RODRIGUEZ

OWNERS OF PROPERTY AT 5244
SMOKE RANCH ROAD

RE: MEETING SCHEDULED FOR DECEMBER
6TH 2006
AT 1 p.m.

AT CITY COUNCIL CHAMBERS

RECEIVED
CITY CLERK

2006 DEC 4 P 12:08

VARIANCE # VAR 16996

ZONING # ZON 16915

THIS PROPERTY LOCATED AT SMOKE RANCH
ROAD AND MICHAEL WAY

PROPOSED VARIANCE / RESIDENTIAL
DEVELOPMENT

WE HAVE BEEN IN CALIFORNIA ALL YEAR
-RETURNED YESTERDAY- DEC. 3RD- WILL
ATTEND MEETING BUT HAVE BEEN ADVISED
TO SUBMIT IN WRITING OUR CONCERN
RE. OUR ENCUMBRANCE TO THIS PROPERTY.
OUR ONLY SOURCE OF WATER IS FROM
A WELL ON THIS LAND - PLEASE SEE
ATTACHED DOCUMENTS RE. ENCUMBRANCE.

San Jose, California

Date 12-04-06 Item #81+82

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax**

SUBJECT: ZON-16915 - APPLICANT: DWYER ENGINEERING - OWNER: GHASSAN MISHIERFI

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **November 2, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

A handwritten signature in cursive script that reads "Thomas L. Hellums".

Signature

10-27-06

Date

Thomas L. Hellums

Please print name

DWYER Engr.

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-16915

VAR-16996 - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHREFI - Request for a variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT OF 1.08 ACRES WHERE FIVE ACRES IS THE MINIMUM AREA REQUIRED on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-02-06 Planning Commission Meeting Item 3

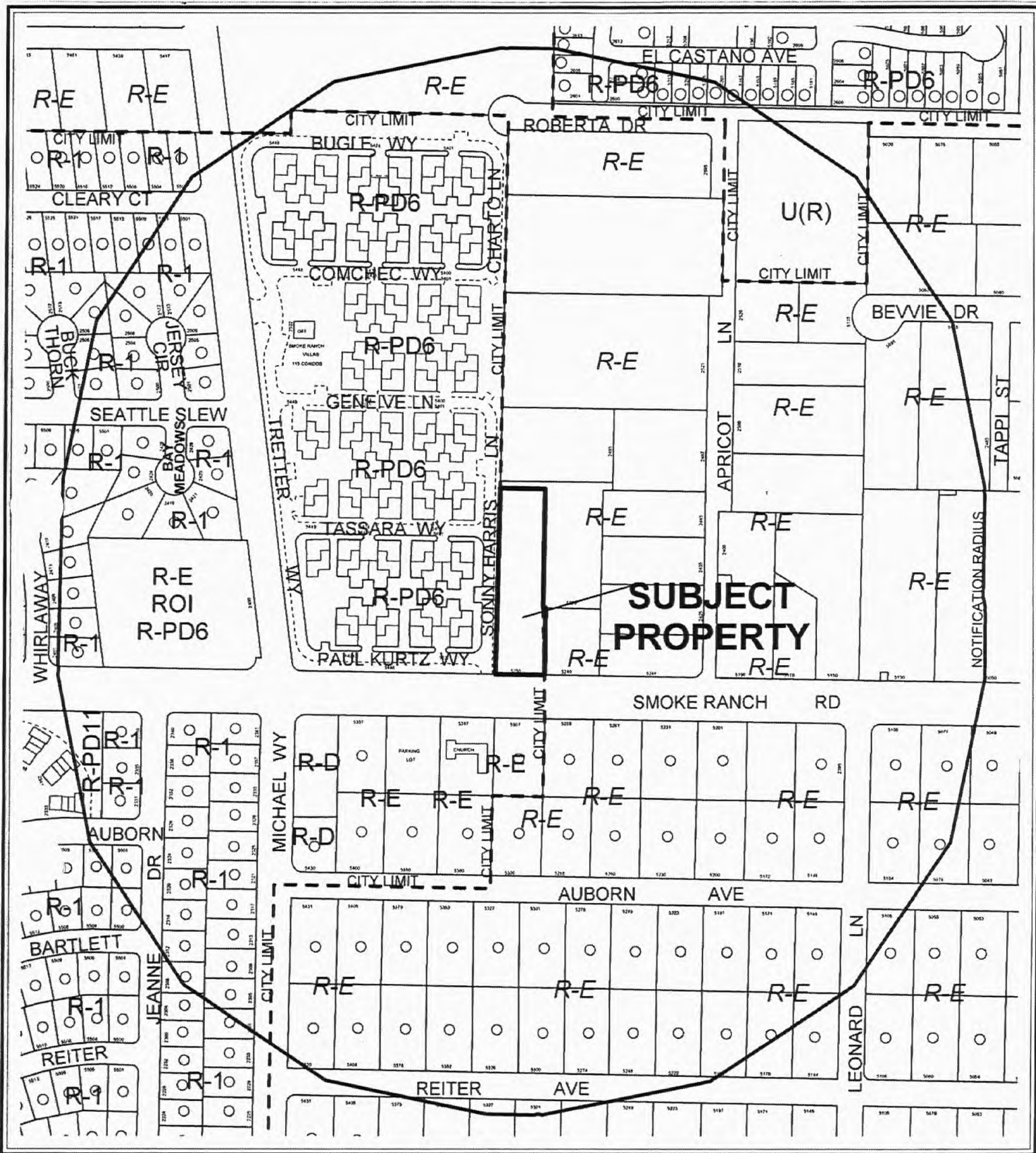
Motion made by LAWRENCE WEEKLY to Hold in Abeyance Items 81, 82 and 83 to 1/3/2007

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

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

Minutes:

See Item 81 for related discussion and backup.



CASE: VAR-16996

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-16996 - APPLICANT/OWNER: GHASSAN MISHERRI

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16915), and Site Development Plan Review (SDR-16914) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to the five-acre minimum lot size requirement for a Residential Planned Development – six units per acre on 1.08 acres located adjacent to the north side of Smoke Ranch Road, approximately 470 feet east of Michael Way. Approval would permit the development of a six-lot, single-family subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03	The City Council approved an annexation (ANX-1752) for the subject property. The Planning Commission recommended approval. The effective date was 06/13/03.
08/20/03	The City Council approved the General Plan Amendment GPA-2572, Rezoning ZON-2574, and Site Plan Review SDR-2577. The Planning Commission and staff recommended approval.
03/26/04	The Planning Commission approved a 7-lot Tentative Map TMP-3876 at 5250 Smoke Ranch Road.
08/04/04	The Planning and Development Staff administratively approved the Final Map FMP-3876. The Final Map was not recorded.
05/10/05	Code Enforcement Case #29821: Vacant Building. Case resolved on 8/17/05.
11/02/06	The Planning Commission recommended approval of companion items ZON-16915 and SDR-16914 concurrently with this application.
	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #3/mh).
<i>Pre-Application Meeting</i>	
08/07/06	The applicant's representative met with staff to discuss reactivating previously-expired entitlements for a six-lot Residential Planned Development.
<i>Neighborhood Meeting</i>	
N/A	N/A

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	ML (Medium Low Residential)	R-E (Residence Estates)
North	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County

South	Single Family Dwelling and church	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County
West	Single Family Dwelling	MLA (Medium Low Density Attached)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD Residential Planned Development District	X		N
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

<i>Standard</i>	<i>Proposed</i>	<i>Acceptable</i>
Min. Lot Size	3,510	Y
Min. Lot Width	52 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 15 Feet 5 Feet 10 Feet	Y
Max. Lot Coverage	50%	Y
Max. Building Height	2 stories/ 35 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
RE	2du/ac	(2)	R-PD6	6.49du/ac max. 7d/u for subject site	ML	8.49du/ac max. 9.1d/u for subject site

ANALYSIS

Per Title 19.06.040, R-PD developments require a minimum site size of five acres. The applicant is requesting relief from this requirement to allow a site area of 1.08 acres. Under similar circumstances, the comparable Zoning district of R-CL (Residential –Compact Lots), would require a Variance for setbacks. As proposed, however, this development is providing more open space and landscaping than what would be required of the R-CL Zoning District. In addition, the proposed development is in compliance with maximum density allowed for the Master Plan Land Use Designation of ML (Medium Low), and provides a good buffer between a higher density condominium to the west and larger single-family lots to the east. Finally, per Title 19.06.040(A): “Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD, may also be zoned R-PD by the City Council if it otherwise qualifies for the R-PD zoning designation.” Although the section continues to add the condition that, “Both such properties must be owned by or be under the control of the same property owner.” Staff feels that the adjacent R-PD6 zoned property is a contributing factor in supporting this variance request. In light of these three circumstances staff is recommending 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.”

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 309 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-16996

Case Number: _____ APN: 138-13-801-068Name of Property Owner: Ghassan MisherfiName of Applicant: Dwyer Engineering

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

☐ Yes☒ No

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

City Official: _____

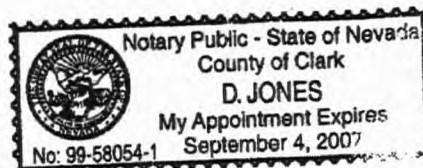
Partner(s): _____

APN ~~138-13-801-068~~Signature of Property Owner: Ghassan G. MisherfiPrint Name: GHASSAN G. MISHERFI

Subscribed and sworn before me

This 15 day of September, 2006

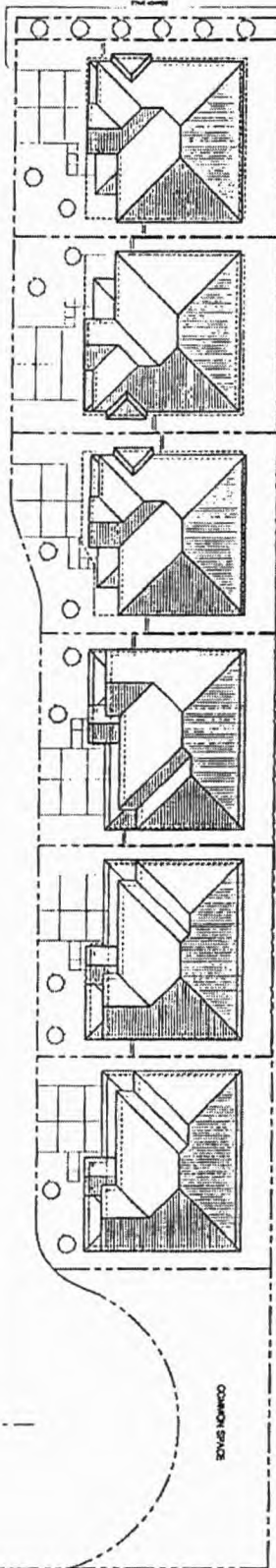
Notary Public in and for said County and State

RECEIVED
SEP 18 2006

SMOKE RANCH ROAD
50' CENTERLINE

① SITE PLAN
SCALE: 1/8" = 1'-0"

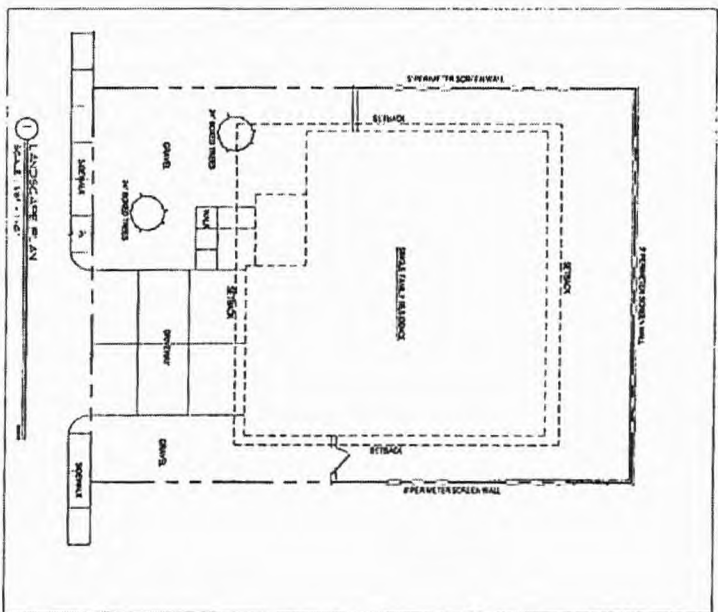
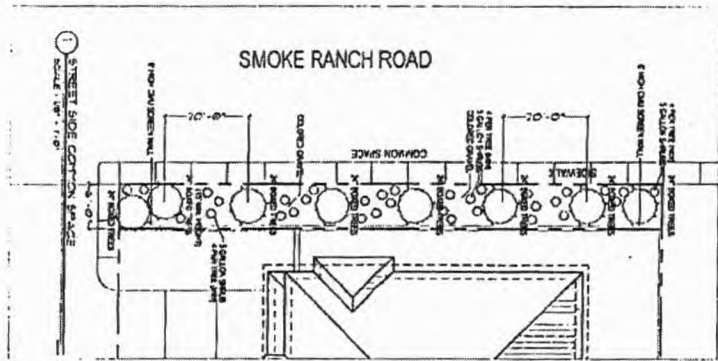
FIRE DANGER COURT
20' CENTERLINE



COMMON SPACE

① STREET SIDE COMMON SPACE
SCALE: 1/8" = 1'-0"

SMOKE RANCH ROAD



VAR-16996
11/02/06 PC

RECEIVED
SEP 18 2006

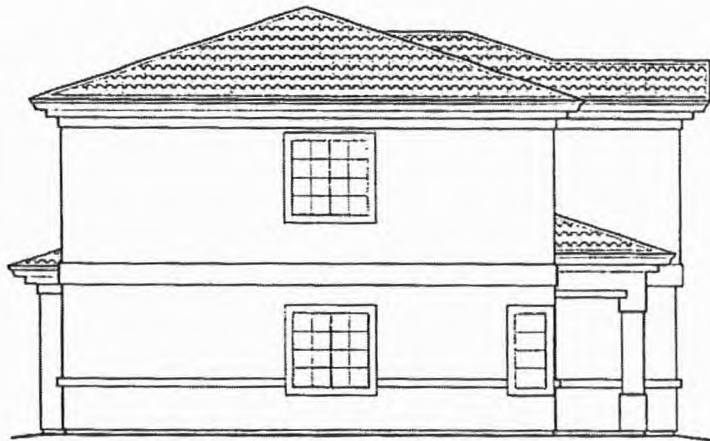
SHEET
L-1 OF 1
OWNER: BUILDER
NEW RESIDENCE
DATE: 09-14-06

LANDSCAPE PLAN

LOCATION / LEGAL DESCRIPTION

SMOKE RANCH

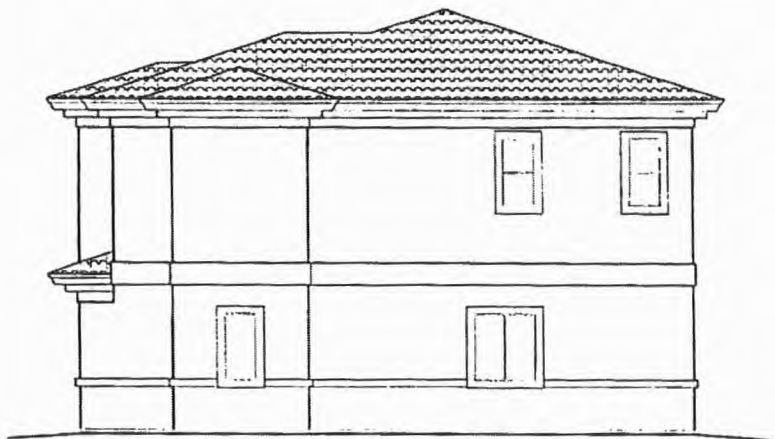
REVISIONS	DESCRIPTION	DATE



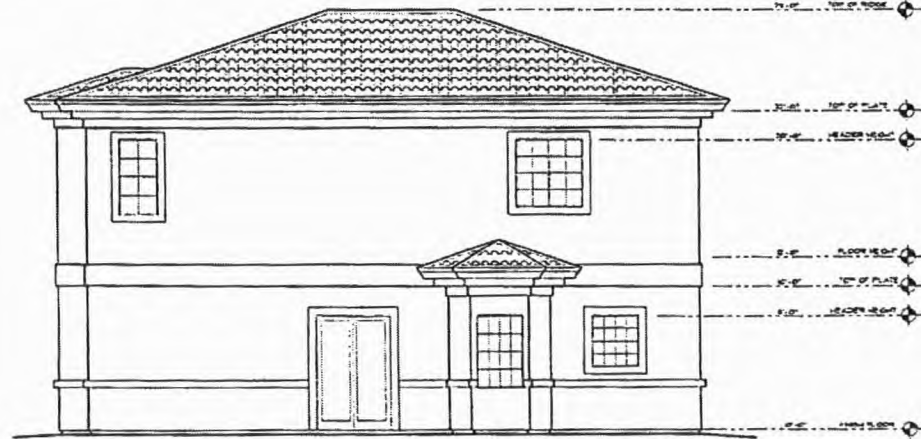
2 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



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



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



3 REAR ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS	DATE	DESCRIPTION

SMOKE RANCH
PLAN 'A'

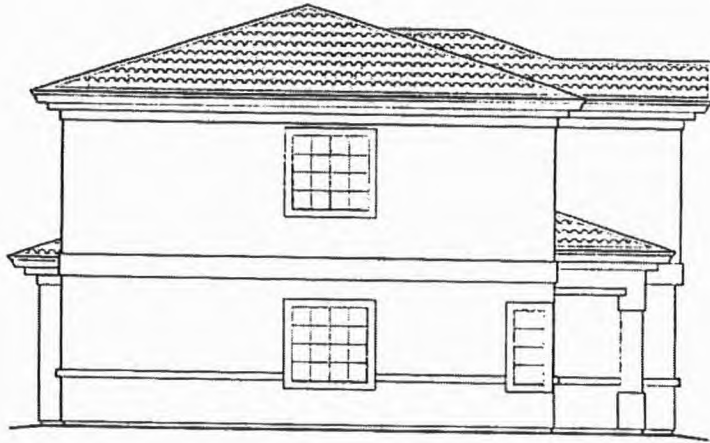
ELEVATIONS

LOCATION / LEGAL DESCRIPTION

SHEET	A-3 OF 2-8
OWNER/BUILDER	NEW RESIDENCE
DATE	08-14-06

SEP 18 2006

VAR-16996
11/02/06 PC



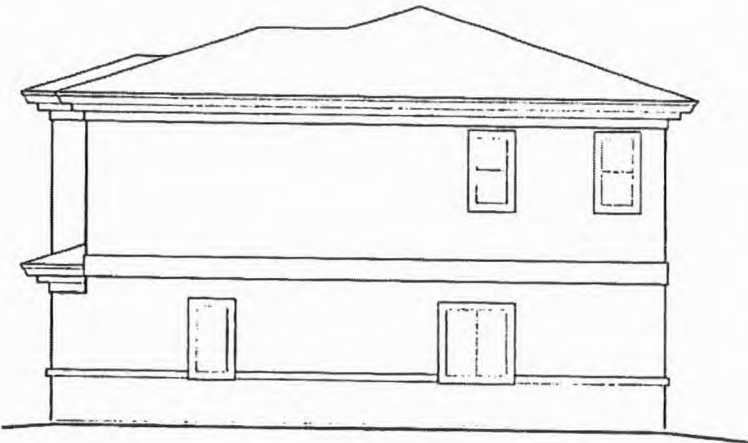
2 SIDE ELEVATION
SCALE: 1/4" = 1'-0"

1/4" = 1'-0"



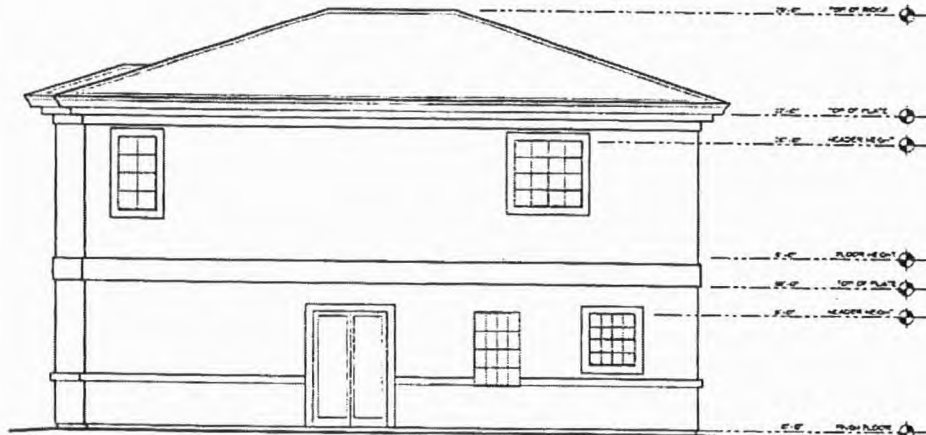
1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

1/4" = 1'-0"



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

1/4" = 1'-0"



3 REAR ELEVATION
SCALE: 1/4" = 1'-0"

1/4" = 1'-0"

REVISIONS	DESCRPT.	DATE

SMOKE RANCH

PLAN 'B'

ELEVATIONS

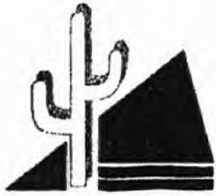
LOCATION / LEGAL DESCRIPTION

SHEET A-3 of
OWNER BUILDER
NEW RESIDENCE
DATE 08-14-06

SEP 18 2006

VAR-16996
11/02/06 PC

[illegible]



DWYER ENGINEERING, INC.

CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

September 19, 2006

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

RE: London Circle
Variance
Justification Letter, APN: 138-13-801-068

Dear Sirs:

We are submitting an application for a variance to the minimum size parcel for R-PD6 Zoning for this parcel located at 5250 Smoke Ranch Road, East of Michael Way.

This was previously approved for a residential subdivision with R-PD6 zoning. The tentative map and zoning expired before the final map was approved for recording. The improvement plans have been approved and the owner is ready to proceed with construction.

This application is being submitted concurrently with a Zone Change and Site Development Review. There have been no changes to the previously approved tentative map and it will be submitted as such.

We request approval of this variance to reinstate the previously approved project.

Sincerely,
DWYER ENGINEERING, INC.

Thomas L. Hellums, P.L.S., W.R.S.
Principal

VAR-16996
11/02/06 PC

RECEIVED

SEP 18 2006

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE**

Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: VAR-16996 - APPLICANT: DWYER ENGINEERING - OWNER: GHASSAN MISHERFI

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **November 2, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Thomas L. Hellums

Signature

10-27-06

Date

Thomas L. Hellums

Please print name

DWYER Engr.

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-16915 AND VAR-16996

SDR-16914 - PUBLIC HEARING - APPLICANT/OWNER: GHASSAN MISHIRFI - Request for a Site Development Plan Review FOR A 6 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.08 acres on the north side of Smoke Ranch Road, approximately 467 feet east of Michael Way (APN 138-13-801-068), R-E (Residential Estates) Zone under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units per Acre), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-02-06 Planning Commission Meeting Item 4

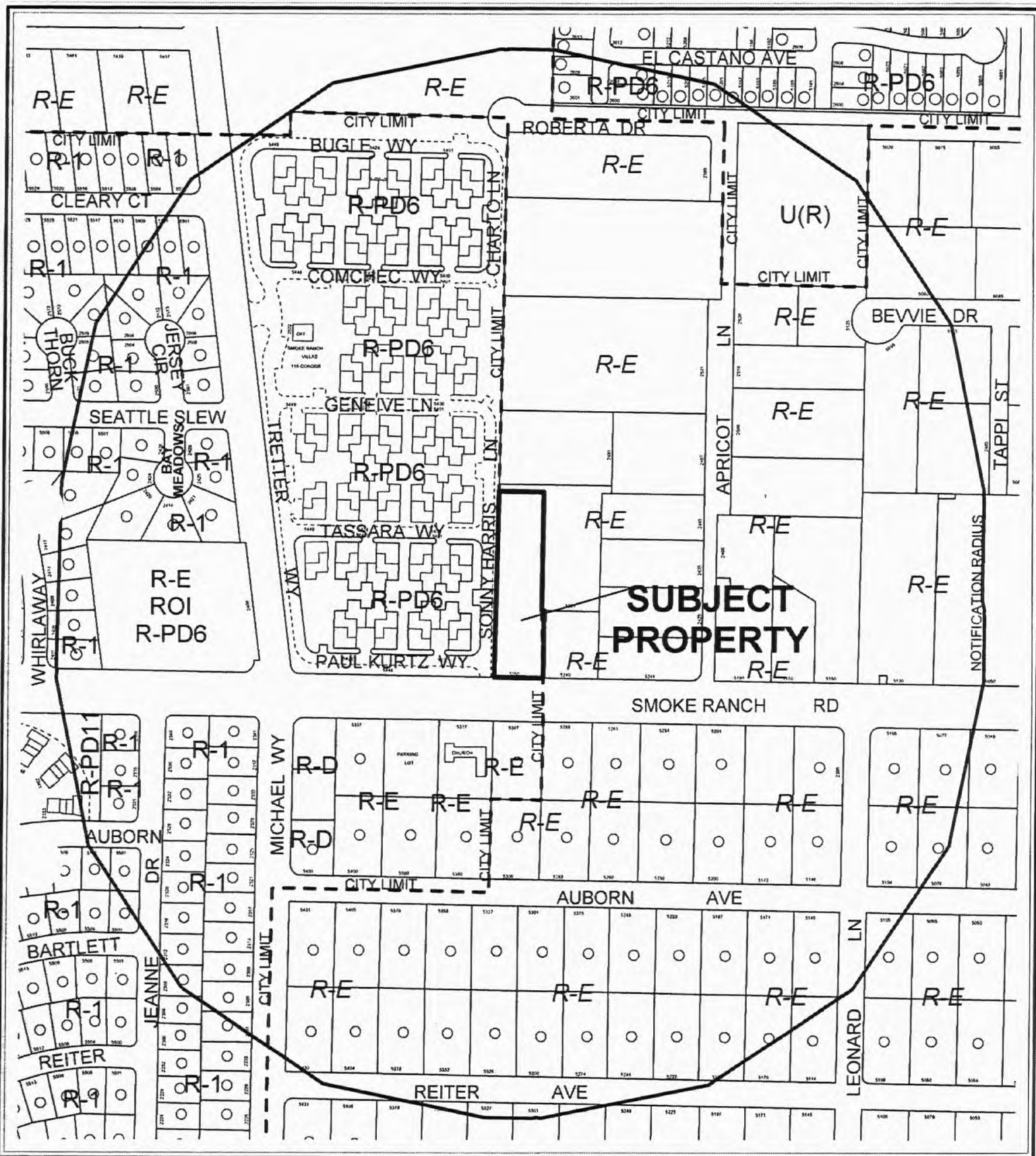
Motion made by LAWRENCE WEEKLY to Hold in Abeyance Items 81, 82 and 83 to 1/3/2007

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

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

Minutes:

See Item 81 for related discussion.



CASE: SDR-16914

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16914 - APPLICANT/OWNER: GHASSAN MISHFERI

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16915), and Variance (VAR-16996) 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 09/18/06, except as amended by conditions herein.
4. The standards for this development shall include a minimum lot size of 3,884 square feet and building height shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 10 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. The driveway for Lot 1 shall be relocated to the north portion of the lot, unless otherwise allowed by the City Traffic Engineer.
14. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
15. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. The entrance driveway shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16915 and all other applicable site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review for a six-unit Residential Planned Development on 1.08 acres located adjacent to the north side of Smoke Ranch Road, approximately 470 feet east of Michael Way. Approval would permit the development for six homes as a single-family subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/03	The City Council approved an annexation (ANX-1752) for the subject property. The Planning Commission recommended approval. The effective date was 06/13/03.
08/20/03	The City Council approved the General Plan Amendment GPA-2572, Rezoning ZON-2574, and Site Plan Review SDR-2577 for a Six-Lot Single-Family Residential Subdivision and a Waiver to Density Requirements within a Rural Preservation Neighborhood Buffer. The Planning Commission and staff recommended approval.
03/26/04	The Planning Commission approved a seven-lot Tentative Map TMP-3876 at 5250 Smoke Ranch Road.
08/04/04	The Planning and Development staff administratively approved the Final Map FMP-3876. The Final Map was not recorded.
05/10/05	Code Enforcement Case #29821: Vacant Building. Case resolved on 8/17/05.
11/02/06	The Planning Commission recommended approval of companion items ZON-16915 and VAR-16996 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #4/mh).
<i>Pre-Application Meeting</i>	
08/07/06	The applicant's representative met with staff to discuss reactivating previously-expired entitlements for a six-lot Residential Planned Development.
<i>Neighborhood Meeting</i>	
N/A	N/A

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.08
Net Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	ML (Medium Low Residential)	R-E (Residence Estates)
North	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County
South	Single Family Dwelling and church	R (Rural Density Residential)	R-E (Residence Estates)
East	Single Family Dwelling	R (Rural Density Residential)	Unincorporated Clark County
West	Single Family Dwelling	MLA (Medium Low Density Attached)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD Residential Planned Development District	X		N
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 the following standards apply:

<i>Standard</i>	<i>Proposed</i>	<i>Acceptable</i>
Min. Lot Size	3,510	Y
Min. Lot Width	52 Feet	Y
Min. Setbacks • Front (Garage) • Front (House) • Side • Rear	20 Feet 15 Feet 5 Feet 10 Feet	Y
Max. Lot Coverage		Y
Max. Building Height	2 stories/ 35 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
RE	2du/ac	(2)	R-PD6	6.49du/ac max. 7d/u for subject site	ML	8.49du/ac max. 9.1d/u for subject site

Pursuant to Title 19.12 the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: • Min. 24-inch box Trees • Min. 5-gallon shrubs	1 Tree/ 30 Linear Feet 4 shrubs / 24-inch box tree	3 Trees 12 Shrubs	8 Trees 33 Shrubs	
Min. Zone Width	6 Feet		6-feet wide	Y
Wall Height	8 Feet Max		6-feet high	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
1.08	5.55	1.65	0	0	0	0	Y*

*Per Title 19.06 a project with less than 12 lots has no open space requirement.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Dwelling	6 units	2 spaces per unit	12	N/A	12	NA	Y
TOTAL (including handicap)			12	NA	12	NA	Y

ANALYSIS

The proposed R-PD6 Development (Residential Planned Development- 6 units per acre) is in conformance with the existing ML (Medium-Low Density Residential) General Plan category. There is an existing, six-unit-per-acre condominium complex directly to the west and single-family residential (unincorporated Clark County, Rural Estates Residential -2 Units per acre) abutting the other boundaries of the site. The site plan shows an effective layout for a six-unit subdivision that is not in conflict with the established development pattern of the area.

The proposed landscape design and planting are in compliance with the standards listed in *Title 19.12 Landscape, Wall, and Buffer Requirements*. In addition, a common space at the terminus of the cul-de-sac is provided where no open space is required for developments of less than twelve homes per Title 19.06.

Two model homes are proposed for this subdivision, and the submitted elevations and floor plans reflect as such. Upon submittal of building plans the Planning and Development Department will review the elevations to assure compliance with Title 19, including appropriate building height and materials.

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 six-lot, single-family residential subdivision is compatible with adjacent development as this project acts as a buffer to single-family lots to the east and a multi-family condominium to the west.

In regard to "2":

The proposed R-PD6 Development (Residential Planned Development- 6 units per acre) is in conformance with the ML (Medium-Low Density Residential) General Plan category. There is an existing, six-unit-per-acre condominium complex directly to the west and single-family residential abutting the other boundaries of the site. The proximity of intersection of Smoke Ranch Road and Michael Way make the request a reasonable use of land and density for this area of the City.

In regard to "3":

Smoke Ranch Road is adequate to handle the proposed six-lot subdivision. The design of the project has no impact on neighborhood traffic.

In regard to "4":

The landscape materials are appropriate for the desert environment of the greater Las Vegas Valley area. The building materials will be reviewed for compliance with Title 19 during the building permit review process as the proposed development will consist of semi-custom homes (two optional floor plans).

In regard to "5":

The site plan represents an effective layout for a six-lot subdivision that is not in conflict with the established development pattern of the area. The submitted elevations are for reference only, as two model homes are proposed for this subdivision. Upon submittal of building plans the Planning and Development Department will review the elevations to assure compliance with Title 19, including appropriate building height and materials.

In regard to "6":

Development will require building permits from the Department of Building and Safety, which will assure the public health, safety and general welfare are secured.

PLANNING COMMISSION ACTION

The Planning Commission amended conditions as amended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

2

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 304 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16914** APN: 138-13-801-068

Name of Property Owner: Ghassan Mishrefi

Name of Applicant: Dwyer Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

Signature of Property Owner: Ghassan Mishrefi

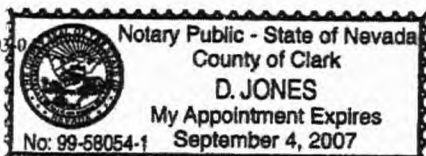
Print Name: GHASSAN MISHREFI

Subscribed and sworn before me

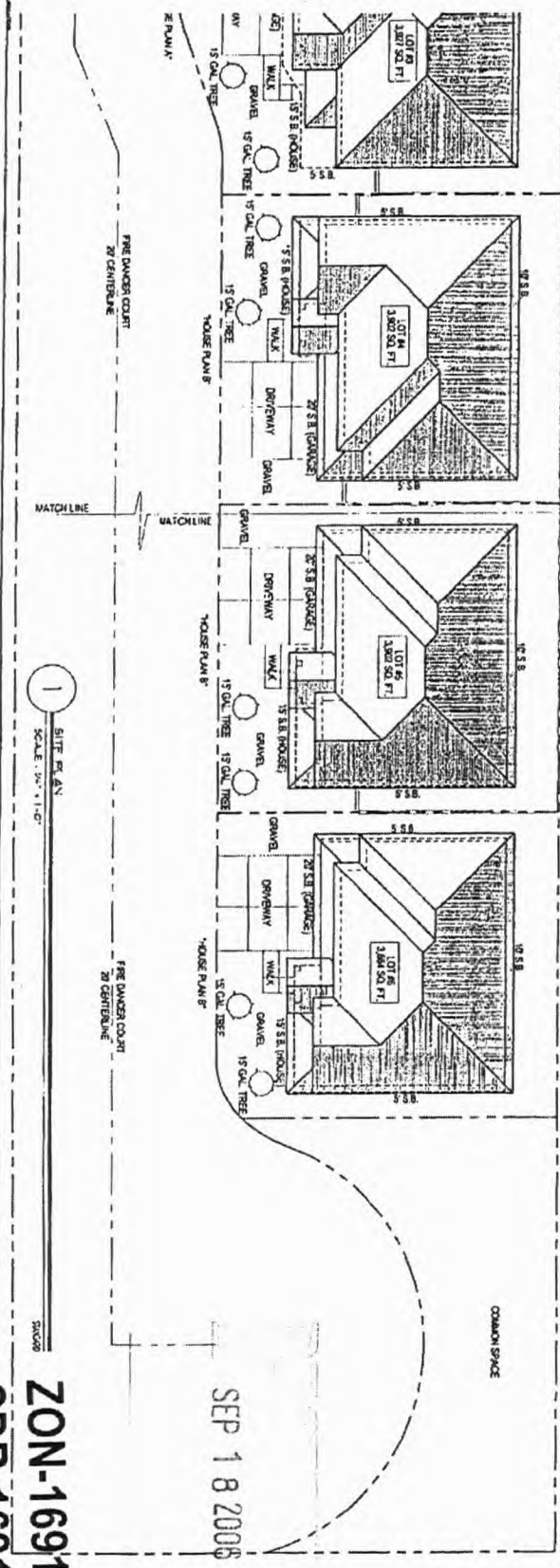
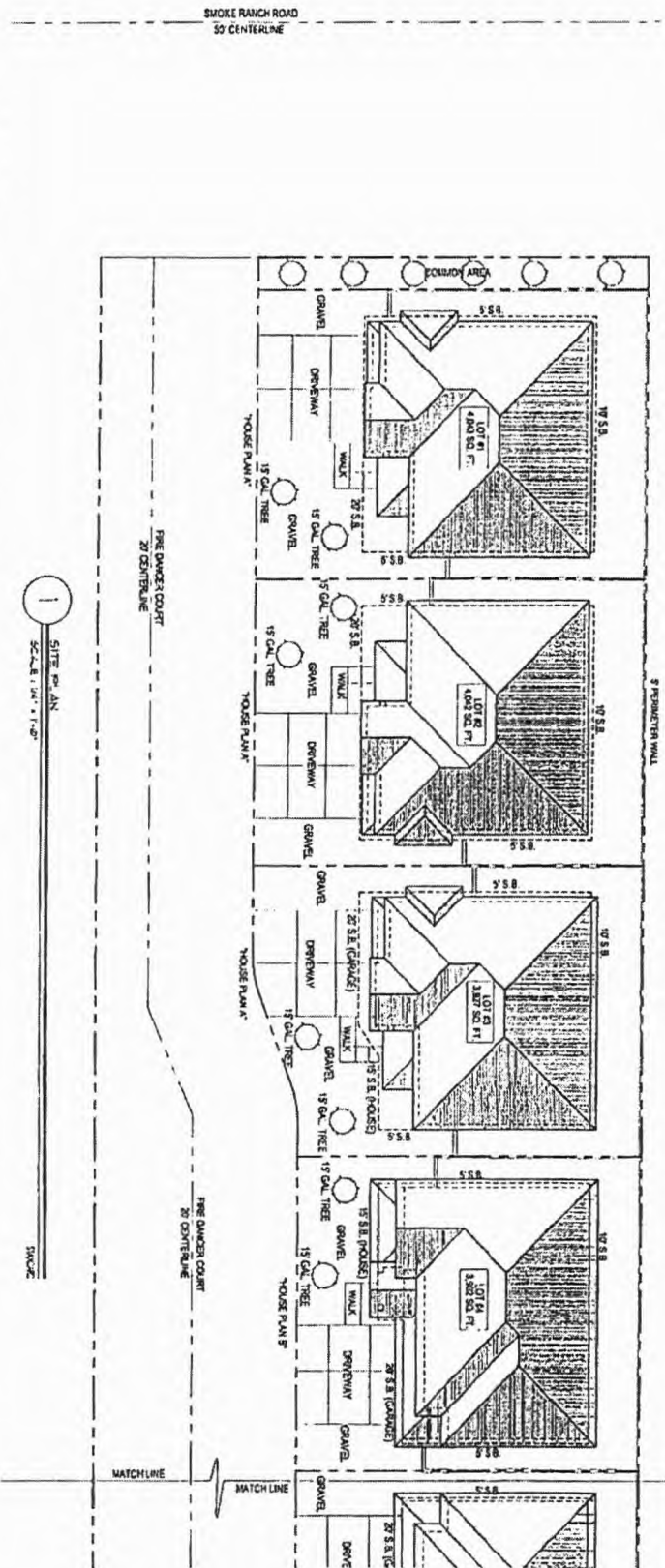
This 30 day of August, 2006
[Signature]

Notary Public in and for said County and State

Revised 12-03-00



f: depot Application Packet Statement of Financial Interest.pdf



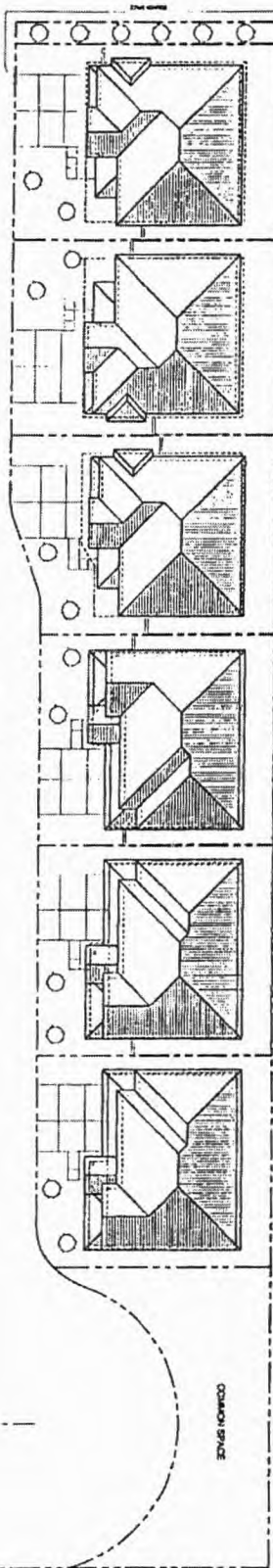
ZON-16915
 SDR-16914
 11/02/06 PC

SITE PLAN		SMOKE RANCH		REVISIONS		DESCRPT.		DATE	
LOCATION / LEGAL DESCRIPTION									
OWNER BUILDER									
NEED RESIDENCE									
DATE 08-14-06									

SMOKE RANCH ROAD
50' CENTERLINE

1 SITE PLAN
SCALE 1" = 10'

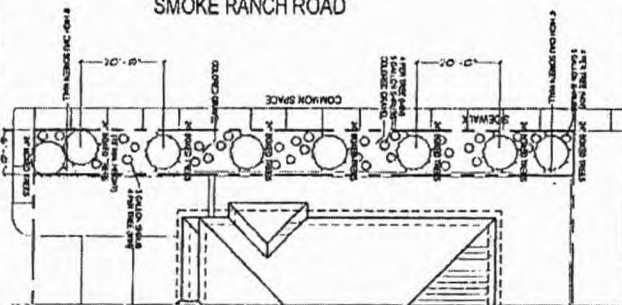
FIRE DANCER COURT
20' CENTERLINE



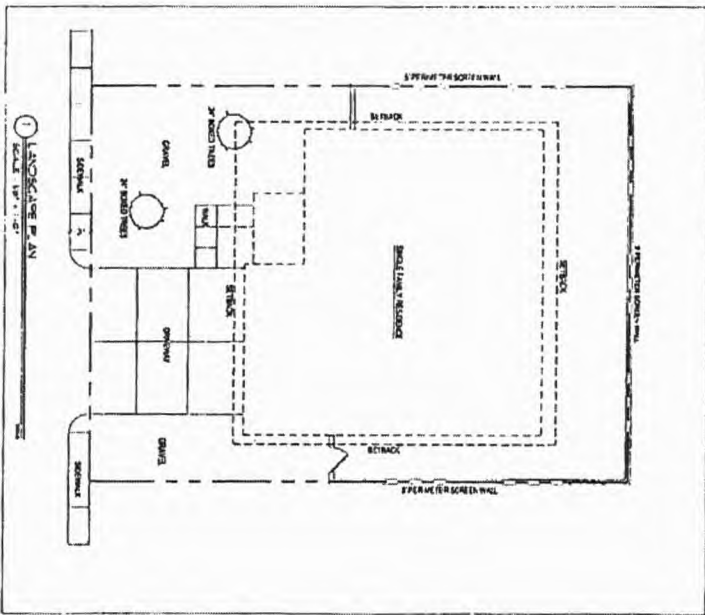
COMMON SPACE

SMOKE RANCH ROAD

1 STREET SIDE COMMON SPACE
SCALE 1" = 10'



1 LANDSCAPE PLAN
SCALE 1" = 10'



SEP 18 2006

ZON-16915
SDR-16914
11/02/06 PC

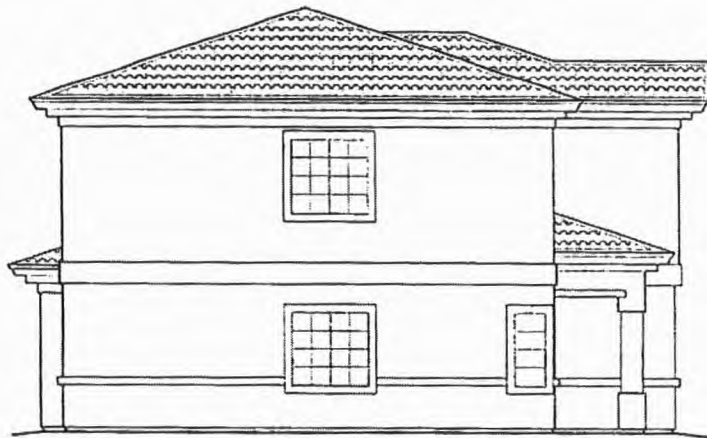
SHEET
L-1 OF
OWNER BUILDER
NEW RESIDENCE
DATE 08-1-06

LANDSCAPE PLAN

LOCATION / LEGAL DESCRIPTION

SMOKE RANCH

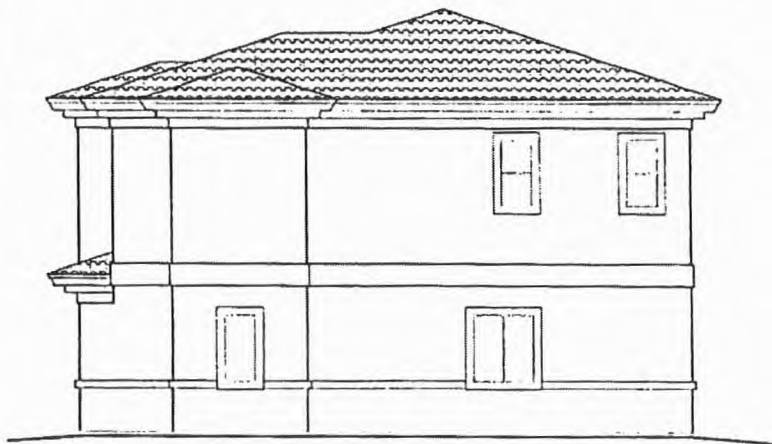
REVISIONS	DESCRIPT.	DATE
1		
2		
3		
4		
5		



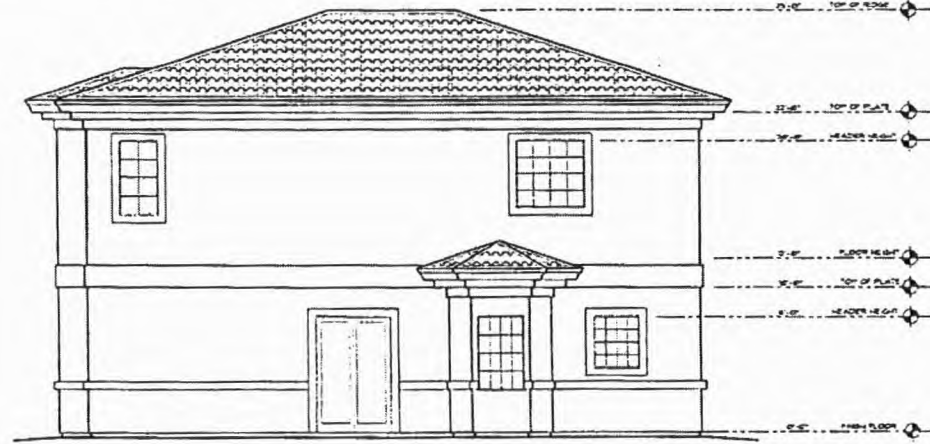
2 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



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



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



3 REAR ELEVATION
SCALE: 1/4" = 1'-0"

SEP 18 2006

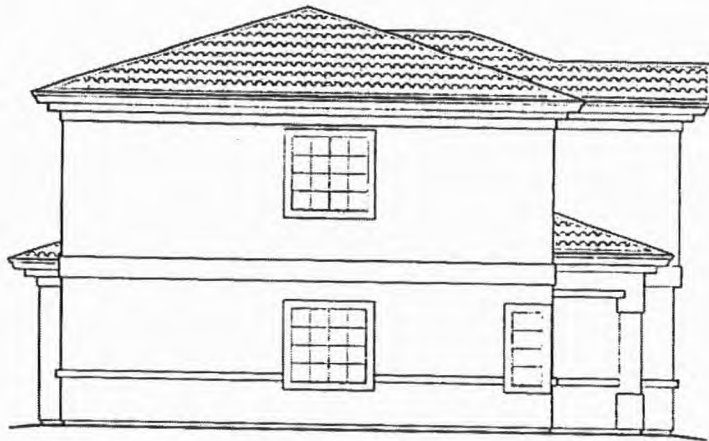
ZON-16915
SDR-16914
11/02/06 PC

REVISIONS	DATE	DESCRIPTION

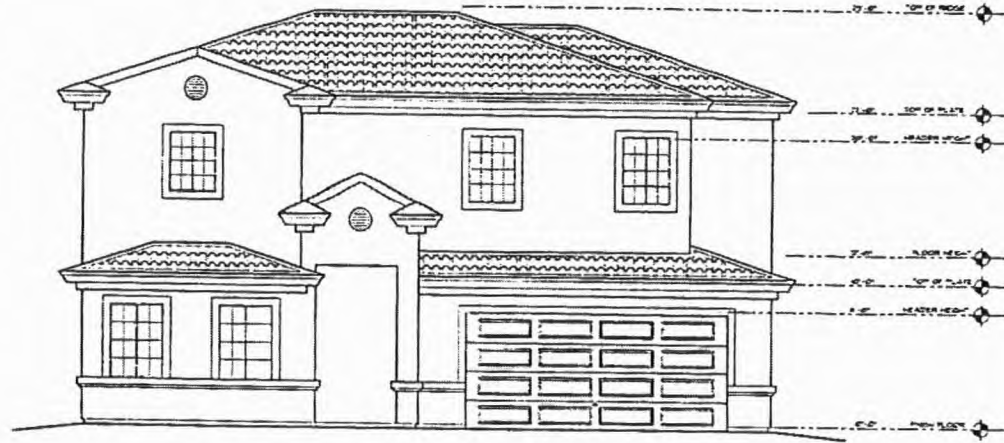
SMOKE RANCH
PLAN 'A'

ELEVATIONS
LOCATION / LEGAL DESCRIPTION

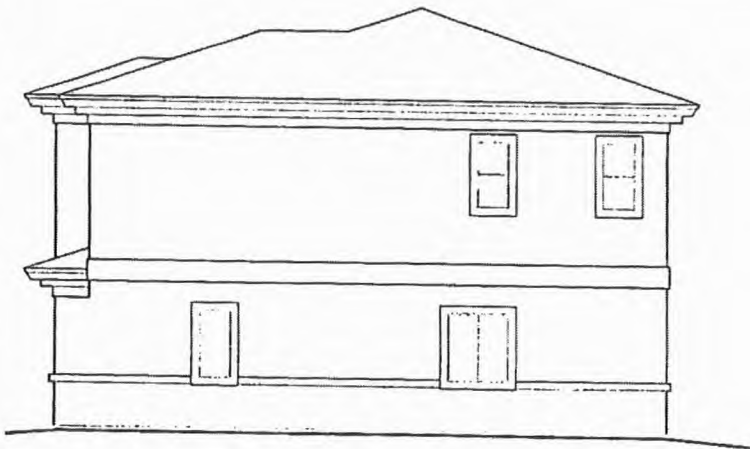
SHEET
A-3 OF A-6
OWNER BUILDER
NEW RESIDENCE
DATE 08-14-06



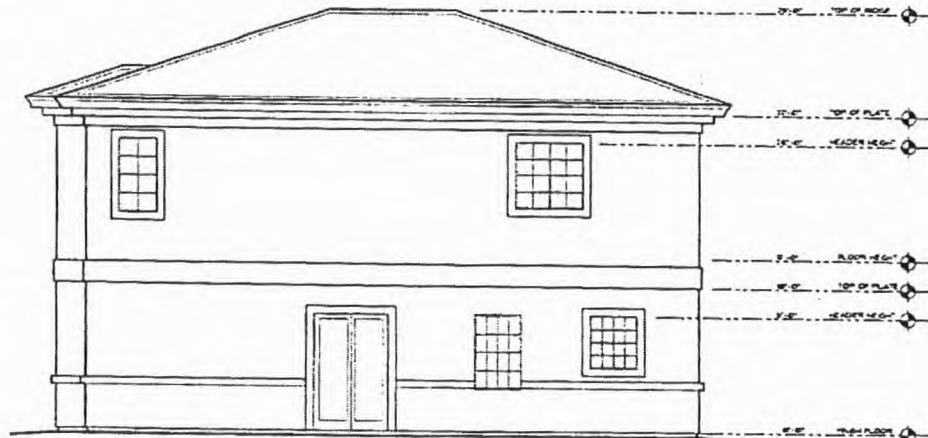
2 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



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



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



3 REAR ELEVATION
SCALE: 1/4" = 1'-0"

REVISIONS	DATE

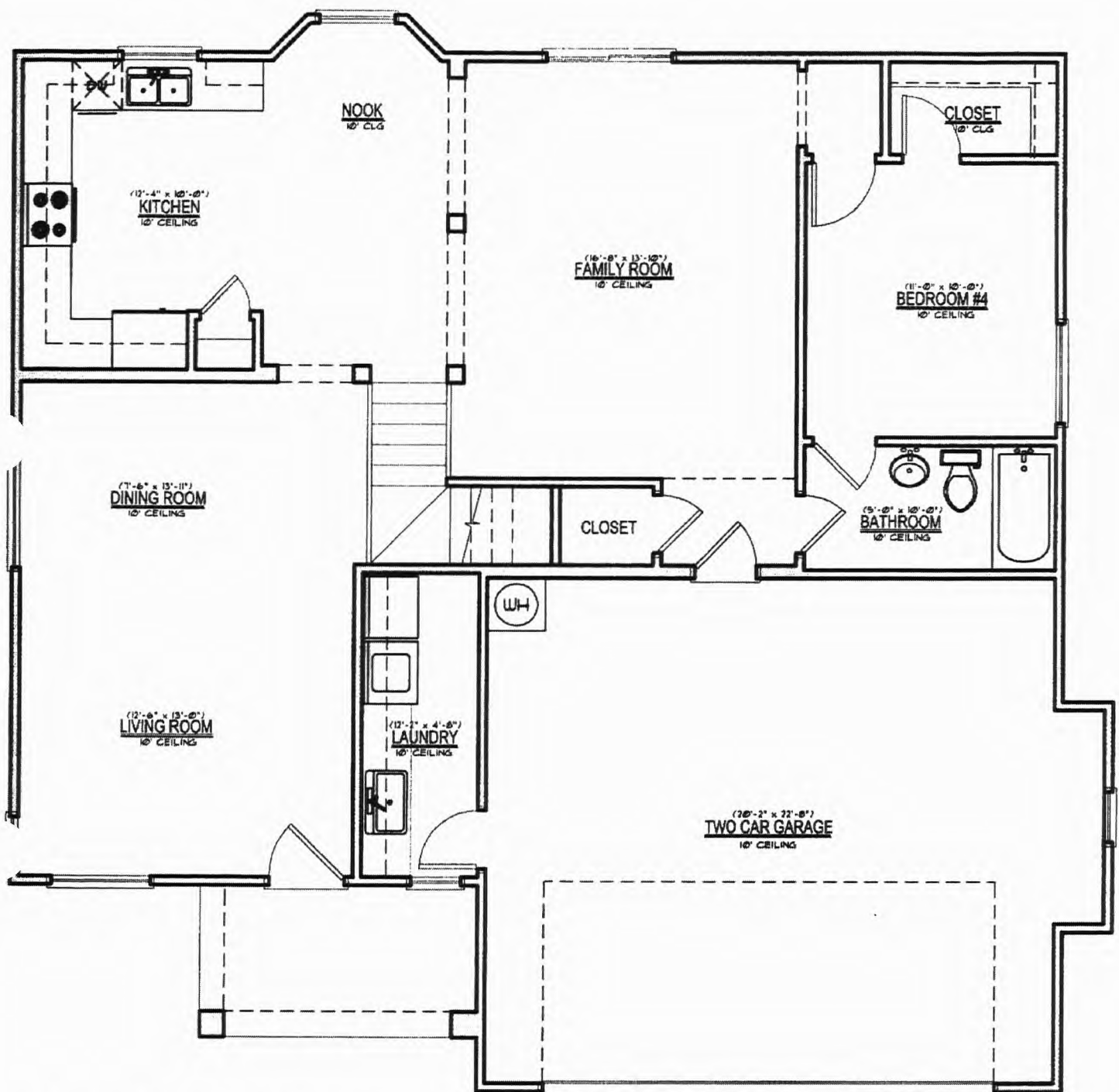
SMOKE RANCH
PLAN 'B'

ELEVATIONS
LOCATION / LEGAL DESCRIPTION

SHEET A-3 OF
OWNER BUILDER
NEW RESIDENCE
DATE 08-14-06

SEP 18 2006

ZON-16915
SDR-16914
11/02/06 PC



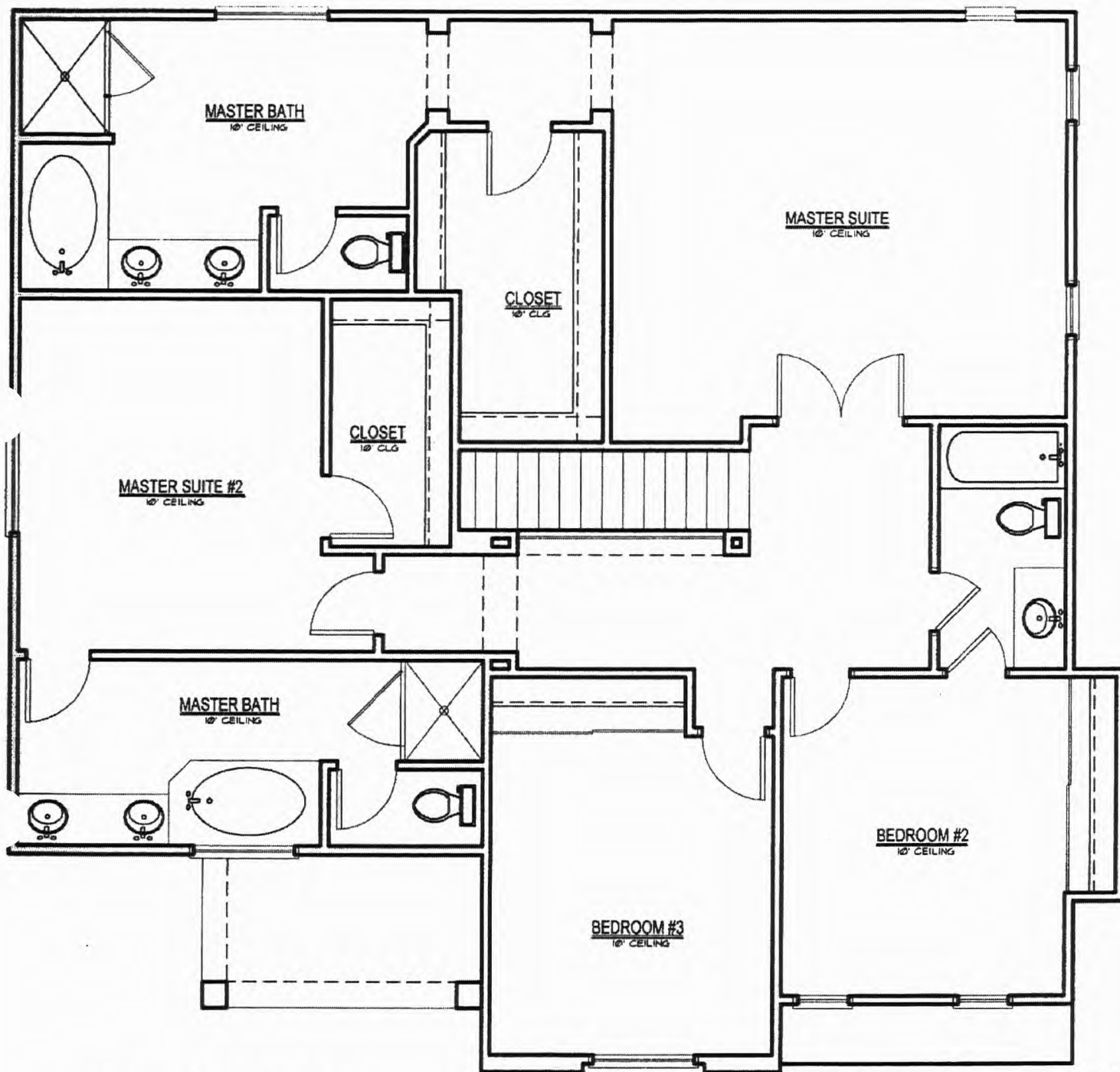
1st Floor Plan

1/4" Scale

RECEIVED

SEP 18 2006

ZON-16915
SDR-16914
11/02/06 PC



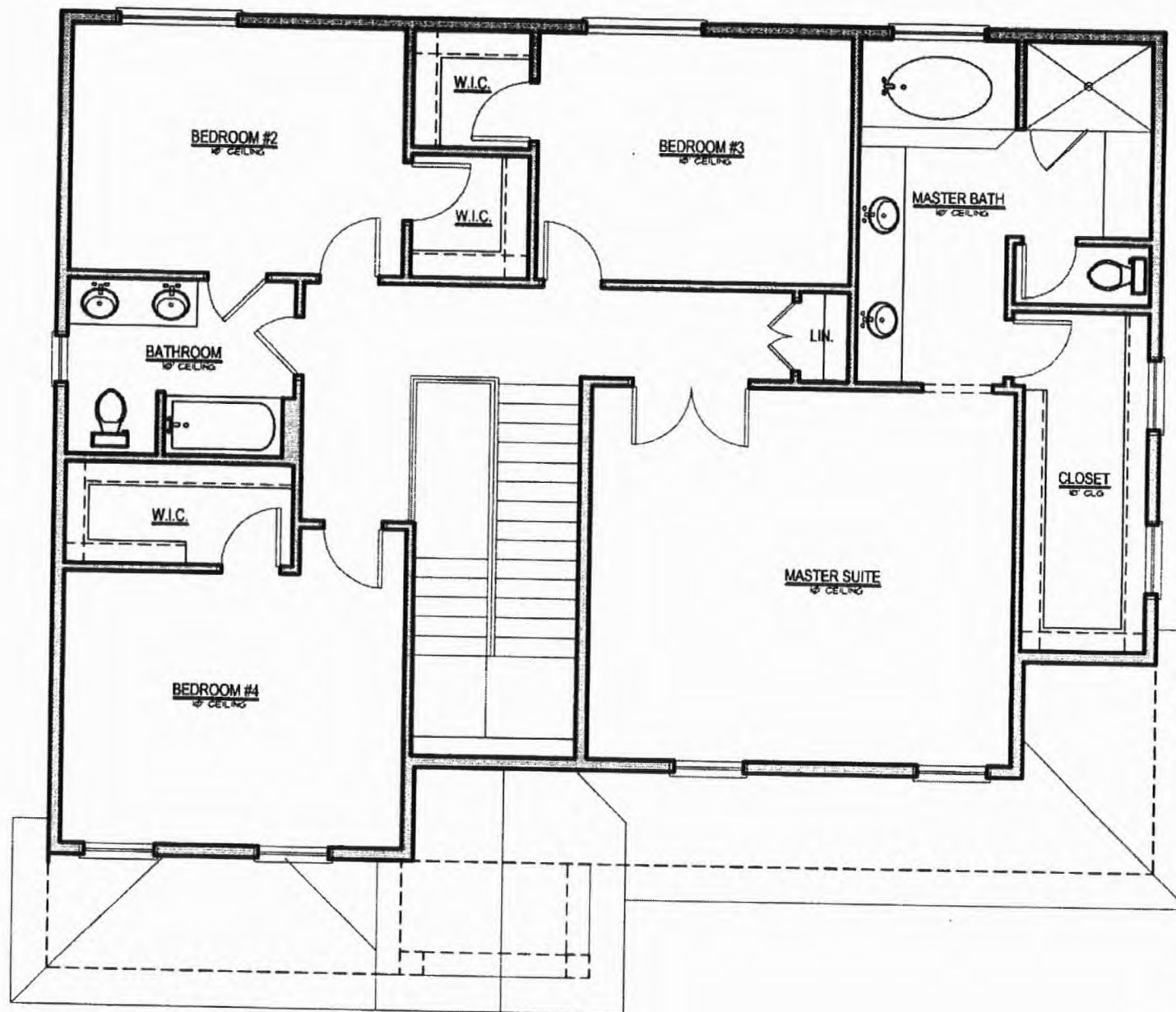
2nd Floor Plan

1/4" Scale

RECEIVED

SEP 18 2006

ZON-16915
SDR-16914
11/02/06 PC



2

SECOND FLOOR PLAN

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

STANDARD

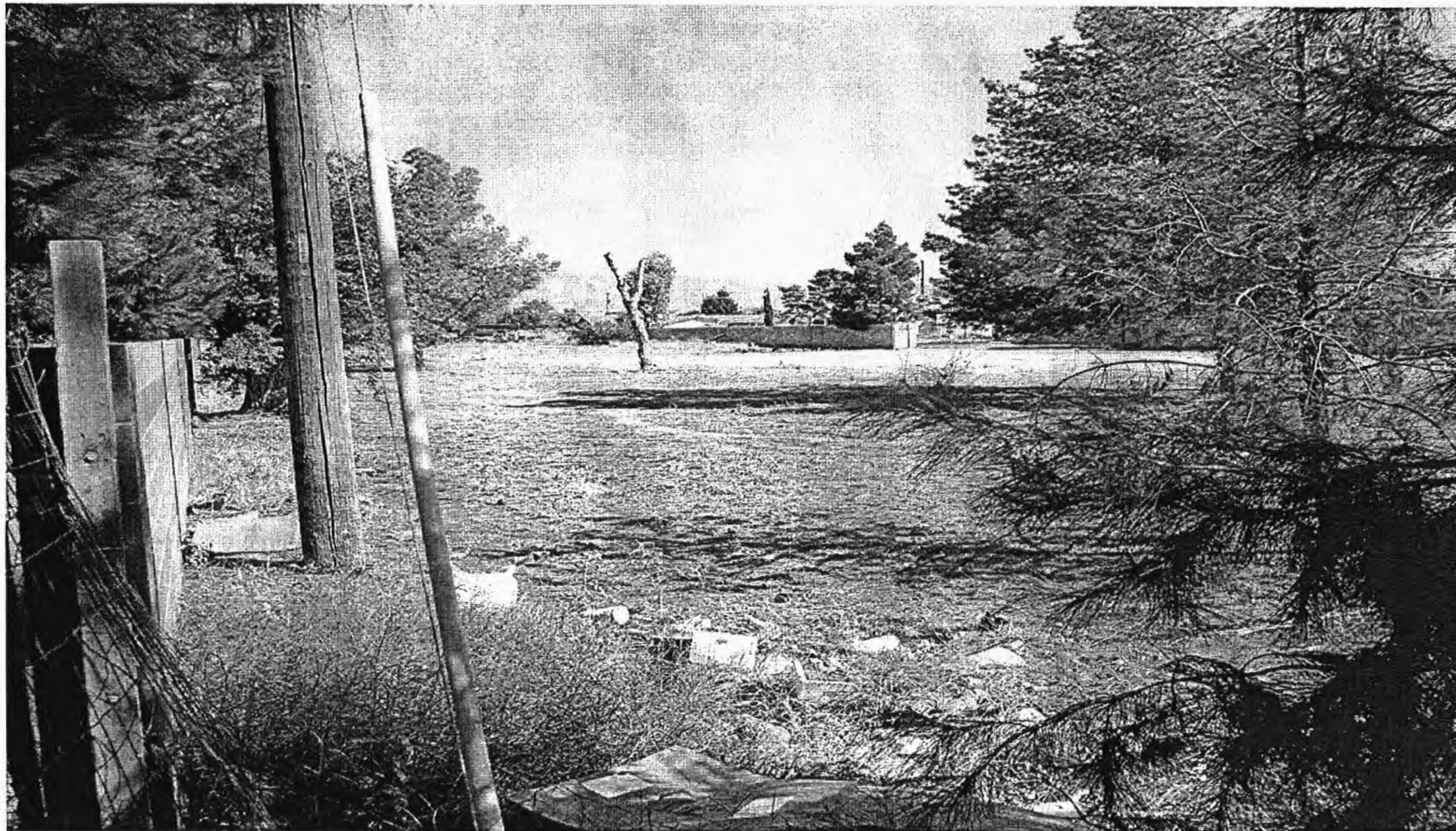
RECEIVED

SEP 18 2006

ZON-16915
SDR-16914
11/02/06 PC

SDR 16914				
Ghassan Misherfi				
NS Smoke Ranch, E of Michael				
Proposed 6 lot single family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	6	9.57	57
AM Peak Hour			0.75	5
PM Peak Hour			1.01	6
<i>(heaviest 60 minutes)</i>				
Existing traffic on all nearby streets:				
Smoke Ranch Road				
Average Daily Traffic (ADT)	15,750			
PM Peak Hour	1260			
<i>(heaviest 60 minutes)</i>				
Michael Way				
Average Daily Traffic (ADT)	3,338			
PM Peak Hour	267			
<i>(heaviest 60 minutes)</i>				
Decatur Boulevard				
Average Daily Traffic (ADT)	26,972			
PM Peak Hour	2158			
<i>(heaviest 60 minutes)</i>				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Smoke Ranch Road	32585			
Michael Way	16200			
Decatur Boulevard	51700			
This project will add approximately 57 trips per day on Smoke Ranch, Michael and Decatur. This will increase expected volumes by less than one percent on Smoke Ranch, Michael and Decatur. Smoke Ranch is at about 48 percent of capacity, Michael is at about 21 percent of capacity and Decatur at about 52 percent of capacity.				
Based on Peak Hour use, this development will add roughly 6 additional				

cars into the area; which works out to about one every ten minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



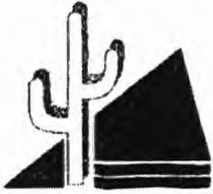
ZON-16915, VAR-16996 AND SDR-16914 - APPLICANT/OWNER: GHASSAN MISHERFI
NORTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 467 FEET EAST OF MICHAEL WAY
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



ZON-16915, VAR-16996 AND SDR-16914 - APPLICANT/OWNER: GHASSAN MISHFERFI
NORTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 467 FEET EAST OF MICHAEL WAY
NOVEMBER 2, 2006 PLANNING COMMISSION

09/27/06



DWYER ENGINEERING, INC.

CIVIL ENGINEERS, LAND SURVEYORS, WATER RIGHTS, LAND USE PLANNING

September 18, 2006

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

RE: London Circle
Site Development Review
Justification Letter, APN: 138-13-801-068

Dear Sirs:

We are submitting a site development review for this parcel located at 5250 Smoke Ranch Road, East of Michael Way.

This was previously approved for a residential subdivision with R-PD6 zoning. The tentative map and zoning expired before the final was approved for recording.

The improvement plans have been approved and the owner is ready to proceed with construction.

This application is being submitted concurrently with the Zoning and the tentative map. There have been no changes to the previously approved tentative map.

We request approval of this site development review.

Sincerely,
DWYER ENGINEERING, INC.

Thomas L. Hellums, P.L.S., W.R.S.
Principal

**ZON-16915
SDR-16914
11/02/06 PC**

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE**

Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: SDR-16914 - APPLICANT: DWYER ENGINEERING - OWNER: GHASSAN MISHREFI

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **November 2, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Thomas L. Hellums
Signature

10-27-06
Date

Thomas L. Hellums
Please print name

DWYER ENGR.
Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-16947 - PUBLIC HEARING - APPLICANT: AMERICAN OUTDOOR ADVERTISING, LLC - OWNER: LDR-DMG MEADOW & DECATUR, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING SIGN (BILLBOARD) at 4600 Meadows Lane (APN 139-31-110-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letters filed by Bill Curran and Maren Parry
6. Protest letter by Bob Leaver
7. Backup referenced from the 11-02-06 Planning Commission Meeting Item 5

Motion made by LOIS TARKANIAN to Approve subject to conditions, replacing Condition 2 and adding the following as read for the record:

2. All animated electronic message units signage and digital display signage is prohibited.

A. A landscaping plan must be submitted and approved prior to issuance of a Building permit. Said plan shall be approved by Planning and Development staff to enhance landscaping at the base of the sign.

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

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

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

Minutes:

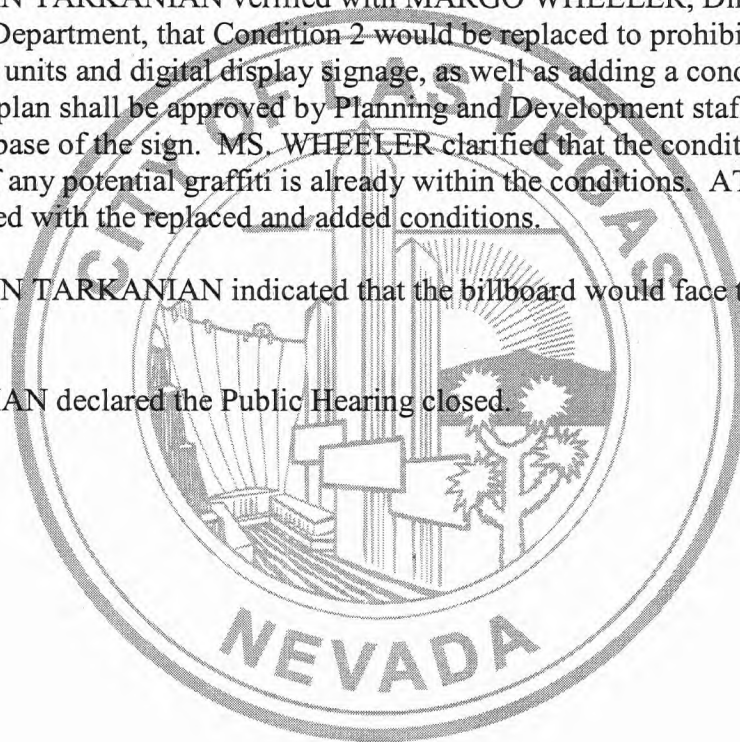
MAYOR GOODMAN declared the Public Hearing open.

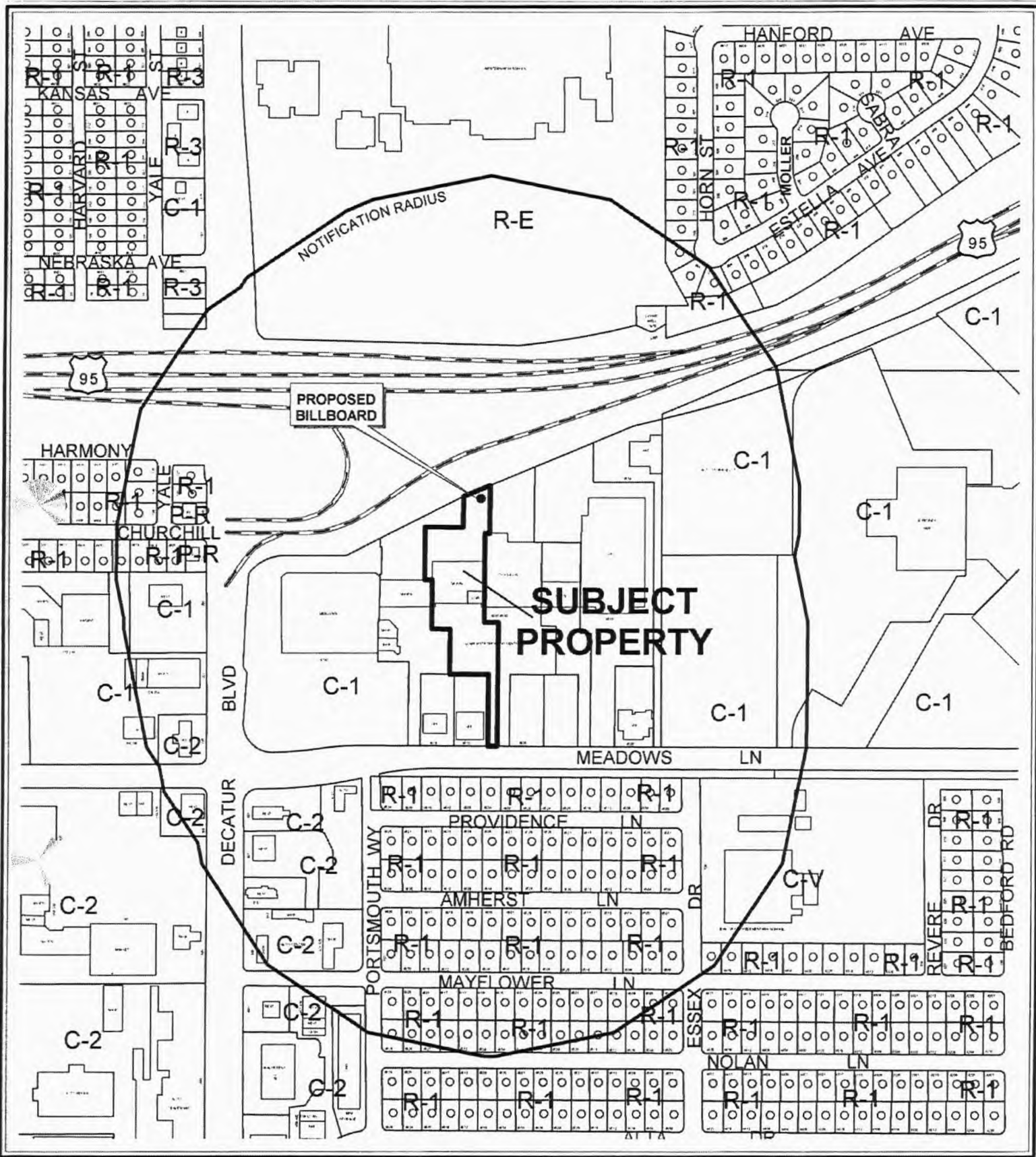
ATTORNEY BILL CURRAN, Ballard Spahr Andrews & Ingersoll, 300 South 4th Street, stated that COUNCILWOMAN TARKANIAN had emphasized that the billboard be free of graffiti, no electronic or videos on the billboard face and additional landscaping.

COUNCILWOMAN TARKANIAN verified with MARGO WHEELER, Director of Planning and Development Department, that Condition 2 would be replaced to prohibit the animated electronic message units and digital display signage, as well as adding a condition regarding the landscaping. Said plan shall be approved by Planning and Development staff to enhance landscaping at the base of the sign. MS. WHEELER clarified that the condition with regard to the abatement of any potential graffiti is already within the conditions. ATTORNEY CURRAN concurred with the replaced and added conditions.

COUNCILWOMAN TARKANIAN indicated that the billboard would face traffic and not any residential areas.

MAYOR GOODMAN declared the Public Hearing closed.





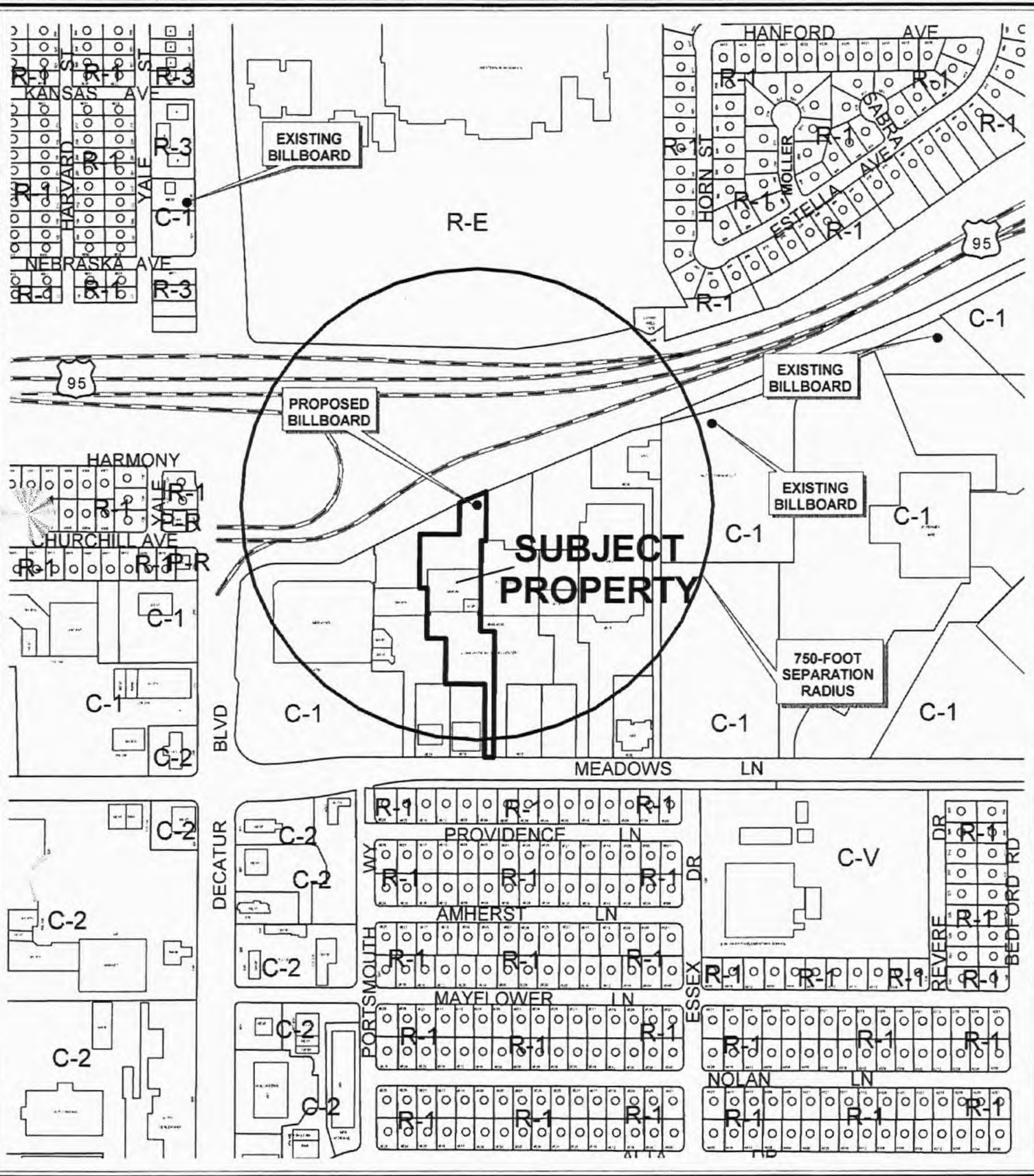
CASE: SUP-16947

RADIUS: 1000 FT

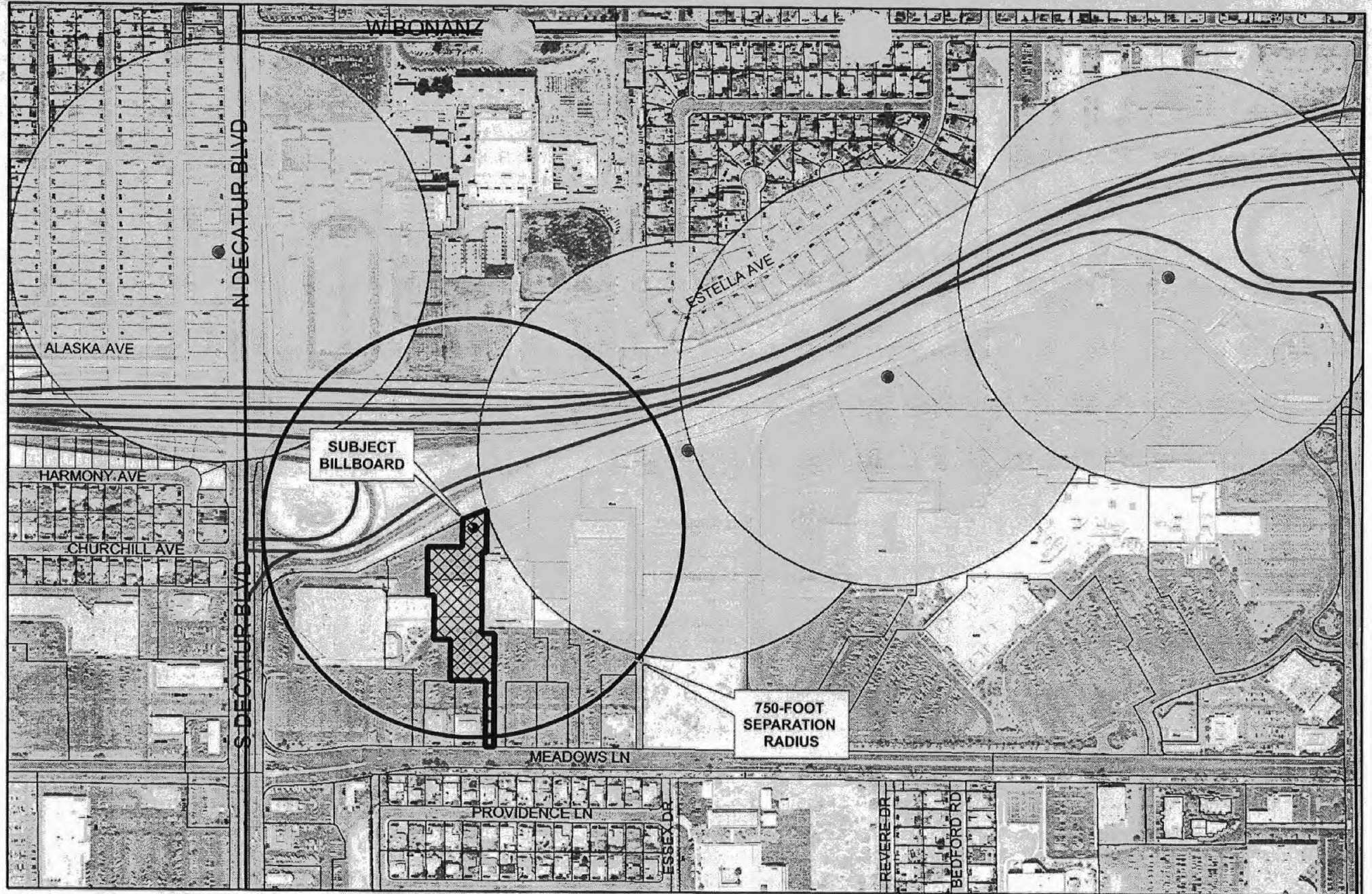
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 300 600 Feet





CASE: SUP-16947
SEPARATION RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



SUP-16947

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16947 - APPLICANT: AMERICAN OUTDOOR
ADVERTISING, LLC - OWNER: LDR-DMG MEADOW & DECATUR, LLC**

**** CONDITIONS ****

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

Planning and Development

1. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
2. Animated and electronic message unit signage is prohibited.
3. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
4. 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.
5. This Special Use Permit shall be reviewed in two years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
6. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
7. Only one advertising sign is permitted per sign face.
8. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

9. The Off-Premise Advertising (Billboard) Sign supporting structure shall be redesigned to include finish materials that complement the existing on-site building. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
10. Bird deterrent devices shall be installed on the sign.
11. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

12. The proposed off-premise advertising (billboard) shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The billboard base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a proposed off-premise advertising sign (billboard) at 4600 Meadows Lane. The site plan indicates that the 40-foot tall sign would be located north of existing retail buildings on the site, adjacent to U.S. 95.

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, and is compatible with this proposed billboard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/02/06	The Planning Commission voted 5-2/bg/gt to recommend DENIAL. Staff recommends APPROVAL (PC Agenda Item #5/ar).
<i>Related Building Permits/Business Licenses</i>	
	None
<i>Pre-Application Meeting</i>	
07/27/06	The requirements of a Special Use Permit were discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, and one was not held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
North	U.S. 95	Right-of-way	Right-of-way
South	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
East	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail shops	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following standards apply to an off-premise advertising sign:

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 750-foot separation from other off-premise advertising signs oriented toward US-95. There are no existing billboards within this separation distance.

The Off-Premise Advertising (Billboard) Sign is also subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward U.S 95. There are no existing billboards within this separation distance.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in a residential zoning district. The nearest "R" zoned property is located approximately 870 feet to the west of the proposed location.

A2) Off-Premise Sign Requirements

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located south of the U.S. 95 right-of-way.	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	The property is zoned C-1.	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet per sign face, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The east and west faces are each 672 square feet.	Y

Height	40 Feet above grade	40 Feet above grade.	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 812 feet from the right-of-way line of the intersection of Decatur Boulevard and U.S. 95.	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Not clearly indicated	Staff has included a condition of approval which addresses this issue
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses on site.	Y

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial). An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. This sign is not located within the Off-Premise Sign Exclusionary Zone.

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":

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, and is compatible with this proposed billboard.

In regard to "2":

There are no physical constraints to the location of the use on the subject site.

In regard to "3":

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

In regard to "4":

If approved, the off-premise sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

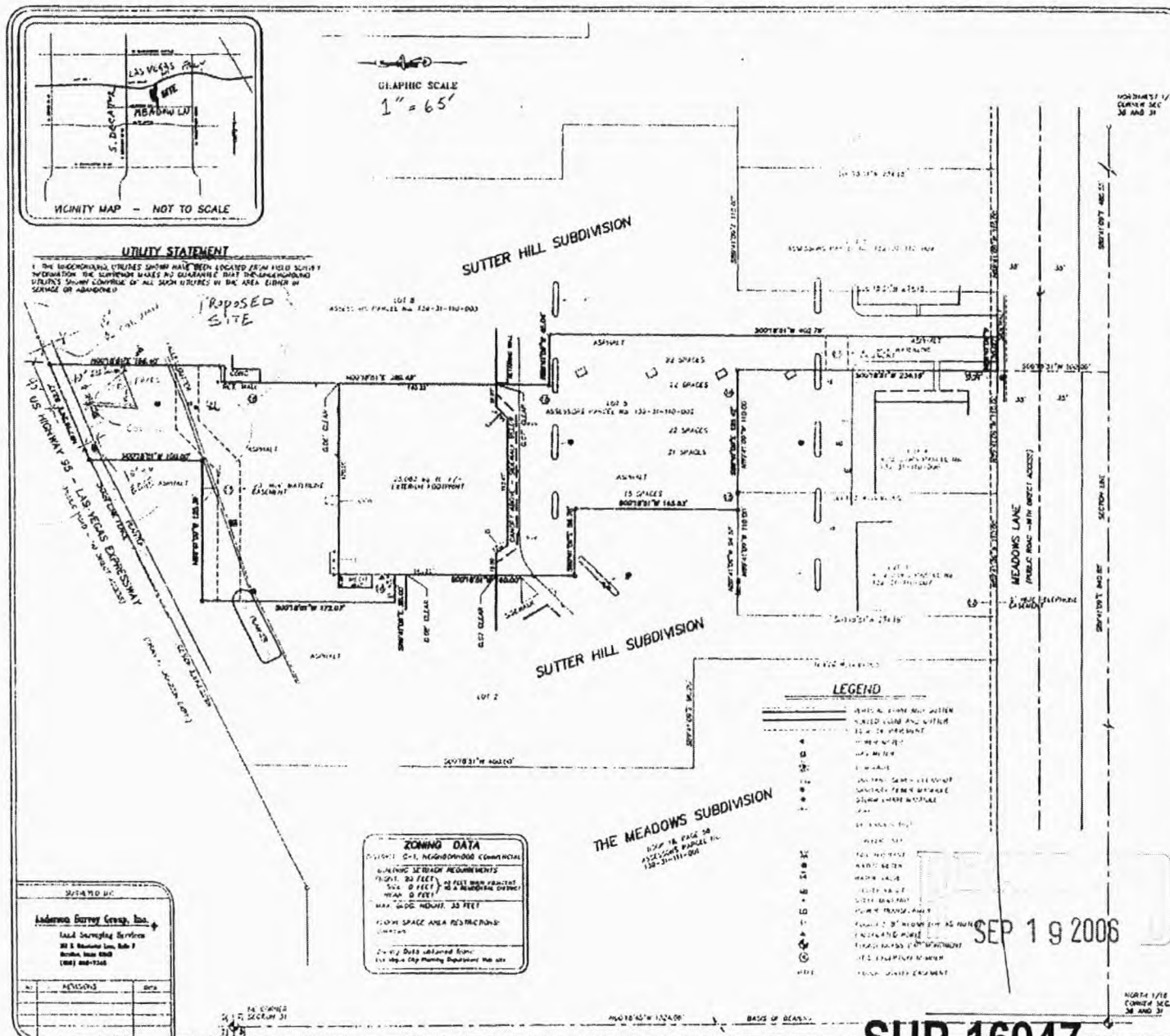
NOTICES MAILED 154 by City Clerk

APPROVALS 0

PROTESTS 0



POSED OFF PREMISE Si
1600 MEADOWS LANE
APN# 139-31-110-002



(SURVEY CERTIFICATION

[illegible]

LIFE: The Great American Road Trip

[illegible]

LAND AMERICA, LAWYERS BUREAU OF NEVADA

[illegible]

The terms, conditions and contents of this written Agreement and Amendment Agreement recorded January 2, 1971 in Book 1725 City of Los Angeles County Records, and the effect of any failure to comply with same

The terms, conditions and contents of this written Agreement and Amendment Agreement recorded January 16, 1969 in Book 1724 City of Los Angeles County Records, and the effect of any failure to comply with same

Received September 6 1961 from 1961 Employee No. 170,249 of
District Bureau

AFFECTS SUBJECT'S PROPERTY AS A BLANKET SWATH/THORN
AND UTILITY EASEMENT OVER AND ACROSS COMMON AREAS ON
ALL LOTS OF BUTTER HILL SUBDIVISION AND MESSING SUBDIVISION

(2) An easement for the purpose stated above and rights granted to
the lot owner in a document granted to the State of
Washington

Purpose: Planned
 Scheduled: April 3, 1964
 Route: 1223 Highway, Co. 10000 of Gilman Bay
 LOCATION IS PLOTTED HEREON
 (5) An agreement for the proposed above before with the Government of the United States in a document
 Granted for the United States Navy and United States Navy
 Purpose: (5)
 Scheduled: August 22, 1964
 Route: 1206 Highway, Co. 10000 of Gilman Bay

ELIA/ACORN LAND TITLE SURVEY OF
8000 MEADOWS LANE
LAS VEGAS, NEVADA 89102

6806

SUP-16947
11/02/06 PC



RMG
Outdoor Inc.



Westridge Plan 2A

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AMERICAN

SUP-16947
11/02/06 PC

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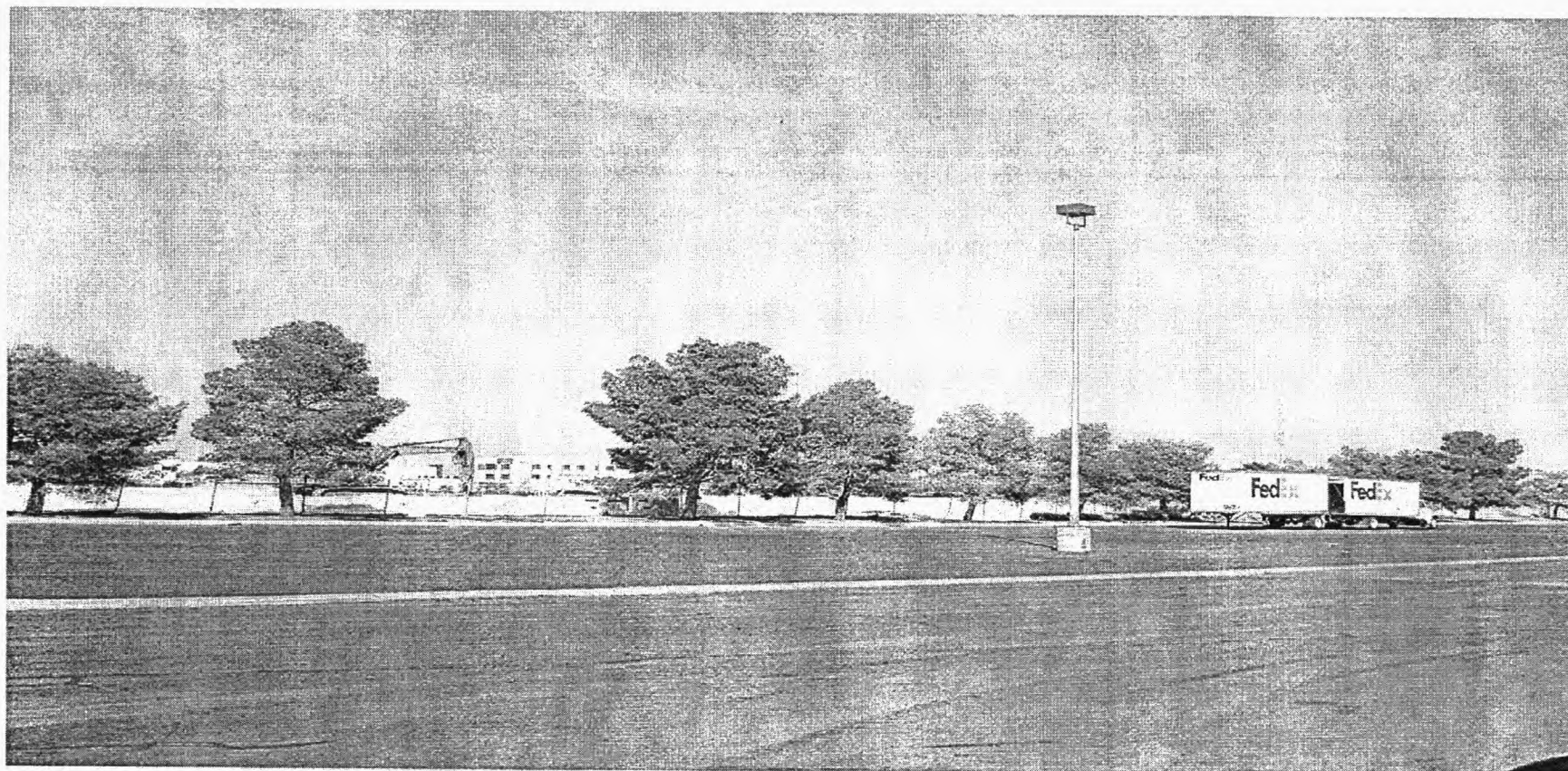
SEP 19 2006

SUP-16947
11/02/06 PC



SUP-16947 - APPLICANT: AMERICAN OUTDOOR ADVERTISING, LLC - OWNER: LDR-DMG MEADOW &
DECATUR, LLC
4600 MEADOWS LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06



SUP-16947 - APPLICANT: AMERICAN OUTDOOR ADVERTISING, LLC - OWNER: LDR-DMG MEADOW &
DECATUR, LLC
4600 MEADOWS LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06



SUP-16947 - APPLICANT: AMERICAN OUTDOOR ADVERTISING, LLC - OWNER: LDR-DMG MEADOW &
DECATUR, LLC
4600 MEADOWS LANE
NOVEMBER 2, 2006 PLANNING COMMISSION

10/15/06

American★Outdoor
A D V E R T I S I N G

September 18, 2006

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

Re: Justification Letter

Special Use Permit Application for:
Off Premise Advertising Sign at 4600 Meadows Lane
APN# 139-31-110-002

Dear Sir or Madame,

My name is Tom LeClair and attached you will find the necessary documents required to apply for a Special Use Permit for an Off Premise Advertising Sign at the above referenced property.

The sign structure is a 14'x 48' Full Flag, "V" shaped configuration, and will not exceed forty feet in overall height. The property is zoned C-1, there are no other Off Premise Signs within 750' of the proposed location, and all of the requirements of Title 19.14.100 will be met. Thank you for your consideration of the approval of this application and please contact me at 498-5457 if you have any questions.

Sincerely,



Tom LeClair

SUP-16947
11/02/06 PC

LAW OFFICES
BALLARD SPAHR ANDREWS & INGERSOLL, LLP

BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET, SUITE 1201
LAS VEGAS, NEVADA 89101-6018
702-471-7000
FAX: 702-471-7070
WWW.BALLARDSPAHR.COM

RECEIVED
CITY CLERK

2006 NOV -6 A 8:02

PHILADELPHIA, PA
BALTIMORE, MD
DENVER, CO
SALT LAKE CITY, UT
VOORHEES, NJ
WASHINGTON, DC
WILMINGTON, DE

BILL CURRAN
DIRECT DIAL: (702) 471-7000
E-MAIL: CURRANB@BALLARDSPAHR.COM

November 3, 2006

Via Facsimile and U.S. Mail

Barbara Jo (Roni) Ronemus
City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

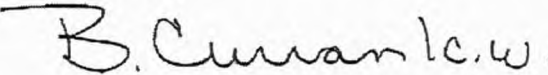
Re: **REQUEST TO APPEAL PLANNING COMMISSION DECISION**
SUP-16947 - November 2, 2006 Planning Commission Agenda

Dear Ms. Ronemus:

On behalf of my client, American Outdoor Advertising, LLC, I respectfully submit this letter of request to appeal the November 2, 2006 Planning Commission decision regarding the above referenced application.

Please call if you have any questions. Thank you for your assistance.

Sincerely,


Bill Curran

WPC:cw

LAW OFFICES
BALLARD SPAHR ANDREWS & INGERSOLL, LLP

BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET, SUITE 1201
LAS VEGAS, NEVADA 89101-6018
702-471-7000
FAX: 702-471-7070
WWW.BALLARDSPAHR.COM

RECEIVED
CITY CLERK

2006 NOV -6 P 1:36

PHILADELPHIA, PA
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DENVER, CO
SALT LAKE CITY, UT
VOORHEES, NJ
WASHINGTON, DC
WILMINGTON, DE

MAREN PARRY
DIRECT DIAL: (702) 387-3096
PERSONAL FAX: (866) 381-5357
E-MAIL: PARRYM@BALLARDSPAHR.COM

November 6, 2006

By Hand Delivery

Barbara Jo (Roni) Ronemus
City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: **REQUEST TO APPEAL PLANNING COMMISSION DECISION
SUP-16947 - November 2, 2006 Planning Commission Agenda**

Dear Ms. Ronemus:

On behalf of my client, American Outdoor Advertising, LLC, I respectfully submit this letter of request to appeal the November 2, 2006 Planning Commission decision regarding the above referenced application.

Please call if you have any questions. Thank you for your assistance.

Sincerely,


Maren Parry

MP/cw

11/27/06

Dear Sis

RECEIVED
CITY CLERK

I am ^{2006 NOV 28 P 1:34} opposed to

SUP 16947 - American
Outdoor Advertising
and the request for
billboard. As a
property owner, I believe
they should be held to
the same contractile
guidelines as I am.

Sincerely,

Bob Leaver



Bob Leaver
4610 Meadows Ln
Las Vegas, NV 89107-2965

LAS

77 NOV 28 2006

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE**

Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: SUP-16947 - APPLICANT: AMERICAN OUTDOOR ADVERTISING, LLC -
OWNER: LDR-DMG MEADOW & DECATUR, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **November 2, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

A handwritten signature in black ink, appearing to read "Bill Curran".

Signature

10-30-06

Date

Bill Curran atty for

Please print name

American ~~Outdoor~~ Advertising, LLC

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-16948 - PUBLIC HEARING - APPLICANT: BRINKER NEVADA LLC - OWNER: MONTECITO MARKETPLACE - Request for a Special Use Permit FOR A SUPPER CLUB AND A WAIVER FROM THE 400 FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING PARK on the southeast corner of Durango Drive and Elkhorn Road (APN 125-20-510-019), TC (Towncenter) Zone [MT-TC (Montecito - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-02-06 Planning Commission Meeting Item 6

Motion made by GARY REESE to Approve subject to conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MAYOR GOODMAN asked if the subject property was owned by MR. SCHULMAND. MIKE STULTZ, representing the applicant and Property Developer Manger, Brinker Restaurant Corporation, responded he did not know. MAYOR GOODMAN then stated he would vote on

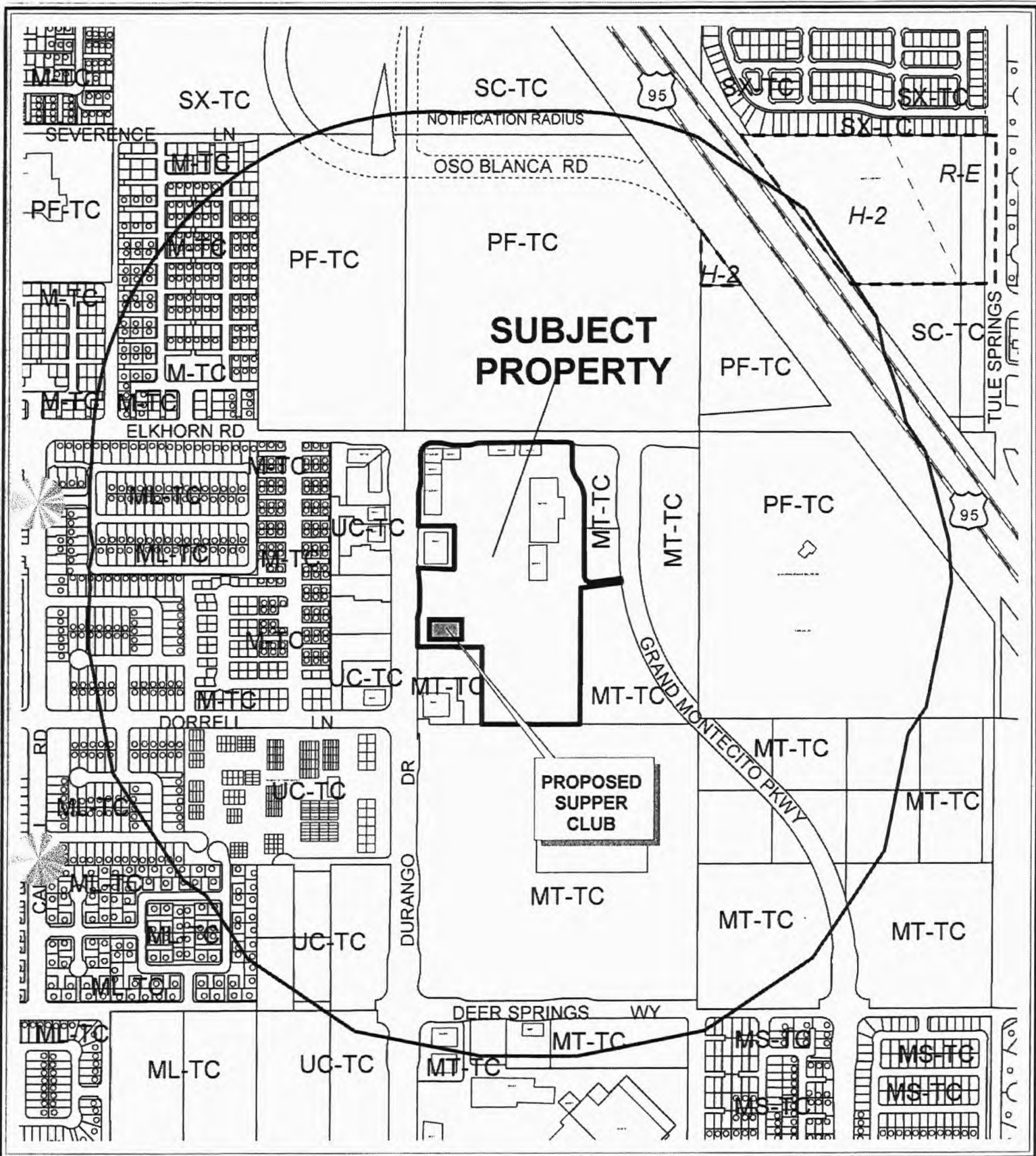
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

this item, as he would rely on the Financial Interest statement indicating that neither he or any member of the Council has any financial interest in this project.

MR. STULTS asked for approval for a Chili's Restaurant at this location.

MAYOR GOODMAN declared the Public Hearing closed.





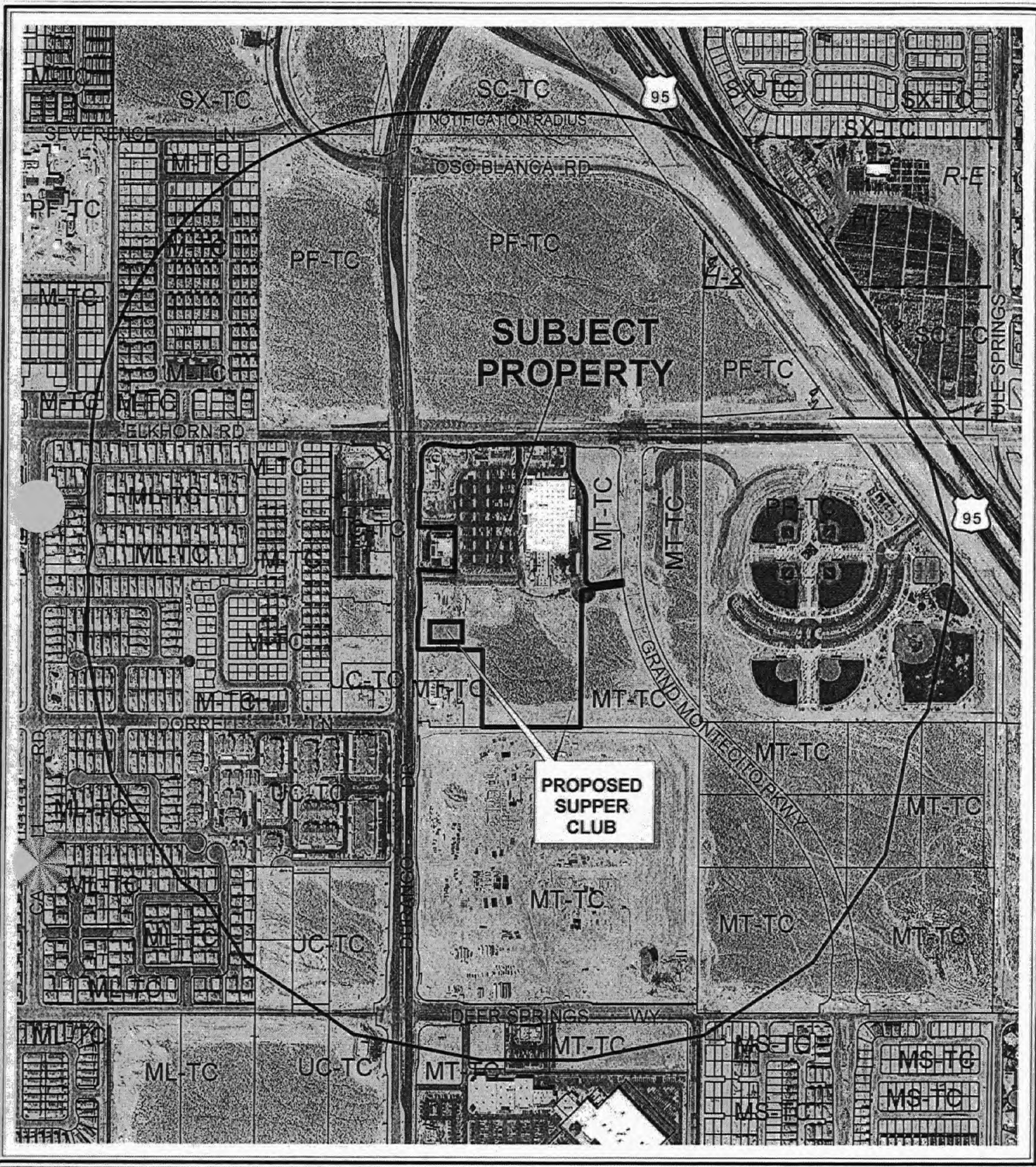
CASE: SUP-16948

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MT-TC (MONTECITO TOWN CENTER SPECIAL LAND USE DESIGNATION)]



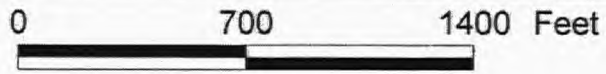


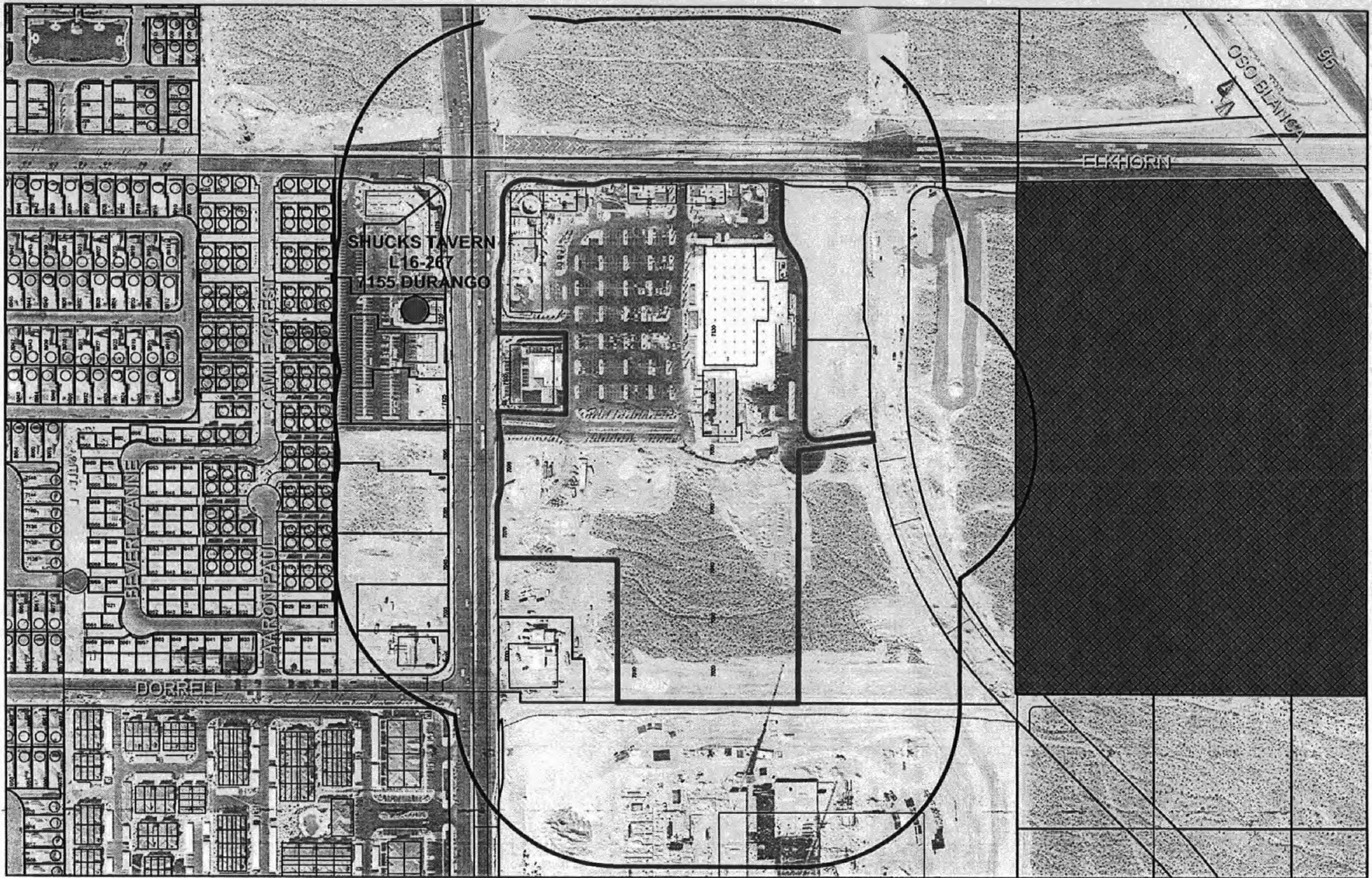
CASE: **SUP-16948**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MT-TC (MONTECITO TOWN CENTER SPECIAL LAND USE DESIGNATION)]





SUP-16948

Protected Landuses

- | | |
|--|---|
|  CITY PARKS |  RELIGIOUS |
|  SCHOOLS | |

Business Licenses

- | | |
|--|--|
|  Tavern |  Child Care/
Children Facility |
|  Supper Club/
Restaurant Service Bar | |

 Subject Property

 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16948 - APPLICANT: BRINKER NEVADA LLC -
OWNER: MONTECITO MARKETPLACE**

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Special Use Permit for a Supper Club and a Waiver of the 400-foot distance separation requirement from an existing park on the southeast corner of Durango Drive and Elkhorn Road in the Centennial Hills Town Center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/20/64	The City Commission approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre east portion of the subject site. The effective date was 05/29/64.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the east 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
01/17/01	The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the west five acres of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval.
12/19/02	The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan Way alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff recommended approval.
04/07/04	The City Council approved a Site Development Plan Review (SDR-3764) related to a Major Modification of the Montecito Town Center Development Agreement (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot, mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental)

	on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval.
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) for a Major Amendment to the approved Site Development Plan Review for a 380,000 square-foot development that included the subject site. The Planning Commission and staff recommended approval.
07/25/05	Planning and Development Department staff administratively approved a Minor Amendment to the approved Site Development Plan Review (SDR-5731) that changed the parking layout of Building F and added five parking spaces.
04/19/06	The City Council approved a Site Development Plan Review (SDR-11702) request for a Major Amendment to an approved Site Development Plan Review (SDR-5731) to allow the modification of pads G, I through O, R, U, and V on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road and a companion Variance (VAR-11710) to allow 1,032 parking spaces where 1,209 spaces is the minimum required for Phases I and II of the Montecito Marketplace commercial development. The Planning Commission and staff recommended approval.
11/02/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/rl).

Related Building Permits/Business Licenses

	No building permits or business licenses have been issued for this pad site (Pad O) within the Montecito Marketplace.
--	---

Pre-Application Meeting

08/08/06	A pre-application meeting was held and staff discussed the conditions of the previously approved cases, specifically SDR-11702 and VAR-11710. Parking must be provided within the scope of the approved Variance VAR-11710, a minor amendment to SDR-11702, as required.
----------	--

Neighborhood Meeting

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

Details of Application Request

Site Area

Gross Acres	18.71
Net Acres	18.71

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Service Commercial	UC-TC (Urban Center Mixed Use- Town Center)	TC (Town Center)
North	Vacant	PF-TC (Public Facility – Town Center)	TC (Town Center)
South	Hospital	UC-TC (Urban Center Mixed Use- Town Center)	TC (Town Center)
East	Townhouse	UC-TC (Urban Center Mixed Use- Town Center)	TC (Town Center)
West	Service Commercial, Townhouse, Office	UC-TC (Urban Center Mixed Use- Town Center)	TC (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
T-C Town Center 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

<i>Streetscape Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Town Center 120-foot Parkway Arterial	Existing	Existing	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	207,399 SF	1/250 SF	813	17	977	41	Y
TOTAL			830		1,018		Y

Waivers		
Request	Requirement	Staff Recommendation
351-foot distance separation from an existing city park	400-foot distance separation from an existing city park.	Approval

ANALYSIS

The subject site is designated TC (Town Center) within the Centennial Hills Sector Plan of the Master Plan. The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include mall facilities, shopping centers and other retail facilities; low to high density residential uses; planned business; office and industrial parks; and recreational uses. The existing T-C (Town Center) zoning district and the Supper Club special use are permitted within Town Center.

The proposed Supper Club is a 5,874 square-foot facility with 221 seats in the main dining area and 77 seats in the waiting/bar area. The facility estimates 90% food sales and 10% alcohol sales at this location. A separate take-out entrance will offer convenience for take-out customers. No drive-up window service is proposed despite a previous Special Use Permit (SUP-3770) for a drive-through facility on the subject site, Pad O.

The subject site is located on Pad O of the Montecito Town Center North shopping center as approved in a previous Site Development Plan Review (SDR-11702). The elevations that are submitted show a facility that complies with the Montecito Town Center Land Use and Design Standards. The building materials and finishes meet the criteria of Section 5.2.5 and Appendix A to qualify as the Center's Southwest Contemporary theme.

An existing Variance (VAR-11710) was approved by City Council to allow 1,018 parking spaces where 1,194 spaces were required at the shopping center within which the subject site is located. However, due to a 2006 revision of Title 19.10, the shopping center now requires only 850 spaces, 168 fewer than are provided.

A Waiver is required to allow this special use 351 feet from a city park where 400 are required. The city park is located on the far side of the shopping center from the subject site, across the Montecito Parkway alignment, a proposed 90-foot right-of-way, and behind an additional future development. Conversely, the subject site is located on Durango Drive, a 120-foot Parkway Arterial as designated by the Master Plan of Streets and Highways, and should have little impact upon the existing park.

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":

With compliance to the conditions of approval for a Supper Club use, the proposal will be harmonious and compatible with the neighboring uses. Although a waiver is required due to the minimum distance from a city park, the subject site is located on the far side of the parcel and further separated from the protected use along a 120-foot wide Parkway Arterial. The proposed Supper Club will have no negative impact upon the city park.

In regard to "2":

The subject site is level and contains no physical impediments to development. The subject site is within an existing shopping center that is physically suitable for the type and intensity of land use as proposed by this use.

In regard to "3":

The subject site is located within an existing shopping center , which is in turn connected to Durango Drive, a 120-foot wide Parkway Arterial and Elkhorn Road, a 100-foot wide Primary Arterial. Additional access will be provided by way of the Montecito Parkway, a 120-foot Primary arterial roadway to the rear of the shopping center.

In regard to "4":

The subject site must comply with LVCM Title 6.50 and 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":

With a waiver to allow the Special Use Permit 351 feet from a city park where 400 feet are required, the subject site otherwise complies with all requirements and conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 659 by City Clerk

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

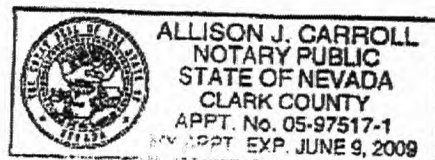
Name of Applicant: MIKE STULTS, BRUKER NEVADA LLC

 Yes No

APN: 122 11

Print Name: MICHAEL R POWERS


Notary Public in and for said County and State



CHILI'S GRILL AND BAR SITE PLAN

A PORTION OF LOT 2 OF MONTECITO TOWN CENTER NORTH, LOCATED IN THE NORTHEAST QUARTER OF SECTION 20,
TOWNSHIP 19 SOUTH, RANGE 60 EAST, MDB&M, CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA

SITE DATA

LOT	TYPE OF LAND USE/ZONING
CHILI'S LEASE PARCEL	RESTAURANT/C-1
ITEM	SQUARE FOOTAGE
TOTAL SITE AREA	14438
BUILDING	8534
LANDSCAPE	4397
PAVING/HARDSCAPE	3507
BUILDING AREA	8534
MAIN BUILDING	5874
SERVICE YARD	860
LANDSCAPE AREA	4397
PARKING LOT	4397
PLAYING/HARDSCAPE AREA	3507
PARKING LOT	0
ON-SITE HARDSCAPE	3507
ITEM	DESCRIPTION
PARKING REQUIREMENT	1 STALL PER 50 SQUARE FEET
MAIN BUILDING AREA	5874 SQUARE FEET
PARKING REQUIRED	118
PARKING PROVIDED	118
ACCESSIBLE STALLS REQ.	5
ACCESSIBLE STALLS PROV.	5
CENTER PARKING REQUIREMENT	VARIES
CENTER PARKING REQUIRED	1194
CENTER PARKING PROVIDED	1018
CENTER ACCESSIBLE STALLS REQ.	23
CENTER ACCESSIBLE STALLS PROV.	44
VARIANCE	176
ALLOWABLE VARIANCE	177
PER VAR-11710	

LEGEND

- ① EXISTING STANDARD PARKING STALL COUNT PER ROW
- ② EXISTING ACCESSIBLE PARKING STALL COUNT PER ROW

KEYNOTES

- ① EXISTING FIRE HYDRANT
- ② EXISTING SITE ACCESS LOCATION
- ③ EXISTING LIGHT POLE LOCATION
- ④ EXISTING WINDMILL SIGN LOCATION
- ⑤ EXISTING SIGN ACCESSIBLE PARKING
- ⑥ EXISTING ACCESSIBLE PARKING
- ⑦ EXISTING RETAINING WALL
- ⑧ EXISTING TRANSFORMER
- ⑨ PROPOSED "TO GO" PARKING
- ⑩ PROPOSED EDGES WITH ADJUSTABLE/SLASH CAR (PHOTOSTYCAL)
- ⑪ PROPOSED SIGN BACK
- ⑫ PROPOSED FIRE DEPARTMENT CONNECTION
- ⑬ PROPOSED SERVICE TRAIL/PAVING EXCLUSION
- ⑭ PROPOSED SIGN BUILDING ENTRANCE
- ⑮ PROPOSED "TO GO" BUILDING ENTRANCE
- ⑯ PROPOSED RELIEF DRAINAGE
- ⑰ PROPOSED BUILDING DIRT DIRT
- ⑱ PROPOSED DRAINAGE PAV
- ⑲ PROPOSED ACCESSIBLE ROUTE
- ⑳ PROPOSED LIMIT OF CONSTRUCTION (DASH OF LINE IN LARGER DRAINAGE NOTES)



NOTES

- 1. SITE PLAN IS INTENDED TO SHOW GENERAL LOCATIONS AND HORIZONTAL CONTROL.
- 2. SITE PLAN IS NOT INTENDED TO PROVIDE CONSTRUCTION INFORMATION OR CONSTRUCTION DETAILS. SEE SPECIFIC CONSTRUCTION PLANS FOR THE INFORMATION.

SUP-16948
11/02/06 PC

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SEP 19 2006

OLSSON ASSOCIATES

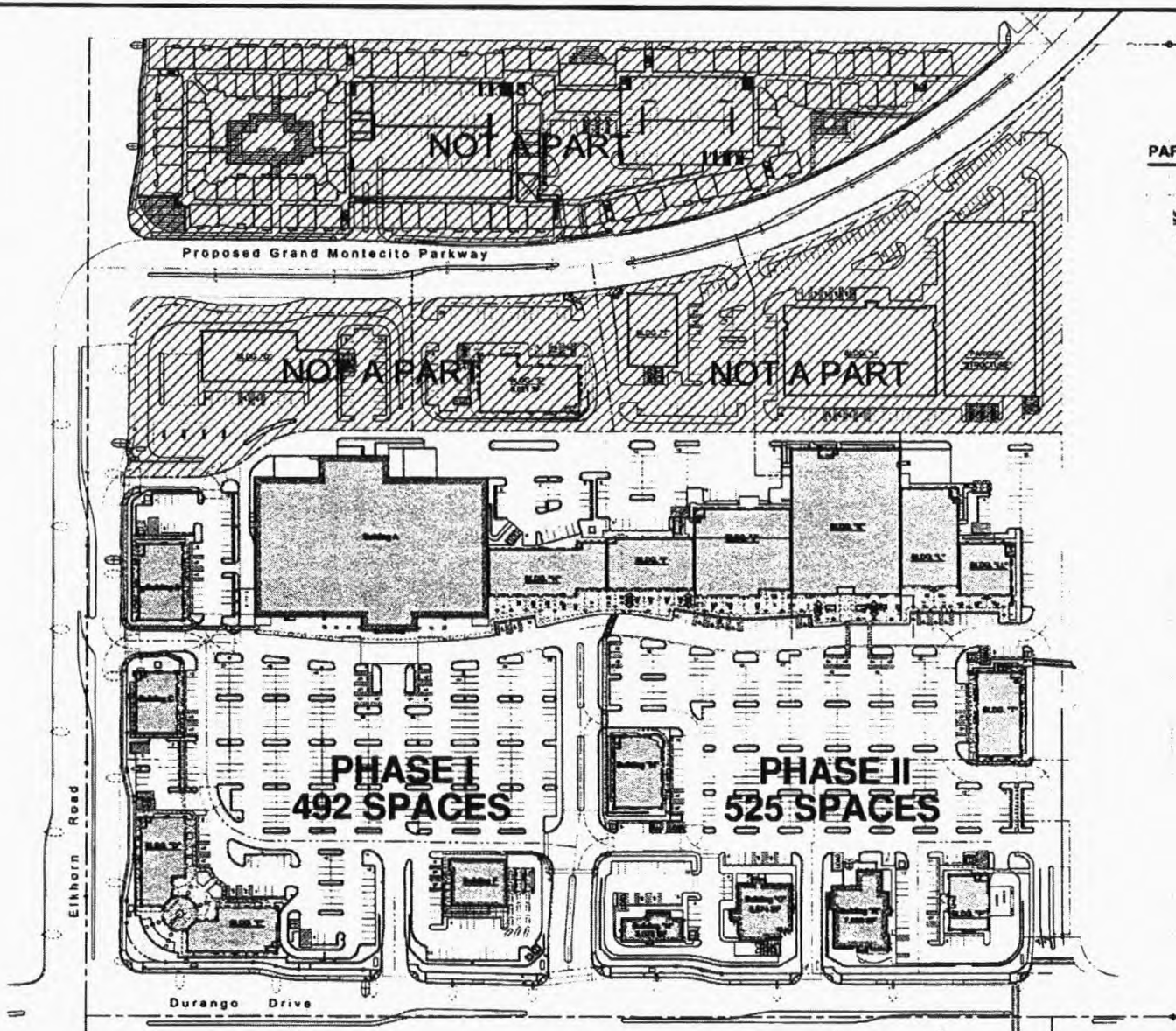
chili's

REVISIONS

SITE PLAN
CHILI'S GRILL AND BAR
MONTECITO - LAS VEGAS, NEVADA 2006

check by:
checked by:
approved by:
project no.: 2006-0054
date: 09/19/06

SP2
2 of 2 sheets



SITE INFORMATION

ASSESSOR'S PARCEL NUMBER (APN) 125-20-510-008
125-20-510-007
125-20-510-011
125-20-510-012

CURRENT ZONING T-C

SITE AREA * APPROX. 21.48 ACRES (935,864 SF)
BUILDING AREA * 207,399 SF PHASE I & II AREA ONLY
LAND/BUILDING RATIO * 23.17%
PARKING PROVIDED * 1,018 STALLS (PHONG. STRUCTURE EXCLUDED)
PARKING RATIO * 4.96/1000 - ALL PADS BLENDED

PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (144,442 SF) @ 1 STALL/250 SF = 578 STALLS
BEAUTY/NON RETAIL (7,229 SF) @ 1 STALL/200 SF = 37 STALLS
OFFICE MEDICAL (2,000 SF) (2,000 SF) @ 1 STALL/175 SF = 10 STALLS
OFFICE MEDICAL (2,000 SF) (2,000 SF) @ 1 STALL/175 SF = 30 STALLS
OFFICE NON MEDICAL (729 SF) @ 1 STALL/200 SF = 3 STALLS
MASSAGE ESTABLISHMENTS (811 SF) @ 2 PER BED = 30 STALLS
RESTAURANT (DINING) (17,235 SF) @ 1 STALL/50 SF = 345 STALLS
RESTAURANT (NON DINING) (11,812 SF) @ 1 STALL/200 SF = 60 STALLS
RESTAURANT (DRIVE THRU) (4,875 SF) @ 1 STALL/100 SF = 47 STALLS
BANK (8,945 SF) @ 1 STALL/200 SF = 45 STALLS

TOTAL REQUIRED: 1,194

TOTAL PROVIDED:
PHASE I - 492 STALLS
PHASE II - 525 STALLS
TOTAL - 1,018 STALLS

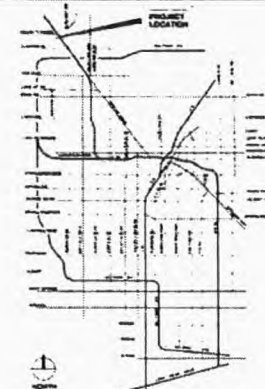
VARIANCE 176 STALLS
ALLOWABLE VARIANCE 177 STALLS
PER VAR: 11710

HANDICAP PARKING 23 REQUIRED, 44 PROVIDED

OWNER

Montecito Marketplace, LLC
6800 W Charleston Blvd. Ste 120
Las Vegas, Nevada 89148
Contact: Nick Harrison, Joe Overmire
Contact: P 702.798.5111 F 702.892.7784

VICINITY MAP



Date: 07/06/06

Project No: 2005-114

Scale: 1" = 80'-0"

0 45 90 180 270

Veddelago Petsch AIA

1425 S. Flamingo Blvd.
Suite 203
Las Vegas, Nevada 89119
Ph: (702) 861-0300
Fax: (702) 861-0300

Copyright 2006, Veddelago Petsch Architects

Montecito Marketplace

N. Durango Drive & Elkhorn Road - Las Vegas, NV

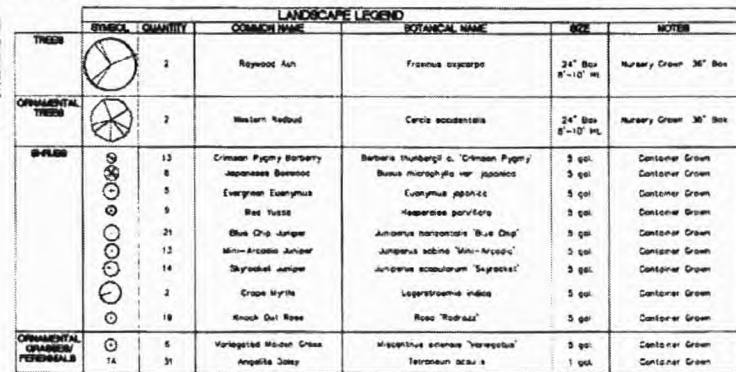
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11/02/06 PC

PHASE I & II

SITE PLAN - PAD 'N' ADR REVIEW

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A PORTION OF LOT 2 OF MONTECITO TOWN CENTER NORTH, LOCATED IN THE NORTHEAST QUARTER OF SECTION 20,
TOWNSHIP 19 SOUTH, RANGE 60 EAST, MDB&M, CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA



BOULDER SCHEDULE	
SYMBOL	TYPE
	2-4" Dia. River Rock p-0046 of a 2" gap

1. All landscape planting orders to receive 3" depth of Gold Crowie, Size 1" screened. Set rock 1" below paving edge.
2. Plants and other materials are quantified and summarized for the convenience of the city and local governing bodies. Confirm and install sufficient quantities to complete the work as crown.
3. Plan is subject to changes based on part size and material availability. All changes must be approved by the city and Landscape Architect.
4. All landscape areas shall be permanently irrigated with an automatic drip irrigation system.
5. All plant material shall be nursery grown to meet minimum size as specified in the American Standard for Nursery Stock established by the Growers of the American Association of Nurserymen.



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SEP 19 2006

OLSSON
ASSOCIATES

chilis

REVISIONS

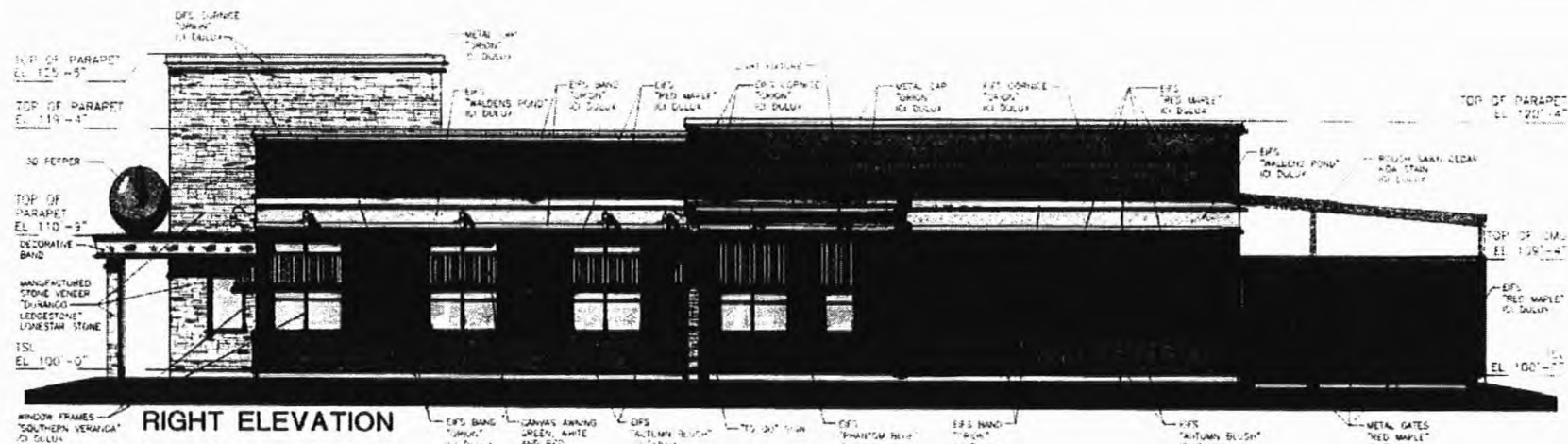
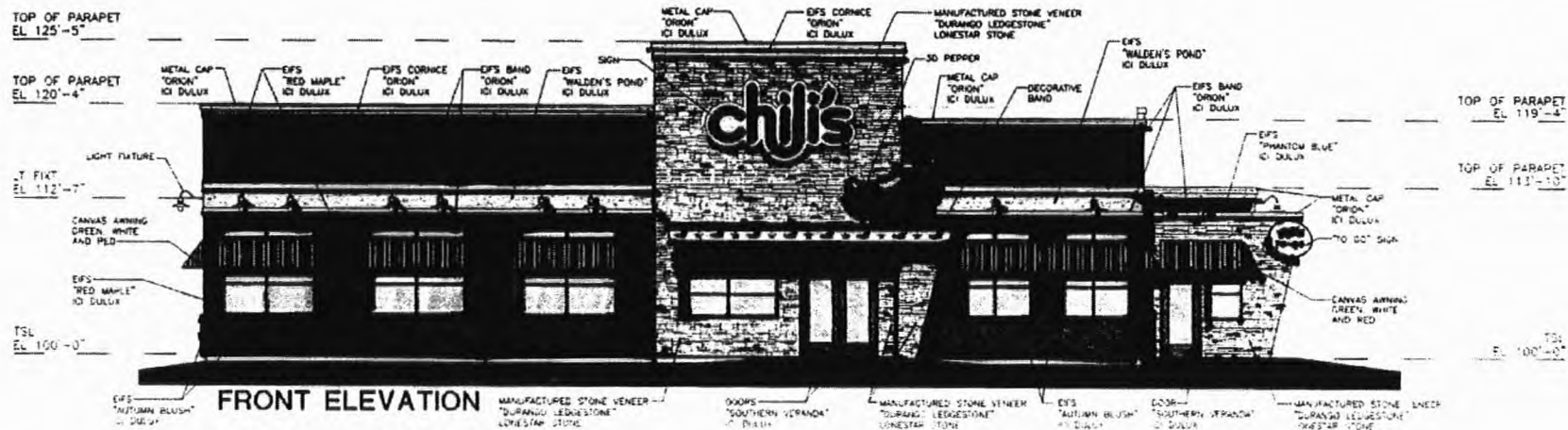
MONTECITO - LAS VEGAS, NEVADA 2006

2006

LANDSCAPE PLAN

CHILI'S GRILL AND BAR

drawn by _____
 checked by _____
 approved by _____
 project no. 2008-003
 dog name _____
 date 06/15/06
 SHEET
 L101
 1 of 1



chili's

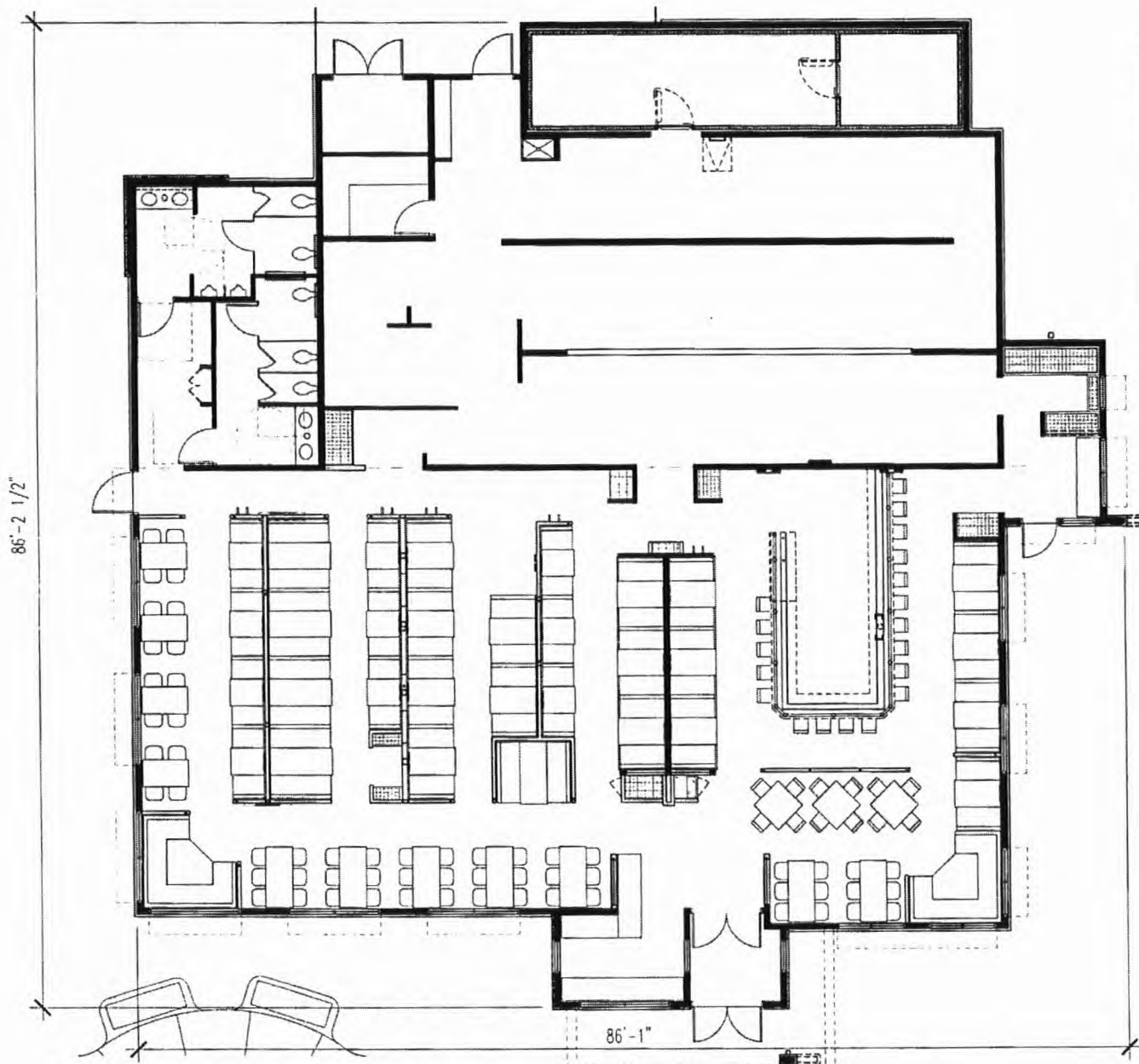
MONTECITO - LAS VEGAS, NV
PROTO 14.3.14 FLIP

1" = 10'



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SEATING CAPACITIES			
TYPES	PARTIES	SEATS	% OF PARTIES
BAR DINING			
BAR STOOLS	NA	19	
4 TOP BOOTH	7	28	54%
4 TOP FLEX	3	12	23%
6 TOP FLEX	2	12	15%
6 TOP CORNER BOOTH	1	6	8%
SUB TOTAL	13	77	100%
DINING			
2 TOP BOOTH	10	20	29%
4 TOP BOOTH	10	40	29%
4 TOP FLEX	4	16	11%
6 TOP FLEX	5	30	14%
6 TOP BOOTH	5	30	14%
6 TOP CORNER BOOTH	1	6	3%
SUB TOTAL	35	142	100%
CAPACITY	48	219	
SQUARE FOOTAGE 5,874 SQ FT			

SUP-16948
11/02/06 PC



PRESENTATION FLOOR PLAN
MONTICETO - LAS VEGAS, NV PROTO 14.3.14 FLIP

0 2 4 8 16



09/13/06 060104.007



BRINKER
INTERNATIONAL

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SEP 19 2006

MONTECITO MARKETPLACE PARKING CALCULATIONS

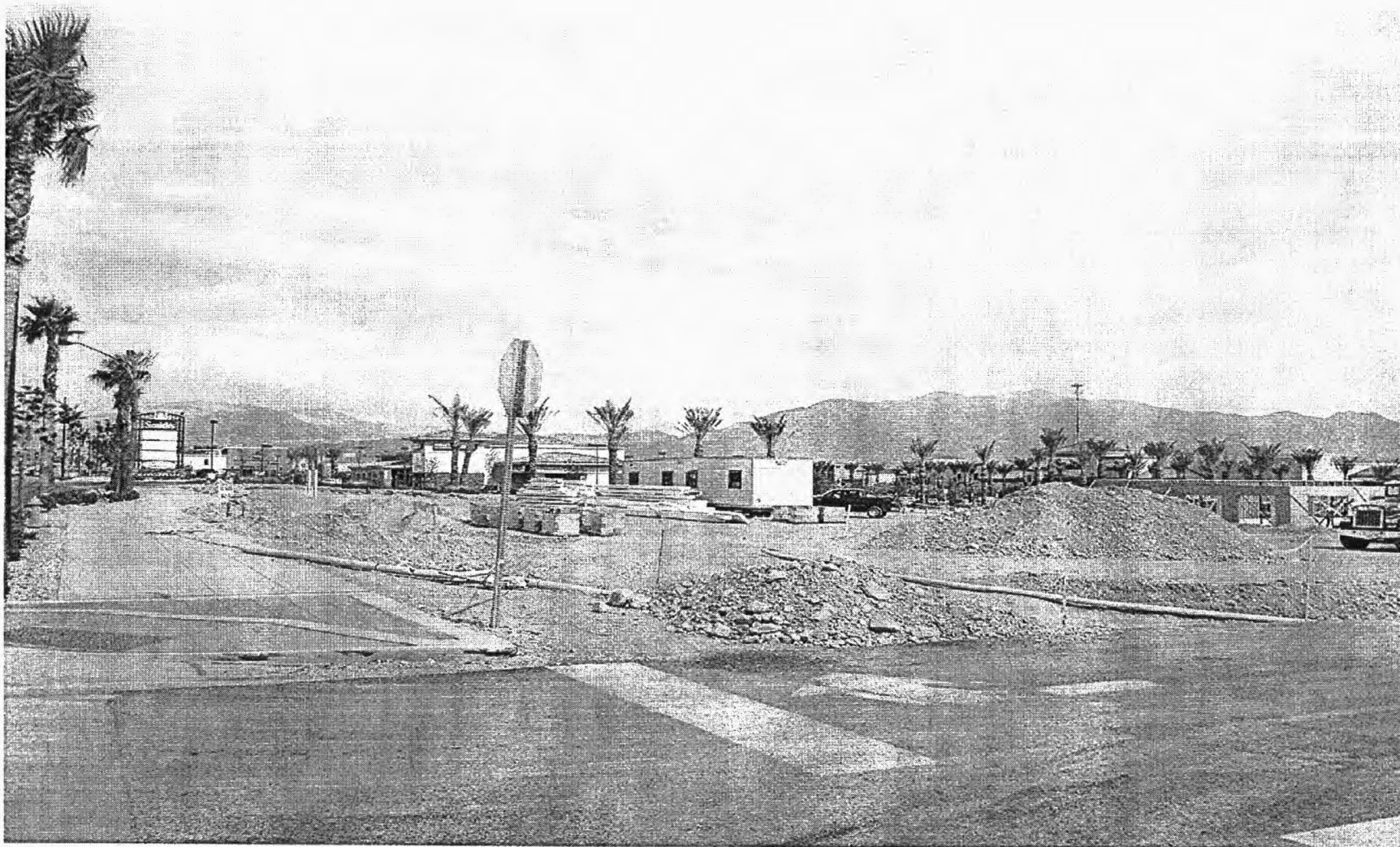
TOTAL BREAKDOWN

	SF	Ratio	Stalls	Rounded
Retail	144,442	1/250	577.8	578
Beauty/Non Retail	7,225	1/200	36.1	37
Office Medical (<2,000 sf)	2,000	1/200	10.0	10
Office Medical (>2,000) sf	6,725	1/175	38.4	39
Office Non Medical	729	1/300	2.4	3
Massage Establishment	3,611	2 per bed	30.0	30
Rest Dining	17,235	1/50	344.7	345
Rest w/o Dining	11,812	1/200	59.1	60
Rest w/ D/T	4,675	1/100	46.8	47
Bank	8,945	1/200	44.7	45
Total	207,399		1,190	1,194

Provided	1,018
Variance	176
Allowable Variance	177
Per VAR-11710	

SUP-16948
11/02/06 PC

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SEP 19 2006



SUP-16948 - APPLICANT: BRINKER NEVADA LLC - OWNER: MONTECITO MARKETPLACE
SOUTHEAST CORNER OF DURANGO DRIVE AND ELKHORN ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/10/06



SUP-16948 - APPLICANT: BRINKER NEVADA LLC - OWNER: MONTECITO MARKETPLACE
SOUTHEAST CORNER OF DURANGO DRIVE AND ELKHORN ROAD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/10/06



To: City of Las Vegas

From: Mike Stults, Property Development Manager

Date: September 13, 2006

Re.: Letter of Justification – Proposed Chili's Grill and Bar Restaurant
Montecito Marketplace

Please allow this memo to accommodate the Proposed Chili's Grill and Bar casual family dining restaurant Design Submittal Review Package issued to the City of Las Vegas. The information provided serves to summarize the Project facility, location and design compliance.

• **Proposed Facility:**

- 5,874 SF Chili's Grill and Bar. A casual family dining restaurant with a fun atmosphere. Menu will offer variety of appetizers and entrees to satisfy nearly every appetite imagined.
- Accommodations. 221 seats in main dining area + 77 seats in the waiting/bar-area (including 19 barstools). A To-Go entrance will offer separate food pick-up area for customer's who use the call-in and take-out service. No drive-up window service.
- Anticipated 90% Food Sales and 10% Alcohol Sales.

• **Location:**

- Building Pad "O" of the Montecito Town Center North. Located on East Side of Durango Drive, South of Elkhorn Street intersection.
- Legal Description. Leased Premises is a part of Lot 2 of the Montecito Town Center North – a Commercial Subdivision on file in Book 114, Page 18 of Plats in the records of Clark County, Nevada within the NE Quarter of Section 20; Township 19 S, Range 60 E, MDM in the City of Las Vegas, Clark County, NV.
- Leased Premises/Limits of Construction. Chili's shall design and construction of all work from the back of the Building Pad Curb and in. All work outside the Building Pad shall be designed, installed and maintained by the Developer/Landlord (Montecito Companies).

• **Design Criteria:**

- Architectural Compliance with the Montecito Town Center Land Use and Design Standards Appendix (as adopted by City of LV). The Building Materials and Finishes utilize criteria in Section 5.2.5 and Appendix A to qualify as the Center's Southwest Contemporary theme.
- Other Architectural Embellishments:
 - Internal Roof Drains and Roof Access Hatch.
 - CMU Service Yard Walls with Building-Match Materials and Finishes and Metal Gates.
 - Raised Parapet Walls to completely screen Roof Top Units (RTUs).
- Center Parking Compliance. Footprint and use compliment Building Pad "O" designation within approved Overall Center Site Plan and Parking Ratio.

Respectfully submitted,

Mike Stults

Mike Stults, Property Development Manager
Brinker International / Chili's Grill and Bar
515-965-8047 Office / 972-770-9467 Fax
Mike.Stults@brinker.com

SUP-16948
11/02/06 PC

RECEIVED
SEP 19 2006

*Chili's Grill and Bar - Renaissance Macaroni Grill
City The Garden - Macaroni's Little Deli*

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

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: SUP-16948 - APPLICANT: BRINKER NEVADA LLC - OWNER: MONTECITO
MARKETPLACE

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *November 2, 2006* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Wyatt E. Popp

Signature

10/30/06

Date

WYATT E. POPP

Please print name

OLSSON ASSOCIATES

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VACATION

VAC-16642 - PUBLIC HEARING - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES - Petition to vacate a portion of the Gowan Road Right of Way generally located on the northwest corner of Gowan Road and Decatur Boulevard, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-02-06 Planning Commission Meeting Item 9

Motion made by GARY REESE to Approve subject to conditions

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 2

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

GENE FREDERICK, Vice President of Operations, Bramble Homes, asked for approval.

MARY KREMER, 5209 West Gilmore Avenue, appeared on behalf of NARA (Northwest Area Residents Association) and asked for clarification of the vacation. BART ANDERSON, Public Works Department, replied that this part of the City was developed and mapped out by surveyors, who would start from different locations and when they would meet, sometimes they would be off. This is a piece of property where the assumed centerlines of two different surveys

CITY COUNCIL MEETING OF: DECEMBER 6, 2006

did not quite line up. It has been a right-of-way for a long time, but it is not an actual roadway and it never will be.

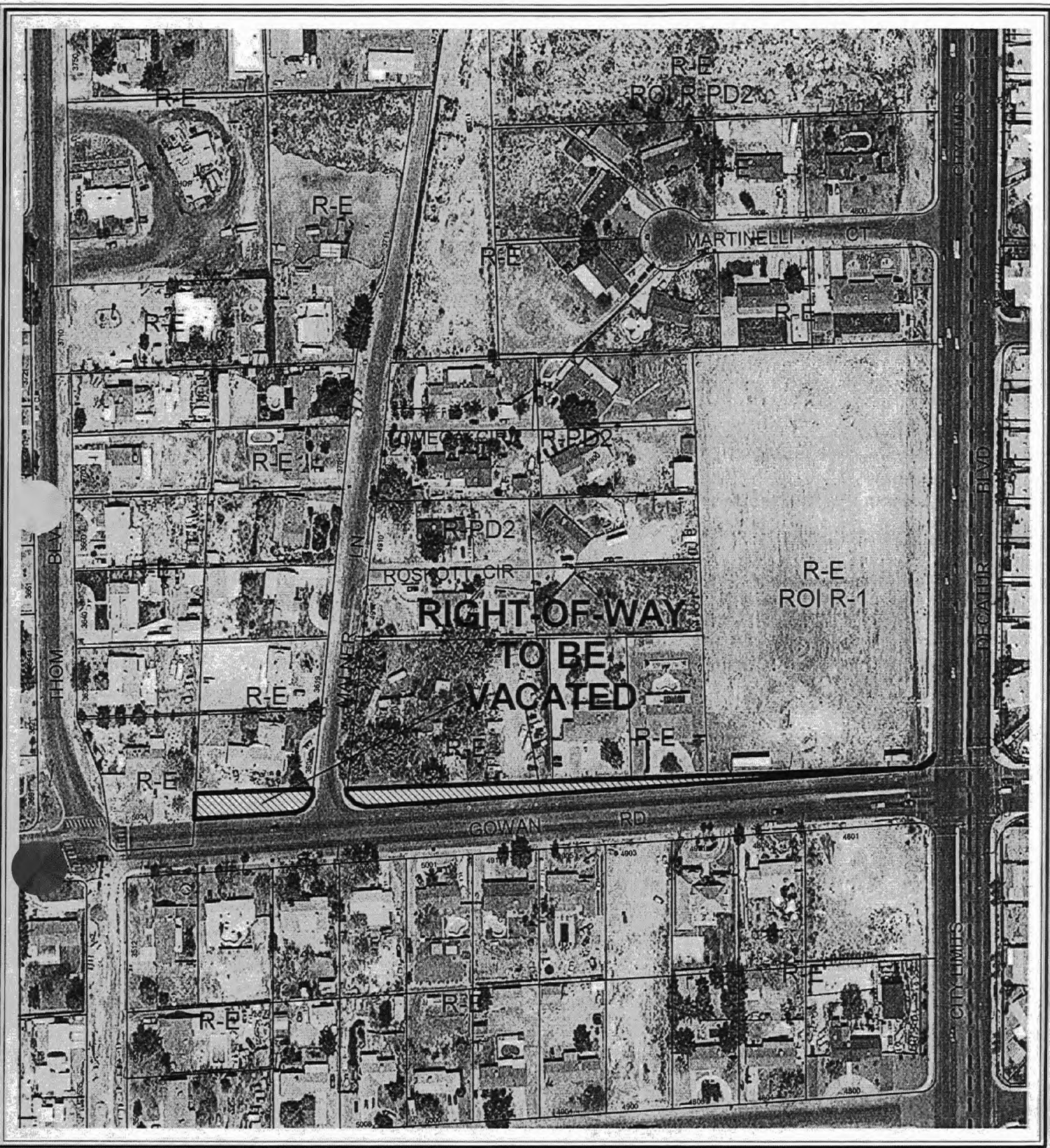
MS. KREMER verified with MR. FREDERICK that the egress and ingress from the proposed development would only be off of Decatur Boulevard.

MAYOR GOODMAN declared the Public Hearing closed.

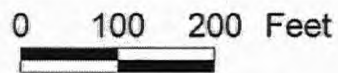


0 100 200 Feet





CASE: VAC-16642



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-16642 - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES

**** CONDITIONS ****

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

1. 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.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. 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.
4. The limits of this Petition of Vacation shall be defined as the triangular right-of-way area located on the north side of Gowan Road between Decatur Boulevard and Thom Boulevard.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

APPLICATION REQUEST

The application is a petition to vacate a portion of the Gowan Road right-of-way generally located on the northwest corner of Gowan Road and Decatur Boulevard in Ward 6 (Ross).

EXECUTIVE SUMMARY

The applicant is requesting the vacation of a portion of right-of-way associated with the Final Map (FMP-1152) for the Kobie Creek Subdivision. The purpose of this action is to transfer ownership of land previously dedicated for the construction of Gowan Road, which was subsequently built off-alignment.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|---|
| 1/27/05 | A refund was issued to the applicant for the Site Development Plan Review (SDR-5766) for a proposed 18-lot, single-family residential development on 5.10 acres. The applicant submitted revised plans changing the request for the proposed R-PD4 (Residential Planned Development – 4 Units per Acre) to R-1 (Single Family Residential) therefore relinquishing the need for the Site Development Plan Review. |
| 4/20/05 | The City Council approved a Rezoning (ZON-5765) and a General Plan Amendment (GPA-5762). The Rezoning request was from R-E (Residence Estates) to R-1 (Single Family Residential). The General Plan Amendment request was to amend a portion of the Centennial Hills Sector Plan from DR (Desert Rural Density Residential) to L (Low Density Residential). Planning Commission and staff recommended denial. |
| 7/14/05 | The Planning Commission approved a Tentative Map (TMP-6878) for a 16-lot , single-family subdivision adjacent to the proposed vacation. Staff recommended approval. |
| 11/02/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/r1). |

B) *Pre-Application Meeting*

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

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

This land description describes two portions of the Gowan Road Right-of-Way between Decatur Boulevard and Thom Boulevard for Vacation Purposes. Being portions of the East Half (E ½) of the East Half (E ½) of Section 12, Township 20 South, Range 60 East M.D.M., Clark County Nevada, more particularly described as follows:

Parcel 1 Being that portion of the Gowan Road Right-of-Way lying North of a line lying 40 Feet North of and running parallel with the centerline of said Gowan Road, bounded on the West by the East line of that property conveyed by Book 803, Instrument 762610 of official records, recorded October 26, 1977, and bounded on the East by the Westerly Right-of-Way of Malner Lane;

Excepting therefrom that spandrel area located at the Northwest corner of Gowan Road and Malner Lane bounded as follows:

On the South by a line lying line lying 40 Feet North of and running parallel with the centerline of said Gowan Road, bounded on the East by the Westerly Right-of-Way line of said Malner Lane, and on the Northwest by the arc of a 20 Foot radius curve, concave Northwesterly, being tangent to said parallel line and tangent to said Westerly Right-of-Way line.

Parcel 2 Being that portion of the Gowan Road Right-of-Way lying north of a line lying 40 Feet North of and running parallel with the centerline of Gowan Road, bounded on the west by the Easterly Right-of-Way line of Malner Lane and bounded on the East by the Westerly Right-of-Way line of Decatur Boulevard;

Excepting therefrom that spandrel area located at the Northeast corner of Gowan Road and Malner Lane bounded as follows:

On the South by a line lying 40 Feet North of and running parallel with the centerline of said Gowan Road, on the West by the Easterly Right-of-Way line of said Malner Lane, and on the Northeast by the arc of a 20 Foot radius curve, concave Northeasterly, being tangent to said parallel line and tangent to said Easterly Right-of-Way line.

Further excepting therefrom that spandrel area located at the Northwest corner of said Gowan Road and said Decatur Boulevard bounded as follows:

On the South by a line lying 40 Feet North of and running parallel with the centerline of said Gowan Road, on the East by the Westerly Right-of-Way line of said Decatur Boulevard, and on the Northwest by the arc of a 20 Foot radius curve, concave Northwesterly, being tangent to said parallel line and tangent to said Westerly Right-of-Way line.

ANALYSIS

A) *Planning discussion*

The subject request is to vacate a portion of the Gowan Road right-of-way. The request is appropriate, as Gowan Road has been fully constructed on an altered alignment, and this portion of right-of-way is no longer necessary. Therefore, staff has no concerns with the Vacation request and supports the request.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
Uniform.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as the Right-of-Way being vacated is outside of the constructed limits of Gowan Road.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes. The City Surveyor has researched the area and has determined it to be excess right-of-way.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
Yes, the Kobie Creek residential subdivision.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-16642** APN: 138.126.01.040
Name of Property Owner: KOBILE CREEK, LLC
Name of Applicant: Bramble Homes

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: LARRY L. SAYERS

Subscribed and sworn before me

This 17th day of September, 2006

Notary Public in and for said County and State

Jennifer Lockert



County of Clark
JENNIFER LOCKERT
My Appointment Expires
January 10, 2007

RECEIVED

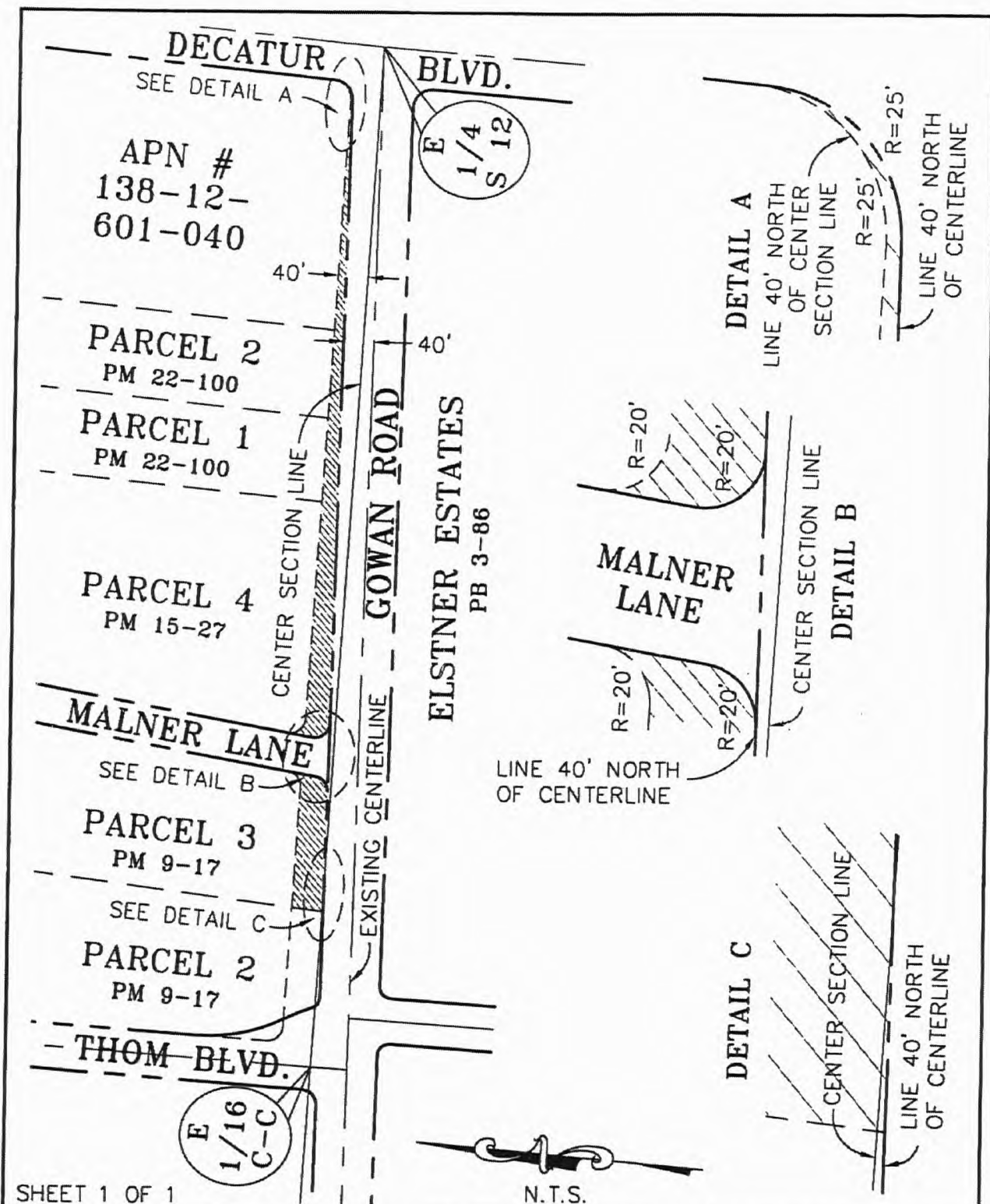


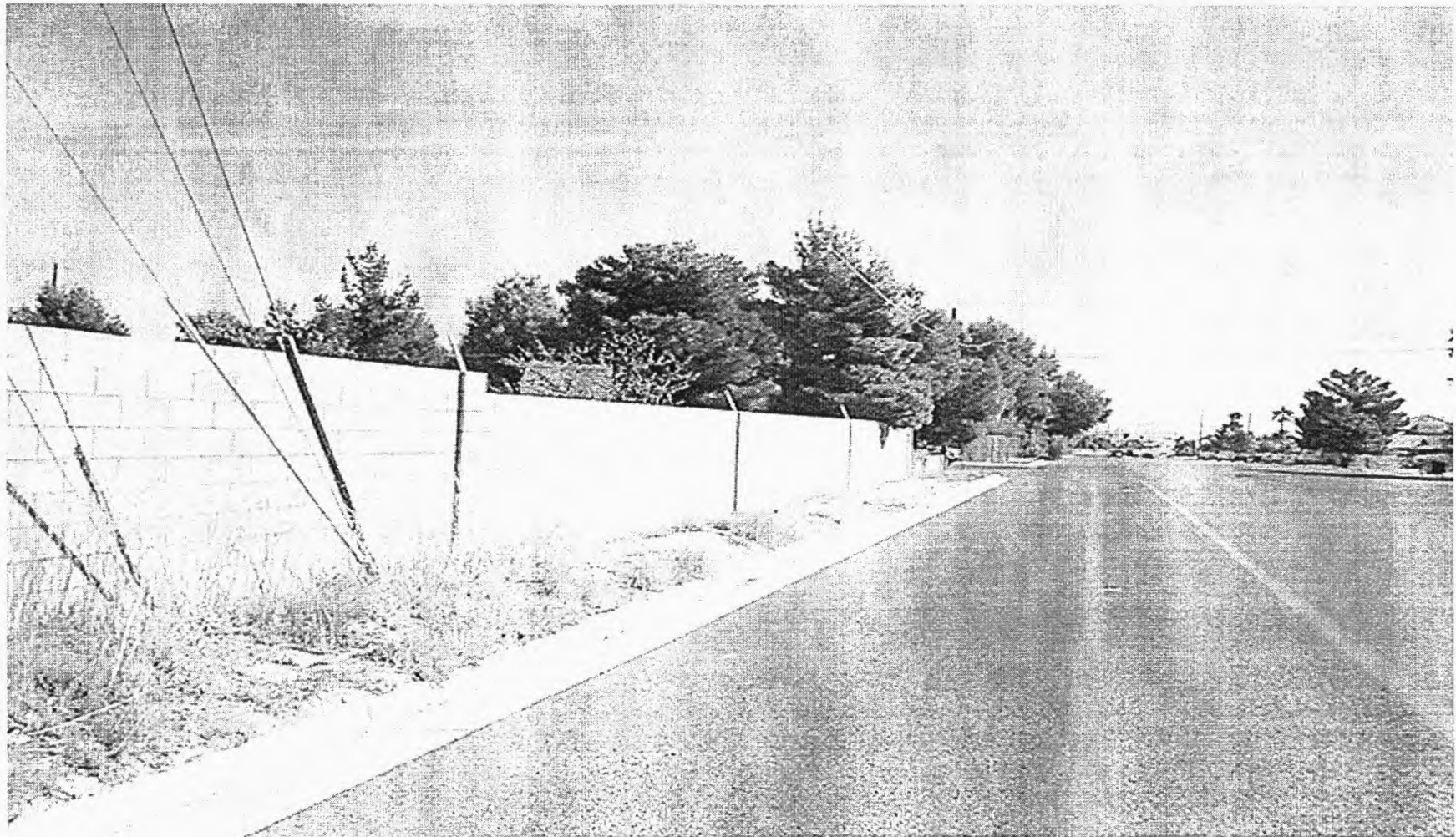
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
A PORTION OF E. 1/2 OF S. 12 T. 20 S., R. 60 E.
M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA

CITY OF LAS VEGAS - SURVEY
3001 RONEMUS DRIVE, LAS VEGAS, NEVADA 89128 (702) 229-6217

DRAWING: COBIE CREEK
DRAWN BY: HJB
CHECKED BY: ARR
DATE: 08-09-06

VAC-16642
11/02/06 PC

RECEIVED
SEP 08 2006



VAC-16642 - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES
NORTHWEST CORNER OF GOWAN ROAD AND DECATUR BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/20/06



VAC-16642 - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES
NORTHWEST CORNER OF GOWAN ROAD AND DECATUR BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/20/06



VAC-16642 - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES
NORTHWEST CORNER OF GOWAN ROAD AND DECATUR BOULEVARD
NOVEMBER 2, 2006 PLANNING COMMISSION

10/20/06



CIVIL ENGINEERING • PLANNING • SURVEYING

September 1, 2006

SB04165

Mr. Alan Reiki
City of Las Vegas Survey Division
3001 Ronemus Dr.
Las Vegas, NV 89129

Re: Justification Letter for the Vacation of Right-of-Way as required by conditions of approval for FMP#1152-Final Map for Kobie Creek SFR Subdivision (A.P.N. # 138-12-601-040)

Dear Mr. Reiki:

Our client, Bramble Development, is applying for a vacation of right-of-way associated with the Final Map for Kobie Creek Single Family Residence Subdivision located at Gowan and Decatur Roads, A.P.N. #138-12-601-040.

The purpose for this action is to vacate property owned by the City of Las Vegas and transfer the land to the present owner, Kobie Creek, LLC. This will clear up the issue created due to the street being constructed on the wrong alignment years ago.

Please feel free to call me if you should have any further questions or concerns at #242-9908, ext. 215.
Thank you for your anticipated cooperation.

Sincerely,

Boyd R Urie, PLS
AMTI Sunbelt

VAC-16642
11/02/06 PC

RECEIVED
SEP 08 2006

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: VAC-16642 - OWNER: KOBIE CREEK, LLC - APPLICANT: BRAMBLE HOMES**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *November 2, 2006* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

[Signature] *10/31/06*
Signature Date

LARRY L. SAGERS
Please print name

Bramble Homes, Inc
Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

Telephone Protest/ Approval Log

Meeting Date: 11/2/06

Case Number: VAC 16642

Date: 10/23/06
Name: Karen Feeley
Address: 3601 Malner Ln
Las Vegas 89130
Phone: 557-1368
☒ PROTEST ☐ APPROVE

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

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

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Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

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

ITEM # 9

CASE # VAC-16642

PC MTG 11-2-06

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

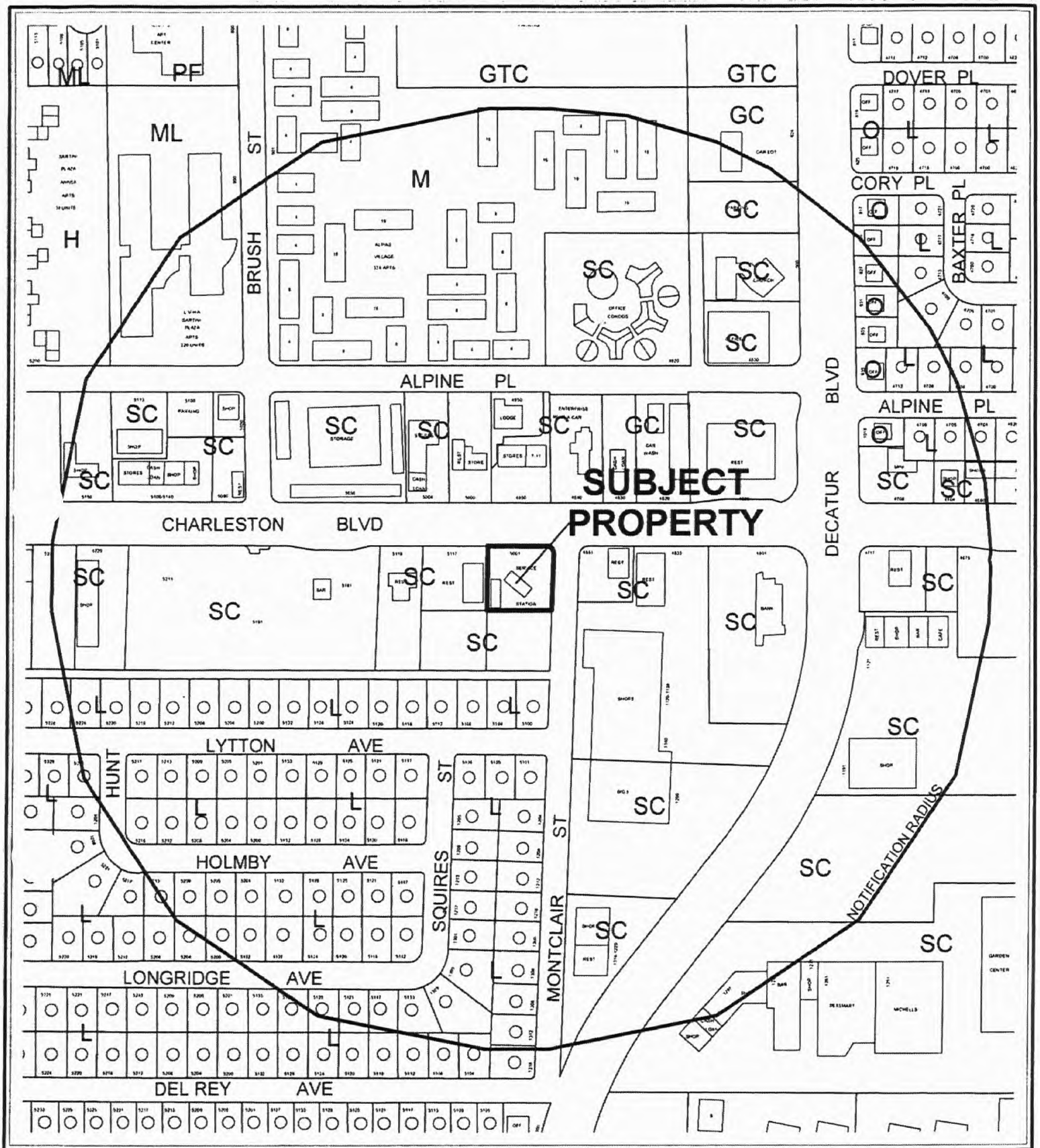
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Attorney Gronauer for Items 87-91
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 29

Motion made by GARY REESE to Hold in Abeyance Item 87 [GPA-16201], Item 88 [ZON-16196], Item 89 [SUP-16198], Item 90 [SUP-16200] and Item 91 [SDR-16197], Item 92 [ZON-15031], Item 93 [SDR-15030], Item 101 [GPA-16538], Item 102 [ZON-16609], Item 103 [WVR-16610] and Item 104 [SDR-16611], Item 107 [VAR-14734], Item 108 [VAR-16769], Item 111 [SUP-17404], Item 112 [SUP-17405], Item 113 [SDR-16952] and Item 119 [ROC-17677] to 12/20/2006; Item 94 [VAR-16144], Item 95 [SUP-16143] and Item 109 [VAR-16505] to 01/03/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 96 [SUP-15347]

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

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



CASE: GPA-16201

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)





CASE: GPA-16201

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

*THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 2006 CITY COUNCIL
MEETING AT THE REQUEST OF THE APPLICANT.*

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

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

Details of Application Request	
Site Area	
Gross Acres	0.51 Acres

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

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

ANALYSIS

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

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

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

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

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

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

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

In regard to “2”:

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

In regard to “3”:

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

In regard to “4”:

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

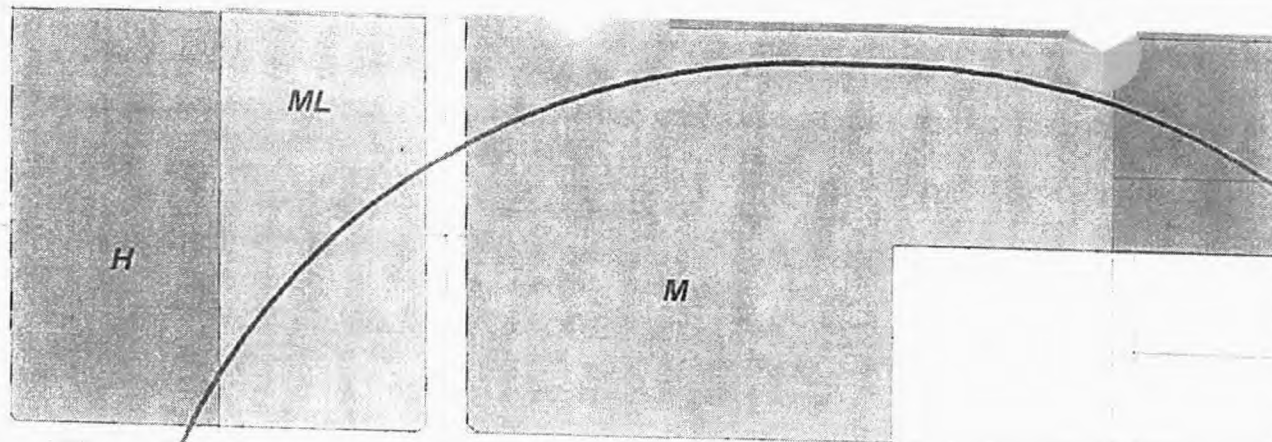
NOTICES MAILED 136 by Planning Department

APPROVALS 2

PROTESTS 1

STATEMENT OF FINANCIAL INTEREST

E:\depo\Application Packet\Statement of Financial Interest.doc



SUBJECT
PROPERTY

GC

SC

L

RECEIVED
AUG 22 2006

GPA-16201
10/05/06 PC

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

To:

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

August 21, 2006

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

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

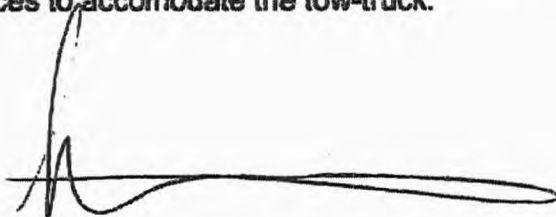
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

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

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

Sincerely,

Fred Nazaryan
Business Owner

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

GPA-16201
10/05/06 PC

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ROBERT J. GRONAUER

rgronauer@kkbrf.com
702.792-7000

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

RENO OFFICE
5565 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

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

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

December 5, 2006

VIA FACSIMILE

382-4803

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

**Re: Family Auto Care
GPA-16201; ZON-16196; SUP-16198; SUP-16200; SDR-16197**

Dear Ms. Ronemus:

Our office represents the property owner/applicant in the above-referenced matters. We respectfully request that these items be held from the presently scheduled City Council hearing of December 6, 2006 until December 20, 2006.

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

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO

Bob Gronauer/mh

Robert J. Gronauer

RJG/mlt

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

RECEIVED
CITY CLERK
2006 DEC -5 P 4:52



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Date 12/5/06 Item #87-91

14198 1

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

Sept. 25-2006

Planning Commission

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

Enough is enough.

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

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

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

September 28, 2006

To Whom It May Concern,

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

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

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

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33
← CASE # See List
PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

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

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

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

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

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

OCT 02 2006

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

A

October 3, 2006

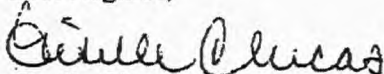
To Whom it May Concern:

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

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

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

Best Regards,



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

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

ITEM # 21-33
CASE # 22-415
PC MTG 10-03-06

17



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

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

Dear Planning Commission,

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

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

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

Thank you very much.

June Ingram

June Ingram
259-3094

and

Pamela Stancliffe

Pamela Stancliffe
258-1517

RECEIVED AFTER
PC MEETING

MEMBERS

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

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

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

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

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

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

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

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

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PC MEETING**

MEMBERS

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

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1610) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 1610-002-011 WARD ONE which will allow the repair of auto engines here.

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

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

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4350 N. 5th St. Apt 112	83-4791
Frank A. Jackson	700 BUSH GARDEN LN SUITE 100	6563655
Frank A. Jackson		
Minerva Villa	1409 Patent Street	2-437-4988
Sophia Tejada	800 Sierra Vista Dr 231	2-336-1949
Scott Peterson	3659 Mariner Crest Cir LV 89122	2-613-6910
Jimmy Lagera	7624 Silver Wells Rd LV 89122	702-839-8726
Ric Kelli	" "	702-580-7632
Frank J. Remington	86244 Rialto Way	702-8782942
Laura Shingary	4433 Aberdeen Ln	39107 501-550
Jessie Lopez	" "	" "
John Montenegro	5221 Holby Ave LV 89122	702-6067
John Montenegro	" "	" "
John Montenegro	3659 Mariner Crest Cir	360-6855757
Lisa Peterson	" "	" "
John Montenegro	702-6067	" "
John Montenegro	4464 Haslamon St LV 89122	702-397-8110
John Montenegro	6200 Bonanza Way	702-878-3182
John Montenegro	905 Carpenter Dr LV 89122	702-877-1164

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-162) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 160-00502-011 WARD ONE which will allow the repair of auto engines here.

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

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

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON LN	758-2019
M. H. H.	"	"
Thelma E. Slaughter	5913 Pebble Beach	638-8767
Rachael Slaughter	5913 Pebble Beach	638-8101
Holly Christensen	6337 Dayton Ave	258-9002

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PC MEETING

To Whom it May Concern,

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

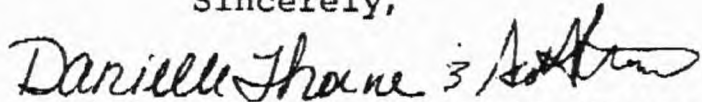
It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in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

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PC MEETING

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

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

Sincerely,


Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

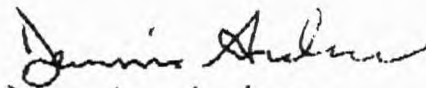
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

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

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

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

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


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

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

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-16201

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

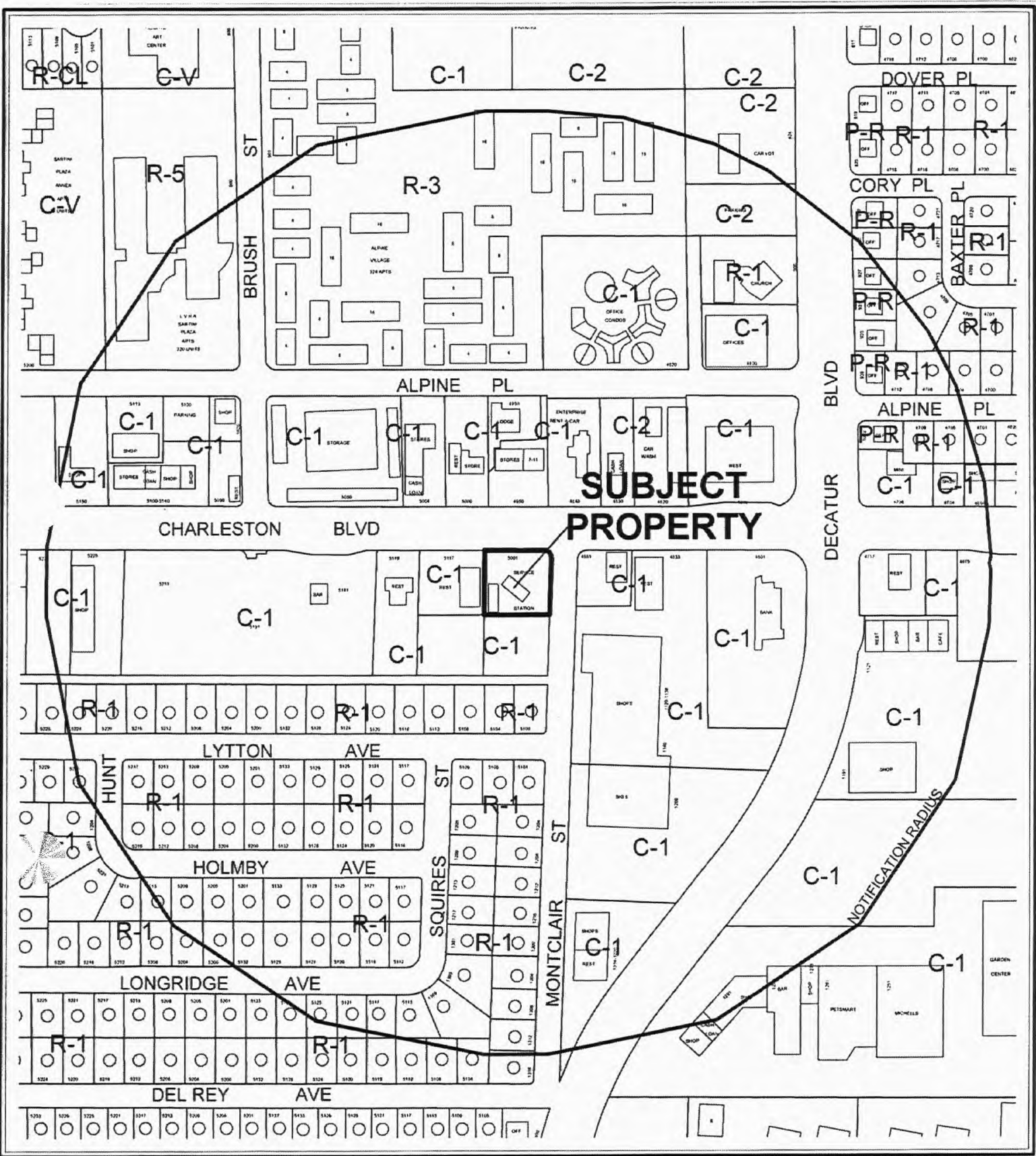
Motion made by GARY REESE to Hold in Abeyance Item 87 [GPA-16201], Item 88 [ZON-16196], Item 89 [SUP-16198], Item 90 [SUP-16200] and Item 91 [SDR-16197], Item 92 [ZON-15031], Item 93 [SDR-15030], Item 101 [GPA-16538], Item 102 [ZON-16609], Item 103 [WVR-16610] and Item 104 [SDR-16611], Item 107 [VAR-14734], Item 108 [VAR-16769], Item 111 [SUP-17404], Item 112 [SUP-17405], Item 113 [SDR-16952] and Item 119 [ROC-17677] to 12/20/2006; Item 94 [VAR-16144], Item 95 [SUP-16143] and Item 109 [VAR-16505] to 01/03/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 96 [SUP-15347]

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

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

Minutes:

See Item 87 for related backup.



CASE: ZON-16196

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-16201) to GC (General Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16197) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
4. Relocate the Trash Enclosure so as to avoid access through public right-of-way.
5. All signage will comply with the Standards as listed in Title 19.14 Sign Standards

Public Works

6. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of West Charleston Boulevard and Montclair Street prior to the issuance of any permits. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent structures located within the area being requested for dedication.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

Pre-Application Meeting	
08/04/06	During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.
Neighborhood Meeting	
9/14/06	A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner. The following concerns were raised at the meeting: • Property needs to be cleaned up • Request for a 10-foot CMU block wall surrounding the property • Sales of used vehicles on site currently • Illegal signage on site currently • Request for a 3-foot block wall along Charleston • Will the driveways change? • Will vehicles be stored on site? The meeting was adjourned at 6:30 pm.

Details of Application Request	
Site Area	
Gross Acres	0.51

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following parking standards apply:

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

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

Pursuant to Title 19.12, the following parking standards apply:

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

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Repair Garage (Major)	3,169 SF.	1 space per 200 SF GFA plus 5 additional spaces	21	1	23	1	Y
Tow Service no storage		1 space per employee plus one space per truck	2	0	2	0	Y
TOTAL (including handicap)			23	1	23	1	Y
Loading Spaces			1		1		Y

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

ANALYSIS

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 136 by Planning Department

APPROVALS 2

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16196** APN: **163.01.502.011**
Name of Property Owner: **FRED NAZARYAN**
Name of Applicant: **JOHN VIVIER ARCHITECT**

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

☐ Yes

☒ 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: _____

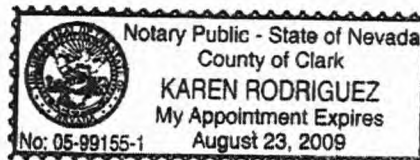
Signature of Property Owner: _____

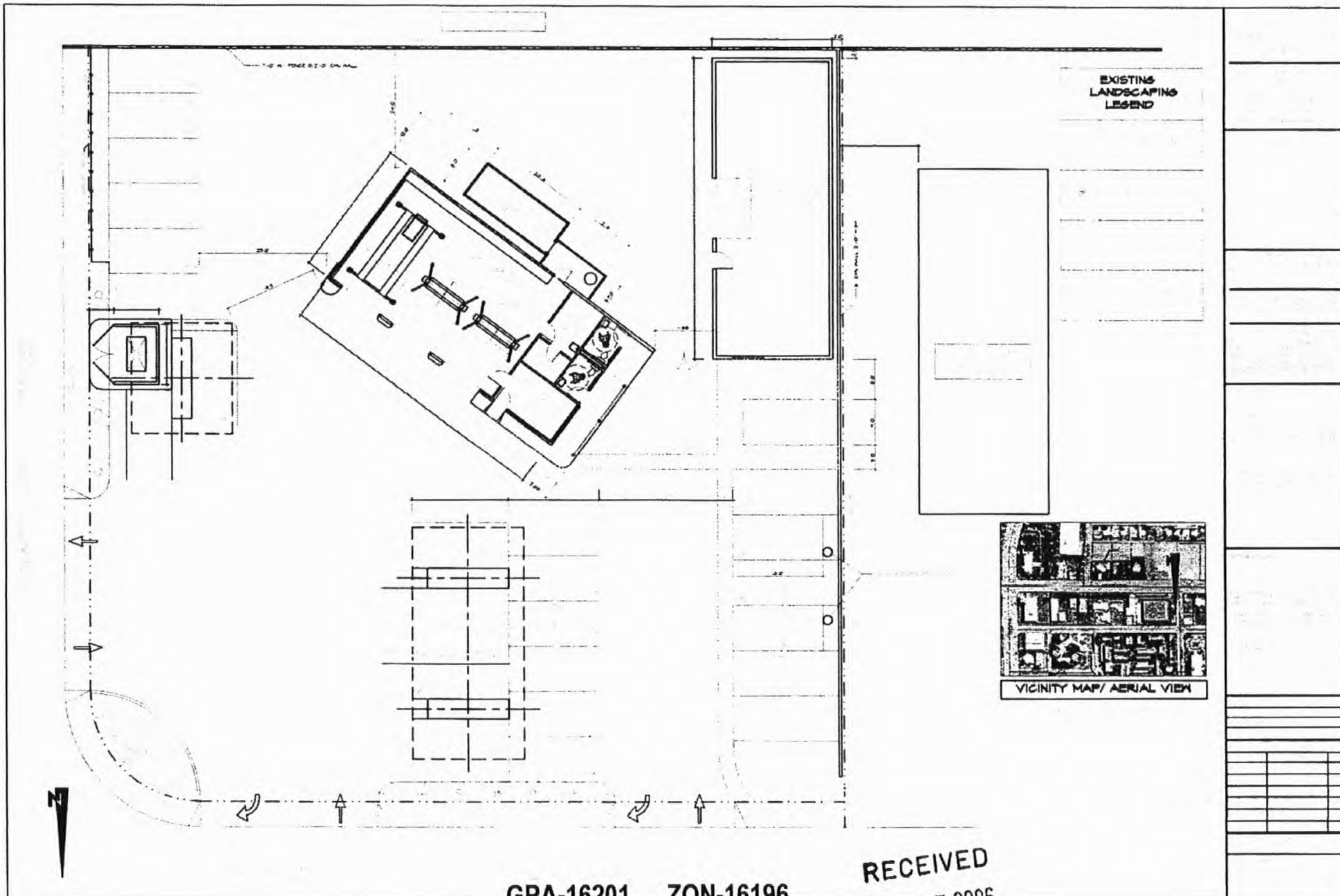
Print Name: **FRED NAZARYAN**

Subscribed and sworn before me

This **22** day of **Aug.**, 20**06**

Karen Rodriguez
Notary Public in and for said County and State





GPA-16201 ZON-16196
SUP-16198 SUP-16200
SDR-16197
REVISED 10/05/06 PC

RECEIVED
SEP 07 2006

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

To:

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

August 21, 2006

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

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

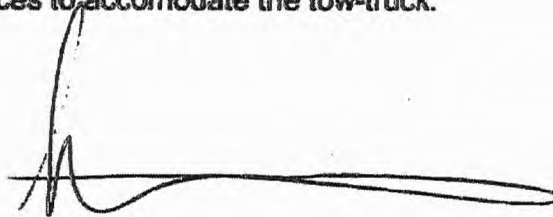
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

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

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

Sincerely,

Fred Nazaryan
Business Owner

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

ZON-16196
10/05/06 PC

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

Sept. 25-2006

Planning Commission

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

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

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

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

September 28, 2006

To Whom It May Concern,

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

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

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

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33

← CASE # See list

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

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

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

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

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

Sincerely,

Danielle Thorne & Scott Thorne
Danielle Thorne and Scott Thorne

OCT 02 2006

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

A

October 3, 2006

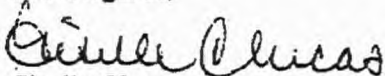
To Whom it May Concern:

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

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

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

Best Regards,



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

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

ITEM # 2133
CASE # 22-105
PC MTG 11/03/06

1



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

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

Dear Planning Commission,

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

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

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

Thank you very much.

June Ingram
259-3094

and

Pamela Stancliffe
258-1517

**RECEIVED AFTER
PC MEETING**

MEMBERS

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 and to

GENERAL COMMERCIAL so that he can repair car motor.

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

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

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

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

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

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

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

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1610) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 1610-00502-011 WARD ONE which will allow the repair of auto engines here.

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

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

NAME	ADDRESS	PHONE
Harold Linder	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4550 W. Sierra Ave	83-4790
Frank A. Jackson	500 BUSH GARDEN LN	6563655
Phonilo Villal	1409 Patent Street	2-437-4988
Sophia Teado	500 Sierra Vista Dr 231	336-1949
Scott Peterson	3659 Macmerest Cir LV 89121	813-6910
Jimmy Lagoya	7634 Silver Wells Rd LV 89121	702-839-8726
Rhuc Keli	" "	702-580-7632
Frank J. Remington	6244 Bristol Way	2-8782992
Laura Shingary	4433 Aberdeen Ln	29107-20550
Jesus Lopez	" "	" "
Jesus Lopez	5221 Holby Ave LV	6067
Johnny Montenegro	" "	" "
Quera P. P.	3659 Macmerest Cir	302-658-5757
Rita Peterson	" "	" "
Justin L. L.	5001 W. Charleston Blvd	" "
Mike DeFuria	4464 Haslamon St LV 89121	702-391-8110
Mike DeFuria	6200 Bonanza Way	702-878-3182
Mike DeFuria	905 Carpenter Dr LV	702-877-1164

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. BEING APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 160-1-502-011 WARD ONE which will allow the repair of auto engines here.

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

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

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON LN	258-8019
Thelma E. Slaughter	5913 Pebble Beach	638-8767
Rachael Slaughter	5913 Pebble Beach	638-8767
Holly Christensen	6337 Dayton Ave	258-9002

RECEIVED AFTER
PC MEETING

To Whom it May Concern,

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

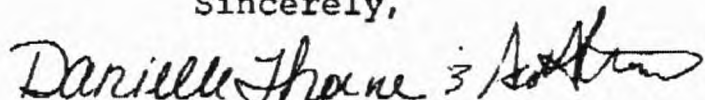
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RECEIVED AFTER
PC MEETING

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

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

Sincerely,


Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

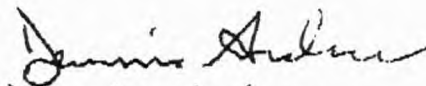
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

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

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

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

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


Dennis Ardine
6160 Shawnee Ave
Las Vegas NV 89127

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

RECEIVED AFTER
PC MEETING

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 6, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

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

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

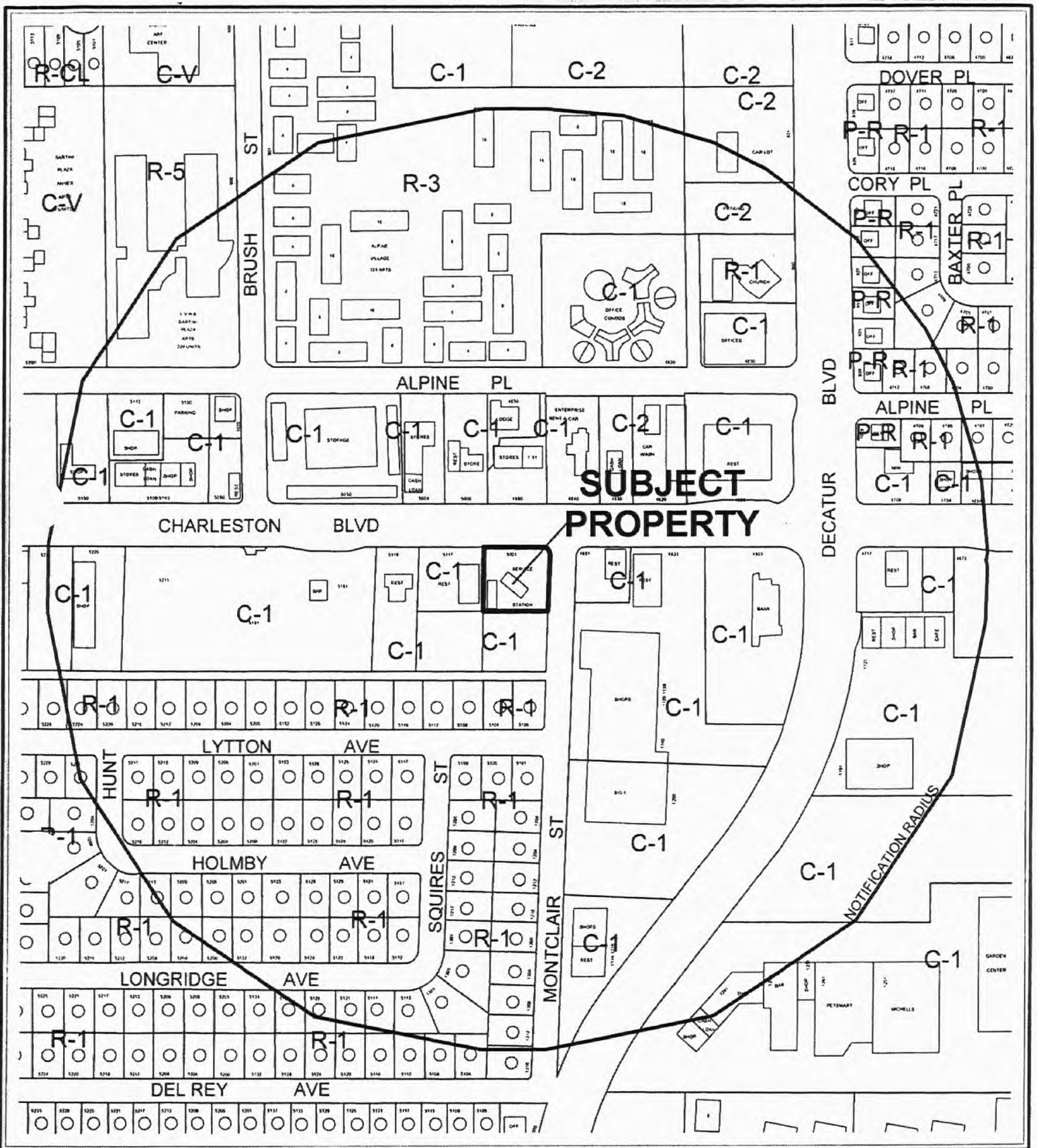
Motion made by GARY REESE to Hold in Abeyance Item 87 [GPA-16201], Item 88 [ZON-16196], Item 89 [SUP-16198], Item 90 [SUP-16200] and Item 91 [SDR-16197], Item 92 [ZON-15031], Item 93 [SDR-15030], Item 101 [GPA-16538], Item 102 [ZON-16609], Item 103 [WVR-16610] and Item 104 [SDR-16611], Item 107 [VAR-14734], Item 108 [VAR-16769], Item 111 [SUP-17404], Item 112 [SUP-17405], Item 113 [SDR-16952] and Item 119 [ROC-17677] to 12/20/2006; Item 94 [VAR-16144], Item 95 [SUP-16143] and Item 109 [VAR-16505] to 01/03/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 96 [SUP-15347]

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

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

Minutes:

See Item 87 for related backup.



CASE: SUP-16198

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

Pre-Application Meeting

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

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

Site Area

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Repair Garage (Major)	3,169 SF.	1 space per 200 SF GFA plus 5 additional spaces	21	1	23	1	Y
TOTAL (including handicap)			23	1	23	1	Y
Loading Spaces			1		1		Y

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

ANALYSIS

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

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

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

FINDINGS

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

1. "The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
3. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."
4. "Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."
5. The use meets all of the applicable conditions per Title 19.04.

In regard to "1":

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

In regard to "2":

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

In regard to "3":

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

In regard to "4":

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

In regard to "5":

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 140 by City Clerk

APPROVALS 2

PROTESTS 1



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

To:

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

August 21, 2006

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

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

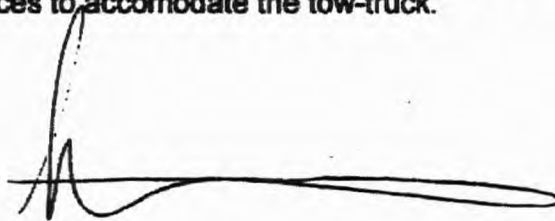
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

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

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

Sincerely,

Fred Nazaryan
Business Owner

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

SUP-16198
10/05/06 PC

RECEIVED
CITY CLERK**NOTICE OF PUBLIC HEARING**

2006 OCT 24 P 4: 21

SPECIAL USE PERMIT10-23-06my Charleston Plaza LLC
5100 W. CharlestonMEETING: CITY COUNCIL
DATE: NOVEMBER 1, 2006
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

DAVID LERY - owner

SUP-16198

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

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

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



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

BARBARA JO RONEMUS
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

Thank you

D. LeroyD. Leroy

Certified after final agenda

Date 10/25/06 Item # 94

24P-16198

City Council -

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

Thank You

Sincerely
Sela Franks
5104 Lytton Ave
Los Angeles, Cal.

RECEIVED
CITY CLERK

2006 OCT 30 A 10:57

Protest

Submitted after final agency

Date 10/30/06 Item # 94

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

Sept. 25-2006

Planning Commission

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

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

GPA - 116201
ZON - 116196
SUP - 116198
SUP - 116200
SDR - 116191

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

September 28, 2006

To Whom It May Concern,

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

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

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

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33

← CASE # Lee-Joe

PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

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

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

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

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

Sincerely,

Danielle Thorne 3 *Scott Thorne*
Danielle Thorne and Scott Thorne

OCT 02 2006

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

A

October 3, 2006

To Whom it May Concern:

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

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

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

Best Regards,



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

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

ITEM # 2133

CASE # 200-4157

PC MTG 11-03-06

17



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

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

Dear Planning Commission,

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

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

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

Thank you very much.

June Ingram
259-3094

and

Pamela Stancliffe
258-1517

RECEIVED AFTER PC MEETING

MEMBERS

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



CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201

GENERAL COMMERCIAL so that he can repair car motor.

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

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

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

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

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

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER
PC MEETING**

MEMBERS

Vicki Arnold - Juanita Clark - Miriam Ben - Marcus Gobel - Rose Honrath - June Ingram - It's a long list
Gene & Pearl Lonardo - Sherry Mason - Dorothy Orr - Barbara Roth - Layne Rushforth - Pam...

RECEIVED AFTER PC MEETING

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1610) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 10000 502-011 WARD ONE which will allow the repair of auto engines here.

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

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

NAME	ADDRESS	PHONE
Harold Linder MD	10425 Villa Ridge Dr	360-3590
Frank A. Jackson	4550 W. Sierra Ave	83-4790
Frank A. Jackson	500 BUSH GARDEN LV	6563655
Shirley Villa	1409 Potomac Street	2-437-4988
Daphia Tendo	500 Sierra Vista Dr 231	2-336-1949
Scott Petersen	3659 Moncrest Cir LV 8912	2-813-6910
Jimmy Lagoya	7624 Silver Wells Rd LV 8912	702-839-8726
Ric Kell	" "	702-580-7632
Frank Remington	6244 Rialto Way	2-878-2942
Laura Shingary	4433 Aberdeen Ln	2-8107 501-550
Jerry Lopez	" "	" "
Robert Montenegro	5221 Helix Ave LV 8912	2-6067
Debra P. P.	3659 Moncrest Cir	2-658-5757
Debra Peterson	" "	" "
Debra Peterson	4464 Roscommon Hl 8912	2-395-8110
Debra Peterson	6200 Bonanza Way	702-878-3182
Debra Peterson	905 Carpenter Dr	2-877-1164

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 165-0502-011 WARD ONE which will allow the repair of auto engines here

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

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

NAME	ADDRESS	PHONE
BARBARA VITRANO	217 BROXTON AVE	258-8019
<i>[Signature]</i>	"	"
Thelma E. Slaughter	5913 Pebble Beach Pkwy	638-8767
Rachael Slaughter	5913 Pebble Beach Pkwy	638-8767
Holly Christensen	6337 Dayton Ave	258-9002

RECEIVED AFTER
PC MEETING

To Whom it May Concern,

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

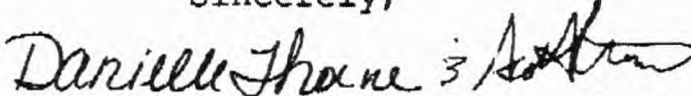
It has been brought to our attention that a business in our area, Family Auto Care, located at 5001 W. Charleston (at Decatur) is interested in obtaining various permits to allow them to continue to operate at this location. Approximately 2 years ago, we were referred to Family Auto Care as we were in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

RECEIVED AFTER
PC MEETING

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

Sincerely,


Danielle Thorne and Scott Thorne

RECEIVED AFTER
PC MEETING

September 28, 2006

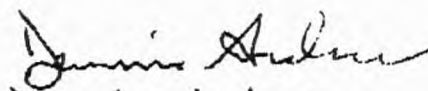
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

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

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

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

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


Dennis Ardine
6160 Shawnee Ave.
Las Vegas NV 89127

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

RECEIVED AFTER
PC MEETING