

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

DECEMBER 7, 2006

Council Chambers 400 Stewart Avenue

Phone 229-6301

TDD 386-9108

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Las Vegas City Council

Mayor Oscar B. Goodman

Mayor Pro-Tem Gary Reese, Ward 3

Councilman Larry Brown, Ward 4

Councilman Lawrence Weekly, Ward 5

Councilman Steve Wolfson, Ward 2

Councilwoman Lois Tarkanian, Ward 1

Councilman Steven D. Ross, Ward 6

City Manager, Douglas Selby

Commissioners

Glenn E. Trowbridge, Chairperson

Steven Evans, Vice-Chairperson

Byron Goynes

Richard Truesdell

Leo Davenport

David W. Steinman

Sam C. Dunnam

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE. UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Bulletin Board, City Hall Plaza (next to Metro Records)

MINUTES: Approval of the October 5, 2006 and November 2, 2006 Planning Commission Meeting minutes by reference (___ vote)

ACTIONS: ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

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ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

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CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. **TMP-17685 - TENTATIVE MAP - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS** - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 1.24 acres at 601 Fremont Street (APN 139-34-611-018), C-2 (General Commercial) Zone, Ward 5 (Weekly).

ONE MOTION - ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE PLANNING COMMISSION NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

2. **ABEYANCE - SDR-16954 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC** - Request for a Site Development Plan Review FOR AN 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese).
3. **SUP-17551 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC** - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

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4. **SDR-17717 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC** - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

PUBLIC HEARING ITEMS:

5. **ABEYANCE - VAR-13851 - VARIANCE - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO** - Request for a Variance TO ALLOW A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER TO BE 158.2 FEET FROM RESIDENTIAL PROPERTY WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 240 FEET AND TO ALLOW A SIDE SETBACK OF ZERO FEET WHERE 10 FEET IS REQUIRED on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).
6. **ABEYANCE - VAR-16021 - VARIANCE RELATED TO VAR-13851 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO** - Request for a Variance TO ALLOW 42 PARKING SPACES WHERE 46 ARE REQUIRED FOR THE ADDITION OF A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).
7. **ABEYANCE - SUP-13849 - SPECIAL USE PERMIT RELATED TO VAR-13851 AND VAR-16021 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO** - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).
8. **ABEYANCE - SUP-16850 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH** - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

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9. **ABEYANCE - SDR-16849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-16850 - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH** - Request for a Site Development Plan Review FOR A PROPOSED 11,590 SQUARE FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARD on 2.45 acres located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard, (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).
10. **ZON-17693 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS** - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), Ward 6 (Ross).
11. **SDR-17694 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17693 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS** - Request for a Site Development Plan Review FOR A 58 LOT SINGLE FAMILY DEVELOPMENT on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), R-E (Residence Estates) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre)], Ward 6 (Ross).
12. **ZON-17697 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES** - Request for a Rezoning FROM: U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross).

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13. SDR-17698 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 Units Per Acre)], Ward 6 (Ross).
14. ZON-17740 - REZONING - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly).
15. VAR-17741 - VARIANCE RELATED TO ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).
16. VAR-17742 - VARIANCE RELATED TO ZON-17740 AND VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

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17. VAR-17743 - VARIANCE RELATED TO ZON-17740, VAR-17741 AND VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).
18. VAC-17744 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5 (Weekly).
19. SDR-17745 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17740, VAR-17741, VAR-17742 AND VAR-17743 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Site Development Plan Review for a PROPOSED 300 UNIT, 66 FOOT HIGH, SIX STORY APARTMENT BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARDS FOR ZERO FEET OF LANDSCAPING WHERE TEN FEET IS REQUIRED ALONG THE SOUTHERN, EASTERN, AND WESTERN PERIMETER AND TO ALLOW FIVE FEET OF LANDSCAPING WHERE SIX FEET IS REQUIRED ALONG A PORTION OF THE NORTHERN PERIMETER on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).
20. VAR-17683 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JAMES M. HANNAWAY AND MARILYN A. HANNAWAY - Request for a Variance TO ALLOW A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE TO BE 20 FEET HIGH WHERE THE MAIN DWELLING IS 14 FEET HIGH AND TO ALLOW THIS STRUCTURE TO BE 1600 SQUARE FEET WHERE 891 SQUARE FEET IS THE MAXIMUM SIZE PERMITTED on 0.55 acres at 4211 Bradley Road (APN 138-01-306-004), R-E (Residence Estates) Zone, Ward 6 (Ross).

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21. SUP-17684 - SPECIAL USE PERMIT RELATED TO VAR-17683 - PUBLIC HEARING - APPLICANT/OWNER: JAMES M. HANNAWAY AND MARILYN A. HANNAWAY - Request for a Special Use Permit TO ALLOW A PROPOSED NON-HABITABLE ACCESSORY STRUCTURE on 0.55 acres at 4211 Bradley Road (APN 138-01-306-004), R-E (Residence Estates) Zone, Ward 6 (Ross).
22. VAR-17732 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SF INVESTMENTS - Request for a Variance TO ALLOW A PROPOSED BUILDING 20 FEET FROM THE REAR PROPERTY LINE WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM SETBACK OF 60 FEET; AND TO ALLOW TWO PROPOSED TRASH ENCLOSURES 10 FEET FROM THE REAR PROPERTY LINE WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 2.56 acres at 4700 North Rancho Drive (APN 138-02-102-014), C-2 (General Commercial) Zone, Ward 6 (Ross).
23. SDR-17730 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17732 - PUBLIC HEARING - APPLICANT/OWNER: SF INVESTMENTS LLC - Request for a Site Development Plan Review FOR A 16,573 SQUARE FOOT RETAIL CENTER WITH AUTOMATIC AND SELF-SERVE CAR WASHES, AUTOMOBILE VACUUM STATIONS, AND A RESTAURANT WITH DRIVE-THROUGH on 2.56 acres at 4700 North Rancho Drive (APN 138-02-102-014), C-2 (General Commercial) Zone, Ward 6 (Ross).
24. VAR-17749 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW 109 PARKING SPACES WHERE 205 SPACES ARE REQUIRED FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).
25. VAR-17751 - VARIANCE RELATED TO VAR-17749 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II - Request for a Variance TO ALLOW TWO 45 FOOT HIGH APARTMENT BUILDINGS 59 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 135 FEET on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).

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26. **SDR-17748 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17749 AND VAR-17751 - PUBLIC HEARING - APPLICANT/OWNER: HELP LAS VEGAS HOUSING CORPORATION II** - Request for a Site Development Plan Review FOR A 125 UNIT MULTI-FAMILY HOUSING COMPLEX on 4.84 acres at 1455 North Main Street (APN 139-27-502-015), C-V (Civic District) Zone under Resolution of Intent to R-5 (Apartment), Ward 5 (Weekly).
27. **RQR-17518 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISEMENT - OWNER: GATEWAY MOTEL, INC.** - Required One-Year Review of an approved Special Use Permit (U-0028-01) WHICH ALLOWED A 24-FOOT X 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 928 Las Vegas Boulevard South (APN 139-34-410-165), C-2 (General Commercial) Zone, Ward 3 (Reese).
28. **SUP-17729 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC** - Request for a Special Use Permit TO ALLOW A MIXED-USE DEVELOPMENT adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese).
29. **SDR-17731 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-17729 - PUBLIC HEARING - APPLICANT: MARK JAGET - OWNERS: RICHARD WEISBANT FAMILY TRUST AND 3RD GASS PARTNERS, LLC** - Request for a Site Development Plan Review FOR A FIVE STORY MIXED-USE DEVELOPMENT WITH 30 APARTMENTS AND 2,200 SQUARE FEET OF RETAIL AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.31 acres adjacent to the northeast corner of Gass Avenue and 3rd Street (APNs 139-34-410-112 & 139-34-410-113), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese).
30. **SUP-17737 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: DURANGO STRUCTURES, LLC** - Request for a Special Use Permit FOR A DRIVE-THRU RESTAURANT on 3.82 acres at the northeast corner of Centennial Parkway and Durango Drive (APN 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

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31. **SDR-17735 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-17737 - PUBLIC HEARING - APPLICANT/OWNER: DURANGO STRUCTURES, LLC** - Request for a Site Development Plan Review FOR A 42,790 SQUARE FOOT RETAIL SHOPPING CENTER WITH WAIVERS OF THE BUILD-TO-LINE REQUIREMENT AND TO ALLOW 15 FEET OF PERIMETER LANDSCAPE BUFFER ADJACENT TO A DRIVE-THRU AISLE WHERE 25 FEET IS REQUIRED on 3.82 acres at the northeast corner of Centennial Parkway and Durango Drive (APN 125-20-801-002), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).
32. **SUP-17534 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RUTH ANN T. RUIZ** - Request for a Special Use Permit FOR A PROPOSED GROUP RESIDENTIAL CARE FACILITY WITH A WAIVER TO ALLOW A SEPARATION OF 600 FEET FROM AN EXISTING GROUP RESIDENTIAL CARE FACILITY WHERE 660 FEET IS THE MINIMUM SEPARATION REQUIRED AND A WAIVER TO ALLOW A MINIMUM LOT SIZE OF 6,041 SQUARE FEET WHERE 6,500 SQUARE FEET IS REQUIRED on 0.14 acres at 5313 Padua Way (APN 138-36-813-012), R-CL (Single Family Compact-Lot) Zone, Ward I (Tarkanian).
33. **SUP-17716 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LYLE LOOB** - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 3613 Hillsdale Court (APN 139-30-616-018), R-I (Single-Family Residential) Zone, Ward 5 (Weekly).
34. **SUP-17724 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SILVER STATE BANK** - Request for a Special Use Permit FOR A PROPOSED DRIVE-THRU FACILITY FOR AN EXISTING FINANCIAL INSTITUTION, GENERAL WITH A WAIVER TO ALLOW A SEPARATION OF 280 FEET FROM A SINGLE FAMILY DWELLING WHERE 330 FEET IS REQUIRED AND TO ALLOW A DRIVE-THRU FACILITY ADJACENT TO THE RIGHT-OF-WAY on 0.63 acres at 7125 North Durango Drive (APN 125-20-117-005), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Special Land Use Designation], Ward 6 (Ross).
35. **SUP-17739 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: JL PARADISE, LLC - OWNER: MANIJEH DANESHFOROOZ** - Request for a Special Use Permit FOR A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS TO ALLOW A DISTANCE SEPARATION OF 180 FEET FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND TO ALLOW NO SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS THE MINIMUM SEPARATION REQUIRED at 2205 South Paradise Road (APN 162-03-413-017), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

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36. ROC-17721 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: CARS-DB4, LP - Request for a Review of Condition #3 of an approved Rezoning (Z-0099-96) WHICH REQUIRES THAT THE NORTH 200 FEET OF THE SITE SHALL BE LIMITED TO THE PARKING OF VEHICLES at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).
37. SDR-17720 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ROC-17721 - PUBLIC HEARING - APPLICANT/OWNER: CARS-DB4, LP - Request for a Site Development Plan Review FOR A 41,680 SQUARE FOOT EXPANSION TO AN EXISTING AUTOMOTIVE DEALERSHIP AND A WAIVER TO ALLOW ZERO FEET OF LANDSCAPE BUFFER ALONG THE WESTERN PERIMETER WHERE EIGHT FEET IS REQUIRED on 8.76 acres at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).
38. VAC-16295 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: ROLAND L. GRAY, ET AL AND FOURTEEN SAC SELF-STORAGE CORPORATION - Petition to Vacate a 20-foot public right-of-way generally located south of the intersection of Jones Boulevard and Rancho Drive, Ward 6 (Ross).

DIRECTOR'S BUSINESS:

39. ABEYANCE - TXT-17570 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19 of the Las Vegas Municipal Code to revise the standards for Mixed-Use Development, institute Transit-Oriented Development standards, and to revise associated standards accordingly.
40. TXT-17827 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible Uses," and Title 19.20, "Definitions," to establish standards for Massage, Accessory uses.

Agenda *City of Las Vegas*

PLANNING COMMISSION MEETING

DECEMBER 7, 2006

Council Chambers

400 Stewart Avenue

Phone 229-6301

TDD 386-9108

<http://www.lasvegasnevada.gov>

Page 12

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE PLANNING COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

AFFIDAVIT OF MAILING

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)) ss
COUNTY OF CLARK)

I **Dorothy Marsili**, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the 1st day of **December, 2006**, a copy of the **December 7, 2006** Planning Commission Agenda, the attached of which is a true and correct copy, was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Department of Planning and Development, Current Planning Division.

Anthony Marsili

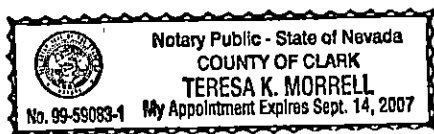
SIGNATURE

Planning and Development Department

Subscribed and sworn to before me this

1st day of December, 2006

Teresa K. Mould
NOTARY PUBLIC in and for said County and State



AFFIDAVIT OF POSTING

(Posting required under the provision of NRS 241, Sec. 1.3 and 1.5)

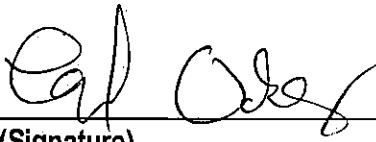
State of Nevada)

County of Clark)

City of Las Vegas)

I ED OAKLEY, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the 1st day of December 2006, at the hour of 2:00pm, there were posted copies of the December 7, 2006 Planning Commission Agenda, the attached of which is a true and correct copy, at the following locations:

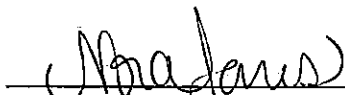
1. In the Clark County Government Center
500 South Grand Central Parkway
2. In the Las Vegas Library
833 Las Vegas Boulevard North
3. In the Grant Sawyer Building
555 East Washington Boulevard
4. City Clerk's Bulletin Board
400 Stewart Avenue, 2nd Floor Skybridge
(In the walkway area next to the entrance to Human Resources)
5. Bulletin Board, City Hall Plaza
400 Stewart Avenue
(next to Metro Records)

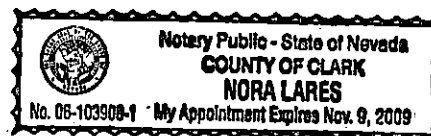

(Signature)

Planning and Development Department

Subscribed and sworn to before me this 1st day of December, 2006

This 1st day of December 2006.


Notary Public in and for said County and State





PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TROWBRIDGE.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN GLENN TROWBRIDGE, MEMBERS STEVEN EVANS, RICHARD TRUESDELL, BYRON GOYNES, LEO DAVENPORT, DAVID STEINMAN AND SAM DUNNAM

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., ANDY REED – PLANNING & DEVELOPMENT DEPT., JOHN KORKOSZ – PLANNING & DEVELOPMENT DEPT., DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, VICTOR BALANOS – PUBLIC WORKS, JAMES LEWIS – CITY ATTORNEY'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE, CARMEL VIADO – CITY CLERK'S OFFICE

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

SUBJECT:

Approval of the minutes of the October 5, 2006 Planning Commission Meeting

MOTION:

EVANS - APPROVED – UNANIMOUS

SUBJECT:

Approval of the minutes of the November 2, 2006 Planning Commission Meeting

MOTION:

EVANS – ABEYANCE to 12/21/2006 – UNANIMOUS

MINUTES:

There was no discussion.

(6:03)

1-75

MOTION:

EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance or tabled. Letters are on file for each of the requests.

Item 8 [SUP-16850]

WITHDRAWN WITHOUT PREJUDICE

Item 9 [SDR-16849]

WITHDRAWN WITHOUT PREJUDICE

Item 22 [VAR-17732]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 23 [SDR-17730]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 30 [SUP-17737]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 31 [SDR-17735]

Abeyance to 12/21/2006 Planning Commission Meeting

City of Las Vegas

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006

Planning and Development Department

Discussion Items

MINUTES – Continued:

Item 35 [SUP-17739]

Abeyance to 12/21/2006 Planning Commission Meeting

Item 36 [ROC-17721]

Abeyance to 2/08/2007 Planning Commission Meeting

Item 37 [SDR-17720]

Abeyance to 2/08/2007 Planning Commission Meeting

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

The applicant requested that Item 22 [VAR-17732] and Item 23 [SDR-17730] be held in abeyance to the 12/21/2006 Planning Commission Meeting.

The applicant requested that Item 30 [SUP-17737] and Item 31 [SDR-17735] be held in abeyance to the 12/21/2006 Planning Commission Meeting in order to revise the plans.

The applicant requested that Item 35 [SUP-17739] be held in abeyance to the 12/21/2006 Planning Commission Meeting because the applicant is out of town.

The applicant requested Item 36 [ROC-17721] and Item 37 [SDR-17720] be held in abeyance to the 2/08/2007 Planning Commission Meeting.

(6:03-6:09)

1-132



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

CHAIRMAN TROWBRIDGE announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TROWBRIDGE read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

CHAIRMAN TROWBRIDGE noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-17685 - TENTATIVE MAP - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS - Request for a Tentative Map FOR A ONE LOT COMMERCIAL SUBDIVISION on 1.24 acres at 601 Fremont Street (APN 139-34-611-018), C-2 (General Commercial) Zone, Ward 5 (Weekly).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

This is Final Action

MINUTES:

During the Housekeeping portion of the Agenda, JOHN KORKOSZ, Planning and Development Department, noted that the correct applicant is 601 Freemont LLC.

In response to COMMISSIONER STEINMAN'S inquiry, MR. KORKOSZ stated the application number was correct.

(6:06 – 6:08/6:09 – 6:13)

1-91/1-255

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 1 – TMP-17685

CONDITIONS – Continued:

- not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-11026) and the Downtown Centennial Plan Standards.
 3. A Development Impact Notice and Assessment (DINA) will be required prior to submittal of a subsequent Tentative Map, which will establish the condominium lots.
 4. Street names must be provided in accordance with the City's Street Naming Regulations.
 5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
 6. All development is subject to the conditions of City Departments and State Subdivision Statutes.
- Public Works
7. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:

I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 1 – TMP-17685

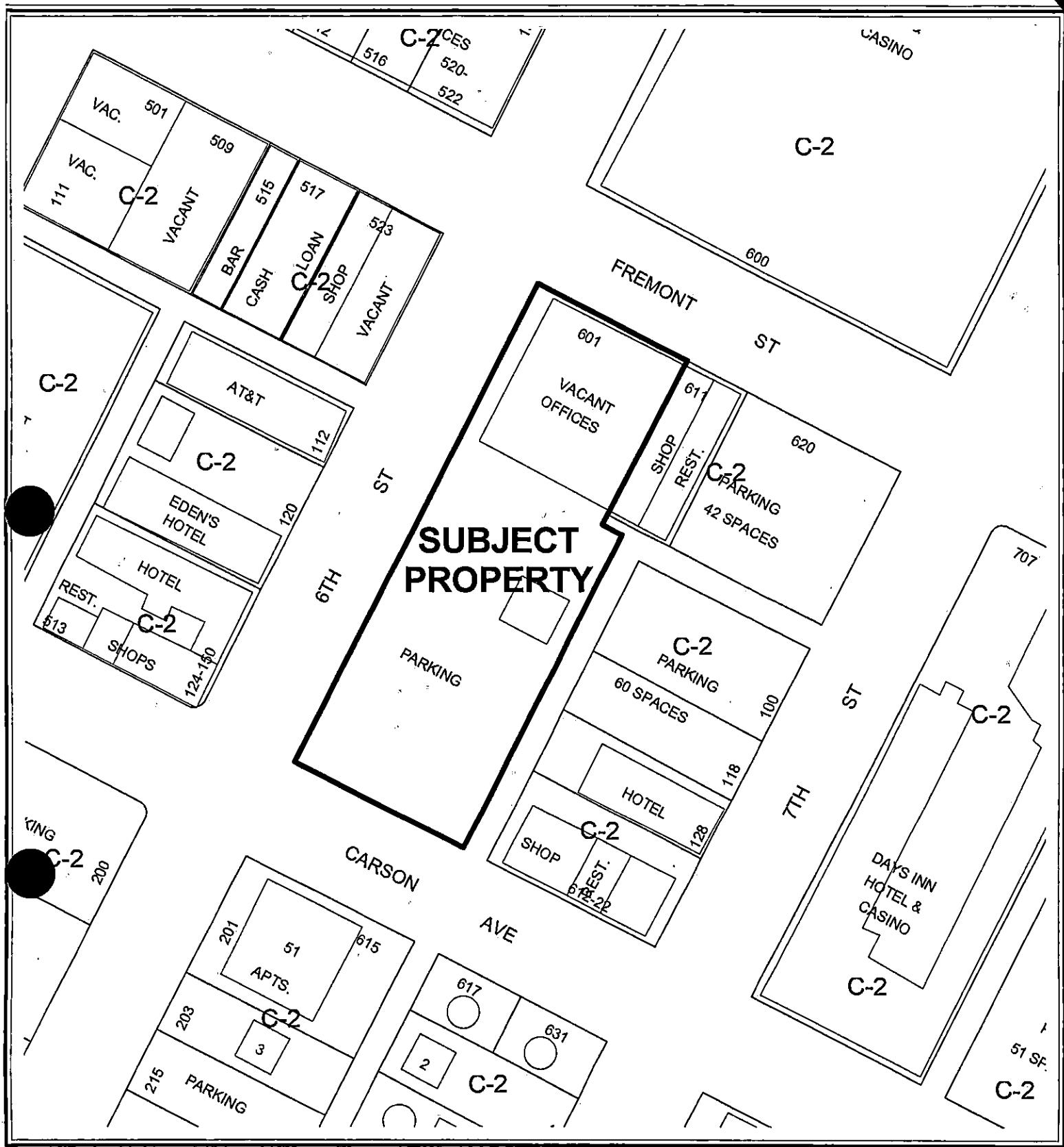
CONDITIONS – Continued:

- II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
- 8. Coordinate with the Collection System Planning section of the Department of Public Works to determine the necessary vertical clearance to maintain the existing sewer line within the proposed service drive and submit a plan for their approval prior to the submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. Alternatively, the existing sewer lines in conflict with this site plan must be relocated and an Order of Vacation for the existing sewer easements must be recorded prior to the recordation of a map abutting or overlying the existing sewer easements.
 - 9. The Final Map for this site shall show and label the existing City of Las Vegas sewer easements, unless they an Order of Vacation is recorded prior to recordation of a Final Map for this site.
 - 10. On the Final Map for this site, replace the label of “Utility Easements” on the northeast corner of Carson Avenue and Sixth Street and the southeast corner of Fremont Street and Sixth Street with “Traffic Signal Easements”. In addition, use the words “hereby dedicated” when describing the 10-foot radius.
 - 11. Grant pedestrian access easements for all sidewalks adjacent to public streets that are not located within the public right-of-way.
 - 12. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
 - 13. Site development to comply with all applicable conditions of approval for SDR-11026 and all other site-related actions.
 - 14. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 1 – TMP-17685

CONDITIONS – Continued:

No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



0 50 100 Feet



CASE: **TMP-17685**

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: TMP-17685 - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS**

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

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-11026) and the Downtown Centennial Plan Standards.
3. A Development Impact Notice and Assessment (DINA) will be required prior to submittal of a subsequent Tentative Map, which will establish the condominium lots.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

RL

TMP-17685 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

Public Works

7. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. Onsite sewers, 8-inches in diameter or larger, are public sewers within 20 foot wide dedicated public sewer easements.
 - II. Onsite sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. Onsite sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
8. Coordinate with the Collection System Planning section of the Department of Public Works to determine the necessary vertical clearance to maintain the existing sewer line within the proposed service drive and submit a plan for their approval prior to the submittal of any construction drawings for this site or the issuance of any permits, whichever may occur first. Alternatively, the existing sewer lines in conflict with this site plan must be relocated and an Order of Vacation for the existing sewer easements must be recorded prior to the recordation of a map abutting or overlying the existing sewer easements.
9. The Final Map for this site shall show and label the existing City of Las Vegas sewer easements, unless they an Order of Vacation is recorded prior to recordation of a Final Map for this site.
10. On the Final Map for this site, replace the label of "Utility Easements" on the northeast corner of Carson Avenue and Sixth Street and the southeast corner of Fremont Street and Sixth Street with "Traffic Signal Easements". In addition, use the words "hereby dedicated" when describing the 10-foot radius.
11. Grant pedestrian access easements for all sidewalks adjacent to public streets that are not located within the public right-of-way.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
13. Site development to comply with all applicable conditions of approval for SDR-11026 and all other site-related actions.

TMP-17685 - Conditions Page Three
December 7, 2006 - Planning Commission Meeting

14. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-17685 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Tentative Map for a one-lot commercial subdivision at 601 East Fremont Street. A subsequent Tentative Map will be submitted to establish a record of survey for the entire lot, establishing the subdivision parcels for a mixed-use development on the subject site. An existing building is sited on the northern end of the property.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning to C-2 (General Commercial) on the subject site as part of a larger request (Z-0100-64). The Planning Commission and staff recommended approval.
10/02/02	The City Council adopted an ordinance establishing the Downtown Entertainment Overlay District and corresponding regulatory provisions and establishing the Tavern-Limited liquor license pertaining only to this District.
03/01/06	The City Council approved a General Plan Amendment (GPA-10830) to amend a portion of the Southeast Sector Plan of the Master Plan from PF (Public Facilities) to C (Commercial) on the subject site. The Planning Commission and staff recommended approval.
03/15/06	The City Council approved a Special Use Permit (SUP-11028) and a Site Development Plan Review (SDR-11026) for a proposed mixed-use development at 601 Fremont Street. The Planning Commission and staff recommended approval.
08/08/06	The Downtown Entertainment Overlay District Design Review Committee approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-15449) for the proposed Tavern-Limited Establishment at 601 Fremont Street that is the subject of this request.
<i>Related Building Permits/Business Licenses</i>	
09/11/06	L-3401-06 Building Permit issued for Tenant Improvement Build Out for 601 Fremont Sales Office
09/21/06	L-1351-06 Building Permit issued for non-work certificate of occupancy.

TMP-17685 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
09/27/06	A pre-application meeting was held to discuss the requirements of a Tentative Map with the applicant. The applicant previously met with the City Surveyor and Office of Business Development. At that time it was decided that a Tentative Map would be submitted for a one-lot commercial subdivision, and a subsequent Tentative Map would be submitted to establish the record of survey for the entire lot, establishing the condominium parcels.

<i>Neighborhood Meeting</i>	
	A neighborhood meeting was not required for this application nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.24

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office Building (Vacant)	C (Commercial – Downtown Redevelopment Area)	C-2 (General Commercial)
North	Hotel/Casino	C (Commercial – Downtown Redevelopment Area)	C-2 (General Commercial)
South	Apartments	C (Commercial – Downtown Redevelopment Area)	C-2 (General Commercial)
East	Parking Lot, Hotel, Retail	C (Commercial – Downtown Redevelopment Area)	C-2 (General Commercial)
West	Commercial Uses	C (Commercial – Downtown Redevelopment Area)	C-2 (General Commercial)

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

TMP-17685 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	53,951 Square Feet	Y
Min. Lot Width	100 feet	125.16 Feet	Y

ANALYSIS

The purpose of this Tentative Map is to combine Lots 1-5 and Lots 13-22 of Block 6, as shown in Book 1, Page 40 of Plats together with those portions of a vacated alley recorded on July 17, 1970 in Book 48 as Document Number 038243, Clark County Nevada. This application is for the first of two Tentative Maps to be submitted regarding an approved Site Development Plan Review (SDR-11026) for a proposed mixed-use development consisting of two 35 Story buildings with 25,000 Square Feet of commercial space, 163 Hotel/Condominium Units and 464 Residential Units at 601 East Fremont Street. The subject site is located in the Downtown Redevelopment Area, the Downtown Overlay District, and the Downtown Entertainment Overlay District.

The Downtown Redevelopment Area Land Use Map within the Southeast Sector Plan designates the subject parcel as C (Commercial), which allows office uses, service-oriented commercial uses, and general commercial uses.

A Development Impact Notice and Assessment was not required with this application, but will be required with the subsequent Tentative Map establishing the condominium lots.

TMP-17685 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

Downtown Overlay District

The subject site is located within the East Fremont District of the Downtown Overlay District. Standards for new construction within this area are detailed within the Downtown Centennial Plan. This site is also part of the Las Vegas Redevelopment Plan Area, which includes most of downtown Las Vegas, portions of West Las Vegas, and the industrial area located south of Charleston and east of the Union Pacific Railroad. The purpose of this plan is to eliminate blighted properties, develop vacant or underutilized properties by using methods of planning, and strengthen the economic base of this part of the City of Las Vegas.

Downtown Entertainment Overlay District

Established in 2002 to further the City's downtown redevelopment efforts, the Downtown Entertainment Overlay District is an area intended to encourage blues and jazz nightclubs, comedy clubs, and other musical entertainment venues in a non-gaming environment. Licensing and zoning restrictions such as distance separation and parking requirements have been eased in order to create a cluster of such uses that also sell alcohol. New signage within the district is subject to review by the Downtown Entertainment Overlay District Design Review Committee (DEOD-DRC). The Downtown Entertainment Overlay District consists of the area bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west, and Eighth Street on the east.

The existing building on the site encroaches on the parcel immediately to the east. An encroachment agreement exists entitled "Encroachment Agreement," recorded April 19, 1984 in Book 1908 as Document No. 1867752.

The proposed Tentative Map combines 15 existing lots that comprise a total area of 53,948 Square Feet at the southeast corner of Fremont Street and Sixth Street to the northeast corner of Carson Avenue and Fremont Street. An existing building and existing parking lot with a small attendant structure exist on the site.

FINDINGS

- General information (Residential/Commercial)

According to the Nevada Revised Statutes (NRS 278.325): "If a subdivision is proposed on land which is zoned for industrial or commercial development, neither the tentative nor the final map need show any division of the land into lots or parcels..." As such, this request can be supported. Any future creation of lots will not create hard property lines and will allow the creation of different owners as allowed by Nevada Revised Statutes via recordation of a deed or record of survey.

TMP-17685 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

- Cross Section

Pursuant to Section 18.08.110 of the Subdivision Ordinance, cross sections have been submitted for the proposed Tentative Map. The maximum grade across the property is 1%.

- Trails

There is no trail adjacent to the subject site.

- Special Conditions of Approval (from SDR-11026)

Prospective buyers shall be informed that views may be obscured by future adjacent development. This information shall be included in the projects Covenants, Conditions and Restrictions.

A Waiver from the Downtown Centennial Plan building step back requirement is hereby approved to allow a single step back at the eighth story.

A Waiver from the Downtown Centennial Plan build-to line requirement is hereby approved to allow a five foot setback along Fremont Street and Sixth Street.

A Waiver of the Downtown Centennial Plan streetscape requirements is hereby approved, to allow a 10 foot sidewalk along Fremont Street and Sixth Street. A public sidewalk with a minimum width of 10 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages. The sidewalk shall include a decorative paving treatment at the intersections.

Two of the 12 provided handicapped parking spaces shall be designed as van-accessible.

The decorative architectural features (which include illuminated cupolas) that are shown at the top of both towers shall be constructed as depicted on the building elevations date stamped 12/27/05.

TMP-17685 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

The landscape areas shown on the top of the eighth floor shall be provided as shown on the plans date stamped 12/27/05 and shall include 24 inch box Southern Live Oaks spaced at 20 feet on center, with four five-gallon shrubs per tree and ground cover.

The palm trees shown along Sixth Street shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the palm trees.

New street light fixtures shall be installed in public rights-of-way abutting the site in accordance with specifications provided by the Public Works Department, and shall conform to the design of the fixtures in the Downtown Centennial Plan area.

The surfacing of the alley that accesses Carson Avenue and the service drive that accesses Sixth Street shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.

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: **TMP-17685** APN: 139-34-611-018
Name of Property Owner: City of Las Vegas
Name of Applicant: 601 Fremont, LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

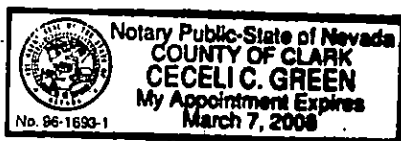
Douglas Selby

Subscribed and sworn before me

This 9th day of October, 2006

Ceceli C. Green

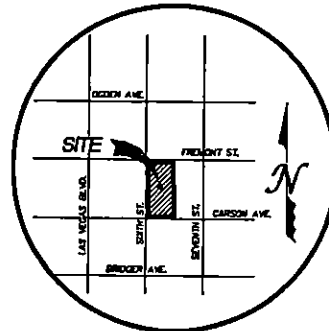
Notary Public in and for said County and State



TENTATIVE MAP OF 601 FREMONT STREET

(A COMMERCIAL SUBDIVISION)

A MERGER AND REBUNDLING OF LOTS 1-5 AND LOTS 12-22 OF BLOCK 6, AS SHOWN IN BOOK 1, PAGE 40 OF PLATS, TOGETHER WITH THOSE PORTIONS OF VACATED ALLEY RECORDED ON JULY 17, 1970 IN BOOK 48 AS DOCUMENT NO. 005243, CLARK COUNTY, NEVADA, OFFICIAL RECORDS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER ONE (NE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



VICINITY MAP
N.E.S.

PROPERTY OWNER

CITY OF LAS VEGAS
REAL ESTATE MANAGEMENT
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

PROPERTY ADDRESS

A.P.N. 138-34-011-010
601 FREMONT STREET
LAS VEGAS, NEVADA 89101

ENGINEER

SMLEY-HORN AND ASSOCIATES
2000 E. FLAMINGO
SUITE 210
LAS VEGAS, NEVADA 89119
(702) 482-3200

SURVEYOR

HORTAGE SURVEYING
7560 W. SARAH AVE., SUITE 101
LAS VEGAS, NEVADA 89117
(702) 240-6201

DEVELOPER

SUNWEST COMMUNITIES
601 FREMONT STREET
2ND FLOOR
LAS VEGAS, NEVADA 89101
(702) 382-8791

LEGAL DESCRIPTION

LOTS ONE (1) THROUGH FIVE (5) AND LOTS THIRTEEN (13) THROUGH TWENTY-TWO (22) IN BLOCK 66 (41) OF PARCELS ADDITION TO THE CITY OF LAS VEGAS AS SHOWN BY MAP THEREOF ON FILE IN BOOK 1 OF PLATS, PAGE 40, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

TOGETHER WITH THAT PORTION VACATED BY THAT CERTAIN ORDER OF VACATION RECORDED JULY 17, 1970 IN BOOK 48 AS INSTRUMENT NO. 005243, OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

BASIS OF BEARING

GRID NORTH AS DEFINED BY THE NORTH AMERICAN DATUM OF 1983 (NAD 83), NEVADA STATE PLANE EAST (2701) ZONE. BEARINGS WERE DETERMINED BY STATIC GLOBAL POSITIONING SYSTEM (GPS) MEASUREMENTS PROCESSED BY THE NATIONAL GEODETIC SURVEY DIVISION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION USING THE ON-LINE POSITIONING USER SERVICE (OPUS). THE REFERENCE FRAME USED WAS NAD83 (GEOID) WITH AN EPOCH OF 2002.0000. ALL DISTANCES SHOWN HEREON ARE GROUND VALUES.

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL POINT "21M1 2751", BEING AN ADJUT MONUMENT IN THE TOP OF CURB @ THE CORNER SARAH & MAIN.

ELEVATION: 2011.33 (FEET)
613.0800 (METERS)

CITY OF LAS VEGAS VERTICAL CONTROL, DATED 08/2002 BASED UPON THE NORTH AMERICAN VERTICAL DATUM OF 1989 (NAVD 89).

FLOOD INSURANCE DATA

FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 270001701 & EFFECTIVE SEPTEMBER 27, 2002 INDICATED THAT THE SUBJECT SITE LIES WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE OF 1% ANNUAL CHANCE FLOODPLAIN.

DISCLAIMER

EXISTING UTILITY LOCATIONS SHOWN HEREON ARE APPROXIMATE LOCATIONS ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO COMMENCING CONSTRUCTION. NO REPRESENTATION IS MADE THAT ALL EXISTING UTILITIES ARE SHOWN HEREON. THE ENGINEER OF SURVEY ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES NOT SHOWN IN THEIR PROPER LOCATION. ALL DISCREPANCIES MUST BE IMMEDIATELY REPORTED TO THE ENGINEER. CALL BEFORE YOU DIG. 1-800-227-2600

UTILITIES

WATER	LAS VEGAS VALLEY WATER DISTRICT 1000 VALLEY VIEW BLVD. (702) 870-3011	TELEPHONE	CHUBBARD 330 SOUTH VALLEY VIEW BLVD. (702) 344-7600
SEWER	CITY OF LAS VEGAS SEWER 400 STEWART AVENUE (702) 229-1289	CABLE	REPUBLIC SERVICES 700 WEST SARAH AVE. (702) 733-3131
ELECTRICAL	NEVADA POWER 8200 WEST SARAH AVE. (702) 887-5000	CABLE TV	COMCAST 121 MARTIN LUTHER KING BLVD. (702) 383-4000
GAS	SOUTHWEST GAS CORP. (702) 383-1130 4300 WEST TROPICANA AVE.		

ZONING REQUIREMENTS

THE SUBJECT PROPERTY IS CURRENTLY ZONED C-3 (GENERAL COMMERCIAL).

SETBACKS FOR C-3 ZONING:

FRONT YARD SETBACK = 20 FEET
REAR YARD SETBACK = 20 FEET
SIDE YARD SETBACK = 15 FEET
MAX LOT COVERAGE = 50%

CURRENT USE OF PROPERTY

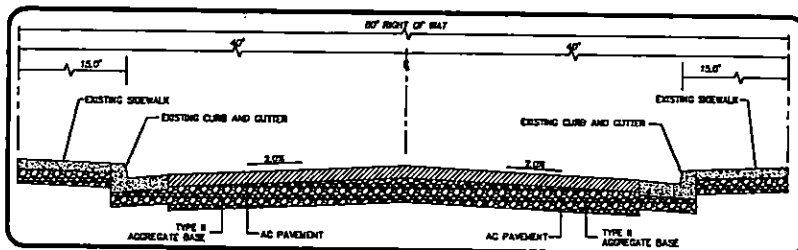
COMMERCIAL BUILDING & PARKING LOT

SITE SUMMARY

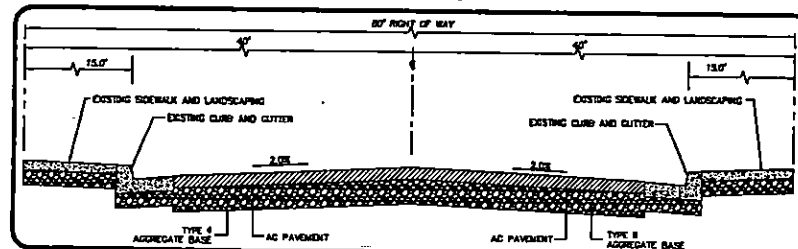
53,948 SQUARE FEET (NET)

NOTE

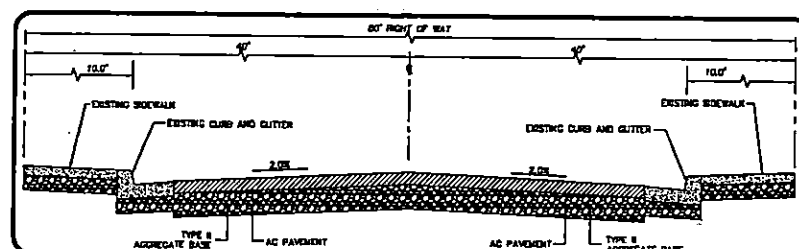
- SEE SHEET 2 FOR EASEMENT DESCRIPTIONS AND PROPERTY CROSS SECTIONS.
- SEE SHEET 3 FOR BOUNDARY AND ADJOINING PROPERTY INFORMATION.
- SEE PAGE 4 FOR EXISTING TOPOGRAPHY AND EASEMENTS.
- NO PROPOSED UTILITY CHANGES/UTILITIES.



EXISTING SIXTH STREET SECTION
NOT TO SCALE



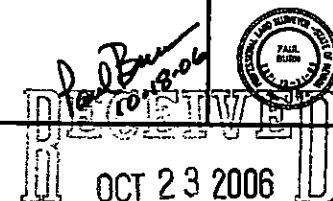
EXISTING FREMONT STREET SECTION
NOT TO SCALE



EXISTING CARSON AVENUE SECTION
NOT TO SCALE

TMP-17685

12/07/06 PC



TENTATIVE MAP OF 601 FREMONT STREET COVER SHEET		CLARK COUNTY	CITY OF LAS VEGAS
SCALE: 1" = 100'	DATE: 12/07/06	BY: [Signature]	CHECKED: [Signature]
JOB NUMBER: 17685			
DATE: 12/07/06			
SHEET 1 OF 4			

Heritage Surveying
 7560 W. SARAH AVE., SUITE 101
 LAS VEGAS, NEVADA 89117
 PHONE: (702) 340-0001
 FAX: (702) 340-0001
 HERITAGE-SURVEYING.COM

TENTATIVE MAP OF 601 FREMONT STREET

(A COMMERCIAL SUBDIVISION)

A MERGER AND REBUNDLING OF LOTS 1-5 AND LOTS 13-22 OF BLOCK 8, AS SHOWN IN BOOK 1, PAGE 40 OF PLATS, TOGETHER WITH THOSE PORTIONS OF VACATED ALLEY RECORDED ON JULY 17, 1970 IN BOOK 48 AS DOCUMENT NO. 038243, CLARK COUNTY, NEVADA, OFFICIAL RECORDS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 01 EAST, NDM, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

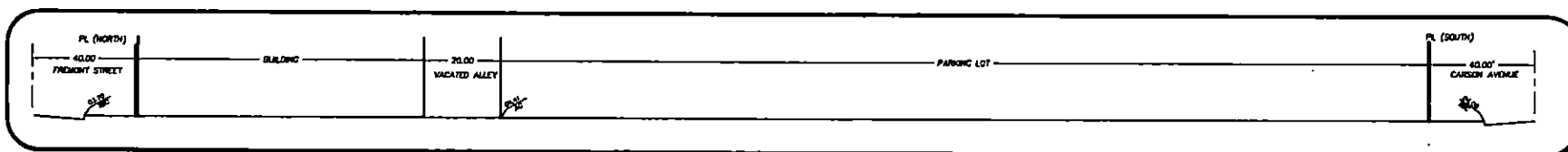
THE FOLLOWING EASEMENTS ARE PLOTTED ON SHEET 4 OF THIS MAP AND NUMBERS CORRESPOND TO THE PRELIMINARY TITLE REPORT PREPARED BY CHICAGO INSURANCE COMPANY, CROSS NUMBER 00137723, DATED AUGUST 31, 2005. HERETAGE SURVEYING AND THE CERTIFYING SURVEYOR ASSUME NO RESPONSIBILITY OR LIABILITY FOR THE COMPLETENESS OR ACCURACY OF THE ABOVE MENTIONED REPORT.

- ◆ WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORD.
- ◆ MINERAL RIGHTS, RESERVATIONS, EASEMENTS AND EXCLUSIONS IN PATENT FROM THE STATE OF NEVADA. RECORDED: FEBRUARY 28, 1903 IN BOOK 7.
PAGE NO: 371, LINCOLN COUNTY, OFFICIAL RECORDS. (BLANKET-IN-NATURE)
- ◆ DEDICATIONS AND EASEMENTS AS INDICATED OR DELINEATED ON THE PLAT OF SAID SUBDIVISION ON FILE IN BOOK 1 OF PLATS, PAGE 40, OFFICIAL RECORDS. (NO PLOTTABLE EASEMENTS)
- ◆ ANY EASEMENTS THAT WERE NOT AFFECTED BY A VACATION OR ABANDONMENT
RECORDED: JULY 17, 1970 IN BOOK 48
DOCUMENT NO: 30243, OFFICIAL RECORDS. (PLOTTED)
- ◆ AN EASEMENT AFFECTING A PORTION OF SAID LAND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES
DAS-0053 BY: ORDER OF VACATION
FOR: SEWER LINES AND UTILITIES
RECORDED: JULY 17, 1970 IN BOOK 48
DOCUMENT NO: 30243, OFFICIAL RECORDS. (PLOTTED)
- ◆ THE TERMS, PROVISIONS AND CONDITIONS AS CONTAINED IN AN INSTRUMENT, ENTITLED "MEMORANDUM AGREEMENT"
RECORDED: APRIL 18, 1994 IN BOOK 1308
DOCUMENT NO: 1887752, OFFICIAL RECORDS. (PLOTTED)
- ◆ THE ABOVE DESCRIBED PROPERTY LIES WITHIN THE BOUNDARIES OF THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA, AND MAY BE SUBJECT TO ALL ADJUSTMENTS AND OBLIGATIONS RELATED THEREIN, AS DISCLOSED BY AN INSTRUMENTS ENTITLED "NOTICE OF ADOPTION OF REDEVELOPMENT PLAN FOR THE CITY OF LAS VEGAS DOWNTOWN REDEVELOPMENT AREA."
RECORDED: NOVEMBER 22, 1998 IN BOOK 81112
DOCUMENT NO: 00847, OFFICIAL RECORDS. (BLANKET-IN-NATURE)

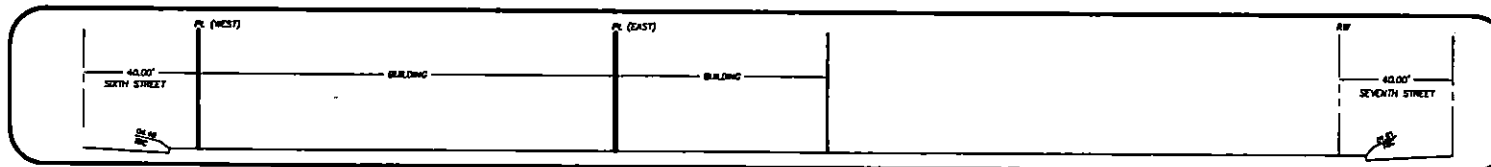
AND AMENDED BY AN INSTRUMENT
RECORDED: NOVEMBER 22, 1998 IN BOOK 81122
DOCUMENT NO: 00848, OFFICIAL RECORDS.

AND RE-RECORDED: NOVEMBER 25, 1998 IN BOOK 81123
DOCUMENT NO: 00584, OFFICIAL RECORDS.

AND AS SHOWN BY MAP
FILE: LC OF SURVEYS AT PAGE 79
RECORDED: NOVEMBER 22, 1998 IN BOOK 81122
DOCUMENT NO: 00848, OFFICIAL RECORDS.
- ◆ TERMS AND PROVISIONS OF THE UNRECORDED LEASE, OR A MEMORANDUM THEREOF
DATED: JULY 20, 2005
LESSOR: THE CITY OF LAS VEGAS
LESSEE: 601 FREMONT, LLC, A NEVADA LIMITED LIABILITY COMPANY
DISCLOSED BY: NOTICE OF NONRESPONSIBILITY
RECORDED: AUGUST 12, 2005 IN BOOK 20050812
DOCUMENT NO: 0002551, OFFICIAL RECORDS. (BLANKET-IN-NATURE)
- ◆ MATTERS AFFECTING LESSEES INTEREST NOT SHOWN.
- ◆ THE TERMS, COVENANTS, CONDITIONS AND PROVISIONS AS CONTAINED IN AN INSTRUMENT ENTITLED "DEVELOPMENT AGREEMENT"
DISCLOSED BY: NOTICE OF NONRESPONSIBILITY
RECORDED: AUGUST 12, 2005 IN BOOK 20050812
DOCUMENT NO: 0002551, OFFICIAL RECORDS. (BLANKET-IN-NATURE)



PROPERTY CROSS SECTION 'A'
PROPOSED ELEVATIONS = EXISTING ELEVATIONS
(NO PERIMETER WALLS)



PROPERTY CROSS SECTION 'B'
NOT TO SCALE
PROPOSED ELEVATIONS = EXISTING ELEVATIONS
(NO PERIMETER WALLS)

TMP-17685
12/07/06 PC

Paul Burr
12/08/06

RECEIVED

OCT 23 2006

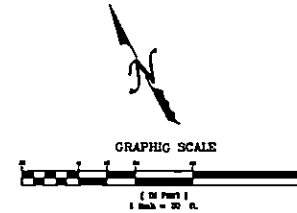
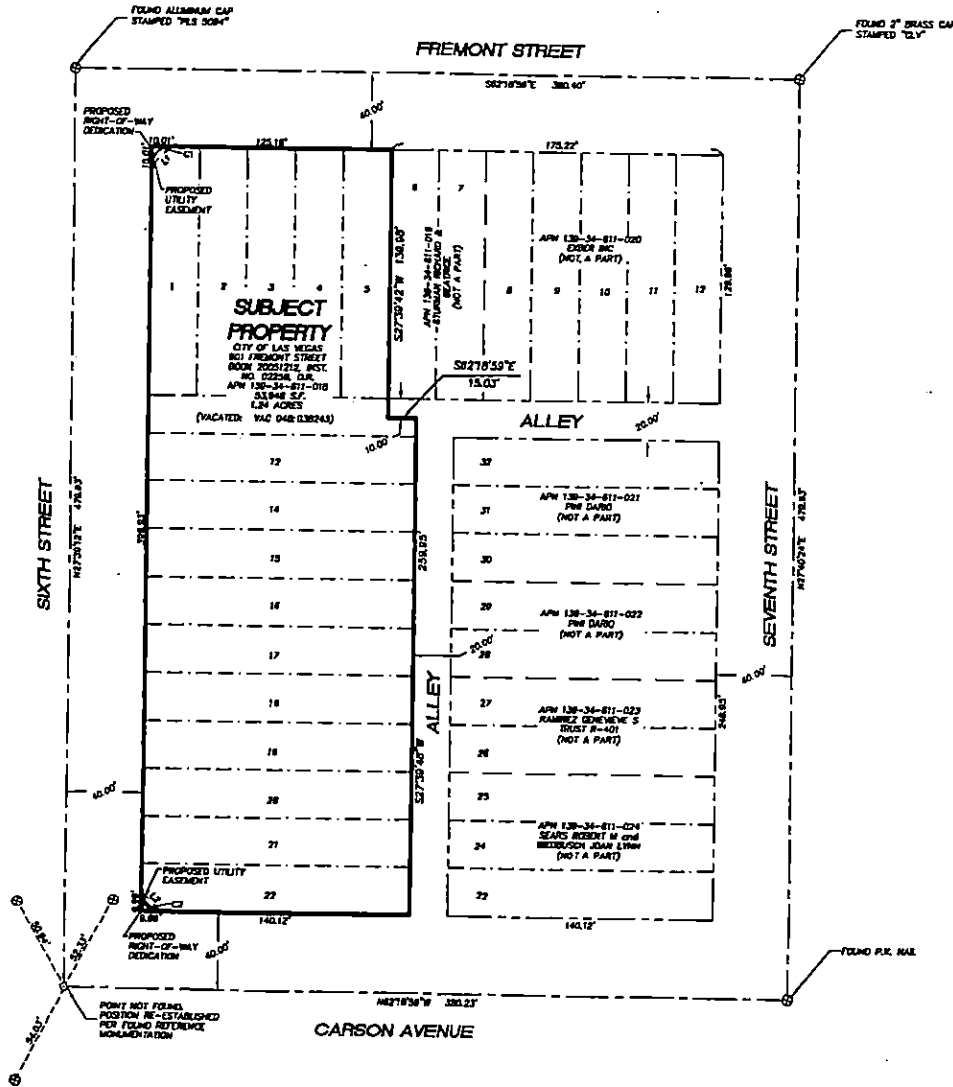
Heritage Surveying
7880 W. SAVANNA AVENUE, SUITE 101
LAS VEGAS, NEVADA 89127
PHONE (702) 840-9007
FAX (702) 840-9008
HERITAGE-SURVEYING.COM

TENTATIVE MAP OF 601 FREMONT STREET EASEMENT DESCRIPTIONS AND CROSS SECTIONS			
SCALE 1"=40.00'	SCALE 1"=40.00'	SCALE 1"=40.00'	SCALE 1"=40.00'
SOUTH	NORTH	EAST	WEST
CITY OF LAS VEGAS CLARK COUNTY NEVADA			
SHEET 1 OF 1			

TENTATIVE MAP OF 601 FREMONT STREET

(A COMMERCIAL SUBDIVISION)

A MERGER AND RESUBDIVISION OF LOTS 1-5 AND LOTS 10-22 OF BLOCK 8, AS SHOWN IN BOOK 1, PAGE 40 OF PLATS, TOGETHER WITH THOSE PORTIONS OF VACATED ALLEY RECORDED ON JULY 17, 1970 IN BOOK 48 AS DOCUMENT NO. 038243, CLARK COUNTY, NEVADA, OFFICIAL RECORDS, LYING WITHIN THE SOUTH HALF (1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 01 EAST, MDAL, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



LEGEND

—	BOUNDARY LINE
- - -	PROPOSED RIGHT-OF-WAY
- . - . -	ASSESSOR'S PARCEL LINE
- - -	ADJOINING PROPERTY LINE
- - -	EASEMENT LINE
- - -	EXISTING RIGHT-OF-WAY
- - -	STREET CENTERLINE
⊙	FOUND MONUMENT AS SHOWN AND DESCRIBED
□	POINT NOT FOUND, POSITION RE-ESTABLISHED PER FOUND REFERENCE MONUMENTATION
APN	ASSESSOR'S PARCEL NUMBER

BASIS OF BEARING

GRID NORTH AS DEFINED BY THE NORTH AMERICAN DATUM OF 1983 (NAD 83), NEVADA STATE PLANE EAST (1700) ZONE. BEARINGS WERE DETERMINED BY STATIC GLOBAL POSITIONING SYSTEM (GPS) MEASUREMENTS PROCESSED BY THE NATIONAL GEODETIC SURVEY DIVISION OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION USING THE ON-LINE POSITIONING USER SERVICE (OPUS). THE REFERENCE FRAME USED WAS NAD83 (GRS80) WITH AN EPOCH OF 2002.0000. ALL DISTANCES SHOWN HEREIN ARE GROUND VALUES.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N72°00'00"E	17.15'
L2	S12°00'00"E	14.14'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	TANGENT
C1	10.00'	80°14'18"	15.72'	10.00'
C2	10.00'	89°54'11"	15.72'	8.99'

TMP-17685

12/07/06 PC

Paul Brown
12/06-06



OCT 23 2006

Heritage Surveying
7500 N. LAS VEGAS AVENUE, SUITE 201
LAS VEGAS, NEVADA 89127
PHONE (702) 840-0001
FAX (702) 840-0002
HERITAGE-SURVEYING.COM

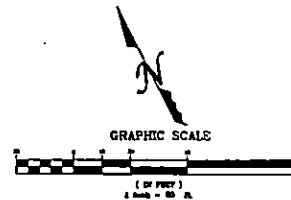
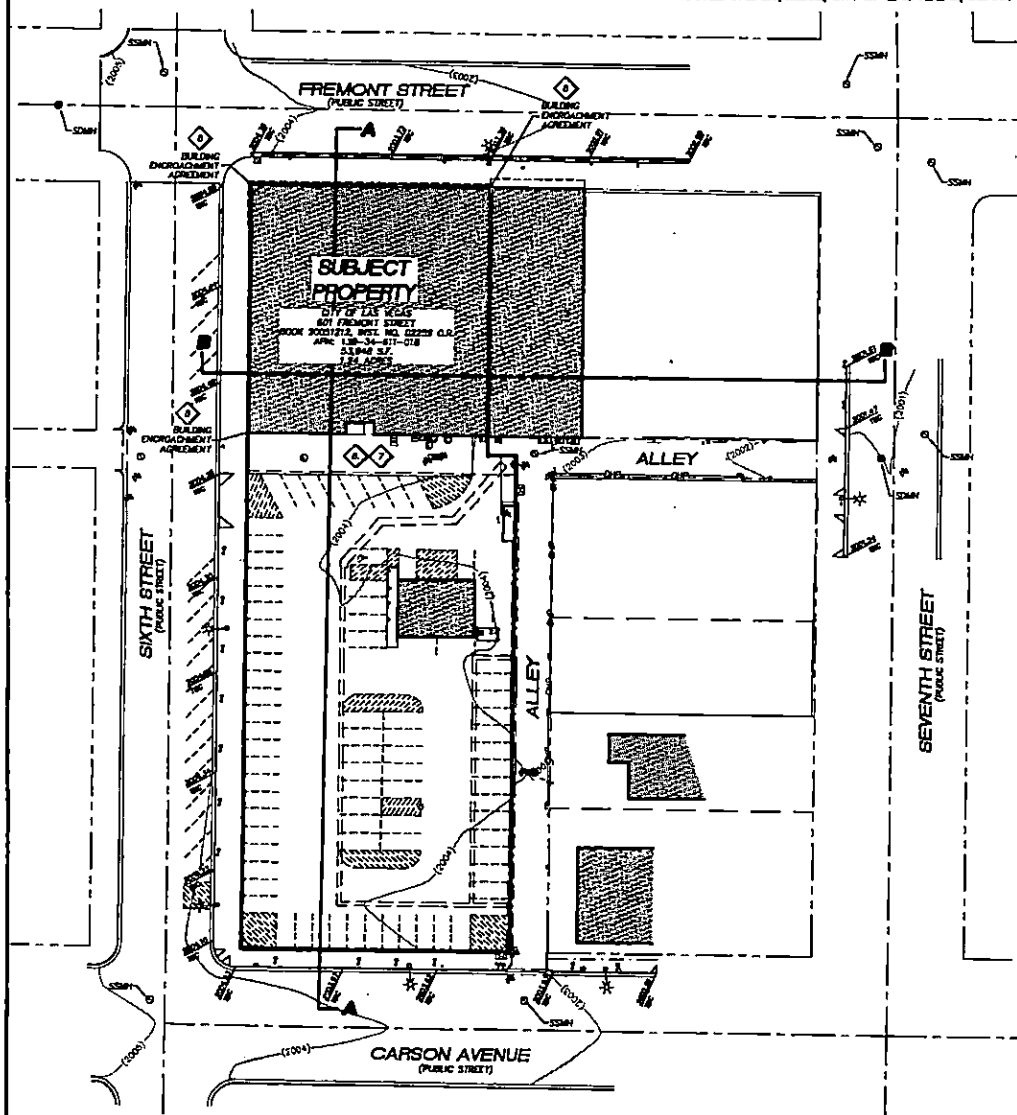


NEW MEMBER
4/10/06
CITY OF LAS VEGAS
CLARK COUNTY
TENTATIVE MAP OF
601 FREMONT STREET
BOUNDARY SHEET
SHEET 1 OF 4

TENTATIVE MAP OF 601 FREMONT STREET

(A COMMERCIAL SUBDIVISION)

A MERGER AND RESUBDIVISION OF LOTS 1-5 AND LOTS 19-22 OF BLOCK 6, AS SHOWN IN BOOK 1, PAGE 40 OF PLATS, TOGETHER WITH THOSE PORTIONS OF VACATED ALLEY RECORDED ON JULY 17, 1970 IN BOOK 48 AS DOCUMENT NO. 038243, CLARK COUNTY, NEVADA, OFFICIAL RECORDS, LYING WITHIN THE SOUTH HALF (S 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 81 EAST, MDM, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



LEGEND

- BOUNDARY LINE
- ADJOINING PROPERTY LINE
- STREET CENTERLINE
- EASEMENT LINE
- SIDEWALK
- CURB & GUTTER
- BLOCK WALL
- BUILDING
- CHAIN LINK FENCE
- OVERHANG
- OVERHEAD POWER LINE
- CONCRETE
- WALL & GUTTER
- EXISTING CONTOUR
- PARKING METER
- ELECTRIC BOX
- GAS METER
- TRAFFIC SIGNAL BOX
- TELEPHONE BOX
- CLEANOUT
- STORM DRAIN MANHOLE
- SANITARY SEWER MANHOLE
- TELEPHONE MANHOLE
- WATER VALVE
- GAS TEST VALVE
- FIRE HYDRANT
- STAND PIPE
- DROP INLET
- SIGN
- DOLLARD POST
- POWER POLE
- GUY
- AREA LIGHT
- STREET LIGHT
- VAULT: E-ELECTRIC, T-TELEPHONE, W-WATER
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- TOP BACK OF CURB

SCALE 1" = 10'	SCALE 1" = 20'	SCALE 1" = 40'	SCALE 1" = 80'
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SCALE 1" = 10'	SCALE 1" = 20'	SCALE 1" = 40'	SCALE 1" = 80'
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TENTATIVE MAP OF 601 FREMONT STREET TOPOGRAPHY AND EASEMENT SHEET	CLARK COUNTY
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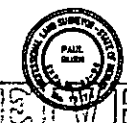
Heritage Surveying
7550 W. SAVANNA AVENUE SUITE 101
LAS VEGAS, NV 89123
PHONE (702) 840-0801
FAX (702) 855-0802
HERITAGE-SURVEYING.COM



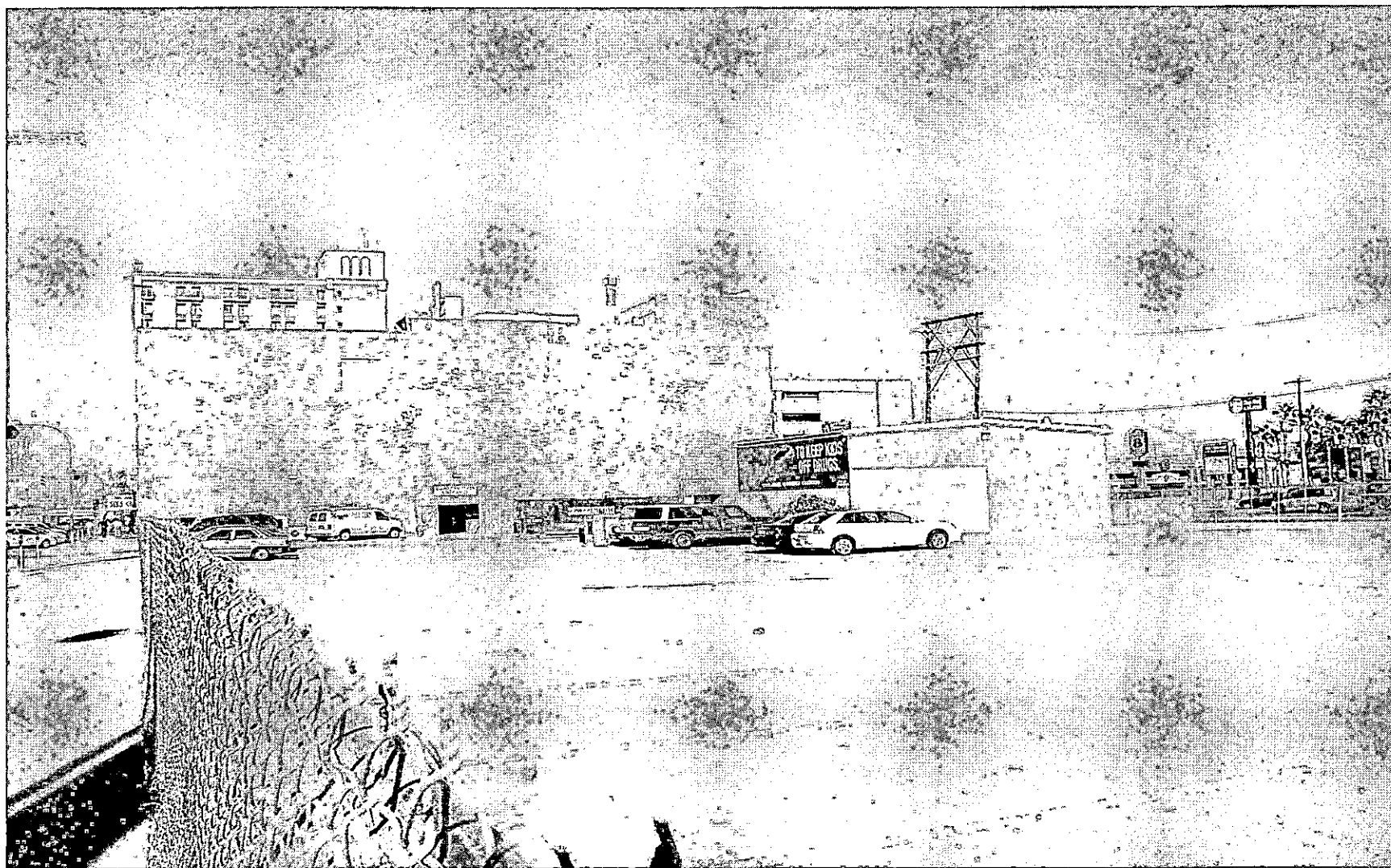
125 NUMBER
10/18-01
10/18-01
10/18-01

TMP-17685
12/07/06 PC

Paul Bunney
10/18-01

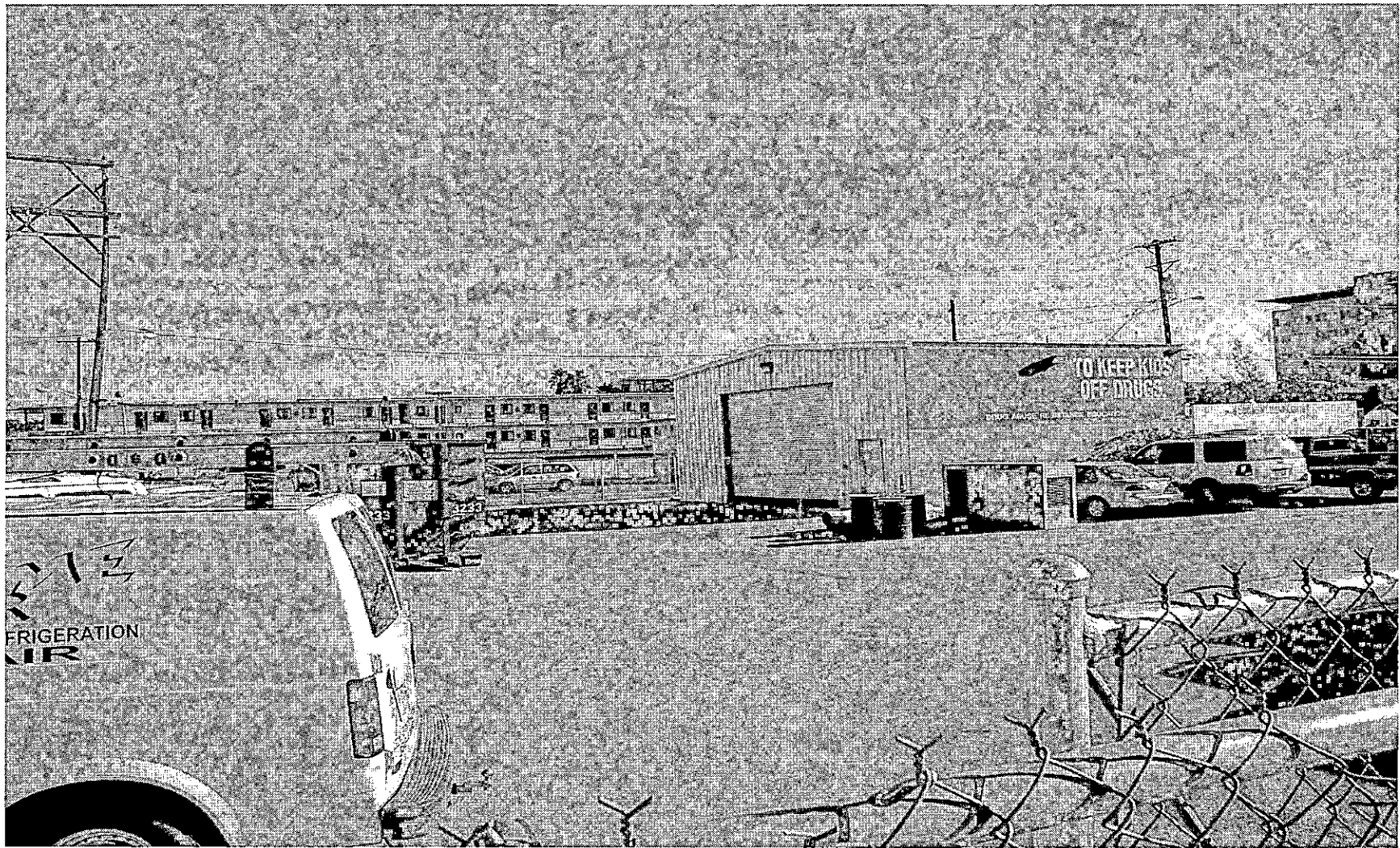


OCT 23 2006



TMP-17685 - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS
601 FREMONT STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/09/06



TMP-17685 - APPLICANT: CLUB 601, LLC - OWNER: CITY OF LAS VEGAS
601 FREMONT STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/09/06

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SDR-16954 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC -
Request for a Site Development Plan Review FOR A 8,345 SQUARE FOOT SHOPPING CENTER on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road (APN 140-32-517-003), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions Item 2 [SDR-16954] and Item 3 [SUP-17551] –
UNANIMOUS

To be heard by City Council on 01/03/2007

MINUTES:

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 2 – SDR-16954

MINUTES – Continued:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 2 [SDR-16954] and Item 3 [SUP-17551].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 2 [SDR-16954] and Item 3 [SUP-17551].

(6:13 – 6:15)

1-355

CONDITIONS:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, 10/25/06, landscape plan, and building elevations, date stamped 10/19/06, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The provision of ten 24 inch box trees, with a typical spacing of 20 feet on center, within the planter along the west property line; and the provision of 23 24-inch box trees, with a typical spacing of 30 feet on center, within the planters along the north, south and east property lines.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 2 – SDR-16954

CONDITIONS – Continued:

5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

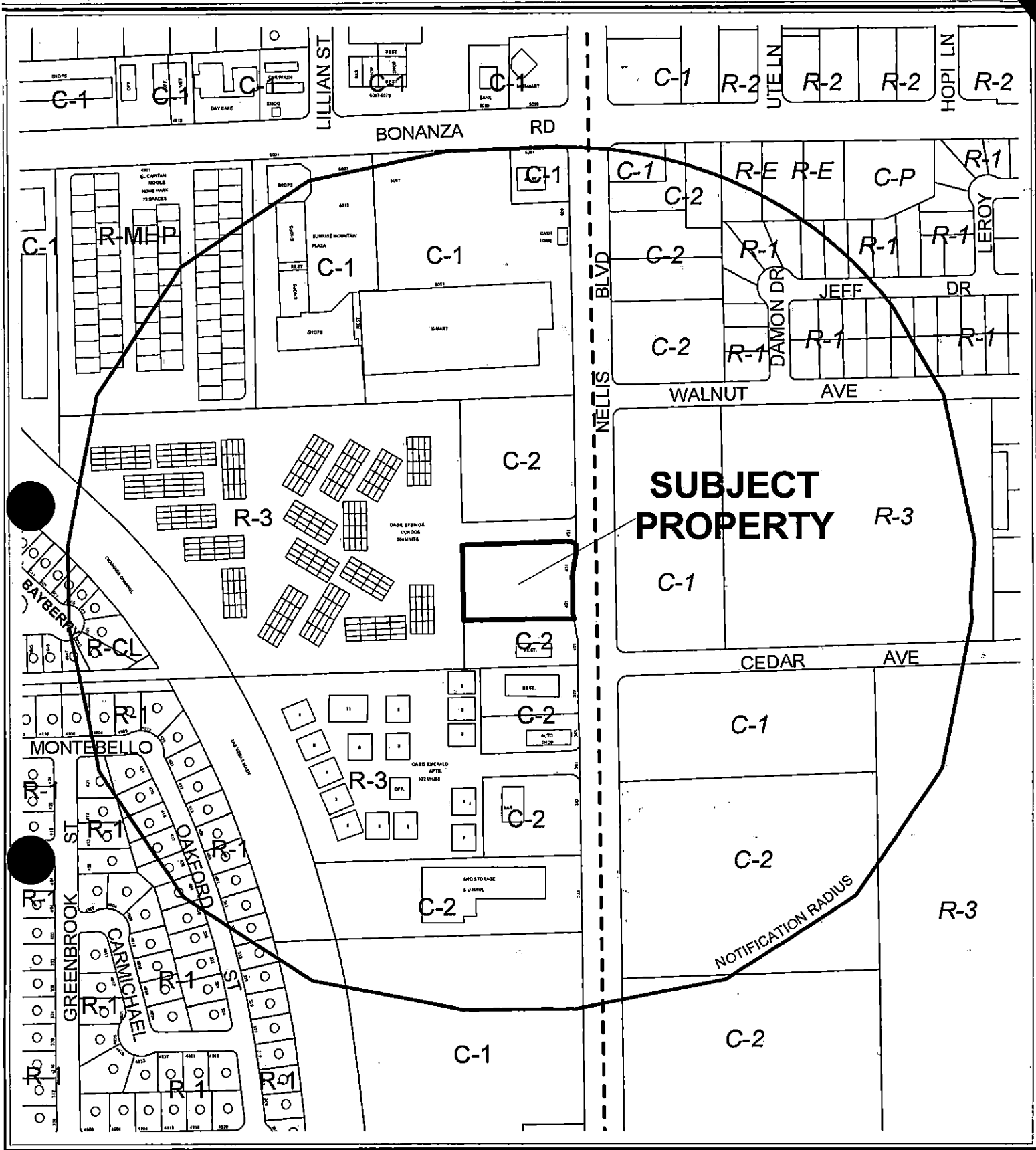
Public Works

12. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272] regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.
13. 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.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 2 – SDR-16954

CONDITIONS – Continued:

14. Provide a copy of a recorded joint access agreement between this site and the adjacent parcel to the south and to the existing private street to the north prior to the issuance of any building permits.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first.



CASE: **SDR-16954**

RADIUS: 1000 FT

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

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-16954 - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC**

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

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, 10/25/06, landscape plan, and building elevations, date stamped 10/19/06, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The provision of ten 24 inch box trees, with a typical spacing of 20 feet on center, within the planter along the west property line; and the provision of 23 24-inch box trees, with a typical spacing of 30 feet on center, within the planters along the north, south and east property lines.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

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SDR-16954 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272] regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.
13. 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.
14. Provide a copy of a recorded joint access agreement between this site and the adjacent parcel to the south and to the existing private street to the north prior to the issuance of any building permits.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

SDR-16954 - Conditions Page Three
December 7, 2006 - Planning Commission Meeting

16. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-16954 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 8,345 square-foot shopping center on 1.24 acres on the west side of Nellis Boulevard, approximately 1,060 feet south of Bonanza Road.

The proposed development is compatible with the multi-family residential development to the west and the commercial development to the north, south and east.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/05/76	The City Council approved a rezoning of this site to C-2 (General Commercial).
<i>Pre-Application Meeting</i>	
09/05/06	Staff explained the requirements for a Site Development Plan Review.
<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	1.24

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	General Commercial	C-2
North	Undeveloped	General Commercial	C-2
South	Restaurant	General Commercial	C-2
East	Offices	Clark County	Clark County
West	Apartments	Medium Density Residential	R-3

<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	

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SDR-16954 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.24 Acres	Y
Min. Lot Width	100 Feet	188 Feet	Y
Min. Setbacks			
• Front	20 Feet	90 Feet	Y
• Side	10 Feet	21 Feet	Y
• Rear	20 Feet	119 Feet	Y
Max. Lot Coverage	50 %	15 %	Y
Max. Building Height	N/A	1-story 33 feet	Y

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	99 Feet	119 Feet	Y
Trash Enclosure	50 Feet from residential	119 Feet from residential	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	11 Trees	16	Y
Buffer:				
West prop line:	1 Tree/ 20 Linear Feet	10 Trees (24 inch box)	6 Trees (15 Gallon)	N
Min. Trees				
North, South and East prop lines: Min. Trees	1 Tree/ 30 Linear Feet	23 Trees (24 inch box)	12 Trees (15 Gallon)	N
Min. Zone Width	15 Feet along Nellis Boulevard; 8 Feet along north, south and west property lines		15 Feet along Nellis Boulevard; 8 Feet along north and south property lines; 10 feet along west property line	Y

SDR-16954 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

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	
Retail	3,845 Square Feet	1 sp/ 175 Square Feet	22 Spaces				
Restaurant w/ drive thru	4,500 Square Feet	1 sp/ 100 Square Feet	45 Spaces				
TOTAL			67 Spaces	3 Spaces	67 Spaces	3 Spaces	Y
Loading Spaces	8,345 Square Feet	0-10,000 Square feet requires one space	1 Space		1 Space		Y

ANALYSIS

The applicant proposes to develop an 8,345 square-foot commercial building on this undeveloped site. Access to Nellis Boulevard is provided by shared driveways along the north and south property lines. The building elevation depicts a plaster exterior with decorative stone accents at the pedestrian level. Landscape planters of widths that comply with city standards are shown along all property lines. Because some of the sizes and types of landscaping shown within the planters do not comply with city standards, staff has included a condition of approval which requires the provision of compliant landscaping.

SDR-16954 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

FINDINGS

The following findings must be made for an SDR:

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

In regard to "1": The proposed development is compatible with the multi-family residential development to the west and the commercial development to the north, south and east.

In regard to "2": The proposed development is consistent with the General Plan. It will be consistent with Title 19 with the inclusion of condition three, which addresses the landscaping within the perimeter planters.

In regard to "3": Nellis Boulevard is designated by the Master Plan of Streets and Highways as a 100-foot wide Primary Arterial and will not be adversely impacted by this request.

In regard to "4": The building materials are appropriate for this type of development. The landscape materials will be consistent with the inclusion of condition three, which addresses the landscaping within the perimeter planters.

In regard to "5": The applicant has proposed to develop a project that uses a pleasing blend of materials, including plaster and stone accents, and has designed the development to incorporate architectural features that will create visual interest.

In regard to "6": The site will be subject to inspections and will not compromise public health and safety.

SDR-16954 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 75

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16954** APN: 140-32-1517-003

Name of Property Owner: CFT-TCC Nellis, LLC

Name of Applicant: The Chong Company

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

☐ Yes

☒ 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: _____

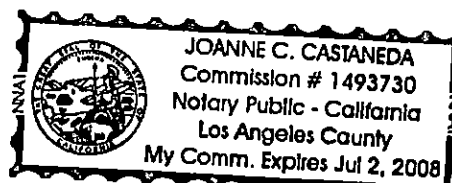
FENG LUO

Subscribed and sworn before me

This 1th day of September, 20 06

Joanne C. Castaneda
Notary Public in and for said County and State

approved as to form:
Dominic P. Bunk, ESQ





VICINITY MAP



6954

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-28-2001 BY 60322 UCBAW

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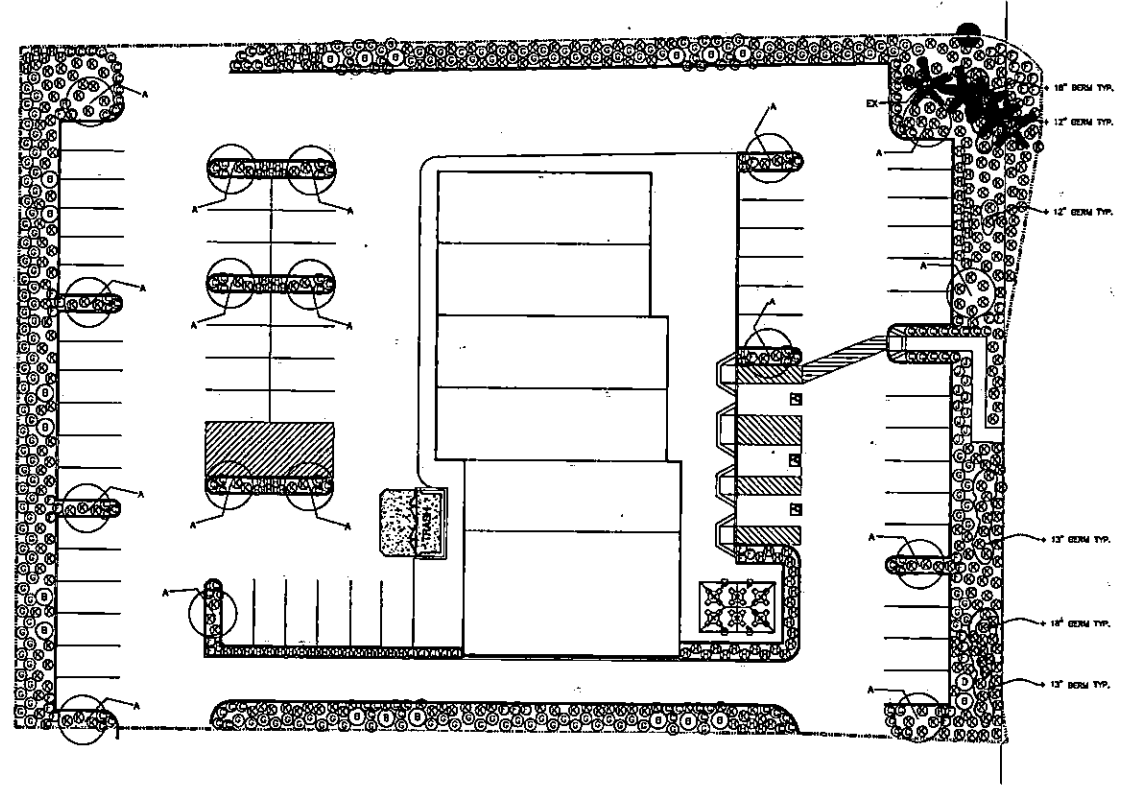
35 N. Lake Ave., Suite 700
Pasadena, CA 91001
626.449.5300
626.462.9559 FAX

NOTES:
1. ALL PLANTS SHALL BE MAINTAINED IN AN ORDERLY, LIME, HEALTHY, AND RELATIVELY WEED-FREE CONDITION.
2. ALL LANDSCAPE AREAS ADJACENT TO PARKING AND PAVED AREAS SHALL BE SEPARATED BY A RAISED PROTECTIVE CURB TO MEET MINIMUM CITY STANDARDS.
3. ALL LANDSCAPE AREAS DESIGNATED AS "T" ARE PAVED AREAS SHALL BE SEPARATED BY A RAISED

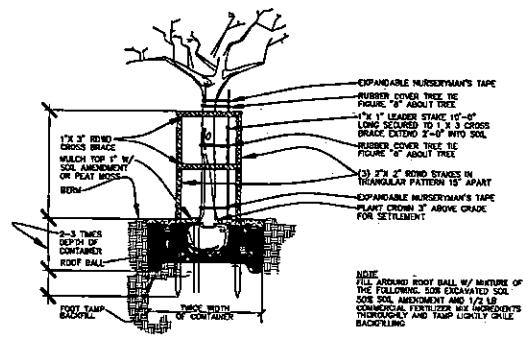
Nellis-Bonanza Retail
SW Corner of Nellis & Bonanza
Las Vegas, NV
LANDSCAPE PLAN



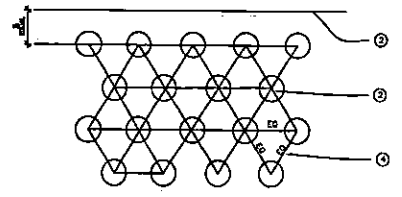
SYMBOL	PLANT NAME	QUANTITY	DATE
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SITE PLAN
SCALE: 1/16"=1'-0"



TREE STAKING DETAIL (SHRUBS STAKING DETAIL SIM.)



GROUND COVER PLANTING SPACING

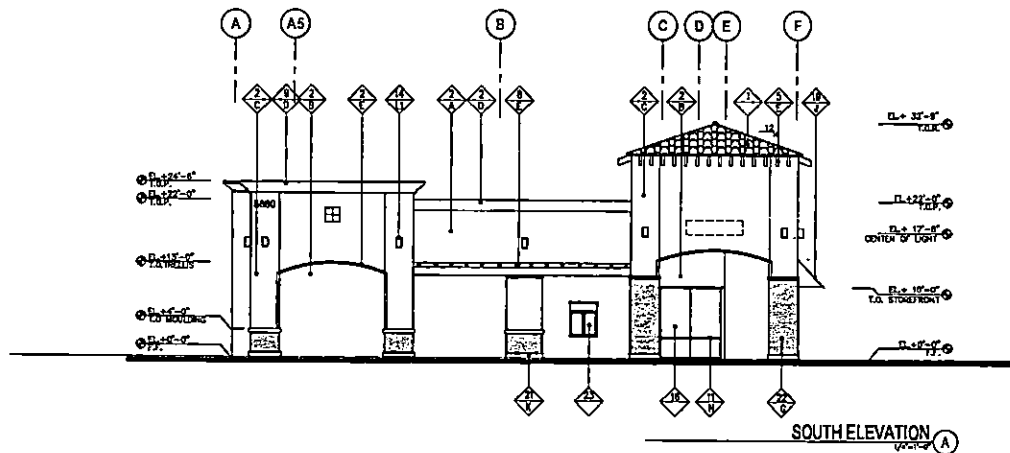
SYMBOL	BOTANICAL NAME	COMMON NAME	SPACING	SIZE	HEIGHT	SPD	CAULIP
A	PLATANUS ACEROLIA	LONDON PLANE TREE	AS SHOWN	24" BOX	7'		
B	LAGERSTROEMIA INDICA	ORANGE MYRTLE	AS SHOWN	15 GAL	5'		1"
C	ADAPANTHUS PETER PAN	ULY-OF-THE-BELE	AS SHOWN	1 GAL			
D	BANRUSA FALCATA	OLDEN BODIES BANBROO	AS SHOWN	5 GAL	5'		
E	DIETES VEGETA	PORTWINE LILY	AS SHOWN	5 GAL			
F	LIQUSTRUM JAPONICUM	PROVET	AS SHOWN	5 GAL			
G	ESCALONIA THOMPSONI	ORANGE ESCALONIA	AS SHOWN	5 GAL			
H	MANISIA DOMESTICA	MANISIA	AS SHOWN	5 GAL			
I	HYPERBOLAN CALYCEUM	ST. JOHN WORT	AS SHOWN	1 GAL			

- NOTES:
- LANDSCAPING SHALL BE CONTINUOUSLY MAINTAINED IN AN ORDERLY, LIME, HEALTHY, AND RELATIVELY WEED-FREE CONDITION.
 - ALL LANDSCAPE AREAS ADJACENT TO PARKING AND PAVED AREAS SHALL BE SEPARATED BY A RAISED PROTECTIVE CURB TO MEET MINIMUM CITY STANDARDS.
 - ALL LANDSCAPE AREAS DESIGNATED AS "T" ARE PAVED AREAS SHALL BE SEPARATED BY A RAISED

SDR-16954
12/07/06 PC

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SEP 19 2006
LANDSCAPE CONSULTANT
TONY WONG

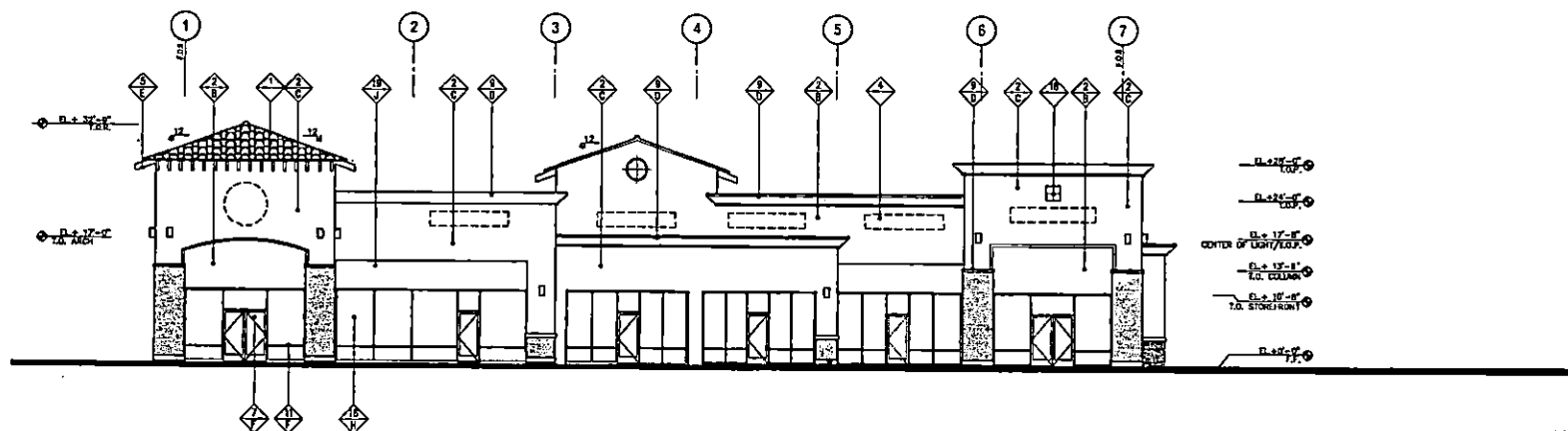
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EXTERIOR COLOR & FINISH SCHEDULES	
COLORS	MATERIAL
THIN CONCRETE BE 6791 RICE BEAL	6-BRAND CLAY TILE - 6" x 6" 1/2" BECK 580
THIN CONCRETE BE 701 COCKE	EXTERIOR PLASTER FINISH - 3/8" PLANT FINISH
THIN CONCRETE BE 701 SPINER	YELLOW METAL SCREEN AND FINISH
THIN CONCRETE BE 701 RACER	THIN METAL SCREEN FINISH
THIN CONCRETE BE 6791 RICE BEAL	KEY FINISH INTERIOR PAINT
STANDARD DARK BRIDGE ANTIKED FINISH PAINT	METAL SCREEN FINISH - SEE EXTERIOR SCHEDULE FOR INFO
TALKING SCENE STAINED LUMBER FINISH PAINT	ALUMINUM BLIND DOOR 1/2" 1/2" RICE PLATE
BRIDGE PAINT - SEE EXTERIOR PLAN FOR EXACT BRIDGE	BRIDGE WELLS AND INTERIOR
JOINT RED - 02	6" x 6" CONCRETE WELLS 1/2" 1/2" RICE PLATE FINISH
METAL, GREY CONCRETE	PLASTER CONTROL JOINT
	1 3/4" x 4 1/2" SLAT GLASS ALUMINUM SCREENING
	BRIDGE DOOR, 3/8" 1/2" RICE
	6" x 6" AT BUILDING ANTIKED LUMBER WITH CONTRASTING COLOR
	LIGHT FINISH, TYP.
	KEY FINISH BRIDGE EXTERIOR 1/2" 1/2" RICE PLATE FINISH
	PLANT GLASS BY TYP. - TYPICAL BRIDGE DOOR
	EXTERIOR BRIDGE OF ACCESSIBILITY 1/2" 1/2" RICE
	6" x 6" ACCESSIBLE
	FINISH BRIDGE - 3/8" 1/2" RICE
	METAL BRIDGE DOOR
	6" x 6" CONCRETE BRIDGE
	BRIDGE DOOR

EXTERIOR LIGHTING SCHEDULE

DESCRIPTION	# OF
EXTERIOR WALL BRIDGE CHAIRS, FOR LIGHT UP BRIDGE 6" x 6" 1/2" RICE ALUMINUM CONSTRUCTION, BRIDGE 1-200 BRIDGE 1-200 BRIDGE 1-200 BRIDGE 1-200	1
LIGHT OVER BRIDGE 1/2" 1/2" RICE	1

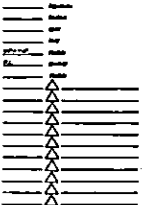


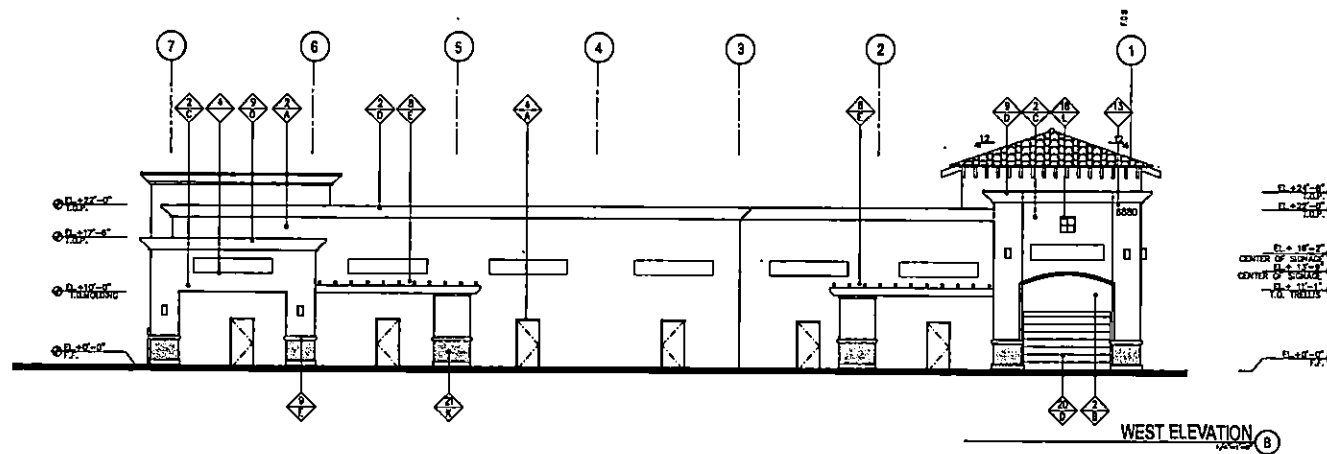
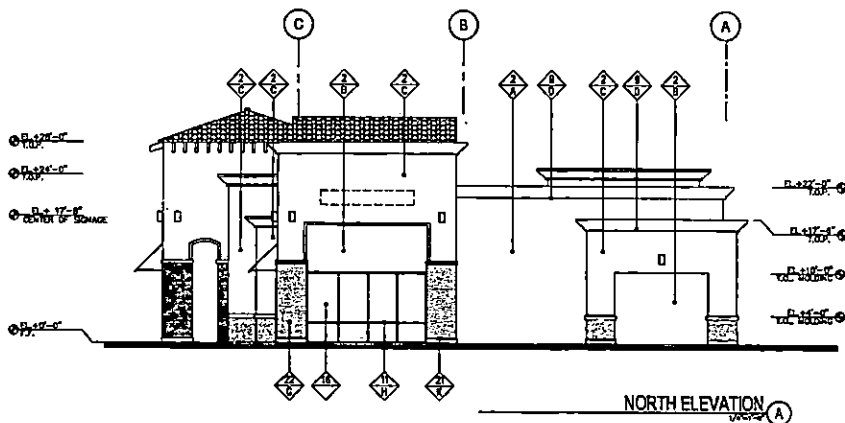
SDR-16954
12/07/06 PC

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SEP 19 2006

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Nellis-Bonanza Retail
SW Corner of Nellis & Bonanza
Las Vegas, NV
ELEVATIONS





EXTERIOR COLOR & FINISH SCHEDULES

[illegible]

EXTERIOR LIGHTING SCHEDULE

	DESCRIPTION	# OF
15	EXTEND WALL BRACKET CURBING, NEW LIMIT UP FROM 8'6" TO 8'10" ALUMINUM CONSTRUCTION. BRACKS 2-250 W/OUT A PER-30 LAMP PROCEEDING 100-1000-00	SEE PLAN EXP.
16	LIGHT POLE WITH 8' H-4"	



35 N. Laine Ave., Suite 700
Pasadena, CA 91001
626.449.5300
626.462.9559 FAX

[illegible]

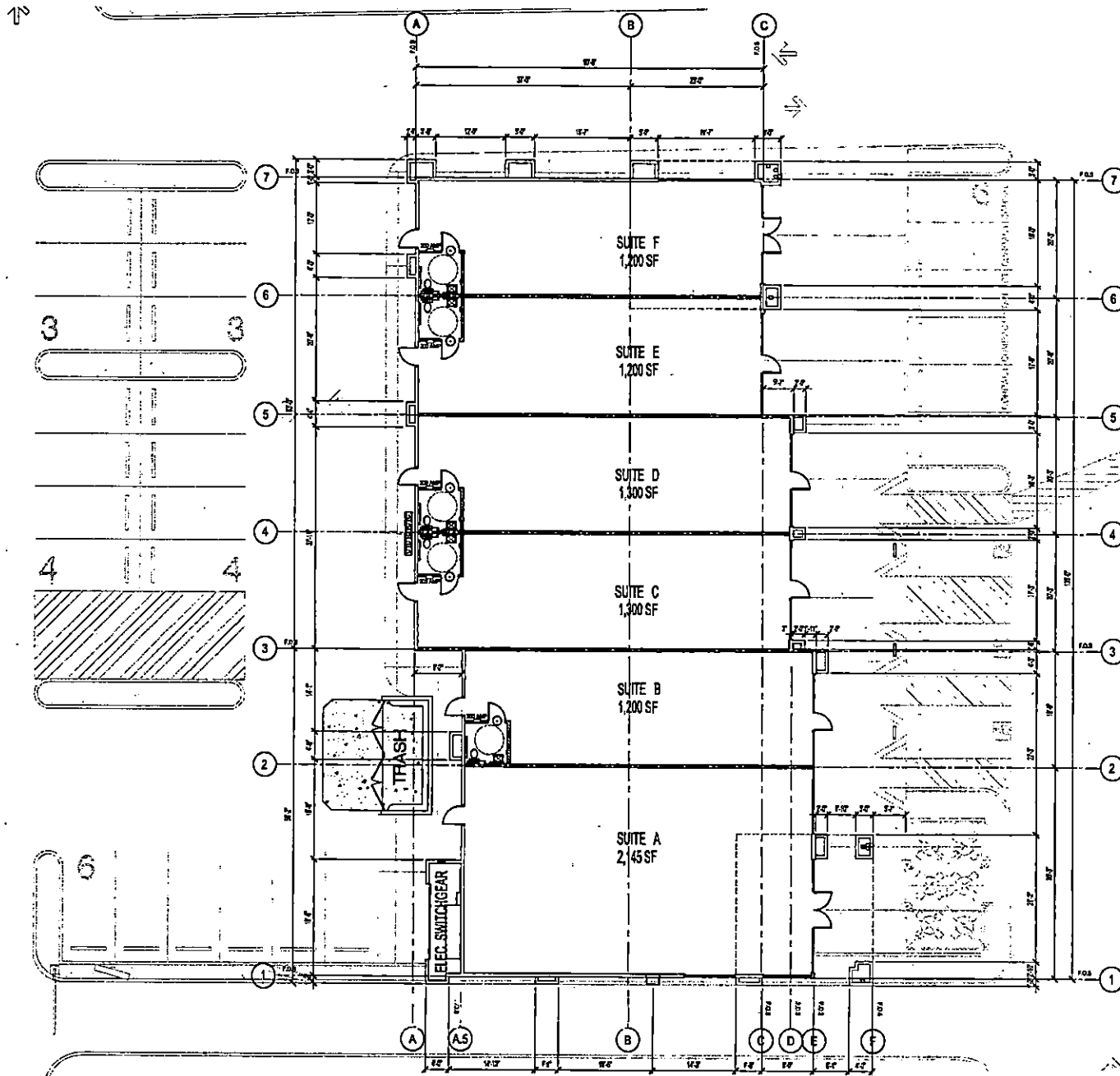
Nellis-Bonanza Retail
SW Corner of Nellis & Bonanza
Las Vegas, NV
ELEVATIONS



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SEP 19 2006

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SDR-16954
12/07/06 PC



FLOOR PLAN LEGEND

- GRID LINE -**
CONT. LINE OF INT. PARTITION,
FACE OF WALL AND CONT. LINE OF COLUMN.
- EXIT**
TEXT SIGN - SEE ELECTRICAL PLAN FOR INFO.
- SALES-FLOOR**
SOFT
ACROSS
- ROOM IDENTIFICATION**
- WALL SECTION IDENTIFICATION**
- SECTION IDENTIFICATION**
- ELEVATOR IDENTIFICATION**
- DETAIL IDENTIFICATION**

WALL LEGEND

- 1" WOOD STUDS AT 16" O.C. (MIN.) WITH BATT INSULATION (SEE SPEC. FOR EXISTING CALCULATIONS) WITH 5/8" TYPE X GWB SHEET WALL BOARD ON INTERIOR SIDE (NOTE: NOTED ON PARTIAL LEGEND) AND EXTERIOR FROM AS NOTED ON EXTERIOR ELEVATIONS. FINISHED SHOWN WALLS AS NOTED ON STRUCTURAL PLANS.**
- 1" WOOD STUDS @ 16" O.C. (MIN.) WITH BATT INSULATION, WITH (1) LAYER 5/8" TYPE X GWB SHEET, 1/2" EA. CW, EC, OR PL. NET LOCATIONS, EXTEND WALL TO 1/2" AFF.**
- 1" WOOD STUDS @ 16" O.C. (MIN.) WITH 5/8" TYPE X GWB SHEET, 1/2" EA. CW, EC, OR PL. NET LOCATIONS, EXTEND WALL TO 1/2" AFF.**
- STANDARD SYSTEM - SEE SPEC. AND CLC. PLAN**



35 N. Lake Ave., Suite 700
Pleasanton, CA 94501
CDS-645-1300
CDS-462-9559 FAX

Nellis-Bonanza Retail
SW Corner of Nellis & Bonanza
Las Vegas, NV
FLOOR PLAN



RECEIVED
SEP 19 2006

A-1.1

SDR-16954
12/07/06 PC

SDR 16954				
The Chong Co.				
WS Nellis, S of Bonanza				
Proposed 8.345 thousand square foot retail development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.145	496.12	1,064
AM Peak Hour			53.11	114
PM Peak Hour			34.64	74
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	6.2	42.94	266
AM Peak Hour			1.03	6
PM Peak Hour			3.75	23
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	8.345		1,330
AM Peak Hour				120
PM Peak Hour				98
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Nellis Boulevard				
Average Daily Traffic (ADT)	51,308			
PM Peak Hour	4105			
(heaviest 60 minutes)				
Bonanza Road				
Average Daily Traffic (ADT)	23,468			
PM Peak Hour	1877			
(heaviest 60 minutes)				
Stewart Avenue				
Average Daily Traffic	19,213			

(ADT)				
PM Peak Hour	1537			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Nellis Boulevard	51700			
Bonanza Road	30970			
Stewart Avenue	32600			
This project will add approximately 1,330 trips per day on Nellis, Bonanza and Stewart. This will increase expected volumes by about 3 percent on Nellis, 6 percent on Bonanza and 7 percent on Stewart. Nellis is at about 99 percent of capacity, Bonanza is at about 76 percent of capacity and Stewart is at about 59 percent of capacity.				
Based on Peak Hour use, this development will add roughly 98 additional cars into the area; which works out to about three every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-16954 - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC
WEST SIDE OF NELLIS BOULEVARD, APPROXIMATELY 1,060 FEET SOUTH OF BONANZA ROAD
DECEMBER 7, 2006 PLANNING COMMISSION

09/27/06



SDR-16954 - APPLICANT: THE CHONG CO. - OWNER: CFT-TCC NELLIS, LLC
WEST SIDE OF NELLIS BOULEVARD, APPROXIMATELY 1,060 FEET SOUTH OF BONANZA ROAD
DECEMBER 7, 2006 PLANNING COMMISSION

09/27/06



Justification Letter

September 15, 2006

City of Las Vegas
Current Planning
731 S. Fourth St.
Las Vegas, NV 89155

Attention: Doug Rankin
Planning Supervisor

RE: Justification letter for Site Design Review
Nellis / Bonanza Retail APN #140-32-517-003

We would like to submit a request for a Site Design Review to allow an in-line commercial / retail development. This project is located on approximately 1.24 +/- gross acres, generally located on Nellis Boulevard and Bonanza Road. The site is currently zoned C-2, with the main access off of Nellis Boulevard. To the north and south is C-2, to the west is R-3 and across Nellis Boulevard is all Clark County zoned C-1.

The project is a typical strip center development with Panda Express being one of the tenants. We like the site for retail and restaurant because the whole strip has strong synergy for retail, great traffic, high density, and great demographic. We believe the tenant mix will be quick service restaurant, phone & electronic service, hair service, and/or financial service. The center will provide some new concept for the retail strip and add value to the customers for their convenience and choice.

Proposed new retail building colors and design are in conformity with the surrounding building vernacular. The architectural style will complement without overpowering the surrounding retail center complex. We implemented such design features such as outdoor plaza with seating, enhanced paving design, and long queuing line for the drive-thru so that the cars will not spill into main parking traffic or public street. The refuse area is enclosed by 6 feet of CMU wall with exterior plaster to match the building. With these designs, we will maintain in such manner that there will be no negative impact on the surrounding community.

Thank you in advance, please call me if you should have any questions or require additional information.

Sincerely,

Robert Liu

Robert C. Liu, AIA

Cc: Gerold Chong
David Luo - CFT Development

**SDR-16954
12/07/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-17551 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A PROPOSED BEER/WINE/COOLER ON-SALE ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED RESTAURANT at 6020 West Craig Road (APN 138-02-611-006), R-E (Residence Estates) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

IF APPROVED: C.C.: 01/03/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions Item 2 [SDR-16954] and Item 3 [SUP-17551] – **UNANIMOUS**

To be heard by City Council on 01/03/2007

MINUTES:

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 3 – SUP-17551

MINUTES – Continued:

Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 2 [SDR-16954] and Item 3 [SUP-17551].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 2 [SDR-16954] and Item 3 [SUP-17551].

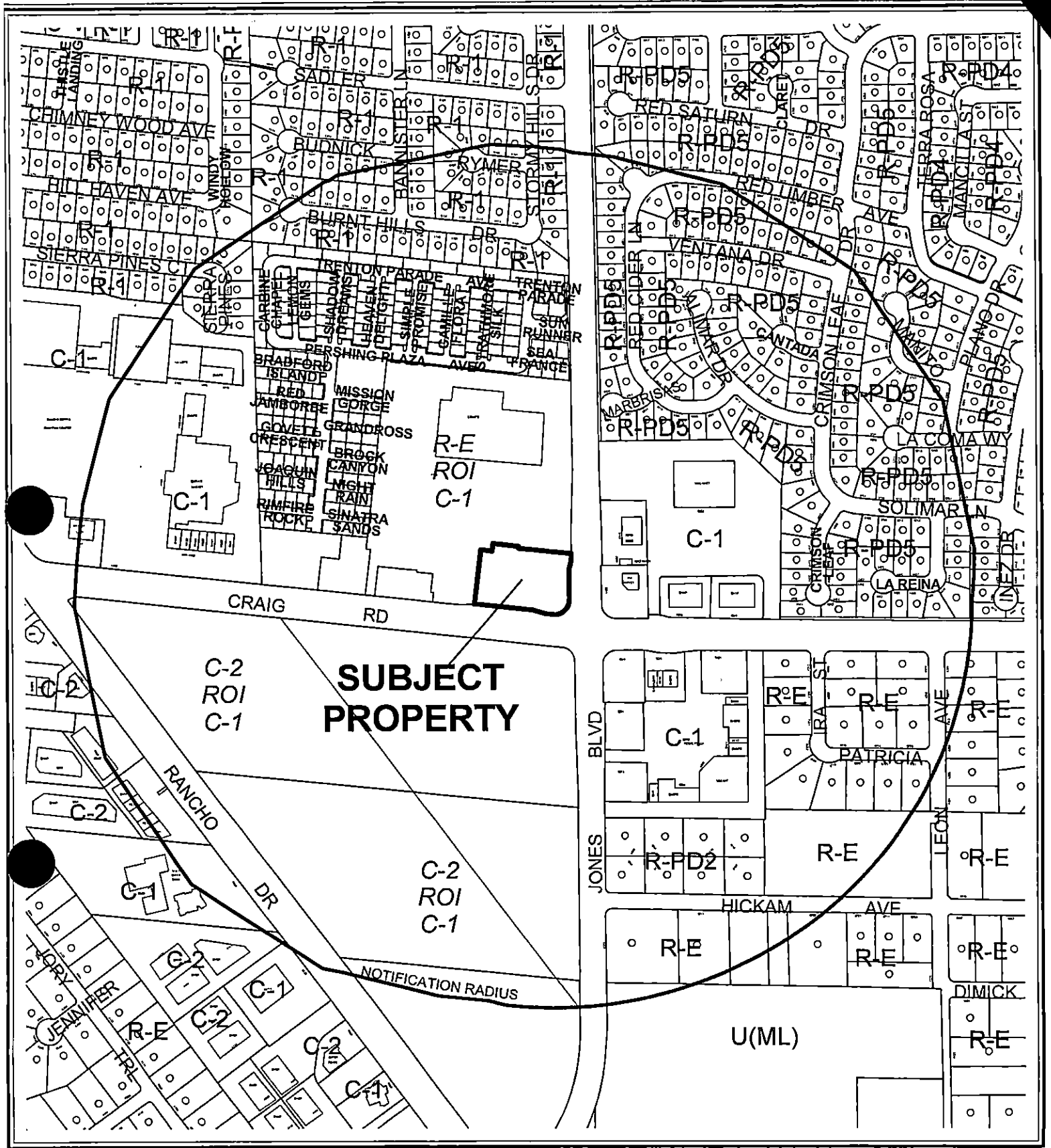
(6:10 – 6:13)

1-288

CONDITIONS:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. 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.



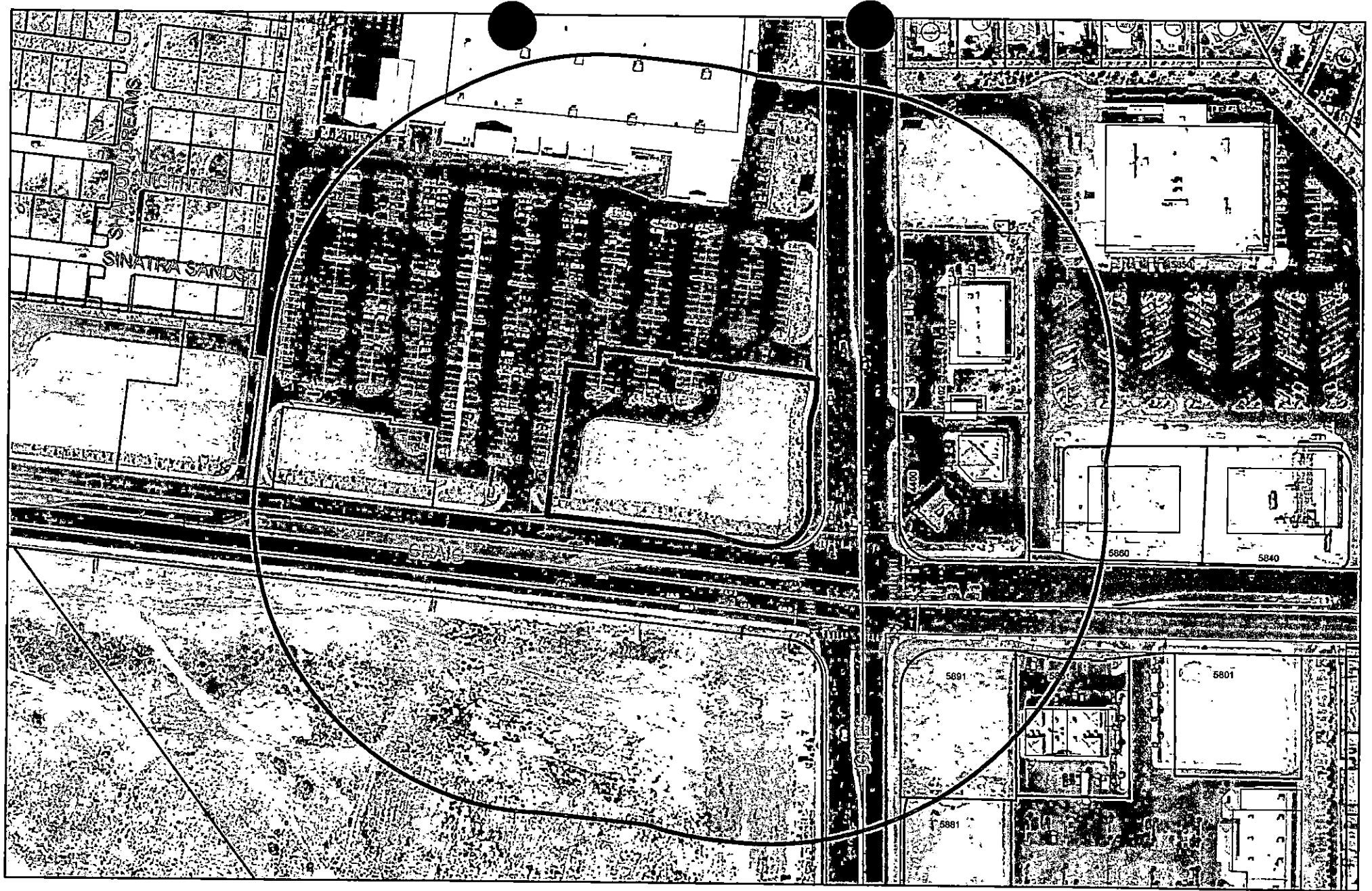
CASE: **SUP-17551**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENTIAL ESTATE) UNDER RESOLUTION OF INTENT TO
C-1 (LIMITED COMMERCIAL)





SUP-17551

Protected Landuses

- | | |
|--|---|
|  CITY PARKS |  RELIGIOUS |
|  SCHOOLS | |

Business Licenses

- | | |
|--|--|
|  Tavern |  Child Care/
Children Facility |
|  Supper Club/
Restaurant Service Bar | |

- | |
|--|
|  Subject Property |
|  400 foot buffer |



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-17551 - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS
- OWNER: VIRGIN TERRITORY, LLC

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. 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.

SUP-17551 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment in conjunction with a proposed restaurant in an approved shopping center on 1.8 acres at 6020 West Craig Road, in an R-E (Residence Estates) zone under Resolution of Intent to C-1 (Limited Commercial) zone.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/19/03	The City Council approved a General Plan Amendment (GPA-0035-02) to SC (Service Commercial) and a Rezoning (Z-0081-02) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on 11/21/02. Staff recommended denial.
10/20/04	The City Council approved a Special Use Permit (SUP-4996) for a home improvement warehouse store and a Site Development Plan Review (SDR-4995) for a 204,193 square-foot commercial development and a waiver of the build-to-line standards on a portion of this site. The Planning Commission recommended approval on 09/23/04. Staff recommended approval.
01/13/05	The Planning Commission approved a Master Sign Plan (MSP-5696) and a Tentative Map for Lowe's Plaza at Craig & Jones (TMP-5698) for a one-lot commercial subdivision which includes the subject site. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
08/16/06	A building permit under plan check number L-3253-06 was issued to the owner for Tenant Improvements for Certificate of Completion at the subject site.
<i>Pre-Application Meeting</i>	
09/22/06	A pre-application meeting was held with the applicant at which time the requirements for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment was discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.80
Net Acres	1.79

SUP-17551 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped (Approved Shopping Center Pad)	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North	Retail	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
South	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Undeveloped (Approved Shopping Center)	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	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 140 Foot Buffer	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

SUP-17551 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	78,129 SF	Y
Min. Lot Width	100 Feet	211 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	20 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	25 Feet	60 Feet	Y
Max. Lot Coverage	50 %	24%	Y
Trash Enclosure	Enclosed and Roofed	Enclosed, Roofed	Y

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	
Shopping Center	177, 942 Square Feet	1space/250 Square Feet	698	14	762	19	Y
TOTAL			718		781		Y

ANALYSIS

- General

The subject site is located in the SC (Service Commercial) General Plan designation in the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The proposed Beer/Wine/Cooler On-Sale use is compatible with the SC designation. The subject site is located on a 1.8 acre parcel within a commercial subdivision, legally identified as Lowe's Plaza at Craig and Jones. The proposed establishment will sell wine and beer in conjunction with an Uncle Al's Hot Dogs & Grill Restaurant. The subject suite is approximately 1,200 Square Feet with a public dining area that is 697.1 Square Feet and a kitchen prep and service area of 502.9 Square Feet. The restaurant seats 45 patrons, the minimum allowed as a condition of this Special Use Permit. The applicant meets all requirements of this Special Use, and approval of this request is recommended.

SUP-17551 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

- Zoning

The subject property is zoned C-1 and located within the Lowe's Plaza shopping center. The C-1 zone is intended to provide for a variety of commercial, retail, restaurant and office uses including the proposed Beer/Wine/Cooler On-Sale Establishment, subject to the approval of a Special Use Permit.

- Use

Title 19.20 defines Beer/Wine/Cooler On-Sale Establishment as an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which 45 or more people may be served with meals at any one time at tables or stools.

- Conditions

BEER/WINE/COOLER ON-SALE ESTABLISHMENT [Special Use in Zones C-1, C-2, C-M, M]

Minimum Special Use Permit Requirements:

(1) Except as otherwise provided in this Chapter, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 Feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.

(2) Except as otherwise provided in Requirement (3) below, the distances referred to in Requirement (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

(a) Any leasehold parcel; or

(b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement (1).

SUP-17551 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

(3) In the case of an establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Requirement (1) shall be measured in a straight line:

(a) From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or

(b) In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

(4) When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph (1), the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

(5) The minimum distance requirements in Paragraph (1) do not apply to:

(a) An establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or

(b) A proposed establishment having more than fifty thousand square feet of retail floor space.

(*6) All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The proposed use meets all of the distance separation requirements contained above. Further, as a Beer/Wine/Cooler On-Sale Establishment is defined as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine, and coolers for consumption only in connection with a restaurant in which 45 or more people may be served with meals at any one time at tables or stools," it is noted that the floor plan depicts seating for 45 patrons.

SUP-17551 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

FINDINGS

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

1. "The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
3. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."
4. "Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."
5. The use meets all of the applicable conditions per Title 19.04.

In regard to "1":

The proposed use will be located in a restaurant within the Lowe's Plaza shopping center, which is intended to be a commercial center and contain a variety of commercial uses. This includes the proposed Beer/Wine/Cooler On-Sale Establishment. There are no protected uses located within 400 Feet of Lowe's Plaza, and the proposed Beer/Wine/Cooler On-Sale Establishment; therefore, can be conducted in a manner that is harmonious and compatible with surrounding land uses.

In regard to "2":

With implementation of the proposed conditions, there is no evidence of any physical constraint to the location of the proposed Beer/Wine/Cooler On-Sale Establishment in conjunction with a 1,200 Square Foot Restaurant on the subject site.

In regard to "3":

The subject site is served by Craig Road and Jones Boulevard, both 100-Foot Primary Arterials on the Master Plan of Streets and Highways, and more than adequate to serve the proposed use.

In regard to "4":

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

SUP-17551 - Staff Report Page Seven
December 7, 2006 - Planning Commission Meeting

In regard to "5":

The proposed use is in compliance with all conditions of Title 19.04. The site is not within 400 Feet of a church, synagogue, school, child care facility licensed for more than 12 children or a city park. The subject site is a proposed restaurant with seating for 45 patrons in a C-1 zone, which permits this use with a Special Use Permit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 292

APPROVALS 0

PROTESTS 0



Case Number: **SUP-17551** APN: 13802611006

Name of Property Owner: VIRGIN TERRITORY, LLC

Name of Applicant: FAMOUS UNCLE AL'S HOT DOGS AT LOWE'S PLAZA

 Yes X No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: *[Signature]*

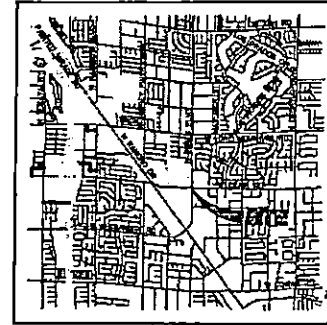
Print Name: Terri Sturm

This 25th day of September, 2006

Kathleen P Burns
Notary Public in and for said County and State



EXHIBIT A



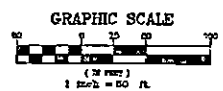
VICINITY MAP
NOT TO SCALE

C-1

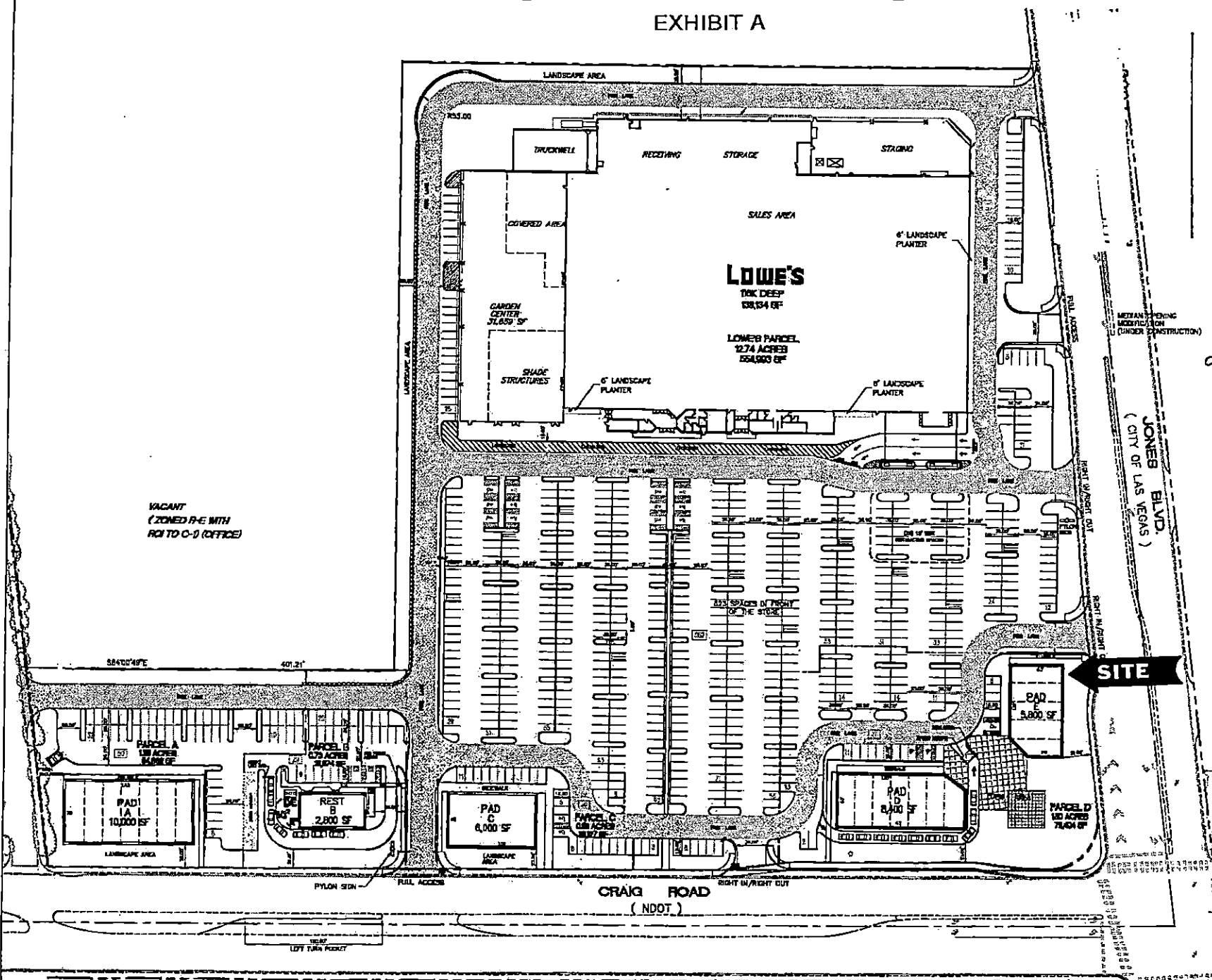
SITE DATA	
ACREAGE:	
LOWE'S	127.4 AC
PARCEL A	127.4 AC
PARCEL B	0.0 AC
PARCEL C	0.0 AC
PARCEL D	0.0 AC
TOTAL	127.4 AC
DEVELOPABLE AREA:	
LOWE'S	127.4 AC
PARCEL A	127.4 AC
PARCEL B	0.0 AC
PARCEL C	0.0 AC
PARCEL D	0.0 AC
TOTAL	127.4 AC
PARKING PROVIDED (LOWE'S):	
STANDARD ACCESSIBLE CMT CORRAL	80
TOTAL PARKING	80
PARKING PROVIDED (LOWE'S):	
STANDARD ACCESSIBLE CMT CORRAL	80
TOTAL PARKING	80
PARKING PROVIDED (LOWE'S):	
STANDARD ACCESSIBLE CMT CORRAL	80
TOTAL PARKING	80

SITE

OCT 13 2006

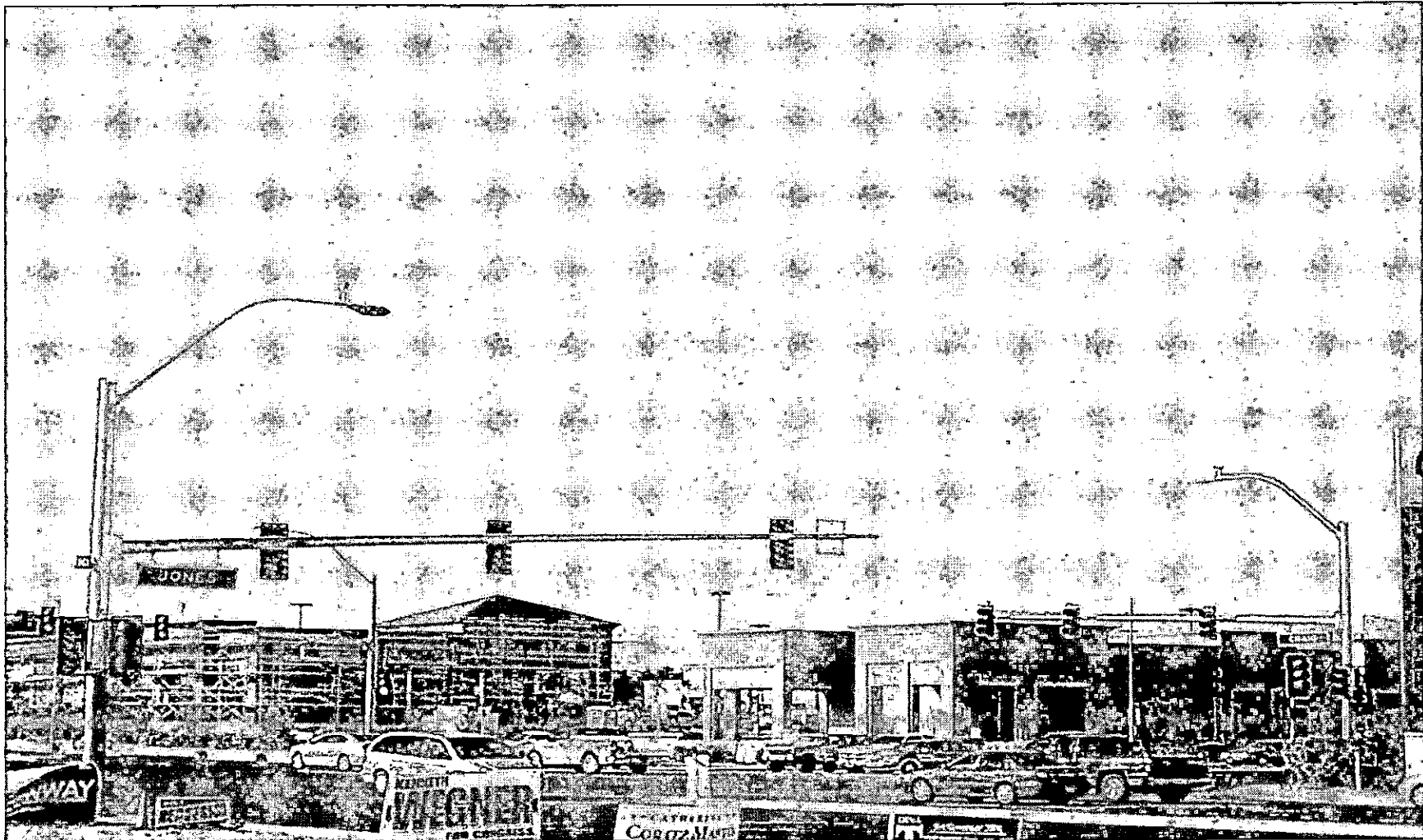


VACANT
(ZONED R-E WITH
RTO TO C-1) (OFFICE)



VACANT LAND
C-1

SUP-17551



SUP-17551 - APPLICANT: FAMOUS UNCLE AL'S HOT DOGS - OWNER: VIRGIN TERRITORY, LLC
6020 WEST CRAIG ROAD
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06

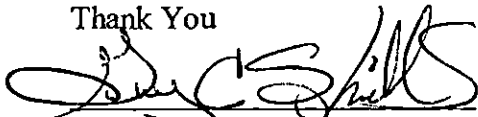
Famous Uncle Al's
Hot Dogs
&
Grill
6010 W. Craig Rd. Suite E-5
Las Vegas Nv. 89130

Justification Letter

Rc: Rcstaurant Establishment Indoor Beer & Wine Sales

It is the request of Famous Uncle Al's Hot Dogs & Grill @ 6010 W. Craig Rd. Suite E-5 Las Vegas Nv. 89130 to incorporate Indoor Beer & Wine Sales. Famous Uncle Al's Hot Dogs & Grill Restaurants have been operating on the east coast for over twenty years. Present Eastern locations that support existing City policies and regulations have received Franchise & Governmental approval for indoor Beer & Wine Sales. Our franchise has experience and training for the correct handling of Beer & Wine sale. Our location has been carefully chosen for the fact that it meet all of the existing City Las Vegas's policies and regulations for such indoor sales. All owners & employees shall receive the correct Governmental training and certifications for the correct handling of Indoor Beer & Wine Sales.

Thank You



Guy C. Shields (Owner Famous Uncle Al's Hot Dogs & Grill / NV-003)

SUP-17551
12/07/06 PC

RECEIVED
OCT 13 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-17717 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC - Request for a Site Development Plan Review FOR AN 84,245 SQUARE FOOT SHOPPING CENTER on 7.81 acres on property adjacent to the northwest corner of Nellis Boulevard and Stewart Avenue, (APN 140-32-601-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions and amending Condition 15 as follows:

15. Dedicate additional right-of-way necessary to complete the taper required for a bus turn out along Stewart Avenue on the southern edge of this site prior to the issuance of any permits. Also, dedicate the appropriate right-of-way adjacent to this site needed for the Las Vegas Wash Trail and grant a 15-foot wide Authorization of Entry (AEP) for the construction of the trail prior to the issuance of any permits.

– UNANIMOUS

To be heard by City Council on 01/03/2007

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 4 – SDR-17717

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

This item was under One Motion/One Vote and was brought forward for discussion at DEPUTY CITY ATTORNEY JAMES LEWIS' request.

During the Housekeeping portion of the agenda, JOHN KORKOSZ, Planning and Development Department, noted Condition 15 needed to be amended and DEPUTY CITY ATTORNEY LEWIS requested Item 4 [SDR-17717] heard separately.

MR. KORKOSZ explained this proposal is for a shopping center at the northwest corner of Nellis Boulevard and Stewart Avenue. He read the amendment for Condition 15, noted the applicant had agreed to the amended condition, and recommended approval.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(6:13 – 6:15)

1-361

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0015-98), 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 date stamped 10/30/06, and the landscape plan and building elevations date stamped 10/24/06, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 4 – SDR-17717

CONDITIONS – Continued:

utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. Applicant shall provide revised site plans to reflect 2 additional loading spaces prior to issuance of building permits.

Public Works

14. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272]

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
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CONDITIONS – Continued:

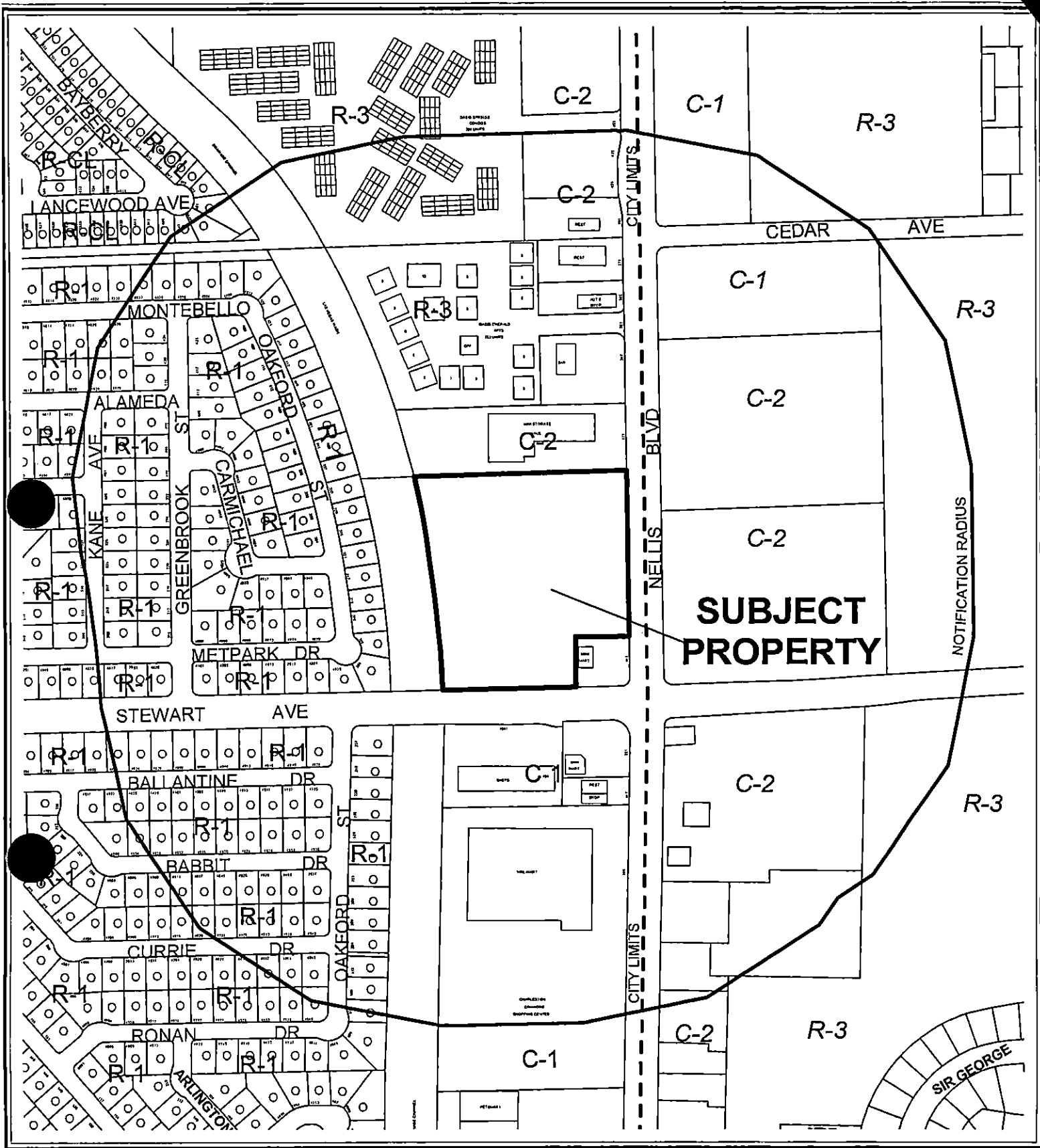
- regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.
15. Dedicate additional right-of-way necessary to complete the taper required for a bus turn out along Stewart Avenue on the southern edge of this site prior to the issuance of any permits. Also, grant a 20-foot wide trail easement adjacent to this site for the Las Vegas Wash Trail and provide an AEP (Authorization to Enter Property) for the construction of the trail prior to the issuance of any permits.
 16. Construct all incomplete half-street improvements on Stewart Avenue (sidewalk) adjacent to this site concurrent with development of this site.
 17. 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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
 18. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
 19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
 20. All pad sites within this overall site shall have perpetual common access to all driveways connecting this overall site to the abutting public streets.
 21. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
 22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 4 – SDR-17717

CONDITIONS – Continued:

construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

23. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
24. Site development to comply with all applicable conditions of approval for Z-15-98 and all other applicable site related actions.

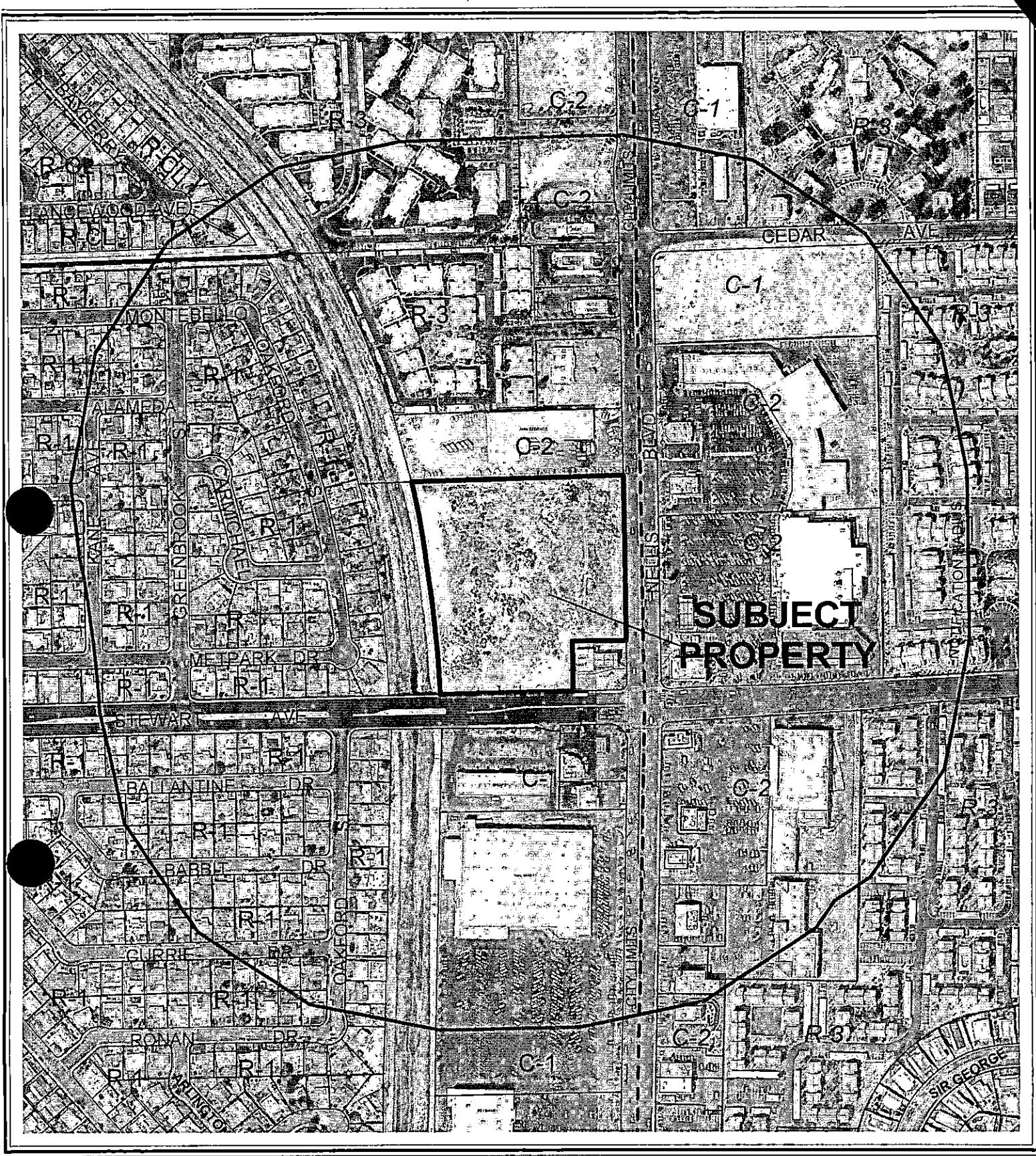


CASE: **SDR-17717**

RADIUS: 1000 FT

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





CASE: **SDR-17717**

RADIUS: 1000 FT

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

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-17717 - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC**

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

1. Conformance to the conditions for Rezoning (Z-0015-98), 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 date stamped 10/30/06, and the landscape plan and building elevations date stamped 10/24/06, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
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6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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SDR-17717 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. Applicant shall provide revised site plans to reflect 2 additional loading spaces prior to issuance of building permits.

Public Works

14. Coordinate with the City of Las Vegas Engineering Division [Dave Bowers @ 229-6272] regarding what impact, if any, the Las Vegas Wash/Sandhill Sewer Rehabilitation and Nellis Boulevard Sewer projects will have on development of this site. Development of this site shall comply with the recommendations of the City Engineer.
15. Dedicate additional right-of-way necessary to complete the taper required for a bus turn out along Stewart Avenue on the southern edge of this site prior to the issuance of any permits. Also, grant a 20-foot wide trail easement adjacent to this site for the Las Vegas Wash Trail and provide an AEP (Authorization to Enter Property) for the construction of the trail prior to the issuance of any permits.
16. Construct all incomplete half-street improvements on Stewart Avenue (sidewalk) adjacent to this site concurrent with development of this site.
17. 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. 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.

SDR-17717 - Conditions Page Three
December 7, 2006 - Planning Commission Meeting

18. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
20. All pad sites within this overall site shall have perpetual common access to all driveways connecting this overall site to the abutting public streets.
21. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
23. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
24. Site development to comply with all applicable conditions of approval for Z-15-98 and all other applicable site related actions.

SDR-17717 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for an 84, 245 square-foot Commercial Retail Center located on the northwest corner of Stewart Avenue and Nellis Boulevard. The site consists of three major tenants and shops with two smaller pads opposite the main shopping center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/06/97	The Planning Commission voted to hold a request for Rezoning (Z-0096-97) from R-E (Residence Estates) to C-1 (Limited Commercial) in abeyance indefinitely.
05/11/98	The City Council approved a Rezoning and Site Development Plan Review (Z-0015-98) from R-E (Residence Estates) to C-1 (Limited Commercial) for a proposed 77,946 square-foot retail center and a 12,275 square-foot minor automotive repair facility.
03/21/01	The City Council approved a Site Development Plan Review [Z-0015-98(1)] for a proposed 55,250 square-foot grocery store (Food 4 Less), a 14,490 square-foot drug store (Walgreen's) and a 6,000 square-foot restaurant on the northwest corner of Stewart Avenue and Nellis Boulevard.
03/21/01	The City Council approved the request for a Special Use Permit (U-0002-01) for the sale of package liquor for off-premise consumption in conjunction with a proposed 55,250 square-foot grocery store (Food 4 Less).
7/22/04	Code Enf #18663: High weeds and vagrants. Case closed 10/12/04
3/30/05	Code Enf #28015: High weeds and vagrants. Case closed 5/13/05
6/06/05	Code Enf #30827: High weeds and vagrants. Case closed 6/8/04
7/26/05	Code Enf #32951: High weeds and vagrants. Case closed 10/12/04
5/02/06	Code Enf #40785: High weeds and vagrants. Case closed 10/12/04
1/23/04	Code Enf #9076: High weeds and vagrants. Case closed 10/12/04
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
10/13/06	A pre-application conference was held and the requirements for submittal were discussed. Off-site improvements and provision for a bus turn-out on Stewart Avenue were also discussed.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was there one held.

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December 7, 2006 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.81 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial	GC (General Commercial)	C-2 (General Commercial)
South	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial	Clark County	Clark County
West	Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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

Trails:

The subject property abuts the Las Vegas Wash along the western property line. A Multi-Use Transportation Trail is proposed along this section of the Wash.

INTERAGENCY ISSUES

Pursuant to 1999 Statutes of Nevada, Chapter 481 the proposed project is deemed to be a "project of significant impact" for the following reasons:

- 1) A commercial or industrial facility generating more than 3,000 average daily vehicle trips.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. No comments have been received prior to the completion of this report.

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The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following standards apply.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	7.81 acres	NA
Min. Lot Width	100 feet	640 feet	Y
Min. Setbacks			
• Front	20 feet	20 feet	Y
• Side	10 feet	34 feet	Y
• Corner	15 feet	90 feet	Y
• Rear	20 feet	30 feet	Y
Max. Lot Coverage	50%	25%	Y
Max. Building Height	NA	40 feet	Y
Trash Enclosure	50 feet from SFR	50 feet	Y
Mech. Equipment	Screened from ROW	Mounted behind roof parapets	Y

Review the following from Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	120 feet from SFR	162 feet	Y
Trash Enclosure	50 feet from SFR	275 feet	Y

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>		
Parking Area	1 Tree/ Per 6 Spaces	98	103 Trees	Y
Buffer:	1 Tree/Per 30 Linear			
Min. Trees	Feet	71	93 Trees	Y
TOTAL		169 Trees	196 Trees	Y
Min. Zone Width	8 Feet		10 Feet	Y
	15 Feet		18 Feet	Y

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December 7, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	84,245 sq ft	1:250 sq ft					
TOTAL			337	8	364	12	Y
Loading Spaces			4		2*		N

*The site plans only show two loading zones where four are required. Revised plans will need to be provided showing the additional two loading zones.

ANALYSIS

The site plan depicts an 84,245 square-foot shopping center with design standards that are compatible with adjacent development. The site is broken up into three separate pads with one pad acting as an anchor. No waivers have been submitted with this application.

The landscape plan depicts a fairly lush treatment with ample trees of the appropriate size and species for this site. The applicant has provided trees well in excess of the minimum required per Title 19.12 and there are multiple landscaped buffers that exceed the minimum standards as well.

The elevations and floor plans show a tasteful selection of building materials and interesting architectural features. The site layout consists of three buildings surrounding a landscaped parking area. The major retail portion (61,025 sq ft) contains the bulk of the 84,245 square footage total and is nestled into the rear northwest corner of the site. The remaining two pads (6,420 sq ft & 16,800 sq ft) are located opposite the primary retail building and are appropriately located adjacent to Nellis Boulevard on the southeastern portion of the site.

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;

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December 7, 2006 - Planning Commission Meeting

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 retail center is compatible with the adjacent commercial development and development in the area. The intensity of the commercial use and the site layout will significantly contribute to the overall economic health of the surrounding area.

In regard to "2":

The proposed retail center is located on land with the appropriate General Plan Category and Zoning to remain consistent with the General Plan and Title 19. The proposal does show a deficiency in adequate loading zones for the ancillary pads as shown on the site plan. Other than this issue, there is nothing else shown that contradicts the duly-adopted city plans, policies, or standards.

In regard to "3":

The site access and circulation is not expected to have any negative impact on the adjacent roadways or neighborhood traffic. A Development Impact Notice Agreement (DINA) has been filed with the application so as to ensure adequate consideration to the traffic impact is taken into account.

In regard to "4":

The building and landscape materials chosen for this project are tasteful and interesting and are expected to contribute to the visual appearance of the area and for the City. The selected tree species and shrubs are all appropriate for the area.

In regard to "5":

Ample landscaping and interesting building elevations and massing will provide an aesthetic asset to the existing vacant lot. The overall site design creates an orderly and aesthetically pleasing environment that is harmonious and compatible with the local area.

SDR-17717 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

In regard to "6":

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 198

APPROVALS 0

PROTESTS 0



1291 Galleria Drive Suite
Henderson, Nevada 89
Phone 702.433.40
Fax 702.433.4

Consultant

Project Title

STEWART AND NELLIS
PARTNERS, LLC
WMC STEWART AND NELLIS
LAS VEGAS, NEVADA

Sheet Title

SITE PLAN

Scale

PRELIMINARY
NOT FOR
CONSTRUCTION

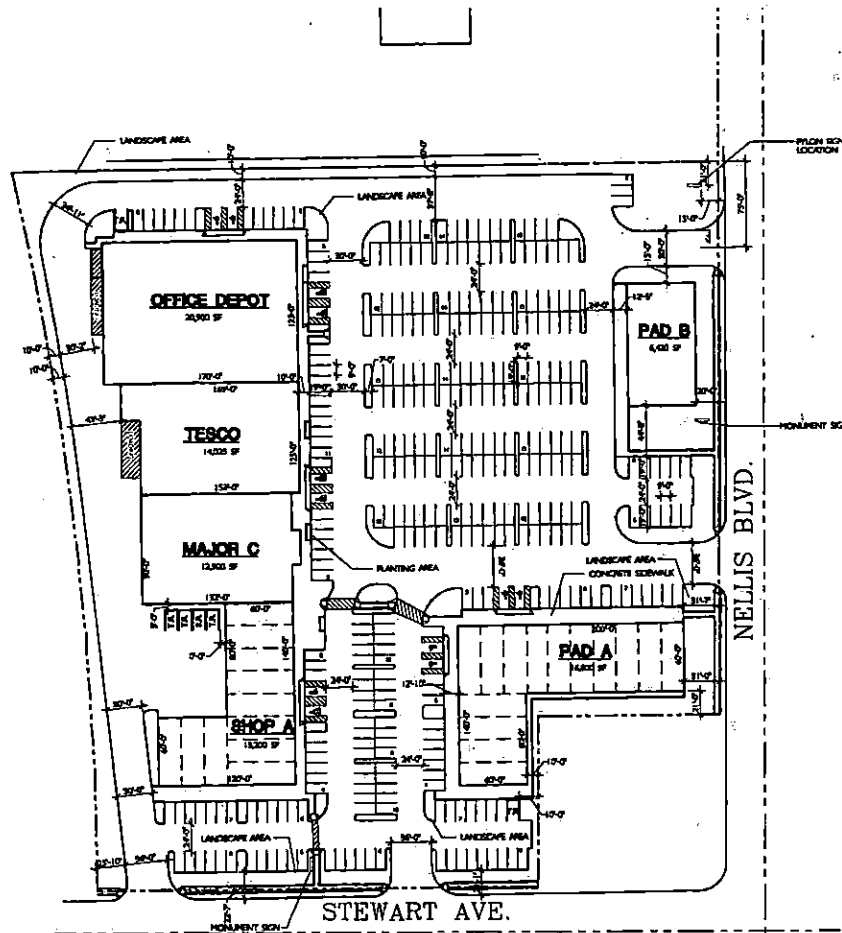
Revision

Project # 0000

Release Date:

Sheet

AS1.0



SITE PLAN

SCALE 1" = 50'

A2



RECEIVED
OCT 30 2006

PROPOSED SITE SUMMARY

STEWART / NELLIS PARTNERS LLC
EXISTING ZONING C2
SITE SIZE 7.81 ACRES
APN # 140-326-01-005

PARKING

PARKING SPACES REQUIRED:
63,345 @ 1 STALL/250 s.f.
PARKING SPACES REQUIRED = 254 STALLS
20,900 @ 1 STALL/200 s.f.
PARKING SPACES REQUIRED = 105 STALLS

TOTAL PARKING SPACES REQUIRED = 359 STALLS
PARKING SPACES PROVIDED = 364 STALLS

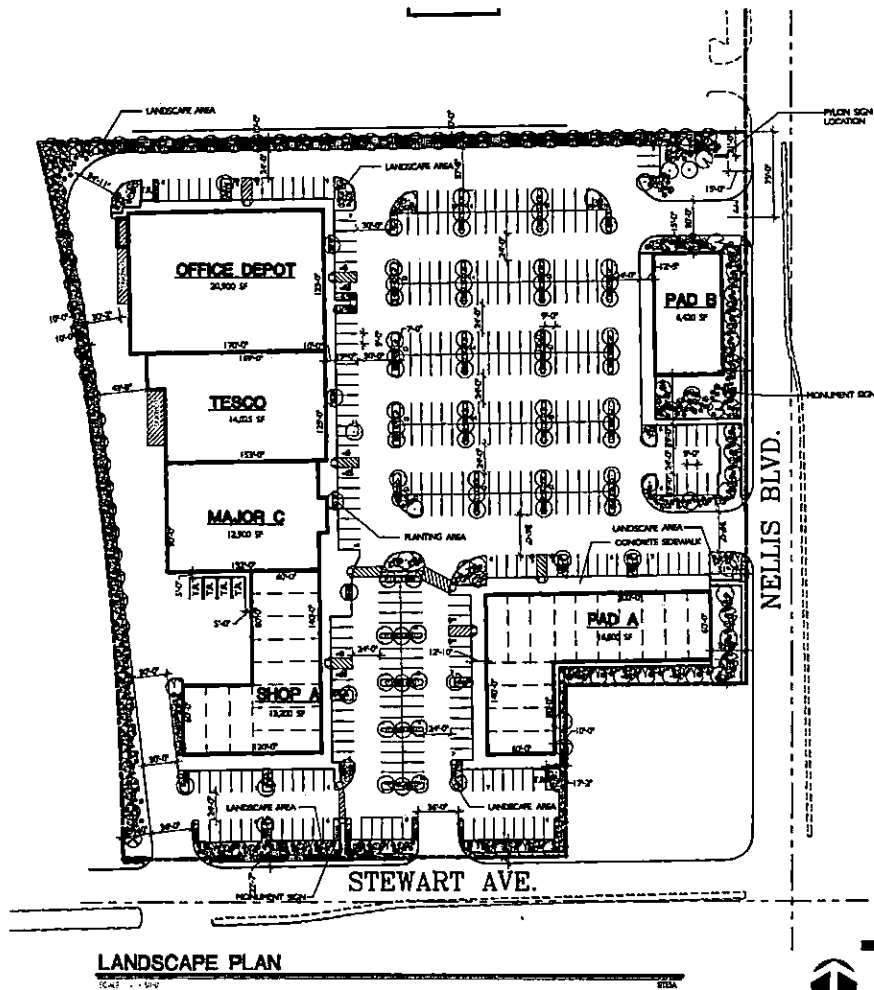
BUILDING SQUARE FOOTAGE

PAD A	16,800 s.f.
PAD B	6,420 s.f.
SHOP A	13,200 s.f.
MAJOR A	20,900 s.f.
MAJOR B	14,025 s.f.
MAJOR C	12,900 s.f.
TOTAL	84,245 s.f.

PROJECT LOCATION



SDR-17717
12/07/06 PC



PLANT SCHEDULE

SYMBOL	SIZE	BOTANICAL NAME	COMMON NAME
TREES			
①	2" BOX	BLAENOCARPUS DECORATUS	JAPANESE BLUEBERRY
②	2" BOX	LEISTHOLM UCCULUM	JAPANESE PINE, SINGLE TRUNK
③	2" BOX	RAUS LANCEA	AFRICAN SUMAC, SINGLE TRUNK
④	2" BOX	RAUS LANCEA	AFRICAN SUMAC, MULTIPLE TRUNK
⑤	2" BOX	FINUS ELIADICA	MONDALE LAFOURD PINE
SHRUBS			
⑥	5-GAL	AMEROSIA OLMOZA	WHITE BIR-SAGE
⑦	1-GAL	COSEWAGENUS OFFICINALIS	ROSEMARY
⑧	5-GAL	CASSIA WILSONI	SHALBERRY SENNA
⑨	5-GAL	CASUALON WHEELER	DESERT SPOON
⑩	5-GAL	DETES BICOLOR	FOOTBRIGHT LILY
MISCELLANEOUS			

DECOMPOSED GRANITE IN ALL PLANTING AREAS AND NO PLANT ZONES. 2" DEPTH (11/11) COLOR TO BE CHOSEN TO COMPLEMENT THE BUILDING COLORS AT THE SITE



1201 Galleria Drive Suite
Henderson, Nevada 890
Phone 702.433.40
Fax 702.433.4

Calculator

Project File

STEWART AND NELLIS
PARTNERS, L.L.C.
1800 STEWART AND NELLIS
LAS VEGAS, NEVADA

Sheet Title

LANDSCAPE PLAN
**PRELIMINARY
NOT FOR
CONSTRUCTION**

Revision

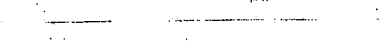
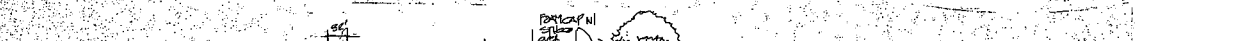
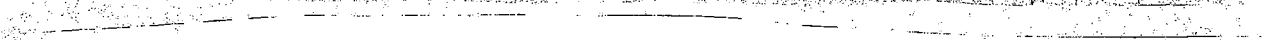
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SDR-17717
12/07/06 PC



Goodman

SDR-17717
12/07/06 PC

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OCT 24 2006



1261 Galleria Drive Suite 125
Henderson, Nevada 89014
Phone 702.433.4022
Fax 702.433.4588

Consultant

Project Title

Sheet Title

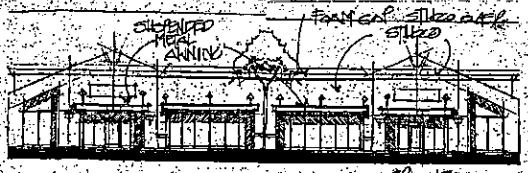
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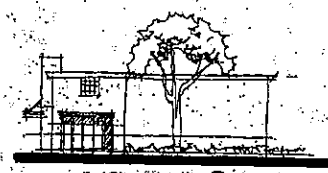
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Project #

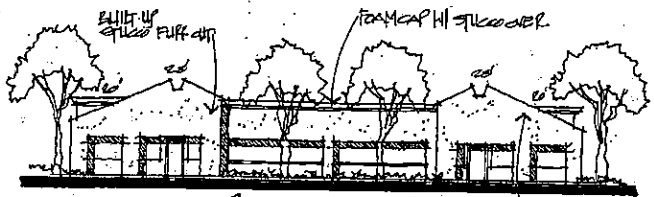
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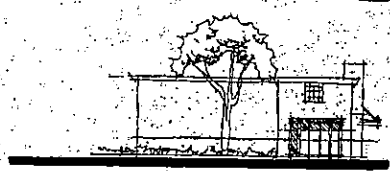
PAD B FRONT
SCALE 1/8"



TYPICAL SIDE
RIGHT



REAR ELEVATION
PAD B
SCALE 1/8"



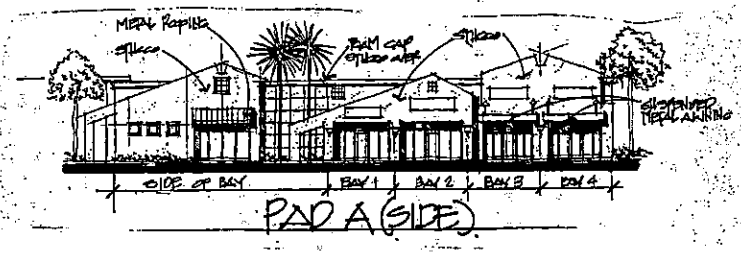
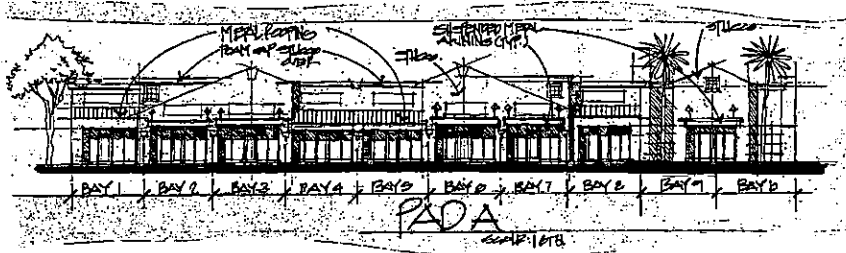
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SDR-17717
12/07/06 PC

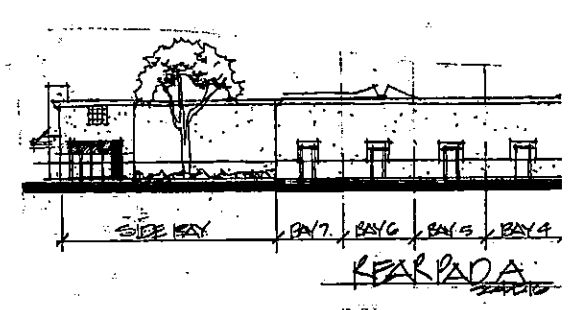
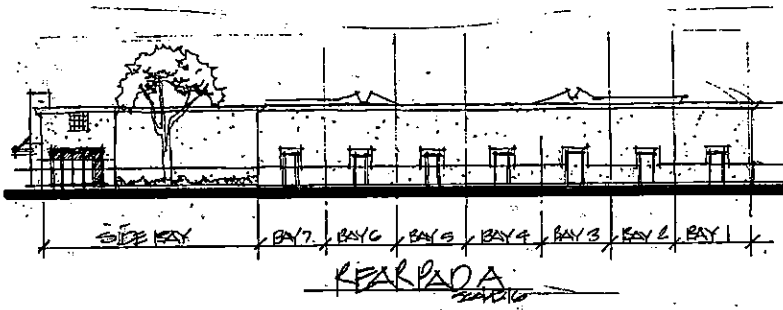
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OCT 24 2006

ssdg
 Sun Life of Canada
 1291 Galleria Drive Suite 125
 Henderson, Nevada 89014
 Phone 702.435.4032
 Fax 702.435.4536

Consultant



Project Title



Sheet Title

Set

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

Revision

Project #

**SDR-17717
 12/07/06 PC**

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1281 Oakview Drive Suite
Henderson, Nevada 89
Phone 702.433.4000
Fax 702.433.4000

Consultant

Project Title

STEWART AND NIELS
PARTNERS, LLC
100 STEWART AVE
LAS VEGAS, NEVADA

MAJOR V. BUILDING

900 STEWART AVE & HILL BLVD

Sheet Title

See FLOOR PLAN

Revision

Project No. 00000

Drawn Date

Sheet - SPP000-A

A1.0

OCT 24 2006

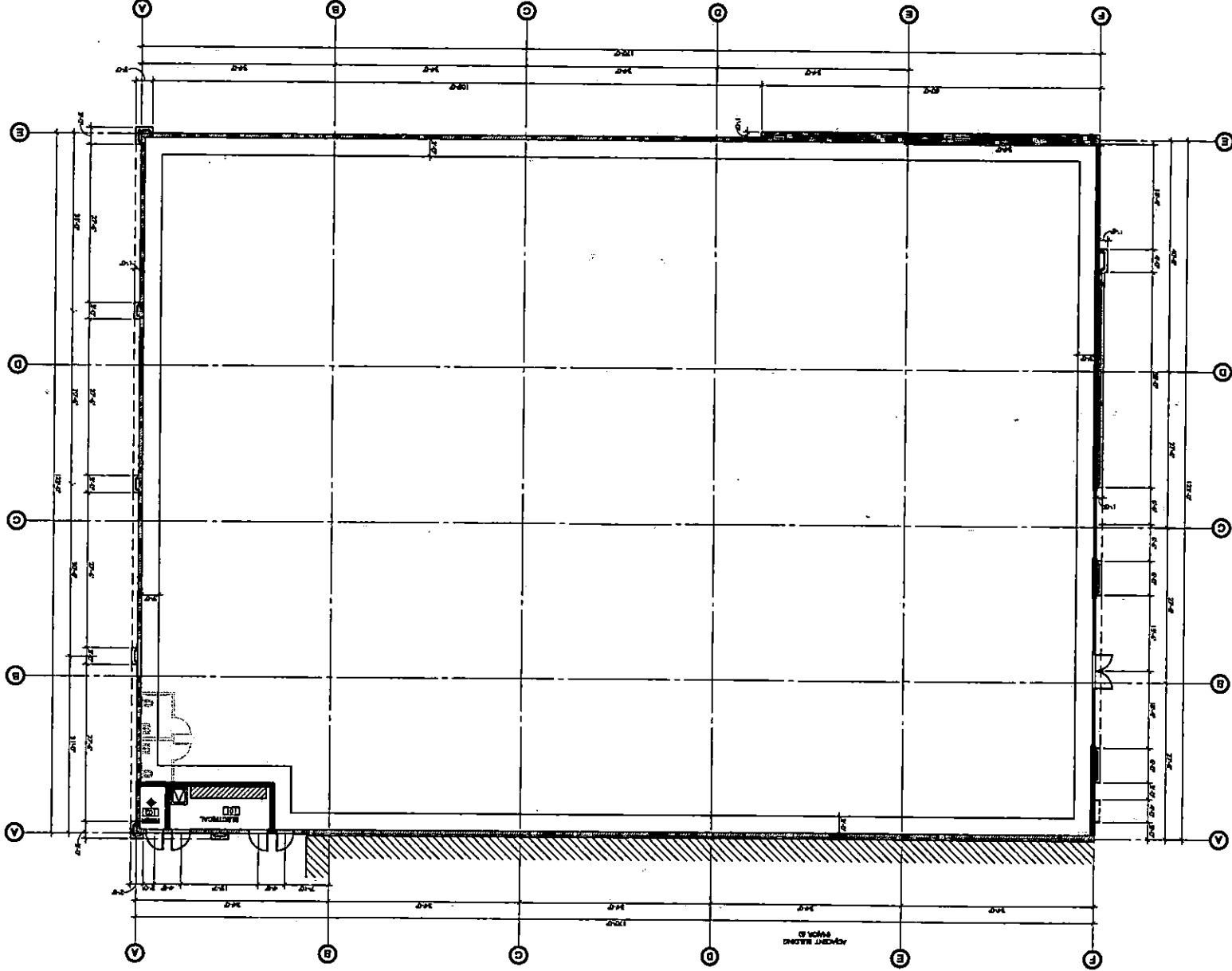
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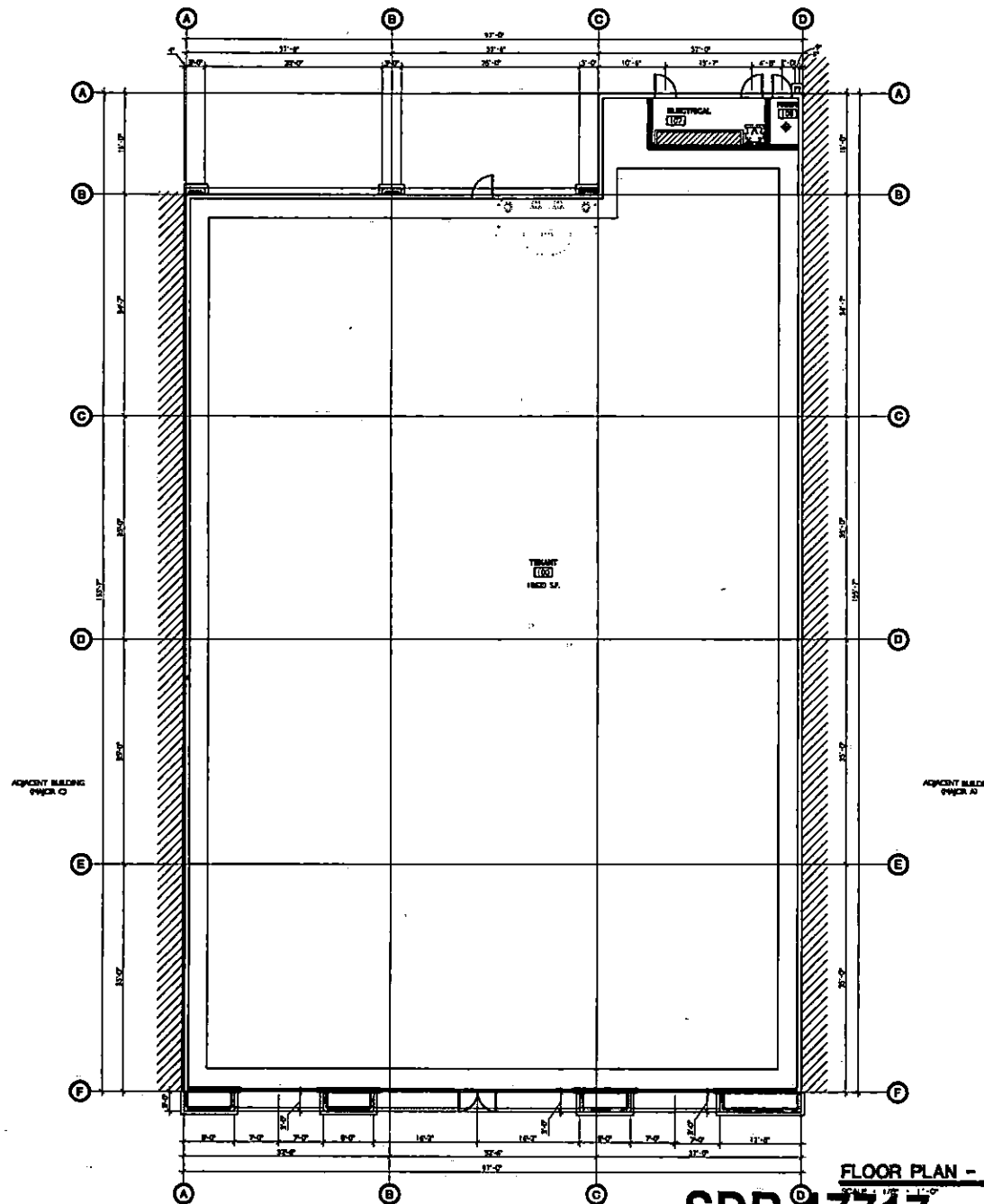
12/07/06 PC

SDR-17717



FLOOR PLAN - MAJOR V.





1291 Galleria Drive Suite
Henderson, Nevada 89014
Phone 702.433.4000
Fax 702.433.4000

Consultant

Project Title

STEWART AND NELLIS
PARTNERS, LLC
3800 STEWART AND NELLIS
LAS VEGAS, NEVADA

MAJOR 17 BUILDING
3800 STEWART AND NELLIS BLVD.

Sheet Title

Scale FLOOR PLAN

Revision

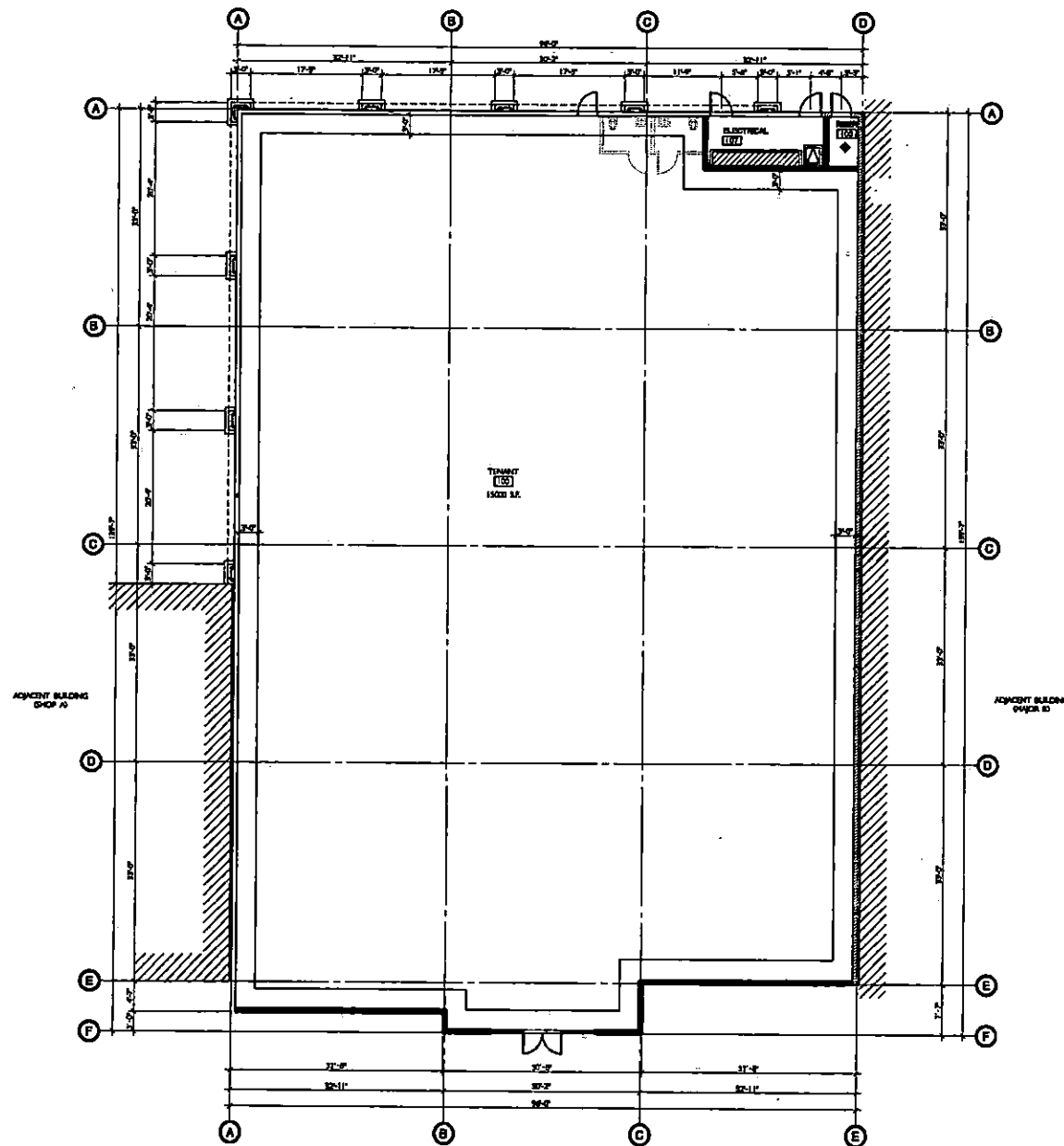
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Release Date:
Sheet: SFP00-A

FLOOR PLAN - MAJOR 17

SDR-17717

12/07/06 PC

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OCT 24 2006



FLOOR PLAN - MAJOR 'C'



1201 Galleria Drive Suite
Henderson, Nevada 89
Phone 702.433.410
Fax 702.433.414

Consultant

Project Title

**STEWART AND NELLIS
PARTNERS, LLC**
800 STEWART AND NELLIS
LAS VEGAS, NEVADA

MAJOR 'C' BUILDING
800 STEWART AVE. & NELLIS BLVD.

Sheet Title

Scale **FLOOR PLAN**

Revision

Project #: 800A
Release Date:
Sheet: 9PFC02-A

A1.0

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SDR-17717
12/07/06 PC



1291 Galleria Drive Suite
Henderson, Nevada 89
Phone 702.433.40
Fax 702.433.41

Consultant

Project Title

STEWART AND NELLIS
PARTNERS, LLC
HWY STEWART AND NELLIS
LAS VEGAS, NEVADA

PAD 'A' BUILDING
HWY STEWART AVE. & NELLIS BLVD.

Sheet Title

See FLOOR PLAN

Revision

Project #: 1204
Release Date:
Sheet: SH-A1.0-PAD-A

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

FLOOR PLAN - PAD 'A'

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



SDR-17717

12/07/06 PC

RECEIVED
OCT 24 2006



1291 Galleria Drive Suite
Henderson, Nevada 89
Phone 702.433.40
Fax 702.433.4

Consultant

Project Title

STEWART AND NELLIS
PARTNERS, LLC
800 STEWART AND NELLIS
LAS VEGAS, NEVADA

PAD 'B' BUILDING
800 STEWART AVE. & NELLIS BLVD.

Sheet Title

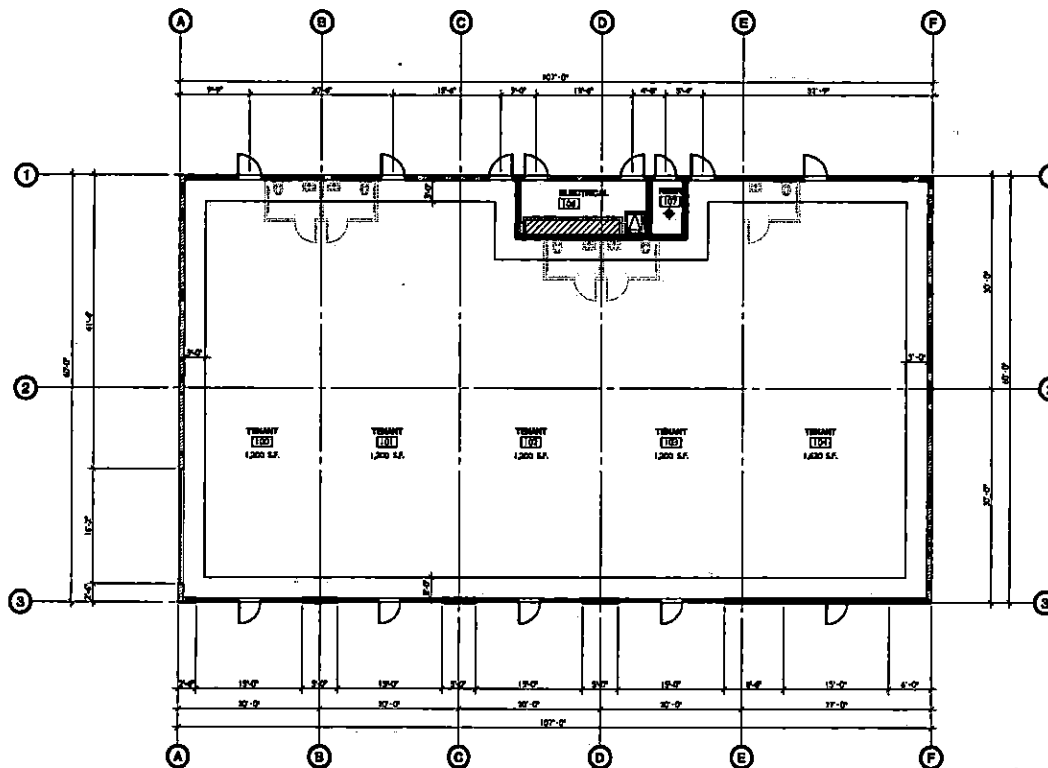
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Revision

Project #: 8884
Release Date:

SA-A1.0-PAD-B

A1.0



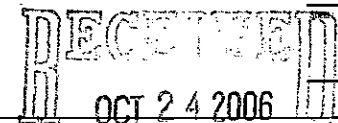
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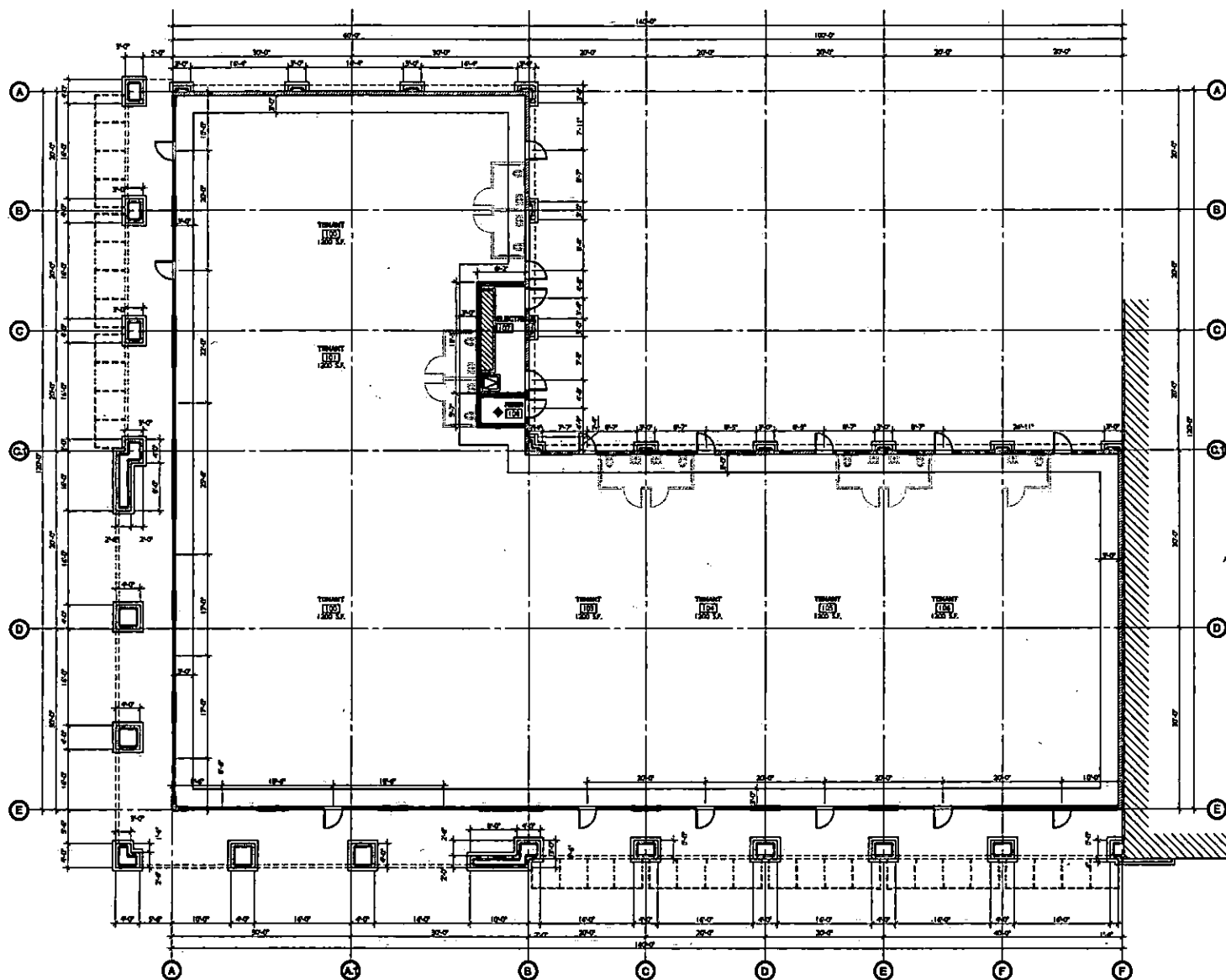
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WINDS



SDR-17717
12/07/06 PC





FLOOR PLAN - SHOP "A"

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

PS-CP-A



1201 Galleria Drive Suite
Henderson, Nevada 89131
Phone 702.433.40
Fax 702.433.4

Consultant

Project Title

STEWART AND NELLIS
PARTNERS, LLC
3800 STEWART AVE. & NELLIS BLVD.
LAS VEGAS, NEVADA

SHOP "A" BUILDING

© 2006 STEWART AND NELLIS

Sheet Title

See FLOOR PLAN

Revision

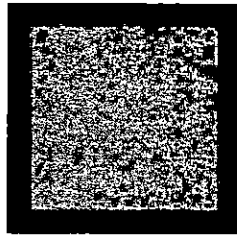
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Release Date

Sheet: S-PROG-A

SDR-17717
12/07/06 PC

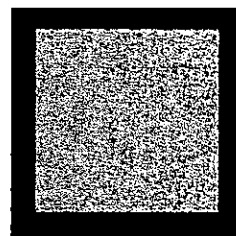
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OCT 24 2006
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KAYAK BROWN



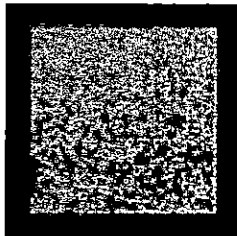
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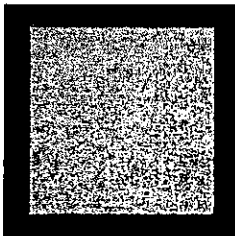
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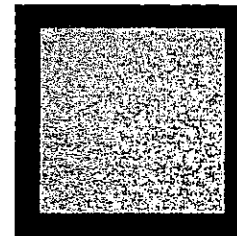
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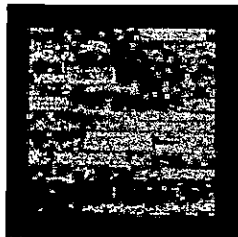
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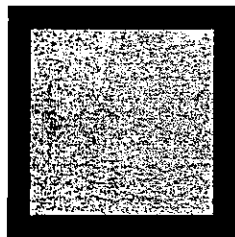
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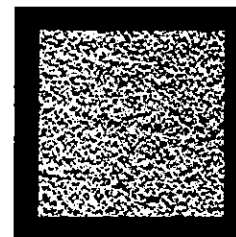
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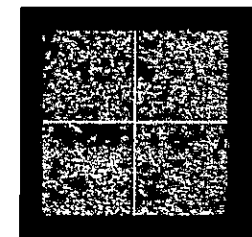
ROX PRODUCTS
AUTUMN HORIZON
LEDGESTONE SERIES



PLASTER TEXTURE
SMOOTH TROWELED
FINISH



PLASTER
TEXTURE
LIGHT DASH



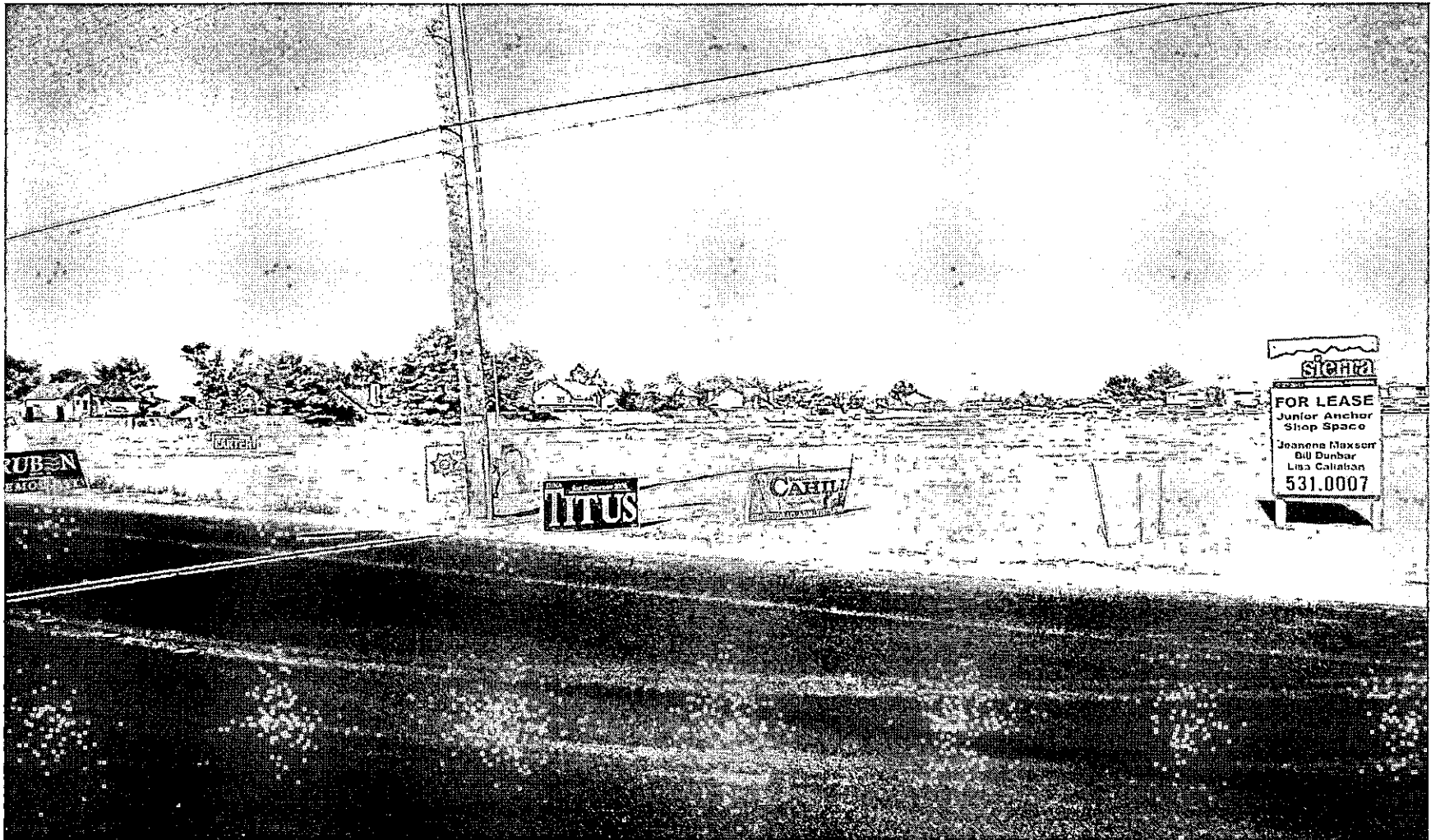
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CV13
REGAL ROUGE

STEWART & NELLIS

SDR-17717
12/07/06 PC

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OCT 24 2006

SDR 17717				
Stewart/Nellis Partners, LLC				
NWC Stewart & Nellis				
Proposed 84.245 thousand square foot retail development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	84.245	42.94	3,617
AM Peak Hour			1.03	87
PM Peak Hour (heaviest 60 minutes)			3.75	316
Existing traffic on all nearby streets:				
Nellis Boulevard				
Average Daily Traffic (ADT)	44,425			
PM Peak Hour (heaviest 60 minutes)	3554			
Stewart Avenue				
Average Daily Traffic (ADT)	19,213			
PM Peak Hour (heaviest 60 minutes)	1537			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Nellis Boulevard	51700			
Stewart Avenue	32600			
This project will add approximately 3,617 trips per day on Nellis, Bonanza and Stewart. This will increase expected volumes by about 8 percent on Nellis and 19 percent on Stewart. Nellis is at about 86 percent of capacity and Stewart is at about 59 percent of capacity.				
Based on Peak Hour use, this development will add roughly 316 additional cars into the area; which works out to about five every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-17717 - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC
ADJACENT TO THE NORTHWEST CORNER OF NELLIS BOULEVARD AND STEWART AVENUE
DECEMBER 7, 2006 PLANNING COMMISSION

11/08/06



SDR-17717 - APPLICANT/OWNER: STEWART/NELLIS PARTNERS, LLC
ADJACENT TO THE NORTHWEST CORNER OF NELLIS BOULEVARD AND STEWART AVENUE
DECEMBER 7, 2006 PLANNING COMMISSION

11/08/06

SANDBERG GROUP

A R C H I T E C T S

1291 Galleria Drive Suite 125
Henderson, Nevada 89014
702.4334032 fax 702.4334586
Web Site Address www.sgalv.com

October 24, 2006

City of Las Vegas
Planning & Development Dept.
731 S. Fourth Street
Las Vegas, Nevada 89101

REF: Site Development and Plan review
NWC Stewart & Nellis
APN 140-32-601-005

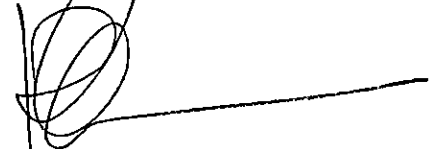
To Whom It May Concern,

The project listed above is a 7.81 acre retail development and is located at the NWC of Nellis and Stewart. The property is currently zoned C-1.

The project will consist of approximately 84,245 sq.ft. of in-line retail and freestanding pad buildings. The proposed use is compatible with existing zoning, therefore we are not requesting any revisions to the current zoning.

We would respectfully request your approval for the site development and plan review. If you have any questions or need any further information, please contact me at our office.

Very truly yours,
SANDBERG GROUP ARCHITECTS



Richard W. Salemme
Principal

SDR-17717
12/07/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - VAR-13851 - VARIANCE - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO - Request for a Variance TO ALLOW A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER TO BE 158.2 FEET FROM RESIDENTIAL PROPERTY WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 240 FEET AND TO ALLOW A SIDE SETBACK OF ZERO FEET WHERE 10 FEET IS REQUIRED on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 01/03/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

MOTION:

DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 5 [VAR-13851], Item 6 [VAR-16021] and Item 7 [SUP-13849].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 5 – VAR-13851

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, announced that the applicant was present to request the withdrawal of the applications.

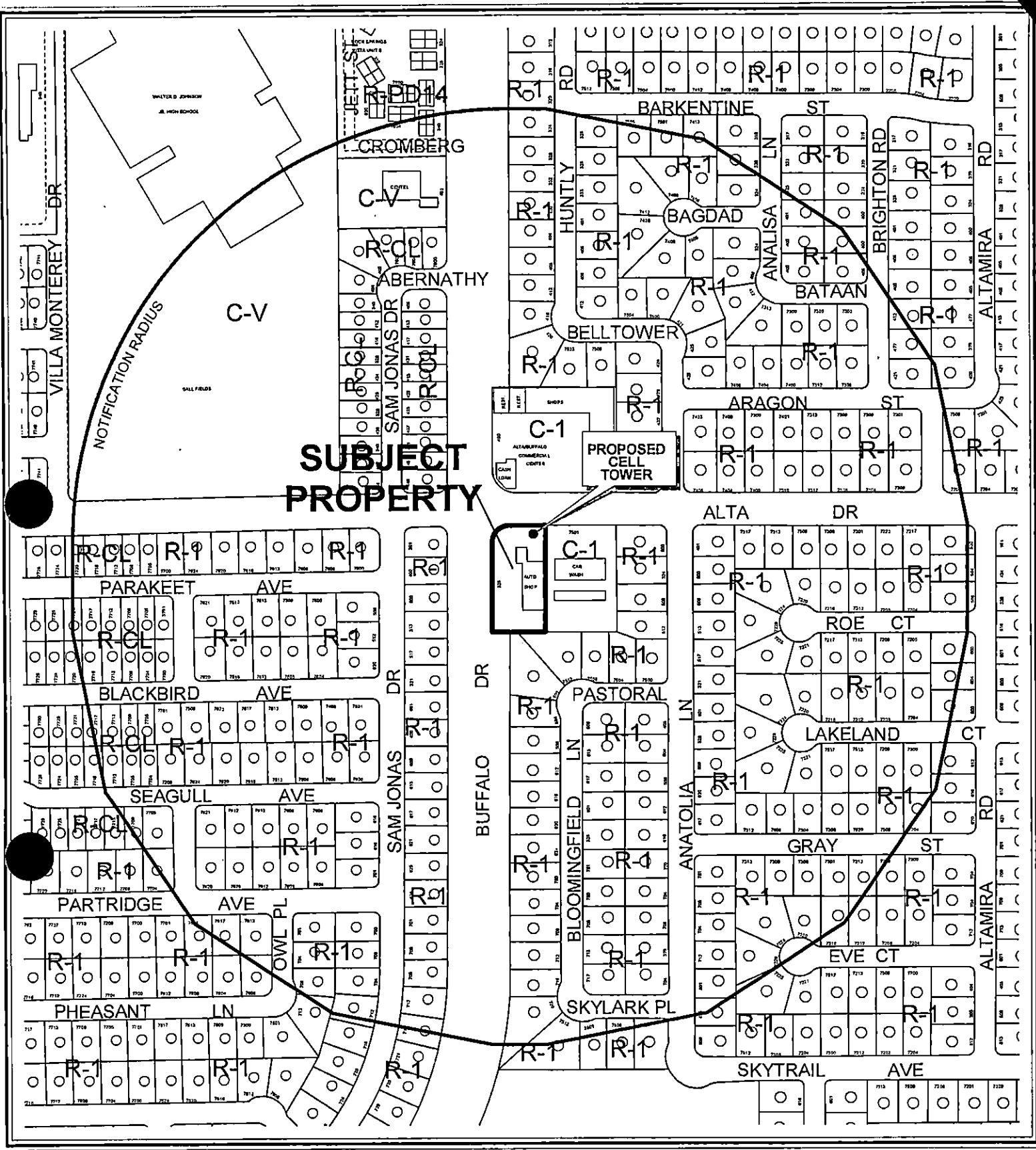
SHANE HENNESSEY, 3763 Howard Hughes Parkway, appeared on behalf of the applicant and requested the items be withdrawn without prejudice.

COMMISSIONER DAVENPORT requested more information on cellular phone technology and MR. HENNESSEY promised forward that information to him.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 5 [VAR-13851], Item 6 [VAR-16021] and Item 7 [SUP-13849].

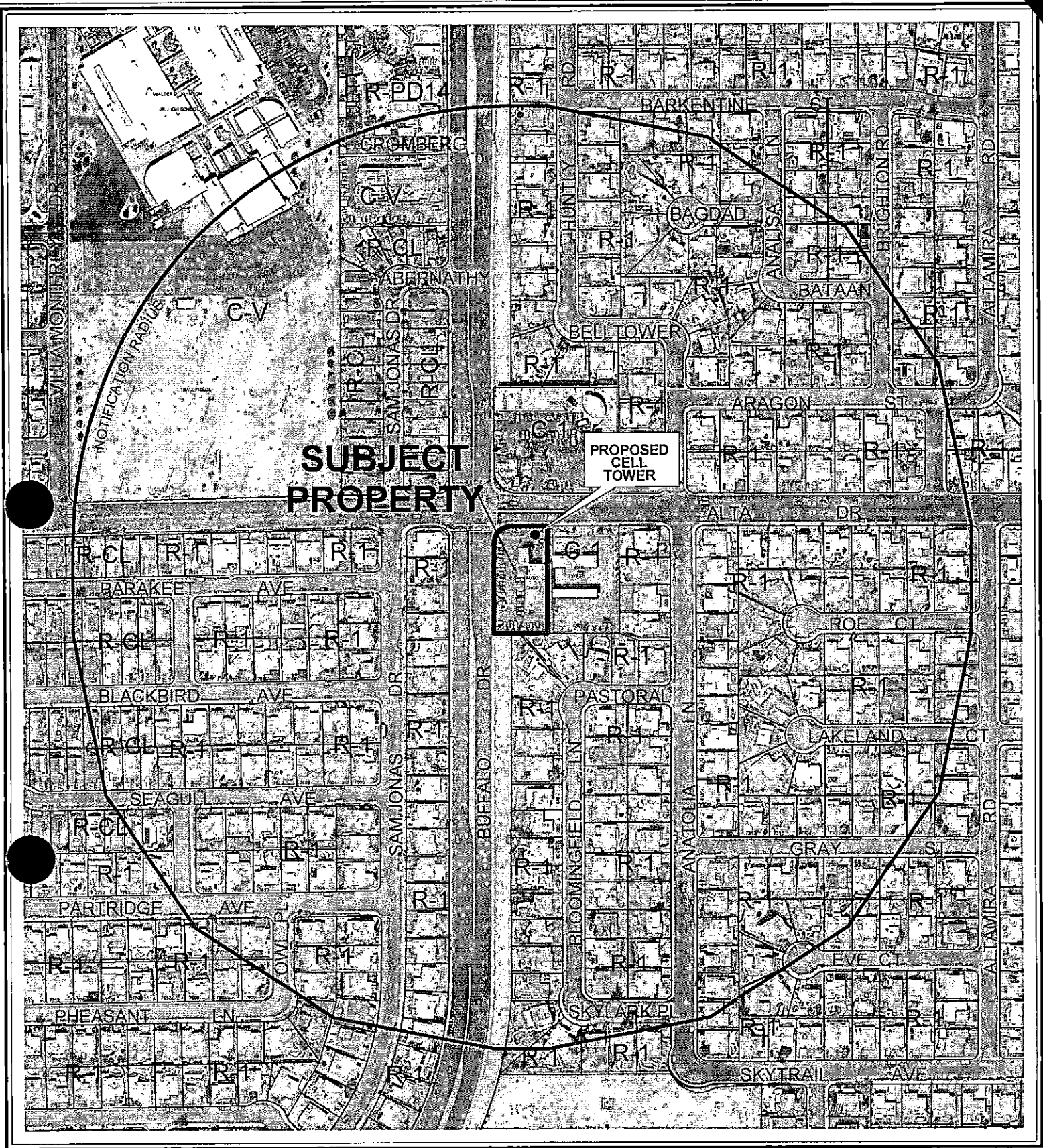
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1-522



CASE: **VAR-13851**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





CASE: **VAR-13851**

RADIUS: 1000 FT

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-13851 - APPLICANT: CINGULAR
WIRELESS - OWNER: ROBBIE AUTO

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-13849) and Variance (VAR-16021), if approved.
2. Tower to be a stealth-palm design.
3. A maximum of one antenna array.
4. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-13851 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A request for a Variance to allow a proposed 80-foot tall wireless communication facility, stealth design to be 158.2 feet from residential property where the residential adjacency standards require a setback of 240 feet and to allow a side setback of zero feet where ten feet is required in conjunction with an existing commercial center on 0.80 acre at 500 South Buffalo Drive.

EXECUTIVE SUMMARY

The applicant is proposing to install a (stealth-pole) cellular communications monopole at a height of 80 feet. The cellular communications monopole is located within an existing landscape area in the northeast corner of the site, which is 158.2 feet from an R-1 zoned single-family residential subdivision. The equipment enclosure will displace four parking spaces and will require the relocation of the trash enclosure.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|---|
| 03/12/70 | The Planning Commission held Z-0009-70 in abeyance. |
| 04/28/70 | The Planning Commission approved Z-0009-70 to re-zone 2.5 acres from R-E (Residence Estates) to C-1 (Limited Commercial). |
| 05/06/70 | The City Commission approved Z-0009-70 to re-zone 2.5 acres from R-E (Residence Estates) to C-1 (Limited Commercial). |
| 08/09/90 | The Planning Commission approved a Plot Plan Review (Z-0009-70) for a 20,175 square-foot retail shopping center, which was never built. |
| 02/15/95 | The Board of Zoning Adjustment denied a Special Use Permit (U-0328-94) to permit a 24-hour Carwash. |
| 02/15/95 | The City Council approved a Special Use Permit (U-0328-94) to permit a carwash with the hours of operation limited to 7am to 11pm. |
| 06/05/96 | The City Council denied a Review of a Condition (U-0328-94) limiting the hours of operation of a carwash. |

VAR-13851 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

- 05/06/97 The Zoning Board of Adjustment held a Variance (V-0042-97) in abeyance to reduce the side setback for a shopping center.
- 05/08/97 The Planning Commission approved a Special Use Permit (U-0034-97) for a minor automotive repair business as part of a 9,283 square-foot retail center.
- 06/03/97 The Zoning Board of Adjustment denied a Variance (V-0042-97) to reduce the side setback for a shopping center.
- 06/23/97 The City Council approved a Variance (V-0042-97) to reduce the side setback for a shopping center, which included the reduction in the size of the shopping center from the 9,283 square feet approved by U-0034-97 to 8,671 square feet and was developed as an automobile service center with several auto-related businesses with a total of 8,146 square feet.
- 09/21/06 The Planning Commission held this application in abeyance to the 10/19/06 Planning Commission meeting.
- 10/19/06 The Planning Commission held this application along with SUP-13849 and VAR-16021 in abeyance to the 12/07/06 Planning Commission meeting.

B) Pre-Application Meeting

- 5/25/06 A pre-application meeting was held to discuss the installation of a cellular communication (stealth-pine) monopole. At the meeting the applicant was informed that increasing the height of this cell tower would require a variance because it would result in an intrusion into the residential adjacency setback. The applicant was informed that this cell tower is located within 600 feet of an existing (stealth flag pole) cell tower.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.06
Net Acres: 0.80

VAR-13851 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Commercial
 North: Commercial
 Single-family Residential
 South: Single-family Residential
 East: Commercial
 Single-family Residential
 West: Single-family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 L (Low Density Residential)
 South: L (Low Density Residential)
 East: SC (Service Commercial)
 L (Low Density Residential)
 West: L (Low Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 South: R-1 (Single Family Residential)
 East: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 West: R-1 (Single Family Residential)

E) General Plan Compliance

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

Buffalo Drive is listed as an On-Street Bicycle Trail Alignment in the Las Vegas 2020 Master Plan.

VAR-13851 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	127 Feet	Y
Min. Setbacks			
• Front	240 Feet	232.8 Feet	N
• Side	240 Feet	234.8 Feet	N
• Corner	240 Feet	186.8 Feet	N
• Rear	240 Feet	158.2 Feet	N
Max. Lot Coverage	50 %	NA	N/A
Max. Building Height	52.7 Feet	80 Feet	N

A2) Residential Adjacency Standards

The cell tower will be a collocation facility with one antenna array at approximately 62 feet in height and the second antenna array at a height of 80 feet, both of which intrude into the residential adjacency setback requirement. At 80 feet, the residential adjacency standard requires a 240-foot setback, while the lower antenna array requires a residential adjacency setback of 186 feet.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail	8146 SF.	5 Spaces Plus 1 Space/200 sq. ft. of GFA	46	2	42	1

The proposed cellular transmission tower will displace four required parking spaces, an 8.6% reduction. A site inspection has revealed that there is only one handicapped parking space for this automobile service center.

VAR-13851 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	One (1) Tree/ Six (6) Spaces	Five (5) Trees	Two (2)
Buffer: • Min. Trees	One (1) Tree/ 20 Linear Feet	15 Trees	11
• Min. Zone Width	15 Feet Along Street Frontage 8 Feet Adjacent to Residential		6 Feet
• Wall height	6 Feet		

The landscaping at this location does not conform to current landscape requirements. Moreover, site inspections reveal that a significant number of shrubs are dying and several trees are dying.

B) General Analysis and Discussion

This site has an extensive history of zoning actions dating back to 1970. Several configurations of shopping centers including one with a convenience store with a gasoline station were approved, but were never developed. This site now consists of two separate parcels separated by a CMU block wall. The east parcel is developed with a self-service carwash, while this parcel (west parcel) is developed with an 8,146 square foot automobile service center. The applicant stated that the shopping center on the northeast corner of Alta Drive & Buffalo Drive has two cellular transmission facilities on the roof of buildings in the shopping center. The applicant also stated that another cellular transmission facility exists on the northwest corner of Alta Drive & Buffalo Drive. A site inspection has shown that the parking lot is poorly striped and is in need of re-striping.

FINDINGS

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

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

VAR-13851 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by seeking to reduce the residential adjacency setback by 81.8 feet, a 34% reduction. Alternatively, a single antenna array constructed at a maximum height of 52 feet would allow conformance to the residential adjacency standards outlined in Title 19; however, an additional variance is still required for a reduction in parking. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 8

SENATE DISTRICT 3

NOTICES MAILED 403 [Mailed with VAR-16021 & SUP-13849]

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-13851

Case Number: _____ APN: 138-34-301-002

Name of Property Owner: Robbie Auto

Name of Applicant: Cingular Wireless

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: _____

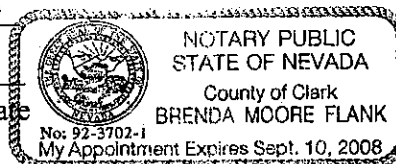
Signature of Property Owner: _____

Print Name: Robert Handal

Subscribed and sworn before me

This 26th day of May, 2006

Brenda Moore Flank
Notary Public in and for said County and State





500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

- INSTALLATION OF WIRELESS ANTENNAS AT A 75' CENTRELINE HEIGHT ON A 25' MOHPINE WITH BRANCHES NOT TO EXCEED DB
- INSTALLATION OF OUTDOOR CABINETS ON NEW CONCRETE PADS
- INSTALLATION OF ONE GPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- PROPOSED 8' BLOCKWALL ENCLOSURE 18 WATCH EXISTING WITH AN ATTACHED TRASH ENCLOSURE
- INSTALLATION OF (4) 5' WIDE SOLID METAL GATES

- START FROM 3763 HOWARD HUGHES PKWY LAS VEGAS, NV 89109
1. START OUT GIVE NORTH BN HOWARD HUGHES PKWY TOWARD SANDS AVE. <0.1 MILES
2. TURN LEFT ONTO SANDS AVE. 0.7 MILES
3. STAY STRAIGHT 18 0000 ONTO SPRING MOUNTAIN RD. 4.1 MILES
4. TURN RIGHT ONTO S RAINBOW BLVD / NV-595 N. 2.3 MILES
5. TURN LEFT ONTO W CHARLESTON BLVD / NV-159 W CONTINUE TO FOLLOW NV-159 N. 1.0 MILES
6. TURN RIGHT ONTO S BUFFALO DR. 0.5 MILES
7. END AT 300 S BUFFALO DR LAS VEGAS, NV 89145-5515, US

SHEET NUMBER:		REVISION:	
T1		3	
		LSVGNVL 435-04	

VAR-13851
12/07/06 PC

APR 13 2006

BASIS OF BEARINGS

A FIELD SURVEY WAS PERFORMED ON FEBRUARY 17, 2006.
SOUTH 89°36'14" EAST, BEING THE NORTH LINE OF THE
SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 28
SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN BY MAP THEREOF
ON FILE IN FILE 63, PAGE 24 OF PARCEL MAPS IN THE
CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL, #1400 3464,
BEING A 1.5" BRASS CAP IN THE TOP OF CURB AT THE
NORTHWEST CORNER OF BUFFALO DRIVE AND ALTA DRIVE,
NEAR THE PC OF BUFFALO DRIVE.

ELEVATION: 2510.02 FEET (NAVD 1988)
795.056 METERS (NAVD 1988)

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT,
BARGAIN & SALE DEED RECORDED JUNE 27, 2006 IN BOOK
20050837 AS INSTRUMENT NO. 04467 IN THE CLARK COUNTY
RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN
THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST
QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 28 SOUTH,
RANGE 60 EAST, M.D.M.

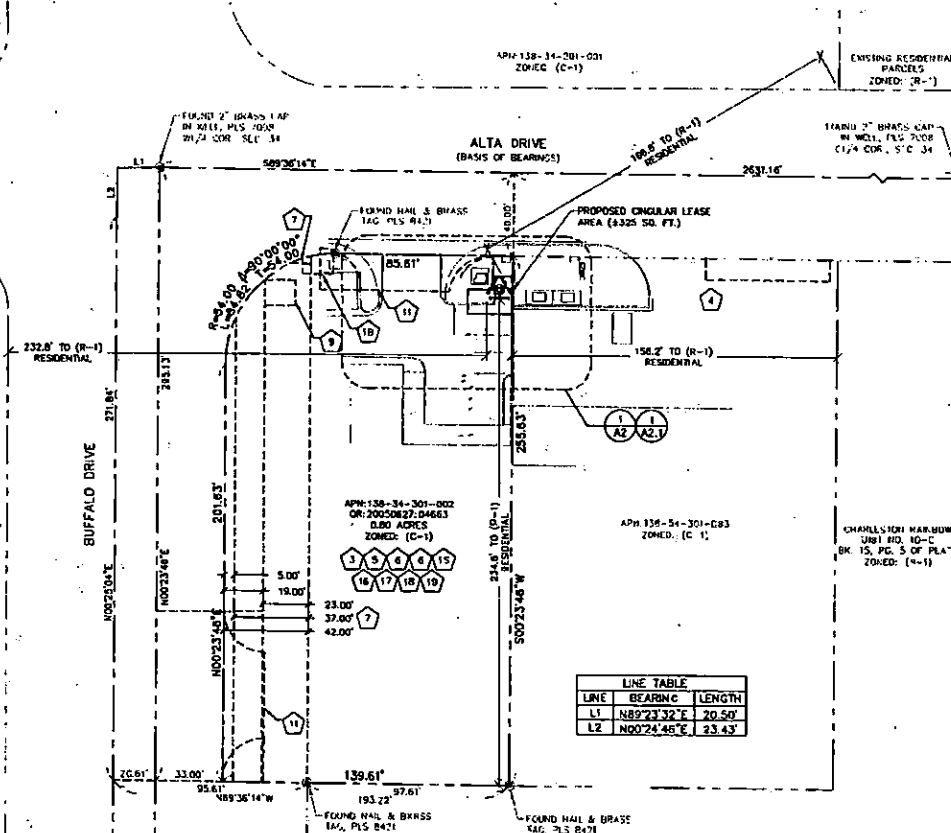
TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO.
06-02-0305-NINE, DATED JANUARY 20, 2006, PREPARED BY NEVADA
TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND
WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL
DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE
CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS
CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 1 RESERVATION & EASEMENTS IN THE PATENT, FROM USA,
OR 17-82, AFFECTS ENTIRE SUBJECT PROPERTY.
- 2 NDC FOR ELEC. FACILITIES, OR 948-907796, DOES NOT AFFECT
SUBJECT PROPERTY.
- 3 AGREEMENT, OR 940617-01029, AFFECTS ENTIRE SUBJECT
PROPERTY.
- 4 FILE 63, PAGE 24 OF PARCEL MAPS, AFFECTS ENTIRE SUBJECT
PROPERTY.
- 5 ORDER OF VACATION, OR 950918-81091, AFFECTS A PORTION OF
SUBJECT PROPERTY AS SHOWN HEREON.
- 6 NDC FOR ELEC. FACILITIES, OR 980224-01779, AFFECTS ENTIRE
SUBJECT PROPERTY, (NOT OCCUPIED BY BUILDING)
- 7 WATERMILL EXPRESS, LEASE, OR 930316-01178, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 8 LYING, FOR WATER FACILITIES, OR 980715-00897, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 9 CLV FOR HIGHWAY/EXPRESS, OR 980814-01338, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 10 AUTO TECH, LEASE, OR 20030312-00958, AFFECTS ENTIRE
SUBJECT PROPERTY.
- 11 BRAKE DEPOT, LEASE, OR 20030312-00958,
AFFECTS ENTIRE SUBJECT PROPERTY.
- 12 MR. CONVERTER, LEASE, OR 20030312-00956,
AFFECTS ENTIRE SUBJECT PROPERTY.
- 13 ALL VALLEY WINDOW TINTING, LEASE,
OR 20030312-00960, AFFECTS ENTIRE SUBJECT
PROPERTY.
- 14 WATER MILL EXPRESS, LEASE, OR 20030312-00952,
AFFECTS ENTIRE SUBJECT PROPERTY.

EXISTING RESIDENTIAL PARCELS
ZONED (R-1)

EXISTING RESIDENTIAL PARCELS
ZONED: (R-1)



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- OFFICIAL RECORD
- POWER POLE

cingular
WIRELESS

3763 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/22/06	WOK ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7703
FAX (702) 367-8733

DRAWN BY: CHK. APV.

D. ESCOBAR M. CEFALLI C. WENER

LICENSURE:

SHEET TITLE:

SITE PLAN

SHEET NUMBER: REVISION:

A1

3

LSVGNVL
435-04

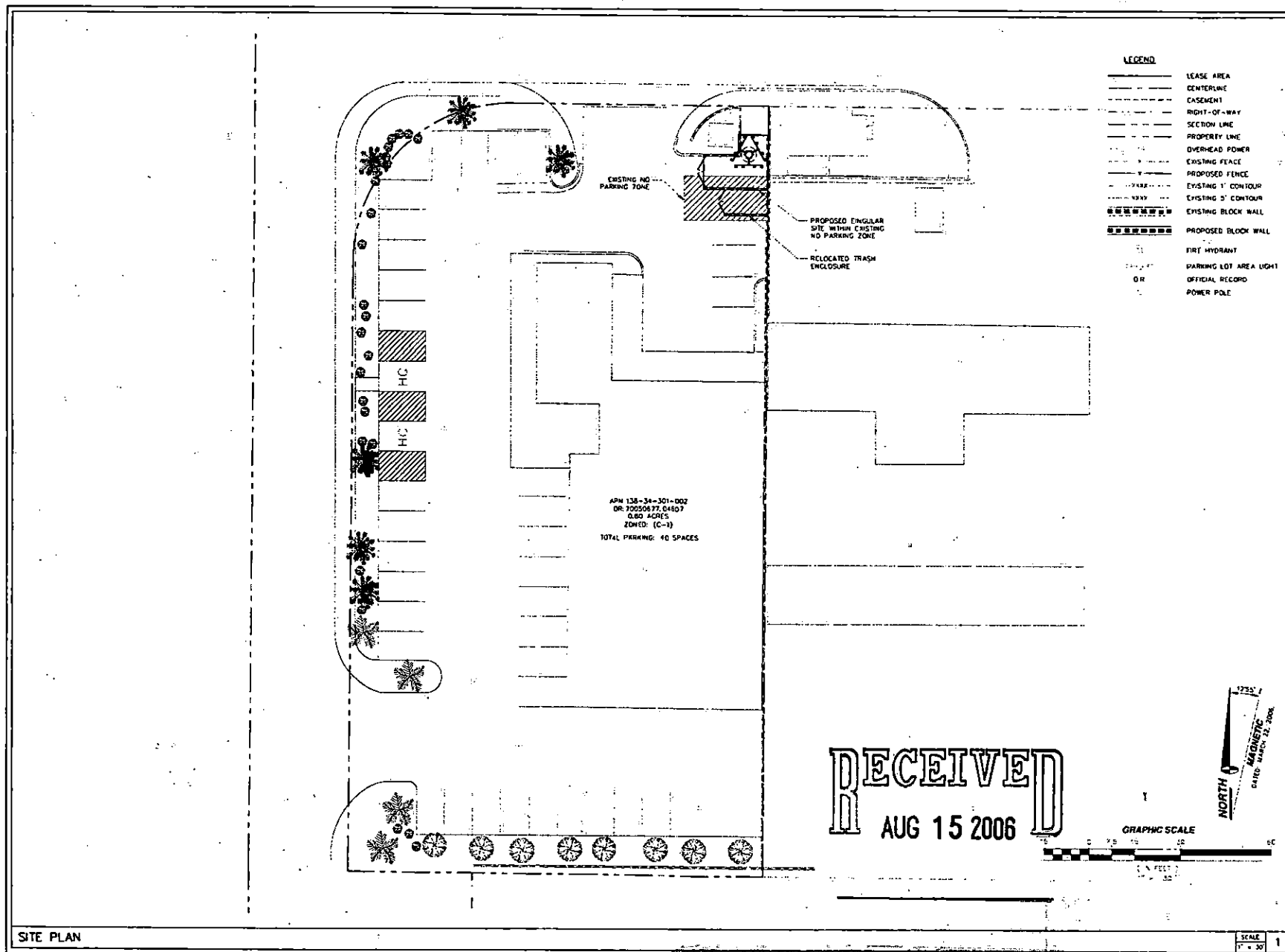
SITE PLAN

RECEIVED
AUG 15 2006



VAR-13851
12/07/06 PC

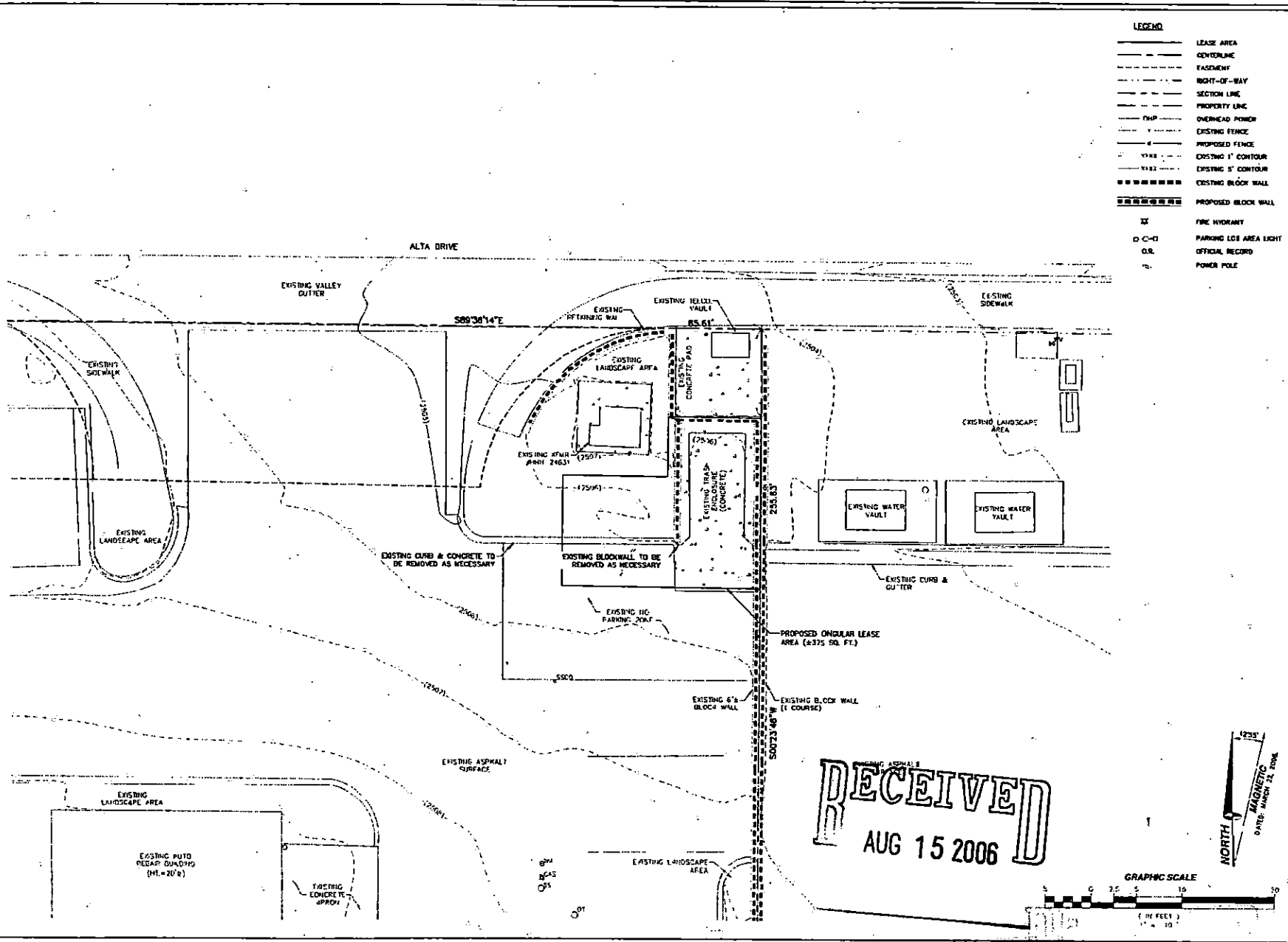
AUG 1 2006



PROJECT INFORMATION:											
LSVGNVL-435-04 ALTA & BUFFALO											
500 SOUTH BUFFALO DRIVE LAS VEGAS, NEVADA 89145											
CURRENT ISSUE DATE:											
04/19/06											
ISSUED FOR:											
ZONING											
REV: DATE: DESCRIPTION: BY:											
<table border="1"> <tr> <td>04/19/06 100% ZONING</td> <td>R.B.</td> </tr> <tr> <td>05/30/06 CLIENT REVISION</td> <td>D.S.</td> </tr> <tr> <td>01/28/06 CLIENT REVISION</td> <td>D.S.</td> </tr> <tr> <td>01/24/06 CLIENT REVISION</td> <td>D.S.</td> </tr> <tr> <td>03/22/06 90% ZONING</td> <td>D.S.</td> </tr> </table>		04/19/06 100% ZONING	R.B.	05/30/06 CLIENT REVISION	D.S.	01/28/06 CLIENT REVISION	D.S.	01/24/06 CLIENT REVISION	D.S.	03/22/06 90% ZONING	D.S.
04/19/06 100% ZONING	R.B.										
05/30/06 CLIENT REVISION	D.S.										
01/28/06 CLIENT REVISION	D.S.										
01/24/06 CLIENT REVISION	D.S.										
03/22/06 90% ZONING	D.S.										
PLANS PREPARED BY:											
DRAWN BY: CHK: APV:											
D. ESCOBAR M. EFFALO C. WENER											
LICENSURE:											
SHEET TITLE:											
SITE PLAN											
SHEET NUMBER: REVISION:											
A1.1 4											
LSVGNVL A35-04											

VAR-13851
12/07/06 PC

AUG 15 2006



- LEGEND**
- LEASE AREA
 - CENTERLINE
 - EASEMENT
 - RIGHT-OF-WAY
 - SECTION LINE
 - PROPERTY LINE
 - OVERHEAD POWER
 - EXISTING FENCE
 - PROPOSED FENCE
 - EXISTING 1" CONTOUR
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 - EXISTING BLOCK WALL
 - PROPOSED BLOCK WALL
 - XX FIRE HYDRANT
 - C-40 PARKING LOT AREA LIGHT
 - O.R. OFFICIAL RECORD
 - PO POWER POLE

cingular
WIRELESS

3763 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION:

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY:

REV.	DATE	DESCRIPTION	BY:
3	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
1	03/24/06	CLIENT REVISION	D.S.
0	03/22/06	90% ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7355 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8735

DRAWN BY: CHK. AP V:
D. ESCOBAR M. CEFALU C. WENGER

LICENSURE:

SHEET TITLE:
EXISTING SITE DETAIL

SHEET NUMBER:

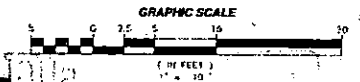
A2 3

REVISION:

LSVGNVL 435-04

RECEIVED
AUG 15 2006

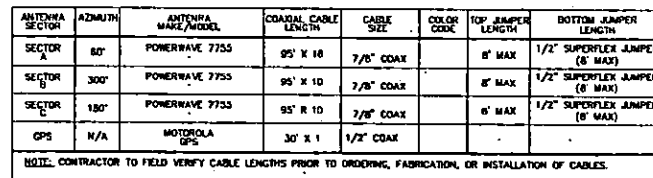
NORTH
MAGNETIC
DATE: MARCH 22, 2006



EXISTING SITE DETAIL

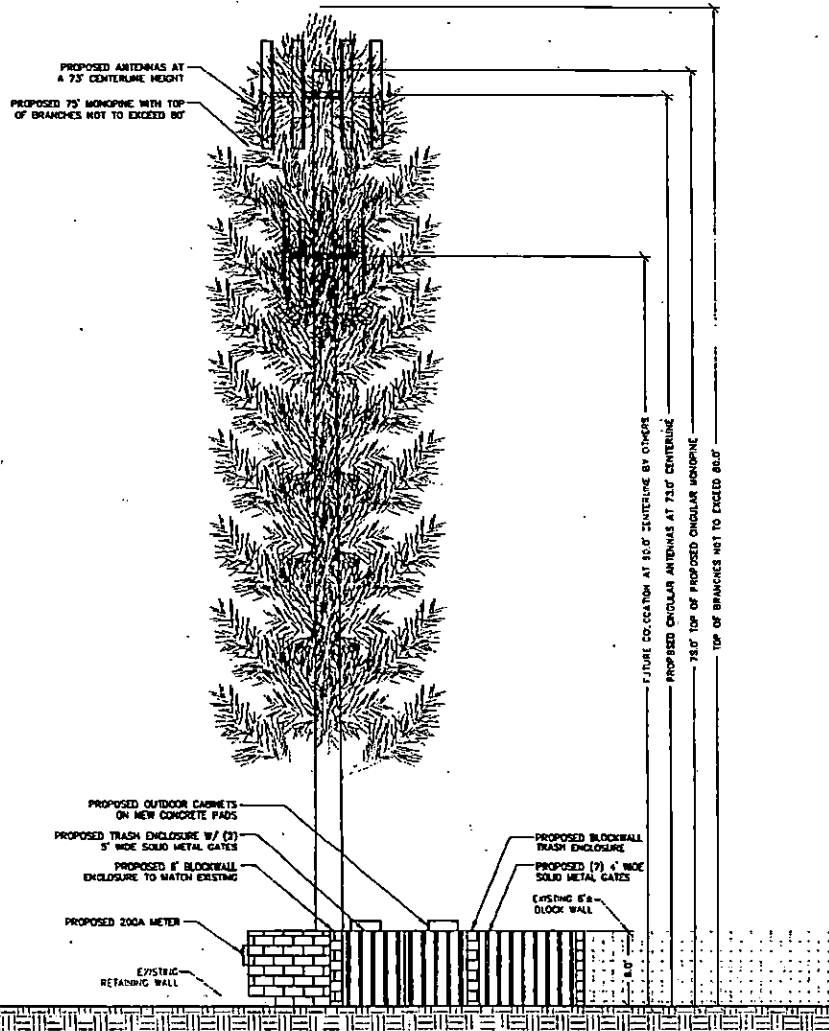
VAR-13851
12/07/06 PC

AUG 15 2006



NOTE:

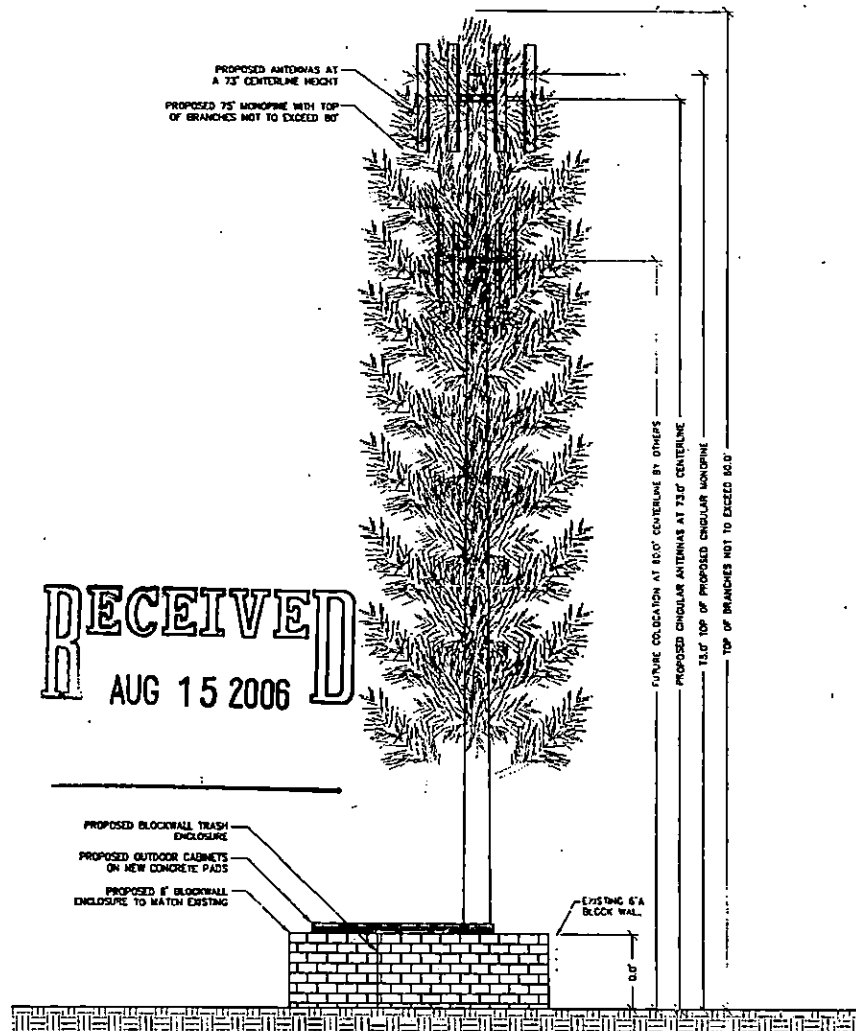
VAR-13851
12/07/06 PC



WEST ELEVATION

SCALE: 1" = 20'

2



SOUTH ELEVATION

SCALE: 1" = 20'

1

RECEIVED
AUG 15 2006

cingular
WIRELESS

3783 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION:

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

3	03/30/06	CLIENT REVISION	D.S.
2	03/29/06	CLIENT REVISION	D.S.
1	03/24/06	CLIENT REVISION	D.S.
0	03/22/06	BOX CONSTRUCTION	D.S.

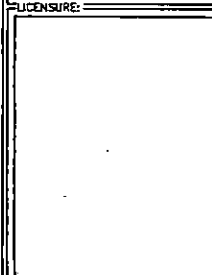
PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7301 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY: CHK: APV:

D. ESCOBAR M. CEFALU C. WENGER

LICENSURE:



SHEET TITLE:

ELEVATIONS

SHEET NUMBER: REVISION:

A3 3
LSVGNVL
435-04

VAR-13851
12/07/06 PC



Representing Cingular Wireless
1701 W. Charleston, Suite 600
Las Vegas, NV 89102

August 14, 2006

Mr. Ben Sticka
City of Las Vegas, Current Planning Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Cingular Wireless Permanent Communication Facility – Parking Variance Application
500 S. Buffalo Drive (APN 138-34-301-002) LSVG NVL-435-04

Dear Mr. Sticka:

On behalf of Cingular Wireless, we respectfully request your consideration and acceptance of the enclosed Wireless Communication Facility Parking Variance application. This project is located on APN 138-34-301-002 on the northeast corner of Buffalo Drive and Alta Road. It is to be constructed as an 80-foot, "pine-tree stealth," full-array antenna configuration, wireless communication tower with all equipment located inside adjacent outdoor cabinets and screened by an 6-foot block wall to match existing on the C-1, Limited Commercial designated parcel. Also, if this proposal is constructed, soon after completion Sprint is interested in collocating antennas to this stealth pine tree.

As a condition of the recent merger between AT&T and Cingular, the Federal Communications Commission (FCC) stated that in order for the marketplace to remain competitive, Cingular needed to sell their existing network and wireless communication towers to T-Mobile in California and Nevada. Therefore, with this application, Cingular is in the process of rebuilding their network to provide service to all of their existing customers. Without the approval of this application, the surrounding area will not have sufficient network coverage to provide the kind of service the marketplace demands.

This property is located near residentially developed parcels and we propose a 186.8-foot setback to the City of Las Vegas R-1, single family residential property to the northeast, a 158.2-foot setback to the R-1 property to the east, 234.8-foot setback to the R-1 development to the south and 232.8-foot setback to the R-1 property to the west. Due to the 186.8-foot setback from an R-1 property, we are respectfully requesting a Setback Variance. But please note, the Setback Variance will also be needed since the location of the communication compound is flush to the property line where 10-feet is needed on a limited commercial (C-1) parcel.

However, this property was selected for the installation of a communication facility because our options are very limited in this area. Originally, Cingular Wireless tried to collocate our antennas to the existing Verizon pole at the Sprint Utility Switch which is located north on Buffalo. We submitted an application with Verizon last year but Verizon would not accept the design of our project therefore we could not progress with this site.

Next, we tried to add antennas to the roof of the strip mall located on the northeast corner of the Buffalo & Alta intersection. However, after visiting the site for a feasibility study, it was determined that due to the weak structural integrity of the wooden truss members, the roof could not handle the weight of our equipment. Also, since there were other carriers present on the roof, it made it impossible to gain the necessary height separation required for interference from the existing equipment. Therefore, even if the roof possessed the structural

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AUG 15 2006

VAR-13851
12/07/06 PC

integrity, since we couldn't vertically separate our equipment from the other carriers we would shoot our signals directly into one another's antennas & the sites would not function correctly.

Finally, we looked to collocate antennas to the existing slim-line flag pole in the front parking lot of the strip mall but there is not enough ground space for Cingular to put our equipment, not to mention that if we did collocate, the pole would be overstressed by as much as 229 % of capacity (structural analysis included in Setback Variance & Special Use Permit application for reference). As the flag pole is designed, T-Mobile has their coaxial cables running under the parking lot surface to equipment cabinets inside an adjacent building.

Therefore, after trying to make each of the other installations work for Cingular, the only option we have in this intersection is to add a new communication facility.

When Cingular first designed this camouflaged proposal, it was a palm tree, which is difficult for full-array collocation, but after learning Sprint was also interested in adding antennas in this region, we are proposing a stealth pine tree design so that both carriers can hide their antennas within the pine branches.

A Parking Variance is required because the parcel does not conform to the original Site Development Review (U-34-97) which states that the subject site was approved with 42 spaces where 46 are required, but the site was only striped with 40 stalls & a "No Parking" zone. The proposed Cingular installation is designed to occupy & relocate the existing trash enclosure on a rarely used, compact area of the "No Parking" zone which was where the additional two (2) parking stalls were supposed to be located. Therefore, we are technically requesting a Variance for two parking spaces to allow the site to continue to operate as it is presently conducting business. **Two parking stalls is only a 4% deviation from the project as currently approved and overall, 40 spaces is only a 13% deviation from what is required.**

By permitting the Cingular Special Use Permit & Variance applications, an 80-foot camouflaged, stealth pine tree wireless communication facility will be installed on the C-1, Limited Commercial parcel which will be screened by an 6-foot block wall to match existing walls and also designed to be co-locatable by other carriers with plenty of ground space available for future expansion, at an intersection that has no other options. If you have any concerns regarding this application, please contact me immediately at (702) 501-0992.

Sincerely,

Shane Hennessy-York
Land Use Zoning Specialist - West Region
Shane.HennessyYork@wfinet.com

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AUG 15 2006

VAR-13851
12/07/06 PC

Written Objections*

9/14/2006

Planning & Development Dept.
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

meeting
Planning Commission
9/21/2006
6:00 p.m.

Re: Var-1385/28

Var-1602/29

Sup-1384930

Dear Sirs:

We are unable to attend the meeting, but wish to object or protest these Variances (2) and the Special Use Permit.

There is already 2 towers — one on the West side of Buffalo 1/2 block N. of Alta (Sprint) and the other one on the N/E corner across from where this is proposed.

I believe we are going to be over-saturated with towers — mobile!

28 VAR-13851
29 VAR-16021
30 SUP-13849

(2.)

It is obvious that our complaining will do no good, because it sounds like it is going in anyway.

We, in the neighborhood object to 80 foot towers & being bombarded with radio waves. (radiation)

It does not sound good to us or probably anyone else who is working & cannot attend the meetings. (radiation)

Sincerely,
Mr & Mrs. Wm. Betters
457 Anatolia Lane
Las Vegas, Nv. 89145

Telephone Protest/ Approval Log

Meeting Date: 09/21/06

Case Number: Sup-13849
VAR-13851
VAR-16021

Date: 09/15/06
Name: Diana Mleszewsky
Address: 416 Sam Jonas Dr
Las Vegas NV
Phone: 702-838-7406
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - VAR-16021 - VARIANCE RELATED TO VAR-13851 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO -
Request for a Variance TO ALLOW 42 PARKING SPACES WHERE 46 ARE REQUIRED FOR THE ADDITION OF A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER on 0.80 acres at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 01/03/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

MINUTES:

DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS

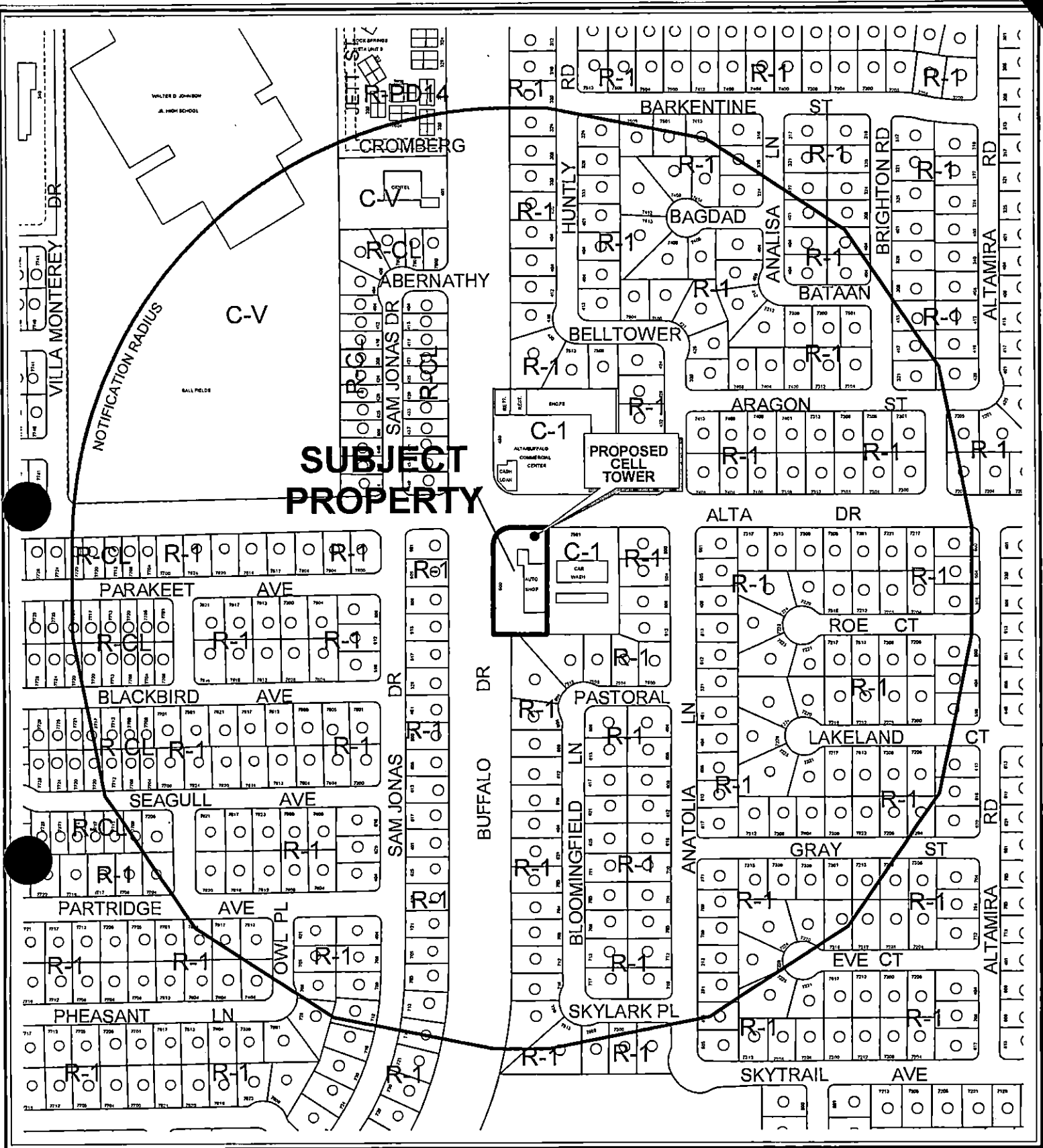
To be heard by City Council on 01/03/2007

MINUTES:

NOTE: See Item 5 [VAR-13851] for all related discussion.

(6:18 – 6:21)

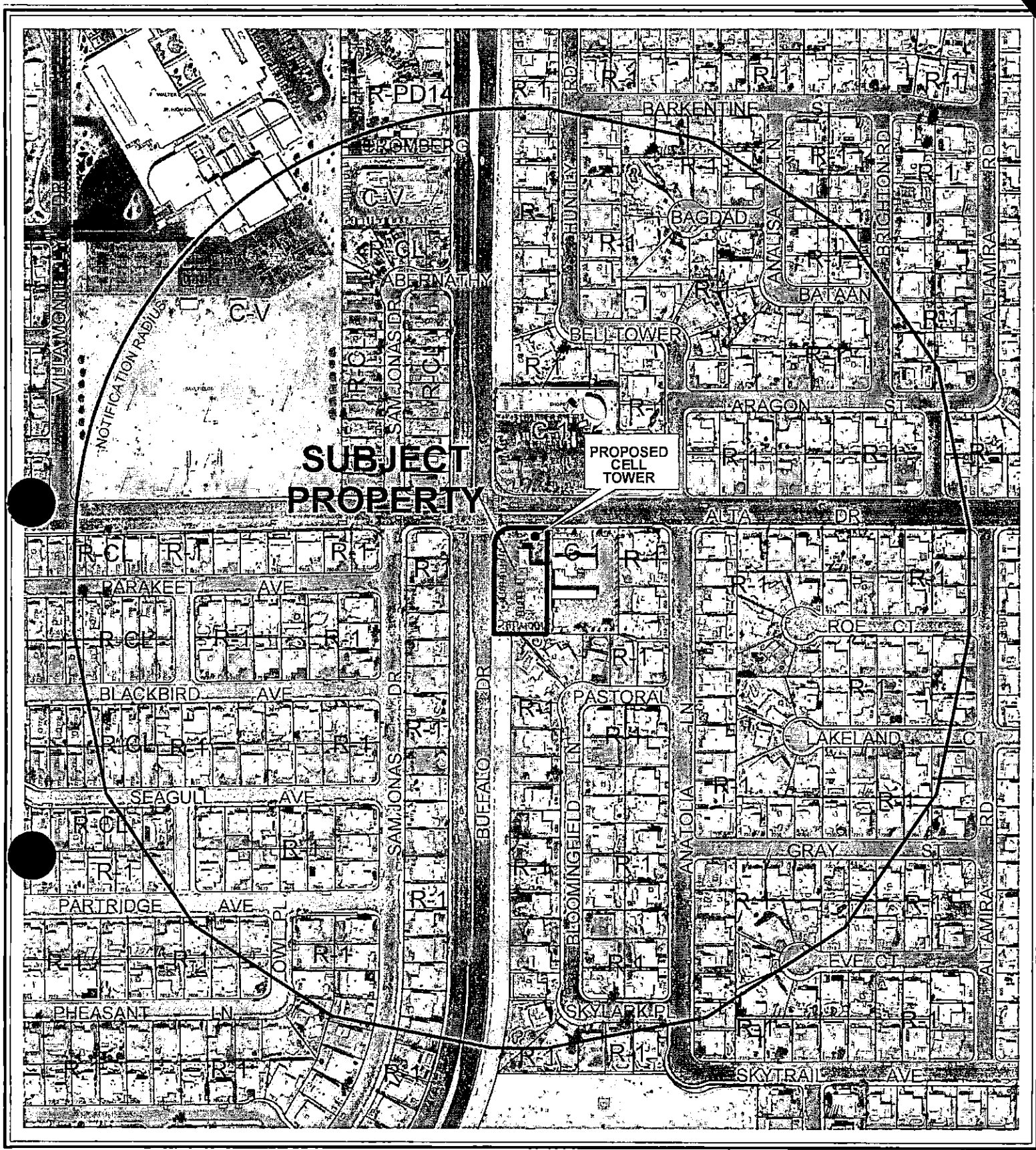
1-522



CASE: VAR-16021

RADIUS: 1000 FT

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



CASE: **VAR-16021**

RADIUS: 1000 FT

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-16021 - APPLICANT: CINGULAR
WIRELESS - OWNER: ROBBIE AUTO

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-13849) and Variance (VAR-13851), if approved.
2. Applicant to re-stripe the parking lot.
3. Install an additional handicapped parking space adjacent to the existing handicapped parking space.
4. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-16021 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

A request for a Variance (VAR-16021) to allow 42 parking spaces where 46 are required for a proposed 80-foot tall wireless communication facility, stealth design in conjunction with an existing commercial center on 0.80 acre at 500 South Buffalo Drive.

EXECUTIVE SUMMARY

The applicant is proposing to install a (stealth-pole) cellular communications monopole at a height of 80 feet. The cellular communications monopole is located within an existing landscape area in the northeast corner of the site, which is 158.2 feet from an R-1 (Single Family Residential) zoned single-family residential subdivision. The equipment enclosure will displace four parking spaces and will require the relocation of the trash enclosure.

BACKGROUND INFORMATION

A) Related Actions

03/12/70	The Planning Commission held Z-0009-70 in abeyance.
04/28/70	The Planning Commission approved Z-0009-70 to re-zone 2.5 acres from R-E to C-1.
05/06/70	The City Commission approved Z-0009-70 to re-zone 2.5 acres from R-E to C-1.
08/09/90	The Planning Commission approved a Plot Plan Review (Z-0009-70) for a 20,175 square foot retail shopping center, which was never built.
02/15/95	The Board of Zoning Adjustment denied a Special Use Permit (U-0328-94) to permit a 24-hour Carwash.
02/15/95	The City Council approved a Special Use Permit (U-0328-94) to permit a Carwash with the hours of operation limited to 7am to 11pm.
06/05/96	The City Council denied a review of a condition (U-0328-94) limiting the hours of operation of a Carwash.
05/06/97	The Zoning Board of Adjustment held a Variance (V-0042-97) in abeyance to reduce the side setback for a shopping center.

VAR-16021 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

- 05/08/97 The Planning Commission approved a Special Use Permit (U-0034-97) for a minor automotive repair business as part of a 9,283 square foot retail center.
- 06/03/97 The Zoning Board of Adjustment denied a Variance (V-0042-97) to reduce the side setback for a shopping center.
- 06/23/97 The City Council approved a Variance (V-0042-97) to reduce the side setback for a shopping center, which included the reduction in the size of the shopping center from the 9,283 square feet approved by U-0034-97 to 8,671 square feet and was developed as an automobile service center with several auto-related businesses with a total of 8,146 square feet.
- 09/21/06 The Planning Commission held this application along with SUP-13849 and VAR-13851 in abeyance to the 10/19/06 Planning Commission meeting.
- 10/19/06 The Planning Commission held this application in abeyance to the 12/07/06 Planning Commission meeting.

B) Pre-Application Meeting

- 5/25/06 A pre-application meeting was held to discuss the expansion of an existing cellular communication (stealth-pole) monopole. At the meeting the applicant was informed that increasing the height of this cell tower would require a variance because it would result in an intrusion into the residential adjacency setback. The applicant was informed that this cell tower is located within 600 feet of an existing (stealth flag pole) cell tower.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.06
Net Acres: 0.80

VAR-16021 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Commercial
 North: Commercial
 Single-family Residential
 South: Single-family Residential
 East: Commercial
 Single-family Residential
 West: Single-family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 L (Low Density Residential)
 South: L (Low)
 East: SC (Service Commercial)
 L (Low Density Residential)
 West: L (Low Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 South: R-1 (Single Family Residential)
 East: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 West: R-1 (Single Family Residential)

E) General Plan Compliance

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

Buffalo Drive is listed as an On-Street Bicycle Trail Alignment in the Las Vegas 2020 Master Plan.

VAR-16021 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Requested	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	100 Feet	127 Feet	Y
Min. Setbacks			
• Front	240 Feet	232.8 Feet	N
• Side	240 Feet	234.8 Feet	N
• Corner	240 Feet	186.8 Feet	N
• Rear	240 Feet	158.2 Feet	N
Max. Lot Coverage	50 %	NA	N/A
Max. Building Height	52.7 Feet	80 Feet	N

A2) Residential Adjacency Standards

The cell tower will be a collocation facility with one antenna array at approximately 62 feet in height and the second antenna array at a height of 80 feet, both of which intrude into the residential adjacency setback requirement. At 80 feet, the residential adjacency standard requires a 240-foot setback, while the lower antenna array requires a residential adjacency setback of 186 feet.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	8146 SF.	5 Spaces Plus 1 Space/200 sq. ft. of GFA	46	2	42	1

The proposed cellular transmission tower will displace four required parking spaces, an 8.6% reduction. A site inspection has revealed that there is only one handicapped parking space for this automobile service center.

VAR-16021 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	One (1) Tree/ Six (6) Spaces	Five (5) Trees	Two (2)
Buffer:			
• Min. Trees	One (1) Tree/ 20 Linear Feet	15 Trees	11
• Min. Zone Width	15 Feet Along Street Frontage 8 Feet Adjacent to Residential		6 Feet
• Wall height	6 Feet		

The landscaping at this location does not conform to current landscape requirements. Moreover, site inspections reveal that a significant number of shrubs are dying and several trees are dying.

B) General Analysis and Discussion

This site has an extensive history of zoning actions dating back to 1970. Several configurations of shopping centers including one with a convenience store with gasoline station were approved, but were never developed. This site now consists of two separate parcels separated by a CMU block wall. The east parcel is developed with a self-service carwash, while this parcel (west parcel) is developed with an 8,146 square foot automobile service center. The applicant stated that the shopping center on the NEC of Alta Drive & Buffalo Drive has two cellular transmission facilities on the roof of buildings in the shopping center. The applicant also stated that another cellular transmission facility exists on the NWC of Alta Drive & Buffalo Drive. A site inspection has shown that the parking lot is poorly striped and is in need of re-striping.

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."

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December 7, 2006 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by locating an equipment structure within an existing parking area. Alternatively, locating the cellular transmission tower and equipment on the roof below a parapet wall with a maximum height of 50 feet to the top of the monopole would allow conformance to the parking requirements as outlined in Title 19, including the residential adjacency setback requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 8

SENATE DISTRICT 3

NOTICES MAILED 403 [Mailed with VAR-13851 & SUP-13849]

APPROVALS 0

PROTESTS 2

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AUG 15 2006

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16021**APN: 138-34-301-002Name of Property Owner: Robbie AutoName of Applicant: Cingular Wireless

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: _____

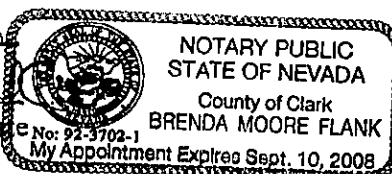
Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Robert Flanck

Subscribed and sworn before me

This 3rd day of Aug, 2006Brenda Moore Flank
Notary Public in and for said County and State

BASIS OF BEARINGS

A FIELD SURVEY WAS PERFORMED ON FEBRUARY 17, 2006.
SOUTH 89°26'14" EAST, BEING THE NORTH LINE OF THE
SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 20
SOUTH, RANGE 80 EAST, N.M.S. AS SHOWN BY MAP THEREOF
ON FILE IN FILE 83, PAGE 24 OF PARCEL MAPS IN THE
CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

CITY OF LAS VEGAS VERTICAL CONTROL, 81100 3464,
BEING A 1.5" BRASS CAP IN THE TOP OF CURB AT THE
NORTHWEST CORNER OF BUFFALO DRIVE AND ALTA DRIVE,
NEAR THE PC OF BUFFALO DRIVE.

ELEVATION: 2510.02 FEET (NAVD 1988)
785.026 METERS (NAVD 1988)

LEGAL DESCRIPTION

THAT CERTAIN PARCELS OF LAND AS DESCRIBED IN A GRANT,
BARGAIN & SALE DEED RECORDED JUNE 13, 2006 IN BOOK
20050627 AS INSTRUMENT NO. 04667 IN THE CLARK COUNTY
RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN
THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST
QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 20 SOUTH,
RANGE 80 EAST, N.M.S.

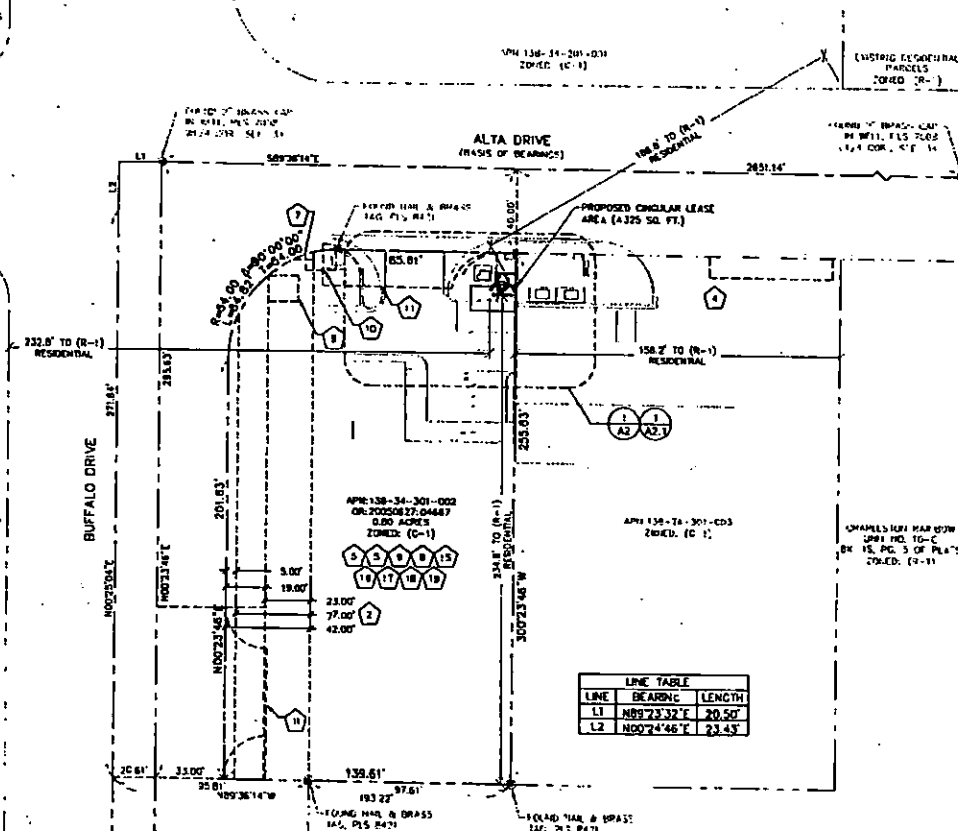
TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO.
04-02-0205-HME, DATED JANUARY 20, 2006, PREPARED BY NEVADA
TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND
WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL
DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE
CONSIDERED FOR THIS SURVEY AND RE-LEIRED BELOW. ITEM NUMBERS
CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 1 RESERVATION & EASEMENTS IN THE PATENT, FROM USA
OR 17-02, AFFECTS ENTIRE SUBJECT PROPERTY.
- 2 NVC FOR DEC. FACILITIES, OR: 948-907798, DOES NOT AFFECT
SUBJECT PROPERTY.
- 3 AGREEMENT, OR: 840612-01029, AFFECTS ENTIRE SUBJECT
PROPERTY.
- 4 FILE 83, PAGE 24 OF PARCEL MAPS, AFFECTS ENTIRE SUBJECT
PROPERTY.
- 5 ORDER OF VACATION, OR: 850818-01001, AFFECTS 4 PORTION OF
SUBJECT PROPERTY AS SHOWN HEREON.
- 6 NVC FOR DEC. FACILITIES, OR: 800224-01778, AFFECTS ENTIRE
SUBJECT PROPERTY, (NOT OCCUPIED BY BUILDING)
- 7 WATERMILL EXPRESS, LEASE, OR: 830318-01178, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 8 LYING FOR WATER FACILITIES, OR: 800712-00897, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 9 CLY. FOR INGRESS/ EGRESS, OR: 960814-01334, AFFECTS A
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 10 AUTO TECH, LEASE, OR: 20030312-00858, AFFECTS ENTIRE
SUBJECT PROPERTY.
- 11 BRINKS DEPOT, LEASE, OR: 20030312-00958, AFFECTS ENTIRE
SUBJECT PROPERTY.
- 12 MR. CONVERTER, LEASE, OR: 20030312-00954, AFFECTS ENTIRE
SUBJECT PROPERTY.
- 13 ALL VALLEY WINDOW TINTING, LEASE, OR: 20030312-00953, AFFECTS ENTIRE
SUBJECT PROPERTY.
- 14 WATER MILL EXPRESS, LEASE, OR: 20030312-00953, AFFECTS ENTIRE
SUBJECT PROPERTY.

EXISTING RESIDENTIAL PARCELS
ZONED (R-0)

EXISTING RESIDENTIAL PARCELS
ZONED (R-1)



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING 1" CONTOUR
- EXISTING 5" CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- OFFICIAL RECORD
- POWER POLE

x cingular
WIRELESS

3783 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/22/06	NOT ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
1351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 507-7700
FAX: (702) 567-8733

DRAWN BY: CHK. BY: APPV.:

D. ESCOBAR M. GEFALU C. WENGER

LICENSURE:

SHEET TITLE

SITE PLAN

SHEET NUMBER: REVISION:

A1 **3**
LSVGNVL
435-04

SITE PLAN

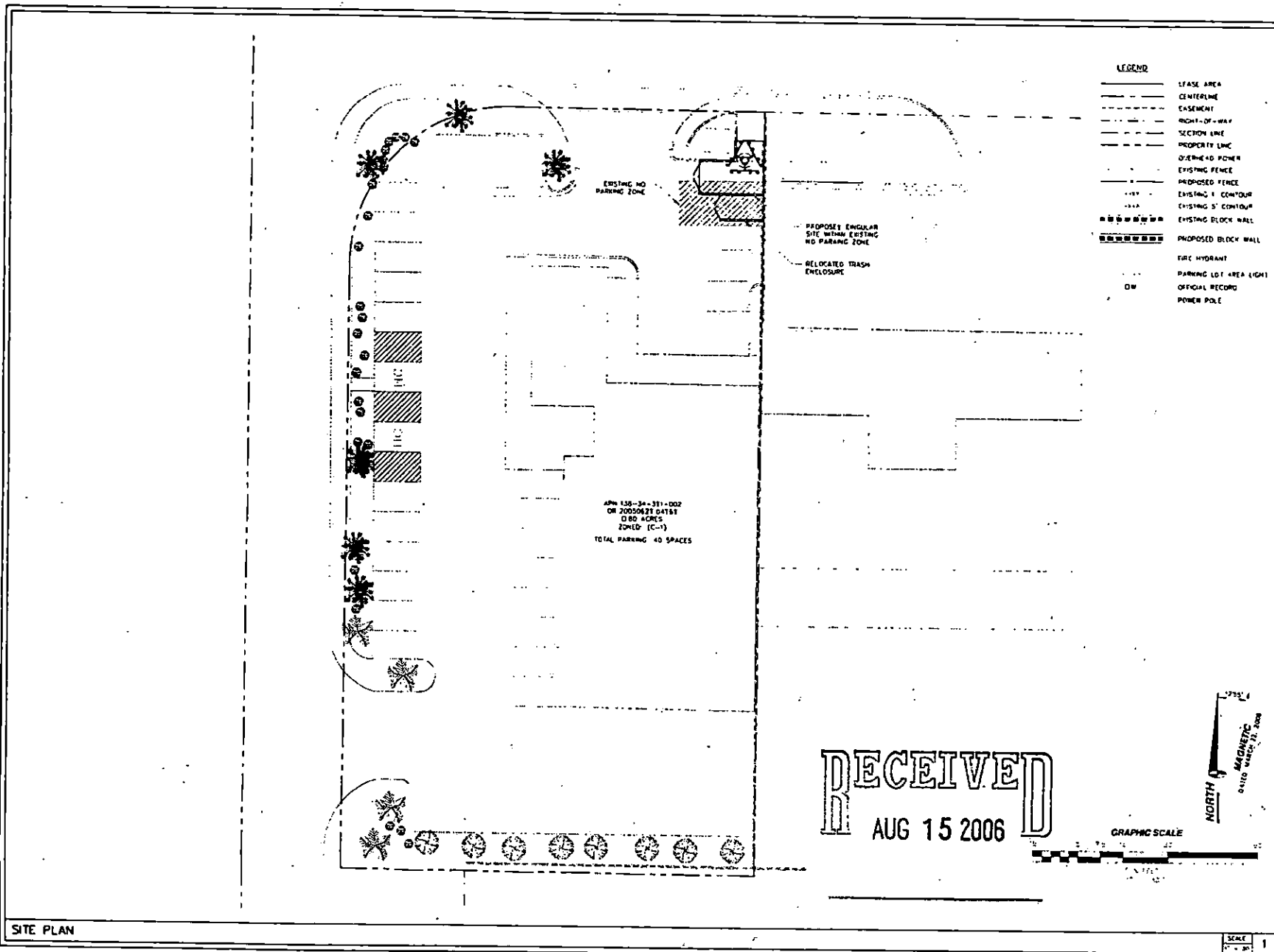
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SCALE
1" = 60'

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12/07/06 PC

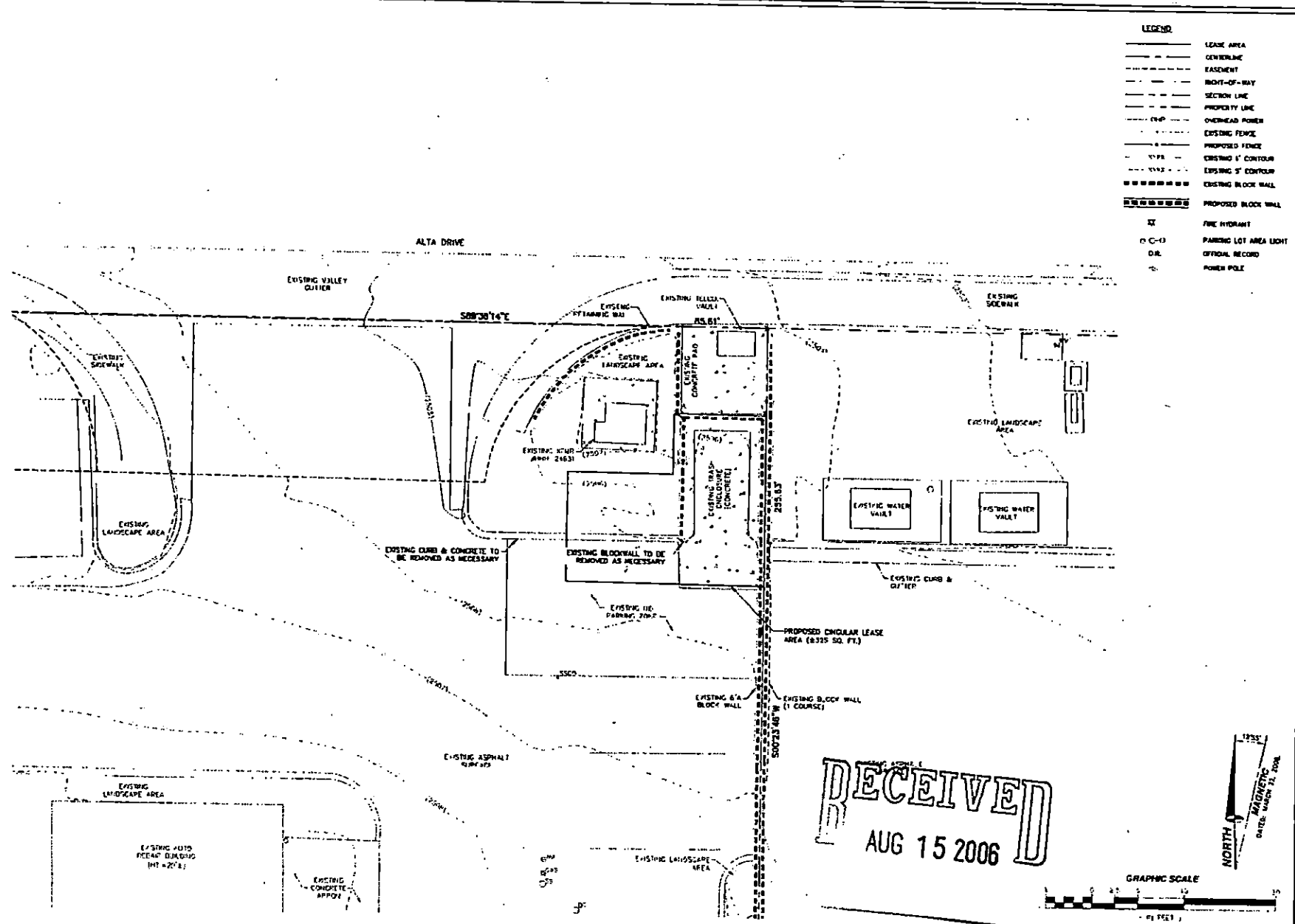
AUG 1 2006



PROJECT INFORMATION		
LSVGNV-435-04 ALTA & BUFFALO		
500 SOUTH BUFFALO DRIVE LAS VEGAS, NEVADA 89145		
CURRENT ISSUE DATE		
04/19/06		
ISSUED FOR		
ZONING		
REV	DATE	DESCRIPTION
	04/19/06	100% ZONING
	03/30/06	CLIENT REVISION
	03/28/06	CLIENT REVISION
	03/24/06	CLIENT REVISION
	03/22/06	100% ZONING
PLANS PREPARED BY:		
DRAWN BY: CHN APV		
D ESCOBAR M EFFALO C WENER		
LICENSURE:		
SHEET TITLE		
SITE PLAN		
SHEET NUMBER		
REVISION		
A1.1 4		
LSVGNV-435-04		

VAR-16021

12/07/06-PC



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING 1" CONTOUR
- EXISTING 5" CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- XX FIRE HYDRANT
- (C-1) PARKING LOT AREA LIGHT
- D.R. OFFICIAL RECORD
- PO POWER POLE

cingular
WIRELESS

3783 HOWARD HUGHES PKWY. STE 200
LAS VEGAS, NV 89103

PROJECT INFORMATION

LSVG NVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV: DATE DESCRIPTION BY:

1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/22/06	BOX ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
2351 W CHARLSTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 362-2705
FAX: (702) 362-8233

DRAWN BY:

D. ESCOBAR M. ZETALU C. WENNER

CHECKED BY:

DATE:

SCALE:

SHEET TITLE:

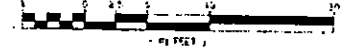
EXISTING SITE DETAIL

SHEET NUMBER:

REVISION:

SCALE:

GRAPHIC SCALE



NORTH
MAGNETIC
DATE: MARCH 11, 2004

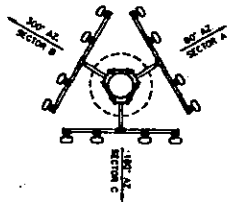
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EXISTING SITE DETAIL

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12/07/06 PC

7051 0000

A2 **3**
LSVG NVL 435-04



ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	COLOR CODE	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH
SECTOR A	90°	POWERWAVE 7755	95' X 10	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
SECTOR B	300°	POWERWAVE 7755	95' X 10	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
SECTOR C	180°	POWERWAVE 7755	95' X 10	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
OPS	N/A	MOTOROLA OPS	30' X 1	1/2" COAX			

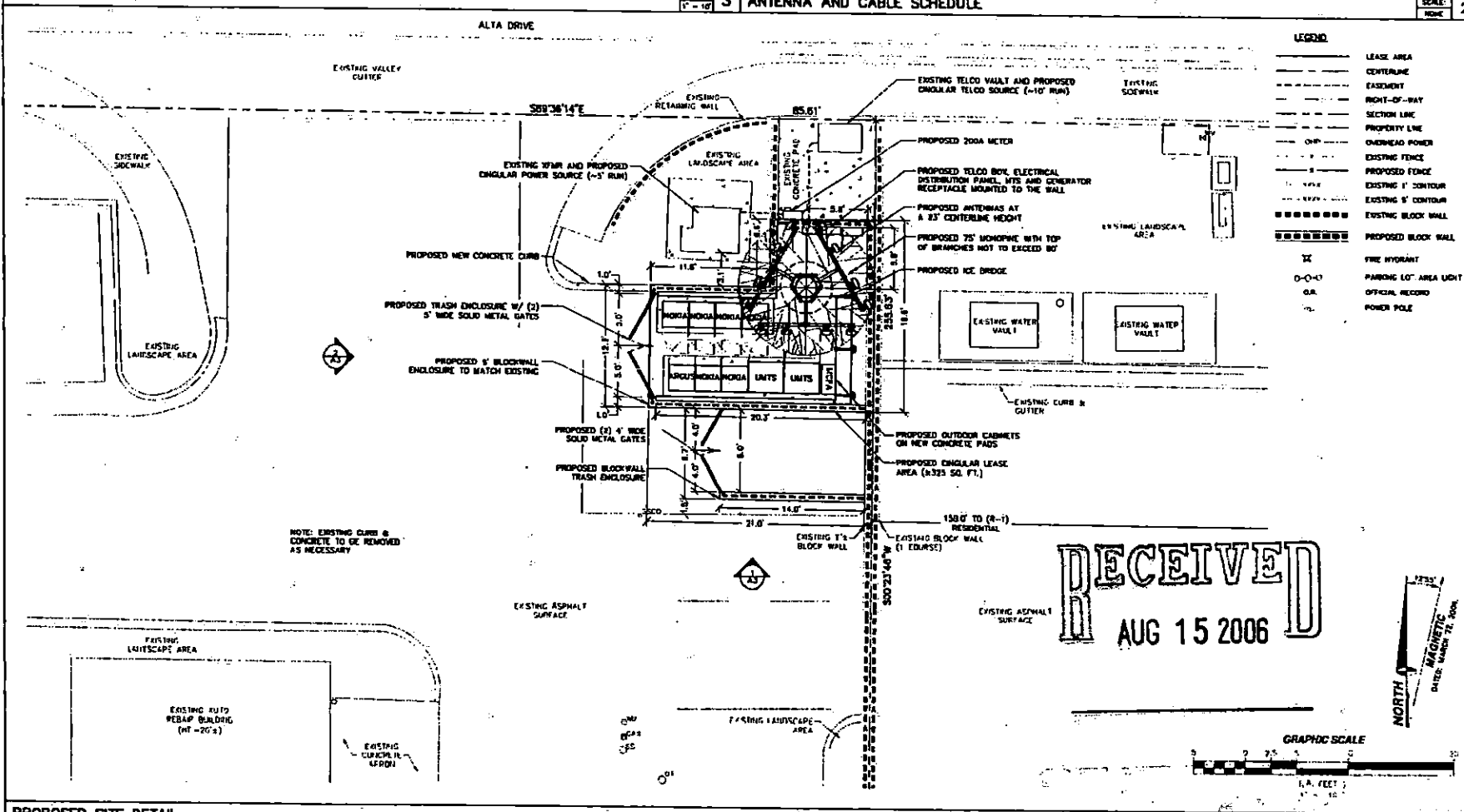
NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATING, OR INSTALLATION OF CABLES

ANTENNA LAYOUT

SCALE: 1" = 10'

ANTENNA AND CABLE SCHEDULE

SCALE: NONE 2



PROPOSED SITE DETAIL

X cingular
WIRELESS

3783 D-HARDY HUGHES DRIVE, STE. 200
LAS VEGAS, NV 89109

PROJECT INFORMATION:

LSVGNV-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/21/06	BOX ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 N. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH (702) 367-7705
FAX (702) 367-8733

DRAWN BY: CHK. BY: APV. BY:

D. ESCOBAR M. CEFAU C. WENER

LICENSE:

SHEET TITLE:

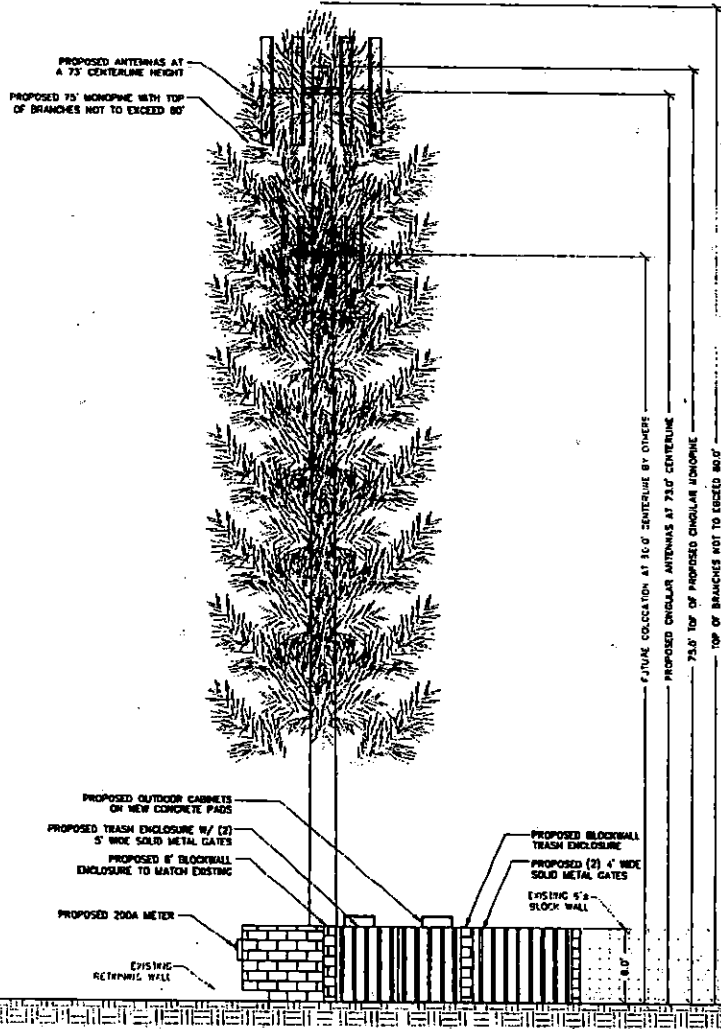
PROPOSED SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

SHEET NUMBER: REVISION

A2.1 3

LSVGNV 435-04

VAR-16021
12/07/06 PG

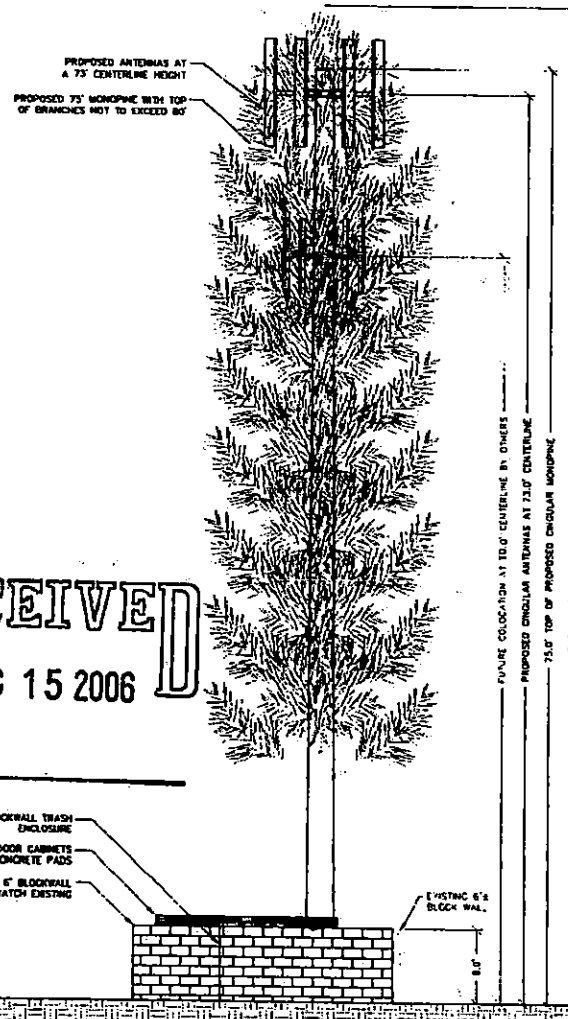


WEST ELEVATION

SCALE 1" = 10'

2

SOUTH ELEVATION



SCALE 1" = 10'

1

cingular
WIRELESS

2783 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89129

PROJECT INFORMATION

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/22/06	NOT CONSTRUCTION	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
3391 N. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-7705
FAX: (702) 367-8733

DRAWN BY: CHK.: APV.:

D. ESCOBAR M. CEFALLI C. WENNER

LICENSURE:

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: REVISION:

A3

3

LSVGNVL
435-04

VAR-16021
12/07/06 PC



Representing Cingular Wireless
1701 W. Charleston, Suite 600
Las Vegas, NV 89102

August 14, 2006

Mr. Ben Sticka
City of Las Vegas, Current Planning Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Cingular Wireless Permanent Communication Facility – Parking Variance Application
500 S. Buffalo Drive (APN 138-34-301-002) LSVG NVL-435-04

Dear Mr. Sticka:

On behalf of Cingular Wireless, we respectfully request your consideration and acceptance of the enclosed Wireless Communication Facility Parking Variance application. This project is located on APN 138-34-301-002 on the northeast corner of Buffalo Drive and Alta Road. It is to be constructed as an 80-foot, "pine-tree stealth," full-array antenna configuration, wireless communication tower with all equipment located inside adjacent outdoor cabinets and screened by an 6-foot block wall to match existing on the C-1, Limited Commercial designated parcel. Also, if this proposal is constructed, soon after completion Sprint is interested in collocating antennas to this stealth pine tree.

As a condition of the recent merger between AT&T and Cingular, the Federal Communications Commission (FCC) stated that in order for the marketplace to remain competitive, Cingular needed to sell their existing network and wireless communication towers to T-Mobile in California and Nevada. Therefore, with this application, Cingular is in the process of rebuilding their network to provide service to all of their existing customers. Without the approval of this application, the surrounding area will not have sufficient network coverage to provide the kind of service the marketplace demands.

This property is located near residentially developed parcels and we propose a 186.8-foot setback to the City of Las Vegas R-1, single family residential property to the northeast, a 158.2-foot setback to the R-1 property to the east, 234.8-foot setback to the R-1 development to the south and 232.8-foot setback to the R-1 property to the west. Due to the 186.8-foot setback from an R-1 property, we are respectfully requesting a Setback Variance. But please note, the Setback Variance will also be needed since the location of the communication compound is flush to the property line where 10-feet is needed on a limited commercial (C-1) parcel.

However, this property was selected for the installation of a communication facility because our options are very limited in this area. Originally, Cingular Wireless tried to collocate our antennas to the existing Verizon pole at the Sprint Utility Switch which is located north on Buffalo. We submitted an application with Verizon last year but Verizon would not accept the design of our project therefore we could not progress with this site.

Next, we tried to add antennas to the roof of the strip mall located on the northeast corner of the Buffalo & Alta intersection. However, after visiting the site for a feasibility study, it was determined that due to the weak structural integrity of the wooden truss members, the roof could not handle the weight of our equipment. Also, since there were other carriers present on the roof, it made it impossible to gain the necessary height separation required for interference from the existing equipment. Therefore, even if the roof possessed the structural

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integrity, since we couldn't vertically separate our equipment from the other carriers we would shoot our signals directly into one another's antennas & the sites would not function correctly.

Finally, we looked to collocate antennas to the existing slim-line flag pole in the front parking lot of the strip mall but there is not enough ground space for Cingular to put our equipment, not to mention that if we did collocate, the pole would be overstressed by as much as 229 % of capacity (structural analysis included in Setback Variance & Special Use Permit application for reference). As the flag pole is designed, T-Mobile has their coaxial cables running under the parking lot surface to equipment cabinets inside an adjacent building.

Therefore, after trying to make each of the other installations work for Cingular, the only option we have in this intersection is to add a new communication facility.

When Cingular first designed this camouflaged proposal, it was a palm tree, which is difficult for full-array collocation, but after learning Sprint was also interested in adding antennas in this region, we are proposing a stealth pine tree design so that both carriers can hide their antennas within the pine branches.

A Parking Variance is required because the parcel does not conform to the original Site Development Review (U-34-97) which states that the subject site was approved with 42 spaces where 46 are required, but the site was only striped with 40 stalls & a "No Parking" zone. The proposed Cingular installation is designed to occupy & relocate the existing trash enclosure on a rarely used, compact area of the "No Parking" zone which was where the additional two (2) parking stalls were supposed to be located. Therefore, we are technically requesting a Variance for two parking spaces to allow the site to continue to operate as it is presently conducting business. **Two parking stalls is only a 4% deviation from the project as currently approved and overall, 40 spaces is only a 13% deviation from what is required.**

By permitting the Cingular Special Use Permit & Variance applications, an 80-foot camouflaged, stealth pine tree wireless communication facility will be installed on the C-1, Limited Commercial parcel which will be screened by an 6-foot block wall to match existing walls and also designed to be co-locatable by other carriers with plenty of ground space available for future expansion, at an intersection that has no other options. If you have any concerns regarding this application, please contact me immediately at (702) 501-0992.

Sincerely,

Shane Hennessy-York
Land Use Zoning Specialist - West Region
Shane.HennessyYork@wfinet.com

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AUG 15 2006

VAR-16021
12/07/06 PC

Written Objections*

9/14/2006

Planning & Development Dept.
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

Meeting
Planning Commission

9/21/2006
6:00 p.m.

Re: Var-1385/28
Var-1602/29
Sup-13849/30

Dear Sirs:

We are unable to attend the meeting, but wish to object or protest these Variances (2) and the Special Use Permit.

There is already 2 towers — one on the West side of Buffalo $\frac{1}{2}$ block N. of Alta (Sprint) and the other one on the N/E corner across from where this is proposed.

I believe we are going to be over-saturated with towers — an embarrassment!

28 VAR-13851
29 VAR-16021
30 SUP-13849

(2.)

It is obvious that our complaining will do no good, because it sounds like it is going in anyway.

We, in the neighborhood object to 80 foot towers & being bombarded with radio waves. (radiation)

It does not sound good to us or probably anyone else who is working & cannot attend the meetings. (radiation)

Sincerely,
Mr & Mrs. Wm. Bettens
429 Natalia Lane
Las Vegas, Nv. 89145

Telephone Protest/ Approval Log

Meeting Date: 09/21/06

Case Number: SUP-13849
VAR-13851
VAR-16021

Date: 09/15/06
Name: Diana Mleszewsky
Address: 416 Sam Jonas Dr
Las Vegas NV
Phone: 702-838-7406
☒ PROTEST ☐ APPROVE

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

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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SUP-13849 - SPECIAL USE PERMIT RELATED TO VAR-13851 AND VAR-16021 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN WITHIN AN EXISTING COMMERCIAL CENTER at 500 South Buffalo Drive (APN 138-34-301-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 01/03/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. Bettens
6. Telephone Protest by Diana Mlesquesky

MOTION:

DAVENPORT – WITHDRAW WITHOUT PREJUDICE – UNANIMOUS

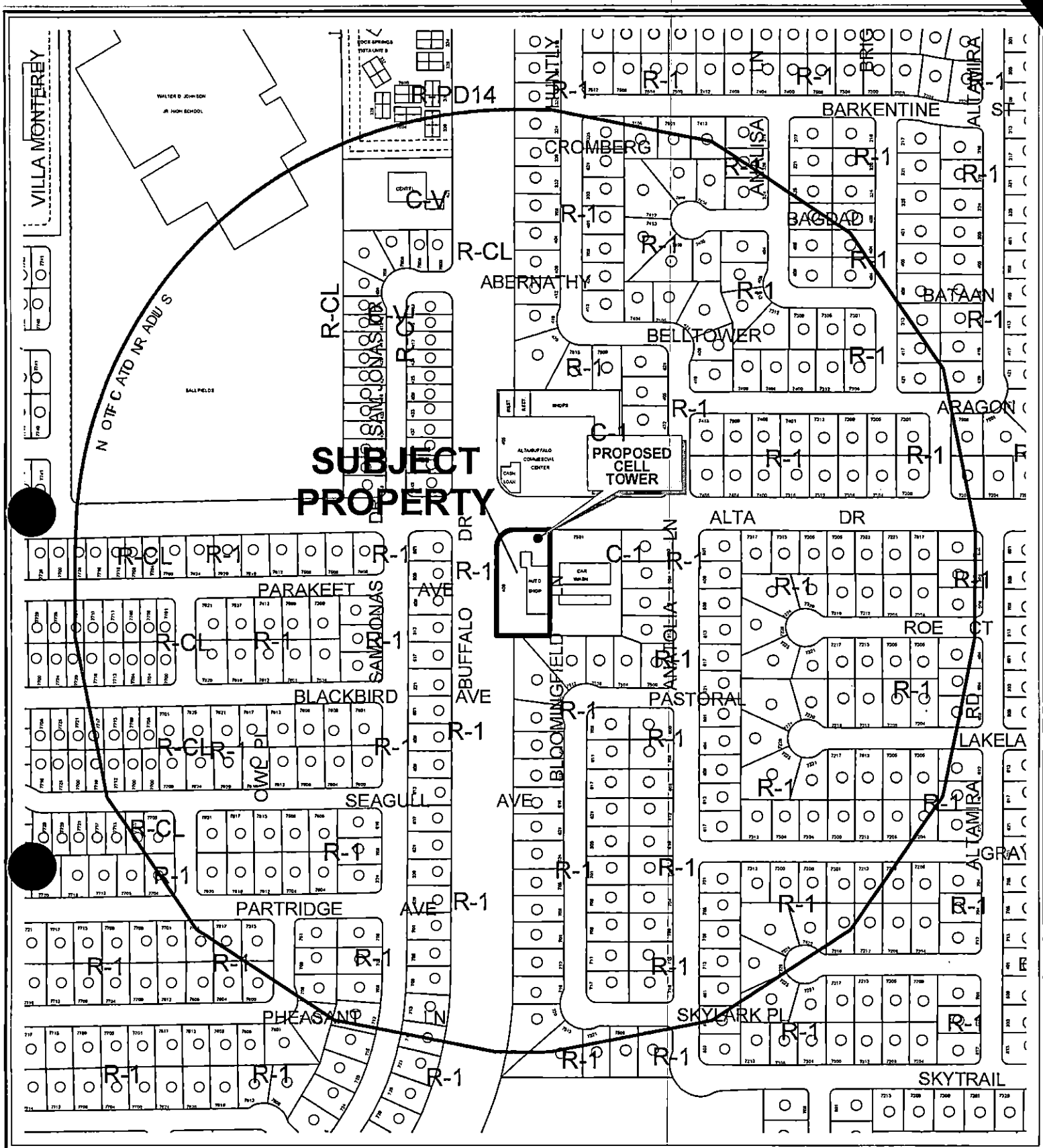
To be heard by City Council on 01/03/2007

MINUTES:

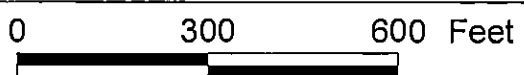
NOTE: See Item 5 [VAR-13851] for all related discussion.

(6:18 – 6:21)

1-522



CASE: SUP-13849
 RADIUS: 1000 FT



C-1 (LIMITED COMMERCIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SUP-13849 - APPLICANT: CINGULAR
WIRELESS - OWNER: ROBBIE AUTO****** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for Variance (VAR-13851) and Variance (VAR-16021), if approved.
2. Replace dying pine trees on the south property line.
3. Replace dying shrubs along the north and west property lines.
4. Replace or repair the irrigation system to ensure landscaping receives adequate water.
5. 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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. Meet with the Flood Control Section of the Department of Public Works for assistance with any pad elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SUP-13849 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed 80-foot tall wireless communication facility, stealth design in conjunction with an existing commercial center on 0.80 acre at 500 South Buffalo Drive.

EXECUTIVE SUMMARY

The applicant is proposing to install a (stealth-pine) cellular communications monopole at a height of 80 feet. The cellular communications monopole is located within an existing landscape area in the northeast corner of the site, which is 158.2 feet from an R-1 (Single Family Residential) zoned single-family residential subdivision. The equipment enclosure will displace four parking spaces and will require the relocation of the trash enclosure.

BACKGROUND INFORMATION

A) Related Actions

03/12/70	The Planning Commission held Z-0009-70 in abeyance.
04/28/70	The Planning Commission approved Z-0009-70 to re-zone 2.5 acres from R-E (Residence Estates) to C-1 (Limited Commercial).
05/06/70	The City Commission approved Z-0009-70 to re-zone 2.5 acres from R-E (Residence Estates) to C-1 (Limited Commercial).
08/09/90	The Planning Commission approved a Plot Plan Review (Z-0009-70) for a 20,175 square foot retail shopping center, which was never built.
02/15/95	The Board of Zoning Adjustment denied a Special Use Permit (U-0328-94) for a 24-hour Carwash.
02/15/95	The City Council approved a Special Use Permit (U-0328-94) for a Carwash with the hours of operation limited to 7am to 11pm.
06/05/96	The City Council denied a review of a condition (U-0328-94) limiting the hours of operation of a Carwash.
05/06/97	The Zoning Board of Adjustment held a Variance (V-0042-97) in abeyance to reduce the side setback for a shopping center.

SUP-13849 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

- 05/08/97 The Planning Commission approved a Special Use Permit (U-0034-97) for a minor automotive repair business as part of a 9,283 square foot retail center.
- 06/03/97 The Zoning Board of Adjustment denied a Variance (V-0042-97) to reduce the side setback for a shopping center.
- 06/23/97 The City Council approved a Variance (V-0042-97) to reduce the side setback for a shopping center, which included the reduction in the size of the shopping center from the 9,283 square feet approved by U-0034-97 to 8,671 square feet and was developed as an automobile service center with several auto-related businesses with a total of 8,146 square feet.
- 09/21/06 The Planning Commission held this application along with VAR-13851 and VAR-16021 in abeyance to the 10/19/06 Planning Commission meeting.
- 10/19/06 The Planning Commission held this application in abeyance to the 12/07/06 Planning Commission meeting.

B) Pre-Application Meeting

- 05/25/06 A pre-application meeting was held to discuss the expansion of an existing cellular communication (stealth-pole) monopole. At the meeting the applicant was informed that increasing the height of this cell tower would require a variance because it would result in an intrusion into the residential adjacency setback. The applicant was informed that this cell tower is located within 600 feet of an existing (stealth flag pole) cell tower.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 1.06
Net Acres: 0.80

SUP-13849 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

B) Existing Land Use

Subject Property: Commercial
 North: Commercial
 Single-family Residential
 South: Single-family Residential
 East: Commercial
 Single-family Residential
 West: Single-family Residential

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 L (Low Density Residential)
 South: L (Low Density Residential)
 East: SC (Service Commercial)
 L (Low Density Residential)
 West: L (Low Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 South: R-1 (Single Family Residential)
 East: C-1 (Limited Commercial)
 R-1 (Single Family Residential)
 West: R-1 (Single Family Residential)

E) General Plan Compliance

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

Buffalo Drive is listed as an On-Street Bicycle Trail Alignment in the Las Vegas 2020 Master Plan.

SUP-13849 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

INTERAGENCY ISSUES

This request does not meet any of the criteria to deem this proposal a project of regional significance.

ANALYSIS

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail	8146 SF.	5 Spaces Plus 1 Space/200 sq. ft. of GFA	46	2	42	2

The proposed cellular transmission tower will displace four required parking spaces, an 8.6% reduction.

B) General Analysis and Discussion

- Zoning**

This site has an extensive history of zoning actions dating back to 1970. Several configurations of shopping centers including one with a convenience store with gasoline station were approved, but were never developed. This site now consists of two separate parcels separated by a CMU block wall. The east parcel is developed with a self-service carwash, while this parcel (west parcel) is developed with an 8,146 square foot automobile service center.

- Use**

The cell tower will be a collocation facility with one antenna array at approximately 62 feet in height and the second antenna array at a height of 80 feet, both of which intrude into the residential adjacency setback requirement. At 80 feet, the residential adjacency standard requires a 240-foot setback, while the lower antenna array requires a residential adjacency setback of 186 feet.

SUP-13849 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

FINDINGS

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

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

At 80 feet in height, this cell tower will intrude into the residential adjacency setback standard by more than 80 feet, thereby making the use incompatible and not in harmony with the surrounding land uses.

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

The proposed site is not physically suitable for the type and intensity of this land-use because the site is not large enough to allow for the proper residential adjacency setback standard as outlined in Title 19.

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."**

This type of land-use has no affect on the surrounding streets or highways.

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

Approval of this Special Use Permit will be inconsistent with the public health, safety, and welfare, and is in direct conflict with the overall objectives of the General Plan by deviating from the residential adjacency setback standards as outlined in Title 19.

SUP-13849 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 8

SENATE DISTRICT 3

NOTICES MAILED 403 [Mailed with VAR-16021 & VAR-13851]

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-13849

Case Number: _____ APN: 138-34-301-002

Name of Property Owner: Robbie Auto

Name of Applicant: Cingular Wireless

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: _____

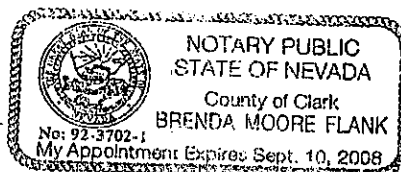
Signature of Property Owner: _____

Print Name: Robert Handa

Subscribed and sworn before me

This 26th day of May, 2006

Brenda Moore Flank
Notary Public in and for said County and State



RECEIVED

MAY 16 2006



ALTA AND BUFFALO
LSVG NVL-435-04

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

THE PROPOSER PROJECT INCLUDES:

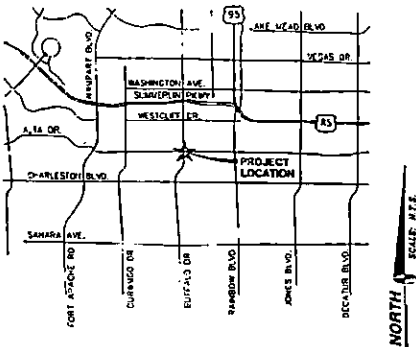
- INSTALLATION OF WIRELESS ANTENNAS AT A 23' CENTERLINE HEIGHT ON A 75' MONOPOLE WITH BRANCHES NOT TO EXCEED 80'
- INSTALLATION OF OUTDOOR CABINETS ON NEW CONCRETE PADS
- INSTALLATION OF ONE GPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- PROPOSED 6" BLOCKWALL ENCLOSURE TO MATCH EXISTING WITH AN ATTACHED TRASH ENCLOSURE
- INSTALLATION OF (4) 5' WIDE SOLID METAL GATES

PROJECT DESCRIPTION

DRIVING DIRECTIONS:

- START FROM 3763 HOWARD HUGHES PKWY LAS VEGAS, NV 89109
- START OUT GOING NORTH ON HOWARD HUGHES PKWY TOWARD SANDS AVE. 0.1 MILES
- TURN LEFT ONTO SANDS AVE. 0.7 MILES
- STAY STRAIGHT TO GO ONTO SPRING MOUNTAIN RD. 4.1 MILES
- TURN RIGHT ONTO S RAINBOW BLVD / NV-595 N. 2.3 MILES
- TURN LEFT ONTO W CHARLESTON BLVD / NV-158 W. CONTINUE TO FOLLOW NV-158 W. 1.0 MILES
- TURN RIGHT ONTO S BUFFALO DR. 0.5 MILES
- END AT 500 S BUFFALO DR LAS VEGAS, NV 89145-5515, US

DRIVING DIRECTIONS



VICINITY MAP

APPLICANT/LESSEE

CINGULAR WIRELESS
3763 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

CONTACTS:
SHANE HENNESSY-YORK (702) 501-0992
STEVE GIBSON (702) 501-4100

PROPERTY INFORMATION

OWNER:
ROBBIE AUTO
8550 W SARAH AVE
LAS VEGAS, NV 89117-1821

CONTACT:
PHONE:
ROBERT HANDEL
(702) 243-8544

AREA OF CONTRIBUTION: 323A SQ. FT.

OCCUPANCY TYPE: S-2

CONSTRUCTION TYPE: V-9

CURRENT ZONING: UNITED COMMERCIAL DISTRICTY (C-1)

JURISDICTION: CITY OF LAS VEGAS

ZONING APPLICATION #: 2.0.0.

A.P.N.: 138-34-301-002

HANDICAP REQUIREMENTS FACILITY IS UNBARRIRED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT INFORMATION

EQUIPMENT LOCATION: ☒ OUTDOOR ☐ INDOOR

EQUIPMENT SHELTER: ☐ YES ☒ NO

ANTENNA LOCATION: ☐ NEW MONOPOLE ☐ SELF SUPPORT TOWER

☐ EXISTING MONOPOLE ☐ ROOF TOP

☐ EXISTING TOWER ☒ OTHER: NEW MONOPOLE

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- INTERNATIONAL BUILDING CODE 3003 W/STATE AMENDMENTS
- UNIFORM MECHANICAL CODE 2000
- ANSI/ISA-232-F LIFE SAFETY CODE
- UNIFORM PLUMBING CODE 2000
- NATIONAL ELECTRIC CODE 2002
- LOCAL BUILDING CODE(S)
- CITY AND/OR COUNTY ORDINANCES
- UNIFORM FIRE CODE 2000

CODE COMPLIANCE

CIVIL ENGINEER

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 128
LAS VEGAS, NEVADA 89117
CHRIS MEYER
PHONE: (702) 367-2705
FAX: (702) 367-8733

STRUCTURAL ENGINEER:

T.B.A.

ELECTRICAL ENGINEER:

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 128
LAS VEGAS, NEVADA 89117
CHRIS MEYER
PHONE: (702) 367-2705
FAX: (702) 367-8733

SURVEYOR:

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 128
LAS VEGAS, NEVADA 89117
CHRIS MEYER
PHONE: (702) 367-2705
FAX: (702) 367-8733

PROJECT TEAM

SHEET	DESCRIPTION	REV.
T1	TITLE SHEET	3
A1	SITE PLAN	3
A2	EXISTING SITE DETAIL	3
A2.1	PROPOSED SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT	3
A3	ELEVATIONS	3

SHEET INDEX

ZONING

TITLE	SIGNATURE	DATE
CINGULAR		
RF ENGINEER		
REAL ESTATE		
LANDLORD		
ZONING APPROVAL		
CONSTRUCTION DIRECTOR		
ADDITIONAL APPROVAL		

APPROVAL LIST



3763 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION:

LSVG NVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV: DATE: DESCRIPTION BY:

03/30/06	CLIENT REVISION	R.S.
03/28/06	CLIENT REVISION	R.S.
03/24/06	CLIENT REVISION	R.S.
03/22/06	BOR ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 128
LAS VEGAS, NEVADA 89117
PH: (702) 367-2705
FAX: (702) 367-8733

DRAWN BY: CHK: APV:

D. ESCOBAR M. CEFALU C. MEYER

LICENSURE:

SHEET TITLE:

TITLE SHEET

SHEET NUMBER: REVISION:

T1 3

LSVG NVL 435-04

SUP-13849
12/07/06 PC

BASIS OF READINGS

A FIELD SURVEY WAS PERFORMED ON FEBRUARY 17, 2006. SOUTH 89°38'14" EAST, BEING THE NORTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 83, PAGE 24 OF PARCEL MAPS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

REMARKS

CITY OF LAS VEGAS VERTICAL CONTROL (ILV002 346), BEING A 1.5" BRASS CAP IN THE TOP OF CURB AT THE NORTHWEST CORNER OF BUFFALO DRIVE AND ALTA DRIVE, NEAR THE PC OF BUFFALO DRIVE.

ELEVATION: 2510.02 FEET (NAVD 1988)
743.056 METERS (NAVD 1988)

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED JUNE 27, 2005 IN BOOK 20050817 AS INSTRUMENT NO. 04667 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA: LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

TITLE REPORT EXCEPTIONS

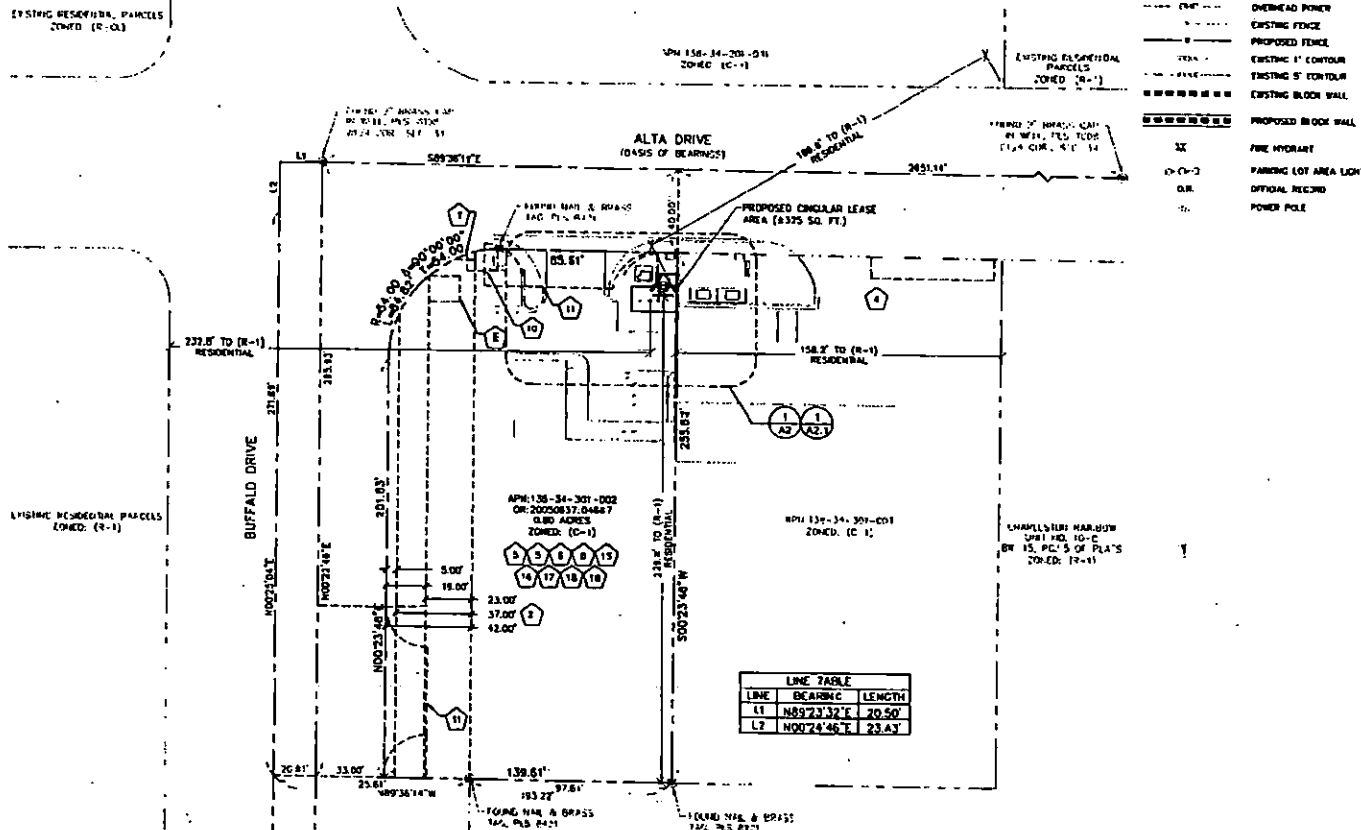
ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 06-02-0305-1006, DATED JANUARY 20, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENTS WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW (ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT).

- 1 RESERVATION & EASEMENTS IN THE PATENT, FROM USA, OR 17-82, AFFECTS ENTIRE SUBJECT PROPERTY.
- 2 MFC FOR ELEC. FACILITIES, OR 848-80778, DOES NOT AFFECT SUBJECT PROPERTY.
- 3 AGREEMENT, OR 840817-01029, AFFECTS ENTIRE SUBJECT PROPERTY.
- 4 FILE 83, PAGE 21 OF PARCEL MAPS, AFFECTS ENTIRE SUBJECT PROPERTY.
- 5 ORDER OF VACATION, OR 850918-01097, AFFECTS A PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 6 MFC FOR ELEC. FACILITIES, OR 860224-01778, AFFECTS ENTIRE SUBJECT PROPERTY. (NOT OCCUPIED BY BUILDING)
- 7 WATERBURY EXPRESS, LEASE, OR 830318-01178, AFFECTS A PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 8 LYMBO, FOR WATER FACILITIES, OR 860713-00897, AFFECTS A PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 9 CLV FOR INGRESS/ EGRESS, OR 860814-01338, AFFECTS A PORTION OF SUBJECT PROPERTY AS SHOWN HEREON.
- 10 AUTO TECH, LEASE, OR 20030312-00958, AFFECTS ENTIRE SUBJECT PROPERTY.
- 11 BRAKE DEPOT, LEASE, OR 20030312-00958, AFFECTS ENTIRE SUBJECT PROPERTY.
- 12 MR. COMWATER, LEASE, OR 20030312-00954, AFFECTS ENTIRE SUBJECT PROPERTY.
- 13 ALL VALLEY WINDOW TINTING, LEASE, OR 20030312-00960, AFFECTS ENTIRE SUBJECT PROPERTY.
- 14 WATER MILL EXPRESS, LEASE, OR 20030312-00952, AFFECTS ENTIRE SUBJECT PROPERTY.

EXISTING RESETHUR, PAINTS
ZONED: (R-1)

EXISTING RESETHUR, PAINTS
ZONED: (R-1)

SITE PLAN



LEGEND

- LEASE AREA
- CENTURINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- OFFICIAL RECORD
- POWER POLE

RECEIVED
AUG 15 2006



cingular
WIRELESS

3783 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89169

PROJECT INFORMATION

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE: DESCRIPTION BY:

REV.	DATE	DESCRIPTION	BY
1	03/30/06	CLIENT REVISION	D.S.
2	03/28/06	CLIENT REVISION	D.S.
3	03/24/06	CLIENT REVISION	D.S.
4	03/22/06	BOX ZONING	D.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH (702) 367-7702
FAX (702) 367-8733

DRAWN BY: CHK: APPV:

D. ESCOBAR M. CEFALU C. MENDO

LICENSURE:

SHEET TITLE:

SITE PLAN

SHEET NUMBER: REVISION:

A1 3
LSVGNVL 435-04

SUP-13849
12/07/06 PC

AUG 1 2006

12/07/06 PC

SITE PLAN

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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4
LSVENA
435-014

Site Plan

3741 1334

MEASURE:

350849	U C 1410	C 350849
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RAVN BY CHM: ADV

PLANS PREPARED BY:

03/22/06 50X ZOMAC 05

03/24/06 CLIENT REVISION D 5

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

RESEARCH

03/30/06 (M) 11:40AM 03

0-19/06 100% ZOMAC

EV - DATE: DESCRIPTION: BY:

2N10Z

ISSUED - 04

04/19/06

U R G E N T 1 5 5 5 1 J A N 3 0 1 9 7 0

[illegible]

500 SOLIM SURF O DRW

ALTA & BOTTALC

30-556-1AN9AS3

PROJECT NUMBER

ON 30 JAN

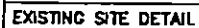
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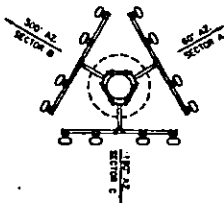
APR 158-34-301-007
ON 20050627 04667
0 80 ACRES
ZONED LC-1)
ITAL PARKING 40 SPACES

PROPOSED CURRICULAR
SITE REVIEW CRITERIA
NO PARKING FOR
RELOCATED TRASH
ENCLOSURE

7402 241114
01 241114



SUP-13849
12/07/06 PC



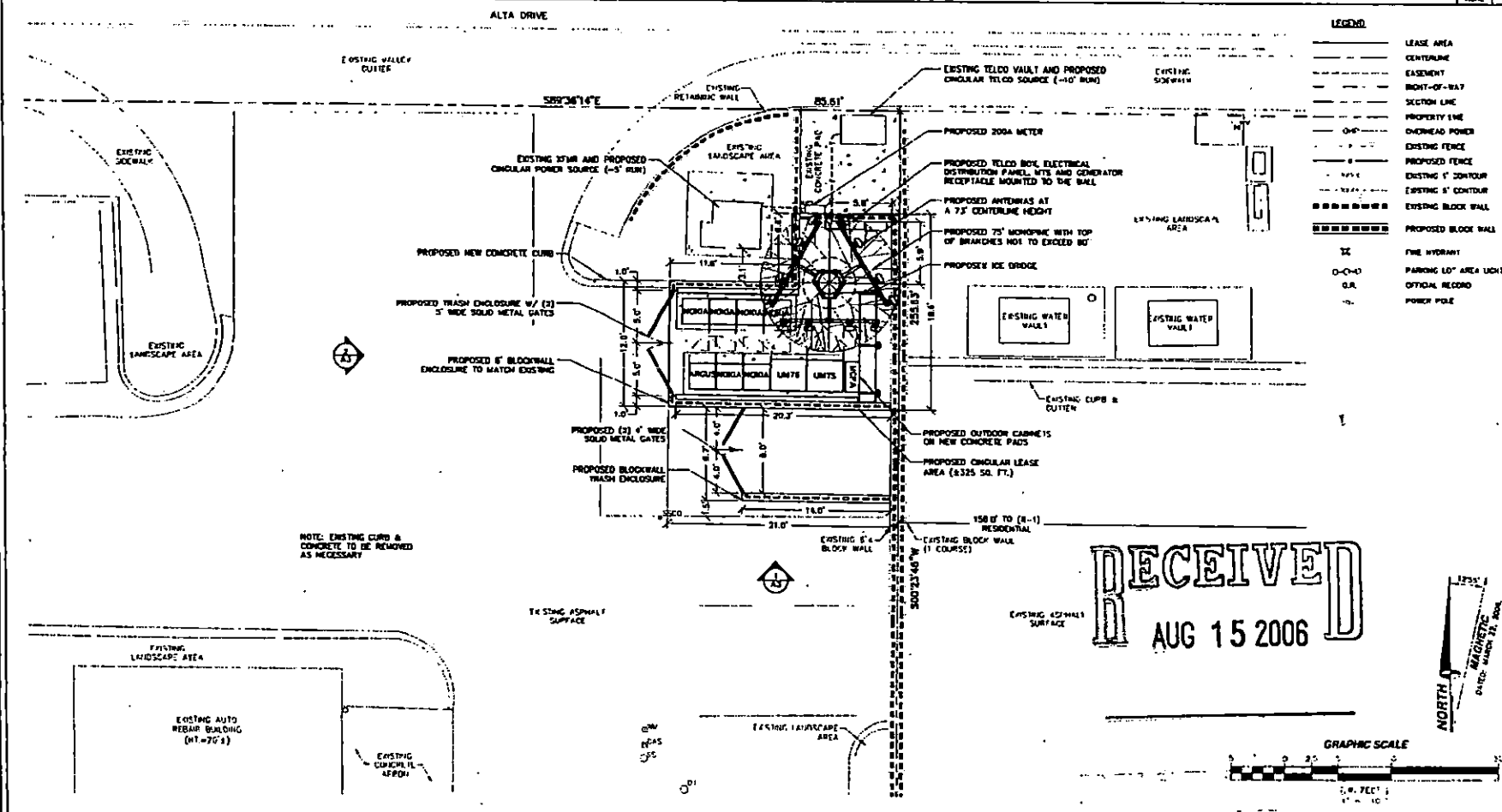
ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	COLOR CODE	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH
SECTOR A	300°	POWERWAVE 7753	85' X 10'	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
SECTOR B	300°	POWERWAVE 7753	85' X 10'	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
SECTOR C	180°	POWERWAVE 7753	95' X 10'	7/8" COAX		8' MAX	1/2" SUPERFLEX JUMPER (8' MAX)
OPS	N/A	MOTOROLA OPS	30' X 1'	1/2" COAX			

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATING, OR INSTALLATION OF CABLES.

ANTENNA LAYOUT

3 ANTENNA AND CABLE SCHEDULE

SCALE: NONE 2



PROPOSED SITE DETAIL

cingular
WIRELESS

3783 HOWARD HUGHES PKWY, STE. 200
LAS VEGAS, NV 89109

PROJECT INFORMATION

LSVGNV-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV: DATE: DESCRIPTION: BY:

3	03/30/06	CLIENT REVISION	0.5
2	03/28/06	CLIENT REVISION	0.5
1	03/24/06	CLIENT REVISION	0.5
0	03/22/06	DOE ZONING	0.5

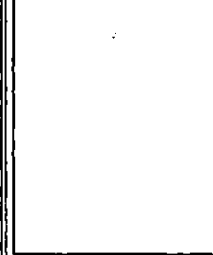
PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
1351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY: CHK: APV:

D. ESCOBAR M. CEFALU C. MONER

ENCLOSURE:



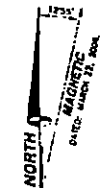
SHEET TITLE:

PROPOSED SITE DETAIL,
ANTENNA & CABLE
SCHEDULE AND ANTENNA
LAYOUT

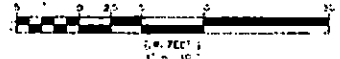
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A2.1 3
LSVGNV-435-04

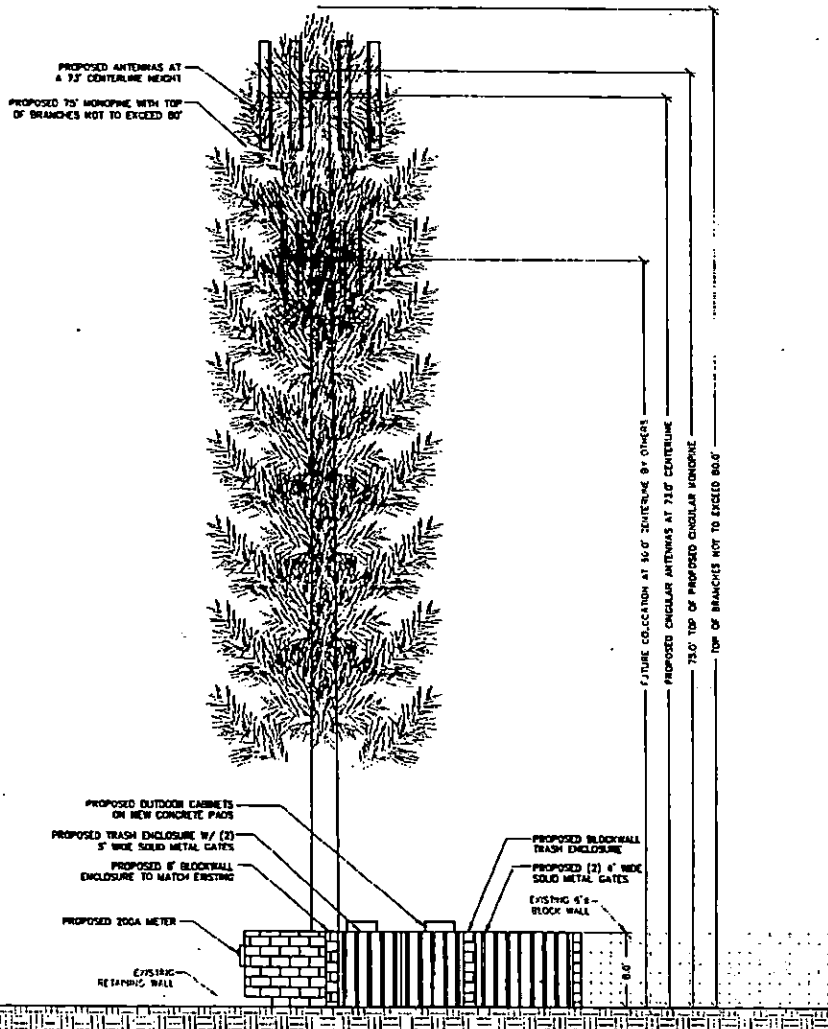
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GRAPHIC SCALE



SUP-13849
12/07/06 PC

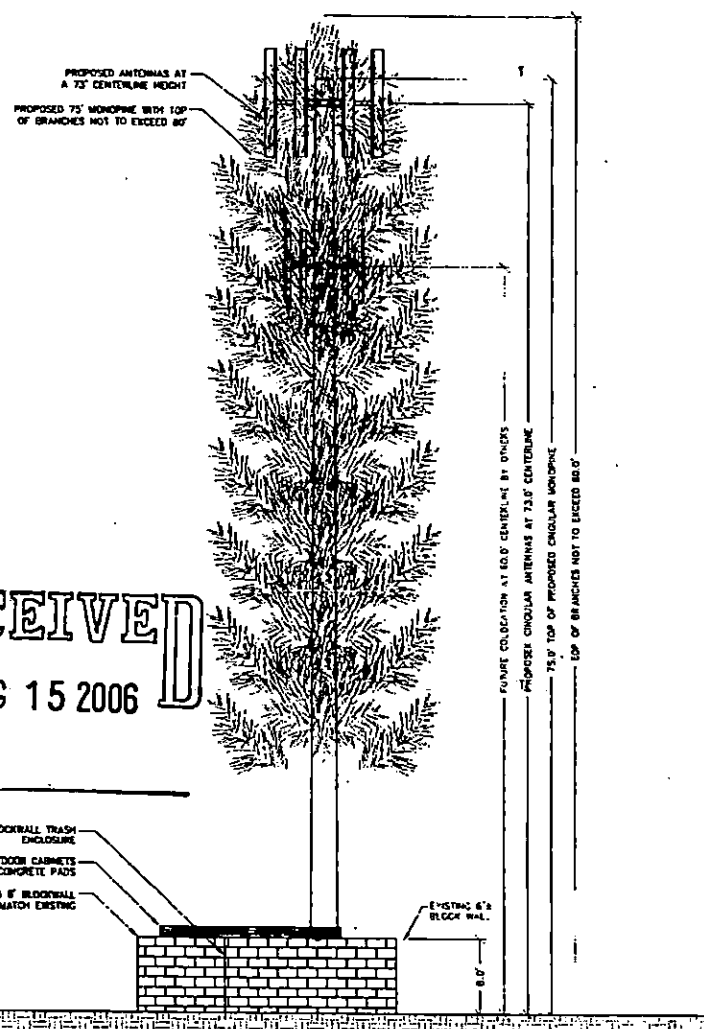


WEST ELEVATION

SCALE 1" = 10'

2

SOUTH ELEVATION



RECEIVED
AUG 15 2006

X cingular
WIRELESS

3743 HOWARD HUGHES PKWY, STE 200
LAS VEGAS, NV 89109

PROJECT INFORMATION

LSVGNVL-435-04
ALTA & BUFFALO

500 SOUTH BUFFALO DRIVE
LAS VEGAS, NEVADA 89145

CURRENT ISSUE DATE:

03/30/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

03/30/06	CLIENT REVISION	O.S.
03/28/06	CLIENT REVISION	O.S.
01/24/06	CLIENT REVISION	O.S.
03/22/06	SOB CONSTRUCTION	O.S.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH (702) 367-7705
FAX (702) 367-0733

DRAWN BY: CHL APV:

D. ESCOBAR M. CEFALU C. WENGER

LICENSURE:

SHEET TITLE:

ELEVATIONS

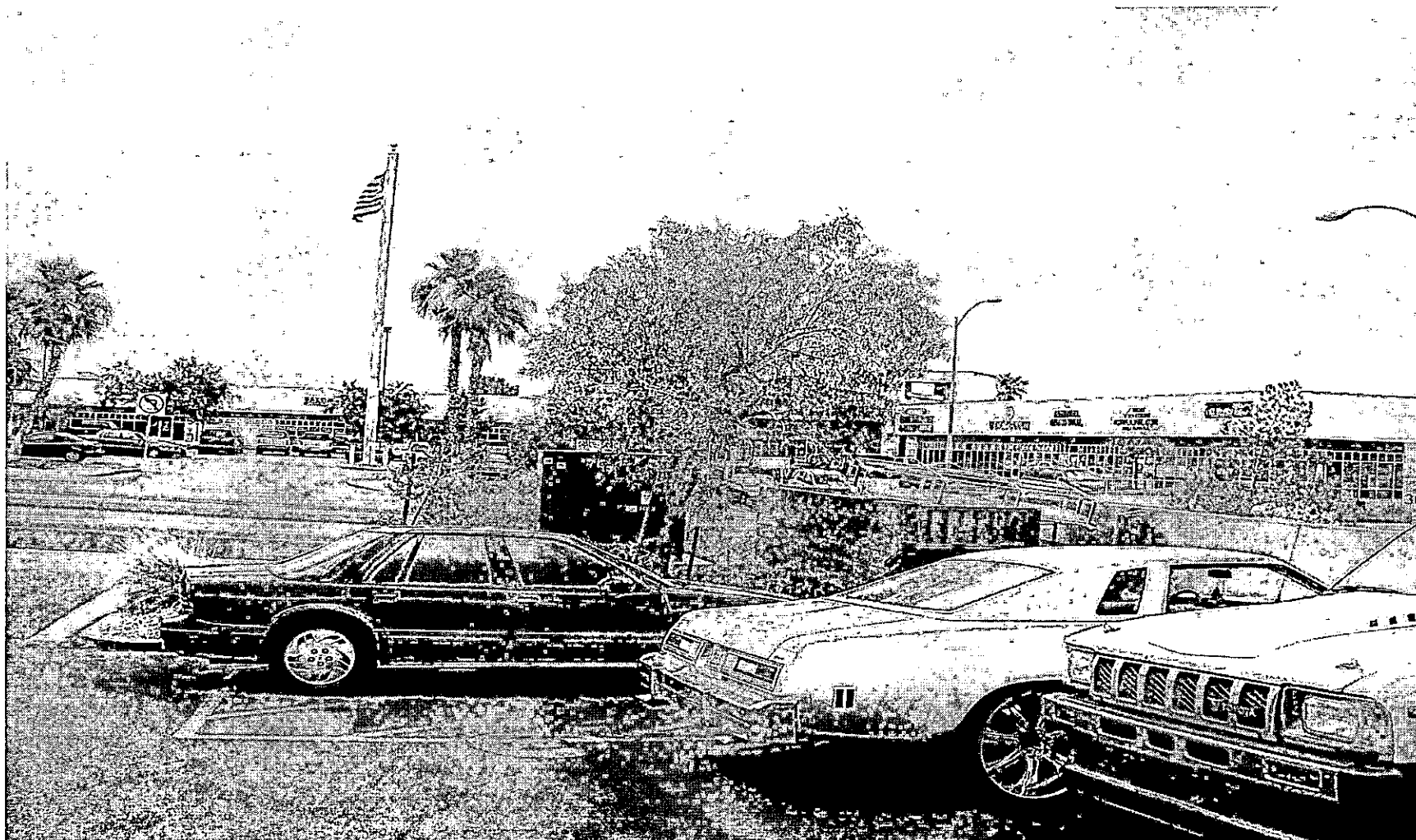
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A3

3

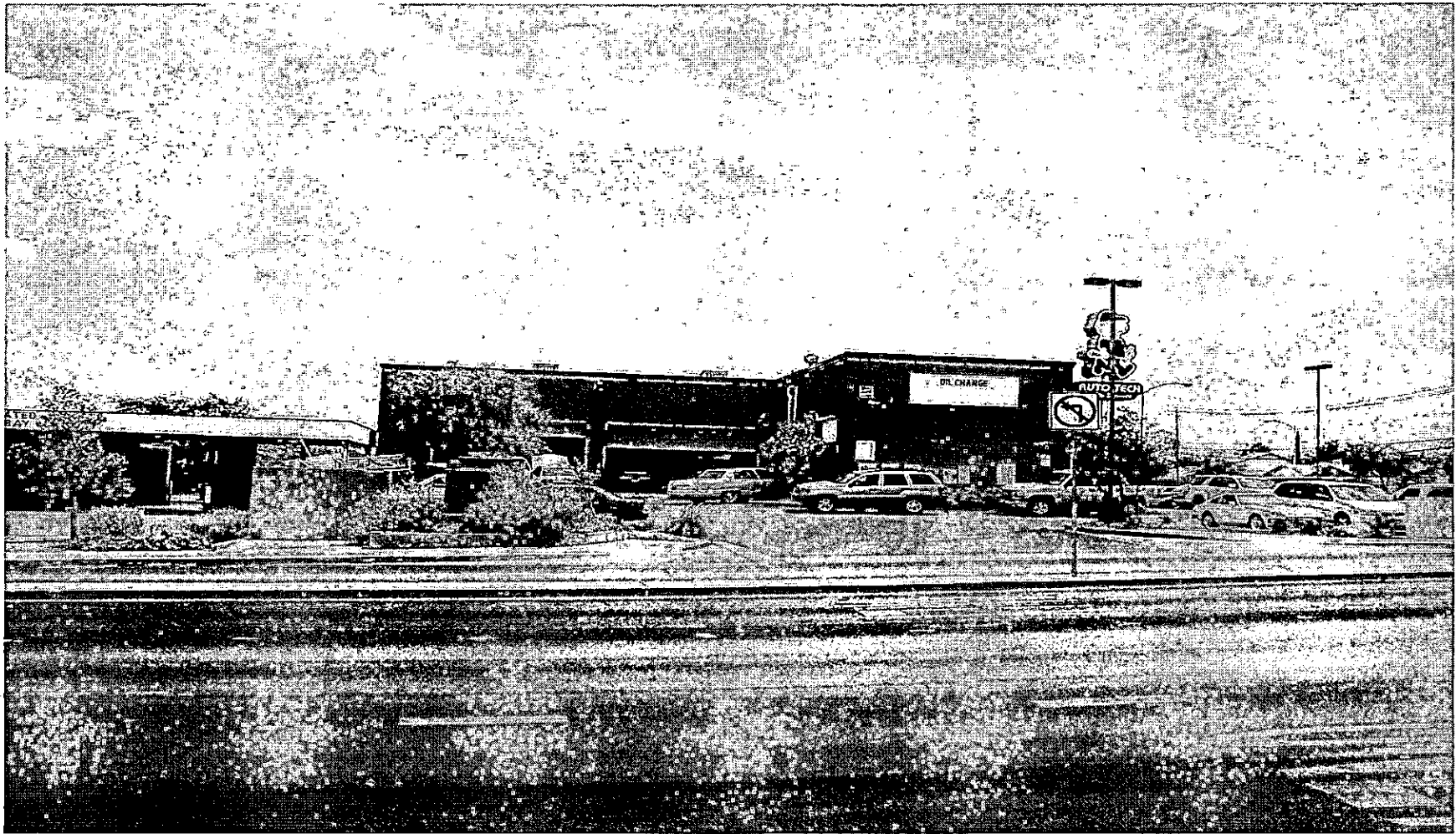
LSVGNVL
435-04

SUP-13849
12/07/06 PC



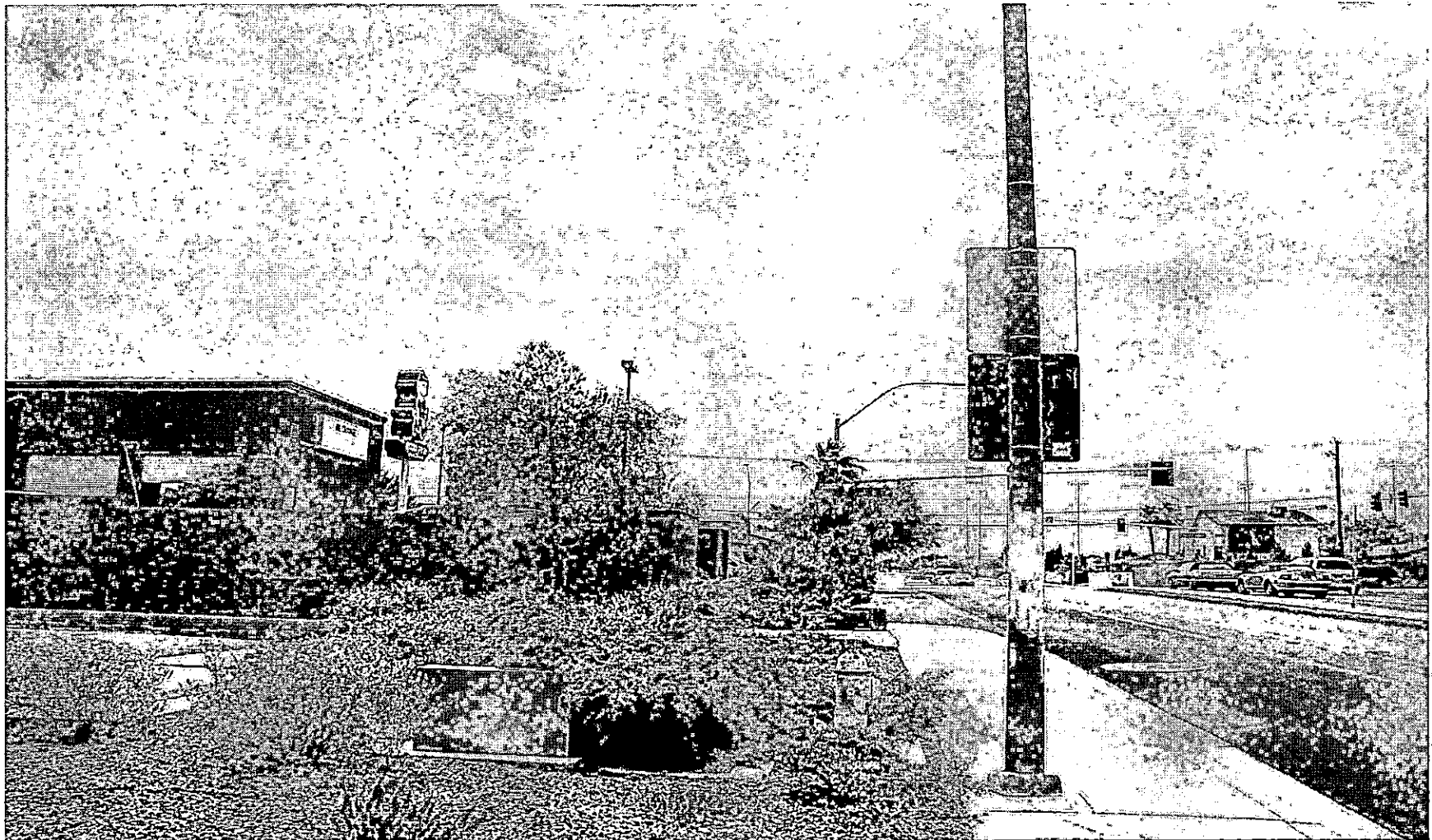
VAR-13851, VAR-16021 & SUP-13849 - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO
500 SOUTH BUFFALO DRIVE
DECEMBER 7, 2006 PLANNING COMMISSION

06/27/06



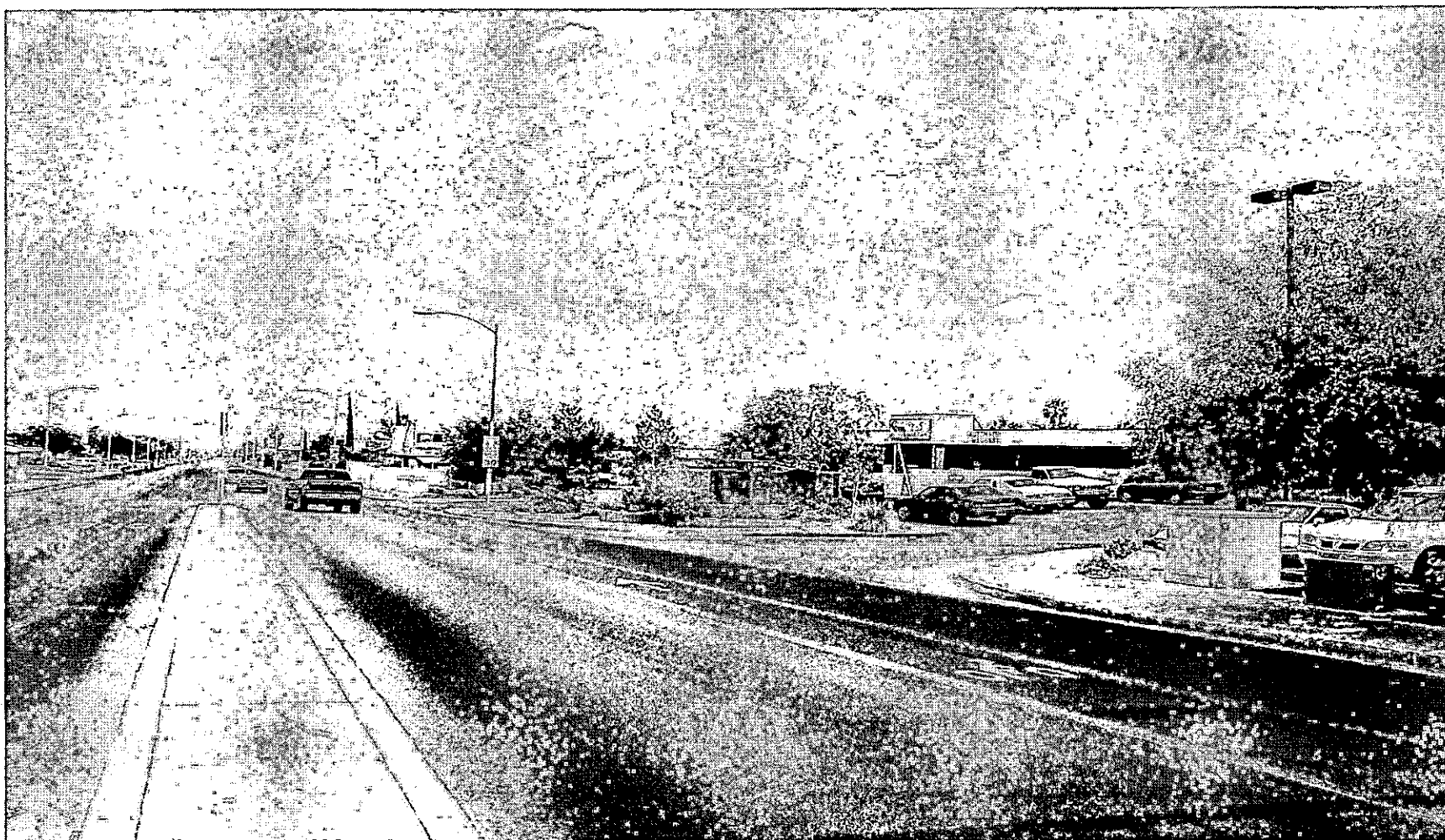
VAR-13851, VAR-16021 & SUP-13849 - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO
500 SOUTH BUFFALO DRIVE
DECEMBER 7, 2006 PLANNING COMMISSION

06/27/06



VAR-13851, VAR-16021 & SUP-13849 - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO
500 SOUTH BUFFALO DRIVE
DECEMBER 7, 2006 PLANNING COMMISSION

06/27/06



VAR-13851, VAR-16021 & SUP-13849 - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO
500 SOUTH BUFFALO DRIVE
DECEMBER 7, 2006 PLANNING COMMISSION

06/27/06



VAR-13851, VAR-16021 & SUP-13849 - APPLICANT: CINGULAR WIRELESS - OWNER: ROBBIE AUTO
500 SOUTH BUFFALO DRIVE
DECEMBER 7, 2006 PLANNING COMMISSION

06/27/06

August 14, 2006

Mr. Ben Sticka
City of Las Vegas, Current Planning Department
731 South Fourth Street
Las Vegas, NV 89101

RE: Cingular Wireless Permanent Communication Facility – Parking Variance Application
500 S. Buffalo Drive (APN 138-34-301-002) LSVGNVL-435-04

Dear Mr. Sticka:

On behalf of Cingular Wireless, we respectfully request your consideration and acceptance of the enclosed Wireless Communication Facility Parking Variance application. This project is located on APN 138-34-301-002 on the northeast corner of Buffalo Drive and Alta Road. It is to be constructed as an 80-foot, "pine-tree stealth," full-array antenna configuration, wireless communication tower with all equipment located inside adjacent outdoor cabinets and screened by an 6-foot block wall to match existing on the C-1, Limited Commercial designated parcel. Also, if this proposal is constructed, soon after completion Sprint is interested in collocating antennas to this stealth pine tree.

As a condition of the recent merger between AT&T and Cingular, the Federal Communications Commission (FCC) stated that in order for the marketplace to remain competitive, Cingular needed to sell their existing network and wireless communication towers to T-Mobile in California and Nevada. Therefore, with this application, Cingular is in the process of rebuilding their network to provide service to all of their existing customers. Without the approval of this application, the surrounding area will not have sufficient network coverage to provide the kind of service the marketplace demands.

This property is located near residentially developed parcels and we propose a 186.8-foot setback to the City of Las Vegas R-1, single family residential property to the northeast, a 158.2-foot setback to the R-1 property to the east, 234.8-foot setback to the R-1 development to the south and 232.8-foot setback to the R-1 property to the west. Due to the 186.8-foot setback from an R-1 property, we are respectfully requesting a Setback Variance. But please note, the Setback Variance will also be needed since the location of the communication compound is flush to the property line where 10-feet is needed on a limited commercial (C-1) parcel.

However, this property was selected for the installation of a communication facility because our options are very limited in this area. Originally, Cingular Wireless tried to collocate our antennas to the existing Verizon pole at the Sprint Utility Switch which is located north on Buffalo. We submitted an application with Verizon last year but Verizon would not accept the design of our project therefore we could not progress with this site.

Next, we tried to add antennas to the roof of the strip mall located on the northeast corner of the Buffalo & Alta intersection. However, after visiting the site for a feasibility study, it was determined that due to the weak structural integrity of the wooden truss members, the roof could not handle the weight of our equipment. Also, since there were other carriers present on the roof, it made it impossible to gain the necessary height separation required for interference from the existing equipment. Therefore, even if the roof possessed the structural

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SUP-13849
12/07/06 PC

integrity, since we couldn't vertically separate our equipment from the other carriers we would shoot our signals directly into one another's antennas & the sites would not function correctly.

Finally, we looked to collocate antennas to the existing slim-line flag pole in the front parking lot of the strip mall but there is not enough ground space for Cingular to put our equipment, not to mention that if we did collocate, the pole would be overstressed by as much as 229 % of capacity (structural analysis included in Setback Variance & Special Use Permit application for reference). As the flag pole is designed, T-Mobile has their coaxial cables running under the parking lot surface to equipment cabinets inside an adjacent building.

Therefore, after trying to make each of the other installations work for Cingular, the only option we have in this intersection is to add a new communication facility.

When Cingular first designed this camouflaged proposal, it was a palm tree, which is difficult for full-array collocation, but after learning Sprint was also interested in adding antennas in this region, we are proposing a stealth pine tree design so that both carriers can hide their antennas within the pine branches.

A Parking Variance is required because the parcel does not conform to the original Site Development Review (U-34-97) which states that the subject site was approved with 42 spaces where 46 are required, but the site was only striped with 40 stalls & a "No Parking" zone. The proposed Cingular installation is designed to occupy & relocate the existing trash enclosure on a rarely used, compact area of the "No Parking" zone which was where the additional two (2) parking stalls were supposed to be located. Therefore, we are technically requesting a Variance for two parking spaces to allow the site to continue to operate as it is presently conducting business. **Two parking stalls is only a 4% deviation from the project as currently approved and overall, 40 spaces is only a 13% deviation from what is required.**

By permitting the Cingular Special Use Permit & Variance applications, an 80-foot camouflaged, stealth pine tree wireless communication facility will be installed on the C-1, Limited Commercial parcel which will be screened by an 6-foot block wall to match existing walls and also designed to be co-locatable by other carriers with plenty of ground space available for future expansion, at an intersection that has no other options. If you have any concerns regarding this application, please contact me immediately at (702) 501-0992.

Sincerely,

Shane Hennessy-York
Land Use Zoning Specialist – West Region
Shane.HennessyYork@wfinet.com

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SUP-13849
12/07/06 PC

Written Objections*

9/14/2006

Planning & Development Dept.
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

Meeting
Planning Commission
9/21/2006
6:00 p.m.

Re: Var-1385/28
Var-1602/29
Sup-13849/30

Dear Sirs:

We are unable to attend the meeting, but wish to object or protest these Variances (2) and the Special Use Permit.

There is already 2 towers — one on the West side of Buffalo $\frac{1}{2}$ block N. of Alta (Sprint) and the other one on the N/E corner across from where this is proposed.

I believe we are going to be over-saturated with towers — an embarrassment!

28 VAR-13851
29 VAR-16021
30 SUP-13849

(2.)

It is obvious that our complaining will do no good, because it sounds like it is going in anyway.

We, in the neighborhood object to 80 foot towers & being bombarded with radio waves. (radiation)

It does not sound good to us or probably anyone else who is working & cannot attend the meetings. (radiation)

Sincerely,
Mr & Mrs. Wm. Betters
457 Anatolia Lane
Las Vegas, Nv. 89145

Telephone Protest/ Approval Log

Meeting Date: 09/21/06

Case Number: SUP-13849
VAR-13851
VAR-16021

Date: 09/15/06
Name: Diana Mleszewsky
Address: 416 Sam Jonas Dr
Las Vegas NV
Phone: 702-838-7406
☒ PROTEST ☐ APPROVE

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

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

Date: _____
Name: _____
Address: _____
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☐ PROTEST ☐ APPROVE

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SUP-16850 - SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH - Request for a Special Use Permit FOR A PROPOSED CHURCH/HOUSE OF WORSHIP located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard (APN 138-13-801-002), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **WITHDRAWN**.

BACKUP DOCUMENTATION:

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

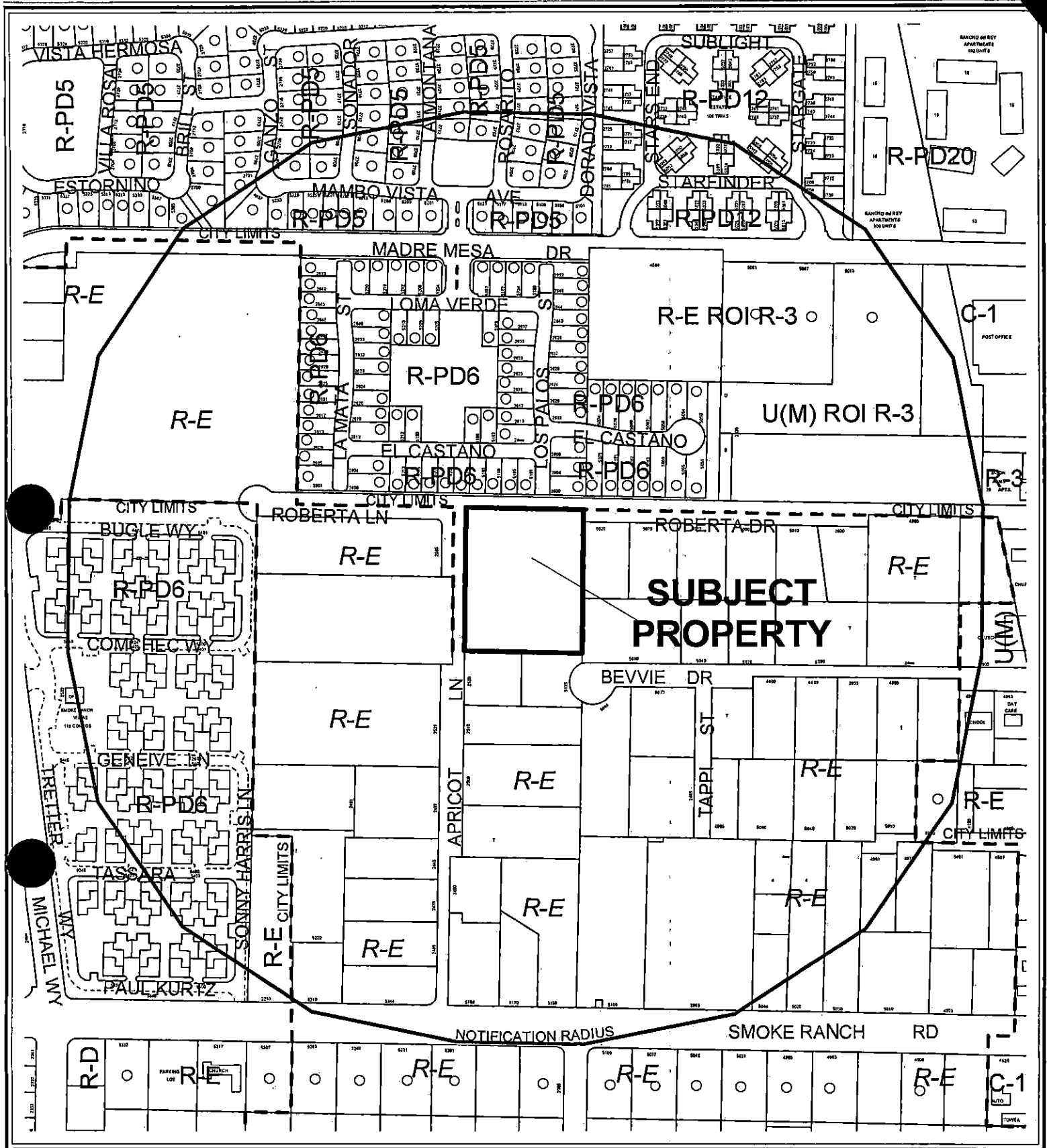
MOTION:

EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

(6:03-6:09)



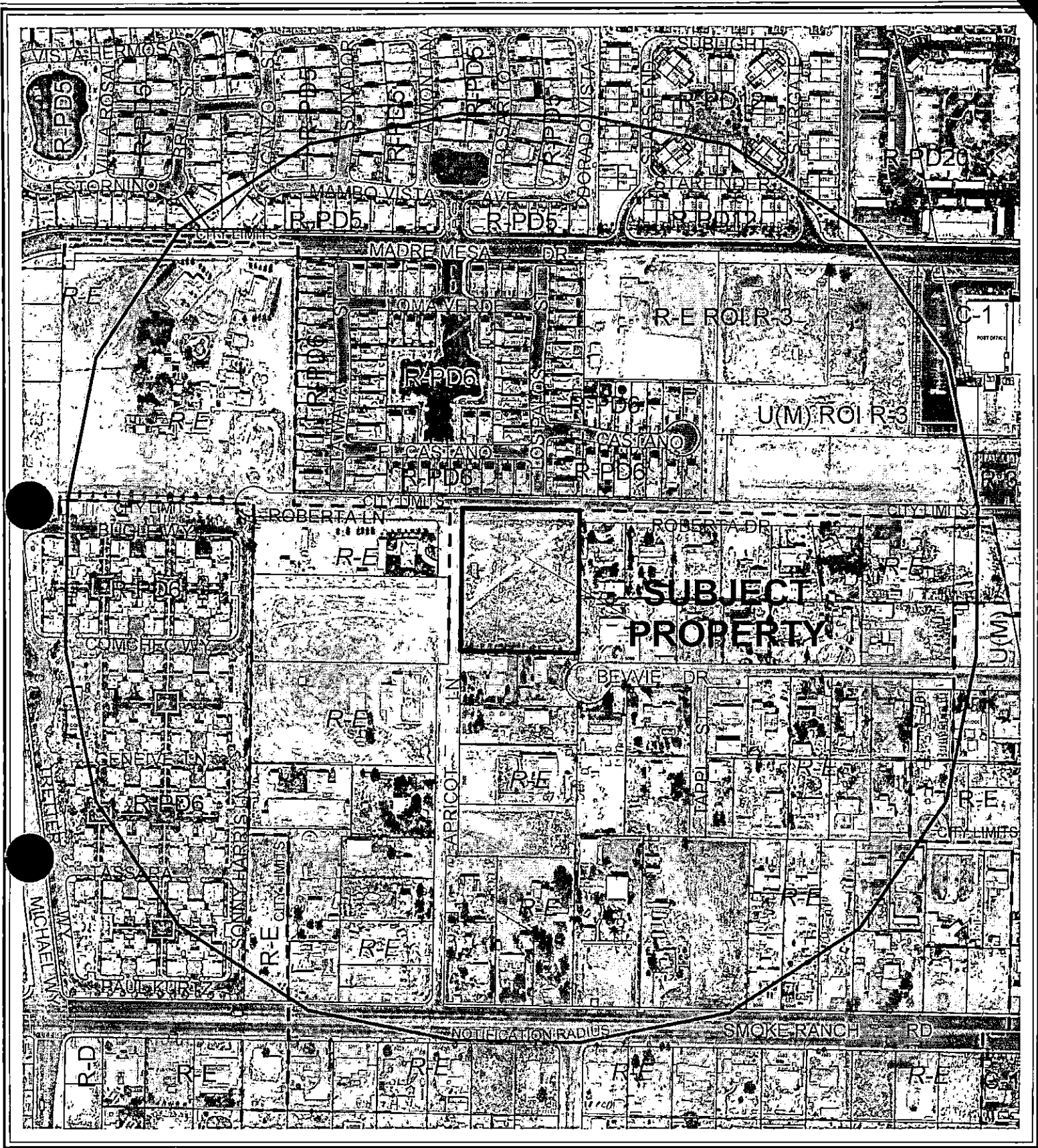
CASE: **SUP-16850**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

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





CASE: **SUP-16850**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-16850 - APPLICANT/OWNER: ST. THOMAS
CATHOLIC CHURCH

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN

**SAINT THOMAS OLD CATHOLIC CHURCH
6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108**

BISHOP ROBERT BURGESS

PHONE (702)-655-5840

**CITY OF LAS VEGAS
PLANNING AND DEVELOPMENT
731 SOUTH FORTH STREET
LAS VEGAS, NEVADA 89101
ATTENTION: JOHN KORKOSZ**

**RE: SDR 16849 SITE DEVELOPMENT REVIEW & SUP 16850 SPECIAL USE
PERMIT**

Dear Mr Korkosz,

Please be advised that the Building Committee and Bishop Burgess, have decided that it isn't worth the effort to pursue the building of a structure in the City of Las Vegas. So we hereby request that we be removed from the agenda of your December 7th 2006 meeting. We wish to thank you and your staff for all their effort in our endeavor, it is too bad that everyone involved wasn't as cooperative. Again thank you .

Sincerely

Anthony J Cozeck
Representative for Saint Thomas Old Catholic Church

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NOV 27 2006

STATEMENT OF FINANCIAL INTEREST

MADRE NEBA SOUTH
A COMMON INTEREST COMMUNITY
PLAT BOOK 105, PAGE 69

ROBERTA LANE

APN 138-13-801-014
LOT FOUR (4)
PARCEL MAP FILE 63, PAGE 63 PA.

APN 138-13-801-019
LOT TWO (2)
PARCEL MAP FILE 69, PAGE 21

APN 138-13-801-020
LOT ONE (1)
PARCEL MAP FILE 69, PAGE 21

BEVINE ROAD

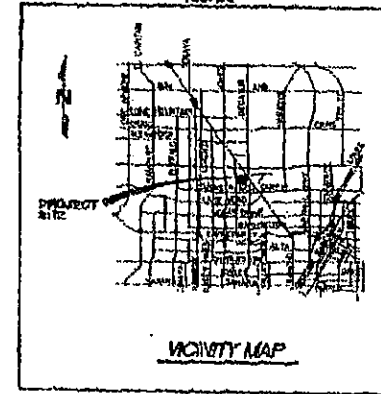
BENCHMARK

STATE COUNTY BENCHMARK NO. 8000-1000 2" BENCH MARK
LOCATED AT THE CORNER OF THE LOT 1000-1000 2" BENCH MARK
BENCH MARK NO. 8000-1000 2" BENCH MARK
BENCH MARK NO. 8000-1000 2" BENCH MARK
BENCH MARK NO. 8000-1000 2" BENCH MARK

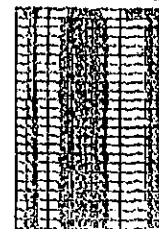
BASIS OF BEARINGS

THE BEARING OF THE LINE OF THE LOT 1000-1000 2" BENCH MARK
LOCATED AT THE CORNER OF THE LOT 1000-1000 2" BENCH MARK
LOCATED AT THE CORNER OF THE LOT 1000-1000 2" BENCH MARK
LOCATED AT THE CORNER OF THE LOT 1000-1000 2" BENCH MARK

GRAPHIC SCALE

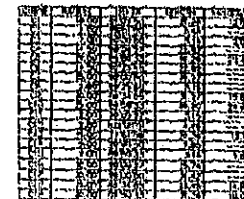


VICINITY MAP



LOT SIZE: 2.45 ACRES * 106,000 SQ. FT.
BUILDING FT: * 1,040 *
BUILDING AC: * 0.750 *

28.42 * 17.76 = 503,900.576 * 10.477M



OCCUPANCY LOAD
BUILDING BY 110
BUILDING AC 0.75

NOTE: The Occupancy Load for Building 02 is 110 as per the Building Code, and the Building Code is the minimum requirement for the Building Code.

SUP-16850
SDR-16849

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NTE# XX-XXXX

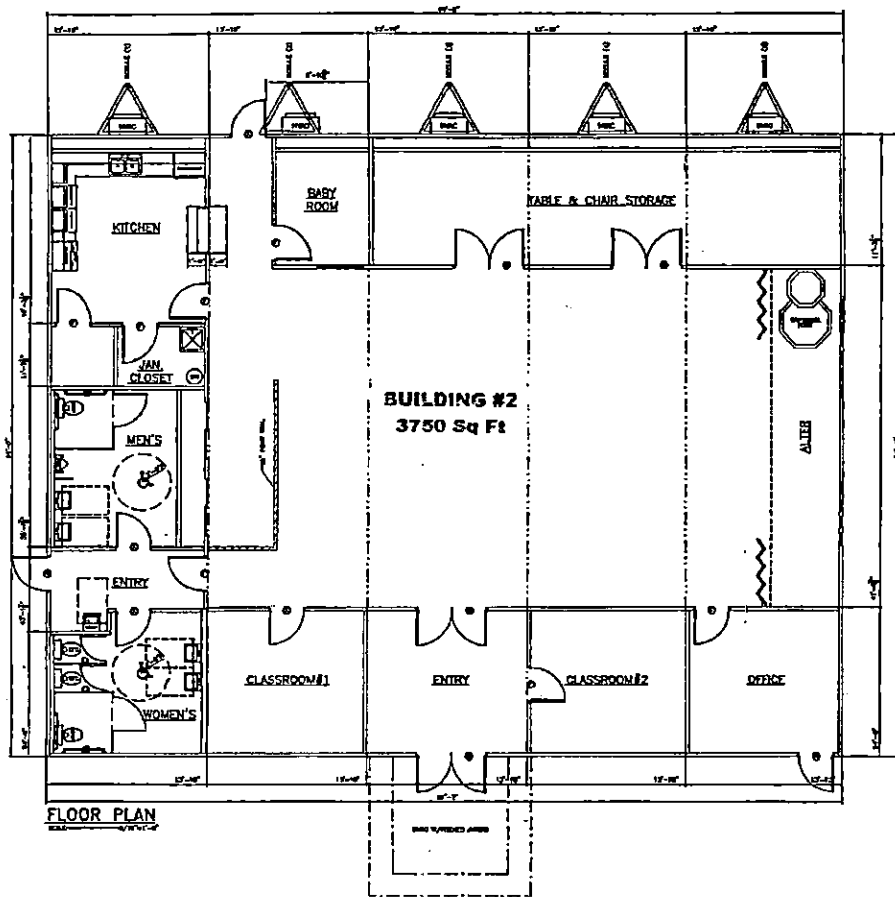
ST. THOMAS
CATHOLIC CHURCH

ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

5578 PLANS



ENGINEER SEAL
STATE OF CALIFORNIA
1" = 30'
EXHIBIT NUMBER 9

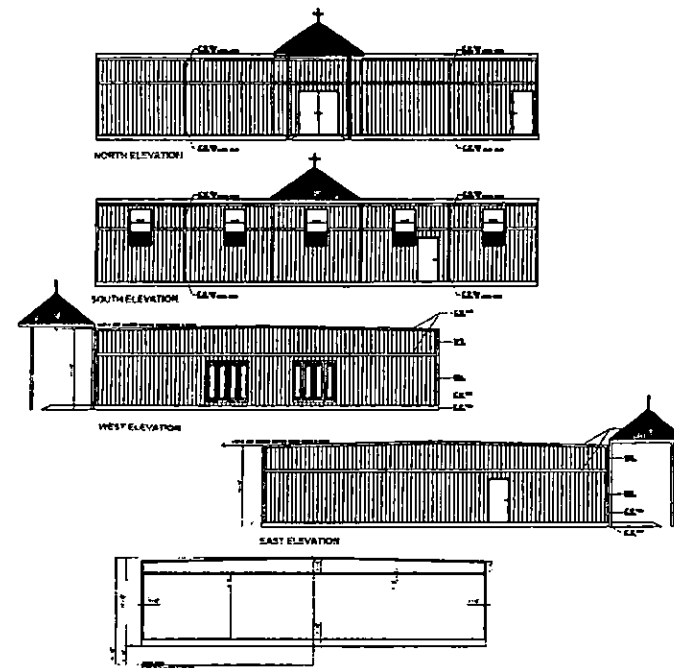


FLOOR PLAN

BUILDING 2

OCCUPANCY LOAD
BUILDING #2 270

NOTE: The Occupancy Load for Building #2 will no longer be as shown, as soon as Building #1 is complete, it will no longer be used for Services. The Assembly area will no longer apply.



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SEP 15 2006

SUP-16850
SDR-16849

12/07/06 PC

LOCATION FOR STATE APPROVAL STAMP

MODTECH Manufacturing and	
REVISIONS NO. DATE DESCRIPTION 1 12/07/06	MODTECH DIRECT 1000 N. 10TH AVE. SUITE 100 PHOENIX, AZ 85016 TEL: (602) 237-1111 FAX: (602) 237-1111
DATE: 08-01-06 DRAWN BY: V. WILLIAMS SALES PERSON: MARIA S. STATE: ARIZONA DRAWING #: N/A PROJECT #: N/A	SHEET NO.

ROOM FINISH DESIGNATIONS

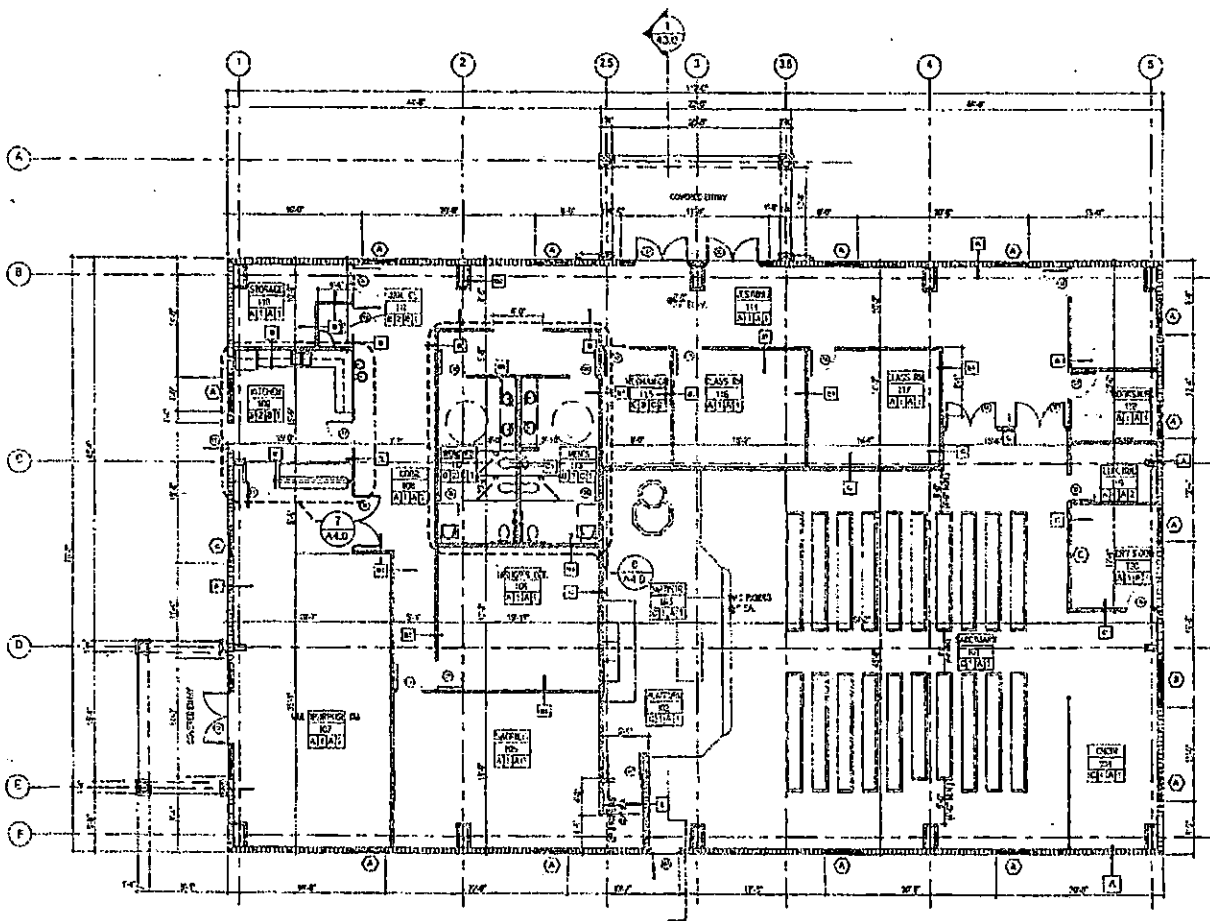
FLOOR	BASE	WALLS	CEILING
1ST	1. CERAMIC TILE - 12" x 12" FALD	2. 1/2" GYPSUM BOARD - 5/8" JACOBI	3. 1/2" GYPSUM BOARD - 5/8" JACOBI
2ND	4. CERAMIC TILE - 12" x 12" FALD	5. 1/2" GYPSUM BOARD - 5/8" JACOBI	6. 1/2" GYPSUM BOARD - 5/8" JACOBI
3RD	7. CERAMIC TILE - 12" x 12" FALD	8. 1/2" GYPSUM BOARD - 5/8" JACOBI	9. 1/2" GYPSUM BOARD - 5/8" JACOBI
4TH	10. CERAMIC TILE - 12" x 12" FALD	11. 1/2" GYPSUM BOARD - 5/8" JACOBI	12. 1/2" GYPSUM BOARD - 5/8" JACOBI
5TH	13. CERAMIC TILE - 12" x 12" FALD	14. 1/2" GYPSUM BOARD - 5/8" JACOBI	15. 1/2" GYPSUM BOARD - 5/8" JACOBI
6TH	16. CERAMIC TILE - 12" x 12" FALD	17. 1/2" GYPSUM BOARD - 5/8" JACOBI	18. 1/2" GYPSUM BOARD - 5/8" JACOBI
7TH	19. CERAMIC TILE - 12" x 12" FALD	20. 1/2" GYPSUM BOARD - 5/8" JACOBI	21. 1/2" GYPSUM BOARD - 5/8" JACOBI
8TH	22. CERAMIC TILE - 12" x 12" FALD	23. 1/2" GYPSUM BOARD - 5/8" JACOBI	24. 1/2" GYPSUM BOARD - 5/8" JACOBI
9TH	25. CERAMIC TILE - 12" x 12" FALD	26. 1/2" GYPSUM BOARD - 5/8" JACOBI	27. 1/2" GYPSUM BOARD - 5/8" JACOBI
10TH	28. CERAMIC TILE - 12" x 12" FALD	29. 1/2" GYPSUM BOARD - 5/8" JACOBI	30. 1/2" GYPSUM BOARD - 5/8" JACOBI

FINISH NOTES

1. SEE 10 WORKSHEET FOR FINISH SPECIFICATION.
2. SEE 10 WORKSHEET FOR FINISH SPECIFICATION.
3. SEE 10 WORKSHEET FOR FINISH SPECIFICATION.

CEILING SYSTEMS BY T.S.G. CORPORATION

- TYPE 1
GRID SYSTEM - 24" x 24" DOWN IN STYLE SUSPENDED GRID WITH WALL HANGING DETAIL.
TILE - "SAUNDERS" - 24" x 24" WHITE GLAZED TILE TO PROVIDE GRID PROFILE "W".
GRID COLOR - WHITE. TILE COLOR - WHITE.
- TYPE 2
GRID SYSTEM - 24" x 24" DOWN IN STYLE SUSPENDED GRID WITH WALL HANGING DETAIL.
TILE - "SAUNDERS" - 24" x 24" WHITE GLAZED TILE TO PROVIDE GRID PROFILE "W".
GRID COLOR - WHITE. TILE COLOR - WHITE.
- TYPE 3
GRID SYSTEM - 24" x 24" DOWN IN STYLE SUSPENDED GRID WITH WALL HANGING DETAIL.
TILE - "SAUNDERS" - 24" x 24" WHITE GLAZED TILE TO PROVIDE GRID PROFILE "W".
GRID COLOR - WHITE. TILE COLOR - WHITE.



Required Plumbing Fixture Count

Assembly Occupancy	Men	Women	Public
160 M + 160 W = 320			
Toilet	1:150=2	1:75=3	
Lavatories	1:200=1	1:200=1	
Drinking Fountain			1:1000=1
Service Sink			1

No unisex toilet required

WALL TYPE LEGEND

1. EXTERIOR WALL
2. INTERIOR WALL
3. EXTERIOR WALL
4. INTERIOR WALL
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6. INTERIOR WALL
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95. EXTERIOR WALL
96. INTERIOR WALL
97. EXTERIOR WALL
98. INTERIOR WALL
99. EXTERIOR WALL
100. INTERIOR WALL

BUILDING ONE

SUP-16850

SDR-16849

12/07/06 PC



Floor Plan

RECEIVED

SEP 15 2006

Worship

222 Apex Road
Suite 0
Sarasota, FL 34230

Carlson

741 South Orange Ave
Sarasota, Florida 34236
941.352.4312 Tel
941.352.1921 Fax
www.carlsoncorp.com

NY/LA #5919

Architect: Michael R. Carlson
Lic # 5517

Client:

SAINT THOMAS
CATHOLIC CHURCH
6710 Smoke Ranch Road
Lus Vegas, Nevada

Consultants:

Structural:

Jenkins & Charland Engineers
2821 Franklin Road, Suite 200
Sarasota, FL
941.552-1711

MEP:

Stewart Engineering
1159 Broadway Blvd.
Sarasota, FL 34234
941.251.0990

Date:

JUNE 14, 2006

Revisions:

No.	Description	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Project No:

WGS-03

Drawn By:

2006

Sheet No:

142

Project Name:

Floor Plan

Scale:

1" = 10'-0"

Approved By:

Michael R. Carlson

12/14/06 Michael R. Carlson

Project No:

WGS-03

Sheet No:

142

Project Name:

Floor Plan

Scale:

1" = 10'-0"

Approved By:

Michael R. Carlson

12/14/06 Michael R. Carlson

Project No:

WGS-03

Sheet No:

142

Project Name:

Floor Plan

Scale:

1" = 10'-0"

Approved By:

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Project No:

WGS-03

Sheet No:

142

Project Name:

Floor Plan

Scale:

1" = 10'-0"

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1" = 10'-0"

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Project No:

WGS-03

Sheet No:

142

Project Name:

Floor Plan

Scale:

1" = 10'-0"

Approved By:

Michael R. Carlson

SAINT THOMAS CATHOLIC CHURCH

6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108

BISHOP ROBERT BURGESS

PHONE (702)-655-5840

TO: CITY OF LAS VEGAS
ATTENTION: PLANNING AND ZONING

Re: Letter of Justification

St Thomas Catholic Church has been in existence since 1998, at it's current location 6010 Smoke Ranch Road in the City of Las Vegas. This is a commercial strip center. We have acquired a Two and One Half Acre parcel of land at the Southeast corner of Apricot Lane and Roberta Lane. This parcel of land was in Clark County; we have applied for, and received, annexation into the City of Las Vegas.

The proposed use of this parcel of land is as follows:

1. To erect a Manufactured type of structure (see attached drawings Building #2) on the extreme East side of the property and to utilize this structure as our place of worship during construction of our primary house of worship (Building # 1).

2. We propose to erect Building #1 as shown on the Site Plan. Upon completion of this structure, we propose to utilize the Building #2 described in Para 1, as an educational facility.

3. We intend to have the structures blend in to the surrounding structures, as evidenced by the submittals we have presented. We hold services presently on Saturday at 5:00 PM and on Sunday at 9:00 AM and 11:00AM. We have functions that are held at various times. None of these functions are at a period of time as to intrude on the peace and serenity of the current surroundings.

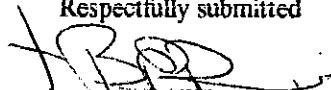
4. We intend to abide by all City of Las Vegas Codes and Ordinances pertaining to this type of facility. We are requesting the following exceptions:

a. That the set back required along the South property line and East property line be reduced. There is an existing "block wall" acting as a buffer between the adjoining properties. Our Site Plan indicates that we are providing a four and one half and six feet buffer respectively. The necessity of an eight foot buffer seems extreme.

b. Along the North property line abutting Roberta Lane and West property line abutting Apricot Lane a requirement is for a fifteen feet area for landscaping. Our plans show a fourteen and one half foot landscape area, on Apricot Lane and we have also provided a twenty four and one half foot landscape area along Roberta Lane. We are asking for a trade off regarding the one half foot difference on West property line.

c. All parking spaces along the property lines require a planting area for every five parking spaces. We are asking for an elimination of these planter areas. We are in a water crisis in our area and the requirement for additional landscaping seems superfluous. And as our congregation expands we may require more parking spaces.

Respectfully submitted



Bishop Robert Burgess

SUP-16850
SDR-16849
12/07/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SDR-16849 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-16850 - PUBLIC HEARING - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 11,590 SQUARE FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING STANDARD on 2.45 acres located on the south side of Roberta Drive, approximately 1280 feet west of Decatur Boulevard, (APN 138-13-801-002), U (Undeveloped) Zone [R. (Rural Density Residential) General Plan Designation], Ward 5 (Weekly).

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **WITHDRAWN**.

BACKUP DOCUMENTATION:

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

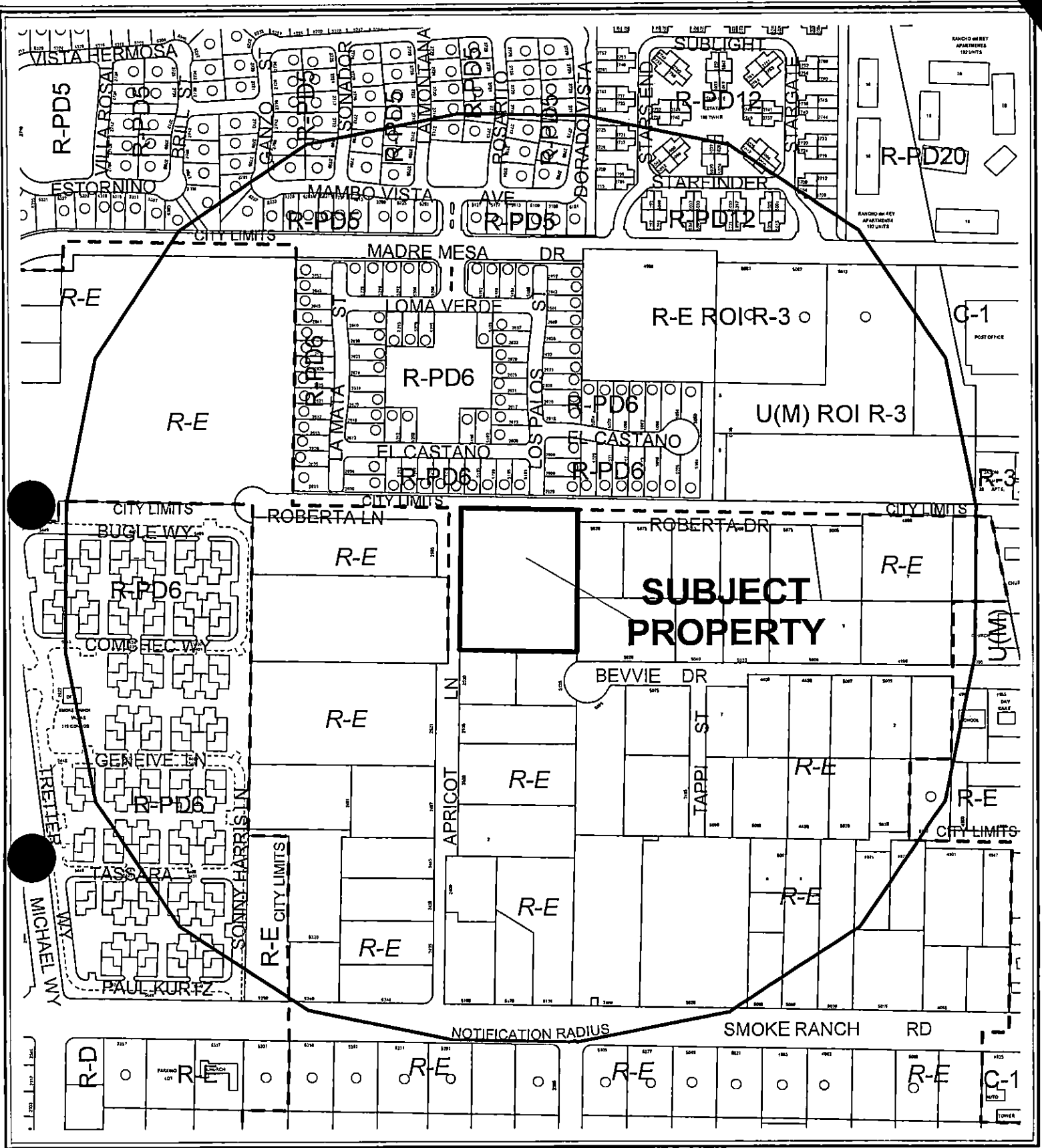
MOTION:

EVANS – Motion to WITHDRAW WITHOUT PREJUDICE Item 8 [SUP-16850] and Item 9 [SDR-16849]; HOLD IN ABEYANCE Item 22 [VAR-17732], Item 23 [SDR-17730], Item 30 [SUP-17737], Item 31 [SDR-17735] and Item 35 [SUP-17739] to the 12/21/2006 Planning Commission Meeting; and Item 36 [ROC-17721] and Item 37 [SDR-17720] to the 2/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

The applicant requested that Item 8 [SUP-16850] and Item 9 [SDR-16849] be withdrawn without prejudice as another site has been found for this project.

(6:03-6:09)



CASE: **SDR-16849**

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16849 - APPLICANT/OWNER: ST.THOMAS CATHOLIC
CHURCH

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN

**SAINT THOMAS OLD CATHOLIC CHURCH
6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108**

BISHOP ROBERT BURGESS

PHONE (702)-655-5840

**CITY OF LAS VEGAS
PLANNING AND DEVELOPMENT
731 SOUTH FORTH STREET
LAS VEGAS, NEVADA 89101
ATTENTION: JOHN KORKOSZ**

**RE: SDR 16849 SITE DEVELOPMENT REVIEW & SUP 16850 SPECIAL USE
PERMIT**

Dear Mr Korkosz,

Please be advised that the Building Committee and Bishop Burgess, have decided that it isn't worth the effort to pursue the building of a structure in the City of Las Vegas. So we hereby request that we be removed from the agenda of your December 7th 2006 meeting. We wish to thank you and your staff for all their effort in our endeavor, it is too bad that everyone involved wasn't as cooperative. Again thank you .

Sincerely

Anthony J Cozeck
Representative for Saint Thomas Old Catholic Church

RECEIVED
NOV 27 2006

MADEIRA SOUTH
A COMMON INTEREST COMMUNITY
PLAT BOOK 106, PAGE 60

ROBERTA LANE

APN 138-13-801-004
LOT FOUR (4)
PARCEL MAP FILE 63, PAGE 83

APN 138-13-801-010
LOT TWO (2)
PARCEL MAP FILE 69, PAGE 21

APN 138-13-801-000
LOT ONE (1)
PARCEL MAP FILE 68, PAGE 21

BEVIE ROAD

BENCHMARK

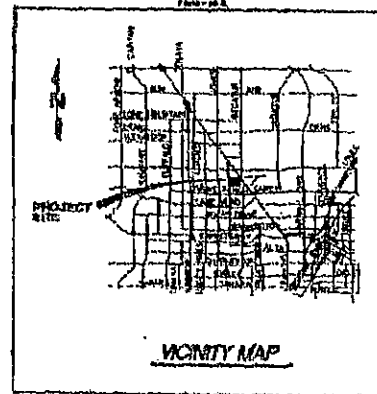
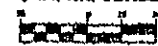
DATA POINTS ESTABLISHED BY 2" DOWE LEAD MARKS CAN BE USED FOR ADJUSTMENT OF TOP OF CURB, INTERIOR CORNER OF WALL, WHICH WOULD BE THE MOST ACCURATE AND BE OF GREAT VALUE FOR THE PROJECT.

POINT FROM WHICH MEASUREMENTS WERE MADE
1111' 00" N - 1111' 00" E
2222' 00" S - 2222' 00" W

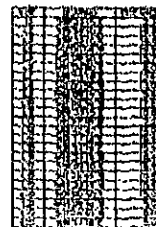
BASIS OF BEARINGS

NORTH ARROW POINT, BEING THE CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE EIGHTH (8) RANGE, 23 SOUTH, RANGE 12 EAST, COUNTY OF COALA, STATE OF TEXAS, IS BEING USED AS THE BASIS OF BEARINGS FOR THE PROJECT. THE PROJECT IS BEING LOCATED ON THE EAST SIDE OF THE ROAD, BEING THE CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE EIGHTH (8) RANGE, 23 SOUTH, RANGE 12 EAST, COUNTY OF COALA, STATE OF TEXAS.

GRAPHIC SCALE

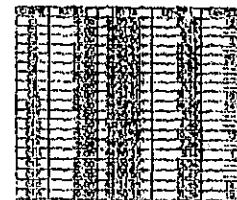


VICINITY MAP



LOT SIZE: 345 ACRES
BUILDING #1: 27140
BUILDING #2: 27250

1000' 00" 11,800' 00" 575' 00" 1111' 00"



OCCUPANCY LOAD

2000.000 41.170
2000.000 41.170

NOTE: The Occupancy Load is based on the California Building Code, 2001 Edition, and is based on the Building Code, 2001 Edition, and is based on the Building Code, 2001 Edition.

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SEP 15 2006

SUP-16850

SDR-16849

12/07/06 PC

NTE# XX-XXXX

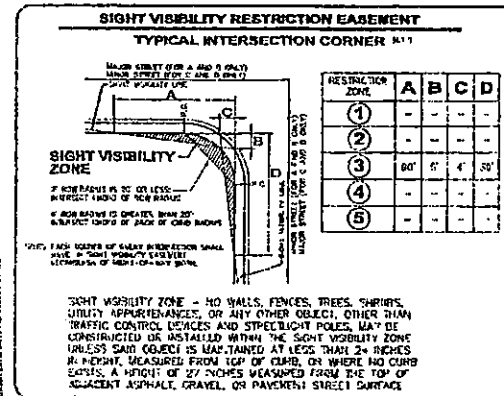
ST. THOMAS
CATHOLIC CHURCH

ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

SITE PLAN



ENGINEER'S SEAL
STATE
1" = 30'
SHEET NUMBER
9
JOB NAME



TRAFFIC CONSTRUCTION NOTES

1. INSTALL TYPE 3 CENTERLINE TYPIC ROUND 36" x 14"
2. INSTALL END OF LANE MARKERS
3. NOT USED
4. NOT USED
5. NOT USED

RECEIVED
SEP 15 2006

**CLARK COUNTY DEPT. OF DEVELOPMENT SERVICES
CIVIL ENGINEERING DIVISION**

ACCEPTANCE OF PLANS FOR FILING ON:

RECEIVED FROM THE ENGINEER: 2. ACCEPTED FOR FILING BY THE DIVISION: 3. DATE: 11/11/2014 11:00 AM

ACCEPTANCE OF THESE PLANS FOR FILING SHALL NOT BE CONSIDERED AS A PREREQUISITE FOR OR AN APPROVAL OF, ANY VIOLATION OF ANY OF THESE PROVISIONS OF THE STATE OR COUNTY LAWS AND/OR SPECIFICATIONS.

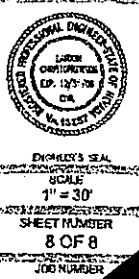
CLARK COUNTY SHALL BE HELD FREE FROM DAMAGES WHICH MAY RESULT FROM THE CONSTRUCTION OF THE REPRODUCED PLANS BY THE UNEXPECTED DESIGN DEFECTS THEREIN.

NOTE: POWER POLES AND/OR OTHER EXISTING FACILITIES NOT PREVIOUSLY COVERED BY THE PLANS AND/OR INSTRUMENTS SHOWN HEREON WILL BE RELOCATED AT THE EXPENSE TO CLARK COUNTY.

**ST. THOMAS
CATHOLIC CHURCH**

ST. THOMAS CATHOLIC CHURCH
APN# 138-13-801-002

LANDSCAPE PLAN



APN 138-13-881-084
LOT FOUR (4)
PARCEL MAP FILE 53, PAGE 83

APN 158-13-801-019
LOT TWO (2)
PARCEL MAP FILE 80, PAGE 21

APN 130-13-801-020
LOT ONE (1)
PARCEL MAP FILE 69, PAGE 21

BASIS OF BEARINGS
NORTH 80°38'00" WEST, BEING THE DRAWING OF THE NORTH LINE OF THE SOUTHEAST
QUARTER (S4 1/4) OF THE SIXTH T14E (S 1/2) OF SECTION 13, TOWNSHIP 20 SOUTH,
RANGE 60 EAST, N40E, COUNTY OF CLACK, STATE OF NEVADA AS BORN PER PLAT
BOOK 125 PAGE 48, OFFICE RECORDS, SAID COUNTY, SAID STATE

BENCHMARK

CLARK COUNTY BENCHMARK NO. B0120-1-154 1" CORNER NEAR BRASS CAP REFERENCE
MONUMENT AT TOP OF ELEVATED EAST CORNER OF SMOKE HOUSE ROAD AND
WHEELER RAIL NEAR TOP OF 12" WOODEN RAILROAD PEGS.

NAME: PAUL DUNN PERIOD: 2000
ELEVATION = 676.125 METERS
2279.97 FEET

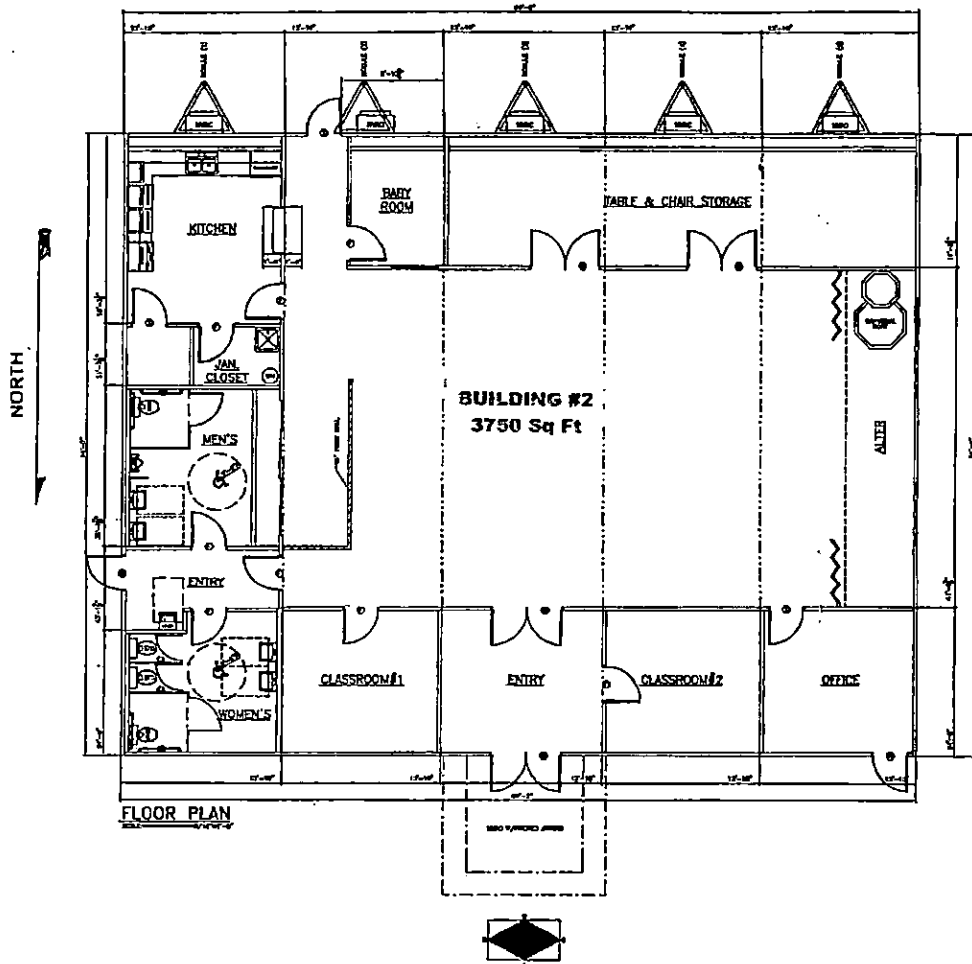
SUP-16850
SDR-16849
12/07/06 PC

HTE# XX-XXXX

Call before you Dig.
 00-227-2500
 00-227-2500
 00-227-2500

Call before you OVERHEAD
 1-702-257-2929
 1-702-257-2929
 1-702-257-2929

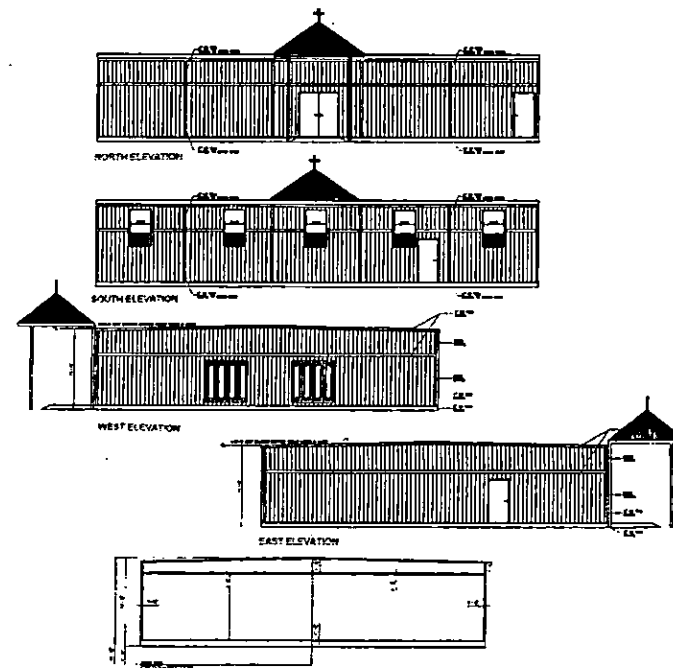
Call before you Dig.
 1-702-455-7511
 1-702-455-7511
 1-702-229-6611



BUILDING 2

OCCUPANCY LOAD
BUILDING #2 270

NOTE: The Occupancy Load for Building #2 will no longer be as shown, as soon as Building #1 is complete, it will no longer be used for Services. The Assembly area will no longer apply.



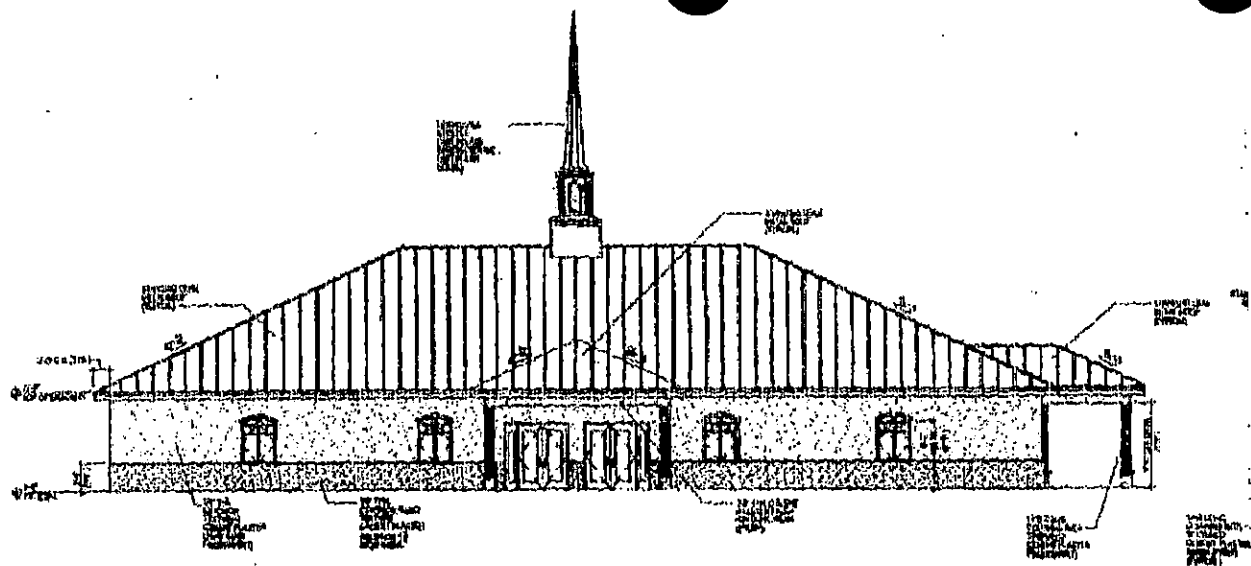
RECEIVED

SEP 15 2006

SUP-16850
SDR-16849
12/07/06 PC

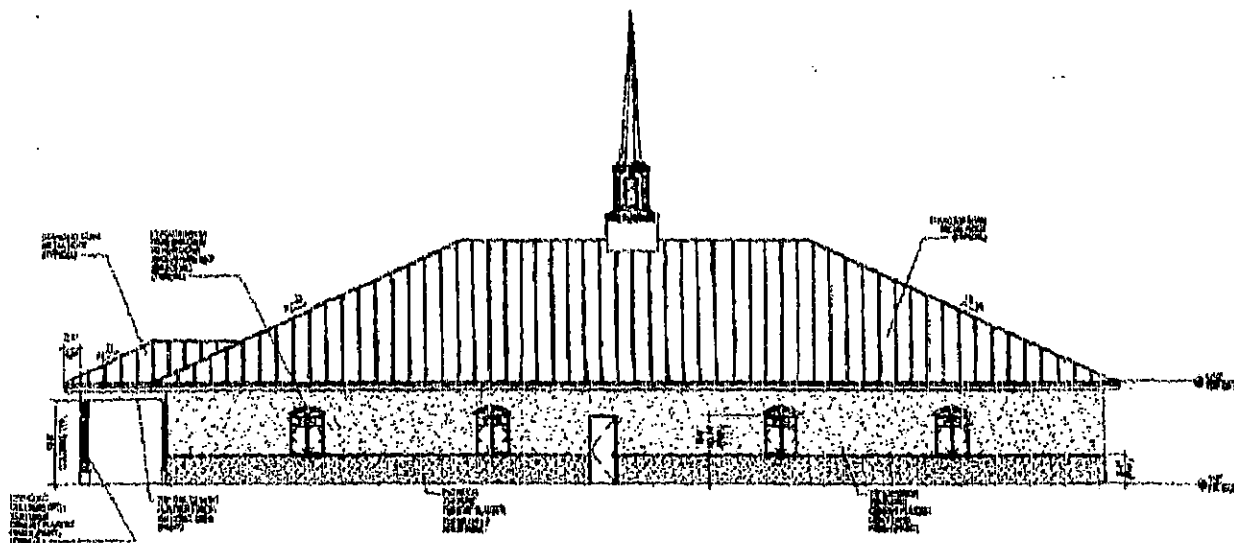
LOCATION FOR STATE APPROVAL STAMP

REVISIONS DATE BY 1 2 3 4 5	MODTECH DIRECT 1001 W. WILSON AVENUE PHX (602) 233-2800 FAX (602) 233-6100
DATE: 08-01-06 DRAWN BY: V. WILLIAMS SALES PERSON: MARIA S. STATE: ARIZONA DRAWING #: N/A PROJECT #: N/A SHEET NO: 4	



North Elevation

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



South Elevation

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

BUILDING ONE
NORTH - SOUTH ELEVATIONS

SUP-16850
SDR-16849

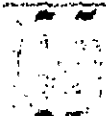
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SEP 15 2006

12/07/06 PC



122 Apple Road
Suite 101
Stamford, CT 06907



St. Thomas Catholic Church
122 Apple Road, Suite 101
Stamford, CT 06907
Tel: 203.358.1234
Fax: 203.358.1235
www.stthomasct.org

St. Thomas Catholic Church
122 Apple Road, Suite 101
Stamford, CT 06907

Structural:
Jorgensen & Christensen Engineers
122 Apple Road, Suite 101
Stamford, CT 06907
Tel: 203.358.1234

M.E.P.:
Stewart Engineering
122 Apple Road, Suite 101
Stamford, CT 06907
Tel: 203.358.1234

DATE: 12/07/06

Rev.	Description	Date

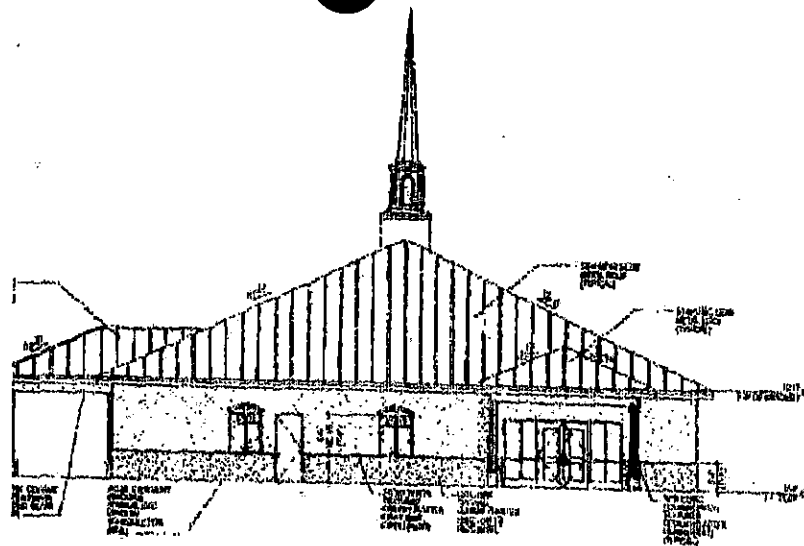
Project No.:
Client:

Project Name:
Elevation:

Project Location:
Project Description:

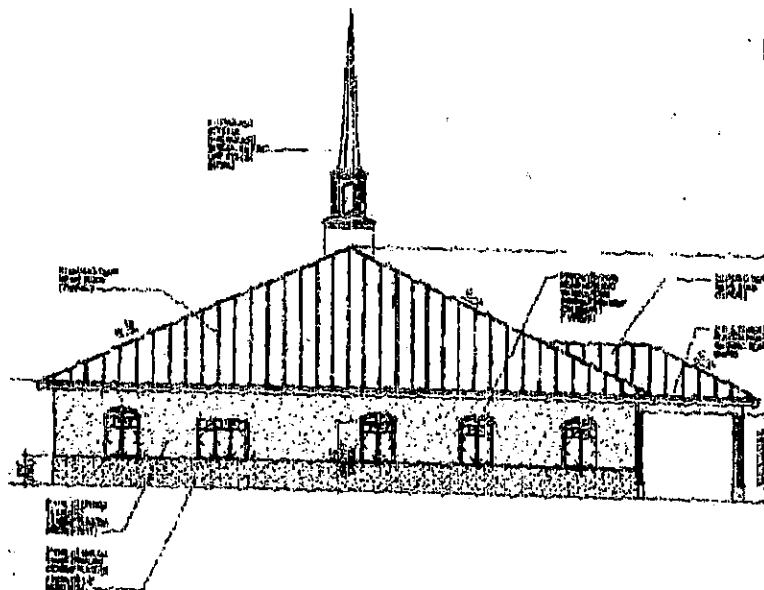
Project Status:
Project Manager:

A2.0



West Elevation

SCALE 1/8" = 1'-0"



East Elevation

SCALE 1/8" = 1'-0"

BUILDING ONE
EAST - WEST ELEVATIONS

SUP-16850
SDR-16849
12/07/06 PC

RECEIVED
SEP 15 2006



122 Arden Road
Suite 6
Daytona, FL 32208



141 South Orange Ave.
Orlando, Florida 32806
407.332.4313 Fax
407.332.1923 Fax
www.stewarteng.com
REV. L. 8/10/19
Architect: Michael H. Gorman
Tel. 407.332.1923

ST. THOMAS
CATHOLIC CHURCH
1001 Santa Monica Blvd.
Las Vegas, NV 89101

Structural:
Jenkins & Chisler Engineers
2001 Foothill Blvd., Suite 200
San Jose, CA
408.444.1717

MEP:
Stewart Engineering
1001 Santa Monica Blvd.
Las Vegas, NV 89101
702.444.1717

DATE: MAY 10, 2006

Rev.	Description	Date

APPROVED: [Signature] DATE: 5/10/06

Project: Exterior Elevations

Drawn by: [Signature] Date: 5/10/06

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

A2.0

SDR 16849				
St. Thomas Catholic Church				
SEC Roberta & Apricot				
Proposed 11.59 thousand square foot church.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	11.59	9.11	106
AM Peak Hour			0.72	8
PM Peak Hour			0.66	8
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Roberta or Apricot				
Smoke Ranch Road				
Average Daily Traffic (ADT)	14,661			
PM Peak Hour	1173			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	26,972			
PM Peak Hour	2158			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Smoke Ranch	32585			
Decatur	51700			
This project will add approximately 106 trips per day on Smoke Ranch and Decatur. This will increase expected volumes by less than 1 percent on Smoke Ranch and Decatur. Smoke Ranch is at about 45 percent of capacity and Decatur at about 52 percent of capacity. Counts are not available for Roberta or Apricot, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 8 additional cars into the area; which works out to about one every eight minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-16850 AND SDR-16849 - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH
SOUTH SIDE OF ROBERTA DRIVE, APPROXIMATELY 1280 FEET WEST OF DECATUR BOULEVARD
DECEMBER 7, 2006 PLANNING COMMISSION

09/27/06



SUP-16850 AND SDR-16849 - APPLICANT/OWNER: ST. THOMAS CATHOLIC CHURCH
SOUTH SIDE OF ROBERTA DRIVE, APPROXIMATELY 1280 FEET WEST OF DECATUR BOULEVARD
DECEMBER 7, 2006 PLANNING COMMISSION

09/27/06

**SAINT THOMAS CATHOLIC CHURCH
6010 SMOKE RANCH ROAD
LAS VEGAS, NEVADA 89108**

BISHOP ROBERT BURGESS

PHONE (702)-655-5840

**TO: CITY OF LAS VEGAS
ATTENTION: PLANNING AND ZONING**

Re: Letter of Justification

St Thomas Catholic Church has been in existence since 1998, at it's current location 6010 Smoke Ranch Road in the City of Las Vegas. This is a commercial strip center. We have acquired a Two and One Half Acre parcel of land at the Southeast corner of Apricot Lane and Roberta Lane. This parcel of land was in Clark County, we have applied for, and received, annexation into the City of Las Vegas.

The proposed use of this parcel of land is as follows:

1. To erect a Manufactured type of structure (see attached drawings Building #2) on the extreme East side of the property and to utilize this structure as our place of worship during construction of our primary house of worship (Building # 1).

2. We propose to erect Building #1 as shown on the Site Plan. Upon completion of this structure, we propose to utilize the Building #2 described in Para 1, as an educational facility.

3. We intend to have the structures blend in to the surrounding structures, as evidenced by the submittals we have presented. We hold services presently on Saturday at 5:00 PM and on Sunday at 9:00 AM and 11:00AM. We have functions that are held at various times. None of these functions are at a period of time as to intrude on the peace and serenity of the current surroundings.

4. We intend to abide by all City of Las Vegas Codes and Ordinances pertaining to this type of facility. We are requesting the following exceptions:

a. That the set back required along the South property line and East property line be reduced. There is an existing "block wall" acting as a buffer between the adjoining properties. Our Site Plan indicates that we are providing a four and one half and six feet buffer respectively. The necessity of an eight foot buffer seems extreme.

b. Along the North property line abutting Roberta Lane and West property line abutting Apricot Lane a requirement is for a fifteen feet area for landscaping. Our plans show a fourteen and one half foot landscape area, on Apricot Lane and we have also provided a twenty four and one half foot landscape area along Roberta Lane. We are asking for a trade off regarding the one half foot difference on West property line.

c. All parking spaces along the property lines require a planting area for every five parking spaces. We are asking for an elimination of these planter areas. We are in a water crisis in our area and the requirement for additional landscaping seems superfluous. And as our congregation expands we may require more parking spaces.

Respectfully submitted


Bishop Robert Burgess

**SUP-16850
SDR-16849
12/07/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-17693 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), Ward 6 (Ross).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – Abeyance petition with 17 signatures by Patricia Conrad for Items 10 and 11

MOTION:

DUNNAM – ABEYANCE to 1/11/2007 – UNANIMOUS

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [ZON-17693] and Item 11 [SDR-17694].

ANDY REED, Planning and Development Department, stated the setbacks associated with this proposal are out of character for the area and recommended denial. He also noted several late protests and approvals.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 10 – ZON-17693

MINUTES – Continued:

RUSSELL SKUSE, 7525 Hickum Avenue, appeared on behalf of the applicant. He stated he had attempted to meet with the Planning Commissioners, City Councilmembers and the neighbors regarding this proposal. He noted this project conforms to the land use designated by the City and welcomed the opportunity to hear the neighbors' opinions.

PATRICIA CONRAD, 5336 Elkhorn Road, appeared to request the items be held in abeyance so the neighbors would have more time to meet with the developer and become better informed about the proposal. She also submitted a petition requesting the items be held. KEN BOULDIN, 5224 Pacific Opal Avenue, concurred. BRENT CONRAD, 5336 Elkhorn Road, concurred and pointed out that the homes surrounding the project have at least one acre of land. DON NEWBY, 5312 Elkhorn Road, concurred with MRS. CONRAD and expressed his concern that his horseman lifestyle will be negatively impacted.

GEORGE TORRES, 7240 Elkhorn Road, expressed his disappointment in the development of the area and noted the quality of his life has declined. SHARON KASRAVI-HINES, 7208 Unicorn Street, concurred.

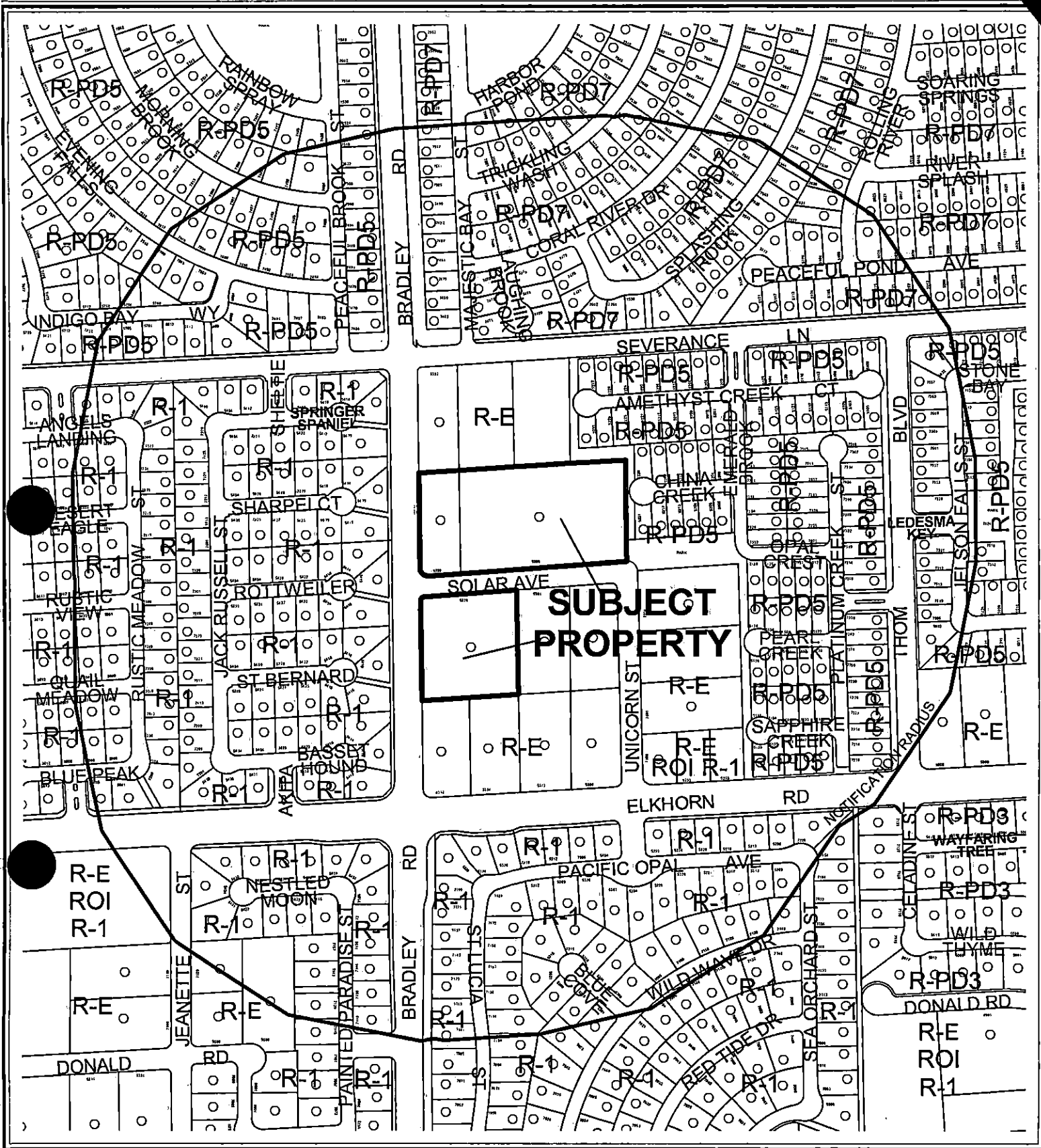
MR. SKUSE pointed out this proposal had not been required to have neighborhood meetings because it conformed to the City's land use plan, but requested the items be heard at the 12/21/06 Planning Commission meeting in an attempt to work with the neighbors. MARGO WHEELER, Director of Planning and Development, stated two weeks would be insufficient time to hold a neighborhood meeting and revise the plans. COMMISSIONER DUNNAM could not support an abeyance for two weeks and stated he would support holding the items for one month.

COMMISSIONER STEINMAN noted that less time would be wasted if neighborhood meetings were a standard requirement during the planning process.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 10 [ZON-17693] and Item 11 [SDR-17694].

(6:21 – 6:33)

1-601



CASE: **ZON-17693**

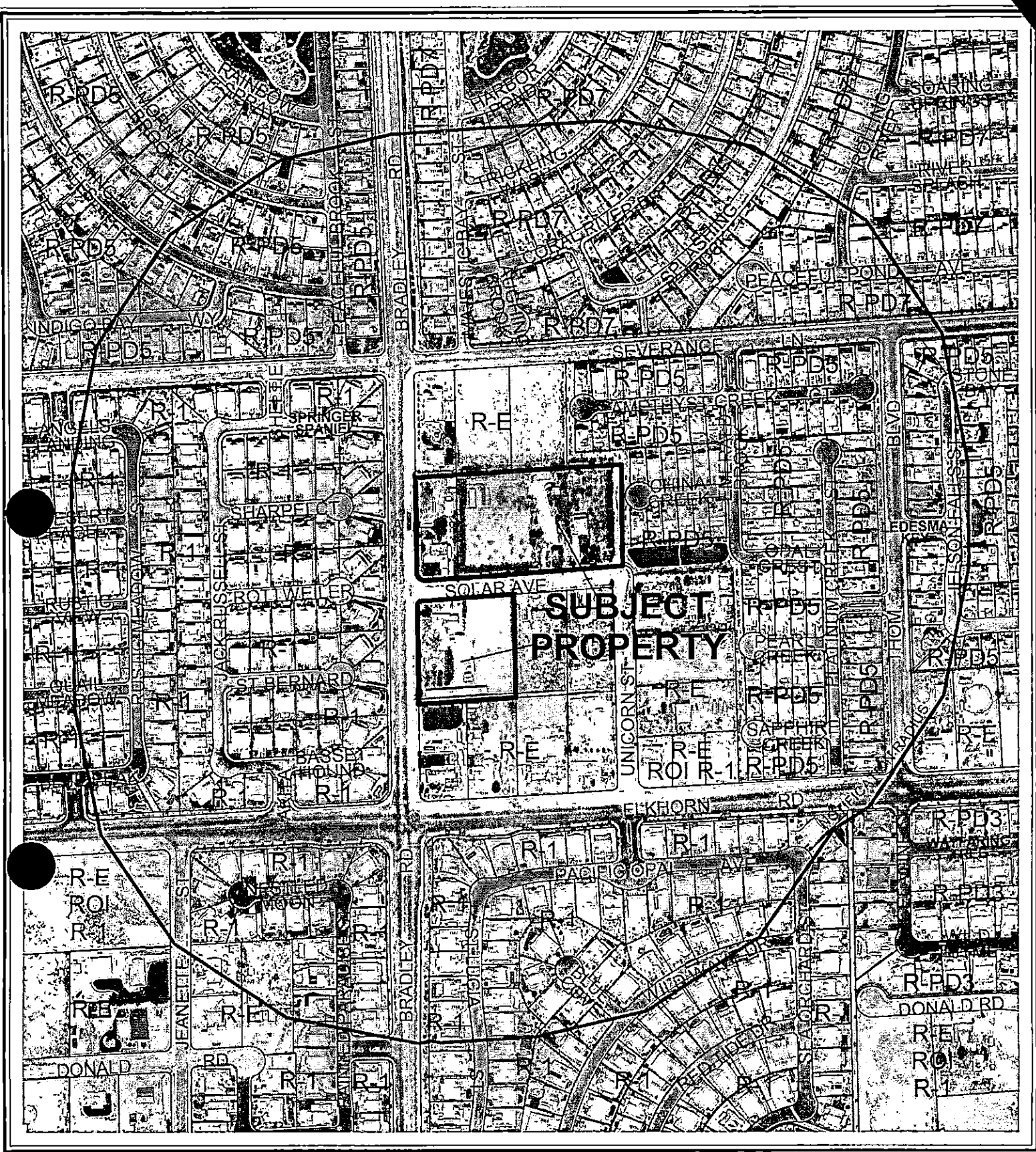
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)



CASE: **ZON-17693**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-17693 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN
KARAS**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, 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-17694) 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. Coordinate with the City Surveyor to determine if mapping this site as a Merger and Resubdivision is appropriate; comply with the recommendations of the City Surveyor.
4. Dedicate an additional 5 feet of right-of-way for a total radius of 20 feet on the northeast and southeast corners of Bradley Road and Solar Avenue.
5. Construct half-street improvements on Bradley Road and half street and full width street improvements as appropriate on Solar Avenue, including transition paving, 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). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. A minimum of two lanes of asphalt pavement on the major access streets adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

AR

ZON-17693 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

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

ZON-17693 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a rezoning from R-E (Residence Estates) to R-PD8 (Residential Planned Development - 8 units per acre) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue. A related Site Development Plan Review (SDR-17694) will also be considered on this agenda.

The density of development that would be permitted by the proposed R-PD8 (Residential Planned Development, 8 units per acre) is out of character with adjacent development and the property would be best used for development that is more compatible with nearby subdivisions.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
10/04/06	Bradley Road Equestrian Trail and open space requirements discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.27 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Three single family dwellings	ML	R-E
North	One single family dwelling, two vacant lots	ML	R-E
South	Two single family dwellings	ML	R-E
East	Single family dwellings	ML	R-PD5 and R-E
West	Single family dwellings	L	R-1

<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		N
Rural Preservation Overlay District		X	

ZON-17693 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.06, the applicant proposes to establish the following development standards:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	3,000 square feet
Min. Lot Width	40 feet
Min. Setbacks • Front (building) • Front (garage) • Side • Corner • Rear (non cul-de-sac) • Rear (cul-de-sac)	• 5 feet • 5 feet or more than 18 feet • 3 feet • 6 feet • 10 feet • 5 feet
Min. Distance Between Buildings	6 feet
Max. Building Height	30 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E	2 du/ac	16	R-PD 8	8.49 du/ac – 58 units	ML	8.49 du/ac

Per 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. Trees	1 Tree/30 Linear Feet along Bradley Road	23 Trees	26 Trees	Y
Min. Zone Width	6 Feet along Bradley Road		15 Feet – includes a portion of the Equestrian Trail	Y

<i>Total Acreage</i>	<i>Density</i>	<i>Provided</i>		<i>Required</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.27 acres	7.98 du/ac	13.2 %	41,787 sf	13.2 %	41,697 sf	Y

ANALYSIS

This site is currently developed with three dwellings in an R-E (Residence Estates) zoning district. The applicant proposes to demolish those structures and redevelop the parcels with a 58-lot residential subdivision. Access to the subdivision will be provided by Bradley Road. Lots will front on one of three 39-foot wide private streets or on Solar Avenue, a 60-foot wide public right-of-way which bisects the site. As required by the Recreation Trails Element of the Master Plan, a 30- foot wide equestrian trail is shown along the west edge of the site, adjacent to Bradley Road.

AR

ZON-17693 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

However, the ten-foot wide equestrian path located within the trail does not comply with city standards as it is not defined as a separate lot. This issue will be addressed with a condition of approval within the related Site Development Plan Review (SDR-17694). Common lot areas with landscaping and walkways are also proposed. The elevations depict two-story stucco buildings with a maximum height of 30 feet.

The applicant is seeking a change to an R-PD8 (Residential Planned Development, 8 units per acre) zone. The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns.

The proposed change in density is significant, as the typical size of the lots that border the subject site to the east are 4,500 square feet, and the typical size of the lots on the west side of Bradley Road are 6,500 square feet.

Additionally, the minimum setback requirements (five feet in the front, five feet in the rear and three feet in the side) for the proposed development are substantially less than what is required (20 feet front, 15 feet rear, 15 feet corner side, and five feet to the side) in the R-1 (Single Family Residential) district on the west side of Bradley Road and the setbacks (18 feet front, 10 feet rear, and 5 foot side) of the development to the east. This means that if approved the development would be more compact and would not be consistent with existing development in the area.

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 subject proposal complies with the density requirements of the ML (Medium Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to "Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and; therefore, do not comply with the intent of the Centennial Hills Sector Plan.

ZON-17693 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

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

The proposed project calls for the development of a 58-dwelling subdivision with a proposed density of 7.98 units per acre in an area best suited for lower density residential use. The proposed project is out of character with adjacent development and the property would be best used for development that more closely matches the density of existing development. Therefore, denial of this request is recommended.

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

While the growth that the city of Las Vegas faces indicates the need for this type of development, staff finds that the location of such a development would be better suited for an area currently zoned for medium to high density residential uses.

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

The site will receive adequate access from Bradley Road, an 80-foot wide local street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 521 (Mailed with SDR-17694)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17693** APN: **125-13-801-006**

Name of Property Owner: **Sharon Turbiville**

Name of Applicant: **Richmond American 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: _____

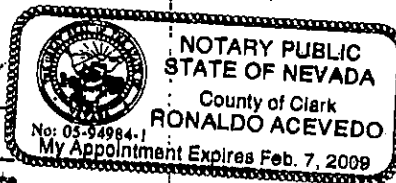
Signature of Property Owner: *Sharon Turbiville*

Print Name: Sharon Turbiville

Subscribed and sworn before me

This 2nd day of October, 2006

Ronald Acevedo
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-17693 APN: 125-13-801-005

Name of Property Owner: Delmar Dinkins

Name of Applicant: Richmond American 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): _____

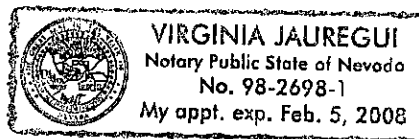
APN: _____

Signature of Property Owner: *Delmar Dinkins*

Print Name: _____

Subscribed and sworn before me

This 28 day of September, 20 06
Virginia Jauregui
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17693** APN: 125-13-802-001

Name of Property Owner: Terry & Kathryn Karas

Name of Applicant: Richmond American 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: _____

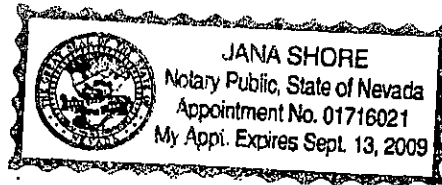
Signature of Property Owner: _____

Print Name: Terry Karas Kathryn Karas

Subscribed and sworn before me

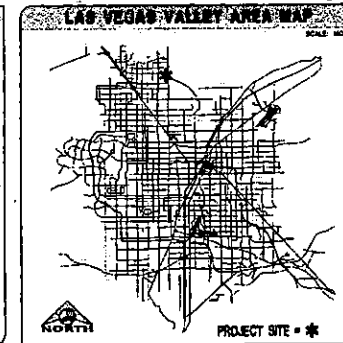
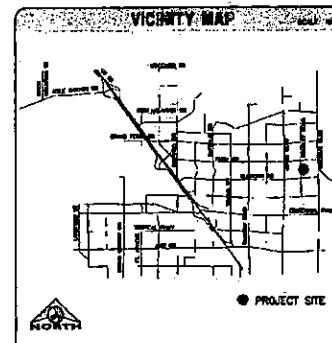
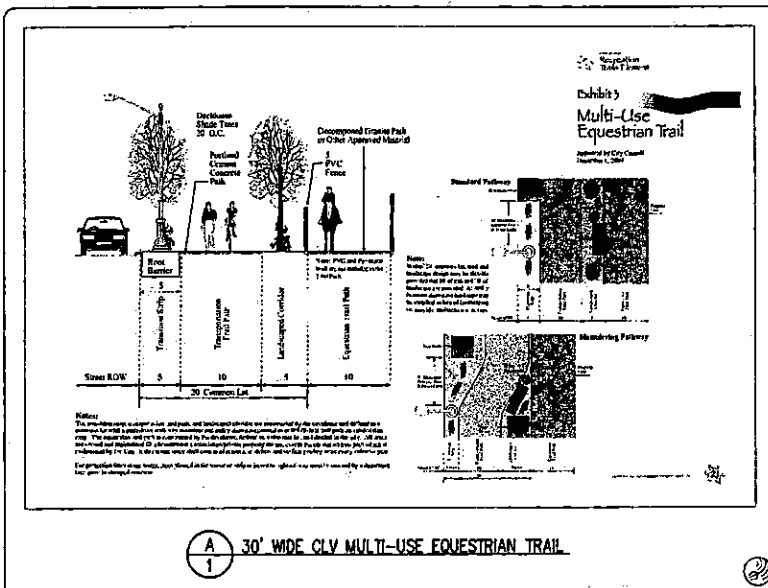
This 2nd day of October 2006

Jana Shore
Notary Public in and for said County and State



SITE PLAN OF BRADLEY / SOLAR

A PORTION OF THE SOUTHEAST QUARTER (SE¹₄), OF SECTION 13,
TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY,
NEVADA.



LEGAL DESCRIPTION

APPENDIX A

123-13-NOV-NOV, ON
123-13-NOV-NOV

SHEET INDEX

1. COVER SHEET
2. SITE PLAN

ABSTRACT REQUIREMENTS

PRESENT ZONING	R
PROPOSED ZONING	R-PM
TYPICAL LOT SIZE (SF)	3,000
FRONT TO BUILDING	5' MIN
FRONT TO GARAGE	5' @ 11'
SIDE TO BUILDING THE ROOF EAVE	5' MIN
SIDE RE CORNER	5' MIN
REAR	10' MIN
REAR RE CUL-DE-SAC USE	5' MIN

2276

TETSON ENGINEERING
 8707 W. CHARLINGTON BLVD., SUITE 8
 LAS VEGAS, NV 89148
 OFFICE: (702) 254-1988
 FAX: (702) 254-3082

OWNERS

WENDY & KATHRYN KARAS (125-12-825-000)
3325 SOLAR AVENUE
LAS VEGAS NV. 89121

SHARON FLEMING (125-12-825-000)
8300 SOLAR AVENUE
LAS VEGAS NV. 89121

DELAIR DOROTHY (125-12-827-008)
5136 SOLAR AVENUE

DEVELOPMENT

BIRMINGHAM AMERICAN HOUSE OF BEVEND, INC.
2480 PASTOR VERDE PARKWAY, SUITE 120
MEMPHIS, TN 38174
OFFICE: (901) 877-8400

SURVEY

WFO-COPIES ELIMINATED
 8750 N. CHARLESTON BLVD., SUITE A
 LAS VEGAS, NV 89146
 OFFICE: (702) 621-1234

CITY OF LAS VEGAS STREET AND ROUND PLATE IN HANDBOOK
PAGE NORTHWEST CORNER OF ELKHORN ROAD AND TORREY
PINE DRIVE, STATION 50007454.
ELEVATION: 2262.377 FEET (HANDBOOK)
71.348 METERS (NAD83)
CLARK COUNTY VERTICAL BENCHMARK, ±2005 BASED ON
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD83).

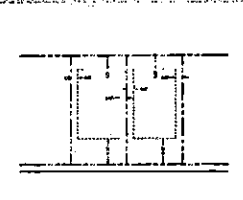
PAGE OF BEATERS

NORTH 89°41' EAST, BEING THE BEARING ON THE
CONTINUATION OF BUCKHORN ROAD AS SHOWN ON THAT
CERTAIN MAP ON FILE IN THE OFFICE OF THE CLERK
COUNTY, NEVADA RECORDS 44 FILE 22, PAGE 70 OF
SURVEYS.

COMMON LOT AREA

COMMON LOT 'A'	2,925 SF
COMMON LOT 'B'	22,967 SF
COMMON LOT 'C'	1,701 SF
COMMON LOT 'D'	10,883 SF
COMMON LOT 'E'	2,250 SF
COMMON LOT 'F'	1,045 SF
COMMON LOT TOTAL	41,782 SF

TYPICAL SETBACKS



LAND USE EVALUATION

LAND USE DESIGNATION	
PRESENT ZONING PROPOSED ZONING	A-2 (RESIDENTIAL EXISTING DESIGNATED) R-228 (RESIDENTIAL PLANNED DEVELOPMENT) (DRAFTED)
SITE SITUATION	
TOTAL LOTS STANDARD/LAND LOTS	58 (01/10/10) NONE
GROSS ACRESAGE NET ACRES (GROSS)	7.51 ACRES 7.87 LOT/10% / ACRES
OPEN SPACE	
TOTAL REQUIRED	

ZON-17693 SDR-17694
REVISED 12/07/06 PC

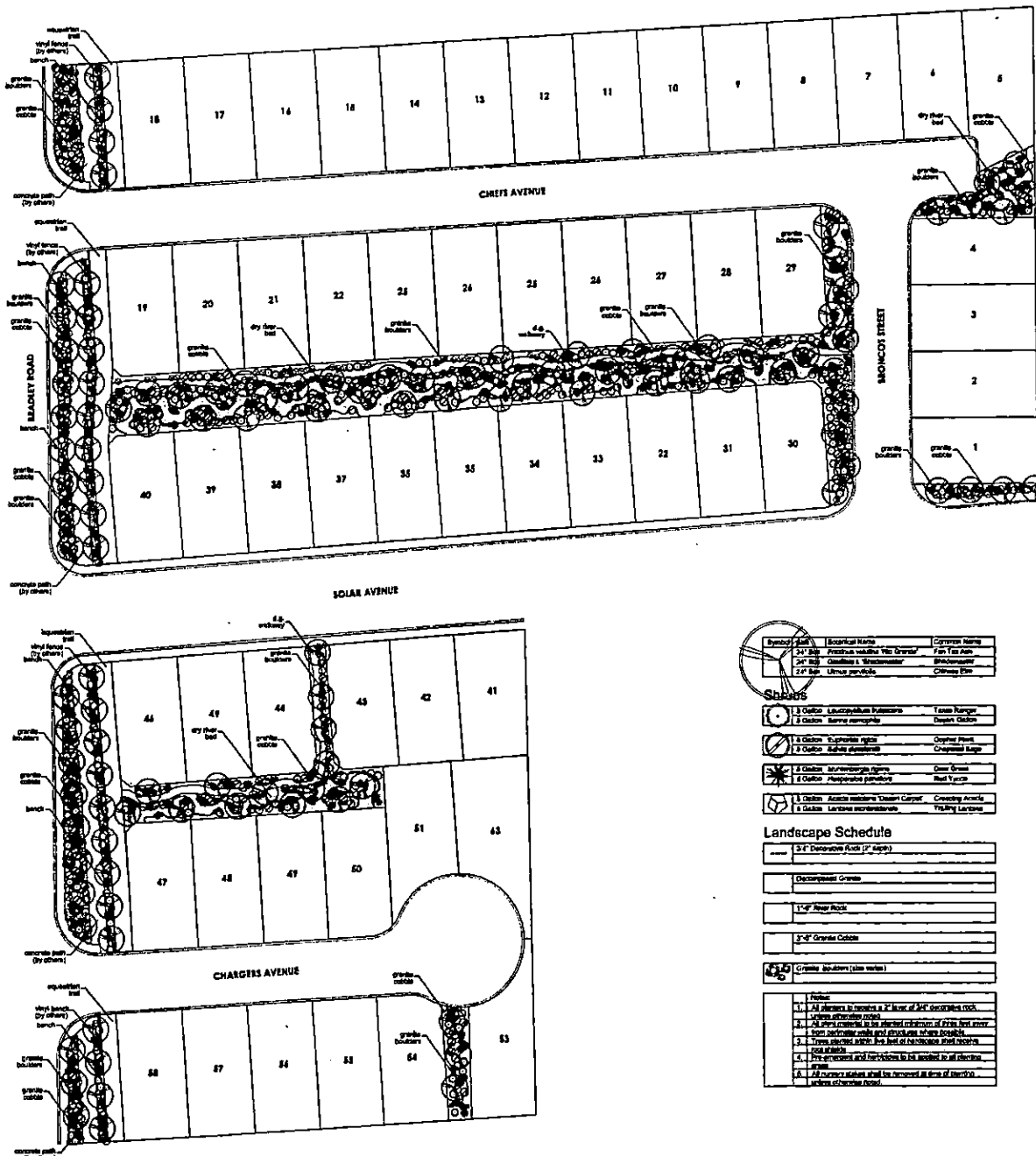
RECEIVED
NOV 15 2006

RICHMOND AMERICAN HOMES OF NEVADA, INC.

BRADLEY / SOLAR

COVER SHEET

REF 1



Symbol	Plant Material	Common Name
1" x 1" x 1"	Prostrata weeping Yucca	Yucca
2" x 2" x 2"	Ornamental Yucca	Ornamental Yucca
3" x 3" x 3"	Ornamental Yucca	Ornamental Yucca
4" x 4" x 4"	Ornamental Yucca	Ornamental Yucca
5" x 5" x 5"	Ornamental Yucca	Ornamental Yucca
6" x 6" x 6"	Ornamental Yucca	Ornamental Yucca
7" x 7" x 7"	Ornamental Yucca	Ornamental Yucca
8" x 8" x 8"	Ornamental Yucca	Ornamental Yucca
9" x 9" x 9"	Ornamental Yucca	Ornamental Yucca
10" x 10" x 10"	Ornamental Yucca	Ornamental Yucca
11" x 11" x 11"	Ornamental Yucca	Ornamental Yucca
12" x 12" x 12"	Ornamental Yucca	Ornamental Yucca
13" x 13" x 13"	Ornamental Yucca	Ornamental Yucca
14" x 14" x 14"	Ornamental Yucca	Ornamental Yucca
15" x 15" x 15"	Ornamental Yucca	Ornamental Yucca
16" x 16" x 16"	Ornamental Yucca	Ornamental Yucca
17" x 17" x 17"	Ornamental Yucca	Ornamental Yucca
18" x 18" x 18"	Ornamental Yucca	Ornamental Yucca
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52" x 52" x 52"	Ornamental Yucca	Ornamental Yucca
53" x 53" x 53"	Ornamental Yucca	Ornamental Yucca



Project Name:
Bradley and Solar
Richmond American Homes
Las Vegas, Nevada

#	Revisions	Date	By
1	engineering	10-14-06	kd
2	rev	10-27-06	mh
3	engineering	11-14-06	mh

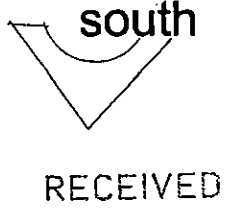
This landscape drawing is for design/build use by Landaco Landscaping and Grading only. Landaco Landscaping and Grading does not assume any responsibility for projects initiated by any contractor other than Landaco Landscaping and Grading.

Drawing:
Common Area Landscape Plan

Date: 09.25.06
Scale: 1"=30'-0"
Drawn By: mh
Checked By: kny

Sheet Number:
1 of 1

L-1



ZON-17693 SDR-17694
REVISED 12/07/06 PC

NOV 15 2006

November 14, 2006

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Request for Site Development Review
Bradley / Solar
APN # 125-13-801-001; 125-13-801-005; 006**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Site Development Review request for a proposed 58 lot single family project called "Bradley / Solar".

The applicant is requesting a Site Development Review for a proposed 58 lot single-family residential development on 7.27 acres (7.98 u/ac). Parcels adjacent to the proposed site have the following land use and zoning:

NE – R-E, R-PD5, R-PD7
NW – R-1, R-PD7, R-E
SE – R-1, R-PD3, R-E, R-PD5
SW – R-1, R-E

We are requesting the following setbacks for the RPD-8;

Typical Lot Size:	3,000 sq ft
Front to Building:	5' Minimum
Front to Garage:	5' or 18' plus
Side Yard to side of building or roof edge:	3' feet
Side on Corner to Side of building	6' feet
Rear Yard	10' feet
Rear Yard Cul-de-sac lots only	5' feet

Richmond American Homes believes that requesting RPD-8 zoning will compliment the area and would provide affordable housing.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

Kris Givant
Project Coordinator

RECEIVED
NOV 14 2006

**ZON-17693 SDR-17694
REVISED 12/07/06 PC**

December 7, 2006

To the City of Las Vegas Planning Commissioners,

As property owners whom will be directly affected by the proposed items, we would ask that items #10 and #11 on this evening's agenda be continued.

We do not have or hold the attitude to simply oppose growth in our neighborhood, but would request the applicant take time to better inform the neighbors as to what he has planned for our community. As everyone both here tonight and those whom are unable to attend, due to such short notice, understand that these decisions to be made will directly affect each of our properties and our lifestyles.

Sincerely,

Name	Address	Phone
DONALD NEWBY	5312 ELKHORN RD.	(702) 399-4730
Russell Ray	5324 Elkhorn Rd	(702) 303-4621
Kent Boulton	5224 Pacific Opal	(702) 526-5969
Patricia Green	5300 Elkhorn Rd	(702) 839-9751
Janifer Edwards	5228 Pacific Opal	702-262-1185
Mitchell Bodvill	5220 Pacific Opal Ave.	(702) 256-4597

Submitted at Planning Commission

Date 12/7/06 Item 10-11

December 7, 2006

To the City of Las Vegas Planning Commissioners,

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Sincerely,

Name	Address	Phone
Patricia Conrad	5336 Elkhorn	645-0969
Brandon Conrad	5601 Donald	396-0629
John Conrad	5601 Donald	396-0629
Caymichaela Smith	5000 Elkhorn Rd.	656-0932
Shelly M	5000 Elkhorn	656-0932
William J DAVIS	9050 Elkhorn	839 2344
Mike McCormack	5405 Towneview St	395 3749

we
not
notified
? at all

December 7, 2006

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As property owners whom will be directly affected by the proposed items, we would ask that items #10 and #11 on this evening's agenda be continued.

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Sincerely,

Name	Address	Phone
DANN WEBSTER	7325 ALPINE RIDGE	686-4471
Stephanie Layman	9333 Longhorn Falls Ct.	395-9821
Rayne Webb	6315 DAVENPORT CT	452-0840
John Lee	4152 BOND R.	306-5736

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-17694 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17693 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Site Development Plan Review FOR A 58 LOT SINGLE FAMILY DEVELOPMENT on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), R-E (Residence Estates) Zone [PROPOSED: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)], Ward 6 (Ross).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting -- Abeyance petition with 17 signatures by Patricia Conrad for Items 10 and 11 filed under Item 10

MOTION:

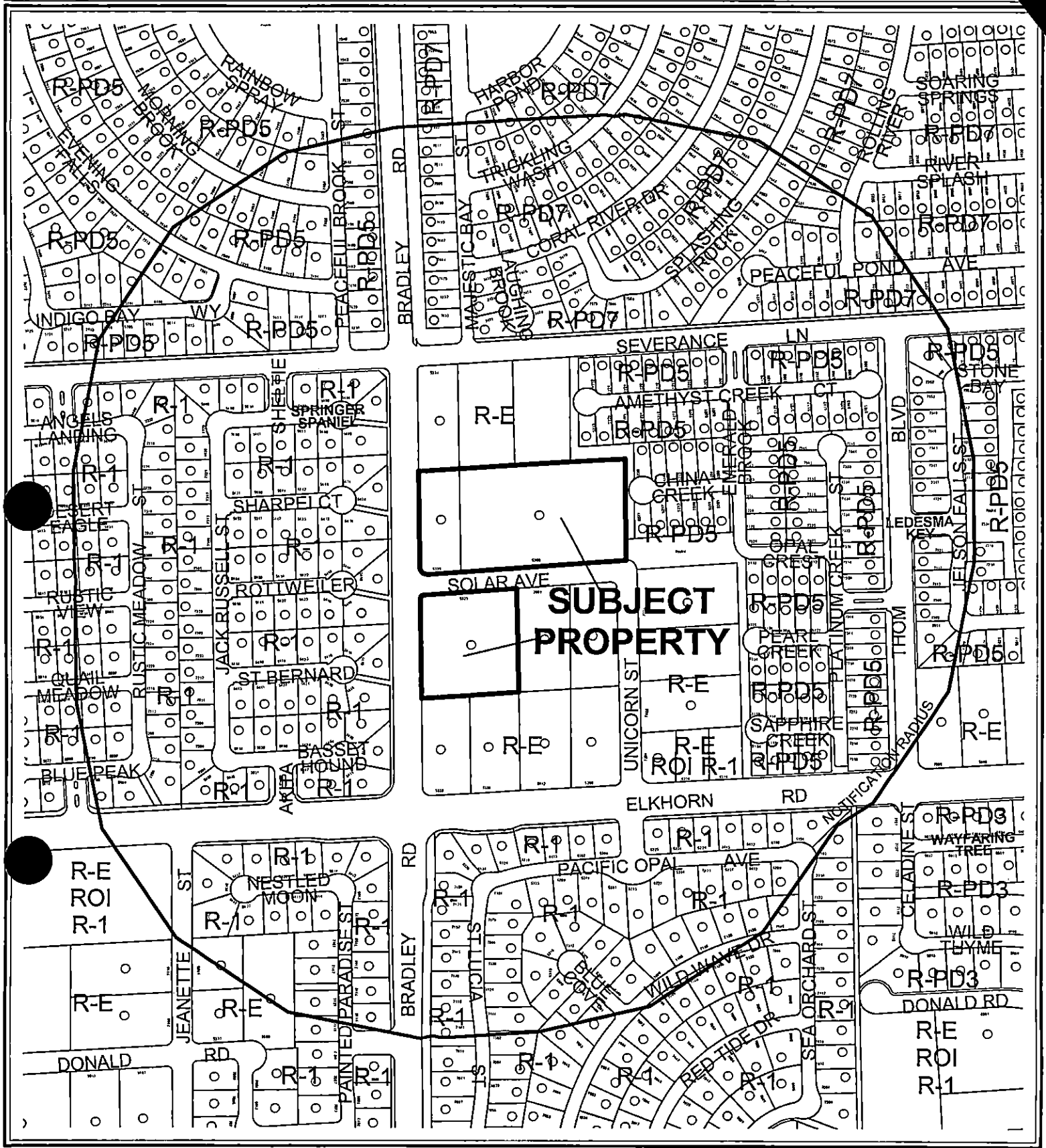
DUNNAM – ABEYANCE to 1/11/2007 – UNANIMOUS

MINUTES:

See Item 10 [ZON-17693] for all related discussion.

(6:21 – 6:33)

1-601



CASE: **SDR-17694**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS**

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

1. Conformance to the conditions for Rezoning (ZON-17693) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 11/15/06 and building elevations date stamped 10/23/06, except as amended by conditions herein.
4. The standards for this development shall indicate that building heights shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 5 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 6 feet on the corner side, 10 feet in the rear for lots not on a cul-de-sac bulb, and 5 feet in the rear for lots on a cul-de-sac bulb.
6. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect that the ten-foot wide equestrian path located within the trail is defined as a separate lot as required by the Recreation Trails Element of the Master Plan
7. 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.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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SDR-17694 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

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

Public Works

14. The private entry street shall not be gated.
15. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and 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. Landscape and maintain all unimproved right-of-way, if any, on Bradley Road adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Submit an Encroachment Agreement for all landscaping, if any, located in the Bradley Road public right-of-way adjacent to this site prior to occupancy of this site.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17693 and all other applicable site-related actions.

SDR-17694 - Conditions Page Three
December 7, 2006 - Planning Commission Meeting

20. 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.

SDR-17694 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 58-lot, single-family development on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue. A related rezoning (ZON-17693) will also be considered on this agenda.

The lots sizes and setbacks of the proposed project are out of character with adjacent development and the property would be best used for development similar to that which exists in the area.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
10/04/06	Bradley Road Equestrian Trail and open space requirements discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	8.20 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Three single family dwellings	ML	R-E
North	One single family dwelling, two vacant lots	ML	R-E
South	Two single family dwellings	ML	R-E
East	Single family dwellings	ML	R-PD5 and R-E
West	Single family dwellings	L	R-1

<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		Y
Rural Preservation Overlay District		X	

SDR-17694 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.06, the applicant proposes to establish the following development standards:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	3,000 square feet
Min. Lot Width	40 feet
Min. Setbacks • Front (building) • Front (garage) • Side • Corner • Rear (non cul-de-sac) • Rear (cul-de-sac)	• 5 feet • 5 feet or more than 18 feet • 3 feet • 6 feet • 10 feet • 5 feet
Min. Distance Between Buildings	6 feet
Max. Building Height	30 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E	2 du/ac	16	R-PD 8	8.49 du/ac – 58 units	ML	8.49 du/ac

Per 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. Trees	1 Tree/30 Linear Feet along Bradley Road	23 Trees	26 Trees	Y
Min. Zone Width	6 Feet along Bradley Road		15 Feet – includes a portion of the Equestrian Trail	Y

<i>Total Acreage</i>	<i>Density</i>	<i>Provided</i>		<i>Required</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.27 acres	7.98 du/ac	13.2 %	41,787 sf	13.2 %	41,697 sf	Y

ANALYSIS

This site is currently developed with three dwellings in an R-E (Residence Estates) zoning district. The applicant proposes to demolish those structures and redevelop the parcels with a 58-lot residential subdivision. The typical lot size is 3,000 square feet. Access to the subdivision will be provided by Bradley Road. Lots will front on one of three 39-foot wide private streets or on Solar Avenue, a 60-foot wide public right-of-way which bisects the site. As required by the Recreation Trails Element of the Master Plan, a 30- foot wide equestrian trail is shown along the west edge of the site, adjacent to Bradley Road.

AR

SDR-17694 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

However, the ten-foot wide equestrian path located within the trail does not comply with city standards as it is not defined as a separate lot. Common lot areas with landscaping and walkways are also proposed. The elevations depict two-story stucco buildings with a maximum height of 30 feet.

The applicant is seeking a change to an R-PD8 (Residential Planned Development, 8 units per acre) zone. The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns.

The proposed change in density is significant, as the typical size of the lots that border the subject site to the east are 4,500 square feet, and the typical size of the lots on the west side of Bradley Road are 6,500 square feet.

Additionally, the minimum setback requirements (five feet in the front, five feet in the rear and three feet in the side) for the proposed development are substantially less than what is required (20 feet front, 15 feet rear, 15 feet corner side, and five feet to the side) in the R-1 (Single Family Residential) district on the west side of Bradley Road and the setbacks (18 feet front, 10 feet rear, and 5 foot side) of the development to the east. This means that if approved the development would be more compact and would not be consistent with existing development in the area.

FINDINGS

The following findings must be made for a Site Development Plan Review:

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;

SDR-17694 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

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

In regard to "1": The proposed development is not compatible with development in the area. The lot sizes and setbacks proposed as part of this development are significantly smaller than the adjacent single-family development.

In regard to "2": The subject proposal complies with the density requirements of the ML (Medium Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to "Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and therefore do not comply with the intent of the Centennial Hills Sector Plan.

In regard to "3": The site gains access from Bradley Road, an 80-foot wide local street. This street will provide adequate access to and from the subject property.

In regard to "4": Building and landscape materials are appropriate for the area and the city of Las Vegas.

In regard to "5": The elevation plans show two-story homes with a maximum height of approximately 30 feet. The floor plans depict three and four bedroom models. The design features are not unsightly nor are they undesirable; however, the development is considered out of character as the lot sizes and overall density of the project are not appropriate for this location.

In regard to "6": The proposed development will not endanger the public health or the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 521 (Mailed with ZON-17693)

APPROVALS 0

PROTESTS 0

AR



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17694** APN: 125-13-801-006Name of Property Owner: Sharon TurbivilleName of Applicant: Richmond American 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): _____

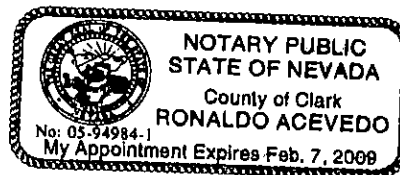
APN: _____

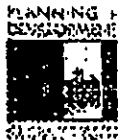
Signature of Property Owner: Sharon TurbivillePrint Name: Sharon Turbiville

Subscribed and sworn before me

This 2nd day of October, 2006

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17694**

APN: 125-13-802-001

Name of Property Owner: Terry & Kathryn Karas

Name of Applicant: Richmond American 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: _____

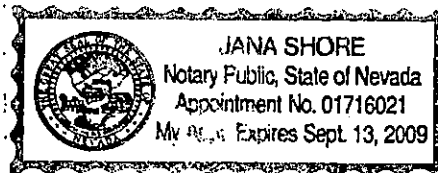
Signature of Property Owner: _____

Print Name: Terry Karas Kathryn Karas

Subscribed and sworn before me

This 2nd day of October, 2006

Jana Shore
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-17694

Case Number: _____ APN: 125-13-801-005

Name of Property Owner: Delmar Dinkins

Name of Applicant: Richmond American 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): _____

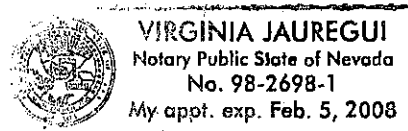
APN: _____

Signature of Property Owner: _____

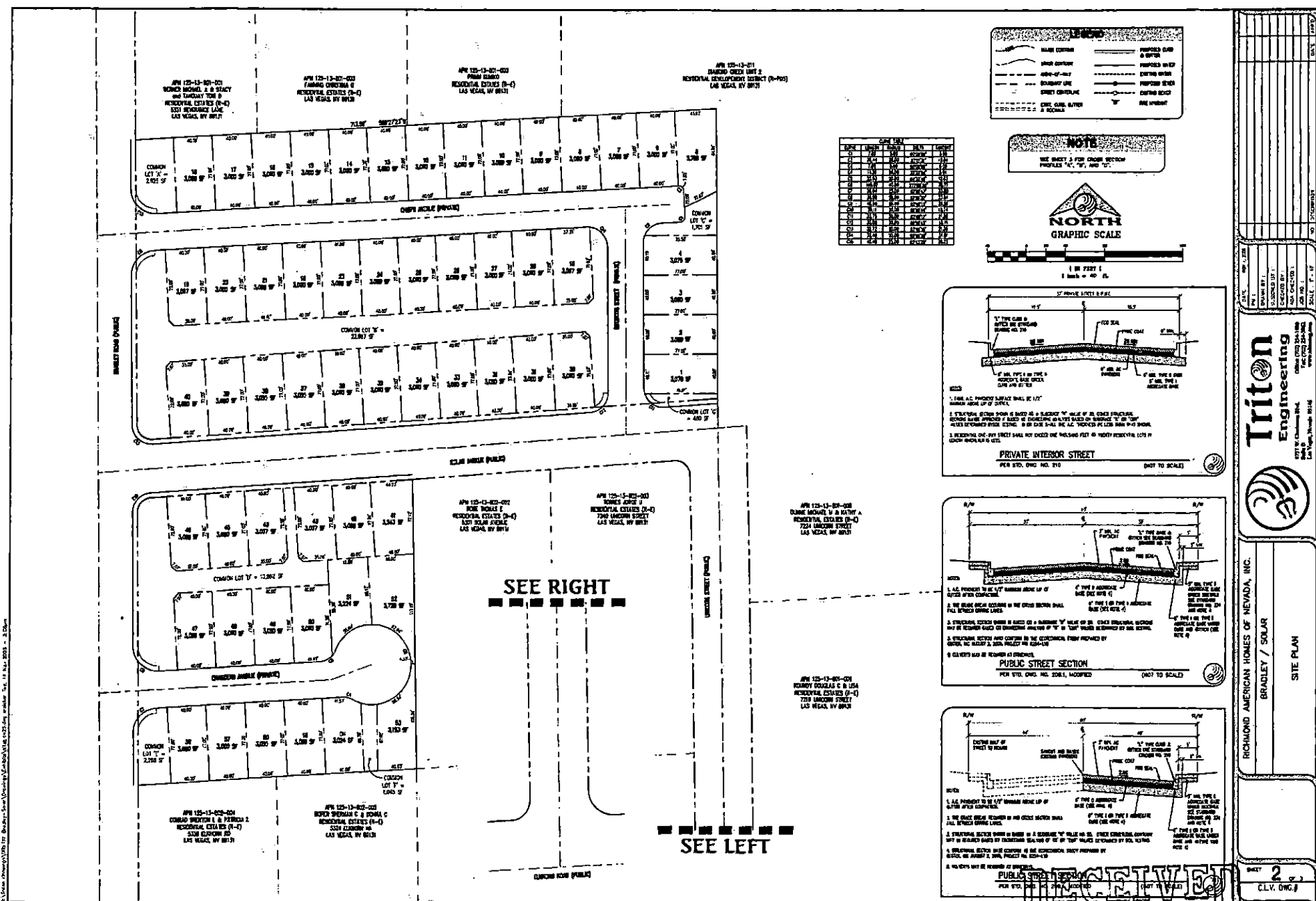
Print Name: _____

Subscribed and sworn before me

This 28 day of September, 20 06
Virginia Jauregui
Notary Public in and for said County and State



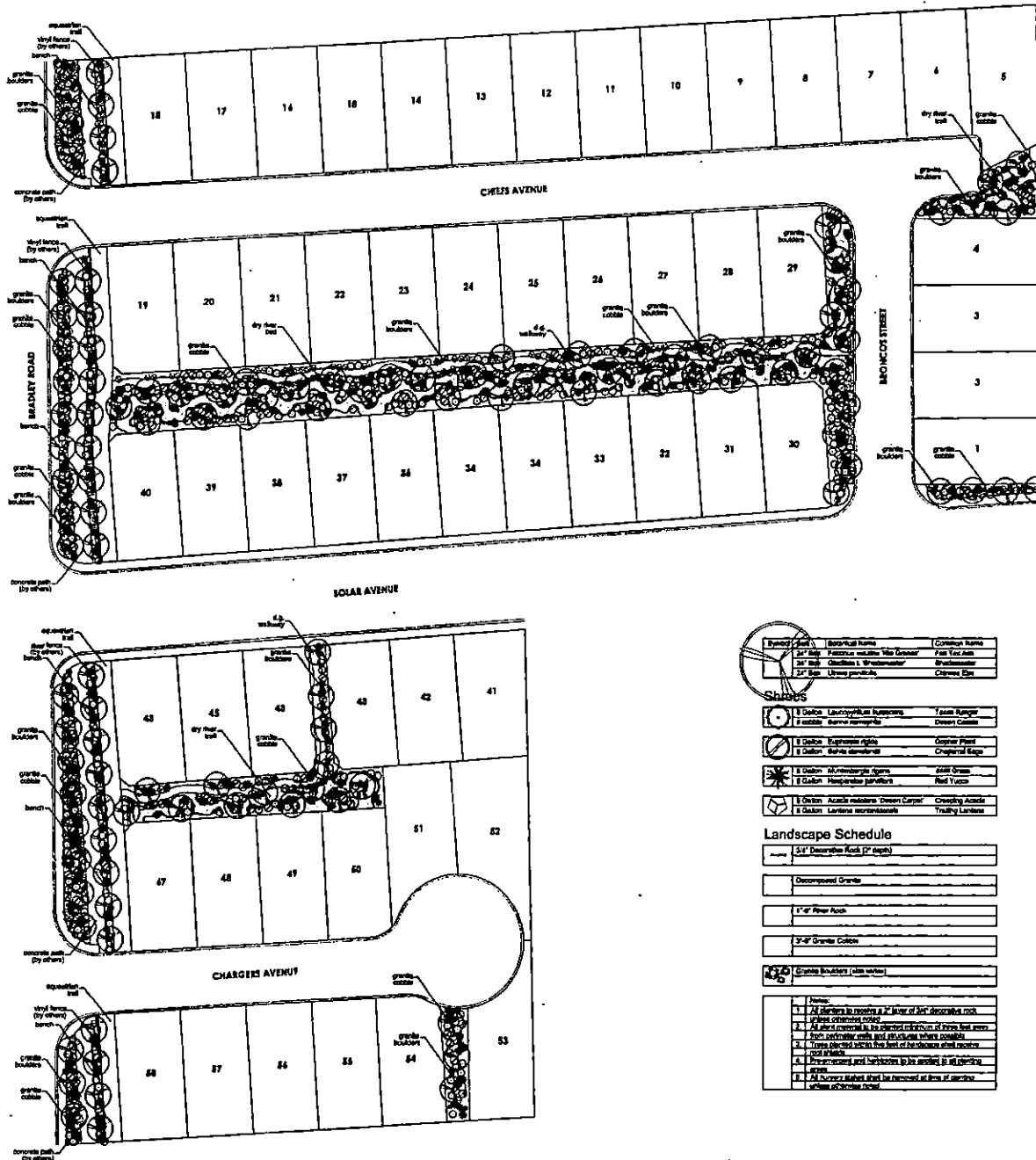
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Triton
Engineering



RICHMOND AMERICAN HOMES OF NEVADA, INC.



Symbol	Plant Name	Common Name
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4" Circle	4" Circle	4" Circle
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39" Circle	39" Circle	39" Circle
40" Circle	40" Circle	40" Circle

Symbol	Plant Name	Common Name
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2" Circle	2" Circle	2" Circle
3" Circle	3" Circle	3" Circle
4" Circle	4" Circle	4" Circle
5" Circle	5" Circle	5" Circle
6" Circle	6" Circle	6" Circle
7" Circle	7" Circle	7" Circle
8" Circle	8" Circle	8" Circle
9" Circle	9" Circle	9" Circle
10" Circle	10" Circle	10" Circle
11" Circle	11" Circle	11" Circle
12" Circle	12" Circle	12" Circle
13" Circle	13" Circle	13" Circle
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36" Circle	36" Circle	36" Circle
37" Circle	37" Circle	37" Circle
38" Circle	38" Circle	38" Circle
39" Circle	39" Circle	39" Circle
40" Circle	40" Circle	40" Circle



Project Name:
Bradley and Solar
 Richmond American Homes
 Las Vegas, Nevada

#	Revisions	Date	By
1	engineering	10-14-06	ld
2	final	10-27-06	mh
3	engineering	11-14-06	mh

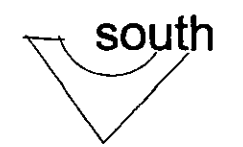
This landscape drawing is for design/build use by Landaco Landscaping and Grading only. Landaco Landscaping and Grading does not assume any responsibility for projects installed by any contractor other than Landaco Landscaping and Grading.

Drawing:
Common Area Landscape Plan

Date: 09.25.06
 Scale: 1"=30'-0"
 Drawn By: mh
 Checked By: kny

Sheet Number:
 1 of 1

L-1

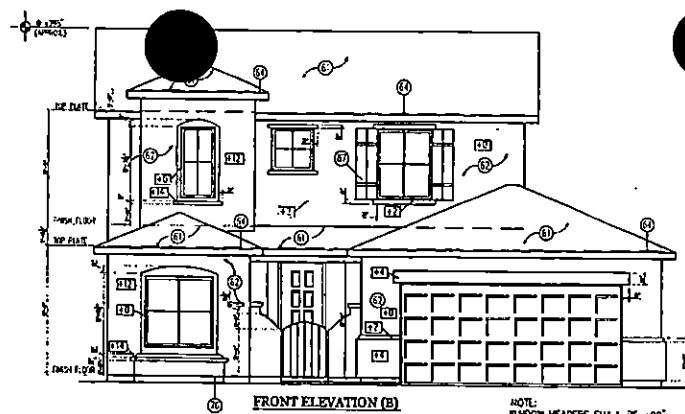
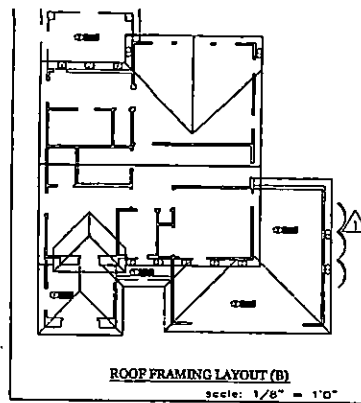


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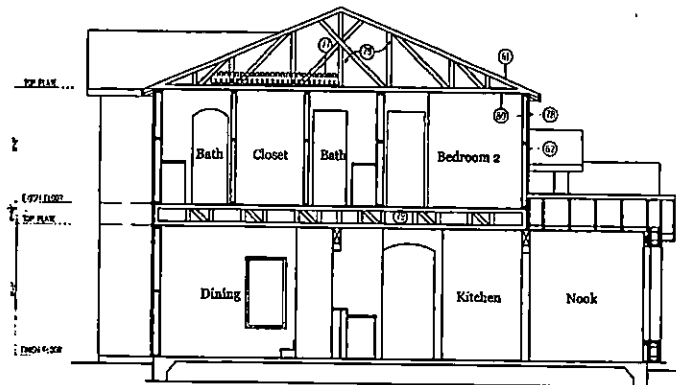
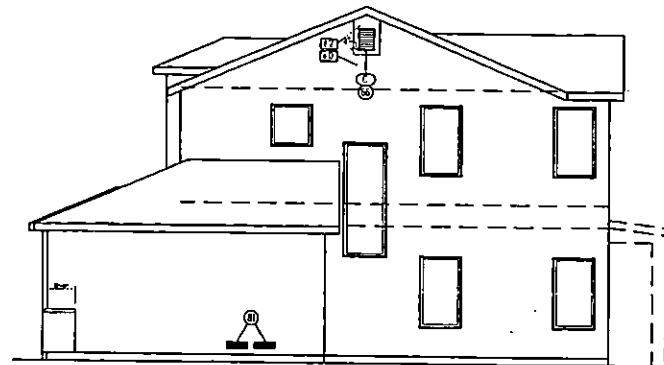
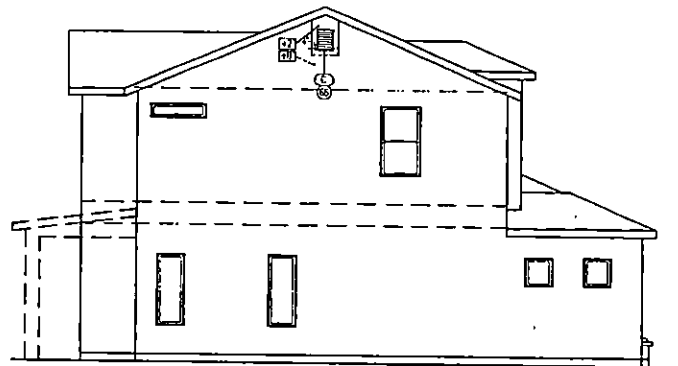
NOV 15 2006

ZON-17693 SDR-17694
 REVISED 12/07/06 PC

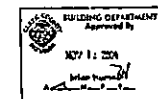
ZON-17693
SDR-17694
12/07/06 PC



NOTE:
WINDOW HEADERS SHALL BE +90"
(UNLESS NOTE OTHERWISE)



scale: 1/4" = 1'0"



**ZON-17693
SDR-17694
12/07/06 PC**

OCT 23 2006

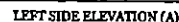
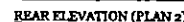
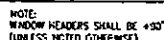
RICHMOND
ALLEGAN HOMES
STATE CONTRACTOR LICENSE #002897
UNIVERSITY MICROFILMS
SERIALS ACQUISITION
300 N ZEEB RD
ANN ARBOR MI 48106-1500
TEL: 734 769 0700
FAX: 734 769 0701
WWW.UMI.COM

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89129 (702) 240-5500

**POOR, FRONT, & SIDE OF
ELEVATION - B**

1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	2	3	4	5	6	7	8	9	10	11	12	13	14

UNO (2P16)
NEWSBURY
LINKA2-B
A2-B



scale: 1/4" = 1'0"

05-45833

"REVISION"

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006

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7250 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5600

RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #0026417
DIVISION PRESIDENT

FRONT, REAR, & SIDE
OF ELEVATION-A

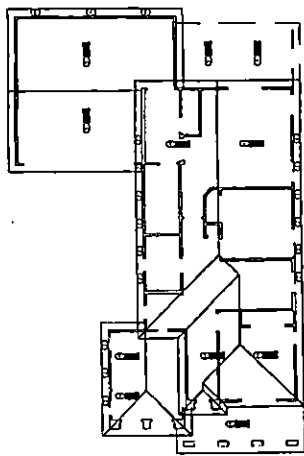
Page No.	
E. D. M.	
Date: 26/10/04	
Topic	3/3
08/10/04	
09/10/04	
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DOS (2P18)

NEWBURY

UGS-A2-A

A2-A

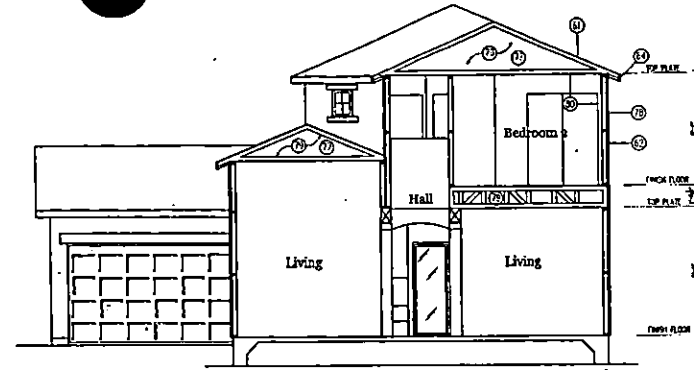


ROOF FRAMING LAYOUT (B)
scale: 1/8" = 1'0"

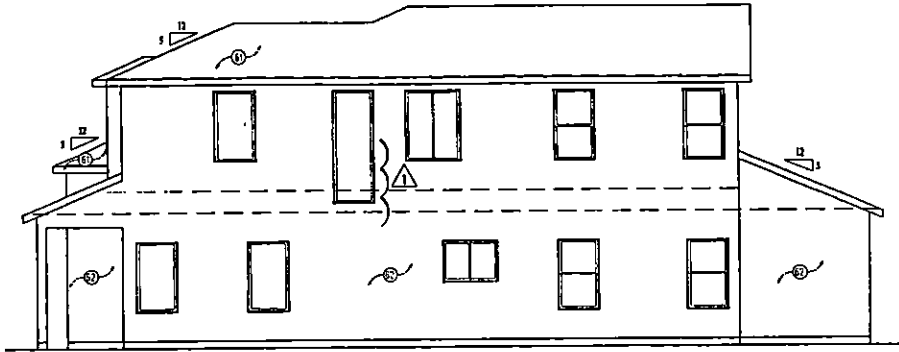


FRONT ELEVATION (B)

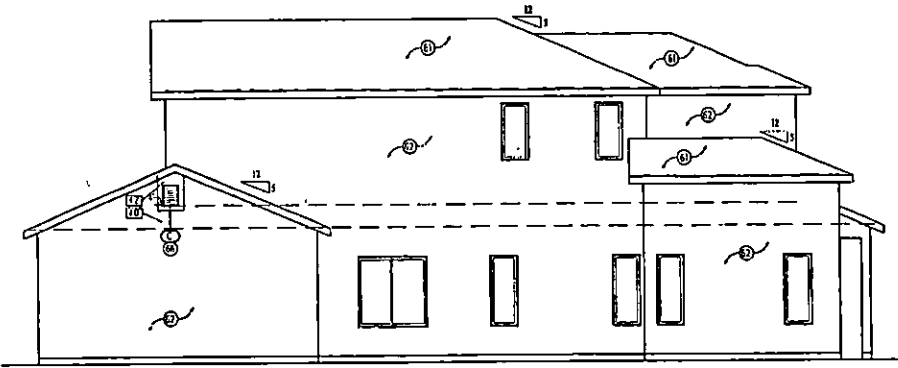
NOTE: WINDOW HEADERS SHALL BE 4x6" (UNLESS NOTED OTHERWISE)



SECTION CUT



RIGHT SIDE ELEVATION (B)



LEFT SIDE ELEVATION (B)



scale: 1/4" = 1'0"

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006

LAS VEGAS DIVISION
7230 West Pk., Suite 212
LAS VEGAS, NV 89128 (702) 240-5800

RICHMOND
A LITTLE HOME
STATE CAPITAL PROPERTY
DIVISION

ROOF, FRONT, & SIDE
OF ELEVATION B / SECTION CUT

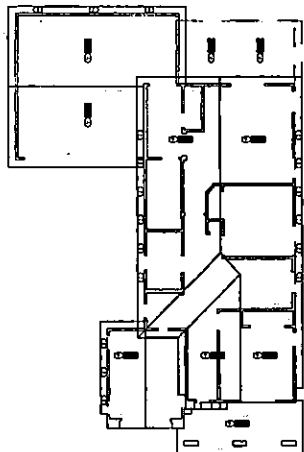
NOV 15 2006
BRIAN HUME

DOS (2P18)

KEYSURY

DOS - A2-B

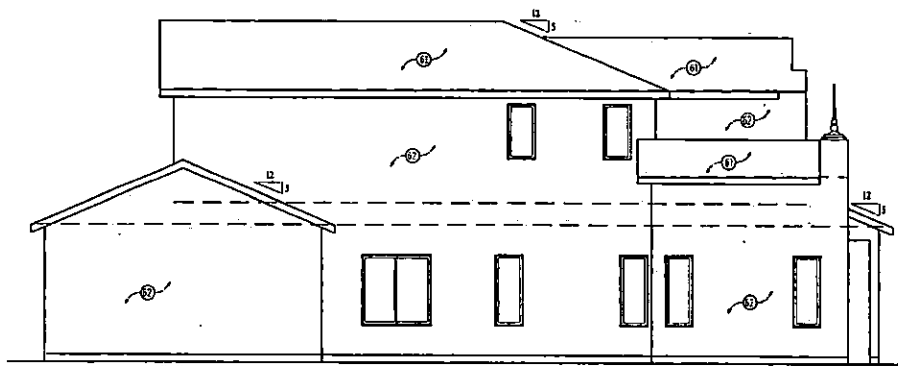
A2-B



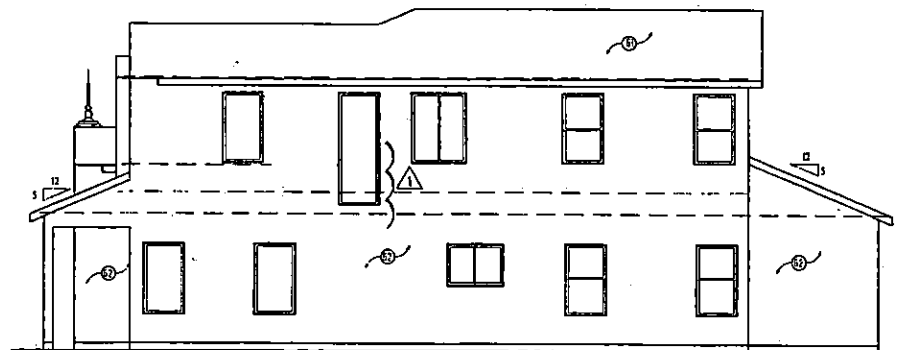
ROOF FRAMING LAYOUT (C)
scale: 1/8" = 1'-0"



FRONT ELEVATION (C)

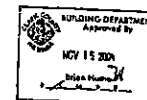


LEFT SIDE ELEVATION (C)



RIGHT SIDE ELEVATION (C)

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



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LAS VEGAS, NV 89128 (702) 240-5300

RICHMOND
ALEXANDER & SONS
STATE CONTRACTOR LICENSE #R002647

ROOF, FRONT, & SIDE
OF ELEVATION - C

REV	DATE	BY	CHK
1	05/10/04		
2	08/16/04		
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App: DOS (2P18)

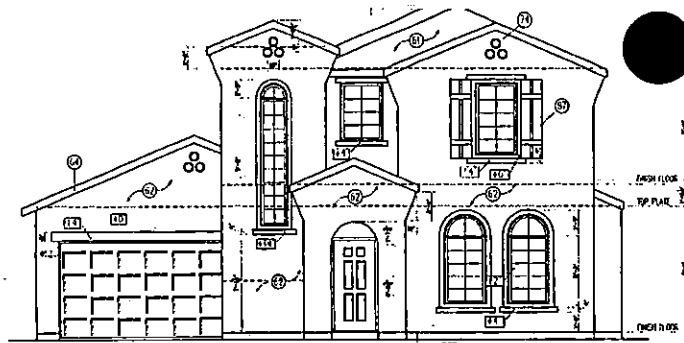
NEWBURY

DOS-A2-C

A2-C

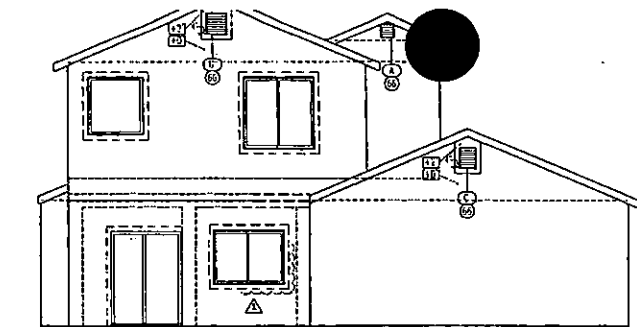
ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006

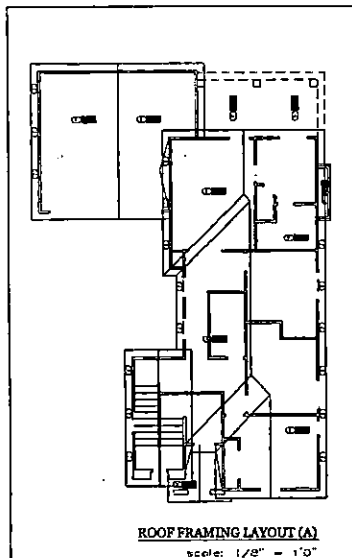


FRONT ELEVATION (A)

NOTE:
WINDOW HEADERS SHALL BE 4" x 8"
(UNLESS NOTED OTHERWISE)

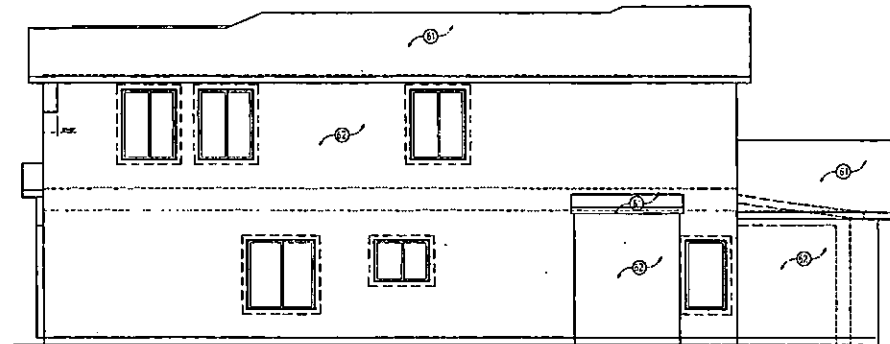


TYPICAL REAR ELEVATION

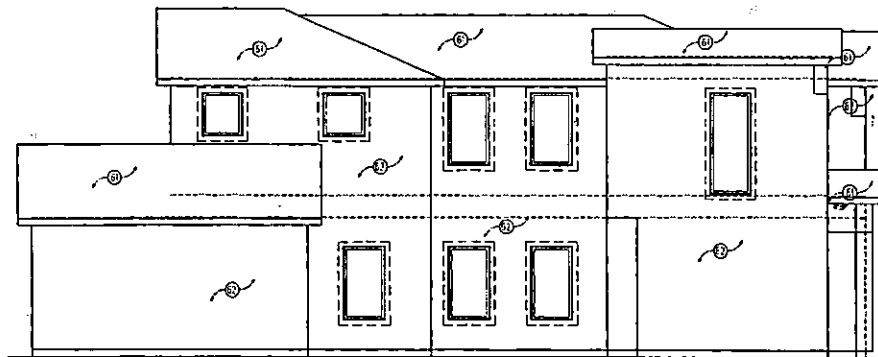


ROOF FRAMING LAYOUT (A)

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



RIGHT SIDE ELEVATION (A)



LEFT SIDE ELEVATION (A)

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

1. FOAM APPLICATIONS SHALL COMPLY PER IRC
2. WINDOW HEADERS SHALL BE 4" x 8" (UNLESS NOTED OTHERWISE)
3. SEE COVER SHEET FOR ATTIC VENTILATION CALCULATIONS
4. FLOOR JOISTS SHALL BE 2" x 10" (UNLESS NOTED OTHERWISE)
5. ROOF JOISTS SHALL BE 2" x 10" (UNLESS NOTED OTHERWISE)
6. STUD WALLS & APPLICATION SHALL COMPLY TO PER IRC (UNLESS NOTED OTHERWISE)
7. THE ROOF SHALL BE AS FOLLOWS:
8. EXPOSED ROOF (PENTHOUSE) TO BE INSULATED, FLASHING ONLY
9. PROVIDE FLASHING, INSULATED METAL, METAL W/ FLASH (DEPENDENT ON TYPE OF FLASHING)
10. ADDRESS FLASHING IN 1" x 4" x 8" (UNLESS NOTED OTHERWISE)
11. PROVIDE FLASHING IN 1" x 4" x 8" (UNLESS NOTED OTHERWISE)
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100. PROVIDE FLASHING IN 1" x 4" x 8" (UNLESS NOTED OTHERWISE)

VENT SCHED.			
GENERAL ATTIC VENT NOTES			
1. ROOF VENTILATION SHALL COMPLY PER IRC			
- SEE COVER SHEET FOR INFORMATION ON REQUIRED ATTIC VENTILATION			
1	2	3	4
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9	10	11	12
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93	94	95	96
97	98	99	100

05-45333
"REVISION"

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
STATE OF NEVADA
REGISTERED ARCHITECT
No. 10000

PROJECT: RESIDENTIAL

DATE: 08/10/06

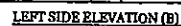
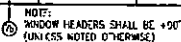
PROJECT: TRES (2P20)

PROJECT: NEWBURY

PROJECT: A2-A

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006



scale: $1/4" = 1'0"$



RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #026417
DIVISION, PRESIDENT

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LAS VEGAS DIVISION

7259 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5111

7142: ROOF FRAMING, FRONT, & SIDE OF

RY No.	DATE
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Deutsche
TRES (2P20)

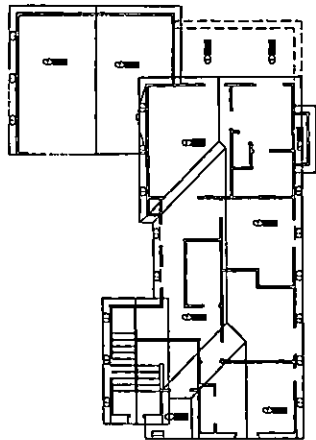
NEWBURY

UNQ-AZ-8

A2-B

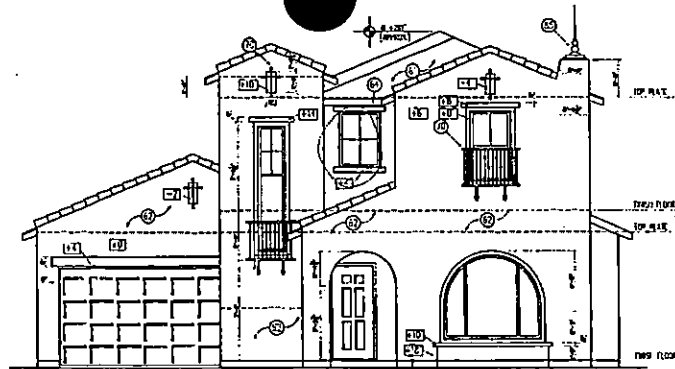
ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006



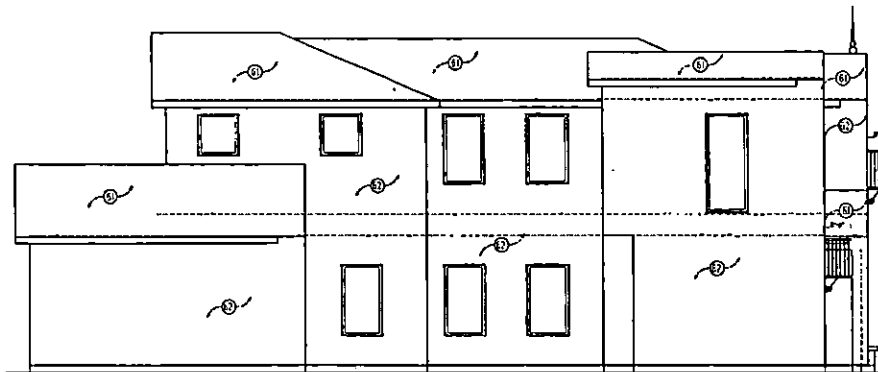
ROOF FRAMING LAYOUT (C)

scale: 1/8" = 1'0"

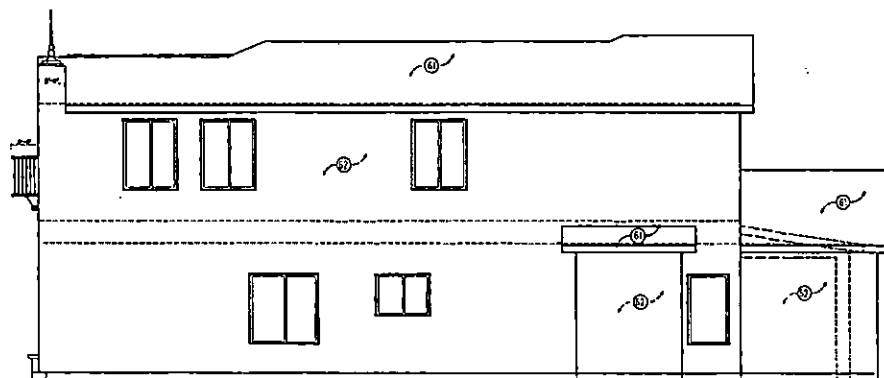


FRONT ELEVATION (C)

NOTE: WINDOW HEADS SHALL BE +9'0" (UNLESS NOTED OTHERWISE)



LEFT SIDE ELEVATION (C)



RIGHT SIDE ELEVATION (C)

scale: 1/4" = 1'0"



LAS VEGAS DIVISION
7550 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5000



PROJECT: ROOF FRAMING, FRONT, & SIDE OF
ELEVATION - C

REV	DATE	BY	CHK
1			
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DATE: 05/10/04

PROJECT: TRES (2P20)

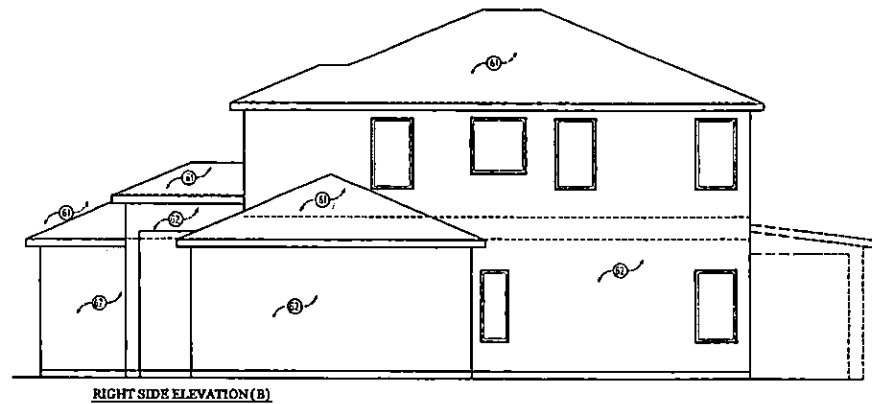
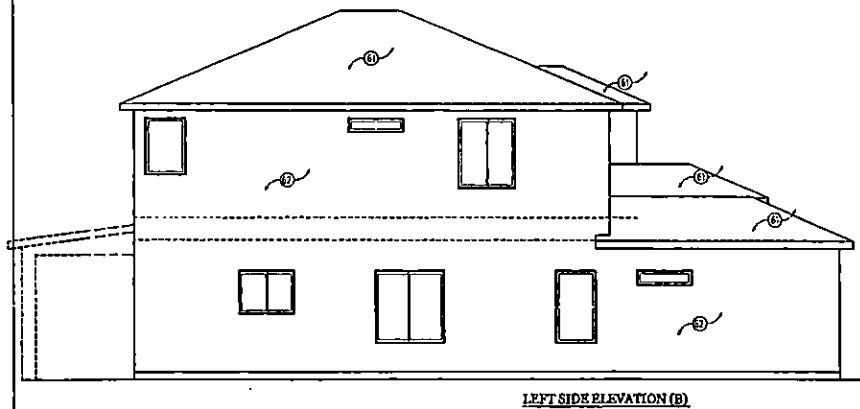
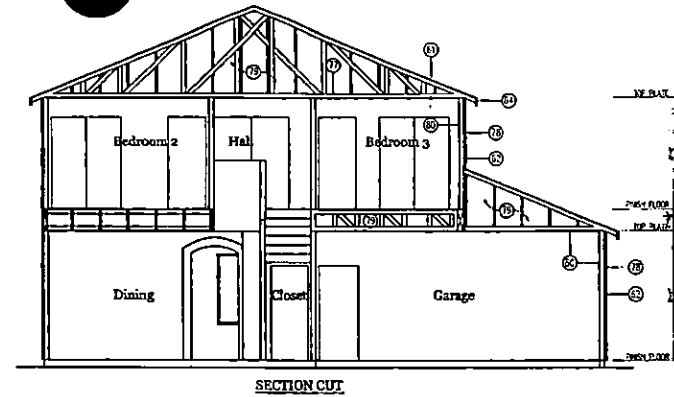
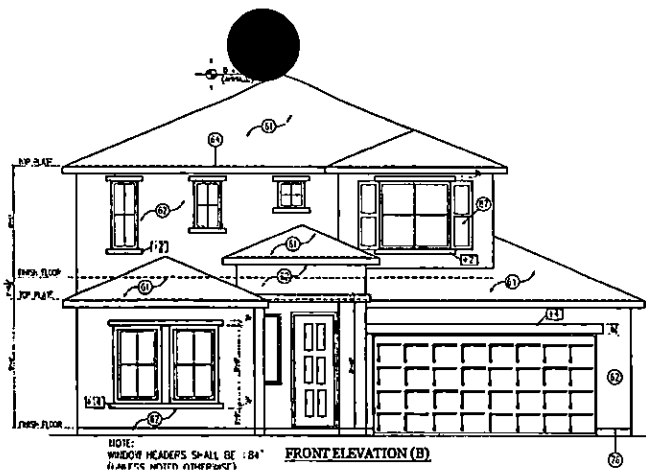
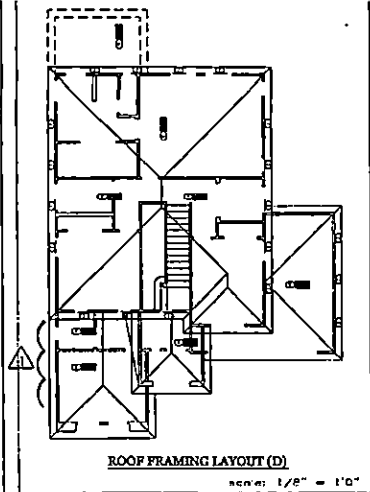
REVISION: UNO-A2-C

DATE: 05/10/04

PROJECT: A2-C

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006



scale: 1/4" = 1'0"

RICHMOND
LAS VEGAS DIVISION
7250 West Peak Suite 212
LAS VEGAS, NV 89128 (702) 240-5500

ROOF FRAMING FRONT & SIDE OF ELEVATION - B

Drawn by: E.D.H.
Check by: E.D.H.
Date: 05/05/06

Plan: QUATRO (2221)

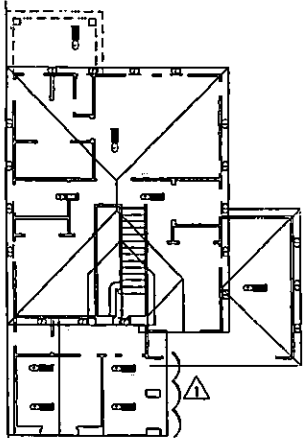
NEWBURY

QUAT - A2-B

A2-B

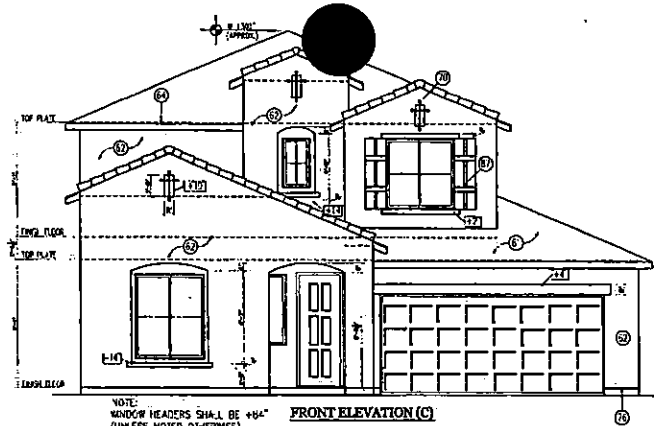
ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006



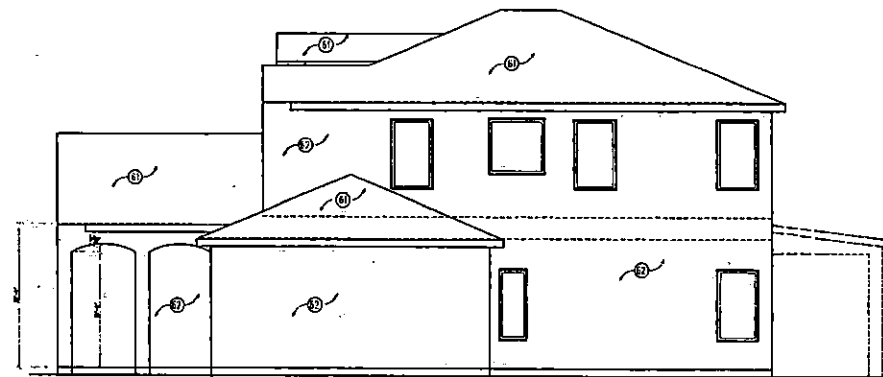
ROOF FRAMING LAYOUT (C)

SCALE: 1/8" = 1'0"

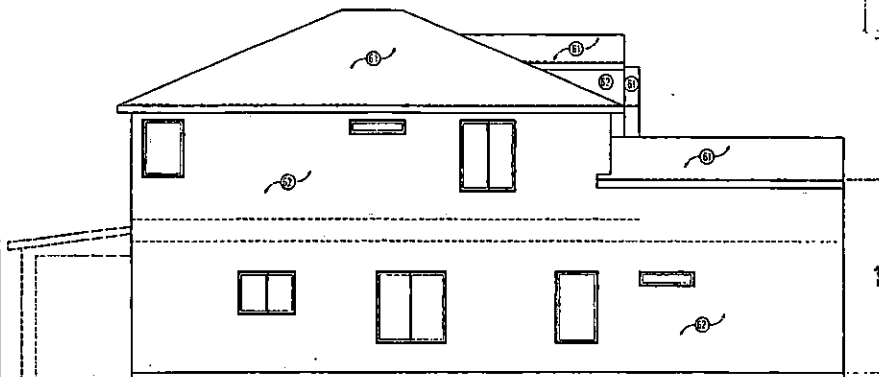


FRONT ELEVATION (C)

NOTE: WINDOW HEADERS SHALL BE 4x6" (UNLESS NOTED OTHERWISE)

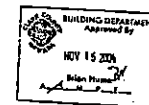


RIGHT SIDE ELEVATION (C)



LEFT SIDE ELEVATION (C)

scale: 1/4" = 1'0"



LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
STATE OF NEW YORK
OFFICE OF THE STATE ENGINEER
DIVISION OF BUILDINGS

ROOF FRAMING / FRONT & SIDE OF
ELEVATION - C

REV	DATE	BY
1	06/10/06	
2	06/16/06	
3		
4		
5		
6		

PLAN #
QUATRO (2221)

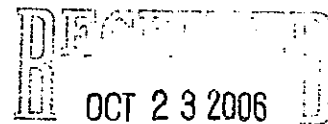
NEWBURY

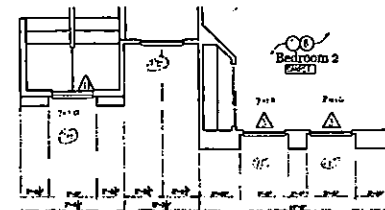
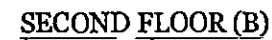
QUATRO-A2-C

A2-C

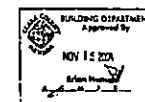
ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006





① ② ③


$$\text{error: } 1/4'' = 1'0''$$

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006



scale: 1/4" = 1'0"

ZON-17693
SDR-17694
12/07/06 PC

OCT 23 2006

1102

FLOOR PLAN (2ND FLOOR)

1102

NO. OF FLOORS: 2

NO. OF STORIES: 2

NO. OF UNITS: 2

NO. OF GARAGES: 2

NO. OF ELEVATORS: 2

NO. OF STAIRS: 2

NO. OF HALLS: 2

NO. OF LOBBIES: 2

NO. OF ROOFS: 2

NO. OF BASEMENTS: 2

NO. OF ATTIC: 2

NO. OF MECH. ROOMS: 2

NO. OF STORAGE: 2

NO. OF OFFICES: 2

NO. OF BATHS: 2

NO. OF KITCHENS: 2

NO. OF BED ROOMS: 2

NO. OF LIVING ROOMS: 2

NO. OF DINING ROOMS: 2

NO. OF BREAKFAST ROOMS: 2

NO. OF PORCHES: 2

NO. OF PATIOS: 2

NO. OF TERRACES: 2

NO. OF BALCONIES: 2

NO. OF TERRAZZOS: 2

NO. OF MARBLES: 2

NO. OF GRANITES: 2

NO. OF CERAMICS: 2

NO. OF WOODS: 2

NO. OF METALS: 2

NO. OF GLASSES: 2

NO. OF PAPERES: 2

NO. OF FABRICS: 2

NO. OF LEATHERS: 2

NO. OF RUBBERS: 2

NO. OF PLASTICS: 2

NO. OF OTHERS: 2

1102

FLOOR PLAN (2ND FLOOR)

1102

NO. OF FLOORS: 2

NO. OF STORIES: 2

NO. OF UNITS: 2

NO. OF GARAGES: 2

NO. OF ELEVATORS: 2

NO. OF STAIRS: 2

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NO. OF OFFICES: 2

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NO. OF KITCHENS: 2

NO. OF BED ROOMS: 2

NO. OF LIVING ROOMS: 2

NO. OF DINING ROOMS: 2

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NO. OF PORCHES: 2

NO. OF PATIOS: 2

NO. OF TERRACES: 2

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NO. OF TERRAZZOS: 2

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NO. OF GRANITES: 2

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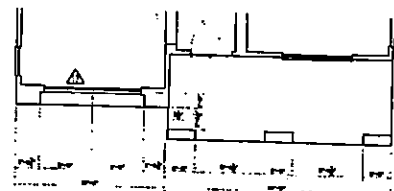
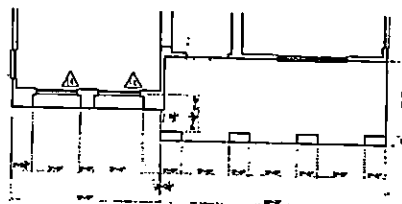
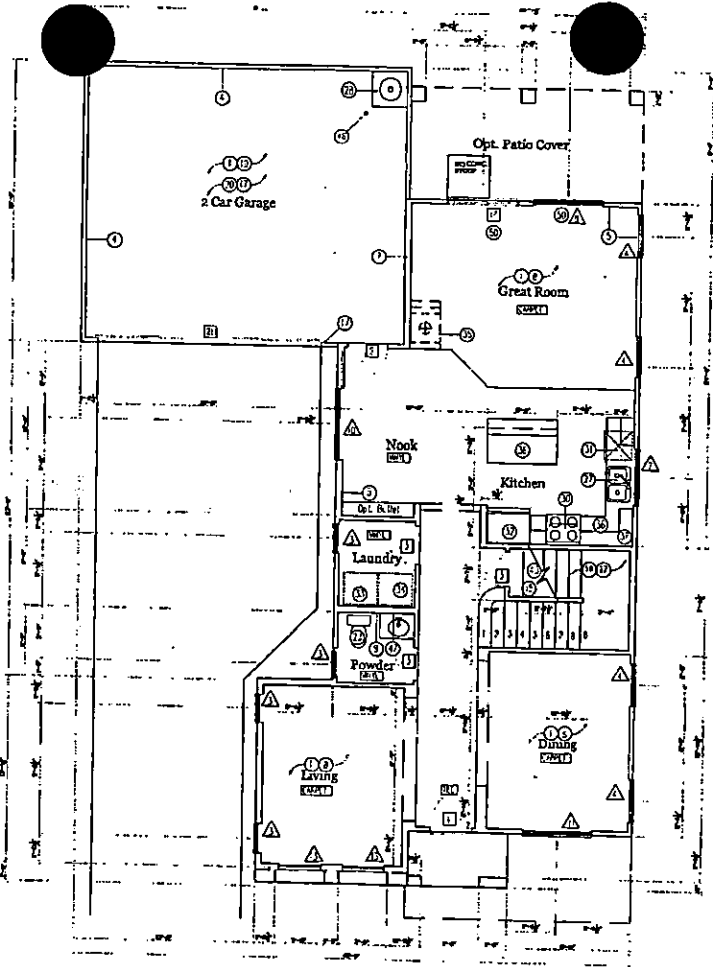
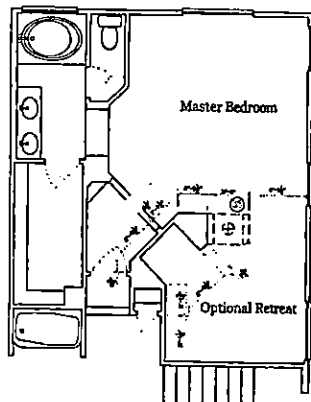
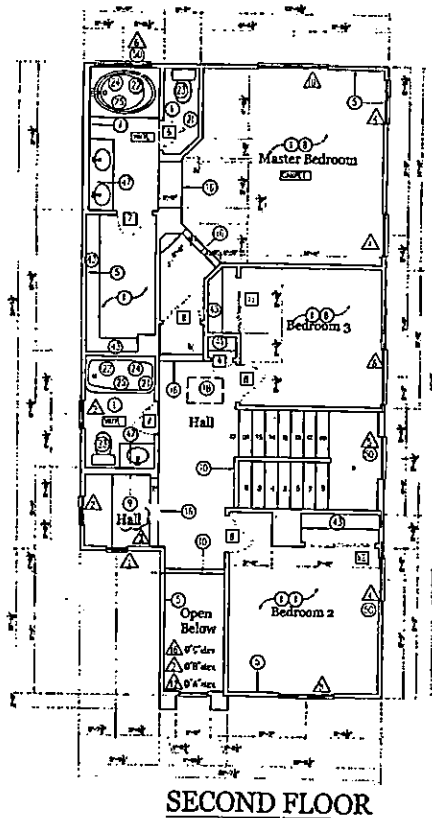
NO. OF FABRICS: 2

NO. OF LEATHERS: 2

NO. OF RUBBERS: 2

NO. OF PLASTICS: 2

NO. OF OTHERS: 2



GENERAL NOTES		SPECIFICATIONS	
Framing / Drywall 1. ALL FRAMING TO BE DONE BY THE FRAMER. 2. ALL DRYWALL TO BE DONE BY THE FRAMER. 3. ALL PARTITIONS TO BE DONE BY THE FRAMER. 4. ALL CEILING TO BE DONE BY THE FRAMER. 5. ALL FLOORING TO BE DONE BY THE FRAMER. 6. ALL PAINTING TO BE DONE BY THE FRAMER. 7. ALL ELECTRICAL TO BE DONE BY THE FRAMER. 8. ALL PLUMBING TO BE DONE BY THE FRAMER. 9. ALL MECHANICAL TO BE DONE BY THE FRAMER. 10. ALL LANDSCAPING TO BE DONE BY THE FRAMER.		FINISHES 1. ALL WALLS TO BE PAINTED WHITE. 2. ALL FLOORS TO BE POLISHED CONCRETE. 3. ALL CEILING TO BE PAINTED WHITE. 4. ALL PARTITIONS TO BE PAINTED WHITE. 5. ALL CEILING TO BE PAINTED WHITE. 6. ALL FLOORING TO BE DONE BY THE FRAMER. 7. ALL PAINTING TO BE DONE BY THE FRAMER. 8. ALL ELECTRICAL TO BE DONE BY THE FRAMER. 9. ALL PLUMBING TO BE DONE BY THE FRAMER. 10. ALL MECHANICAL TO BE DONE BY THE FRAMER.	
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LAS VEGAS DIVISION
 7250 West Park, Suite 212
 LAS VEGAS, NV 89128 (702) 240-5000

RICHMOND
 STATE CONTRACTORS ASSOCIATION
 1000 E. FLORISSANT AVE.
 LAS VEGAS, NV 89101

FLOOR PLAN (1st Floor & 2nd Floor)

DATE
 12/07/06

BY
 J. B. BROWN

CHECKED BY
 J. B. BROWN

APP'D BY
 J. B. BROWN

SCALE
 1/4" = 1'-0"

PROJECT NO.
 05-45333

REVISIONS

DATE
 12/07/06

BY
 J. B. BROWN

CHECKED BY
 J. B. BROWN

APP'D BY
 J. B. BROWN

SCALE
 1/4" = 1'-0"

PROJECT NO.
 05-45333

REVISIONS

ZON-17693
 SDR-17694
 12/07/06 PC

OCT 23 2006

FIRST FLOOR (B)

FIRST FLOOR (C)

FIRST FLOOR (A)

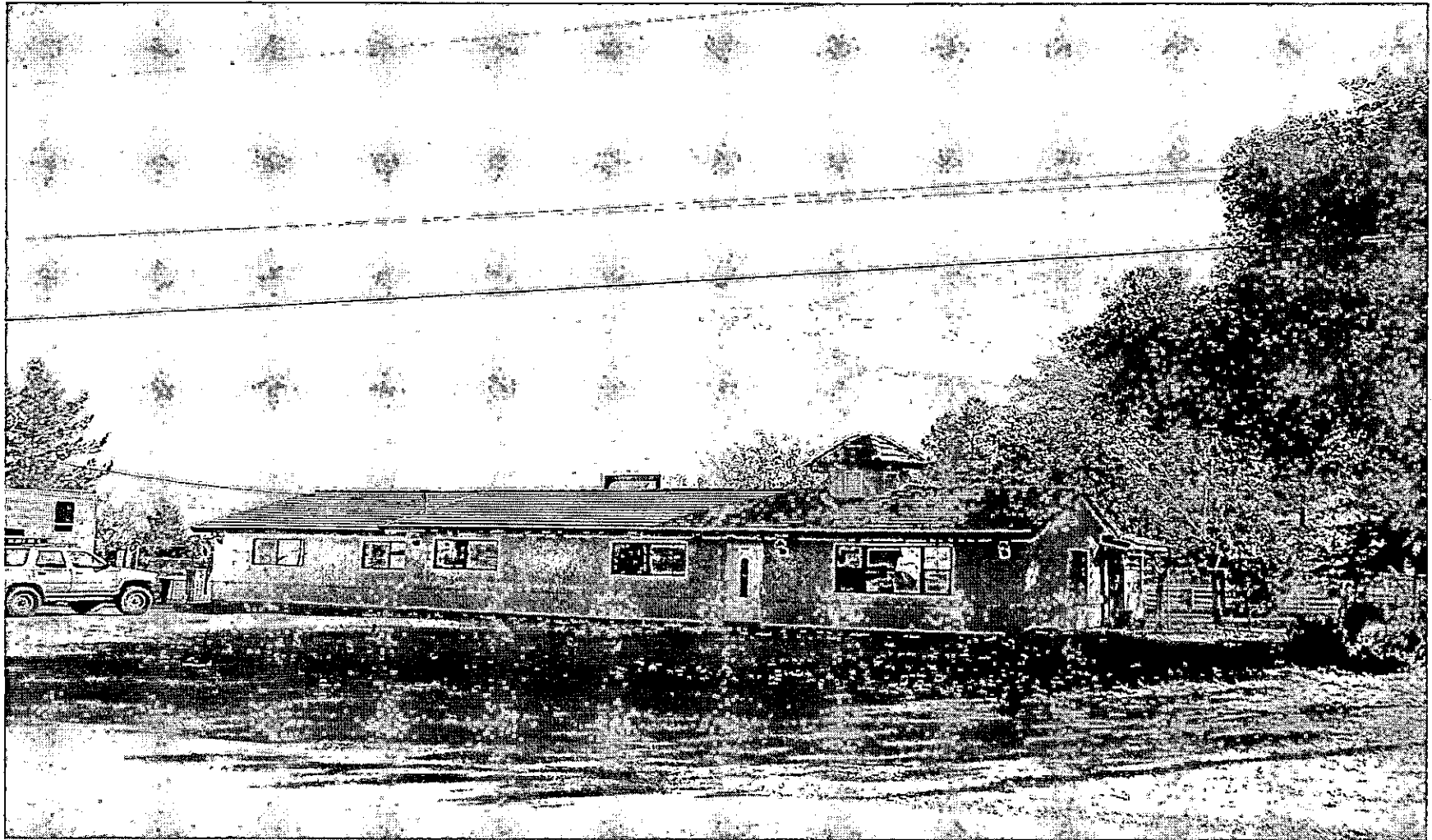
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ZON-17693
SDR-17694
12/07/06 PC

SEP 23 1963

A1

SDR 17693				
Sharon Turbiville, Delmar Dinkins and Terry & Kathryn Karas				
NE & SECs Solar & Bradley				
Proposed 59 unit single-family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	59	9.57	565
AM Peak Hour			0.75	44
PM Peak Hour <i>(heaviest 60 minutes)</i>			1.01	60
Existing traffic on all nearby streets: No counts available for Solar or Unicorn				
Bradley Road				
Average Daily Traffic (ADT)	1,422			
PM Peak Hour <i>(heaviest 60 minutes)</i>	114			
Elkhorn Road				
Average Daily Traffic (ADT)	3,255			
PM Peak Hour <i>(heaviest 60 minutes)</i>	260			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Bradley Road	16200			
Elkhorn Road	31730			
This project will add approximately 565 trips per day on Bradley, Solar, Unicorn and Elkhorn. This will increase expected volumes by about 40 percent on Bradley and 17 percent on Elkhorn. Bradley is at about 9 percent of capacity and Elkhorn at about 10 percent of capacity. Counts are not available for Solar or Unicorn, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 60 additional cars into the area; which works out to about one every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-17693 AND SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON
TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS
ADJACENT TO THE NORTHEAST AND SOUTHEAST CORNER OF BRADLEY ROAD AND SOLAR AVENUE
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06



ZON-17693 AND SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON
TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS
ADJACENT TO THE NORTHEAST AND SOUTHEAST CORNER OF BRADLEY ROAD AND SOLAR AVENUE
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06

November 14, 2006

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

Reference: Request for Site Development Review
Bradley / Solar
APN # 125-13-801-001; 125-13-801-005; 006

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Site Development Review request for a proposed 58 lot single family project called "Bradley / Solar".

The applicant is requesting a Site Development Review for a proposed 58 lot single-family residential development on 7.27 acres (7.98 u/ac). Parcels adjacent to the proposed site have the following land use and zoning:

NE – R-E, R-PD5, R-PD7
NW – R-1, R-PD7, R-E
SE – R-1, R-PD3, R-E, R-PD5
SW – R-1, R-E

We are requesting the following setbacks for the RPD-8;

Typical Lot Size:	3,000 sq ft
Front to Building:	5' Minimum
Front to Garage:	5' or 18' plus
Side Yard to side of building or roof edge:	3' feet
Side on Corner to Side of building	6' feet
Rear Yard	10' feet
Rear Yard Cul-de-sac lots only	5' feet

Richmond American Homes believes that requesting RPD-8 zoning will compliment the area and would provide affordable housing.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

Kris Givant
Project Coordinator

RECEIVED
NOV 14 2006

ZON-17693 SDR-17694
REVISED 12/07/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-17697 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES - Request for a Rezoning FROM: U (UNDEVELOPED) Zone [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] under Resolution of Intent to R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), Ward 6 (Ross).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. & Mrs. Mesa
6. Submitted at meeting – Neighborhood meeting notice by Russell Skuse for Items 12 and 13

MOTION:

DAVENPORT – DENIED – UNANIMOUS

To be heard by City Council on 01/03/2007

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 12 [ZON-17697] and Item 13 [SDR-17698].

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 12 – ZON-17697

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, briefly described the project and noted a portion of the property is separated from the main development. The separate parcel would not have access to the open space and would essentially be a separate sub-division. He suggested an amended condition if the applications were approved.

RUSSELL SKUSE, 7525 Hickum Avenue, explained this project was approved under a different developer and stated these applications were an attempt to meet the conditions of approval. He noted that the only change from the original plan was the breaking up of the open space. MR. SKUSE added that he had set up a neighborhood meeting and had spoken with the neighbors at COUNCILMAN ROSS' request. He also submitted the notice he had used to advertise the neighborhood meeting.

TODD FARLOW, 240 North 19th Street, appeared in opposition due to the inefficient energy design of the single story homes.

TED RUSSELL, Las Vegas resident, observed that Las Vegas would run out of land to develop within the next 10 years.

MR. SKUSE stated that the open spaces would be connected by a 3.5 foot sidewalk, ensuring all the properties would have access to the open space.

In response to CHAIRMAN TROWBRIDGE'S inquiry, MR. SKUSE stated the majority of the homes would be single story.

COMMISSIONER DAVENPORT stated the City meant for the open space requirement to consist of a single usable unit rather than small pieces distributed throughout the development and expressed his preference for a single park. MR. SKUSE explained that the unity of the open space had been sacrificed in order to meet the single story requirement of the homes adjacent to the Rural Estate (R-E) zoning.

COMMISSIONER DUNNAM agreed with COMMISSIONER DAVENPORT and noted the changes to the site plan could potentially make the previous conditions of approval irrelevant. COMMISSIONER DUNNAM expressed his dissatisfaction with MR. SKUSE'S explanation of the changes to the site plan and with MR. SKUSE'S handling of the neighborhood meeting. MR. SKUSE was not able to produce any signatures of support from the neighbors when asked by COMMISSIONER DUNNAM, but noted the lack of opposition from the neighbors to this proposal.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 12 – ZON-17697

MINUTES – Continued:

COMMISSIONER STEINMAN stated he could not support the applicant's use of flag lots and was not convinced by MR. SKUSE'S explanation that the larger lots would limit the impact on adjacent neighbors.

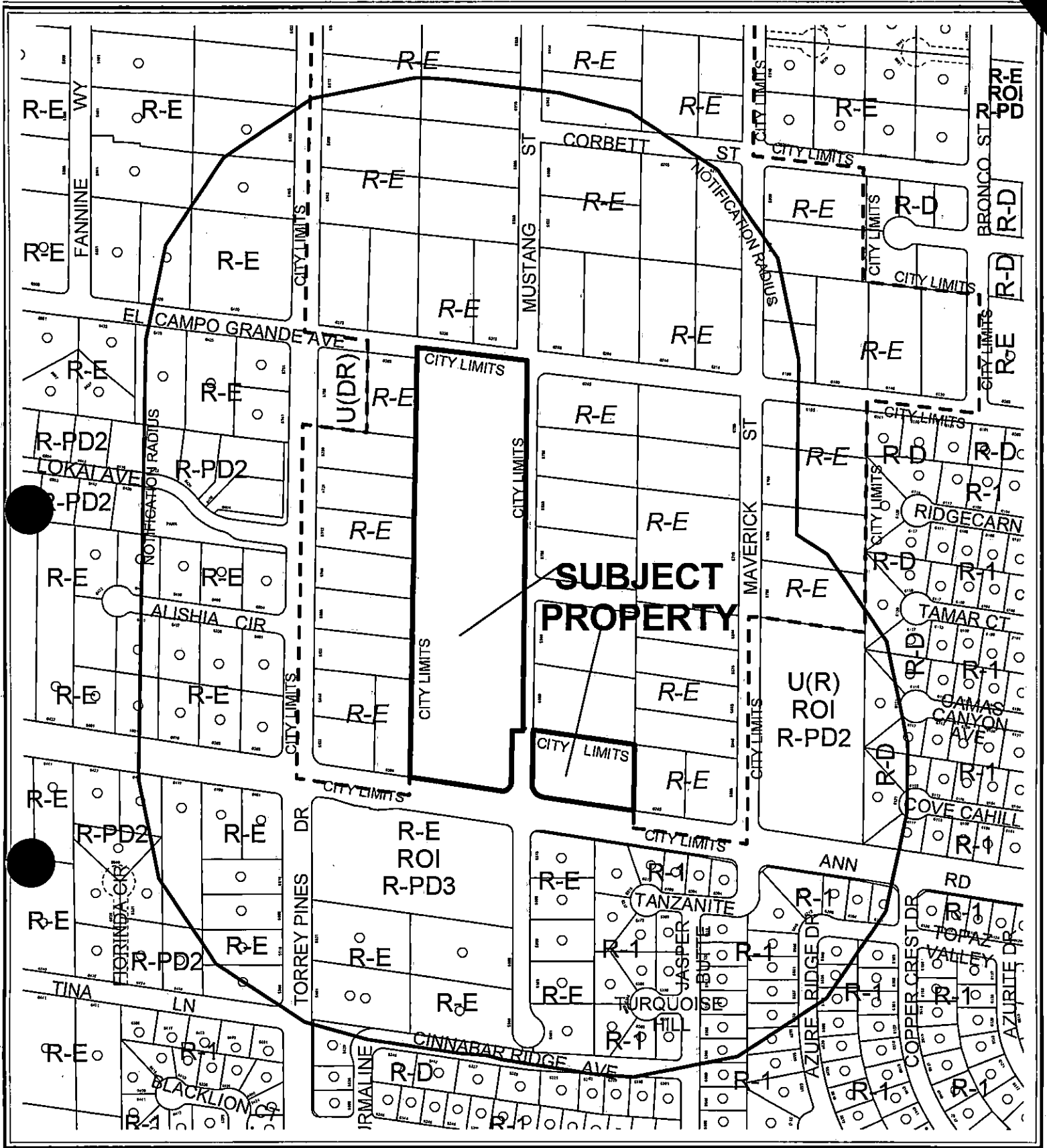
COMMISSIONER TRUESDELL observed that the plan had drastically changed from what was previously approved and noted the previous plan had shown greater respect for the Planning Commissioners', staff and the neighbors' requests. He stated he could not support the changes.

CHAIRMAN TROWBRIDGE also expressed concern for the open space's lack of connectivity and observed the four lot cul-de-sac accessing Ann Road is unsafe and inappropriate.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 12 [ZON-17697] and Item 13 [SDR-17698].

(6:33 – 6:52)

1-1000



CASE: **ZON-17697**

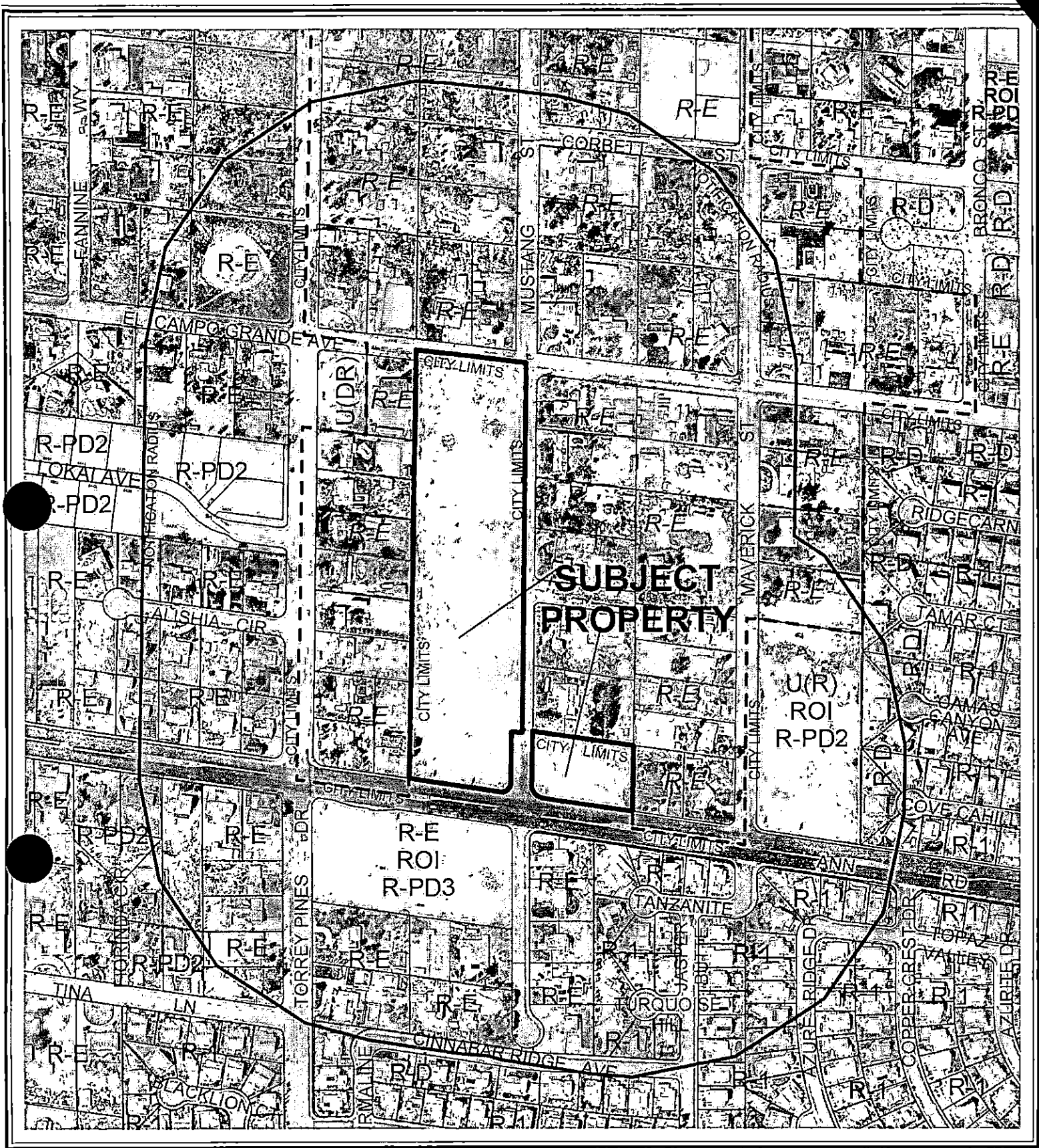
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





CASE: **ZON-17697**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-17697 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES**

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

1. A Site Development Plan Review (SDR-17698) 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.
2. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect five-foot wide sidewalks connecting all lots with the three common lots.
3. Rezoning (ZON-5174) and companion Site Development Review (SDR-5175) applications are hereby expunged.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Road, where such does not exist, 30 feet for the south side of El Campo Grande Avenue and a 15 foot radius on the southwest corner of El Campo Grande Avenue and Mustang Road.
5. Construct half street improvements on El Campo Grande Avenue and on Mustang Road adjacent to this site concurrent with development of this site. Improvements shall consist of permanent asphalt pavement and 30-inch rolled curb; sidewalk installation may be deferred and decomposed granite provided in the area where sidewalk would normally be placed, except sidewalk shall be constructed on Mustang Road, from the proposed entry drive southward to tie into Ann Road. Installation of streetlights may be deferred provided that exterior streetlighting shall be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location and the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. Coordinate with the Land Development Section of Public Works regarding streetlighting requirements prior to submittal of construction drawings.

ZON-17697 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

Sign and record a covenant running with the land for all urban improvements (L-curb, sidewalk and streetlights) not constructed at this time on El Campo Grande Avenue and Mustang Road. 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).

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

ZON-17697 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The request is for a Rezoning from R-PD3 to R-PD3 (Residential Planned Development - 3 Units Per Acre) on 10.3 acres adjacent to the northeast and northwest corners of Ann Road and Mustang Road. A related Site Development Plan Review (SDR-17698) will also be considered on this agenda.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/04	The City Council approved an Annexation (ANX-4957) for the subject site, generally located on the north side of Ann Road, east and west of Mustang Road. Staff and the Planning Commission recommended approval on September 3, 2004.
10/21/04	The Planning Commission approved a related General Plan Amendment (GPA-5172); Title 18 Waiver (WVR-5331); Rezoning (ZON-5174); and Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres. Staff recommended denial.
12/15/04	The City Council approved General Plan Amendment (GPA-5172); Title 18 Waiver (WVR-5331); Rezoning (ZON-5174); and Site Development Plan Review for a 32-lot residential subdivision on 10.65 acres. (SDR-5175).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
10/23/06	A pre-application conference was held with staff to discuss the requirements to have a Rezoning and Site Development Plan Review resubmitted for a R-PD3 on 10.3 acres.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was there one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.3
Net Acres	9.7

ZON-17697 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	R-PD3
North	Single Family Residential	RNP (Rural Residential - Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
East	Single Family Residential	RNP (Rural Residential - Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)
West	Single Family Residential	RNP (Rural Residential -Clark County Designation)	R-E (Rural Estates Residential – Clark County Designation)

<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*
Trails		N	NA
Rural Preservation Overlay District		N	NA
Development Impact Notification Assessment		N	NA
Project of Regional Significance		N	NA

*The proposed R-PD3 development does not meet Title 19.06 requirements for 5-foot wide sidewalks connecting common open space.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the development standards shall be established upon the approval of the Rezoning and Site Development Plan Review for each Planned Development District.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA		N/A
Min. Lot Width	NA	7,283 sq ft	N/A
Min. Setbacks			
• Front	20 feet	20 feet	Y
• Side	9 feet	9 feet	Y
• Corner	9 feet	9 feet	Y
• Rear	20 feet	20 feet	Y
Max. Building Height	2 stories/ 35 feet	2 & 1 stories	Y

ZON-17697 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-PD3	3.59 du/ac	36.97	R-PD3	3.59 du/ac	R	36 units total

<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>	
10.3 acres	3.1 du/ac	1.65	5.12%	22,949 sq ft	5.12%	23,000 sq ft	Y

ANALYSIS

The proposed site plan depicts 32 lots with lot sizes ranging between 7,283 and 13,358 square feet, which are significantly smaller than those in the area. The adjacent R-E (Rural Estates Residential - Clark County Designation and Residential Estates) zoned parcels have minimum lot sizes of over one-half acre and are rural in nature. Given the established development pattern of the area, a Rezoning request to R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning would be inappropriate for this location.

The proposed R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district is intended for residential developments with up to 3.59 Units Per Acre, and is not appropriate for the area.

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."

ZON-17697 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

In regard to "1":

Per the approved General Plan Amendment (GPA-5172) to an R (Rural Density Residential) land-use designation, the proposed R-PD3 (Residential Planned Development – 3 Units Per Acre) zoning district will conform to the General Plan.

In regard to "2":

The R-PD3 (Residential Planned Development - 3 Units Per Acre) zoning district allows for residential development with up to 3.59 Units Per Acre. The proposed site plan depicts 32 lots with lot sizes ranging between 7,414 and 13,358 square feet. The proposed lot sizes are significantly smaller than those of the adjacent R-E (Residential Estates and Rural Estates Residential) zoned parcels, which have minimum lot sizes of over one-half acre. The proposed residential development is inconsistent with the surrounding development in the area.

In regard to "3":

Since the majority of the parcels in the area are zoned R-E (both Residential Estates and Rural Estates Residential), the proposed R-PD3 zoning district is inappropriate. The established development pattern in the area allows for larger lot sizes and lower densities than the proposed R-PD3 development.

In regard to "4":

The site will receive access from Mustang Road, a 60-foot wide collector street, which is adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 (Mailed with SDR-17698)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17697** APN: 125-26-801-012, 014

Name of Property Owner: RICHMOND AMERICAN HOMES

Name of Applicant: RICHMOND AMERICAN 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/Authorized Agent:

Print Name: Paulo E. Chavez

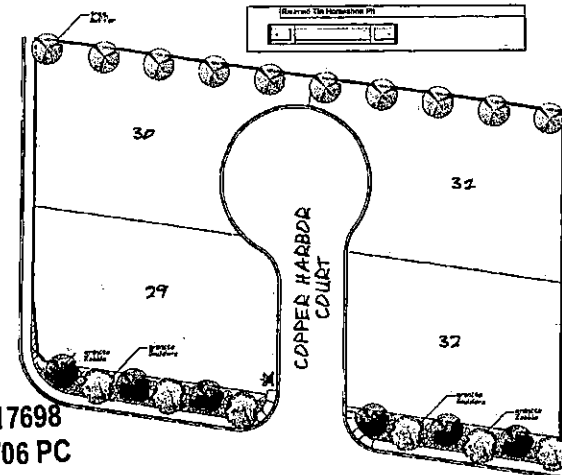
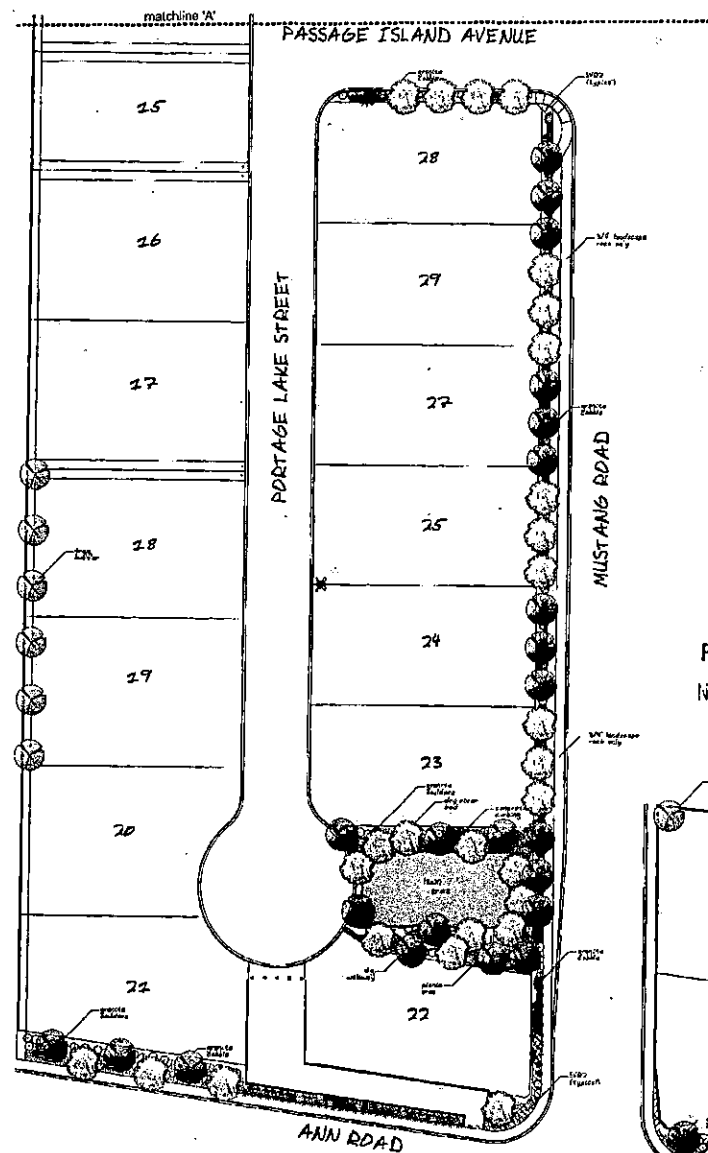
Subscribed and sworn before me

This 19 day of October, 2006

Virginia Jauregui
Notary Public in and for said County and State



VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008



Plant Schedule

	Size	Standard Name	Common Name
	2' x 6"	<i>Acacia decurrens</i>	Shrubby Acacia
	1' x 6"	<i>Brachyotum populifolium</i>	Reds Tree
	1' x 6"	<i>Crotalaria bicolor</i>	Yellow and Red
	1' x 6"	<i>Gliricidia</i>	Shrubby Honey Locust
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
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	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree
	1' x 6"	<i>Prosopis juliflora</i>	Shrubby Tree

[illegible]

Site Amenities

☐ Sewer - Wastewater Model SDMS/MSD, VES or approved equal

☐ SSO - Flume or Calk Model A, Culk 2 or approved equal

☐ Trash Transfer Station - Model TR32 or FLAT GP 32-16

☐ Storm Water - Wetland Model TAPUFD=SD3

☐ (Reserved For Homebased Use)

RECEIVED
NOV 13 2006

ZON-17697 SDR-17698
REVISED 12/07/06 PC

T ☐ **THOMASON**
C ☐ **CONSULTING**
E ☐ **ENGINEERS**

October 23, 2006

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

Reference: Stonewater
Rezoning
APN #125-20-101- 015 & 016

On behalf of Richmond American Homes, we respectfully request your consideration of the attached Rezoning application for the above-listed parcels.

Location: The proposed site is located 330.0' west of the northwest corner of Dorrell & Durango within Section 20, Township 19 South, Range 60 East.

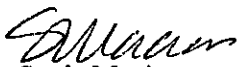
Background: A Zone Change (ZON-5174) was approved by City Council on December 16, 2004 the zone change will expire on December 16, 2006. Richmond American Homes acquired the property in (month and year) and will not be able to obtain plan and final map approvals prior to the expiration of the ROI zoning.

Request: At this time, we are requesting approval of rezoning request from "Undeveloped-R Rural Density Residential and RE Rural Estates General Plan to R-PD3 for the above-mentioned 32 lot, single family residential development on approximately 10.3± acres. The density intended for this proposed site is 3.1 dwelling units per acre (DUA). The applicant has provided .55acres (24,164 sf) of open space where .53 acres (23,000 sf) is required. The minimum lot size intended for this development is 7,500 sf. with setbacks as indicated on the attached site plan.

Richmond American Homes intends to utilize 1 and 2 story products on this site and offer casitas. The size of the casitas will be 10 x 25. The homes range in size from 1267 sf to 1630 sf.. Each model offers two-car garages and a variety of architectural features.

Please place this request for a Rezoning on the next available Planning Commission agenda. If you have any questions or need additional information, please call me at 932-6125.

Sincerely,


Sonia Macias
Project Coordinator

3161 East Warm Springs Road, Suite 200
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129

ZON-17697
SDR-17698
12/07/06 PC

Nov. 27, 2006

To Whom it May Concern,

I disagree with the development on case ZON-17697 & SDR-17698. To many houses on such a small area. We are county and are trying to keep our neighborhood that way. We are either one acre or less.

Help us preserve what we have or have for many years. We have animals, like, horses, chickens, cows, goats, etc.

How did our county line get changed? First they change the zoning, then you want to build track homes. Where are our rights?

So I am against the building of 32 lot residential on 10.30 acres.

Lets try to keep with our area.

BARBARA A. MESA
5085 MAVERICK ST.
LAS VEGAS, NV. 89130

Thank-you
Mr + Mrs. D. Mesa
J. Madden
J. Weaver

ITEM # 12 + 13
CASE # ZON-17697 + SDR-17698
PC MTG 12-7-06



November 21, 2006

DEVELOPMENT IN YOUR NEIGHBORHOOD

As you know, Richmond American Homes (RAH) recently purchased the adjacent property for a single family residential subdivision in your neighborhood. In meeting the neighborhoods concerns and the conditions of approval of the zoning and site review. There were some minor modifications necessary to the approved plan based on meeting those conditions and the City of Las Vegas Planning staff, and Councilman Ross has asked us to resubmit the plan for review and approval. I am representing RAH and would like to take this opportunity to discuss these changes with you. I do know that the holidays are upon us and time is very precious to all, I am sorry that I missed you so please contact me at the numbers below and I will discuss the changes with you and provide everyone with a copy of the plan to review. If the neighborhood would like to all meet together, I can coordinate this or meet and discuss this with everyone individually. It is important to me and RAH to continue working with and keeping the neighborhood informed as to our plans and necessary changes, as we are now a part of your neighborhood.

Thank you very much for your time,

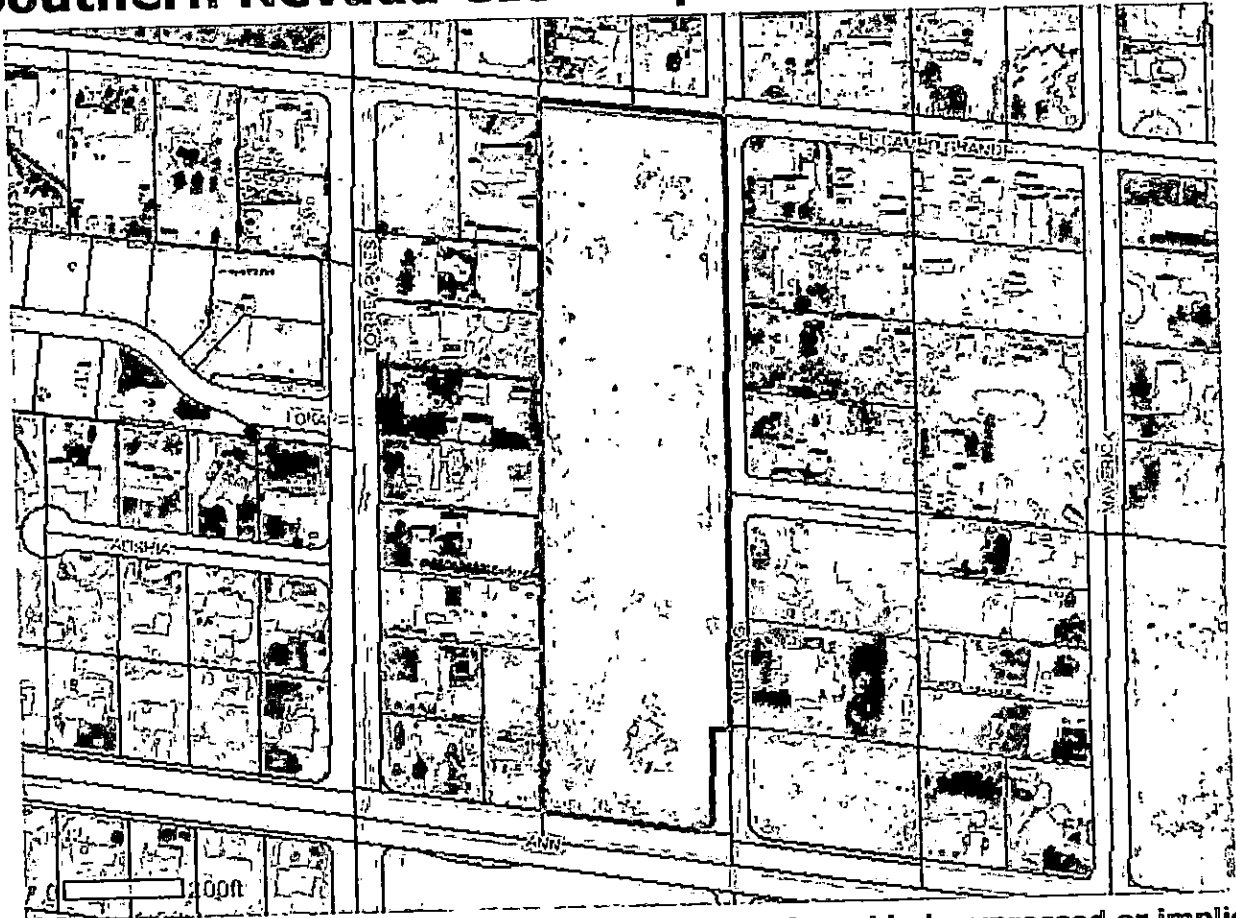
Russell J. Skuse
RS Consulting Inc

Submitted at Planning Commission

Date 12/7/06 Item 12-13

RS CONSULTING, INC.
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

Southern Nevada GIS ~ OpenWeb Info Mapper



The MAPS and DATA are provided without warranty of any kind, expressed or implied.
Date created: 11/21/2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-17698 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17697 - PUBLIC HEARING - APPLICANT/OWNER: RICHMOND AMERICAN HOMES -
Request for a Site Development Plan Review of A 32 LOT RESIDENTIAL SUBDIVISION on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street (APN 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)], Ward 6 (Ross).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter by Mr. & Mrs. Mesa

MOTION:

DAVENPORT – DENIED – UNANIMOUS

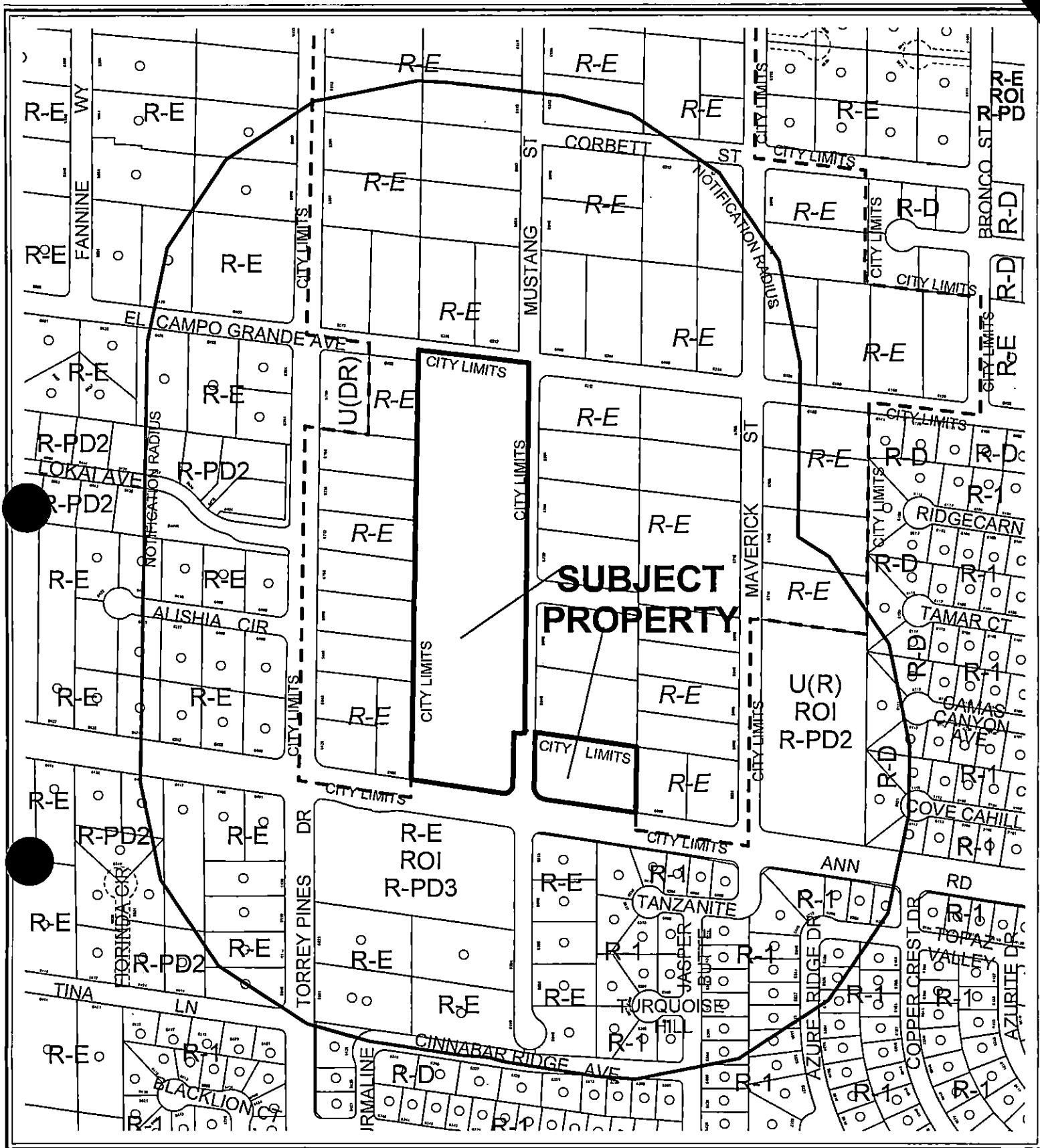
To be heard by City Council on 01/03/2007

MINUTES:

See Item 12 [ZON-17697] for all related discussion.

(6:33 – 6:52)

1-1000



CASE: **SDR-17698**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-17698 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES**

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

1. Conformance to the conditions for Rezoning (ZON-17697), if approved.
2. Rezoning (ZON-5174) and companion Site Development Review (SDR-5175) applications are hereby expunged.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the landscape plan, building elevations, and floor plans date stamped 10/23/06, and the site plan date stamped 11/13/06, except as amended by conditions herein.
5. The standards for this development shall include a Minimum lot size of 7,283 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 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, nine feet on the side, nine feet on the corner side, and 20 feet in the rear. The setbacks for the casitas shall be a minimum six feet to main structure, five feet to side property line, and three feet to the rear property line.
7. Lots 8, 9, 30, and 31 as shown on the submitted site plan dated 11/13/06 will have front setbacks of 19 feet.
8. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a tentative map, to reflect five-foot wide sidewalks connecting all lots with the three common lots.

SDR-17698 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

9. 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.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. 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.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Copper Harbor Court shall not be gated.
17. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
18. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.
19. A Homeowners' Association shall be established to maintain all, private roadways, landscaping and common areas created with this development. All private improvements and 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.

SDR-17698 - Conditions Page Three
December 7, 2006 - Planning Commission Meeting

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17697, WVR-5331 and all other applicable site-related actions.
21. 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.

SDR-17698 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a 32-lot residential development on 10.30 acres adjacent to the northeast and northwest corners of Ann Road and Mustang Road. The development is located on two, separate parcels at the northeast and northwest corners of Ann Road and Mustang Road. Lots 1 through 28 will be accessed via a drive from Mustang Road, and lots 29 through 32 will receive access via a drive from Ann Road. Internal circulation is provided by 37-foot wide private streets. The plans depict a six-foot landscape buffer provided along El Campo Grande Avenue and Mustang Road, and a 15-foot landscape buffer along Ann Road. Three common lots providing a total of 23,000 square feet of open space are located in the western portion of the development with no open space accommodations shown on the eastern portion. The applicant proposes one and two-story detached, single-family residential dwellings.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/04	The City Council approved Annexation (ANX-4957) for the subject site, generally located on the north side of Ann Road, east and west of Mustang Road. Staff and the Planning Commission recommended approval on September 3, 2004.
10/21/04	The Planning Commission approved a related General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331), and Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres.. Staff recommended denial.
12/15/04	The City Council approved General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331); Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres.
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
10/23/06	A pre-application conference was held with staff to discuss the requirements to have a Rezoning and Site Development Plan Review resubmitted for a R-PD3 on 10.3 acres.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was there one held.

SDR-17698 - Staff Report Page Two
 December 7, 2006 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.3
Net Acres	9.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	R-PD3
North	Single Family Residential	RNP (Rural Residential)	R-E (Rural Estates Residential – Clark County Designation)
South	Undeveloped		R-E
East	Single Family Residential	RNP (Rural Residential)	R-E (Rural Estates Residential – Clark County Designation)
West	Single Family Residential	RNP (Rural Neighborhood Preservation) Residential	R-E (Rural Estates Residential – Clark County Designation)

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

*The proposed R-PD3 development does not meet Title 19.06 requirements for 5-foot wide sidewalks connecting common open space.

SDR-17698 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the development standards shall be established upon the approval of the Rezoning and Site Development Plan Review for each Planned Development District.

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA		N/A
Min. Lot Width	NA	7,283 sq ft	N/A
Min. Setbacks			
• Front	20 feet	20 feet	Y
• Side	9 feet	9 feet	Y
• Corner	9 feet	9 feet	Y
• Rear	20 feet	20 feet	Y
Max. Building Height	2 stories/ 35 feet	2 & 1 stories	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>
R-PD3	3.59 du/ac	36.97	R-PD3	3.59 du/ac	R	3.59 du/ac

Please note the applicable code section here (Title 19.12)

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
• Min. Trees	1 Tree/ 30 Linear Feet	17 Trees	74 Trees	Y
• Min. Zone Width	6 Feet	6 Feet	6 & 15 Feet	Y
TOTAL				Y
Min. Zone Width	6 Feet		6 & 15 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
10.3 acres	3.1 du/ac	1.65	5.12%	22,949 sq ft	5.12%	23,000 sq ft	Y

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December 7, 2006 - Planning Commission Meeting

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 Detached	32 units	2 per unit	64		64		Y
SubTotal							
TOTAL (including handicap)							

ANALYSIS

This Site Development Plan Review, and its companion application for Rezoning (ZON-17697), are re-submittals to the previously approved Rezoning (ZON-5174) and Site Development Plan Review (SDR-5175). The density, layout, and elevations are similar to the previous approval. There are, however, some changes in the open space accommodations. This proposal provides three common lots totaling the required 23,000 square feet of open space whereas the previous project was providing one mini-park. No access to the common lots are provided for the four lots on the separate parcel located to the southeast.

The applicant also mentions the possibility of casitas. As these structures are offered as an optional item and shown as a non-habitable accessory structure, no prior approval is required as they have met the conditional requirements for the non-habitable accessory structure.

FINDINGS

The following findings must be made for an SDR:

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

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December 7, 2006 - Planning Commission Meeting

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 zoning for the subject site is R-PD3 (Residential Planned Development - 3 Units Per Acre). The proposed development is not consistent with the surrounding R-E Zoned parcels within both Clark County and the City of Las Vegas.

In regard to "2":

The proposed development is not in compliance with Title 19.06 as no accommodations have been made to provide the separation of pedestrian and vehicular traffic. Per Title 19.06.040(G)5 there is the following requirement:

"A sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Easy and safe shortcut access to such facilities (or to any adjacent trail system, public park or public recreational facility) should be provided by means of alleyways or pathways that:

- (a) Are cleared and provide for the safe passage of pedestrians or bicycle traffic only, or both;
- (b) Are improved, either with or without paving;
- (c) Have minimum widths as follows:
 - (i) When lined on at least one side with a solid wall of a height not greater than forty-two inches, a minimum width of five feet;
 - (ii) In any other case in which the alleyway or pathway does not exceed one hundred sixty feet in length, a minimum width of ten feet; or
 - (iii) In the case of an alleyway or pathway that exceeds one hundred sixty feet in length, a minimum width of ten feet, plus one additional foot in width for each additional eight feet in length beyond one hundred sixty feet."

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In regard to "3":

The site receives access via Mustang Road, a 60-foot Collector street, and from Ann Road, a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. An approved Waiver to Title 18 (WAV-5331) for the reduction of intersection offset requirements was previously approved, and will be utilized for the offset intersection for this development. Site access should not negatively impact adjacent roadways or neighborhood traffic.

In regard to "4":

The proposed building and landscape materials are appropriate for the area and the City.

In regard to "5":

The proposed structures, as shown in the building elevations, are not unsightly, undesirable, or obnoxious in appearance, and are typical of single-family dwellings in the area.

In regard to "6":

The proposed use will be subject to regular City and County inspections and will; therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 252 (Mailed with ZON-17697)

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17698** APN: 125-26-801-012; 125-26-802-014

Name of Property Owner: Richmond American Homes

Name of Applicant: Richmond American 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: _____

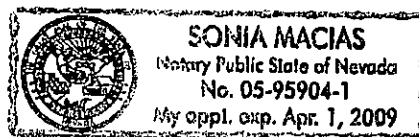
Signature of Property Owner: *Paulo E. Chavez*

Print Name: Paulo E. Chavez

Subscribed and sworn before me

This 5 day of October, 20 06

Sonia Macias
Notary Public in and for said County and State



THIS SITE IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN FOR THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL J20001715 E. CLARK COUNTY, NEVADA DATED SEPTEMBER 27, 2002.

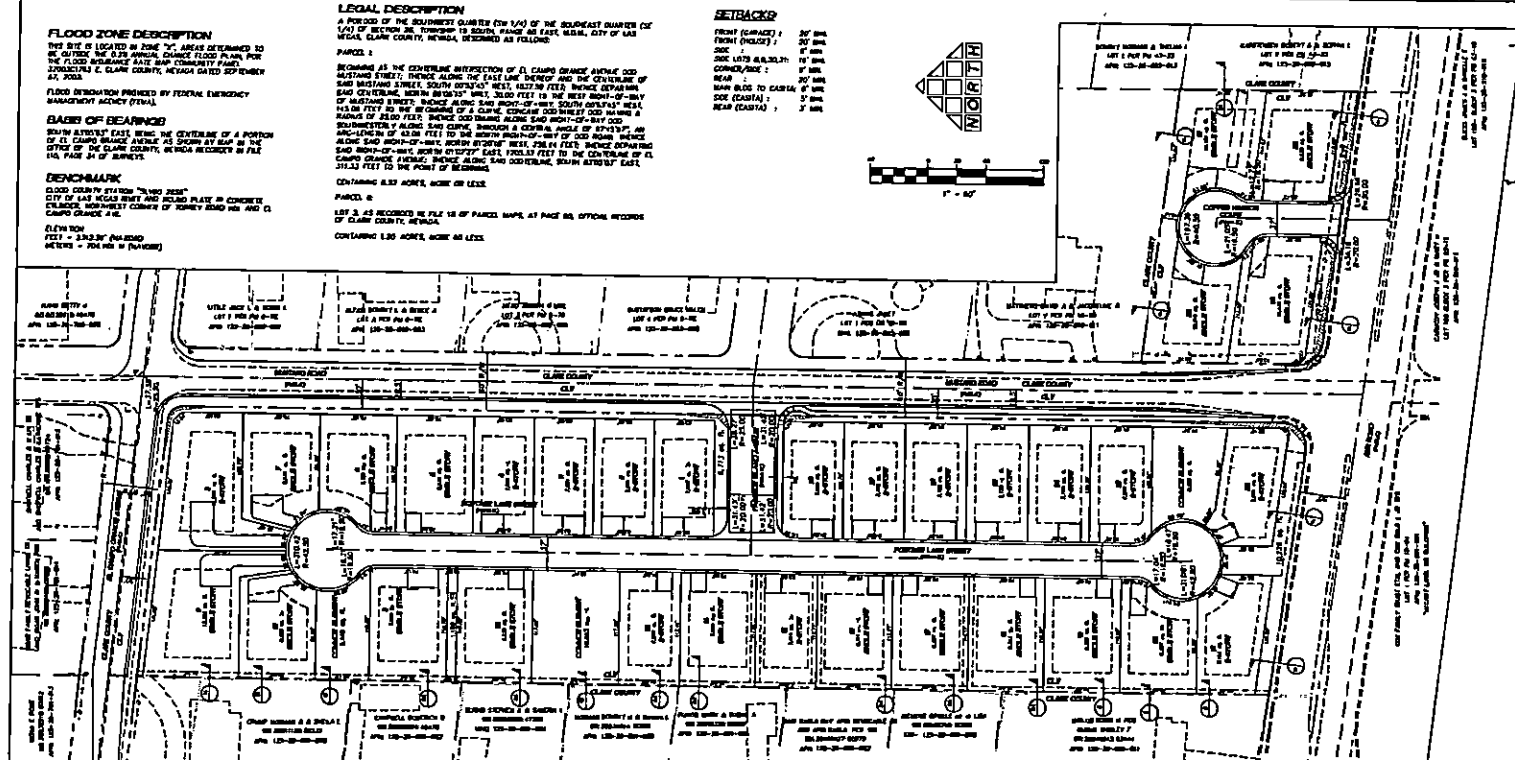
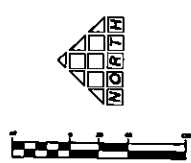
BASES OF BEARING
SOUTH 88DEGREES EAST, BEING THE CENTERLINE OF A PORTION
OF EL CAMPO GRANDE AVENUE AS SHOWN BY MAP IN THE
OFFICE OF THE CLARK COUNTY, OKLAHA RECORDS IN FILE
110, PAGE 34 OF SURVEYS.

CLOD COUNTY STATION "SILVER JESS"
CITY OF LAS VEGAS HMTY AND ROLAND PLATT IN CONCRETE
CRACKER, NORTHWEST CORNER OF TOMEY ROAD W/2 AND
CAMPO GRANDE AVE.

ELEVATION
 FEET = 3,323.30' (CALCULATED)
 DISTANCE = 704.50' IN PLACEMENT

A PORCION OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 20, TOWNSHIP 13 SOUTH, RANGE 48 EAST, U.S.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

FRONT (GARAGE) : 20' 00"
FRONT (HOLSE) : 20' 00"
SIDE : 8' 00"
SIDE 1075 (L.R.30.31) : 16' 00"
CORNER/SIDE : 8' 00"
REAR : 20' 00"
MAIN BLDG TO CASITA : 6' 00"
SIDE (CASITA) : 5' 00"
REAR (CASITA) : 5' 00"



DATE	TIME	LOCATION	REMARKS
10/13/2008	10:07:18 AM	157	

SITE DATA:
APN 015-26-021-002, 015-26-022-004
CURRENT ZONING: R-PD3

CROSS AREA: 10.24 AC
NUMBER OF LOTS: 32 LOTS
PROPOSED DENSITY: 31 D.U./A.
NUMBER OF COMMON ELEMENTS: 7 U.
107 SQUARE FOOTAGE MAXIMUM: 13,358 S.F.
107 SQUARE FOOTAGE MINIMUM: 1,914 S.F.

PARKING ANALYSIS:
PARKING SPACES REQUIRED = 88
PARKING SPACES PROVIDED = 129

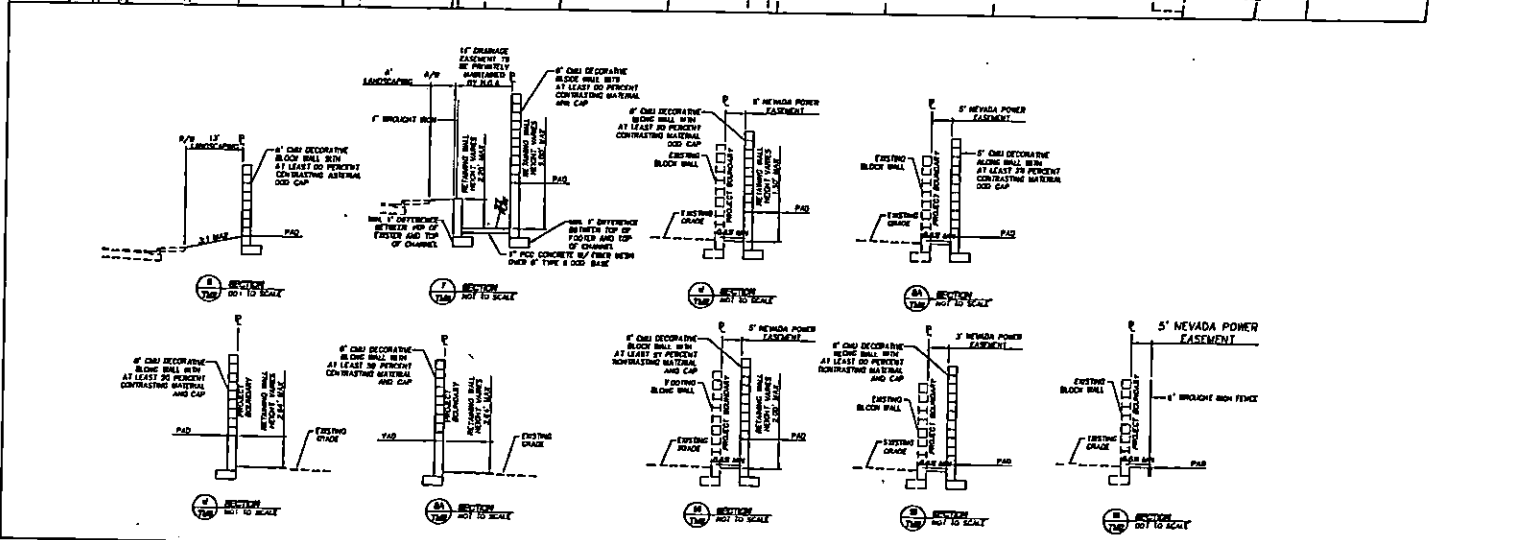
OPEN SPACE:
OPEN SPACE REQUIRED = 21,000 S.F. (0.81 ACRES)
COMMON USABLE PROVIDED = 21,000 S.F. (0.81 ACRES)

LEGEND

	PROPERTY LINE / RIGHT-OF-WAY
	1" TYPE CURB AND GUTTER
	7" TYPE CURB
	ESTRONG GARD AND GUTTER
	PROPOSED BATH LINE (DATE AS SHOWN)
	PROPOSED BATH LINE (DATE NO SHOWN)
	(ESTRONG BATH LINE AS SHOWN)
	CROSS CUTTER
	WHEELCHAIR RAMP
	CUT OF FULL SLOPE
	PROPOSED PAVEMENT AREA
	PROPOSED ELEVATION (DESCRIPTION AS SHOWN)
	ESTRONG ELEVATION (DESCRIPTION AS SHOWN)
	FUTURE DESIGN ELEVATION (DESCRIPTION AS SHOWN)
	TOP OF FOOTING
	TOP OF WALL
	TOP OF RETAINING WALL
	LOT NUMBER
	PAV ELEVATION
	FINISHED FLOOD ELEVATION
	ESTRONG PAVEMENT TO BE RETAINED OR NOT REPLACED
	PHASE LINE
	SOFT INSECURITY INSTRUCTION ZONES
	PER STL. BOLD SHOWN
	PROPOSED OVER 24" IN HEIGHT
	ALLOWED AS 24" (NOT MANTIC CHANGES)
	6" BENCH WALL
	STYL WALL
	RETAINING WALL

NOTE:
ALL OTHER SHEETS ARE FOR THE
PUBLIC UTILITY EXCHANGES

RECEIVED



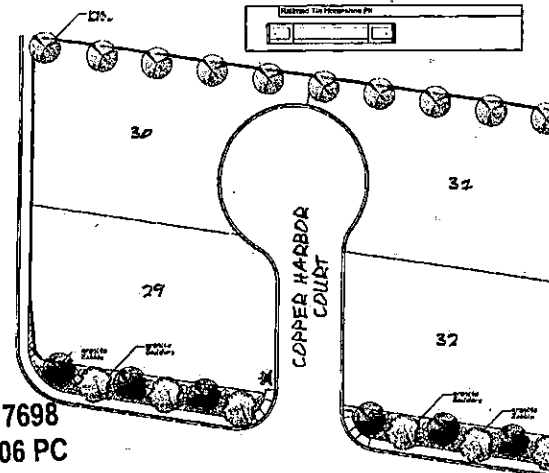
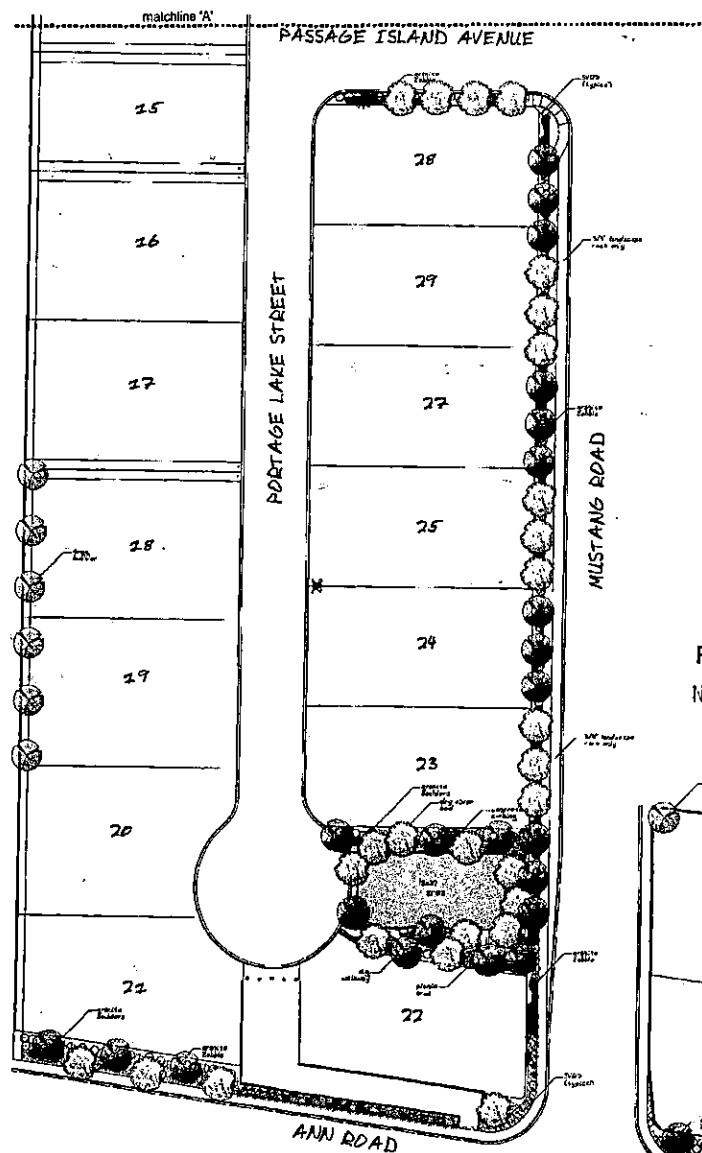
T T THOMSON
C C CONSULTING
E E ENGINEERS
3277 E. MARK SPRINGS ROAD, SUITE 400
LAS VEGAS, NEVADA 89120
702-832-8125 FAX: 702-832-8128

**RICHMOND AMERICAN HOMES
STONEWATER**

SWT	1
	1 or 1
DOUBT	

ZON-17697 SDR-17698
REVISED 12/07/06 PC

~~NOV 13 2006~~



	3/4" Intermediate back (7" depth)
	Composite Granite
	1/2" 1/2" Small Back
	1/2" 1/2" Granite Counter
	Endcap (left)
	3/4" Overhead Back (7" depth)
	Granite in Backsplash (see notes)
Notes: 1. All panels to include a 1/2" 1/2" 3/4" intermediate back overlay. 2. Composite back. 3. All granite panels to be attached to cabinet with metal L-brackets and screws. No adhesive or adhesive contact allowed. 4. All panels attached from top of support and with finished top edge. 5. All panels to be finished with 1/2" polished surface. 6. All panels attached to be attached over integral structure. 7. All panels will be attached to the cabinet in a uniform manner. 8. All panels will be attached to the cabinet in a uniform manner.	

RECEIVED
NOV 13 2006

ZON-17697 SDR-17698
REVISED 12/07/06 PC

landaco landscaping and grading
design build landscape architecture
4600 South Peoria Las Vegas NV, 89103
702.895.7061 fax 702.895.7066

Loma Pointe
Richmond American Homes
Las Vegas, Nevada

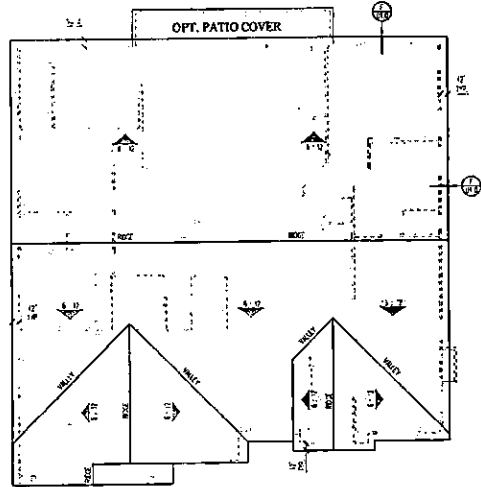
This landscape drawing is for design build and by Landscape Architecture and Landscaping only. Landscape Architecture and Landscaping does not assume any responsibility for projects created by any other firm.	#	Revisions	Date	By

Drawing:
Common Area
Planting
Plan

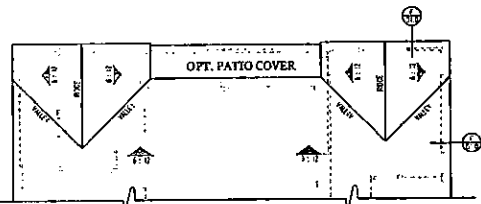
Date: 10.23.06
Scale: 1"=30'-0"
Drawn By: mh
Checked By: ky

Sheet # 1 of 1

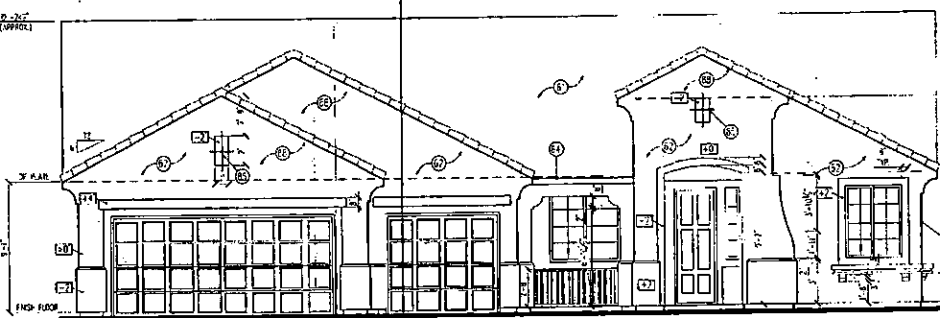
L-1



ROOF PLAN ELEVATION A



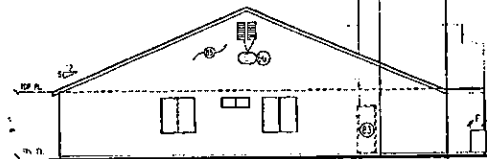
OPT. ROOF PLAN ALL ELEVATIONS



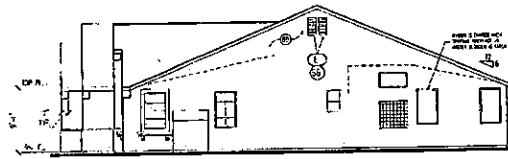
FRONT ELEVATION - A

NOTE: WINDOW HEADERS SHALL BE 10" (UNLESS NOTED OTHERWISE)

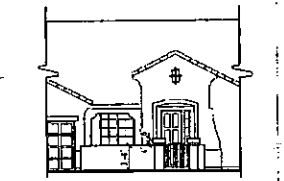
SCALE: 1/4" = 1'-0"



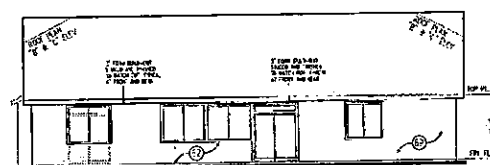
LEFT SIDE ELEVATION - A



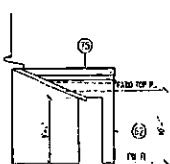
RIGHT SIDE ELEVATION - A



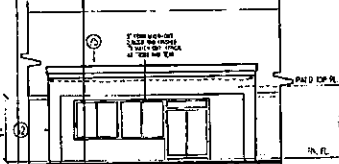
OPT. COURTYARD WALL



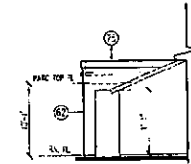
TYPICAL REAR ELEVATION



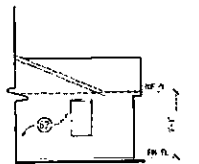
RIGHT ELEVATION



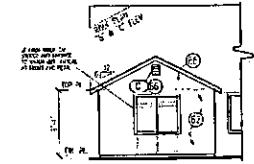
OPT. PATIO ELEVATION



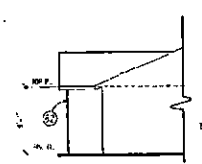
LEFT ELEVATION



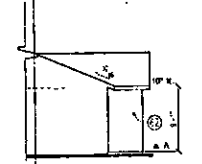
RIGHT ELEVATION



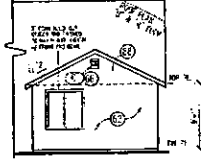
OPT. EXPANDED MAST. BED



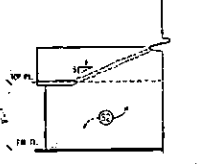
LEFT ELEVATION



RIGHT (PARTIAL)



OPT. THEATER



LEFT (PARTIAL)

KEYNOTES

1. FOUNDATION SHALL COMPLY PER IRC
2. WINDOW HEADERS SHALL BE 10" (UNLESS NOTED OTHERWISE)
3. SEE OTHER SHEETS FOR ATTACHED WHITE WOOD CASUALTY
4. FIRST FLOOR FLOORING SHALL BE 1/2" OSB (UNLESS NOTED OTHERWISE)
5. SECOND FLOOR FLOORING SHALL BE 1/2" OSB (UNLESS NOTED OTHERWISE)
6. THIRD FLOOR FLOORING SHALL BE 1/2" OSB (UNLESS NOTED OTHERWISE)
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29	30	31	32
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37	38	39	40
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49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5500

RICHMOND
AWE BILLY & SONS
STATE CONTRACTORS ASSOCIATION
DISTRICT OFFICE

THE ROOF FRAMING, FRONT, TOP, REAR & SIDE OF ELEVATION "A"
WITH OPTIONS

DATE: 12/23/06
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

2030

LOW POINT
2030A2A

A2-A

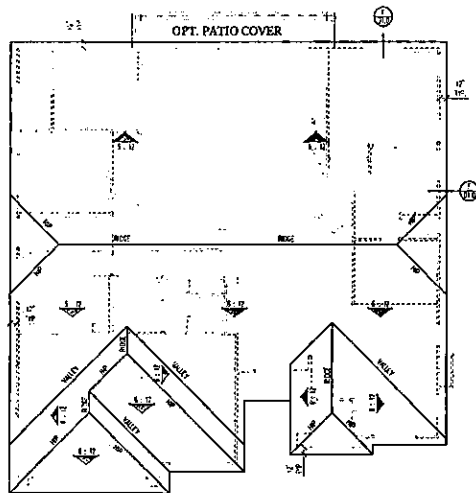
ZON-17697

SDR-17698

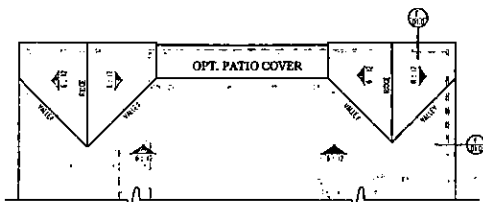
12/07/06 PC

RECEIVED

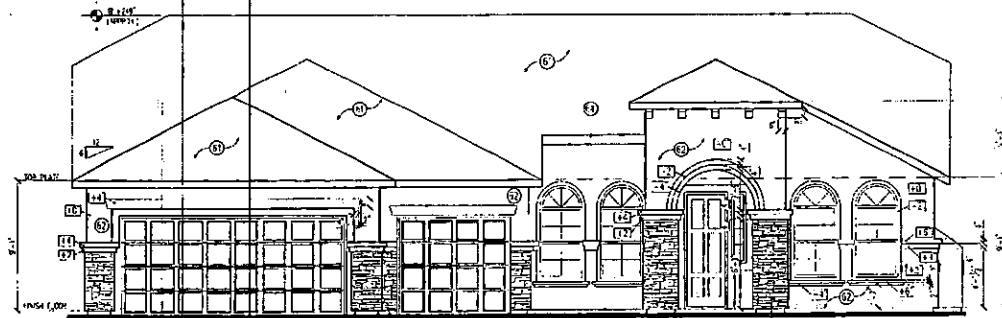
OCT 23 2006



ROOF PLAN ELEVATION B
SCALE: 1/4" = 1'-0"

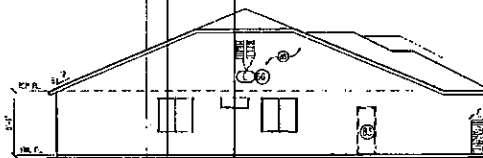


OPT. ROOF PLAN ALL ELEVATIONS
SCALE: 1/4" = 1'-0"

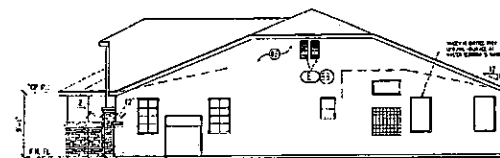


FRONT ELEVATION B
SCALE: 1/4" = 1'-0"

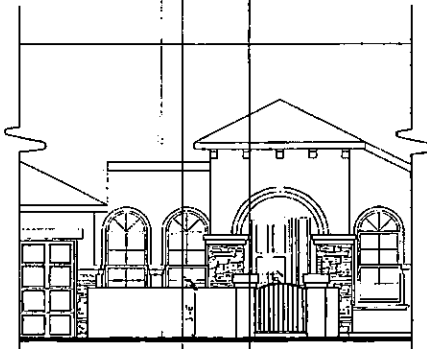
NOTE: WINDOW SHUTTERS SHALL BE 1/4" WIDE (UNLESS NOTED OTHERWISE)



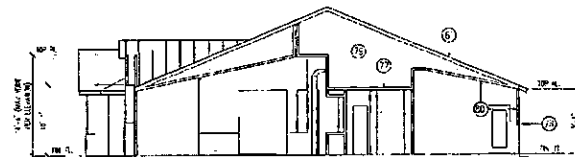
LEFT SIDE ELEVATION B
SCALE: 1/4" = 1'-0"



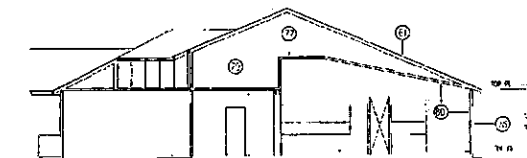
RIGHT SIDE ELEVATION B
SCALE: 1/4" = 1'-0"



OPT. COURTYARD WALL
SCALE: 1/4" = 1'-0"



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



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

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SDR-17698
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LAS VEGAS DIVISION
7250 West Peak Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
A. J. RICHMOND & SONS
STATE CONTRACTOR LICENSE #A000000000
SINCE 1900

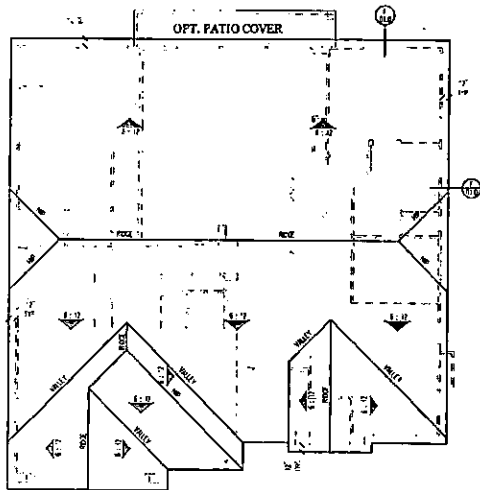
ROOF FRAMING FRONT & SIDE OF ELEVATION B
SECTION CUT

DATE: 12/07/06
BY: [Signature]
CHECKED: [Signature]
SCALE: 1/4" = 1'-0"

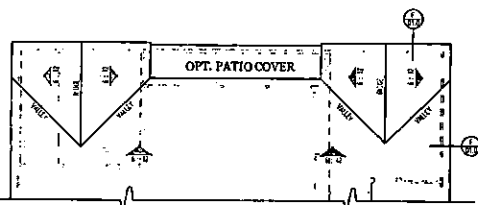
2030

1/4" = 1'-0"

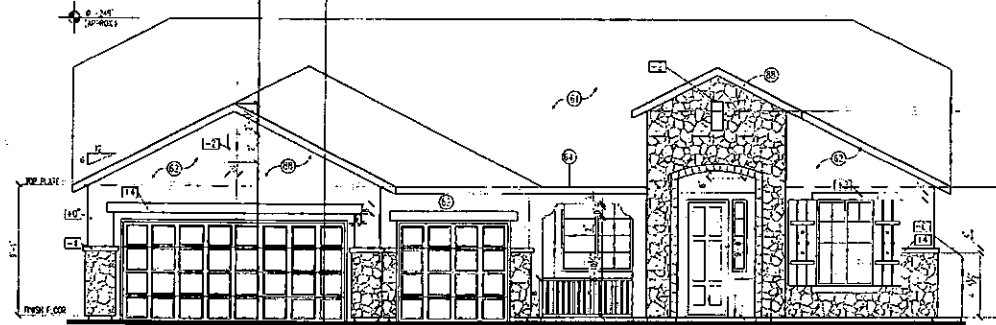
A2-B



ROOF PLAN ELEVATION C
SCALE: 1/4" = 1'-0"

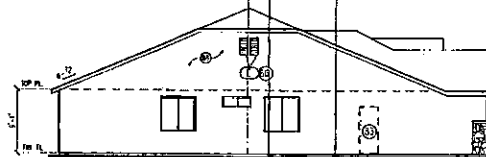


OPT. ROOF PLAN ALL ELEVATIONS
SCALE: 1/4" = 1'-0"

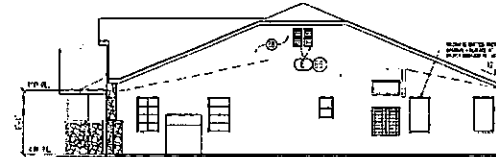


FRONT ELEVATION C
SCALE: 1/4" = 1'-0"

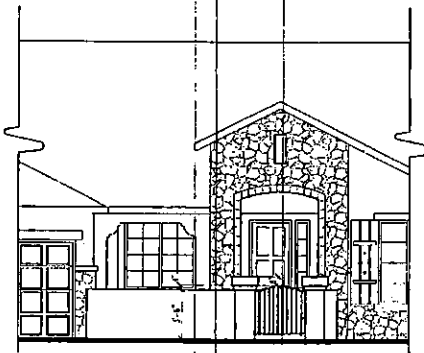
NOTE: WINDOW HEADS SHALL BE 4'-5" (UNLESS NOTED OTHERWISE)



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



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



OPT. COURTYARD WALL
SCALE: 1/4" = 1'-0"

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SDR-17698
12/07/06 PC

RECEIVED
OCT 23 2006

RICHMOND
STATE ENGINEERING & ARCHITECT
1000 WEST PUEBLO, SUITE 212
LAS VEGAS, NV 89125 (702) 240-5800

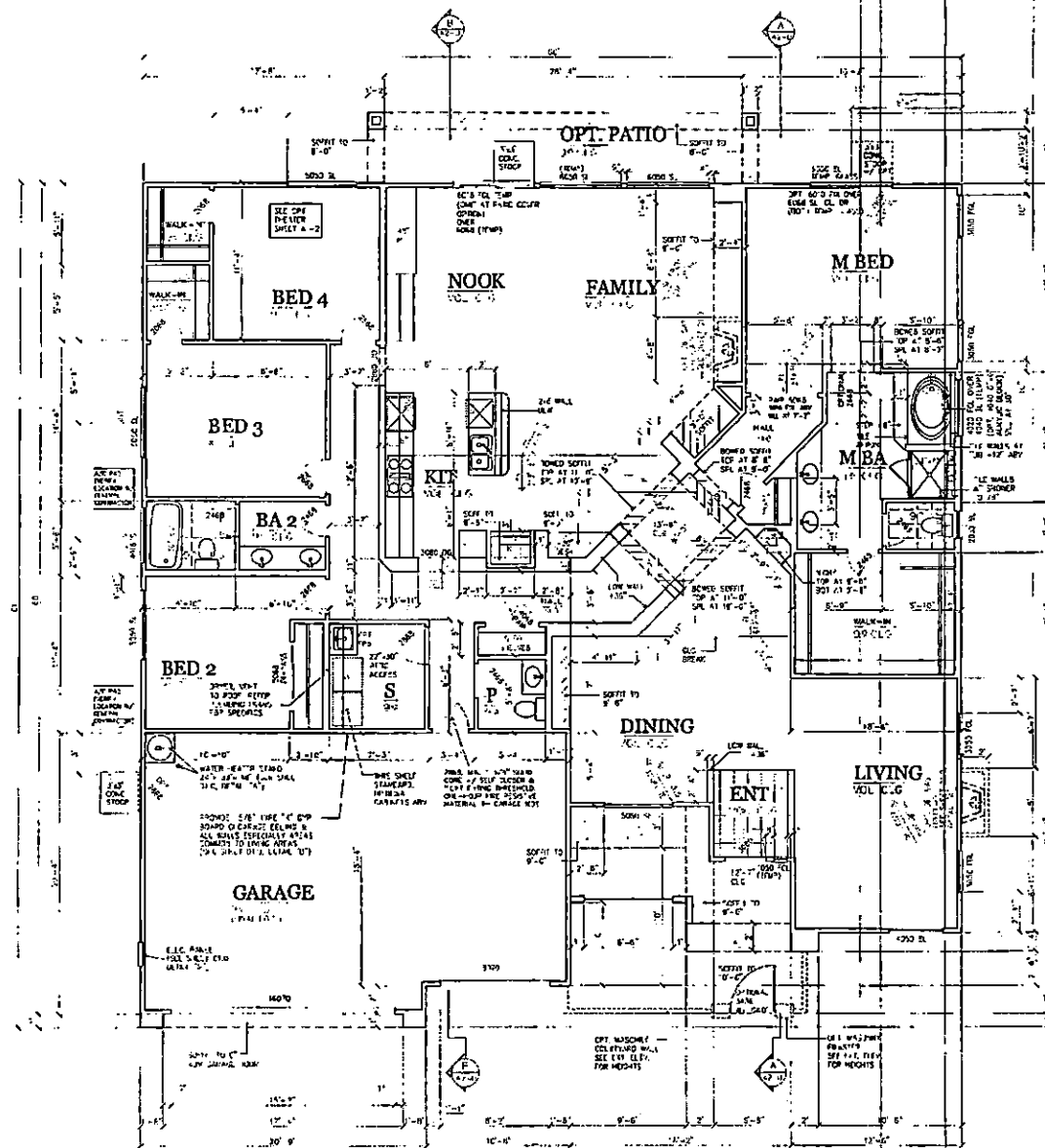
ROOF FRAMING, FRONT & SIDE OF ELEVATION C

DATE: 02/22/06

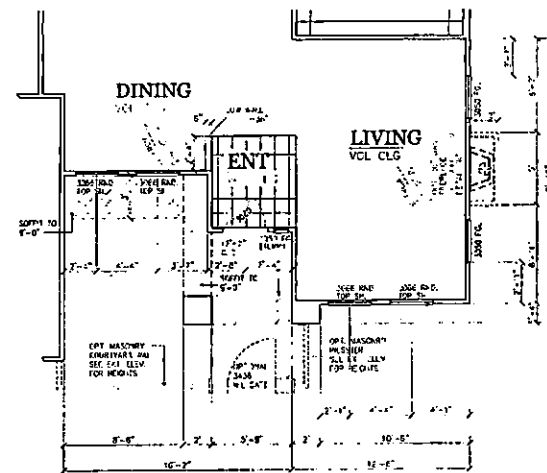
2030

LOMA
POINT
7550A2C

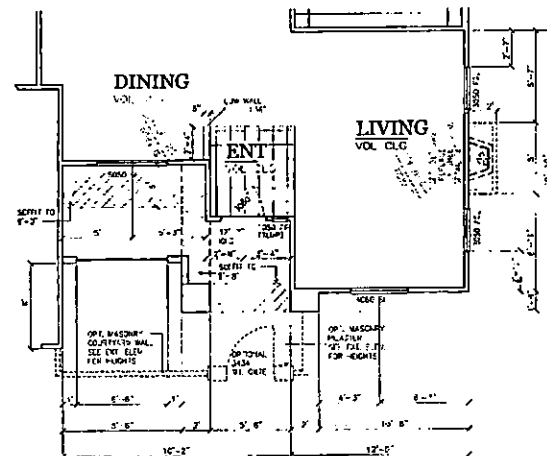
A2-C



FLOOR PLAN ELEVATION "A"
SCALE: 1" = 1'-0"



FLOOR PLAN ELEVATION "B"
SCALE: 1" = 1'-0"



FLOOR PLAN ELEVATION "C"
SCALE: 1" = 1'-0"

INT. ELEV. KEY



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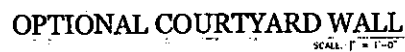
LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5000
JERRY WATSON, CHIEF

RICHMOND
SINCE 1960, RICHMOND HAS BEEN A LEADER IN THE CONSTRUCTION INDUSTRY.
DIVISION PRESIDENT
JANIS T. BELAND, P.E.

FLOORPLAN

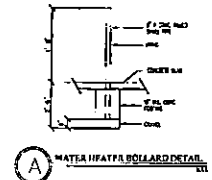
2030

A1

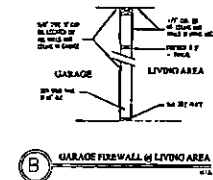


ZON-17697
SDR-17698
12/07/06 PC

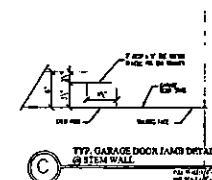
RECEIVED
OCT 23 2006



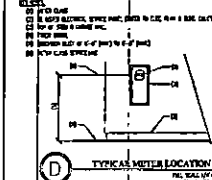
A WALL/FLOOR BOARD DETAIL



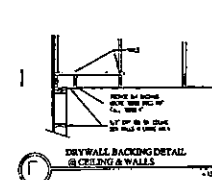
B GARAGE FIRE WALL IN LIVING AREA



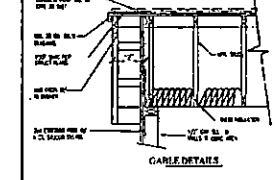
C TYP. GARAGE DOOR LOAD DETAIL



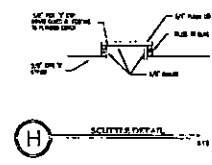
D TYPICAL WATER LOCATION



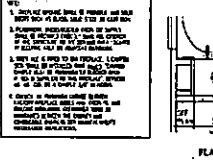
E DRY WALL BACKING DETAIL



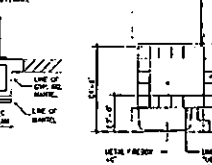
F TYPICAL EAVE DETAILS



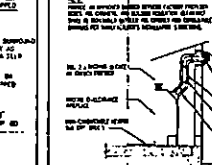
G SILL JOINT DETAIL



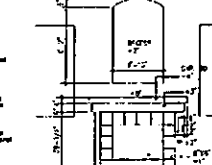
H PLAN VIEW



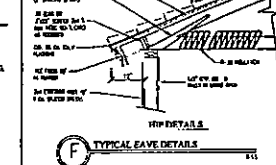
I ELEVATION VIEW



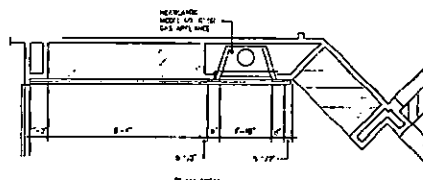
J SECTION VIEW



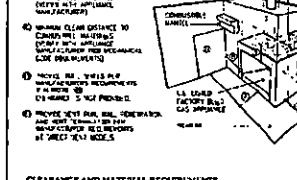
K ELEVATION VIEW



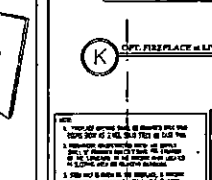
L PLAN VIEW



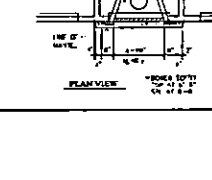
M PLAN VIEW



N ELEVATION VIEW



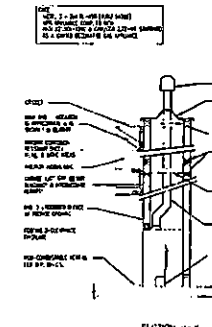
O SECTION VIEW



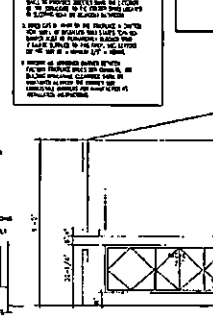
P ELEVATION VIEW



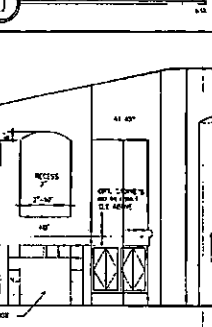
Q PLAN VIEW



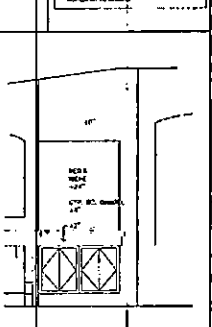
R SECTION VIEW



S ELEVATION VIEW



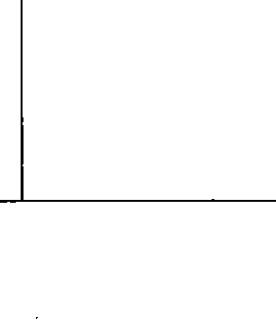
T SECTION VIEW



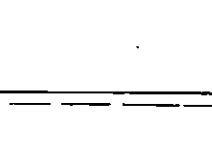
U ELEVATION VIEW



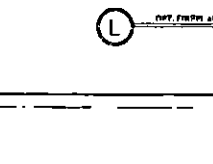
V SECTION VIEW



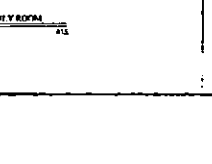
W ELEVATION VIEW



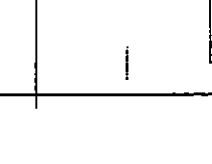
X SECTION VIEW



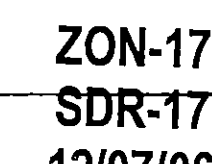
Y ELEVATION VIEW



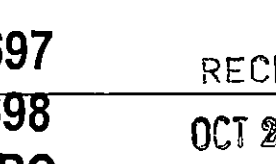
Z SECTION VIEW



AA ELEVATION VIEW



AB SECTION VIEW



AC ELEVATION VIEW

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #0005447
10000 W. BELLEVUE BLVD.
SUITE 100, BELLEVUE, WA 98004

DETAIL SHEET

DATE: 12/07/06
BY: [Signature]
CHECKED: [Signature]

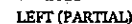
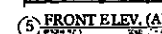
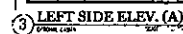
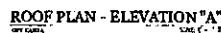
2030

LOMA POINT

D1

ZON-17697
SDR-17698
12/07/06 PC

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OCT 23 2006



1. FORM APPLICATIONS SHALL COMPLY PER 2000 IRC

2. WINDOW HEADERS SHALL BE 2" x 4" (UNLESS NOTED OTHERWISE)

3. SEE COVER SHEET FOR A/C VENTILATION CALCULATIONS

- [illegible]

12 MAY 47 C. MAY 1973

1. ROOF VENTILATION SHALL COMPLY PER
2000 IRC
- SEE COVER SHEET FOR INFORMATION
ON REQ. REC ATTIC VENTILATION

NR	CONCENTRATION	ST. 1	NR	CONCENTRATION	ST. 1
A	1" x 2"	0.375	N	3" x 3"	1.12
B	1" x 3"	0.625	O	10" x 10"	2.18
C	1" x 4"	0.875	P	8" x 8"	1.51
D	1" x 1"	1.136	R	10" x 10"	0.81
E	1" x 4"	1.247	S	12" x 12"	0.94
F	15" x 17"	1.28	T	17" x 18"	0.4
G	18" x 8"	1.655	U	DOOR MAT	0.7
H	15" x 24"	1.54	V	30" x 10"	0.7
I	25" x 25"	1.54	W	2" x 8" PDS	0.06
J	25" x 25"	1.54	X	2" x 8" PDS	0.06
K	25" x 25"	0.715	Y	2" x 8" PDS	0.06
L	25" x 25"	0.4	Z	3" x 10" SCREW	0.4
M	25" x 25"	1.79			

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV. 09128 (702) 240-5555

RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #007647
DIVISION PRESIDENT

ERNEST J. BELAIR, JR.

ROOF FRAMING, FRONT, REAR, & SIDE ELEVATION "A"

CLASS BY	
E.D.T.	
C.R. 01/12/06	
REG NO	NAME
1	
2	
3	
4	
5	
6	

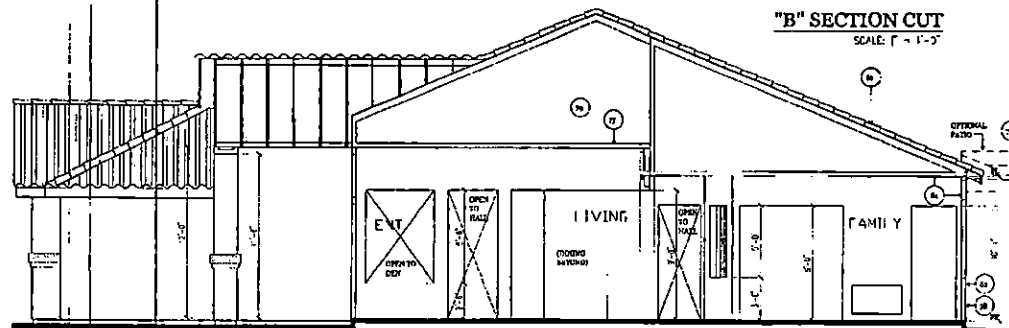
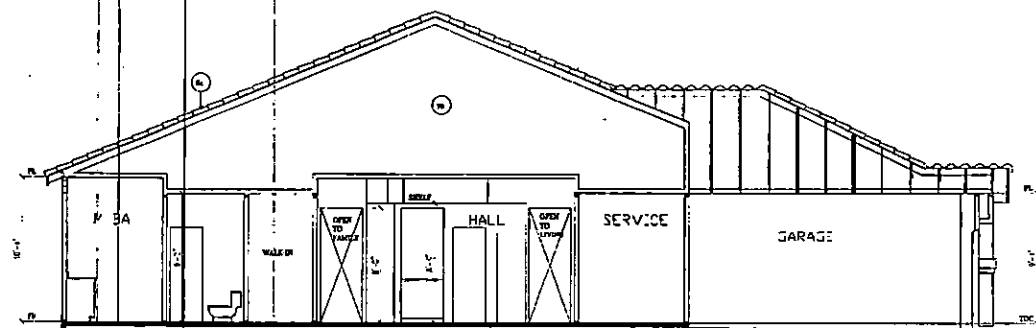
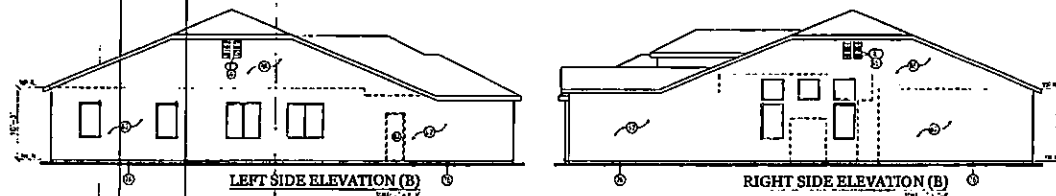
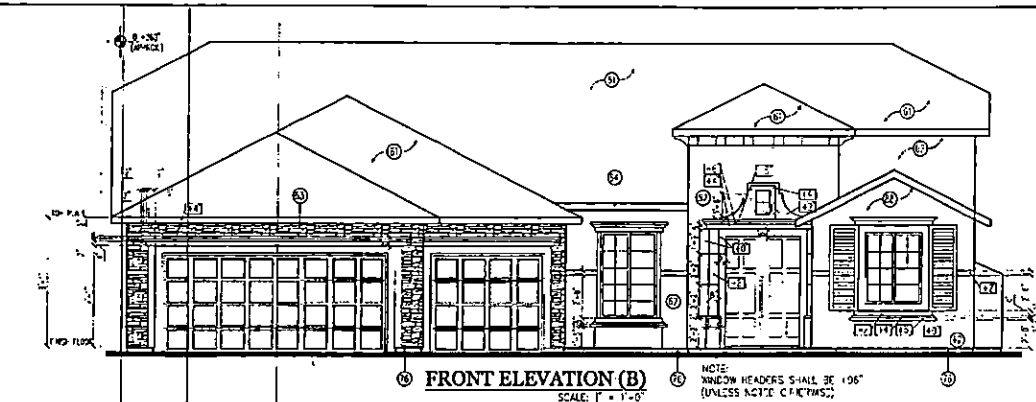
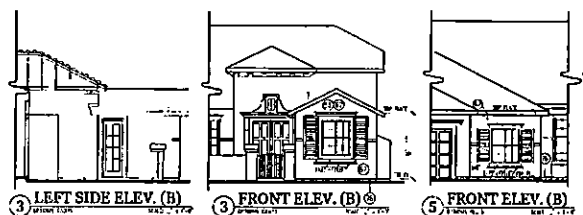
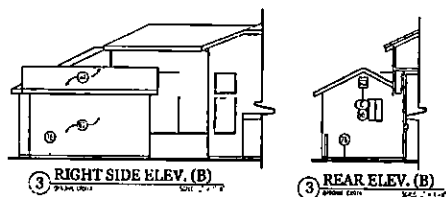
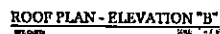
PLATE 2040

SUB DIVISION
LOMA
POINT

5001 Hg
A2-A

ZON-17697
SDR-17698
12/07/06 PC

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RECEIVED

OCT 23 2006

RICHMOND
AMERICAN HOMES
STRICT CONTRACTOR LICENSE #0676417
A MEMBER PRESIDENT

LAS VEGAS DIVISION

7250 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5600

ROOF FRAMING, FRONT, & SIDE ELEVATION "B"

W/ OPTIONS

ORDER BY
E. O. H.
DATE 07/21/00
REV NO. DATE

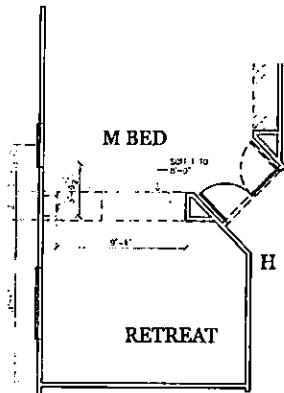
1	
2	
3	
4	
5	
6	

PLATE
2040

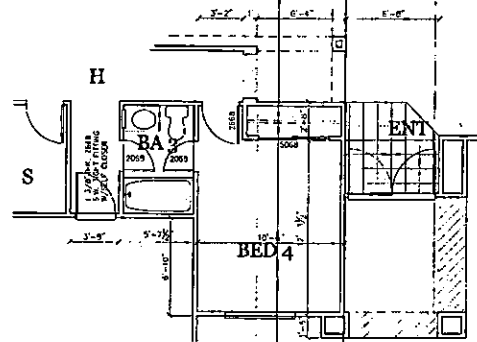
LAKEVIEW
LONG
POINT

A2-B

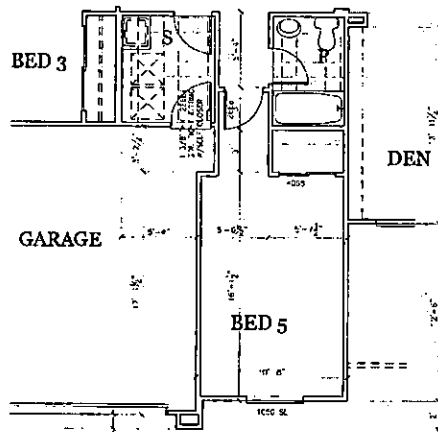
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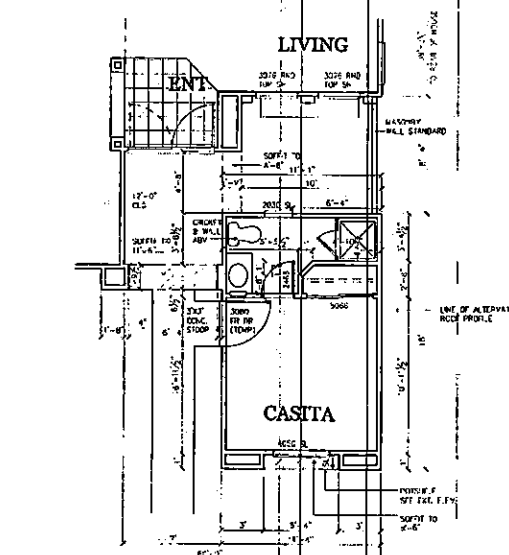
④ OPTIONAL RETREA



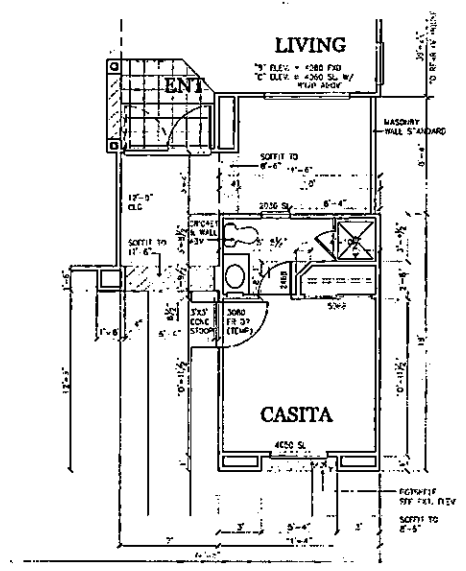
② OPT. BED 4/BA



⑤ OPTIONAL BED



③ OPTIONAL CASIT-ELEVATION "A"



③ OPTIONAL CASIT - ELEVATION "B" & "C"

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SDR-17698
12/07/06 PC

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OCT 23 2006

RICHMOND
AMERICAN HOMES
SPECIAL LICENSE #000047
JANUARY PRESENT

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89123 (702) 340-5000

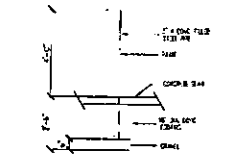
FLOOR PLAN
OPTIONS

DATE
DATE: 12/21/06
REV: 1
BY: J. J. J.

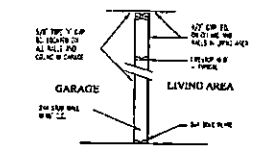
DATE
2040

LOCATION
LOMA POINT
2040-1

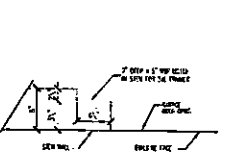
SHEET
A1.1



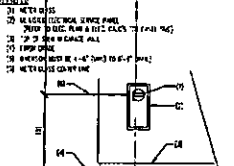
A WATER HEATER ROLL-OUT DETAIL



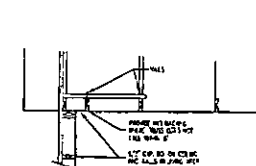
B GARAGE FIREWALL @ LIVING AREA



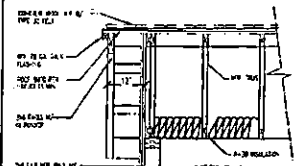
C TYP. GARAGE DOOR JAMBS DETAIL @ STEM WALL



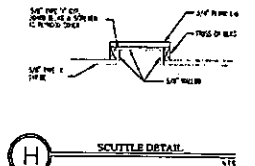
D TYPICAL METER LOCATION



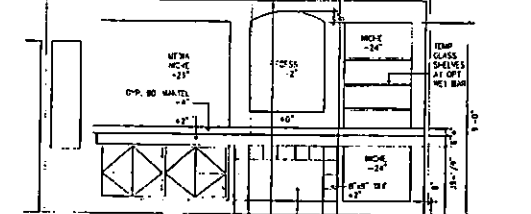
E DRYWALL BACKING DETAIL @ CEILING & WALLS



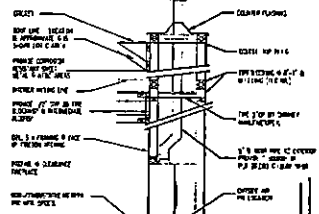
F GABLE DETAILS



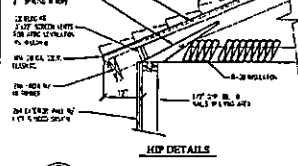
H SCUTTLE DETAIL



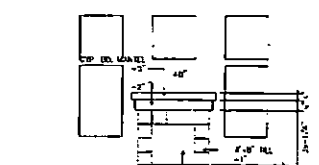
ELEVATION VIEW AT FAMILY ROOM



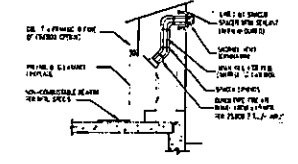
J FIREPLACE B VENT DETAIL



K TYPICAL PAVE DETAILS



ELEVATION VIEW AT LIVING ROOM



L FIREPLACE DIRECT VENT DETAIL

LAS VEGAS DIVISION
7250 West Park Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
A. RICHMOND & SONS
STATE CONTRACTOR LICENSE #00000007
DIVISION OF CONSTRUCTION

DETAIL SHEET

NO.	DATE	BY	CHKD.
1	07/07/06		
2			
3			
4			
5			
6			

Rev: 2040

LOMA POINT

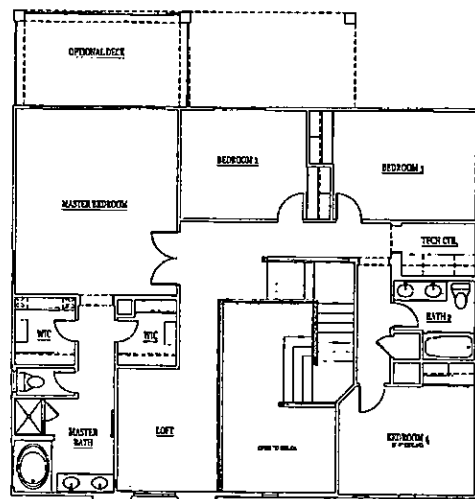
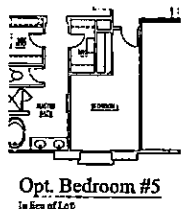
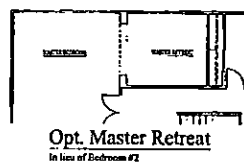
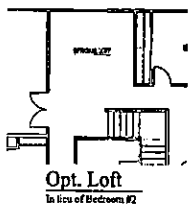
D1

ZON-17697
SDR-17698
12/07/06 PC

RECEIVED
OCT 23 2006

RICHMOND AMERICAN HOMES

LAS VEGAS DIVISION

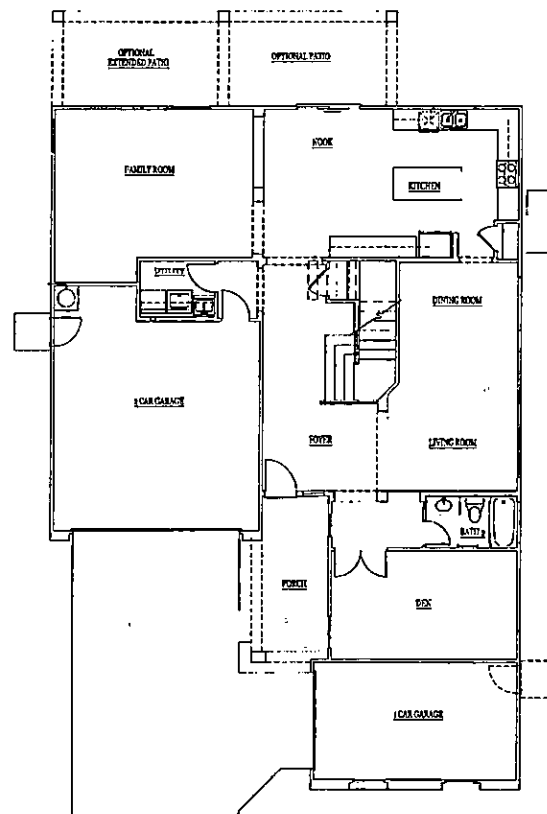


2nd Floor Plan

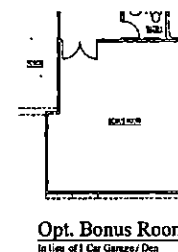
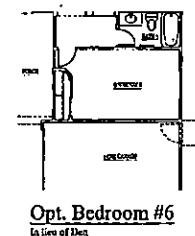
PLAN 3008

1st Floor Plan = 1,415 SF
2nd Floor Plan = 1,583 SF
Total Living = 3,008 SF
Optional Bonus Room = 232 SF

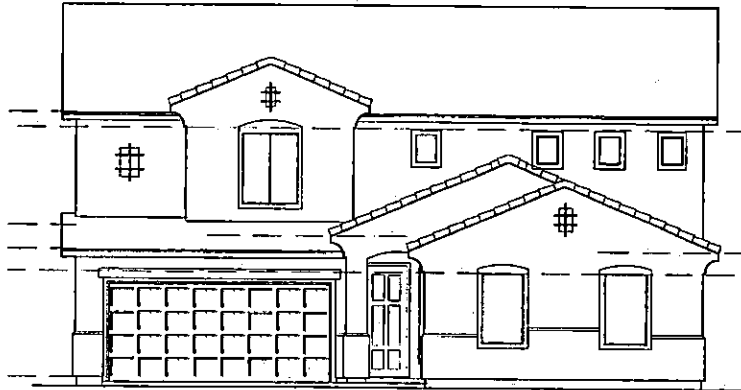
2 Car Garage = 441 SF
1 Car Garage = 232 SF
Entry Porch = 112 SF
Optional Rear Patio = 153 SF
Opt. Extended Rear Patio = 297 SF
Optional Rear Deck = 153 SF



1st Floor Plan



RICHMOND AMERICAN HOMES LAS VEGAS DIVISION



Elevation - A



Elevation - A



Elevation - A

PLAN 3008
3008 SF TOTAL

10 • 17 • 06

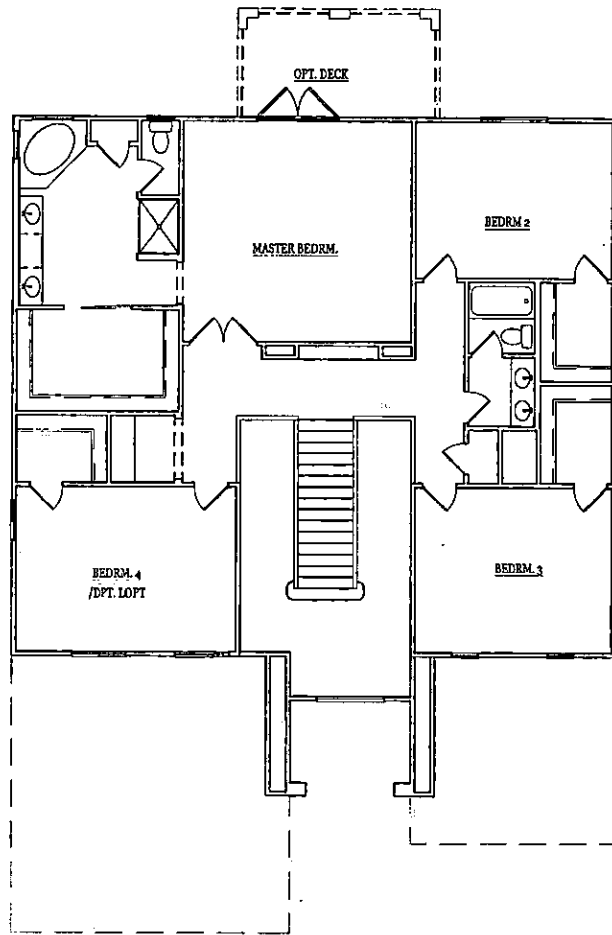
ZON-17697
SDR-17698
12/07/06 PC

RECEIVED
OCT 23 2006

LOMA POINT

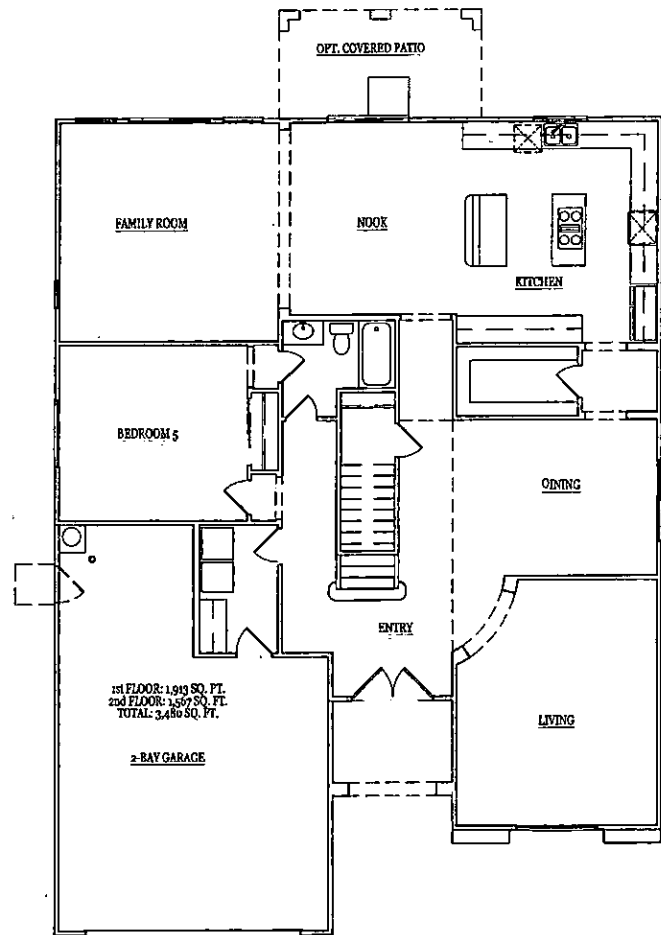
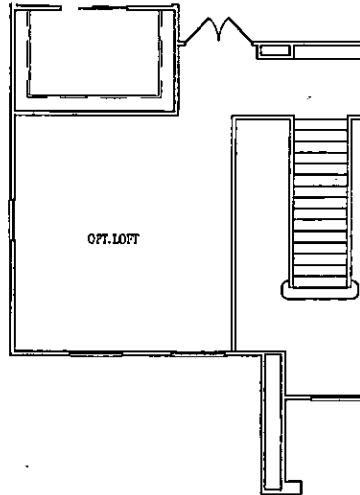
55' X 100' LOTS

RICHMOND AMERICAN HOMES - LAS VEGAS DIVISION NORTH



SECOND FLOOR - 1,567 SF

PLAN: 3480-2
3,480 SF TOTAL



FIRST FLOOR - 1,913 SF

ZON-17697
SDR-17698
12/07/06 PC

RECEIVED
OCT 23 2006

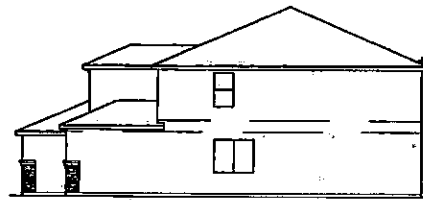
LOMA POINT

55' X 100' LOTS

RICHMOND AMERICAN HOMES - LAS VEGAS DIVISION NORTH



FRONT ELEVATION "B"



RIGHT ELEVATION "B"



LEFT ELEVATION "B"



FRONT ELEVATION "A"



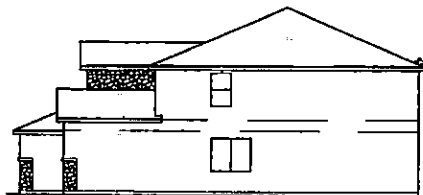
RIGHT ELEVATION "A"



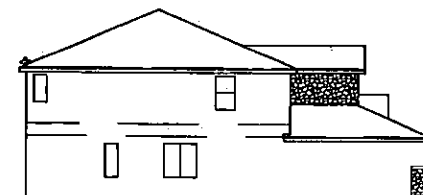
LEFT ELEVATION "A"



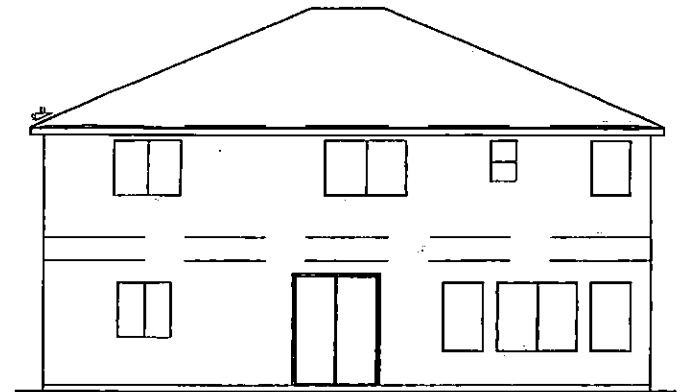
FRONT ELEVATION "C"



RIGHT ELEVATION "C"



LEFT ELEVATION "C"



TYP. REAR ELEVATION

PLAN: 3480-2
3,480 SF TOTAL

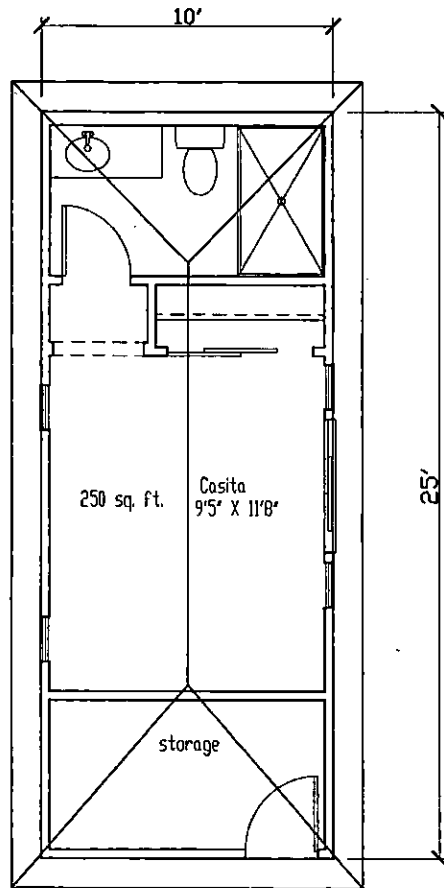
10 • 17 • 06

ZON-17697

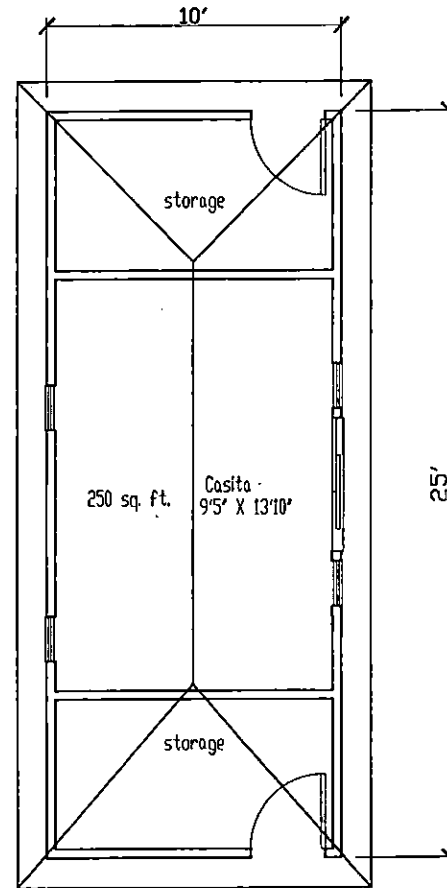
SDR-17698

12/07/06 PC

RECEIVED
OCT 23 2006



FLOOR PLAN



FLOOR PLAN

SCALE: 3/16"=1'0"

ZON-17697

SDR-17698

12/07/06 PC

RECEIVED
OCT 23 2006

The setbacks for the houses will be as follows.

20' min – Front Garage
20' min – Front House
9' – Side
19' - side lots (lots 8, 9, 30, & 31)
9' - Corner/side
20' - Rear

The setbacks for the casitas will be as follows.

Setbacks – Casitas
6' – Main structure
5' – Side
3' – Rear

Please place this request for a Site Development Plan Review on the next available Planning Commission agenda. If you have any questions or need additional information, please call me at 932-6125

Sincerely,



Sonia Macias
Project Coordinator

SDR 17698				
Richmond American Homes				
NE & NWCs Ann & Mustang				
Proposed 32 unit single family residential development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	32	9.57	306
AM Peak Hour			0.75	24
PM Peak Hour			1.01	32
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Mustang				
Ann Road				
Average Daily Traffic (ADT)	16,882			
PM Peak Hour	1351			
(heaviest 60 minutes)				
Torrey Pines				
Average Daily Traffic (ADT)	1,062			
PM Peak Hour	85			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Ann Road	49115			
Torrey Pines	16200			
This project will add approximately 306 trips per day on Ann & Centennial Center. This will increase expected volumes by about 2 percent on Ann and about 28 percent on Torrey Pines. Ann is at about 34 percent of capacity and Torrey Pines is at about 7 percent of capacity. Counts are not available for Mustang, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 32 additional cars into the area; which works out to about one every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



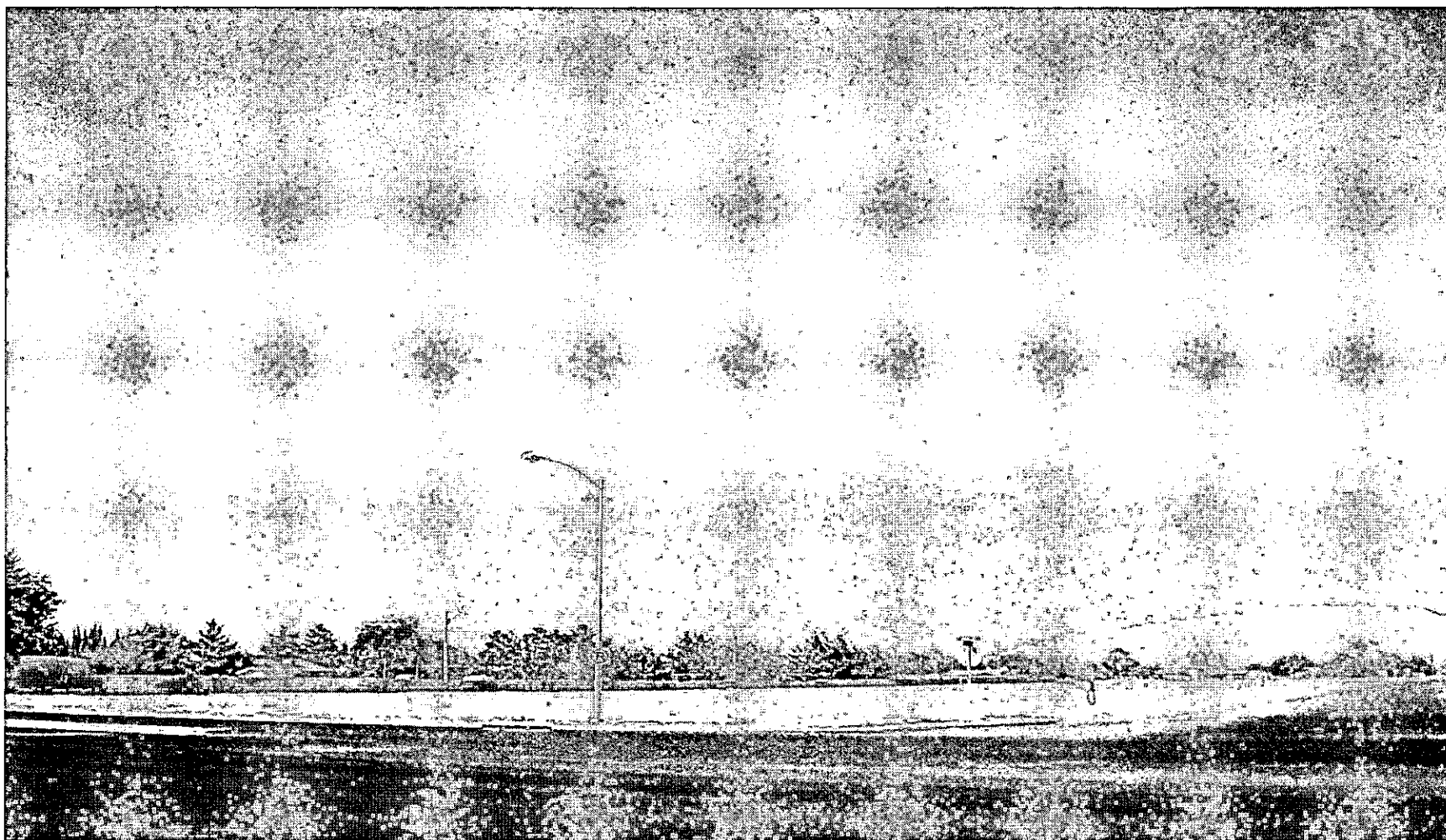
ZON-17697 AND SDR-17698 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF ANN ROAD AND MUSTANG STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06



ZON-17697 AND SDR-17698 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF ANN ROAD AND MUSTANG STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06



ZON-17697 AND SDR-17698 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES
ADJACENT TO THE NORTHWEST AND NORTHEAST CORNERS OF ANN ROAD AND MUSTANG STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/06/06

T ☐ THOMASON
C ☐ CONSULTING
E ☐ ENGINEERS

October 20, 2006

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

Reference: Stonewater – Ann mustang
Site Development Plan Review
APN #125-26-801-012,125-26-802-014

On behalf of Richmond American Homes, we respectfully request your consideration of the attached Site Development Plan Review for the above-listed parcels.

Location: The proposed site is located on Ann Road and Mustang Road within Section 26, Township 19 South, Range 60 East.

Background: A site development plan (SDR-5175) review was approved by City Council on December 16, 2004 the site plan will expire on December 16, 2006. Richmond American Homes is requesting the approval of a new site plan and floor plans for the project.

We have conformed with the requirements that were original set on the SDR-1575, we have provided single story homes on lots 5,6,7,9,10,11,12,14,16,17,18,19,20, 29, 30, 31, and 32 as requested from the adjacent home owners. Additionally, an 8' screen wall will be provided along the perimeter where requested by the adjacent property owners during the SDR-1575 approval.

Request:

At this time, we are requesting approval of a 32 lot, single family residential development located on the approximately 10.3 acres listed above. The density intended for this proposed site is 3.1 dwelling units per acre (DUA). The applicant has provided .55acres (24,164 sf) of open space where .53 acres (23,000 sf) is required. The minimum lot size intended for this development is 7,500 sf. with setbacks as indicated on the attached site plan.

Richmond American Homes intends to utilize 1 and 2 story products on this site and offer casitas. The homes range in size from 1267 sf to 1630 sf. Each model offers two-car garages and a variety of architectural features. The size of the casitas will be 10' x 25'.

3161 East Warm Springs Road, Suite 200
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129

ZON-17697
SDR-17698
12/07/06 PC

Nov. 27, 2006

TO Whom it May Concern,

I Disagree with the development on case ZON-17697 + SDR-17698. To many houses on such a small area. We are County and are Trying to Keep our Neighborhood that way. We are either one acre or less.

Help us preserve what we have or have for many years. We have animals, like, horses, chickens, cows, Goats, etc.

How did our county line get changed? First they change the zoning, then you want to build Track homes. Where are our rights?

So I am against the building of 32 lot Residential on 10.30 Acres.

Lets try to keep with our area.

BARBARA A. MESA
5685 MAVERICK ST.
LAS VEGAS, NV. 89130

Thank-you
Mr + Mrs. J. Mesa
J. Madden
J. Weaver

ITEM # 12 + 13
CASE # ZON-17697 + SDR-17698
PC MTG 12-7-06

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-17740 - REZONING - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), Ward 5 (Weekly).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO

To be heard by City Council on 01/03/2007

MINUTES:

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 14 [ZON-17740], Item 15 [VAR-17741], Item 16 [VAR-17742], Item 17 [VAR-17743], Item 18 [VAC-17744] and Item 19 [SDR-17745].

ANDY REED, Planning and Development Department, stated the proposed project is too intense for the subject site and incompatible with the area. He recommended denial.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 14 – ZON-17740

MINUTES – Continued:

STEVE BIAJANY, Reno, Nevada, the developer, was present. He gave a brief description of his background as a developer and noted the success of his City Center Apartments which were recently built in the Downtown area. He explained this proposed apartment building would be income restricted and would provide much-needed affordable workforce housing in the Downtown area. He noted the variance requests are very similar to the variances that were granted for the City Center Apartments. Since the apartments would be income restricted, the majority of the residents would not have vehicles and the parking variance would not negatively impact the neighborhood. He emphasized the property would have landscaping, but since it is in the public right-of-way, it cannot be applied towards the project's required amount of landscaping. MR. BIAJANY pointed out the many ways this project would improve the neighborhood and respectfully requested approval.

TED RUSSELL, Las Vegas resident, appeared in opposition and stated this proposal is out of character for the neighborhood. KRISTEN METCALF, adjacent property owner, appeared in opposition because it would negatively impact her quality of life and privacy. MS. METCALF noted that the City Center Apartments is surrounded by commercial development while this proposed apartment building is surrounded by residential development. She also stated that the City Center Apartments is dealing with a high crime rate and is not a benefit to the neighborhood. An UNIDENTIFIED WOMAN appeared in opposition and stated that the City Center Apartments have negatively impacted her life. JOE WOODS, 220 South 10th Street, appeared in opposition and expressed his concern regarding the lack of parking. KIMBERLY RUSKE, 211 South 10th Street, concurred and also expressed concern with the lack of landscaping.

LEONARD DIXON, Senior Neighborhood Programs Officer, spoke on behalf of the project and stated that MR. BIAJANY has been working with the City of Las Vegas to bring more affordable housing into the downtown area. He noted that the City Council and the State of Nevada had allocated several million dollars in funding for this project and requested approval.

MR. DIXON informed CHAIRMAN TROWBRIDGE that the apartment building would be monitored to ensure that all the renters met the income requirements and that the rents would be restricted. In response to further inquiries by CHAIRMAN TROWBRIDGE, MR. DIXON stated Neighborhood Services was not aware of any criminal activity at the City Center Apartments, but expressed his willingness to investigate the situation.

TODD FARLOW, 240 19th Street, appeared in support and complimented the developer on the City Center Apartments. He stated the City Center Apartments have improved the neighborhood

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 14 – ZON-17740

MINUTES – Continued:

and complimented the energy efficient design of the proposed apartment buildings. CHANCE TAYLOR, downtown business owner, appeared in support and stated this project would greatly benefit downtown businesses. He also noted that the City Center Apartments had improved the area.

COMMISSIONER GOYNES stated he could not support this project because it is an attempt to overbuild the site and also because of his concerns with the number of variances requested.

In response to COMMISSIONER TRUESDELL'S inquiries, MR. BIAJANY stated parking has never been an issue at similar apartment buildings and noted the City Center Apartments are featured by the State Housing Division as an example of well-managed affordable housing. He pointed out the many security features within the building's design and emphasized the building would be professionally managed.

CHAIRMAN TROWBRIDGE expressed his concern with the lack of parking and the requested setback variances and observed that the color palette is unattractive and agreed with staff that this proposal is incompatible with the area. He also noted that different departments within the City appeared to have opposite recommendations regarding this project.

Regarding CHAIRMAN TROWBRIDGE'S inquiry about recreational facilities, MR. BIAJANY explained the one-bedroom and studio nature of the apartment building would attract renters without children and while cats were allowed, only service dogs were permitted within the building.

COMMISSIONER DUNNAM observed that MR. BIAJANY is providing much-needed affordable housing by burdening the surrounding neighborhood. He stated he could not support this proposal due to the lack of parking.

MARGO WHEELER, Director of Planning and Development Department, explained that staff's recommendation for denial was based upon the zoning requirements and the number of variances requested and did not take into account the income-restricted nature of the project.

In response to COMMISSIONER EVANS' inquiry, MR. BIAJANY stated the parking lot could be reconfigured to provide 50 additional spaces and reiterated that landscape buffers would be constructed along the public rights-of-way.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 14 – ZON-17740

MINUTES – Continued:

BART ANDERSON, Public Works Department, explained that since this building will not change the existing curb-line, the applicant would be required to landscape and maintain several feet of property within the right-of-way, which is consistent with existing downtown development.

COMMISSIONER STEINMAN observed that the City is constantly struggling to provide affordable housing for its citizens and noted that similar affordable housing projects share the parking deficiency proposed by this project. After visiting the site, he stated on-street parking was available and pointed out the residents of affordable housing typically do not own vehicles and depend on public transportation. He complimented MR. BIAJANY on the success of the City Center Apartments and its high occupancy rate.

PETER POULOS, 903 Bridger Avenue, applicant, noted the blighted nature of the property and emphasized the positive impact this project would have on the area.

COMMISSIONER TRUESDELL stated he would support the project if the applicant agreed to increase the parking by 50 spaces. MR. BIAJANY agreed and assured COMMISSIONERS STEINMAN and GOYNES that the spaces would meet Code and would be provided by reconfiguring the parking lot. MS. WHEELER crafted the additional condition, increasing the parking requirement for Item 15 [VAR-17741].

MS. WHEELER assured COMMISSIONER DAVENPORT that the landscape buffers would be provided but explained that since they are located within the public right-of-way, they cannot be counted towards the project's landscape requirement.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 14 [ZON-17740], Item 15 [VAR-17741], Item 16 [VAR-17742], Item 17 [VAR-17743], Item 18 [VAC-17744] and Item 19 [SDR-17745].

(6:52 – 7:45)

1-1723

CONDITIONS:

Planning and Development

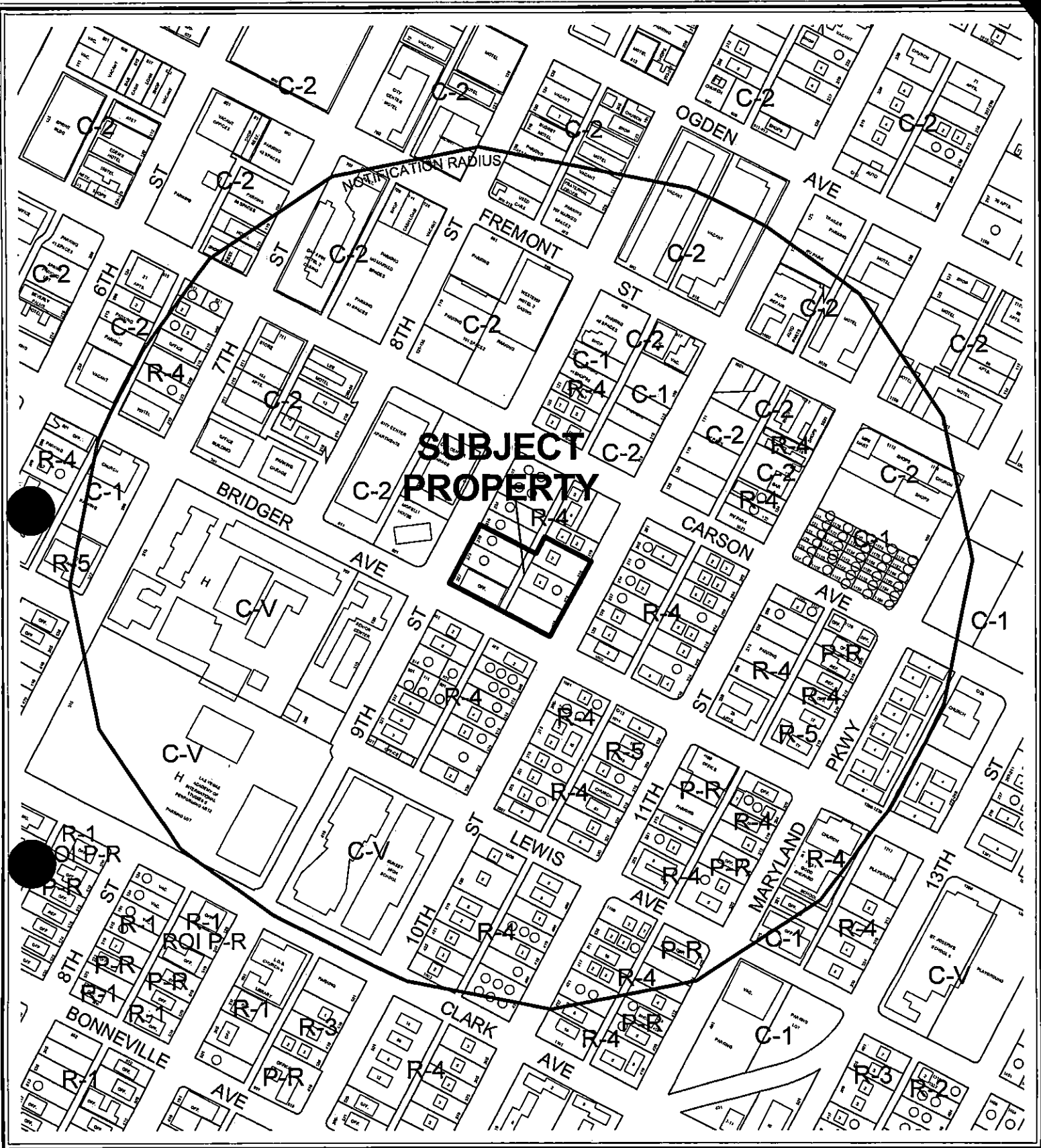
1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17745) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 14 – ZON-17740

CONDITIONS – Continued:

Public Works

3. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
4. Dedicate a 10-foot radius on the northeast corner of Bridger Avenue and 9th Street and a 10-foot radius on the northwest corner of 10th Street and Bridger Street prior to the issuance of any permits.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Construct all incomplete half-street improvements on Bridger Avenue, 9th Street and 10th Street adjacent to this site concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



CASE: **ZON-17740**

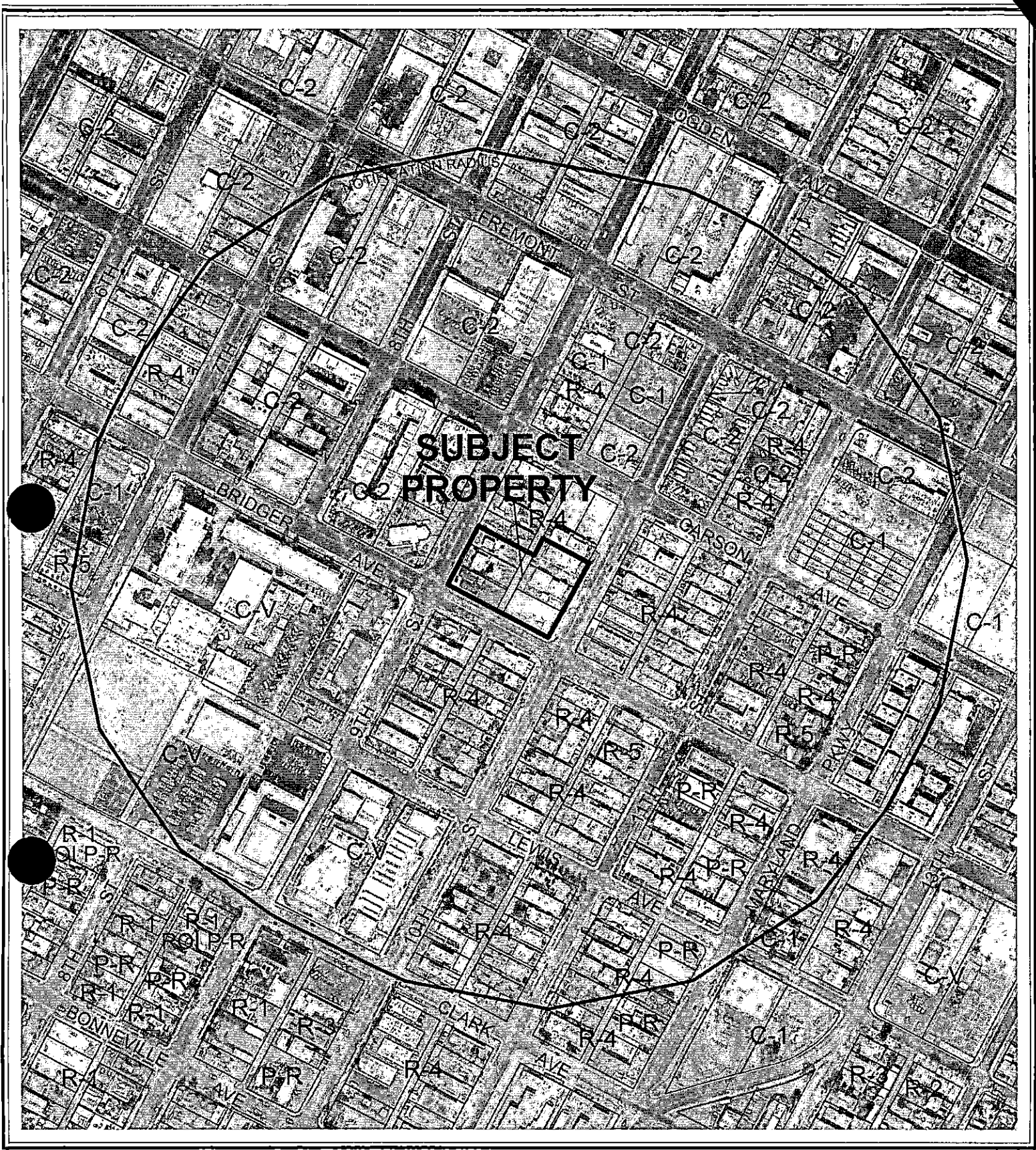
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 100200 Feet





CASE: **ZON-17740**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 100200 Feet



*City of Las Vegas***AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-17740 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST

**** CONDITIONS ******STAFF RECOMMENDATION:** DENIAL. If Approved, 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-17745) 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. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site; comply with the recommendations of the City Surveyor.
4. Dedicate a 10-foot radius on the northeast corner of Bridger Avenue and 9th Street and a 10-foot radius on the northwest corner of 10th Street and Bridger Street prior to the issuance of any permits.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Construct all incomplete half-street improvements on Bridger Avenue, 9th Street and 10th Street adjacent to this site concurrent with development of this site.

ZON-17740 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

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

ZON-17740 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a rezoning from R-4 (High Density Residential) to R-5 (Apartment) on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street. The following related applications will be considered concurrently: VAC-17744, VAR-17741, VAR-17742, VAR-17743 and SDR-17745.

The project as designed is more intense than the existing residential development on this block, and requires numerous Variances and Waivers. As such, the project is not appropriate to its context, and staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/04/61	The Board of City Commissioners approved a Special Use Permit for an office at 227 South 9 TH Street
<i>Pre-Application Meeting</i>	
08/18/06	The requirements for a rezoning application were reviewed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.38 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, multi-family dwellings, single family dwellings.	Mixed Use	R-4
North	Single family dwelling	Mixed Use	R-4
South	Apartments	Mixed Use	R-4
East	Apartments	Mixed Use	R-4
West	Apartments and Non-profit organization	Mixed Use	C-V and C-2

ZON-17740 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

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

Redevelopment Area

The subject site is located within the Downtown Redevelopment Area, where special funding may be available for proposed projects. Developments are subject to all requirements of Title 19.

Trails

The Master Plan Transportation Trails Element depicts a trail along Ninth Street adjacent to this site. If this trail is constructed, it will be constructed by the city, and therefore the applicant is not required to show the trail on the submitted plans.

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 square feet	1.38 acres	Y
Min. Lot Width	N/A	180 feet	Y
Min. Setbacks			
• Front (west)	• 10 Feet	• 0 Feet	• N*
• Side (north)	• 5 Feet	• 8 Feet	• Y**
• Corner (south)	• 5 Feet	• 0 Feet	• N*
• Rear (east)	• 20 Feet	• 0 Feet	• N*
Min. Distance Between Buildings	N/A	1 building	Y
Max. Lot Coverage	N/A	81 %	Y
Max. Building Height	5 Stories or 55 Feet	66 Feet	N***

*These setbacks do not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

ZON-17740 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

****This setback complies with the R-5 standards, but does not comply with the Residential Adjacency Standards. This issue will be considered under Variance VAR-17742.**

*****The proposed height does not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.**

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	198 feet from north property line	8 feet	N
Adjacent development matching setback	5 feet	8 feet	Y
Trash Enclosure	50 feet from north property line	10 Feet	N

These setback issues will be considered under Variance VAR-17742.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-4	50 du/ac	69	R-5	unlimited	MXU	greater than 25.49 du/ac

Per 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>		
Parking Area	1 tree/ 6 spaces	2 trees	2 trees	Y
Buffer: Min. Trees	1 tree/20 linear feet	27 trees	24 trees	N
Min. Zone Width	10 feet along 9th Street		0 feet along 9th Street	N
	10 feet along Bridger Avenue		4 feet along Bridger Avenue	N
	10 feet along Tenth Street		10 feet along Tenth Street	Y
	6 feet along north property line		5 feet along north property line	N

The applicant has requested a waiver to allow a reduction of the landscaping buffer requirements to allow 0 feet along a portion of the west property line, zero feet along Bridger Avenue, and five feet along the north property line.

ZON-17740 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Apartments	300 one-bedroom units	1.25 spaces per unit plus one guest space for every six units	425 spaces	9 spaces	150 spaces	9 spaces	N
TOTAL (including handicap)			425 spaces	9 spaces	150 spaces	9 spaces	N
Percent Deviation					65 %		

This parking issue will be addressed under Variance VAR-17741.

Waivers		
Request	Requirement	Staff Recommendation
5 feet along north property line	6 feet along north property line	Denial
0 feet along 9th Street	10 feet along 9th Street	Denial
4 feet along Bridger Avenue	10 feet along Bridger Avenue	Denial

Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

ANALYSIS

The site is currently developed with two apartment buildings, two single-family dwellings, and an office building. The applicant proposes to demolish these structures and construct a 300-unit apartment building which will require a variance (VAR-17743) to allow the building to be zero feet from the west property line where ten feet is the minimum setback required, zero feet from the east property line where 20 feet is the minimum setback required, and zero feet from the south property line where five feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's setback standards, staff is recommending denial of these setback variances.

ZON-17740 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

The applicant has also requested a variance (VAR-17743) to allow a building height of 66 feet where the R-5 (Apartment) standards allow a maximum height of 55 feet. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's height requirements, staff is recommending denial of this variance.

Because there is an existing single-family dwelling north of this site and adjacent to 9th Street, any proposed development of this site is required to comply with the proximity slope requirements of the Residential Adjacency standards. When applied to the height of the building as currently proposed (66 feet), these standards require a setback of 198 feet from the north property line which is adjacent to the existing single-family dwelling north of this site. The applicant has requested a variance (VAR-17742) to allow a setback of eight feet from the north property line where 198 feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The Residential Adjacency standards also require trash enclosures to be setback at least 50 feet from single-family residential development. The applicant has requested a variance (VAR-17742) to allow the trash enclosure to be 10 feet from single-family development. Because the site plan could be redesigned to include a trash enclosure which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The applicant has requested a variance (VAR-17741) to allow 150 parking spaces on this site where 425 are required. Because there is no hardship associated with this site, and because staff finds that this proposed development is too intense for the subject property, staff is recommending denial of this parking variance. As part of this development, the applicant is proposing to vacate a portion of an existing 20-foot wide public alley that currently bisects this site and connects Carson Avenue and Bridger Avenue. In order to mitigate the vacation of this portion of the alley, the applicant proposes to construct a new alley, which will connect the unvacated portion of the existing alley to Tenth Street. Because staff is recommending denial of the rezoning, site development plan review and variances associated with this development, staff is recommending denial of the alley vacation. A 10-foot wide landscape buffer that complies with city standards is proposed along Tenth Street. The applicant has requested waivers to allow no perimeter landscaping along Ninth Street where ten feet is required; to allow four feet along Bridger Avenue where 10 feet is required; and to allow five feet along the north property line where six feet is required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

The elevations depict a stucco exterior with aluminum accents.

ZON-17740 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

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 Downtown Redevelopment Plan designates the area along Seventh Street as MXU (Mixed Use Urban), which allows a range of residential, office, service and general commercial uses. The proposed R-5 (Apartment) district conforms to this existing designation.

In regard to "2": The surrounding zoning districts consist of a mixture of R-4 (High Density Residential), C-2 (General Commercial), and C-V (Civic). Several residential structures remain on the same block as the proposed rezoning. The properties in the vicinity are developed with uses that would normally be compatible with the proposed R-5 (Apartment) district. In this instance, however, the five-story, 55-foot building height that the R-5 district would allow is not desirable in this area, as buildings taller than two stories would be out of character with most homes and businesses in the area.

In regard to "3": The project as designed is more intense than other existing or proposed developments in the area, and requires numerous Variances and Waivers. As such, the project is not appropriate to its context.

In regard to "4": The property is accessible from Ninth Street and Tenth Street. Both streets are adequate to meet the needs of the proposed R-5 (Apartment) District.

ZON-17740 - Staff Report Page Seven
December 7, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 129 (Mailed with VAR-17741, VAR-17742, VAR-17743 and SDR-17745)

APPROVALS 1

PROTESTS 0





STATEMENT OF FINANCIAL INTEREST

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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17740** APN: **139-34-712-026 /-027 /-028**
Name of Property Owner: **LARRY AND PATRICIA SCHLEUSNER FAMILY TRUST**
Name of Applicant: **SDA, INC - DARIUSZ WIECHA**

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: _____

Larry Schleusner
Trustee
Patricia Schleusner
Trustee

Print Name: **LARRY SCHLEUSNER**

Patricia Schleusner

Subscribed and sworn before me

This 19th day of OCT, 2006

Patricia J. Barnum
Notary Public in and for said County and State

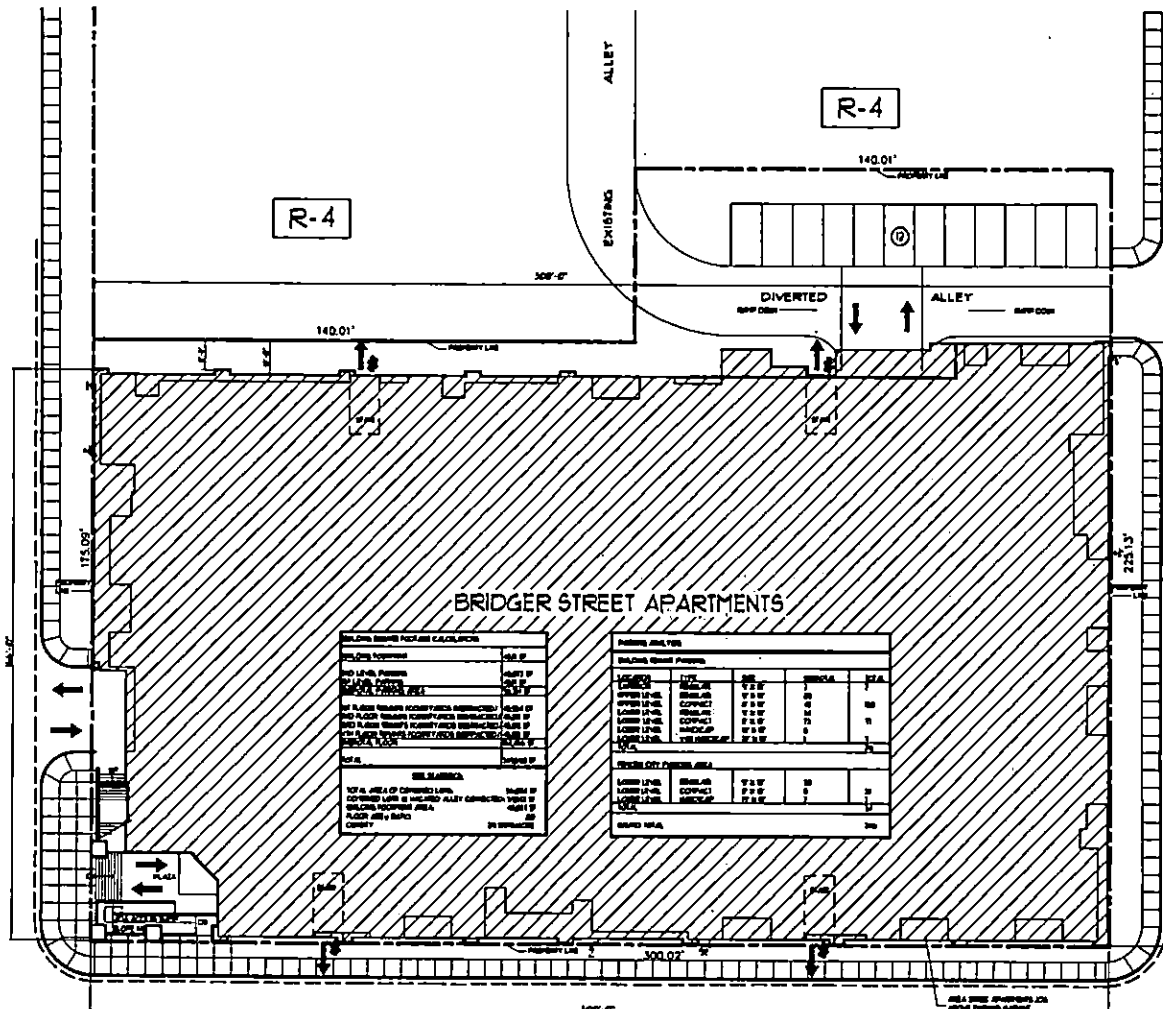


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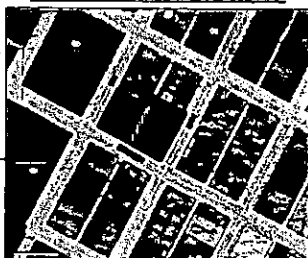
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C-V

NINTH STREET



VICINITY AND ADJACENT LAND USE MAP



BRIDGER AVENUE

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LEGEND

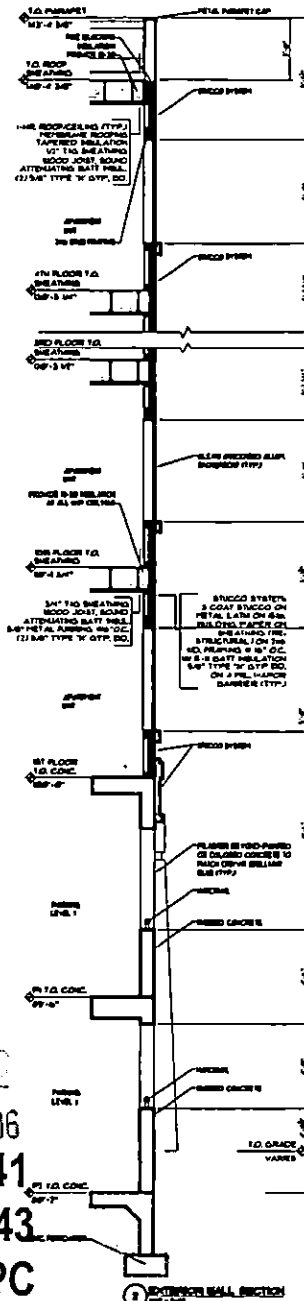
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R-4

R-4

R-4

TENTH STREET



BCA DESIGN LLC

TAAG ARCHITECTS

BRIDGER STREET APARTMENTS
LAS VEGAS, NEVADA

DESIGNED BY BSA, INC. COLORADO

CITY OF LAS VEGAS

SHEET NO. A0.2

RECEIVED

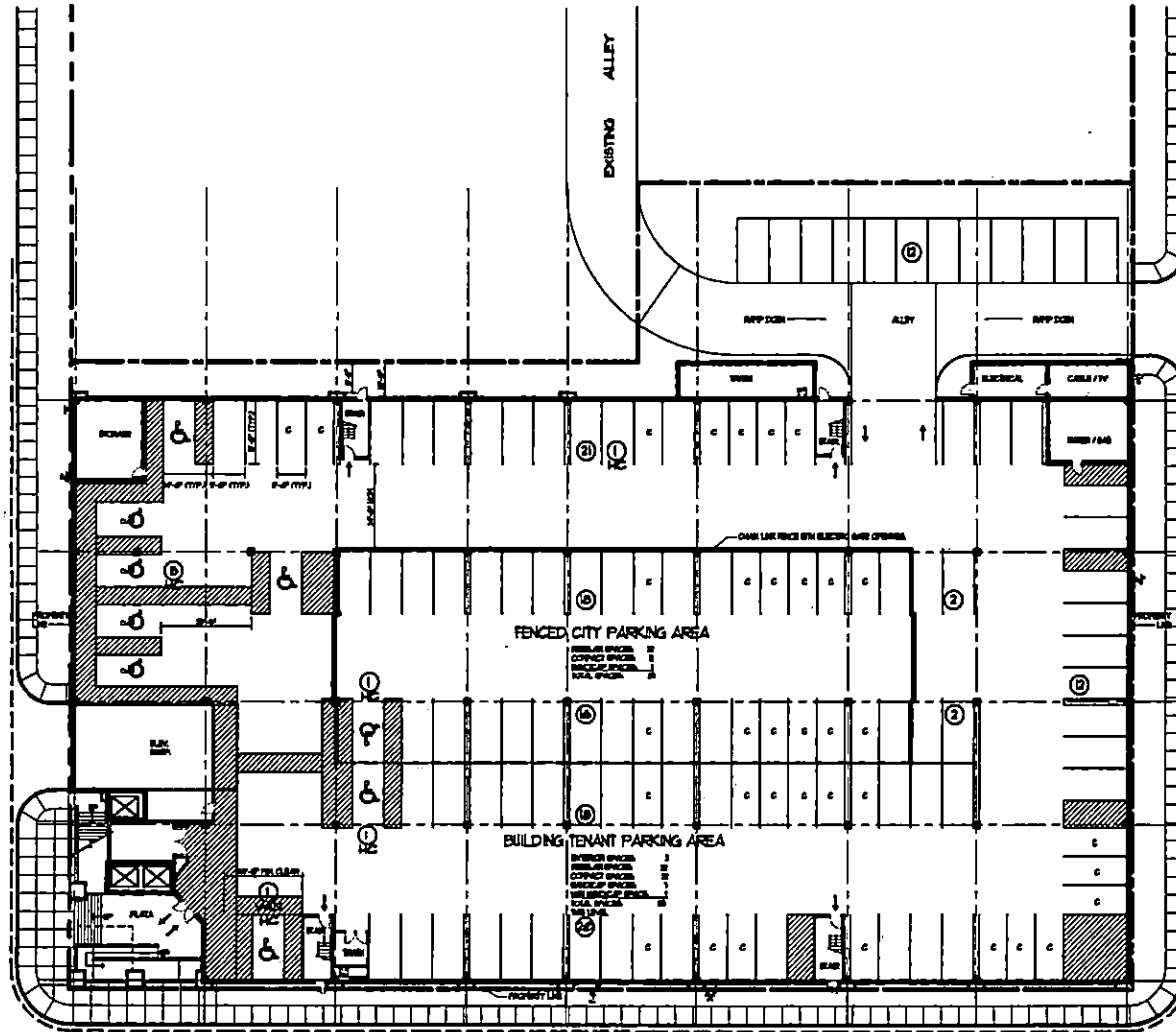
OCT 24 2006

ZON-17740 VAR-17741

VAR-17742 VAR-17743

SDR-17745 12/07/06 PC

NINTH STREET



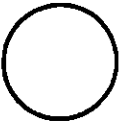
BRIDGER AVENUE

TENTH STREET

OCT 24 2006



300 S. 10TH ST., SUITE 100
DENVER, CO 80202
303.233.0000 303.233.0000 FAX



CONSULTING ARCHITECTS

10100 PINE
SUITE 100
DENVER, CO 80231
303.733.1000
303.733.1000 FAX

BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY SDA, INC. COLORADO

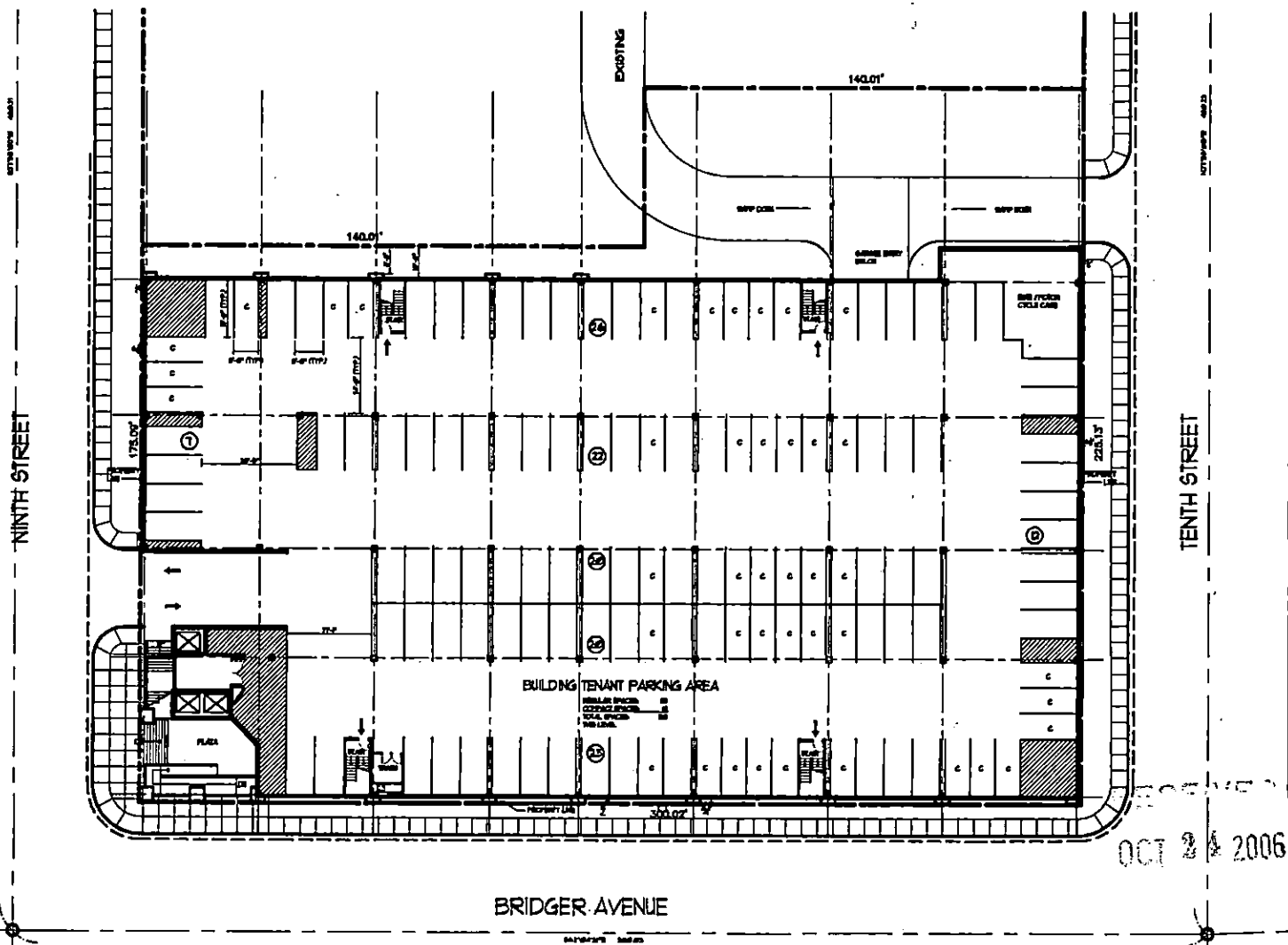
BRIDGER STREET APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY SDA, INC. COLORADO

CITY SAFETY - BOARD

NO.	DATE	REVISION
1	10/24/06	ISSUED FOR PERMIT
2	11/07/06	REVISION
3	12/07/06	REVISION
4	12/07/06	REVISION
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ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

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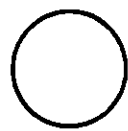


1. FLOOR PLAN - UPPER FLOORS
2. 1/4" = 1'-0"

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC



300 S. KENNEDY, SUITE 200
GREENWOOD VILLAGE, CO 80111
303.755.0000 FAX 303.755.0001



TAAG
ARCHITECTS
CONSULTING ARCHITECTS

341 1/2 E. 1st Ave.
Suite 200
Greenwood Village, CO 80111
303.755.0000 FAX 303.755.0001

BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY S.A.A. INC. 06/06/06

BRIDGER STREET APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY S.A.A. INC. 06/06/06

CITY OF LAS VEGAS
PLANNING DEPARTMENT
06/06/06



SDA

SDA INC.
The Denver Tech Center
5655 South Yosemite Street, Suite 301
Greenwood Village, Colorado 80111
Telephone: (303) 220-0500
Facsimile: (303) 220-0596

Real Estate: Construction
Development
Investment
Management

October 24, 2006

Nathan Goldberg
City of Las Vegas
Planning Department
731 S. Fourth
Las Vegas, Nevada 89101
Telephone: 702-229-5447
Facsimile: 702-385-7268

Re: Bridger Avenue Apartments, Re-Zoning Submittal

Dear Mr. Goldberg:

This letter serves as our Justification Letter on the above referenced submittal, as described herein:

RE-ZONING

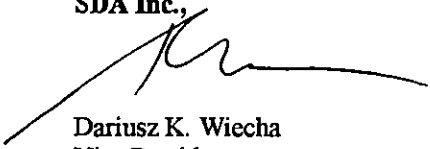
This is a rehabilitation project from existing residential and vacant land to multi-family affordable rental units. The target market will be residents who work in the downtown area and seniors. Said residents will be able to live in close proximity of their workplace. This project will assist in the City of Las Vegas' goal to rejuvenate the downtown area. The proposed development consists of apartment units, and a two-story parking garage.

This project fits the General Plan use. We request your consideration for re-zoning of the site for a higher density residential use. If approved, it will allow for construction of a multi-unit apartment complex, similar in nature to the neighboring City Center Apartments, also owned by our company.

Based on the popularity of the City Center Apartments and virtually non-existing vacancy rates, we are convinced that a property of similar character next door will greatly contribute to the urban success of downtown Las Vegas by providing affordable housing to inner city dwellers.

Sincerely,

SDA Inc.,



Dariusz K. Wiecha
Vice President

DKW/lis

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

November 28, 2006

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

RE: Case: ZON-17740
Rezoning for the Proposed Bridger Avenue Apartments
Las Vegas, Nevada

Planning Commission:

I have seen the artist's rendering of the proposed apartment community that SDA INC. plans to develop at 10th Street and Bridger Avenue. As a long time downtown resident, I think that this is the type of improvement that greatly enhances the livability of the area. The adjacent City Center Apartment community, developed by this same developer, has been an enormous benefit to the community, improving the quality of life of downtown apartment dwellers as well as the aesthetics of the downtown cityscape.

I request that you approve the Site Development Plan, the variances, and the zoning change.

Sincerely,

June T. Boyd

June T. Boyd
225 South 10th Street
Las Vegas, Nevada 89101

ITEM # 14-19
CASE # ZON-17740
PC MTG 12-7-06

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-17741 - VARIANCE RELATED TO ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd
6. Protest Letter by John Thorndal

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following condition:

- To provide 50 additional parking spaces which meet Title 19 standards.
- Motion carried with EVANS, GOYNES and DUNNAM voting NO

To be heard by City Council on 01/03/2007

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 15 – VAR-17741

MINUTES:

See Item 14 [ZON-17740] for all related discussion.

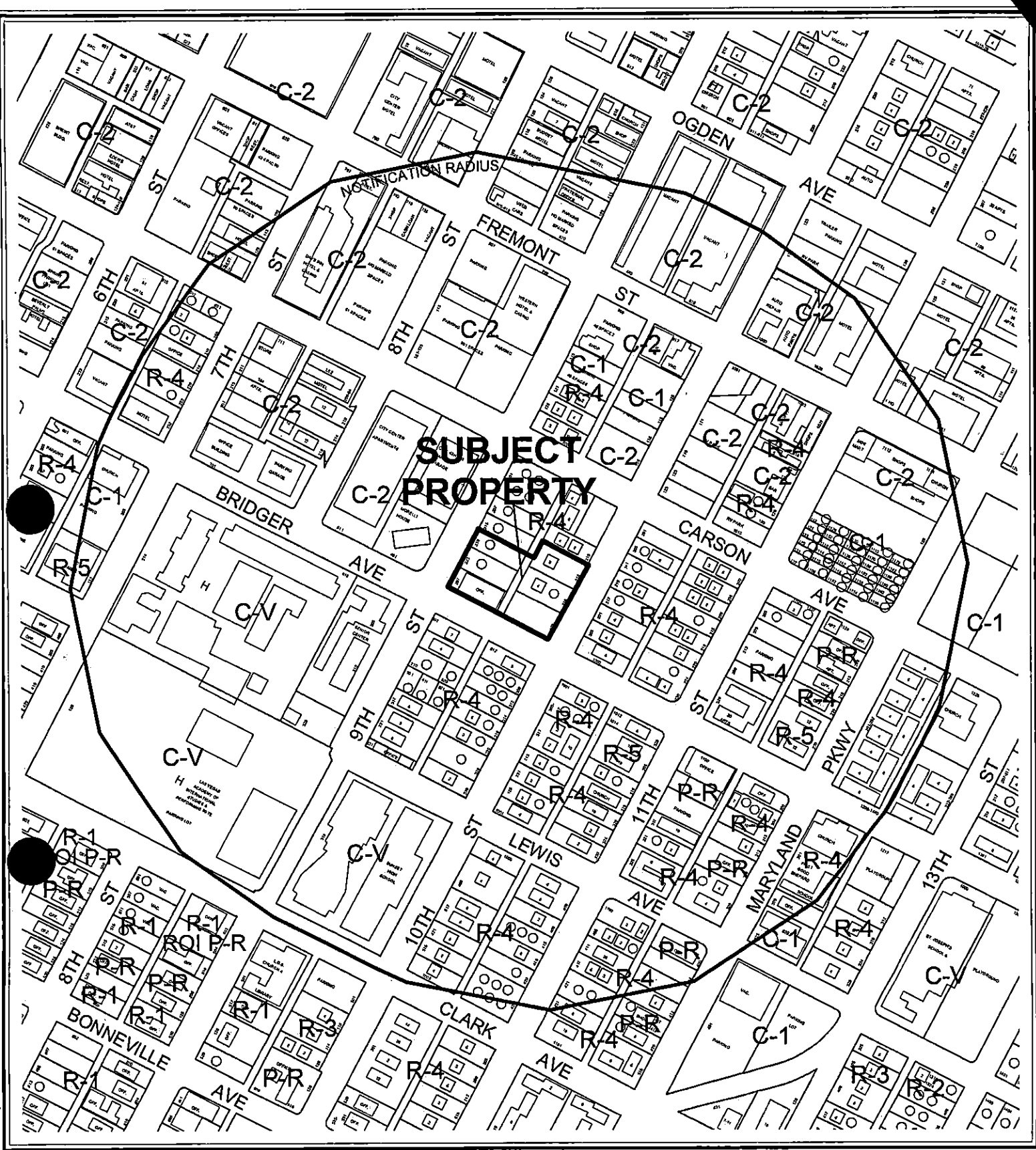
(6:52 – 7:45)

1-1723

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), 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.



CASE: **VAR-17741**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 100200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17741 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-17741 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 150 parking spaces where 425 spaces are required in conjunction with a proposed apartment development on 1.38 acres on the north side of Bridger Avenue between Ninth Street and Tenth Street. The following related applications will be considered concurrently: VAC-17744, ZON-17740, VAR-17742, VAR-17743 and SDR-17745.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development to comply with parking requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/04/61	The Board of City Commissioners approved a Special Use Permit for an office at 227 South 9 TH Street
<i>Pre-Application Meeting</i>	
08/18/06	The requirements for a variance application were reviewed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.38 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, multi-family dwellings, single family dwellings.	Mixed Use	R-4
North	Single family dwelling	Mixed Use	R-4
South	Apartments	Mixed Use	R-4
East	Apartments	Mixed Use	R-4
West	Apartments and Non-profit organization	Mixed Use	C-V and C-2

VAR-17741 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

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

Redevelopment Area

The subject site is located within the Downtown Redevelopment Area, where special funding may be available for proposed projects. Developments are subject to all requirements of Title 19.

Trails

The Master Plan Transportation Trails Element depicts a trail along Ninth Street adjacent to this site. If this trail is constructed, it will be constructed by the city, and therefore the applicant is not required to show the trail on the submitted plans.

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 square feet	1.38 acres	Y
Min. Lot Width	N/A	180 feet	Y
Min. Setbacks			
• Front (west)	• 10 Feet	• 0 Feet	• N*
• Side (north)	• 5 Feet	• 8 Feet	• Y**
• Corner (south)	• 5 Feet	• 0 Feet	• N*
• Rear (east)	• 20 Feet	• 0 Feet	• N*
Min. Distance Between Buildings	N/A	1 building	Y
Max. Lot Coverage	N/A	81 %	Y
Max. Building Height	5 Stories or 55 Feet	66 Feet	N***

*These setbacks do not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

VAR-17741 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

**This setback complies with the R-5 standards, but does not comply with the Residential Adjacency Standards. This issue will be considered under Variance VAR-17742.

***The proposed height does not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	198 feet from north property line	8 feet	N
Adjacent development matching setback	5 feet	8 feet	Y
Trash Enclosure	50 feet from north property line	10 Feet	N

These setback issues will be considered under Variance VAR-17742.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-4	50 du/ac	69	R-5	unlimited	MXU	greater than 25.49 du/ac

Per 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>		
Parking Area	1 tree/ 6 spaces	2 trees	2 trees	Y
Buffer: Min. Trees	1 tree/20 linear feet	27 trees	24 trees	N
Min. Zone Width	10 feet along 9th Street		0 feet along 9th Street	N
	10 feet along Bridger Avenue		4 feet along Bridger Avenue	N
	10 feet along Tenth Street		10 feet along Tenth Street	Y
	6 feet along north property line		5 feet along north property line	N

The applicant has requested a waiver to allow a reduction of the landscaping buffer requirements to allow 0 feet along a portion of the west property line, zero feet along Bridger Avenue, and five feet along the north property line.

VAR-17741 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Apartments	300 one-bedroom units	1.25 spaces per unit plus one guest space for every six units	425 spaces	9 spaces	150 spaces	9 spaces	N
TOTAL (including handicap)			425 spaces	9 spaces	150 spaces	9 spaces	N
Percent Deviation					65 %		

This parking issue will be addressed under Variance VAR-17741.

Waivers		
Request	Requirement	Staff Recommendation
5 feet along north property line	6 feet along north property line	Denial
0 feet along 9th Street	10 feet along 9th Street	Denial
4 feet along Bridger Avenue	10 feet along Bridger Avenue	Denial

Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

ANALYSIS

The site is currently developed with two apartment buildings, two single-family dwellings, and an office building. The applicant proposes to demolish these structures and construct a 300-unit apartment building which will require a variance (VAR-17743) to allow the building to be zero feet from the west property line where ten feet is the minimum setback required, zero feet from the east property line where 20 feet is the minimum setback required, and zero feet from the south property line where five feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's setback standards, staff is recommending denial of these setback variances.

VAR-17741 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

The applicant has also requested a variance (VAR-17743) to allow a building height of 66 feet where the R-5 (Apartment) standards allow a maximum height of 55 feet. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's height requirements, staff is recommending denial of this variance.

Because there is an existing single-family dwelling north of this site and adjacent to 9th Street, any proposed development of this site is required to comply with the proximity slope requirements of the Residential Adjacency standards. When applied to the height of the building as currently proposed (66 feet), these standards require a setback of 198 feet from the north property line which is adjacent to the existing single-family dwelling north of this site. The applicant has requested a variance (VAR-17742) to allow a setback of eight feet from the north property line where 198 feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The Residential Adjacency standards also require trash enclosures to be setback at least 50 feet from single-family residential development. The applicant has requested a variance (VAR-17742) to allow the trash enclosure to be 10 feet from single-family development. Because the site plan could be redesigned to include a trash enclosure which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The applicant has requested a variance (VAR-17741) to allow 150 parking spaces on this site where 425 are required. Because there is no hardship associated with this site, and because staff finds that this proposed development is too intense for the subject property, staff is recommending denial of this parking variance. As part of this development, the applicant is proposing to vacate a portion of an existing 20-foot wide public alley that currently bisects this site and connects Carson Avenue and Bridger Avenue. In order to mitigate the vacation of this portion of the alley, the applicant proposes to construct a new alley, which will connect the un-vacated portion of the existing alley to Tenth Street. Because staff is recommending denial of the rezoning, site development plan review and variances associated with this development, staff is recommending denial of the alley vacation. A 10-foot wide landscape buffer that complies with city standards is proposed along Tenth Street. The applicant has requested waivers to allow no perimeter landscaping along Ninth Street where ten feet is required; to allow four feet along Bridger Avenue where 10 feet is required; and to allow five feet along the north property line where six feet is required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

The elevations depict a stucco exterior with aluminum accents.

VAR-17741 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the prospective uses. The provision of additional parking spaces or a reduction in the number of apartments would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-17741 - Staff Report Page Seven
December 7, 2006 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 129 (Mailed with ZON-17740, VAR-17742, VAR-17743 and SDR-17745)

APPROVALS 1

PROTESTS 1



Case Number: **VAR-17741** APN: **139-34-712-043**
Name of Property Owner: **POULOS FAMILY TRUST**
Name of Applicant: **SDA, INC. - DARIUSZ WIECHA**

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

Yes

✓ No

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

City Official: _____

Partner(s): _____

APN: _____

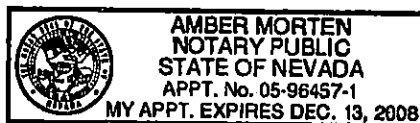
Signature of Property Owner _____

Print Name: _____

Subscribed and sworn before me

This 19 day of October, 2006

Notary Public in and for said County and State



**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: **VAR-17741** APN: 139-34-712-041/-042
Name of Property Owner: ASHTON - BOYD FAMILY TRUST
Name of Applicant: SDA, INC - DARIUSZ WIECHA

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: _____

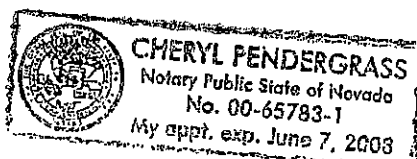
Signature of Property Owner: June T. Boyd

Print Name: June T. Boyd

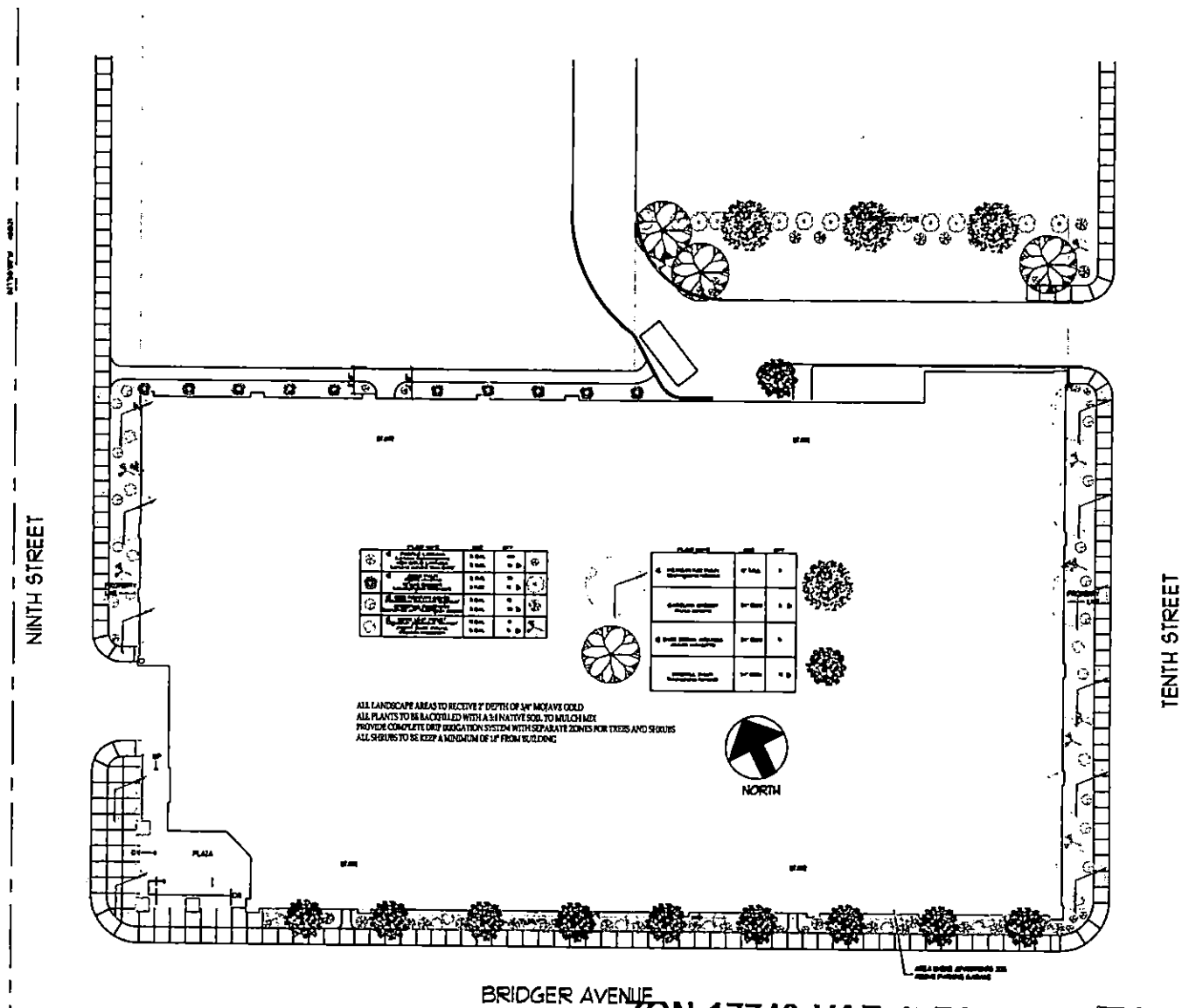
Subscribed and sworn before me

This 16th day of Oct, 2006.

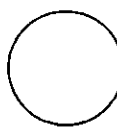
Cheryl Pendergrass
Notary Public in and for said County and State







305 S. WHEELER, SUITE 200
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.BCADENVER.COM



ARCHITECTS
CONSULTING ARCHITECTS

2415 DINEY FULTON
SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.ACA-ARCHITECTS.COM

BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
DEVELOPED BY S.D.A., INC. COLORADO



CITY OF DENVER

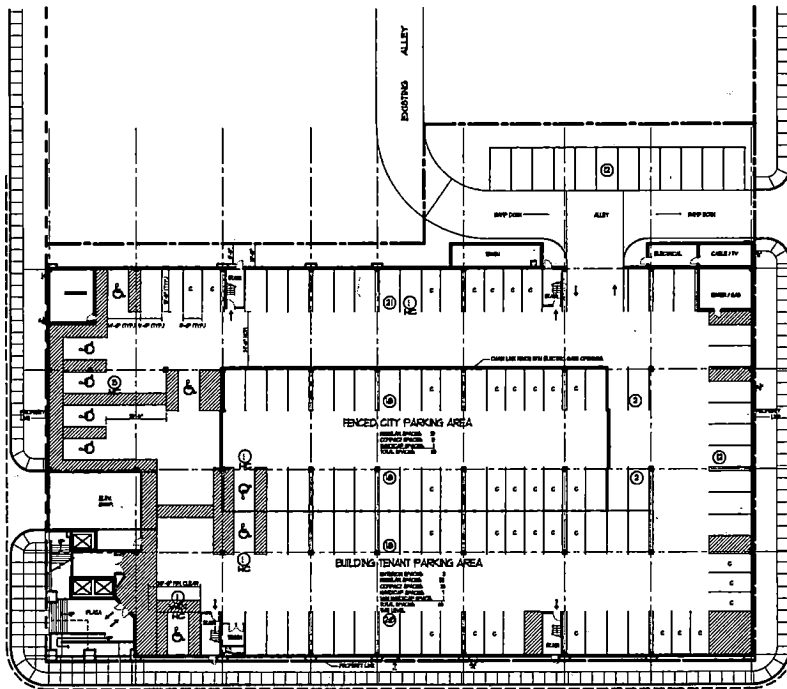
NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10

BRIDGER AVENUE

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

RECEIVED
OCT 24 2006

NINTH STREET



BRIDGER AVENUE

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

1. LAND PLANS: LDR, CONCEPT



RECEIVED
OCT 24 2006



TAAG
 ARCHITECTS
 CONSULTING ARCHITECTS

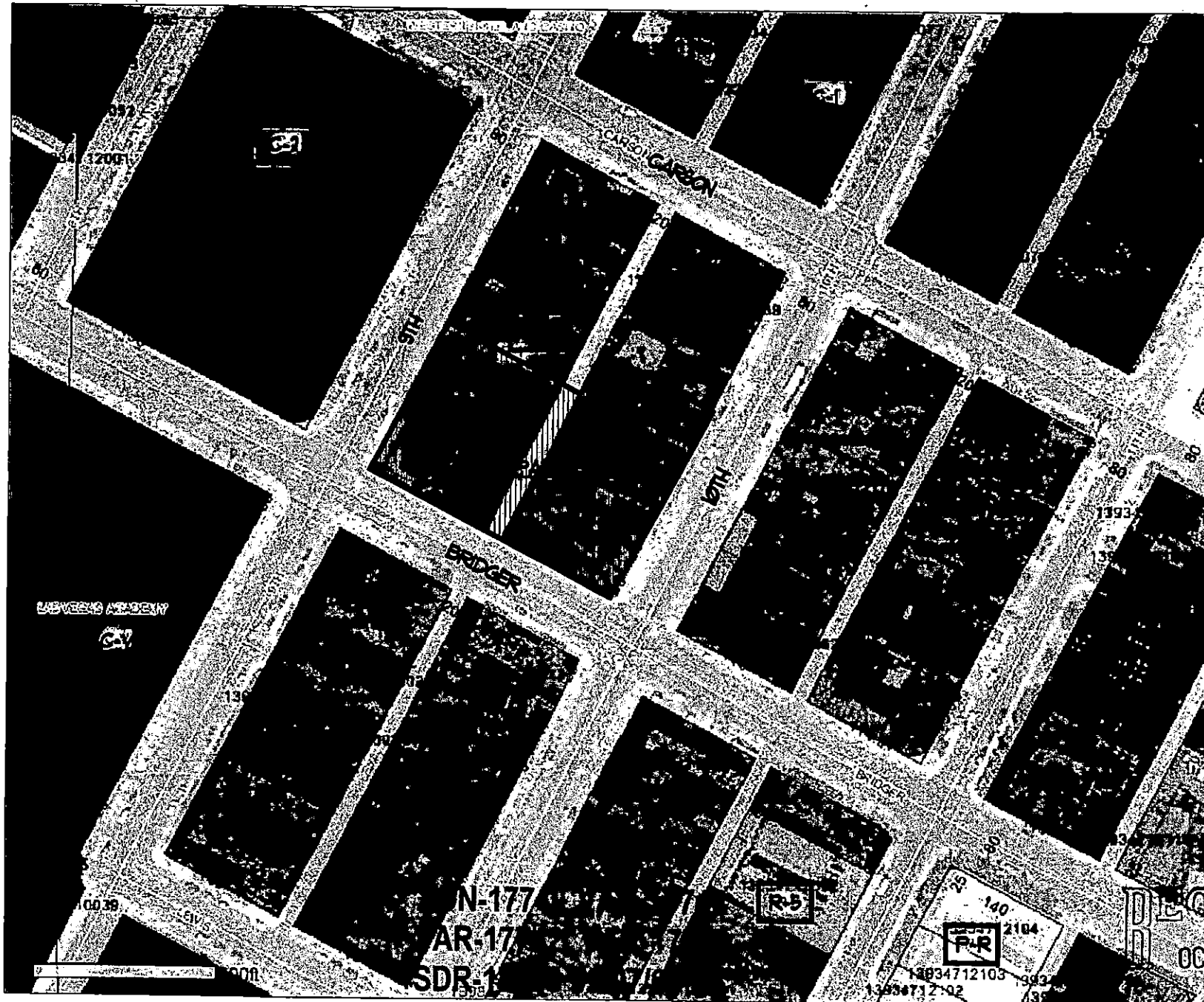
BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
 DESIGNED BY DAVID, INC., CALIFORNIA

CITY OF LAS VEGAS
 DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

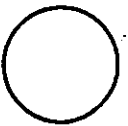
PROJECT NO.	17740
DATE	12/07/06
BY	DAVID, INC.
CHECKED BY	
APPROVED BY	



BRIDGER AVENUE APARTMENTS, SDA INC.
Variance Parking



2025 RELEASE UNDER E.O. 14176



TAAG
ARCHITECTS
CONSULTING ARCHITECTS

2015年11月15日
 2015年11月15日
 2015年11月15日
 2015年11月15日
 2015年11月15日

**BRIDGER STREET
APARTMENTS
LAS VEGAS NEVADA
DEVELOPED BY S.A.A., INC. CCL00060**



CITY SUPPLY 10/2/56



SECRET

TRUE NORTH PLAN NORTH

SDA

SDA INC.
The Denver Tech Center
5655 South Yosemite Street, Suite 301
Greenwood Village, Colorado 80111
Telephone: (303) 220-0500
Facsimile: (303) 220-0596

Real Estate: Construction
Development
Investment
Management

October 24, 2006

Nathan Goldberg
City of Las Vegas
Planning Department
731 S. Fourth
Las Vegas, Nevada 89101
Telephone: 702-229-5447
Facsimile: 702-385-7268

Re: **Bridger Avenue Apartments, Variance Parking**

Dear Mr. Goldberg:

This letter serves as our Justification Letter on the above referenced submittal, as described herein:

VARIANCE PARKING

Since this project targets 'downtown employees' and seniors, the need for parking spaces, in our opinion, is much smaller than prescribed by the City code requirement. We are proposing a parking need of 0.5 spaces per unit. Our building consists of 188 one-bedroom units and 112 studios. All units have the efficiency type arrangements for high density urban living. It is our opinion that most residents will not have a vehicle, using mass transportation or simply walking to work.

The precedent we set with the adjacent City Center Apartments proved that 0.5 parking spaces per unit seem sufficient. At the City Center Apartments, which has 300 units, there are 150 parking spaces and have never had a shortage of parking. We would like to reduce the parking count requirement for the new project to 150 spaces, the same level as it was approved for the City Center Apartments.

We request the relaxation of current parking requirements as it will allow us to proceed with a project that will not only become an integral part of the downtown Las Vegas urban fabric, but will also provide a customer base for future mixed-use developments in the area.

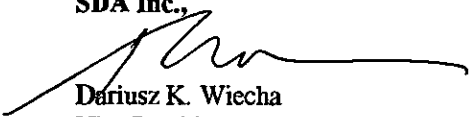
In addition to 200 parking spaces currently shown on our plans and dedicated for the new complex residents, we are making 33 additional spaces available to city employees via a direct agreement with the city.

This project fits the General Plan use. If approved, it will allow for construction of a multi-unit apartment complex, similar in nature to the neighboring City Center Apartment Complex, also owned by our company.

Based on the popularity of the City Center Apartments and virtually non-existing vacancy rates we are convinced that a property of similar character next door will greatly contribute to the urban success of downtown Las Vegas by providing affordable housing to inner city dwellers.

Sincerely,

SDA Inc.,


Dariusz K. Wiecha
Vice President

DKW/lis

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

November 28, 2006

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

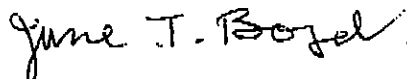
RE: Case: ZON-17740
Rezoning for the Proposed Bridger Avenue Apartments
Las Vegas, Nevada

Planning Commission:

I have seen the artist's rendering of the proposed apartment community that SDA INC. plans to develop at 10th Street and Bridger Avenue. As a long time downtown resident, I think that this is the type of improvement that greatly enhances the livability of the area. The adjacent City Center Apartment community, developed by this same developer, has been an enormous benefit to the community, improving the quality of life of downtown apartment dwellers as well as the aesthetics of the downtown cityscape.

I request that you approve the Site Development Plan, the variances, and the zoning change.

Sincerely,



June T. Boyd
225 South 10th Street
Las Vegas, Nevada 89101

ITEM # 14-19
CASE # ZON-17740
PC MTG 12-7-06

A

JOHN L THORNDAL
JAMES C ARMSTRONG
RAIG K DELK
STEPHEN C BALKENBUSH
PAUL F EISINGER
CHARLES I BLANCHAM
BRIAN K TERRY
BLAKE C PARKER
BRENT I KOLVEI
ROBERT F BALKENBUSH
PHILIP GOODHART
JAMES J JACKSON
DEBORAH L ELSASSER
CHRISTOPHER J CURTIS
KATHERINE F PARKS
DAVID P LANE
KEVIN K DIAMOND



LAW OFFICES
**THORNDAL ARMSTRONG
DELK BALKENBUSH & EISINGER**
A PROFESSIONAL CORPORATION
thorndal.com

THEIRY V BARKLEY
SRILATA K SHAH
SUSAN E FRASCA
JILL M LORENZEN
PAUL R KIRST
CHRISTINE M BUOZE
KRISTEN R GEDDES
MATTHEW J PINCOLINI
BENJAMIN L BUNKER
MICHAEL A KRISTOF
ROONEL CHAGUN

Reply to John L Thorndal
Las Vegas Office
jlt@thorndal.com

November 30, 2006

LAS VEGAS
1100 E BRIDGER AVENUE
LAS VEGAS, NV 89101
MAH INC.
P.O. DRAWING 370
LAS VEGAS, NV 89103-2670
(702) 360-0600
FAX (702) 360-3527

RENO

6000 S MI CARRAN. RD #B
RENO, NV 89509
(775) 780-2881
FAX (775) 780-2104

FIRO

919 IDAHO STREET
FIRO, NV 89801
(775) 777-3001
FAX (775) 780-8104

VIA FACSIMILE: 385-7268

Attn: Dorothy Marsilli, Agenda Tech.
Las Vegas Planning & Development Dept.
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-17741 (December 7, 2006)

The applicant/owner have a number of requests concerning the property on the north side of Bridger Avenue between Ninth Street and Tenth Street, including rezoning, site development, and variances. The addition the 300 unit- six story apartment building would be a great improvement to the area and we have only one objection.

We object to Variance Request 17741 to allow only 150 parking spaces where 425 spaces are required. It would be highly unusual for an apartment complex to need a parking space for only every other apartment. Generally, at least one space is needed for every apartment and, more often than not, there are two vehicles per apartment. Allowing this variance will only increase the street parking which is becoming more and more of a concern in the area.

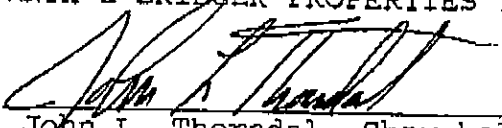
Las Vegas Planning Dept.
Re: Variance 17741
November 30, 2006
Page 2

When we added a three story addition to our building a few years ago we were required to obtain additional parking. We purchased additional property on an adjoining block in order to meet this requirement and, in fact, we now have spaces in excess of our current needs. Others should be required to at least meet the basic requirements. We therefore object to this particular variance request.

Very truly yours,

THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISINGER
ELEVENTH & BRIDGER PROPERTIES TWO

BY:


John L. Thorndal, Shareholder
and Partner

JLT/ad

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-17742 - VARIANCE RELATED TO ZON-17740 AND VAR-17741 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE EIGHT FEET FROM THE NORTH PROPERTY LINE WHERE THE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 198 FEET AND TO ALLOW TRASH ENCLOSURES TO BE 10 FEET FROM RESIDENTIALLY ZONED PROPERTY WHERE 50 FEET IS THE MINIMUM SETBACK REQUIRED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with **EVANS, GOYNES** and **DUNNAM** voting **NO**

To be heard by City Council on 01/03/2007

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 16 – VAR-17742

MINUTES:

See Item 14 [ZON-17740] for all related discussion.

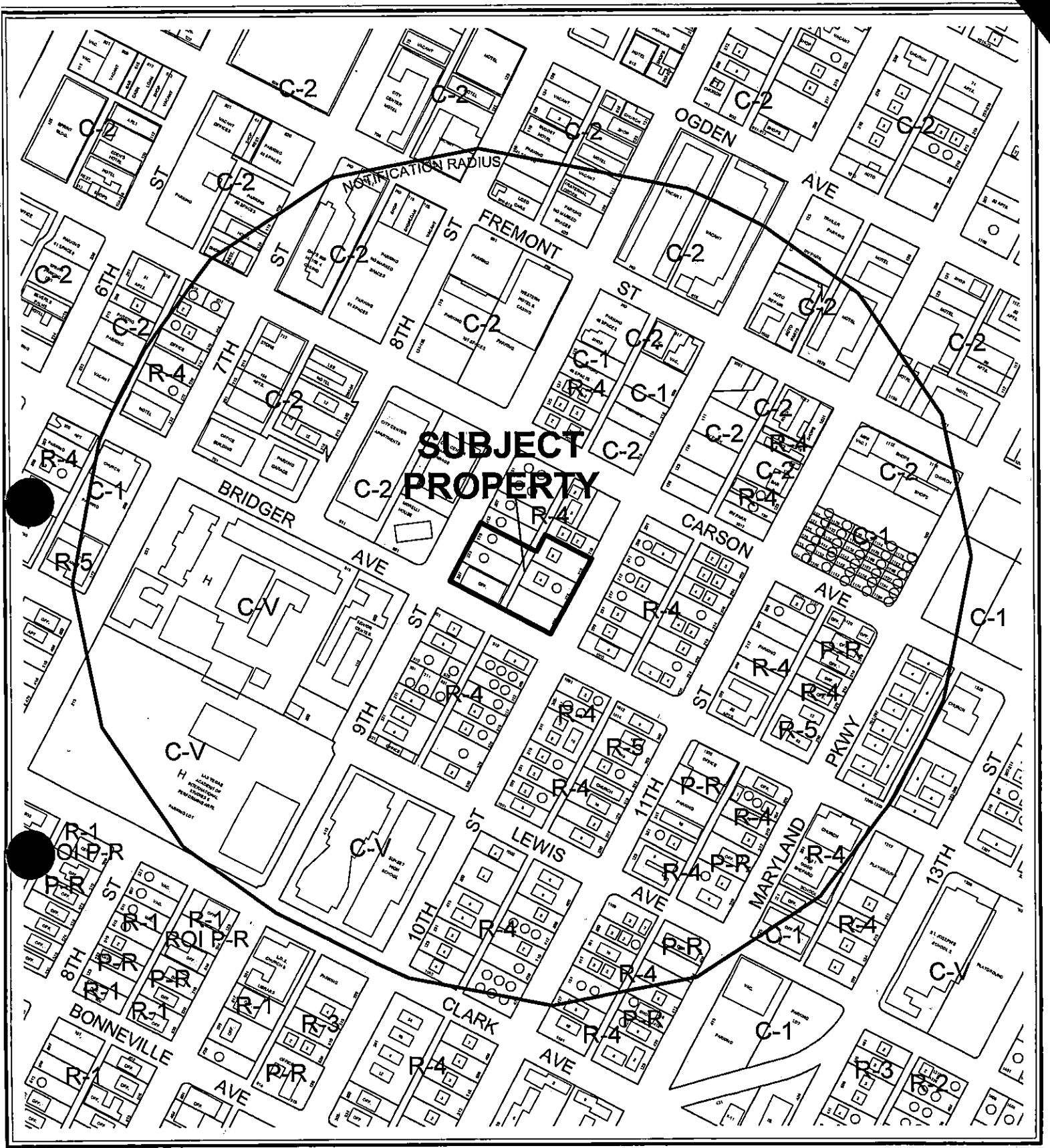
(6:52 – 7:45)

1-1723

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), 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.



CASE: **VAR-17742**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 100200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17742 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-17742 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a proposed apartment building to be eight feet from the north property line where the residential adjacency standards require a setback of 198 feet and to allow trash enclosures to be 10 feet from residentially zoned property where 50 feet is the minimum setback required on 1.38 acres on the north side of Bridger Avenue between Ninth Street and Tenth Street.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development to comply with residential adjacency requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/04/61	The Board of City Commissioners approved a Special Use Permit for an office at 227 South 9 TH Street
<i>Pre-Application Meeting</i>	
08/18/06	The requirements for a variance application were reviewed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.38 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, multi-family dwellings, single family dwellings.	Mixed Use	R-4
North	Single family dwelling	Mixed Use	R-4
South	Apartments	Mixed Use	R-4
East	Apartments	Mixed Use	R-4
West	Apartments and Non-profit organization	Mixed Use	C-V and C-2

AR

VAR-17742 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

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

Redevelopment Area

The subject site is located within the Downtown Redevelopment Area, where special funding may be available for proposed projects. Developments are subject to all requirements of Title 19.

Trails

The Master Plan Transportation Trails Element depicts a trail along Ninth Street adjacent to this site. If this trail is constructed, it will be constructed by the city, and therefore the applicant is not required to show the trail on the submitted plans.

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 square feet	1.38 acres	Y
Min. Lot Width	N/A	180 feet	Y
Min. Setbacks			
• Front (west)	• 10 Feet	• 0 Feet	• N*
• Side (north)	• 5 Feet	• 8 Feet	• Y**
• Corner (south)	• 5 Feet	• 0 Feet	• N*
• Rear (east)	• 20 Feet	• 0 Feet	• N*
Min. Distance Between Buildings	N/A	1 building	Y
Max. Lot Coverage	N/A	81 %	Y
Max. Building Height	5 Stories or 55 Feet	66 Feet	N***

*These setbacks do not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

VAR-17742 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

****This setback complies with the R-5 standards, but does not comply with the Residential Adjacency Standards. This issue will be considered under Variance VAR-17742.**

*****The proposed height does not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.**

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	198 feet from north property line	8 feet	N
Adjacent development matching setback	5 feet	8 feet	Y
Trash Enclosure	50 feet from north property line	10 Feet	N

These setback issues will be considered under Variance VAR-17742.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-4	50 du/ac	69	R-5	unlimited	MXU	greater than 25.49 du/ac

Per 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>		
Parking Area	1 tree/ 6 spaces	2 trees	2 trees	Y
Buffer: Min. Trees	1 tree/20 linear feet	27 trees	24 trees	N
Min. Zone Width	10 feet along 9th Street		0 feet along 9th Street	N
	10 feet along Bridger Avenue		4 feet along Bridger Avenue	N
	10 feet along Tenth Street		10 feet along Tenth Street	Y
	6 feet along north property line		5 feet along north property line	N

The applicant has requested a waiver to allow a reduction of the landscaping buffer requirements to allow 0 feet along a portion of the west property line, zero feet along Bridger Avenue, and five feet along the north property line.

VAR-17742 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Apartment	300 one-bedroom units	1.25 spaces per unit plus one guest space for every six units	425 spaces	9 spaces	150 spaces	9 spaces	N
TOTAL (including handicap)			425 spaces	9 spaces	150 spaces	9 spaces	N
Percent Deviation					65 %		

This parking issue will be addressed under Variance VAR-17741.

Waivers		
Request	Requirement	Staff Recommendation
6 feet along north property line	5 feet along north property line	Denial
0 feet along 9th Street	10 feet along 9th Street	Denial
4 feet along Bridger Avenue	10 feet along Bridger Avenue	Denial

Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

ANALYSIS

The site is currently developed with two apartment buildings, two single-family dwellings, and an office building. The applicant proposes to demolish these structures and construct a 300-unit apartment building which will require a variance (VAR-17743) to allow the building to be zero feet from the west property line where ten feet is the minimum setback required, zero feet from the east property line where 20 feet is the minimum setback required, and zero feet from the south property line where five feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's setback standards, staff is recommending denial of these setback variances.

VAR-17742 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

The applicant has also requested a variance (VAR-17743) to allow a building height of 66 feet where the R-5 (Apartment) standards allow a maximum height of 55 feet. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's height requirements, staff is recommending denial of this variance.

Because there is an existing single-family dwelling north of this site and adjacent to 9th Street, any proposed development of this site is required to comply with the proximity slope requirements of the Residential Adjacency standards. When applied to the height of the building as currently proposed (66 feet), these standards require a setback of 198 feet from the north property line which is adjacent to the existing single-family dwelling north of this site. The applicant has requested a variance (VAR-17742) to allow a setback of eight feet from the north property line where 198 feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The Residential Adjacency standards also require trash enclosures to be setback at least 50 feet from single-family residential development. The applicant has requested a variance (VAR-17742) to allow the trash enclosure to be 10 feet from single-family development. Because the site plan could be redesigned to include a trash enclosure which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The applicant has requested a variance (VAR-17741) to allow 150 parking spaces on this site where 425 are required. Because there is no hardship associated with this site, and because staff finds that this proposed development is too intense for the subject property, staff is recommending denial of this parking variance. As part of this development, the applicant is proposing to vacate a portion of an existing 20-foot wide public alley that currently bisects this site and connects Carson Avenue and Bridger Avenue. In order to mitigate the vacation of this portion of the alley, the applicant proposes to construct a new alley, which will connect the unvacated portion of the existing alley to Tenth Street. Because staff is recommending denial of the rezoning, site development plan review and variances associated with this development, staff is recommending denial of the alley vacation. A 10-foot wide landscape buffer that complies with city standards is proposed along Tenth Street. The applicant has requested waivers to allow no perimeter landscaping along Ninth Street where ten feet is required; to allow four feet along Bridger Avenue where 10 feet is required; and to allow five feet along the north property line where six feet is required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

The elevations depict a stucco exterior with aluminum accents.

VAR-17742 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing a project that does not comply with the Residential Adjacency Standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 129 (Mailed with ZON-17740, VAR-17741, VAR-17743 and SDR-17745)

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17742** APN: **139-34-712-043**
Name of Property Owner: **POULOS FAMILY TRUST**
Name of Applicant: **SDA, INC. - DARIUSZ WIECHA**

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

_____ Yes ☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

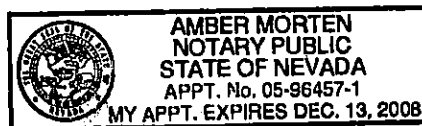
Print Name: **Peter Poulos**

Christine Poulos
CHRISTINE POULOS

Subscribed and sworn before me

This **19** day of **October**, 20**00**

Amber Morten
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17742** APN: 139-34-712-041/-042
Name of Property Owner: ASHTON - BOYD FAMILY TRUST
Name of Applicant: SDA, INC. - DARIUSZ WIECHA

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: _____

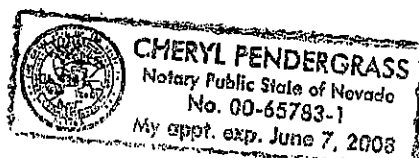
Signature of Property Owner: June T. Boyd.

Print Name: June T. Boyd

Subscribed and sworn before me

This 16th day of Oct, 2006.

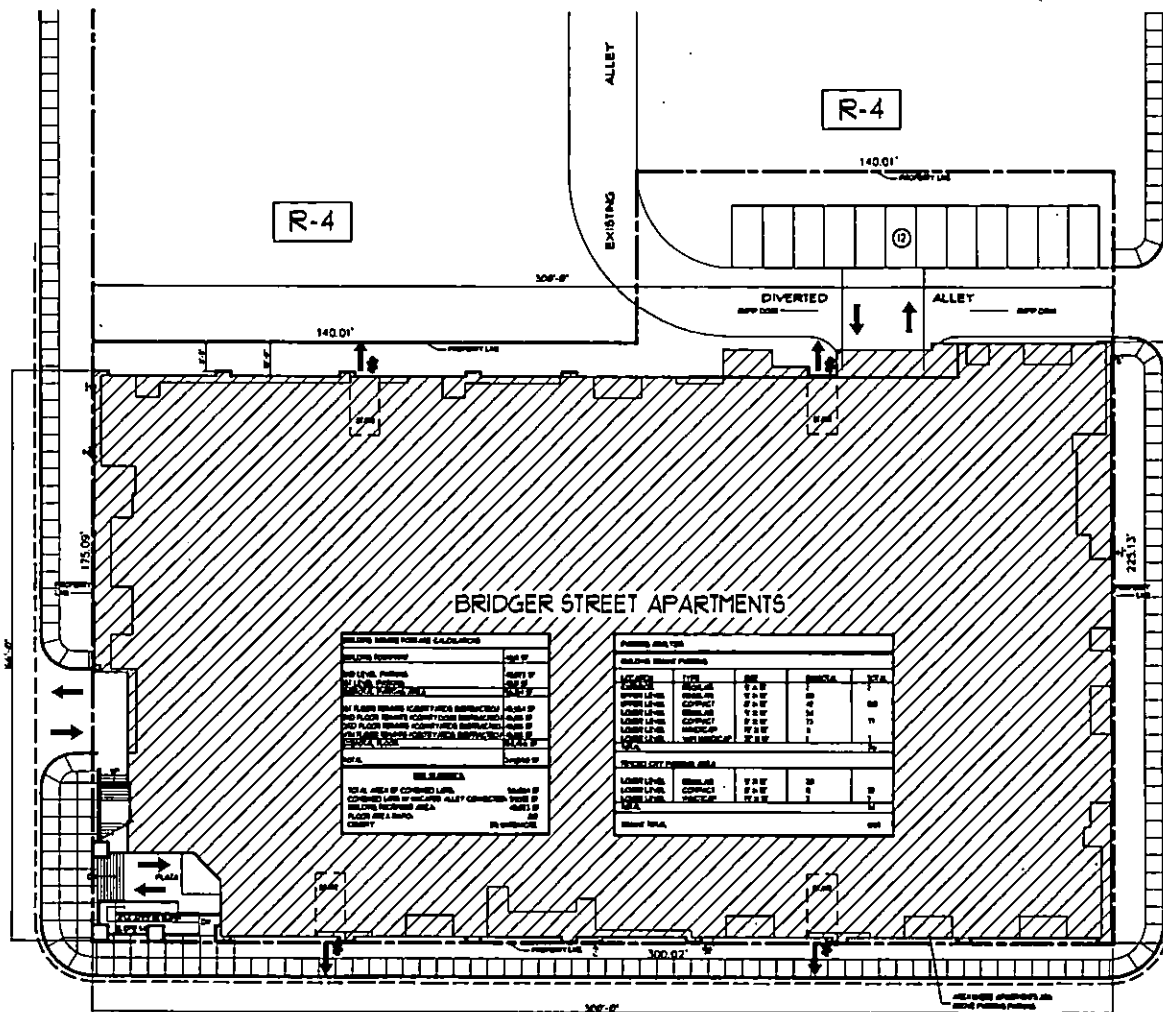
Notary Public in and for said County and State



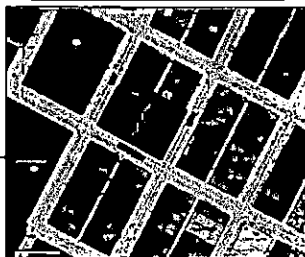
C-2

C-V

NINTH STREET



VICINITY AND ADJACENT LAND USE MAP



BRIDGER AVENUE

R-4

R-4

R-4

TENTH STREET

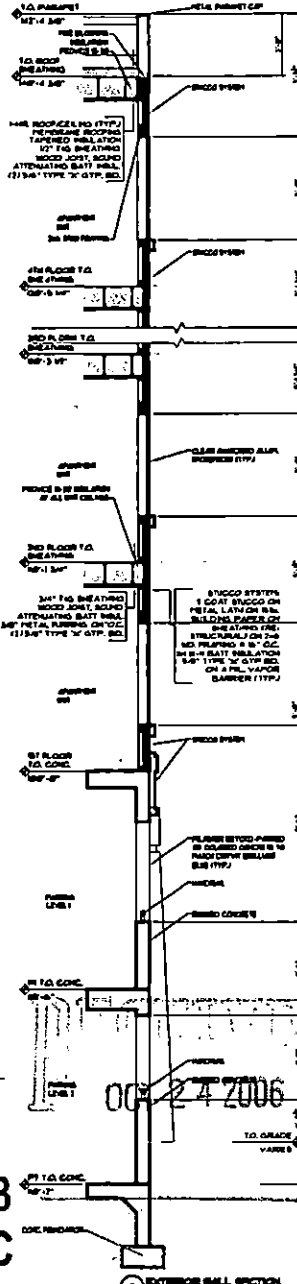
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R-4

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

LEGEND

	PROPERTY LINES
	EASEMENTS
	SETBACKS



TAAG ARCHITECTS
CONSULTING ARCHITECTS

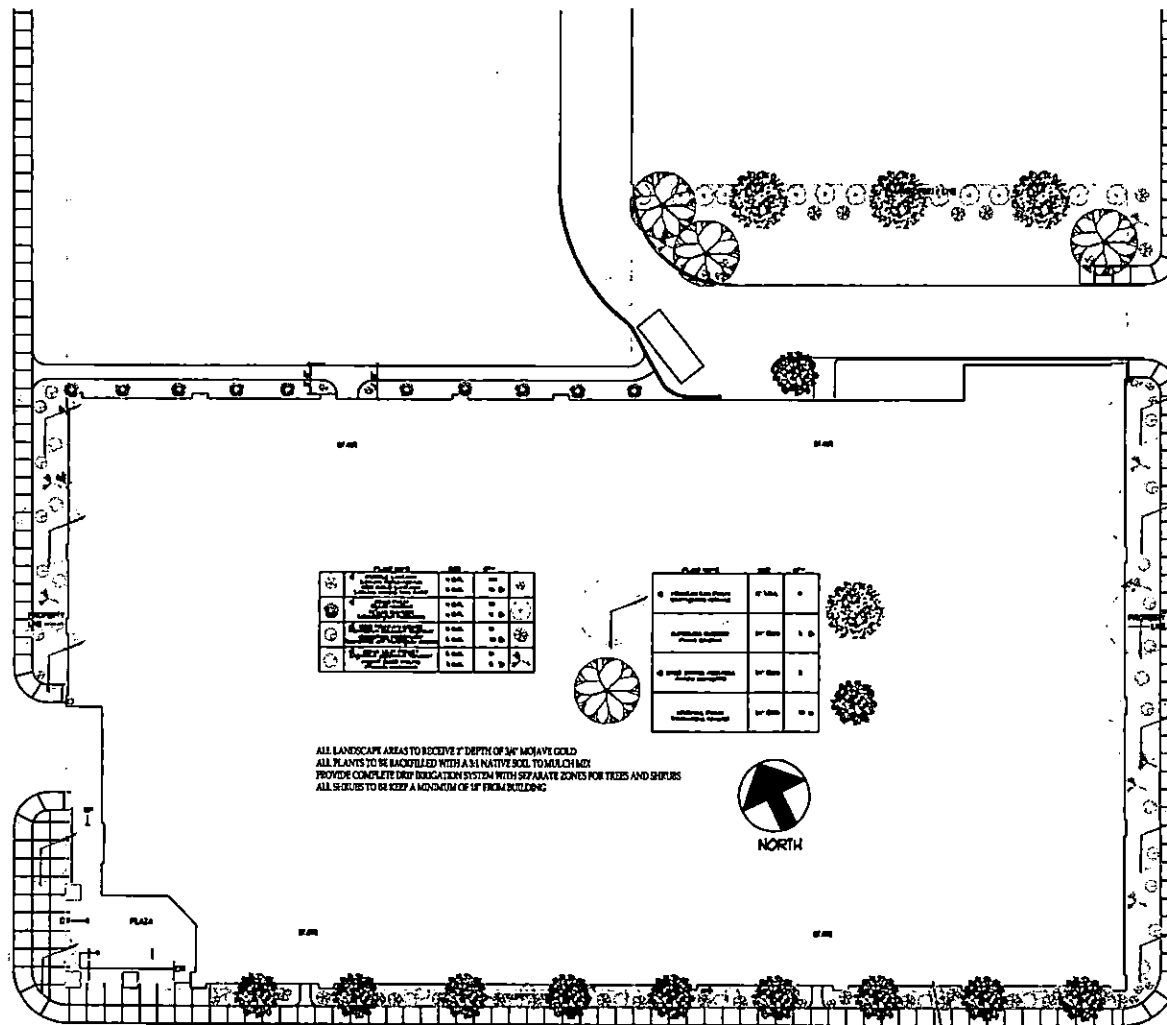
BRIDGER STREET APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY SAA, INC. COLORADO

CITY REVIEW
12/07/06

00-24-2006

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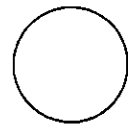
NINTH STREET



ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC



200 E. WHEEL, SUITE 200
OAKLAND, CA 94612
510.763.0000 510.763.0001



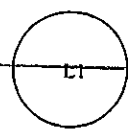
ARCHITECTS
CONSULTING ARCHITECTS
3415 13TH AVE. S.W.
SUITE 100
DENVER, CO 80202
303.733.1111
303.733.1112
303.733.1113

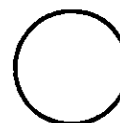
BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
DEVELOPED BY S.D.A., INC. COLORADO



CITY OF LAS VEGAS

OCT 24 2006





TAAAG
ARCHITECTS
CONSULTING ARCHITECTS

Sell J DTC Payroll
Young 578
Engineering, CO 80118
6-12-1988 11:00 AM
Tel: 404-274-747
MEX-474-771 FAX

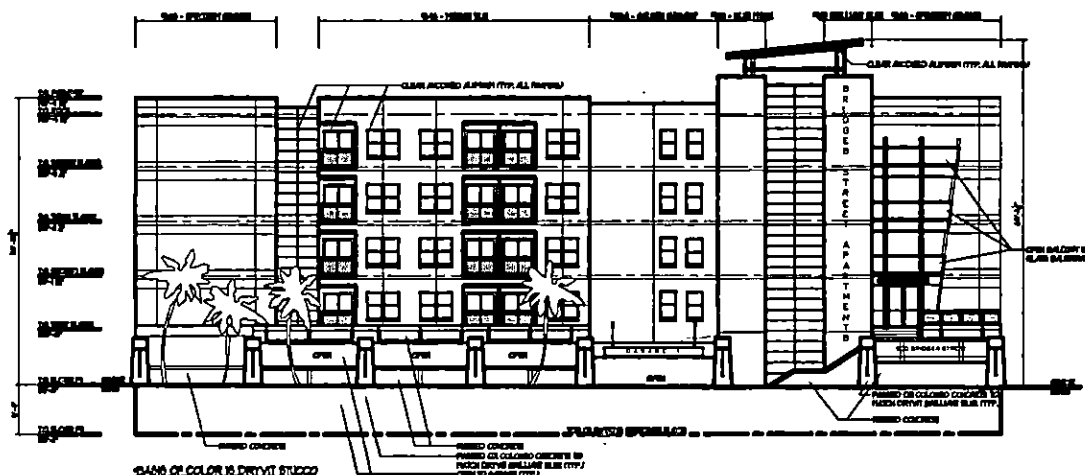
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APARTMENTS**
LAS VEGAS NEVADA
MANAGED BY S.B.A. INC. COLUMBO

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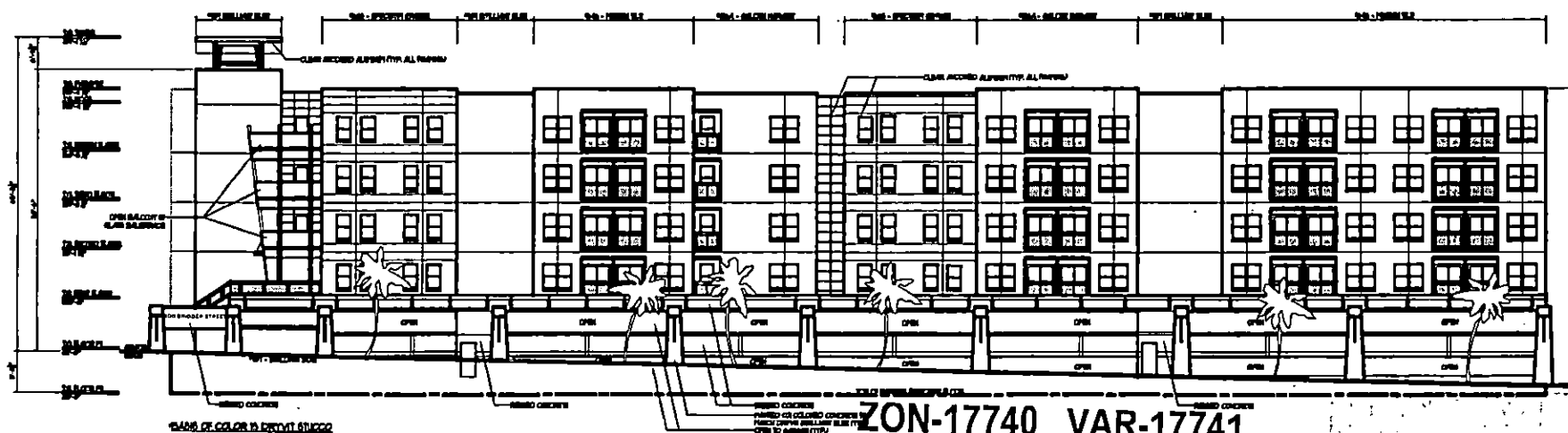
CITY OF LOS ANGELES

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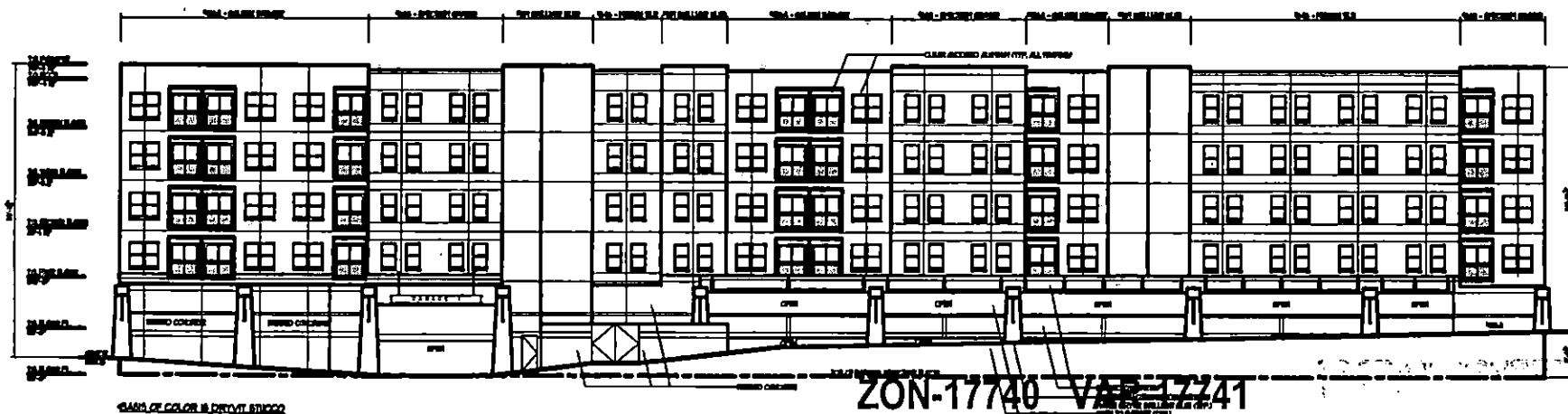
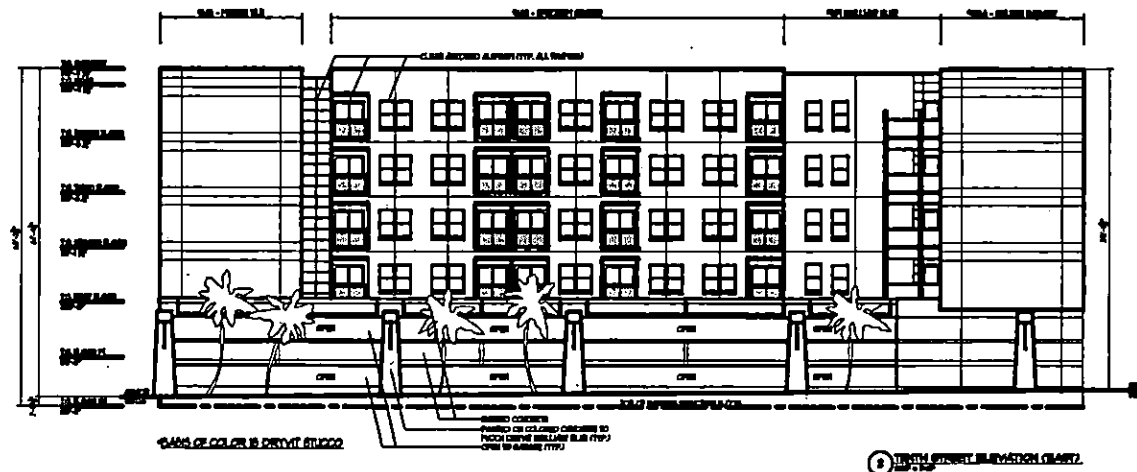
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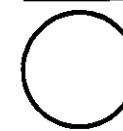
1. REPORT ON THE MATCH

OCT 24 2006

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC



300 S. WHITE, SUITE 200
 BIRMINGHAM, AL 35201
 205.944.1111
 WWW.BCADESIGN.COM



TAAG
 ARCHITECTS
 CONSULTING ARCHITECTS

300 S. WHITE, SUITE 200
 BIRMINGHAM, AL 35201
 205.944.1111
 WWW.TAAGARCHITECTS.COM

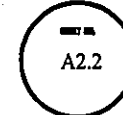
**BRIDGER STREET
 APARTMENTS
 LAS VEGAS, NEVADA**
 DESIGNED BY B.A.A. INC. COLORADO

BRIDGER STREET APARTMENTS
 1000 BRIDGER STREET
 LAS VEGAS, NV 89101
 702.735.1111
 WWW.BRIDGERSTREETAPARTMENTS.COM

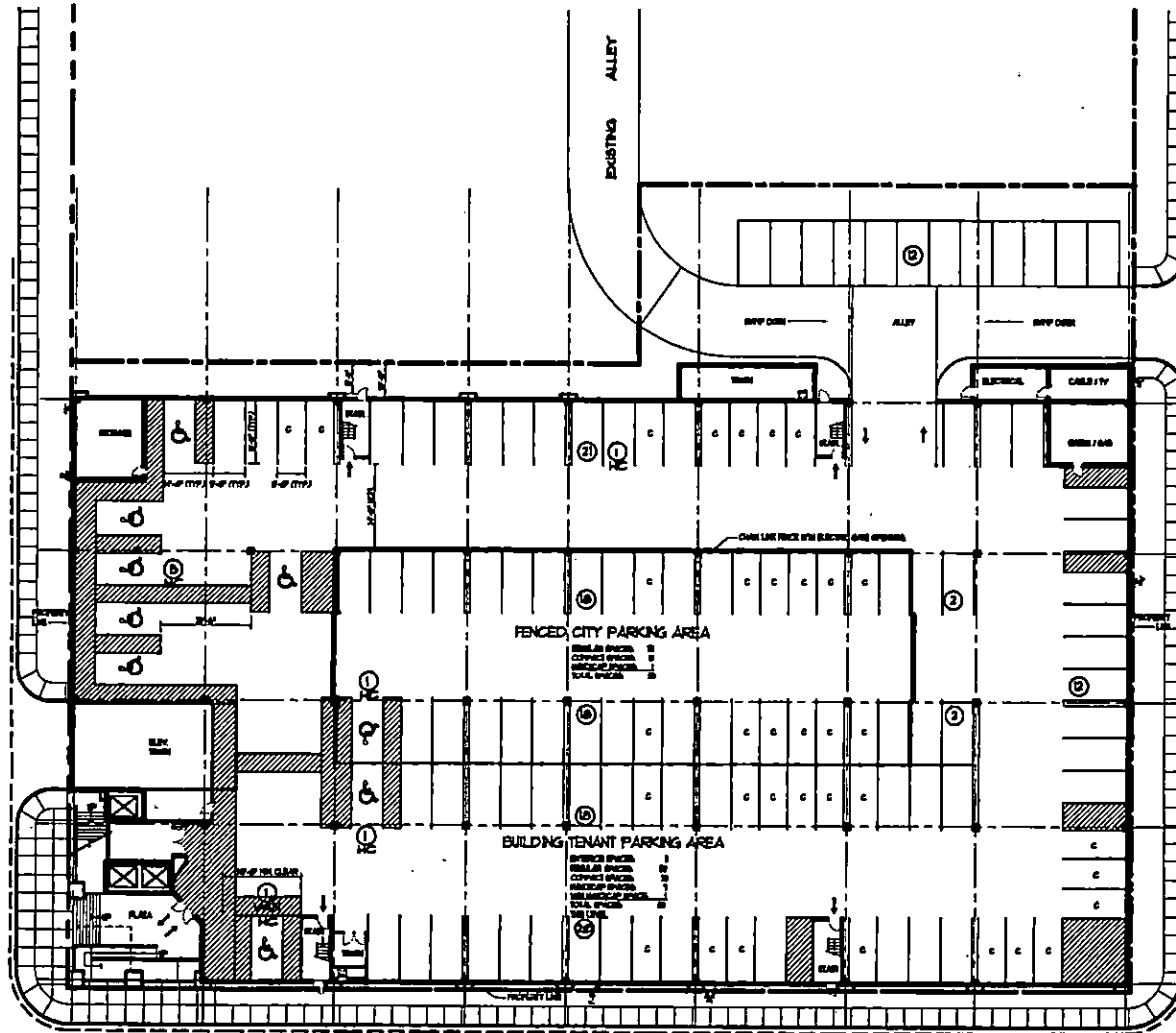
CITY OF LAS VEGAS
 1000 BRIDGER STREET
 LAS VEGAS, NV 89101
 702.735.1111
 WWW.BRIDGERSTREETAPARTMENTS.COM

**ZON-17740 VAR-17741
 VAR-17742 VAR-17743
 SDR-17745 12/07/06 PC**

OCT 24 2006



NINTH STREET



BRIDGER AVENUE

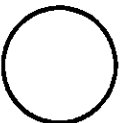
TENTH STREET

ZON-17740 VAR-17741
 VAR-17742 VAR-17743
 SDR-17745 12/07/06 PC

1. SECOND FLOOR PLAN - LOWER PORTION



100 S. BRIDGE, SUITE 200
 OREM, UT 84401
 801.225.1234 FAX 801.225.1235



TAAG
 ARCHITECTS
 CONSULTING ARCHITECTS

100 S. BRIDGE, SUITE 200
 OREM, UT 84401
 801.225.1234 FAX 801.225.1235

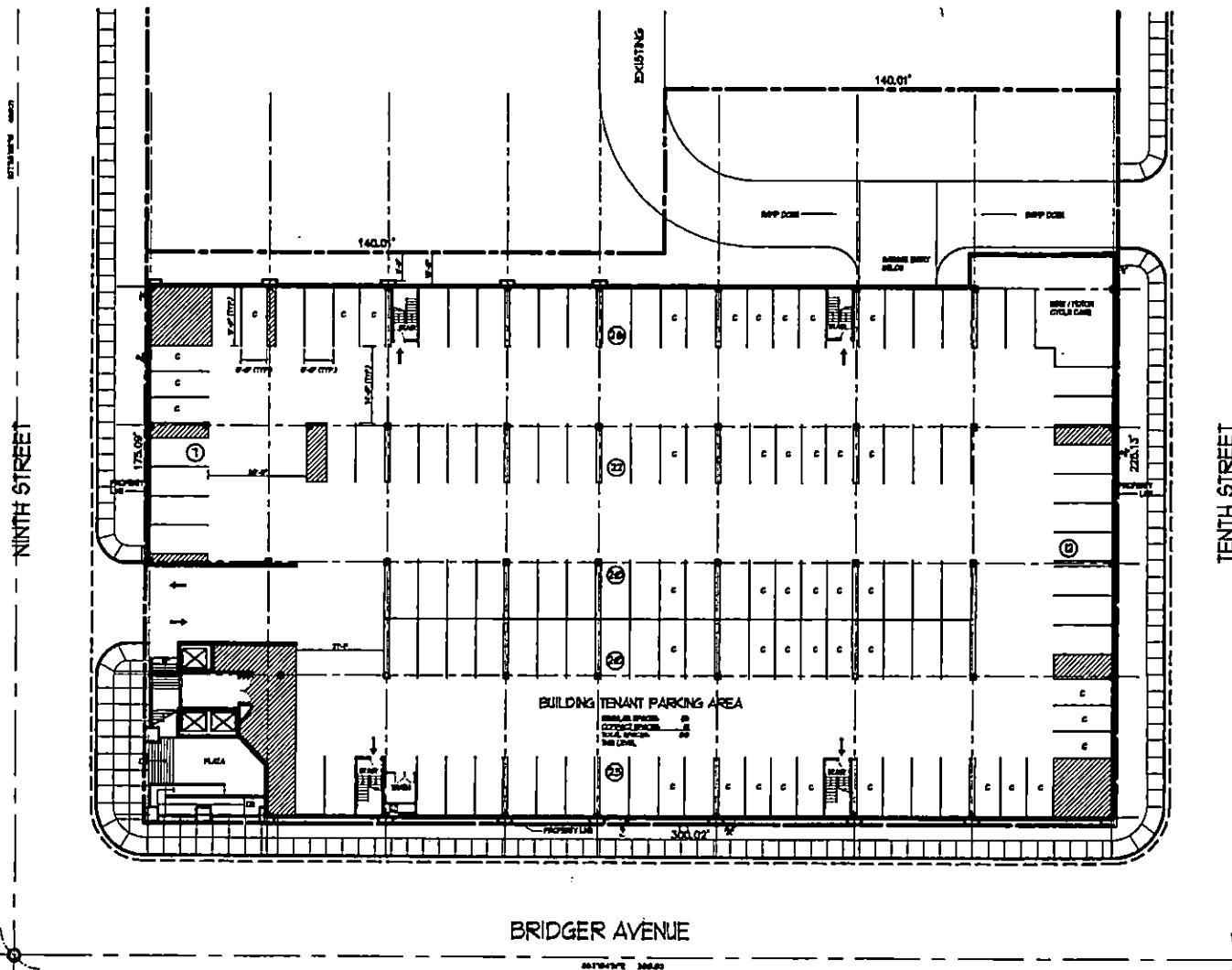
BRIDGER STREET
 APARTMENTS
 LAS VEGAS, NEVADA
 DEVELOPED BY SDA, INC. OREGON



CITY OF LAS VEGAS

OCT 24 2006

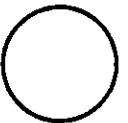




ZON-17740 VAR-17741
 VAR-17742 VAR-17743
 SDR-17745 12/07/06 PC



303 S. WEDGE, SUITE 200
 OREM, UT 84401
 801.225.0000 FAX 801.225.0001



CONSULTING ARCHITECTS
 401 WEST 100 S.
 SUITE 200
 OREM, UT 84401
 801.225.0000 FAX 801.225.0001

BRIDGER STREET
 APARTMENTS
 LAS VEGAS, NEVADA
 DEVELOPED BY SAA, INC. OREGON



NO.	DATE	DESCRIPTION
1	10/24/06	ISSUED FOR PERMIT
2	10/24/06	REVISION
3	10/24/06	REVISION
4	10/24/06	REVISION
5	10/24/06	REVISION
6	10/24/06	REVISION
7	10/24/06	REVISION
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10	10/24/06	REVISION

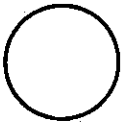
OCT 24 2006

REV. 12
 A1.2

BRIDGER AVENUE APARTMENTS, SDA INC.
Variance Residential Adjacency



5955 S. WATSON, STE 8-722
CHERRYWOOD VILLAGE, CO 80111
303.770.0500 303.770.0596 FAX



TAAG
ARCHITECTS
CONSULTING ARCHITECTS

4643 FIVE Parkway
Hong Kong
Friedman, GUY H (13)
www.friedman.com
003.822.2774
003.822.2774 FAX

**BRIDGER STREET
APARTMENTS**
LAS VEGAS NEVADA
DEVELOPED BY S.A.A. INC. COLORADO



CITY OF LOS ANGELES - 102-1000

REC'D
CITY CLERK'S OFFICE
OCT 24 2006



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SDA

SDA INC.
The Denver Tech Center
5655 South Yosemite Street, Suite 301
Greenwood Village, Colorado 80111
Telephone: (303) 220-0500
Facsimile: (303) 220-0596

Real Estate: Construction
Development
Investment
Management

October 24, 2006

Nathan Goldberg
City of Las Vegas
Planning Department
731 S. Fourth
Las Vegas, Nevada 89101
Telephone: 702-229-5447
Facsimile: 702-385-7268

Re: Bridger Avenue Apartments, Variance Site Distance/Residential Adjacency

Dear Mr. Goldberg:

This letter serves as our Justification Letter on the above referenced submittal, as described herein:

VARIANCE SITE DISTANCE TO RESIDENTIAL ADJACENCY

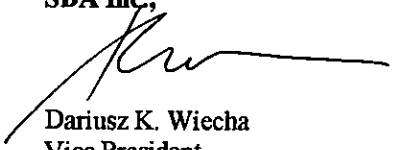
The City provides a recommended site distance for residential adjacency. As this requirement is fully valid in lesser density areas, it does not allow for creation of an urban streetscape in a downtown context. Since we are requesting a zoning change to R-5 to allow for an urban in-fill development, we would also like to request a variance for the required distance to other residential buildings. We believe, that the higher density of the project's downtown location, and the intent of the General Plan for urban revitalization warrants closer proximity to the adjacent projects.

This project fits the General Plan use. If approved, it will allow for construction of a multi-unit apartment complex, similar in nature to the neighboring City Center Apartments, also owned by our company.

Based on the popularity of the City Center Apartments and virtually non-existing vacancy rates we are convinced that a property of similar character next door will greatly contribute to the urban success of downtown Las Vegas by providing affordable housing to inner city dwellers.

Sincerely,

SDA Inc.,



Dariusz K. Wiecha
Vice President

DKW/ls

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

November 28, 2006

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

RE: Case: ZON-17740
Rezoning for the Proposed Bridger Avenue Apartments
Las Vegas, Nevada

Planning Commission:

I have seen the artist's rendering of the proposed apartment community that SDA INC. plans to develop at 10th Street and Bridger Avenue. As a long time downtown resident, I think that this is the type of improvement that greatly enhances the livability of the area. The adjacent City Center Apartment community, developed by this same developer, has been an enormous benefit to the community, improving the quality of life of downtown apartment dwellers as well as the aesthetics of the downtown cityscape.

I request that you approve the Site Development Plan, the variances, and the zoning change.

Sincerely,

June T. Boyd

June T. Boyd
225 South 10th Street
Las Vegas, Nevada 89101

ITEM # 14-19
CASE # ZON-17740
PC MTG 12-7-06

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-17743 - VARIANCE RELATED TO ZON-17740, VAR-17741 AND VAR-17742 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW A PROPOSED APARTMENT BUILDING TO BE ZERO FEET FROM THE WEST PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE EAST PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, ZERO FEET FROM THE SOUTH PROPERTY LINE WHERE FIVE FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A BUILDING HEIGHT OF 66 FEET WHERE 55 FEET IS THE MAXIMUM HEIGHT ALLOWED on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter by June Boyd

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with EVANS, GOYNES and DUNNAM voting NO

To be heard by City Council on 01/03/2007

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 17 – VAR-17743

MINUTES:

See Item 14 [ZON-17740] for all related discussion.

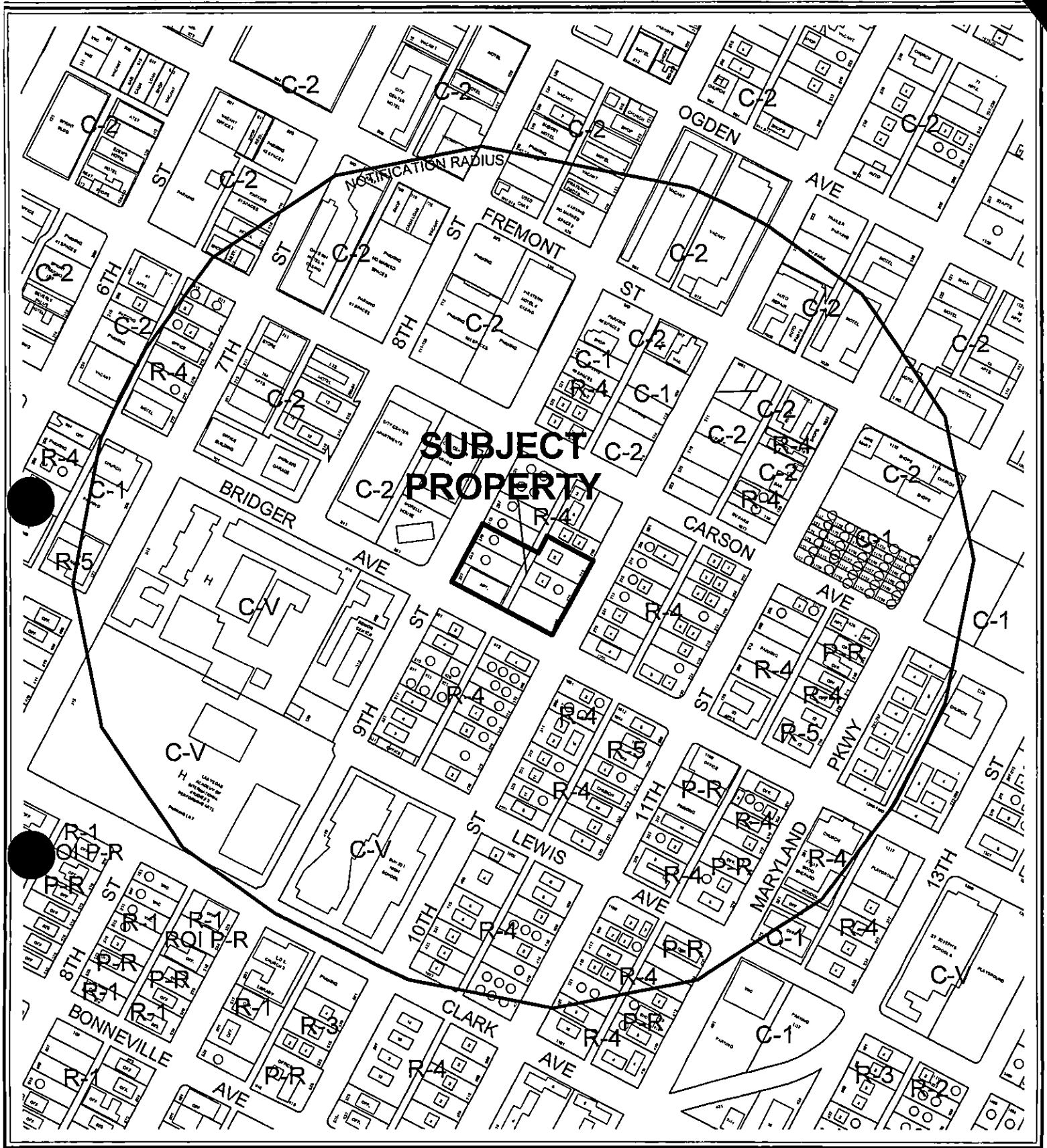
(6:52 – 7:45)

1-1723

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745) 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.



CASE: **VAR-17743**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: R-5 (APARTMENT)

0 100200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17743 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17740), and Site Development Plan Review (SDR-17745) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-17743 - Staff Report Page One
December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a proposed apartment building to be zero feet from the west property line where 10 feet is the minimum setback required, zero feet from the east property line where 20 feet is the minimum setback required, zero feet from the south property line where five feet is the minimum setback required and to allow a building height of 66 feet where 55 feet is the maximum height allowed on 1.38 acres on the north side of Bridger Avenue between Ninth Street and Tenth Street.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development to comply with the setback and height requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/04/61	The Board of City Commissioners approved a Special Use Permit for an office at 227 South 9 th Street
<i>Pre-Application Meeting</i>	
08/18/06	The requirements for a variance application were reviewed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.38 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, multi-family dwellings, single family dwellings.	Mixed Use	R-4
North	Single family dwelling	Mixed Use	R-4
South	Apartments	Mixed Use	R-4
East	Apartments	Mixed Use	R-4
West	Apartments and Non-profit organization	Mixed Use	C-V and C-2

AR

VAR-17743 - Staff Report Page Two
December 7, 2006 - Planning Commission Meeting

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

Redevelopment Area

The subject site is located within the Downtown Redevelopment Area, where special funding may be available for proposed projects. Developments are subject to all requirements of Title 19.

Trails

The Master Plan Transportation Trails Element depicts a trail along Ninth Street adjacent to this site. If this trail is constructed, it will be constructed by the city, and therefore the applicant is not required to show the trail on the submitted plans.

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,000 square feet	1.38 acres	Y
Min. Lot Width	N/A	180 feet	Y
Min. Setbacks			
• Front (west)	• 10 Feet	• 0 Feet	• N*
• Side (north)	• 5 Feet	• 8 Feet	• Y**
• Corner (south)	• 5 Feet	• 0 Feet	• N*
• Rear (east)	• 20 Feet	• 0 Feet	• N*
Min. Distance Between Buildings	N/A	1 building	Y
Max. Lot Coverage	N/A	81 %	Y
Max. Building Height	5 Stories or 55 Feet	66 Feet	N***

*These setbacks do not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

VAR-17743 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

******This setback complies with the R-5 standards, but does not comply with the Residential Adjacency Standards. This issue will be considered under Variance VAR-17742.

*******The proposed height does not comply with the R-5 standards. This issue will be considered under Variance VAR-17743.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	198 feet from north property line	8 feet	N
Adjacent development matching setback	5 feet	8 feet	Y
Trash Enclosure	50 feet from north property line	10 Feet	N

These setback issues will be considered under Variance VAR-17742.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-4	50 du/ac	69	R-5	unlimited	MXU	greater than 25.49 du/ac

Per 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>		
Parking Area	1 tree/ 6 spaces	2 trees	2 trees	Y
Buffer: Min. Trees	1 tree/20 linear feet	27 trees	24 trees	N
Min. Zone Width	10 feet along 9th Street		0 feet along 9th Street	N
	10 feet along Bridger Avenue		4 feet along Bridger Avenue	N
	10 feet along Tenth Street		10 feet along Tenth Street	Y
	6 feet along north property line		5 feet along north property line	N

The applicant has requested a waiver to allow a reduction of the landscaping buffer requirements to allow 0 feet along a portion of the west property line, zero feet along Bridger Avenue, and five feet along the north property line.

VAR-17743 - Staff Report Page Four
December 7, 2006 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Apartments	300 one-bedroom units	1.25 spaces per unit plus one guest space for every six units	425 spaces	9 spaces	150 spaces	9 spaces	N
TOTAL (including handicap)			425 spaces	9 spaces	150 spaces	9 spaces	N
Percent Deviation					65 %		

This parking issue will be addressed under Variance VAR-17741.

Waivers		
Request	Requirement	Staff Recommendation
5 feet along north property line	6 feet along north property line	Denial
0 feet along 9th Street	10 feet along 9th Street	Denial
4 feet along Bridger Avenue	10 feet along Bridger Avenue	Denial

Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

ANALYSIS

The site is currently developed with two apartment buildings, two single-family dwellings, and an office building. The applicant proposes to demolish these structures and construct a 300-unit apartment building which will require a variance (VAR-17743) to allow the building to be zero feet from the west property line where ten feet is the minimum setback required, zero feet from the east property line where 20 feet is the minimum setback required, and zero feet from the south property line where five feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's setback standards, staff is recommending denial of these setback variances.

VAR-17743 - Staff Report Page Five
December 7, 2006 - Planning Commission Meeting

The applicant has also requested a variance (VAR-17743) to allow a building height of 66 feet where the R-5 (Apartment) standards allow a maximum height of 55 feet. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's height requirements, staff is recommending denial of this variance.

Because there is an existing single-family dwelling north of this site and adjacent to 9th Street, any proposed development of this site is required to comply with the proximity slope requirements of the Residential Adjacency standards. When applied to the height of the building as currently proposed (66 feet), these standards require a setback of 198 feet from the north property line which is adjacent to the existing single-family dwelling north of this site. The applicant has requested a variance (VAR-17742) to allow a setback of eight feet from the north property line where 198 feet is the minimum setback required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The Residential Adjacency standards also require trash enclosures to be setback at least 50 feet from single-family residential development. The applicant has requested a variance (VAR-17742) to allow the trash enclosure to be 10 feet from single-family development. Because the site plan could be redesigned to include a trash enclosure which would allow compliance with the city's Residential Adjacency standards, staff is recommending denial of this variance.

The applicant has requested a variance (VAR-17741) to allow 150 parking spaces on this site where 425 are required. Because there is no hardship associated with this site, and because staff finds that this proposed development is too intense for the subject property, staff is recommending denial of this parking variance. As part of this development, the applicant is proposing to vacate a portion of an existing 20-foot wide public alley that currently bisects this site and connects Carson Avenue and Bridger Avenue. In order to mitigate the vacation of this portion of the alley, the applicant proposes to construct a new alley, which will connect the unvacated portion of the existing alley to Tenth Street. Because staff is recommending denial of the rezoning, site development plan review and variances associated with this development, staff is recommending denial of the alley vacation. A 10-foot wide landscape buffer that complies with city standards is proposed along Tenth Street. The applicant has requested waivers to allow no perimeter landscaping along Ninth Street where ten feet is required; to allow four feet along Bridger Avenue where 10 feet is required; and to allow five feet along the north property line where six feet is required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's landscaping standards, staff is recommending denial of all landscaping waivers.

The elevations depict a stucco exterior with aluminum accents.

VAR-17743 - Staff Report Page Six
December 7, 2006 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing a project that does not comply with the setback and height requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 129 (Mailed with ZON-17740, VAR-17741, VAR-17742 and SDR-17745)

APPROVALS 1

PROTESTS 0



Case Number: **VAR-17743** APN: 139-34-712-026 /- 027 /- 028
Name of Property Owner: LARRY AND PATRICIA SCHLEUSNER FAMILY TRUST
Name of Applicant: SDA, INC - DARIUSZ WIECHA

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

Yes

No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

Print Name: _____

Subscribed and sworn before me

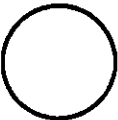
This 19TH day of OCT, 2016

Patricia J. Barnum
Notary Public in and for said County and State





200 S. YERGEN, SUITE 100
 MIDWINTER, NEVADA 89115
 702.253.0000 FAX 702.253.0001



TAAAG
 ARCHITECTS
 CONSULTING ARCHITECTS

2413 DTC Parkway
 Suite 200
 Englewood, CO 80111
 303.754.0000
 303.754.0001
 303.754.0002

**BRIDGER STREET
 APARTMENTS**
 LAS VEGAS, NEVADA
 PREPARED BY A.A.A., INC. COLORADO

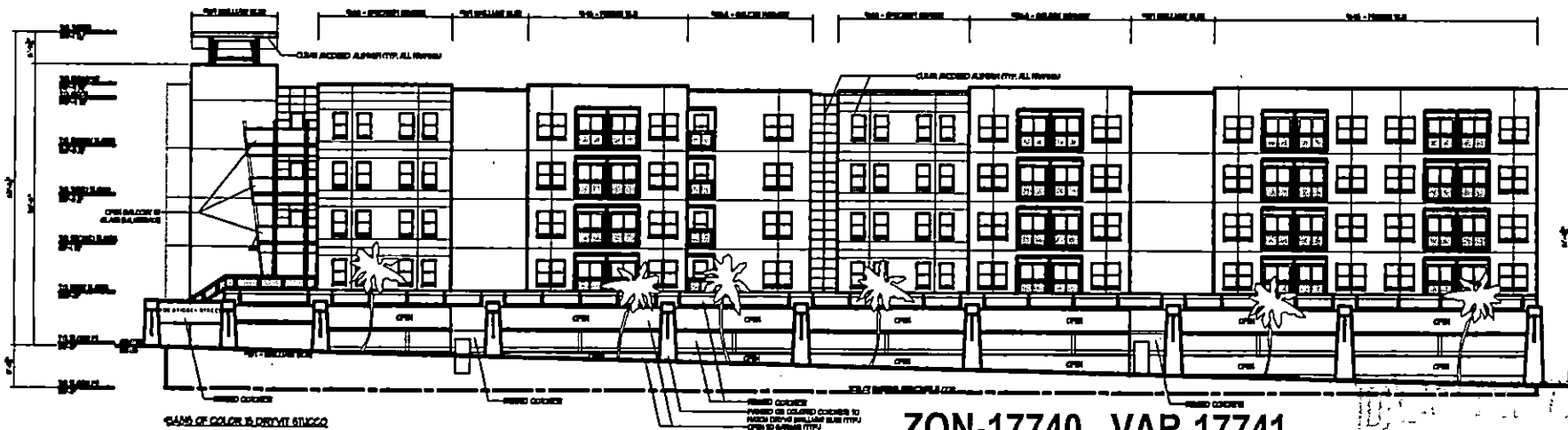
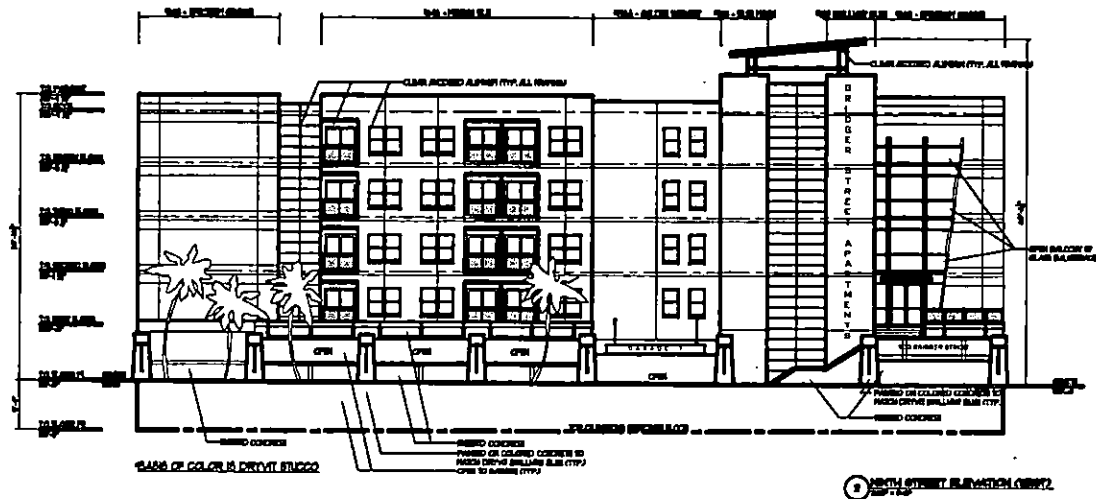
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CITY PERMITAL WORKSHEET

PROJECT NO.	00010
DATE PREPARED	
DATE REVIEWED	
DATE APPROVED	
DATE SUBMITTED	
DATE RECEIVED	
DATE COMPLETED	

DATE PREPARED

REVISION
 A2.1

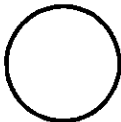


**ZON-17740 VAR-17741
 VAR-17742 VAR-17743
 SDR-17745 12/07/06 PC**

OCT 24 2006



NO. 1 WEST, 1ST FLOOR
 COUNCIL CHAMBER, 1ST FLOOR
 1ST FLOOR, 1ST FLOOR, 1ST FLOOR



TAAG
 ARCHITECTS
 CONSULTING ARCHITECTS

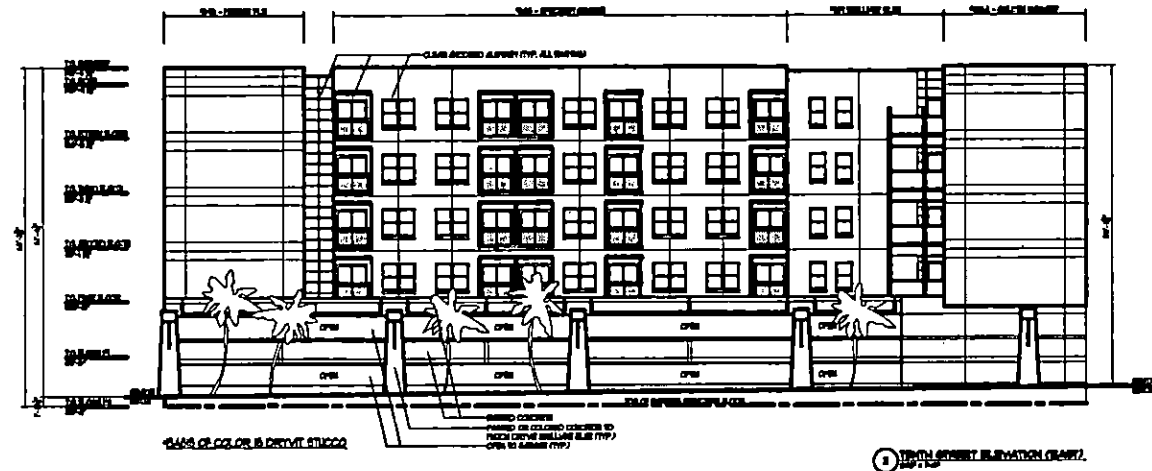
10101 PACE
 SUITE 100
 LAS VEGAS, NV 89128
 (702) 735-1111
 WWW.TAAGARCHITECTS.COM

**BRIDGER STREET
 APARTMENTS**
LAS VEGAS, NEVADA
 DEVELOPED BY B.A.A. INC. COLLINS

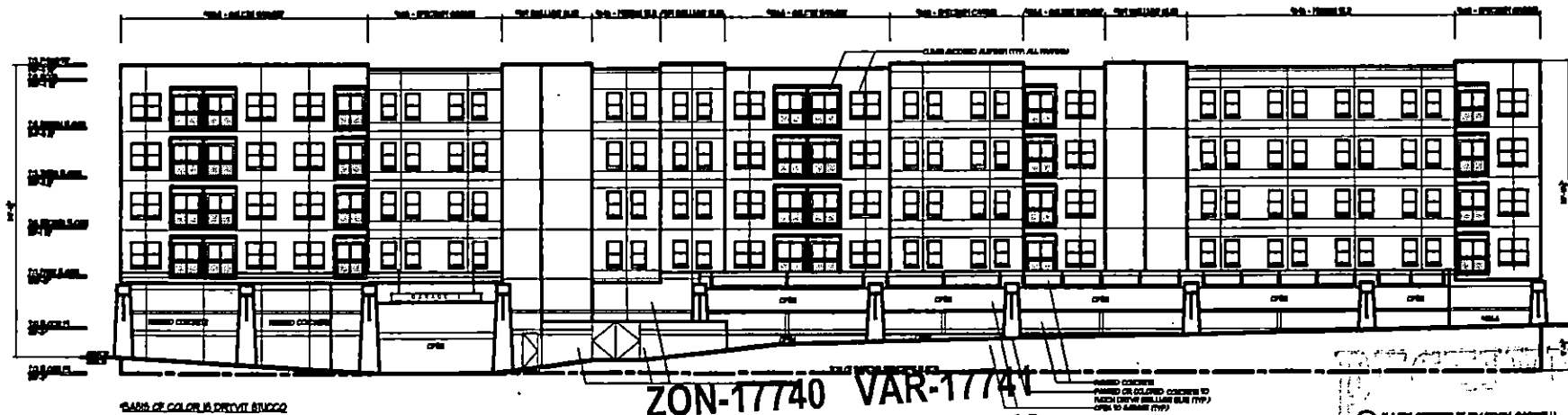


CITY OF LAS VEGAS

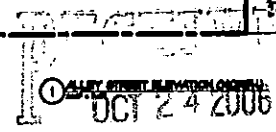
PROJECT NO.	06030
DATE	12/07/06
DESIGNER	
CHECKER	
APPROVER	
REVISIONS	

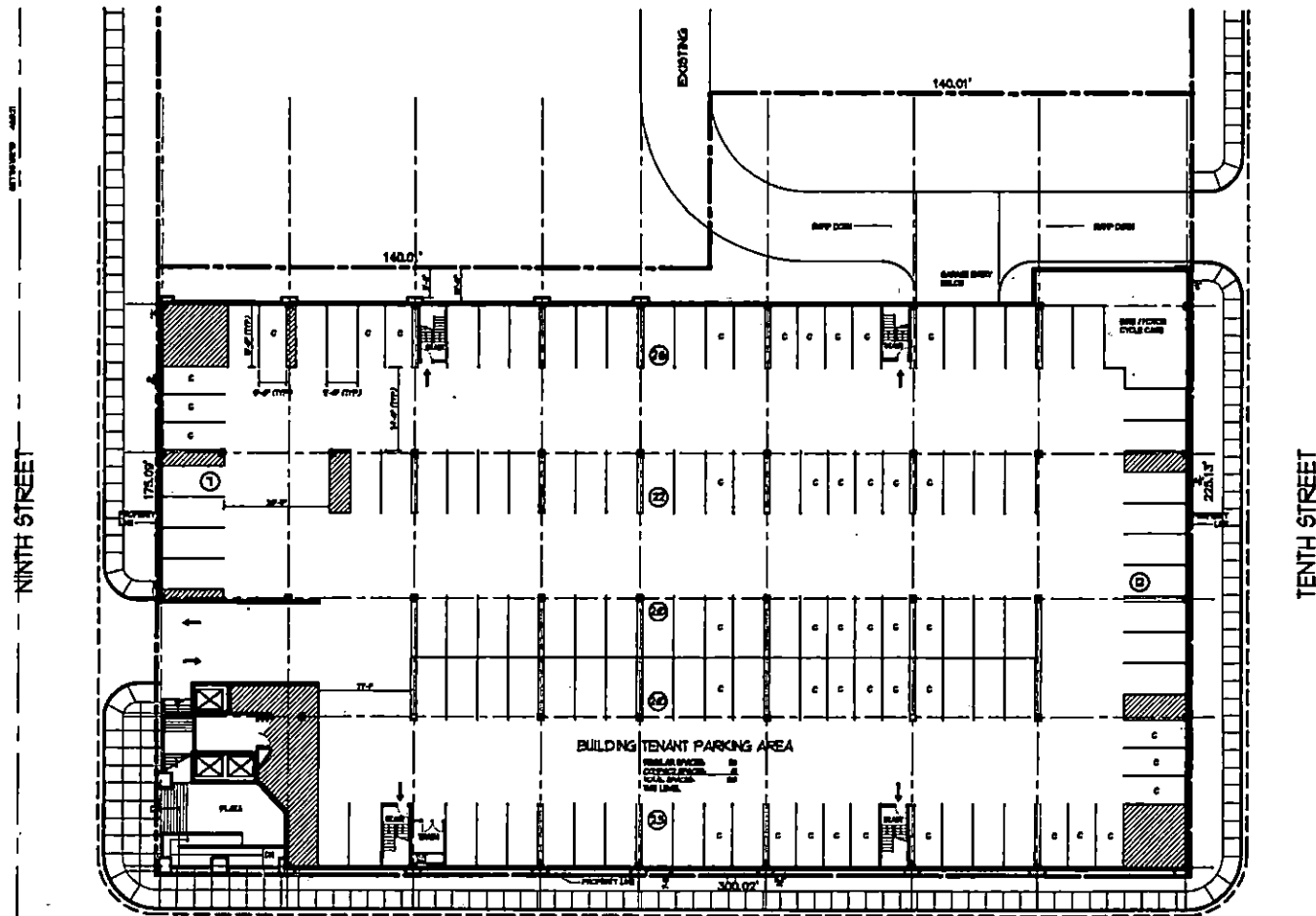


1. NORTH STREET ELEVATION (CLASH)
 12/24/06



ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC





BRIDGER AVENUE

ZON-17740 VAR-17741
 VAR-17742 VAR-17743
 SDR-17745 12/07/06 PC

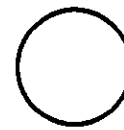
1. FLOOR PLAN, UPPER FLOORS



RECEIVED
 OCT 24 2006



100 S. KYLE, STE. 200
 LAS VEGAS, NV 89101
 (702) 735-1111



TAAG ARCHITECTS
 CONSULTING ARCHITECTS

2010 S. KYLE, STE. 200
 LAS VEGAS, NV 89101
 (702) 735-1111

BRIDGER STREET
 APARTMENTS
 LAS VEGAS, NEVADA
 DESIGNED BY TAA, INC. 06/06/06

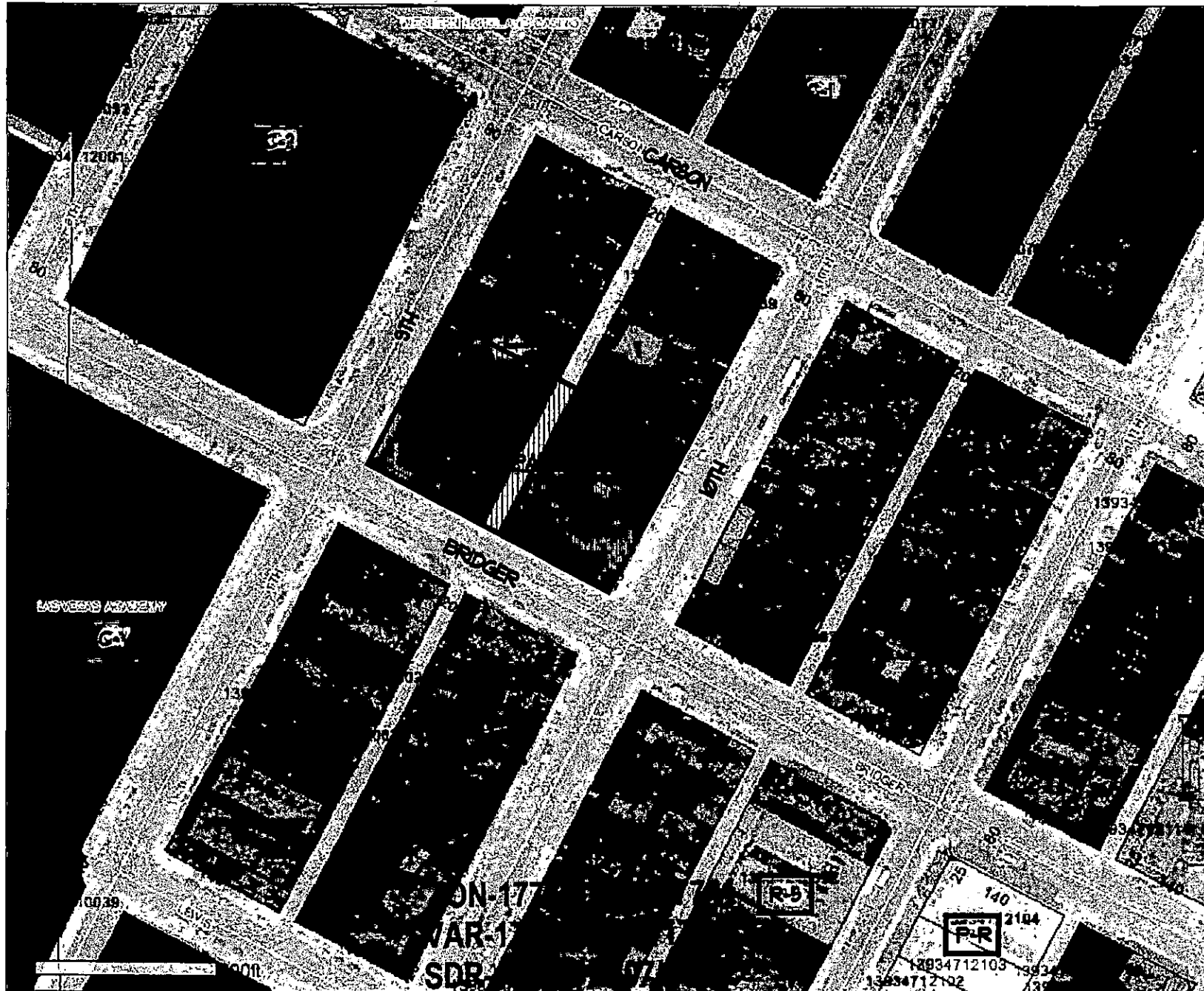
CITY OF LAS VEGAS
 10/24/06

CITY OF LAS VEGAS

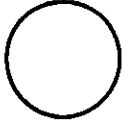
10/24/06

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BRIDGER AVENUE APARTMENTS, SDA INC.
Variance Height & Setbacks



200 S. WYOMING, SUITE 200
DENVER, COLORADO 80202
303.733.0000 303.733.0001 FAX



TAA
ARCHITECTS
CONSULTING ARCHITECTS

1411 13TH AVENUE
SUITE 1700
DENVER, COLORADO 80202
303.733.0000 303.733.0001 FAX

BRIDGER STREET
APARTMENTS
LAS VEGAS, NEVADA
DESIGNED BY SDA, INC. COLORADO

THE CITY OF LAS VEGAS, NEVADA
PLANNING DEPARTMENT
100 SOUTH MAIN STREET, SUITE 100
LAS VEGAS, NEVADA 89101
702.258.4600
WWW.LASVEGASNV.GOV

OCT 24 2006

06010



SHEET NO.
A0.3

SDA INC.
The Denver Tech Center
5655 South Yosemite Street, Suite 301
Greenwood Village, Colorado 80111
Telephone: (303) 220-0500
Facsimile: (303) 220-0596

Real Estate: Construction
Development
Investment
Management

SDA

October 24, 2006

Nathan Goldberg
City of Las Vegas
Planning Department
731 S. Fourth
Las Vegas, Nevada 89101
Telephone: 702-229-5447
Facsimile: 702-385-7268

Re: Bridger Avenue Apartments, Variance Setbacks and Height

Dear Mr. Goldberg:

This letter serves as our Justification Letter on the above referenced submittal, as described herein:

VARIANCE SETBACKS

We are requesting a zero (0') setback on the West, East, and South side of the apartment building. The North setback is requested to be a minimum of 10 feet. We also request that the allowed building height be increased to 78' for architectural protrusions (entry tower element, elevator core) and 68' for the top of the roof of the residential portion of the project. The site geometry dictates full utilization to develop an urban character apartment complex. Currently enforced setbacks and height restrictions would reduce the project size making it financially unfeasible. Should the reduced setbacks be approved, they will enhance the urban character of the neighborhood.

This project fits the General Plan use. We request your consideration for re-zoning of the site of this project for a higher density residential use. If approved, it will allow for construction of a multi-unit apartment complex, similar in nature to the neighboring City Center Apartments, also owned by our company.

Based on the popularity of the City Center Apartments and virtually non-existing vacancy rates we are convinced that a property of similar character next door will greatly contribute to the urban success of downtown Las Vegas by providing affordable housing to inner city dwellers.

Sincerely,

SDA Inc.,



Dariusz K. Wiecha
Vice President

DKW/ls

ZON-17740 VAR-17741
VAR-17742 VAR-17743
SDR-17745 12/07/06 PC

November 28, 2006

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

RE: Case: ZON-17740
Rezoning for the Proposed Bridger Avenue Apartments
Las Vegas, Nevada

Planning Commission:

I have seen the artist's rendering of the proposed apartment community that SDA INC. plans to develop at 10th Street and Bridger Avenue. As a long time downtown resident, I think that this is the type of improvement that greatly enhances the livability of the area. The adjacent City Center Apartment community, developed by this same developer, has been an enormous benefit to the community, improving the quality of life of downtown apartment dwellers as well as the aesthetics of the downtown cityscape.

I request that you approve the Site Development Plan, the variances, and the zoning change.

Sincerely,

June T. Boyd

June T. Boyd
225 South 10th Street
Las Vegas, Nevada 89101

ITEM # 14-19
CASE # ZON-17740
PC MTG 12-7-06

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: DECEMBER 7, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAC-17744 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Petition to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 feet east of Tenth Street, Ward 5, (Weekly).

C.C.: 01/03/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with **EVANS, GOYNES** and **DUNNAM** voting **NO**

To be heard by City Council on 01/03/2007

MINUTES:

See Item 14 [ZON-17740] for all related discussion.

(6:52 – 7:45)

1-1723

CONDITIONS:

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

PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 18 – VAC-17744

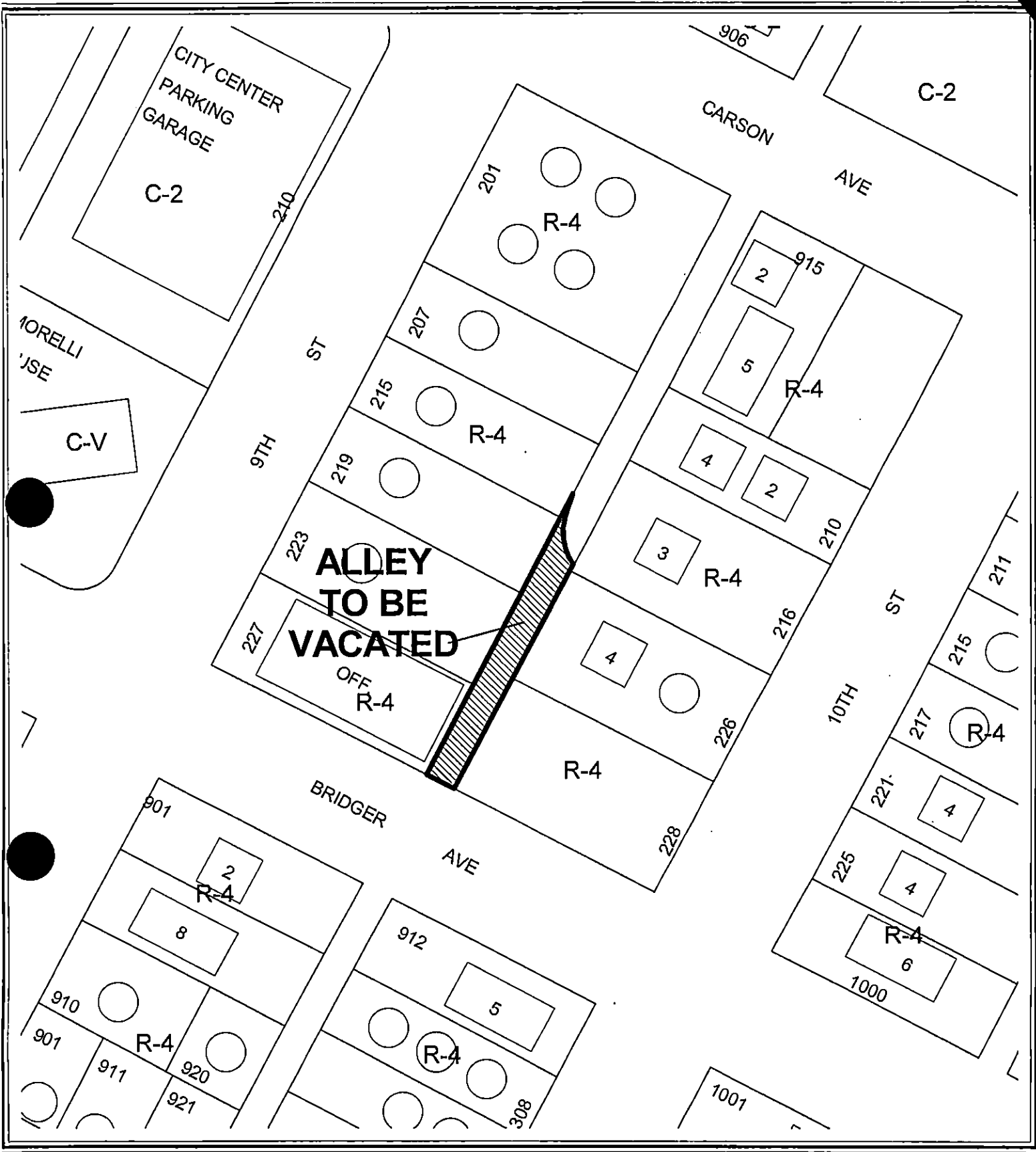
CONDITIONS – Continued:

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 Vacation shall be the southerly portion of the public alley located north of Bridger Avenue, between 9th Street and 10th Street.
5. Submit an alternative alley access plan for approval by the City Engineer providing a legal through-access for this alley and an adequate turning radius. Such alley access shall be dedicated prior to or concurrent with the recordation of an Order of Vacation for this alleyway.
6. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant (if applicable), so that an un-maintained “no-man’s land” area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
7. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation. If easements are required, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-17740 may be used to satisfy this requirement provided that it addresses the area to be vacated.

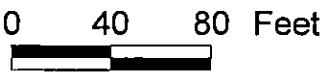
PLANNING COMMISSION MEETING OF DECEMBER 7, 2006
Planning and Development Department
Item 18 – VAC-17744

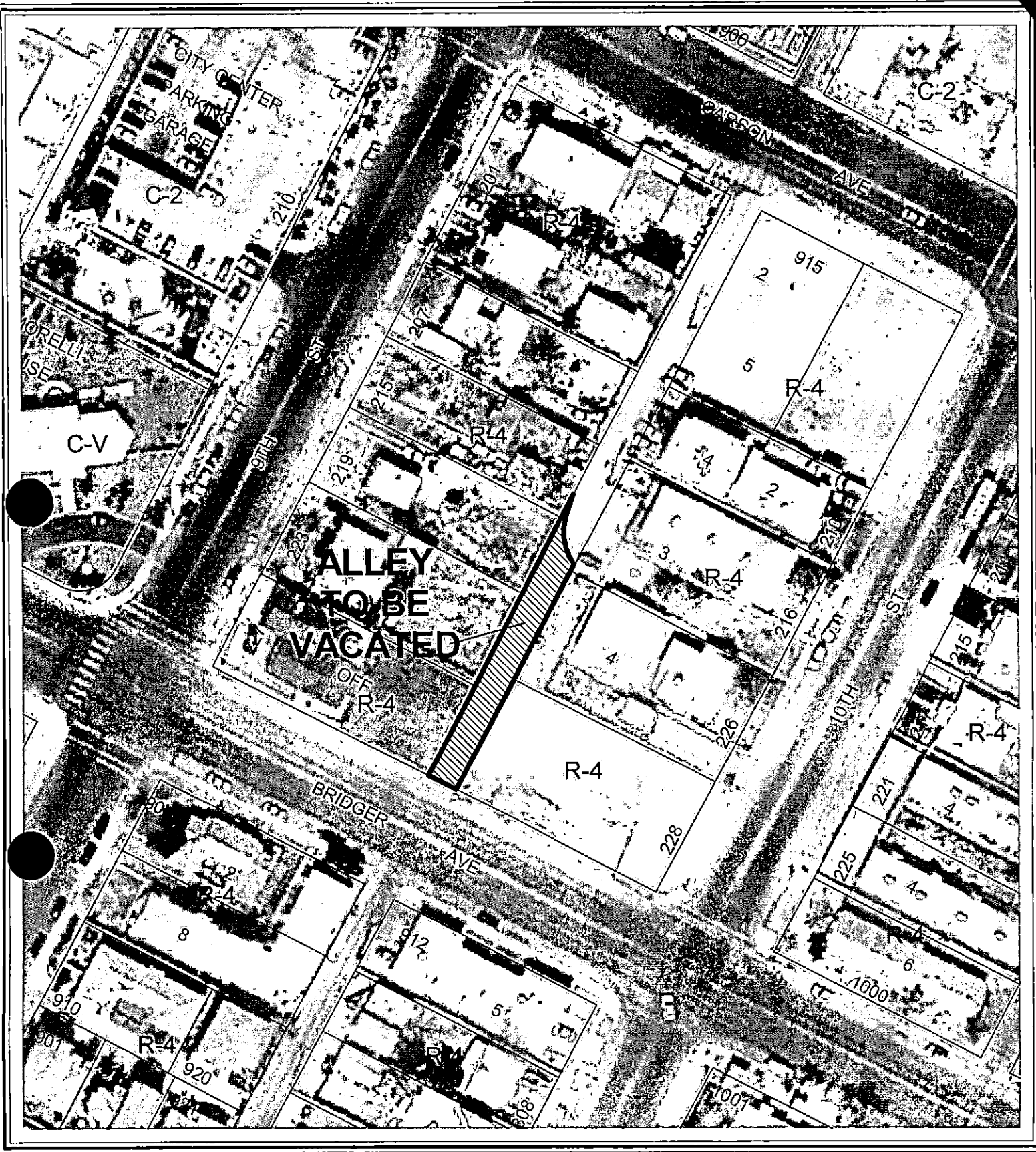
CONDITIONS – Continued:

9. 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 an Order of Vacation.
10. 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.

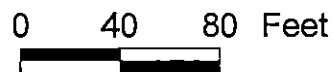


CASE: **VAC-17744**





CASE: VAC-17744



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: DECEMBER 7, 2006****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-17744 - APPLICANT/OWNERS: ASHTON-BOYD
FAMILY TRUST, ET AL**

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

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom 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 Vacation shall be the southerly portion of the public alley located north of Bridger Avenue, between 9th Street and 10th Street.
5. Submit an alternative alley access plan for approval by the City Engineer providing a legal through-access for this alley and an adequate turning radius. Such alley access shall be dedicated prior to or concurrent with the recordation of an Order of Vacation for this alleyway.
6. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant (if applicable), so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.

VAC-17744 - Conditions Page Two
December 7, 2006 - Planning Commission Meeting

7. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation. If easements are required, this Vacation may record in phases, to allow for future elimination of easements at the discretion of the City Engineer.
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10. 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.

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December 7, 2006 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request to Vacate a portion of an existing alley generally located north of Bridger Avenue, 140 Feet east of Tenth Street.

The applicant is proposing to vacate approximately half of the existing alley that runs between Carson Avenue and Bridger Avenue, half-way between Ninth and Tenth Streets. A Site Development Plan Review (SDR-17745) proposes to replace the vacated portion of the alley with a new alley to be dedicated that will connect the remainder of the alley from its termination to Tenth Street, at approximately the property line between the existing 216 Tenth Street and 226 Tenth Street.

BACKGROUND INFORMATION

A) Related Actions

12/07/06 The Planning Commission will consider requests for a Rezoning (ZON-17740) from R-4 (High Density Residential) to R-5 (Apartment), a Variance (VAR-17741) to allow 150 parking spaces where 425 are required, a Variance (VAR-17742) to allow a proposed apartment building to be Eight Feet from the north property line where the residential adjacency standards require a setback of 198 Feet and to allow a trash enclosure to be 10 Feet from a residentially zoned property where 50 Feet is the minimum, a Variance (VAR-17743) to allow a proposed apartment building to be Zero Feet from the west property line where 10 Feet is the minimum, to be Zero Feet from the east property line where 20 Feet is the minimum, to be Zero Feet from the south property line where Five Feet is the minimum and to allow a building height of 66 Feet where 55 Feet is the maximum, and a Site Development Plan Review (SDR-17745) for a proposed 300 Unit, 66-Foot High, Six-Story apartment building with a waiver to allow Zero Feet of perimeter landscape buffering where Six Feet is the minimum buffer width adjacent to both sides of the proposed vacation on the north side of Bridger Avenue between Ninth Street and Tenth Street.

B) Pre-Application Meeting

A pre-application conference is not required for a Vacation application request.

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December 7, 2006 - Planning Commission Meeting

C) *Neighborhood Meetings*

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

DETAILS OF APPLICATION REQUEST

The property is legally described as being a portion of the Northeast Quarter of the Northeast Quarter of the Southeast Quarter of Section 34, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

A) *Planning discussion*

The applicant proposes to vacate a portion of the alley connecting Bridger Avenue and Carson Avenue between Ninth Street and Tenth Street in order to provide for cohesive development along Bridger Avenue between Ninth Street and Tenth Street. In order to mitigate the vacation of the alley, the applicant proposes to dedicate a replacement of that portion to the north of his proposed development, diverting the alley flow to Tenth Street. In addition, the submitted vacation indicates that the applicant will replace the necessary water and sewer infrastructure in order to accommodate the vacation as well as the proposed development. However, as staff is recommending denial on the proposed rezoning, site plan, and related variances, staff cannot recommend approval for this vacation.

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, dedication for an alternative outlet for this public alley will be required through a Condition of Approval.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes*
Zoning Reclassification ZON-17740 and Site Development Plan Review SDR-17745.

VAC-17744 - Staff Report Page Three
December 7, 2006 - Planning Commission Meeting

- 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 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 5

APPROVALS 0

PROTESTS 0



VAC-17744

Case Number:

APN:

139-34-712-043

Name of Property Owner:

POULOS FAMILY TRUST

Name of Applicant:

SDA, INC. - DARIUSZ WIECHA

Yes

No

City Official:

Partner(s):

APN:

Signature of Property Owner:

Print Name:

This 19 day of October, 2000

Notary Public in and for said County and State



AMBER MORTEN
NOTARY PUBLIC
STATE OF NEVADA
APT. No. 05-96457-1
PPT. EXPIRES DEC. 13

MY APPT. EXPIRES DEC. 13, 2008



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-17744 APN: 139-34-712-041/-042

Name of Property Owner: ASHTON - BOYD FAMILY TRUST

Name of Applicant: SDA INC - DARIUSZ WIECHA

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: _____

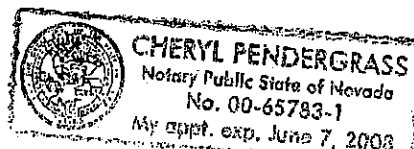
Signature of Property Owner: Gabe T. Bond

Print Name: June T. Boyd

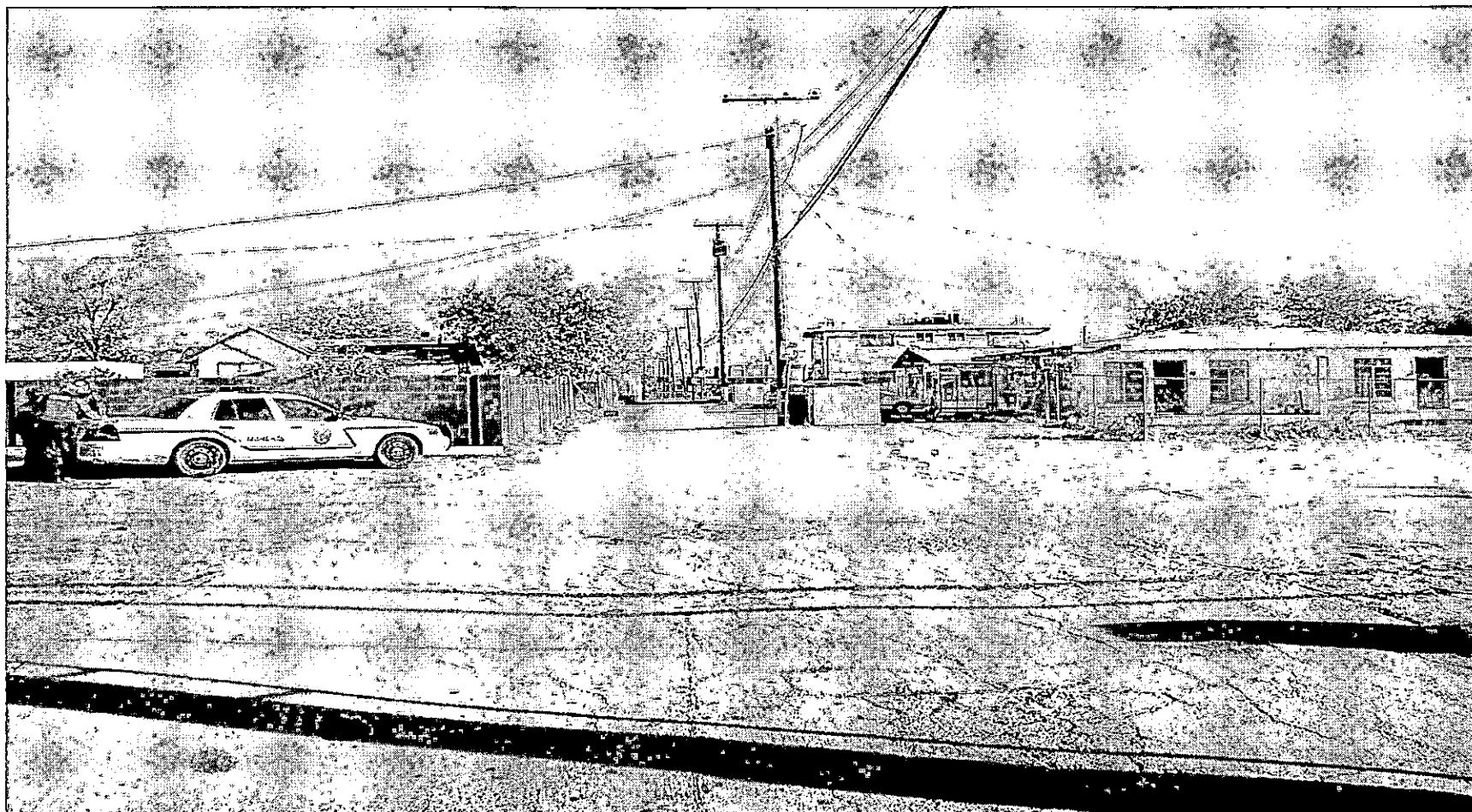
Subscribed and sworn before me

This 16th day of Oct, 2006

Notary Public in and for said County and State

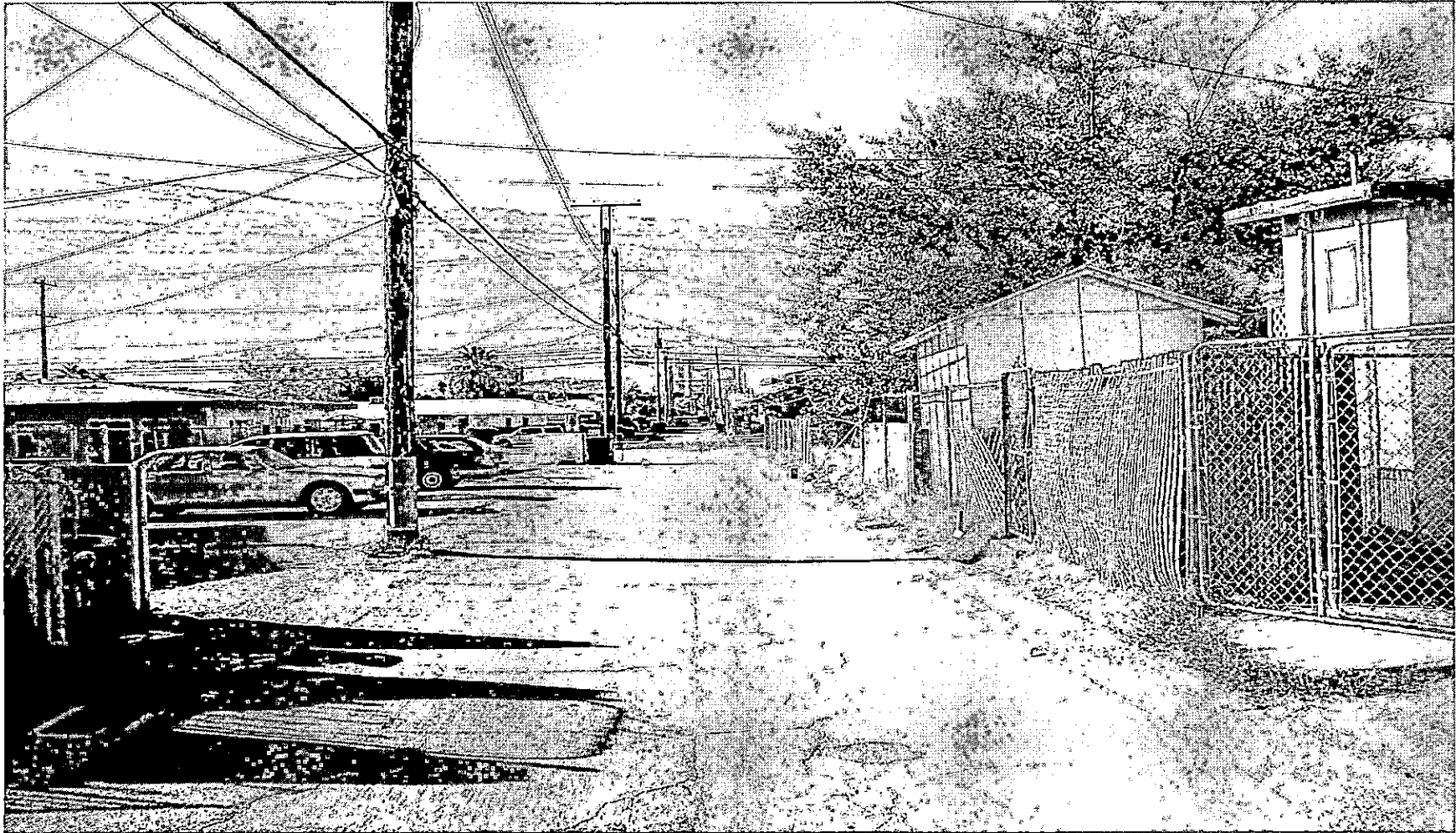






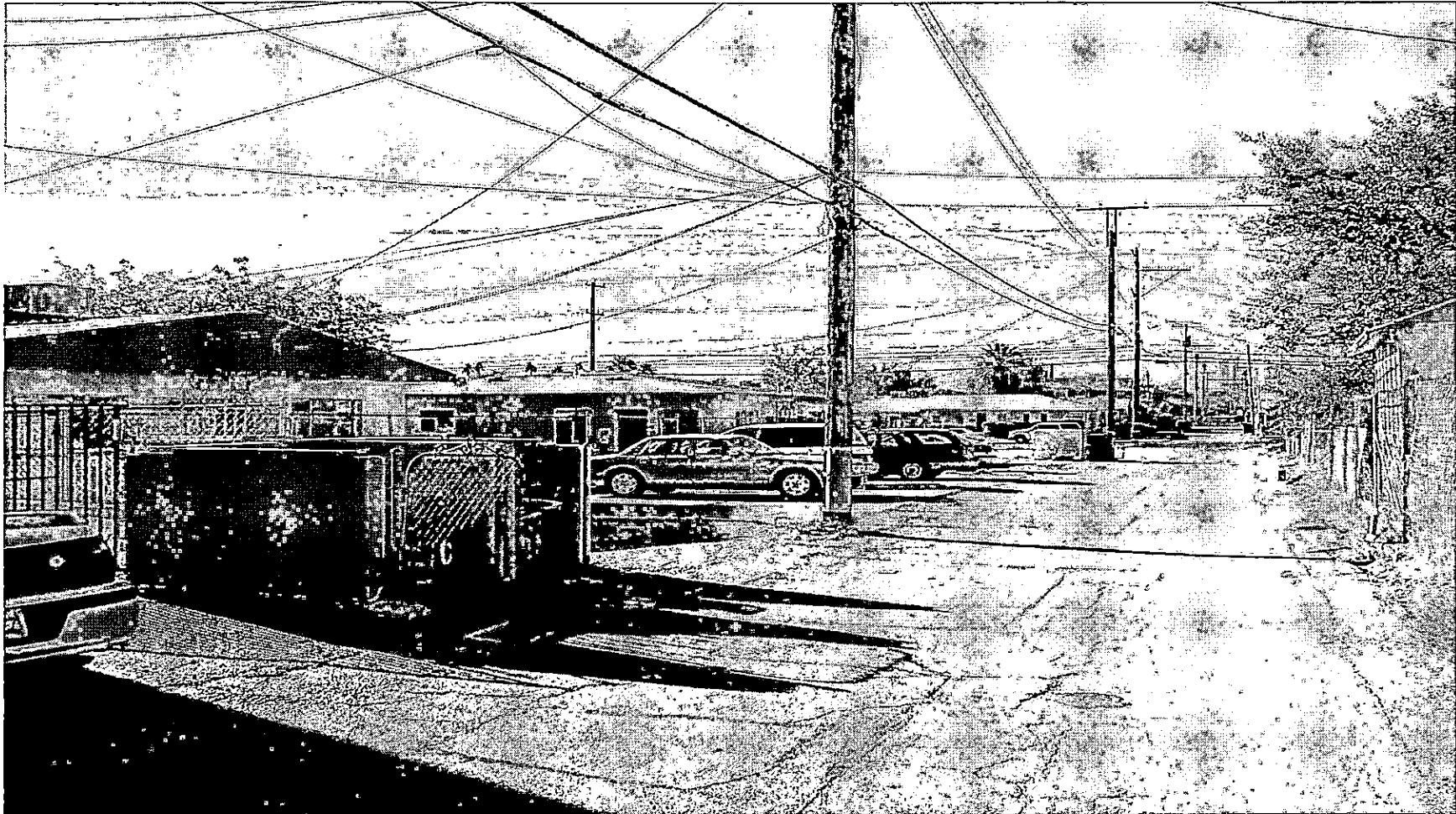
VAC-17744 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST
NORTH OF BRIDGER AVENUE, 140 FEET EAST OF TENTH STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/14/06



VAC-17744 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST
NORTH OF BRIDGER AVENUE, 140 FEET EAST OF TENTH STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/14/06



VAC-17744 - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST
NORTH OF BRIDGER AVENUE, 140 FEET EAST OF TENTH STREET
DECEMBER 7, 2006 PLANNING COMMISSION

11/14/06

SDA

October 24, 2006

Nathan Goldberg
City of Las Vegas
Planning Department
731 S. Fourth
Las Vegas, Nevada 89101
Telephone: 702-229-5447
Facsimile: 702-385-7268

Re: Bridger Avenue Apartments, Vacation of the Alley

Dear Mr. Goldberg:

This letter serves as our Justification Letter on the above referenced submittal, as described herein:

VACATION OF THE ALLEY

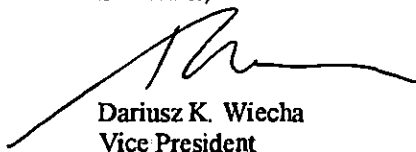
The geometry of the site calls for a cohesive development that would provide a continuous elevation along Bridger Avenue. We request vacation of the portion of the existing alley, which would otherwise divide our building in two, making our project not feasible.

To mitigate the alley requirements we provide enough space on our property, which we would like to dedicate to the new alley diverting its flow to 10th Street.

We believe such approach to this city block design will not only enhance the urban character of the area, but will also reduce the traffic impact on Bridger Avenue by eliminating the alley's current connection to Bridger Avenue and introducing its new connection to 10th Street.

Sincerely,

SDA Inc.,



Dariusz K. Wiecha
Vice President

DKW/lis

**VAC-17744
12/07/06 PC**