

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this .97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
11/16/06	The Planning Commission recommended denial of companion items ZON-16510, VAR-16516, SUP-16520 and SDR-16508 concurrently with this application.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #18/ng).
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.

Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.
Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

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

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

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

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

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

Per 19.08.060, the following development standards apply:

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

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

Per 19.12, the following landscaping standards apply:

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

Per 19.10, the following parking standards apply:

Per 12.16, the following parking standards apply:

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

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

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

ANALYSIS

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

The proposed development has a building footprint that covers 68% of the lot where a maximum of 50% lot coverage is permitted, which demonstrates that the applicant is overbuilding a site that is just under one acre in size.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 by City Clerk

APPROVALS 0

PROTESTS 0



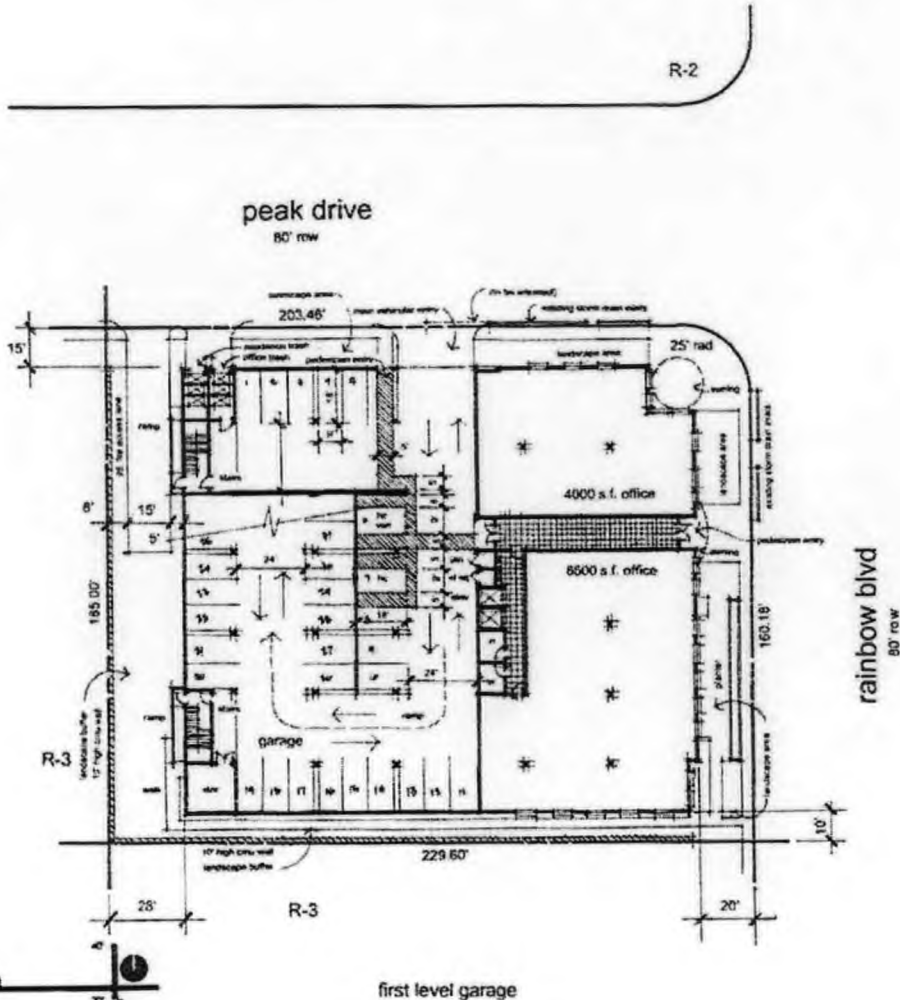
STATEMENT OF FINANCIAL INTEREST

f:\depo\Application Packet\Statement of Financial Interest.doc

RAINBOW PEAK MIXED USE

K&E architects, Inc. 6775 edmond street, Suite 260, las vegas, nevada 89118 702.269.4415 702.269.4425 fax www.kke.com

A PROJECT FOR:
EMIL KHALILI
14201 SHERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91405



R-1



R-2

site analysis

.97 net acres	(42,253.20 s.f.)
first floor area =	28,787 s.f. (68 site coverage)
second floor area =	28,817 s.f.
third floor area =	17,338 s.f.
fourth floor area =	18,096 s.f.
fifth floor area =	16,496 s.f.
total building =	109,512 s.f.

10,500 s.f. office space
32 - 2 bed/2 ba dwelling units (32 du/ac)

parking analysis

retail space	10,500 s.f. 2,000 / 200 = 10 spaces (2 HC)
total required =	8,500 / 175 = 49 spaces 59 spaces
residential	32 units 75 = 56 spaces (2 HC)
total required =	32 / 6 = 6 spaces 62 spaces (4 HC)
retail + residential =	121 spaces required 89 spaces provided (4 HC) (32 shared parking spaces)

F.A.R. analysis

office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	13,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	38,000 s.f. + 72,000 s.f. (sprinklered)
actual	109,512 s.f.
F.A.R.	51,928 / 108,000 = .48 <1 (okay)

RECEIVED

SEP 05 2006

11/16/06 PC
VAR-16512



Conceptual Site Plan
August 15, 2006

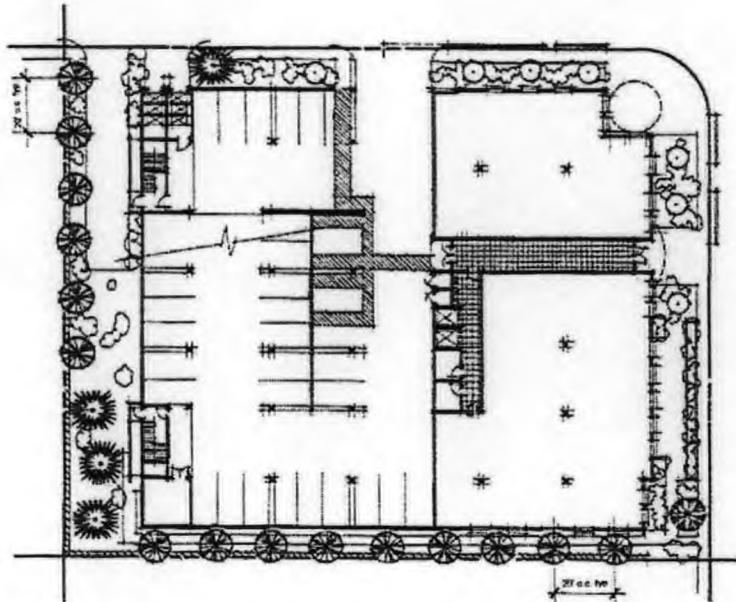
NOTE: This information is conceptual in nature and is subject to adjustments pending further verification and Client, Investor and Governmental Agency approval. No warranties or guarantees of any kind are given or implied by the Architect.

RAINBOW PEAK MIXED USE

Lot 1 Agon, Nevada

No. 0713-100001

A PROJECT FOR:
EMIL KHALILI
 14523 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



TREE / PLANT SCHEDULE

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

RECEIVED

SEP 05 2006

11/16/06 PC
 VAR-16512

CONCEPTUAL SITE PLAN
 August 27, 2006

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



KKE of Nev. Inc.
6775 Edmond St.
Suite 200
Las Vegas, NV 89118
702.259.6600
603.259.6625 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

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

Variance for % of Lot Coverage

Dear Sirs:

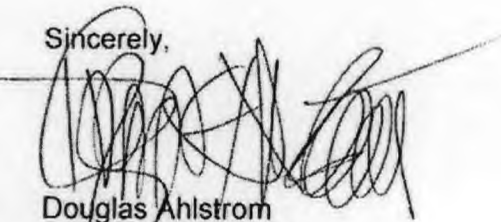
NuVision Holdings, LLC is requesting variance to increase the required % of Lot Coverage for a Mixed Use Project, Office with Residential Above.

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

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

Thank you for your consideration in this manner.

Sincerely,



Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

VAR-16512
11/16/06 PC
expanding the vision

ATTN: CITY CLERK.

Protest

AS TO REQUEST FOR VARIANCE'S
NUMBERS 16516 - 16520 - 16512

THIS AREA IS VERY SMALL
FOR THE SIZE + SCOPE OF
THE BUILDERS PROPOSAL.

I MOST DEFINITELY OPPOSE
THIS PROJECT.

OWNER ↓

#264 JOHN A. YUDIS
2801 N. RAINBOW
LAS VEGAS N.V.
89108.

PROJECT

THIS WOULD ONLY AD TO
PARKING - TRAFFIC AND
CONGESTION OF MY NEIGHBORHOOD.

John Yudis

12-18-06

RECEIVED
CITY CLERK

2006 DEC 20 A 10:34

Submitted after final agenda

Date 12/20/06 Item # 141-143

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-16510 AND VAR-16512

VAR-16516 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Variance TO ALLOW 89 PARKING SPACES WHERE 121 PARKING SPACES IS THE MINIMUM REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

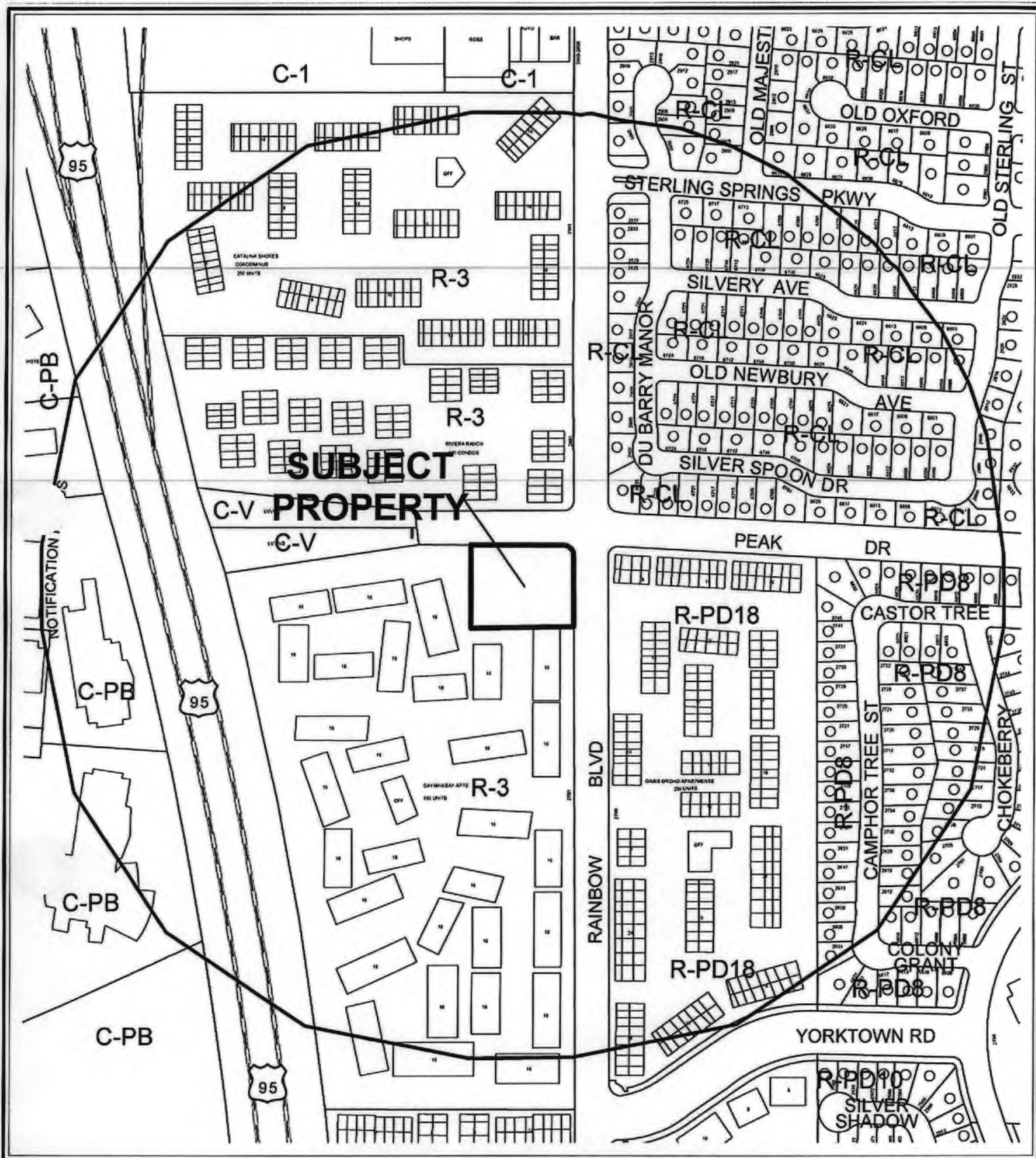
Motion made by LAWRENCE WEEKLY to Withdraw without Prejudice

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

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

Minutes:

See Item 140 for related discussion and Item 141 for related backup.



CASE: **VAR-16516**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
11/16/06	The Planning Commission recommended denial of companion items ZON-16510, VAR-16512, SUP-16520 and SDR-16508 concurrently with this application.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #20/ng).
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.

Neighborhood Meeting	
	A neighborhood meeting is not required for this application, nor was one held.
Details of Application Request	
Site Area	
Gross Acres	1.05
Net Acres	0.97

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

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

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

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

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

Per 19.08.060, the following development standards apply:

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

<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>
U(SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping 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	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

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

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

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

ANALYSIS

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

The proposed development lacks adequate parking. The residential component of this development is required to have 62 parking while the commercial component of the development is required to have 60 parking spaces for a total of 122 required parking spaces. The applicant is proposing 88 parking spaces, which is a 27.47% reduction in parking and an indication that the site is being overbuilt.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 by City Clerk

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16516** APN: 13815701002
Name of Property Owner: Mayer Trust
Name of Applicant: Navision Holdings, LLC

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

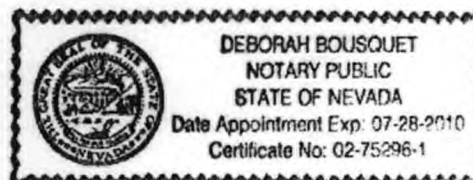
Signature of Property Owner: Robert Frank Harris May TRUSTEE

Print Name: ROBERT FRANKLIN MOYER MOYER TRUST 7-12-88

Subscribed and sworn before me

This 12 day of July, 2006

Notary Public in and for said County and State

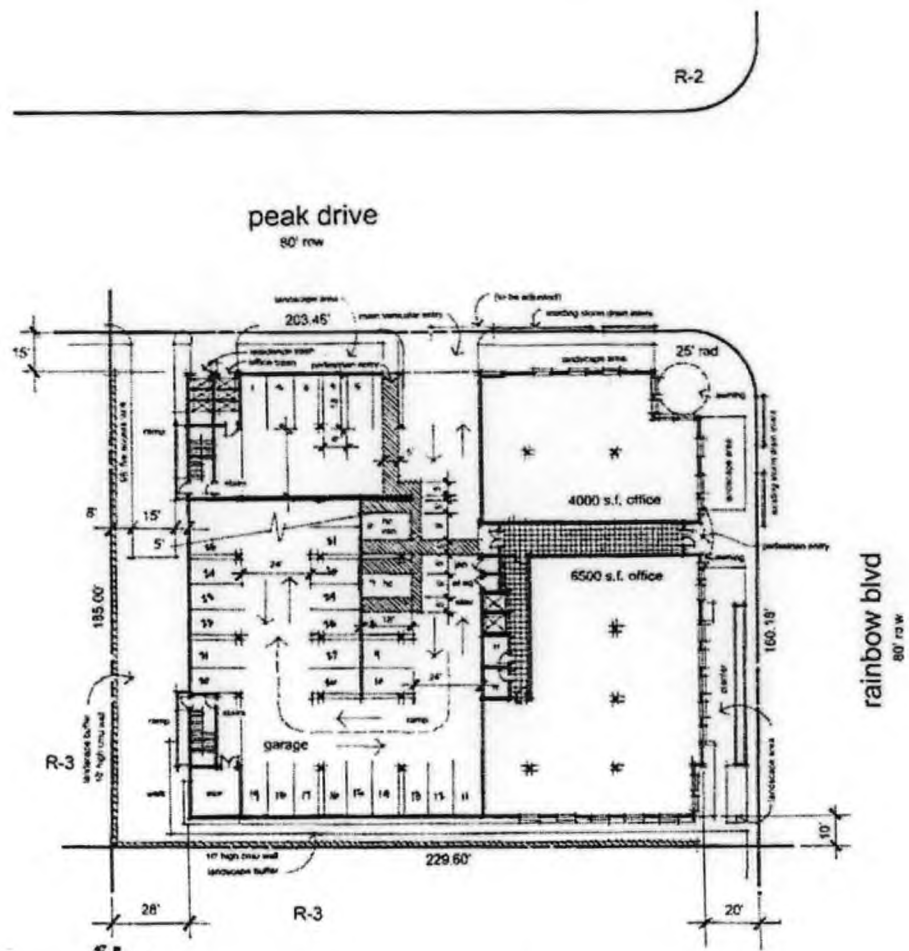


RAINBOW PEAK MIXED USE

Los Angeles, California

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

A PROJECT FOR:
EMIL KHALILI
14525 THERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91406



Conceptual Site Plan
August 12, 2006

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

R-1



R-2

site analysis

97 net acres (42,253.20 s.f.)
first floor area = 28,767 s.f. (.68 site coverage)
second floor area = 28,817 s.f.
third floor area = 17,336 s.f.
fourth floor area = 18,096 s.f.
fifth floor area = 16,456 s.f.
total building = 109,512 s.f.
10,500 s.f. office space
32 - 2 bed/2 bath dwelling units (32 du/ac)

parking analysis

retail space 10,500 s.f.
2,000 / 200 = 10 spaces (2 HC)
8,500 / 175 = 49 spaces
total required = 59 spaces
residential 32 units 75 = 56 spaces (2 HC)
32 / 6 = 6 spaces
total required = 62 spaces (4 HC)
retail + residential = 121 spaces required
89 spaces provided (4 HC)
(32 shared parking spaces)

F.A.R. analysis

office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	13,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	36,000 s.f. 72,000 s.f. (sprinklered)
actual	108,000 s.f.
F.A.R.	51,528 / 108,000 = .48 <1 (okay)

11/16/06 PC
VAR-16516

SEP 05 2006
RECEIVED
SEP 05 2006



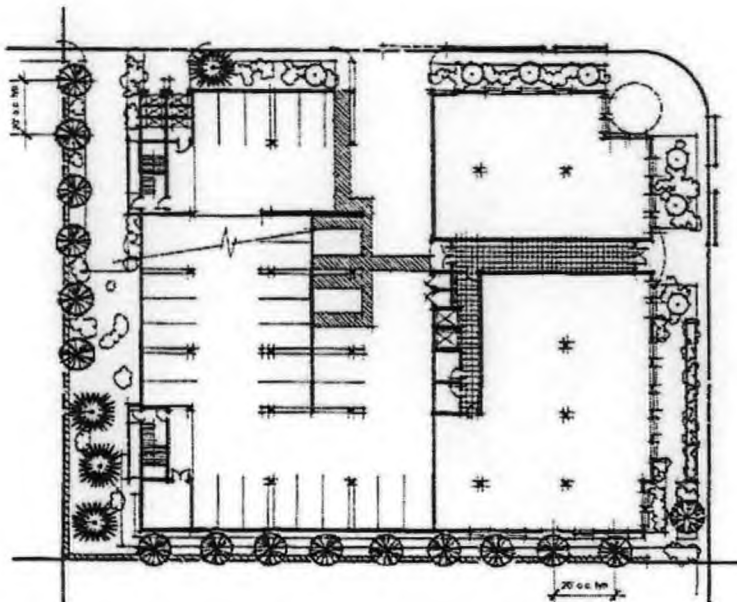
RAINBOW PEAK MIXED USE

1/16 Virginia, Nevada

Rev. 07.15.1054.01

A PROJECT FOR:
EMIL KHALIL

14523 SHEPHERD WAY BLVD.
VAN NUYS
CALIFORNIA
91405



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	11	1-10" Caliper Balled & Burrapped	PRINUS ELDERICA-BTD MONDEL PINE
	11	1-10" Caliper Balled & Burrapped	BLUE PALM VERDE
	11	24" Box	PRINUS CERASIFERA 'ALTIOPURPUREA' - BTD PURPLE LEAF PLUM
	11	N/A	Ornamental Ground Shrub and Cover
	11	N/A	Crush Rock and Aggregate

CONSTRUCTION SPECIFICATIONS
August 21, 2006

NOTE: This information is conceptual in nature and is subject to adjustments pending further verification and Client, Tenant, and Governmental Agency approvals. No warranties or guarantees of any kind are given or implied by this A/E/C project.

RECEIVED SEP 05 2006
SEP 05 2006

11/16/06 PC
VAR-16516

KK&
architects

KKE of Nevada, Inc.

6705 Edmond St.

Suite 200

Las Vegas, NV 89118

702-269-6615

702-269-6615 fax

www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

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

Parking Variance

Dear Sirs:

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

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

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

Thank you for your consideration in this manner.

Sincerely,

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

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

VAR-16516
11/16/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-16510, VAR-16512 AND VAR-16516

SUP-16520 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

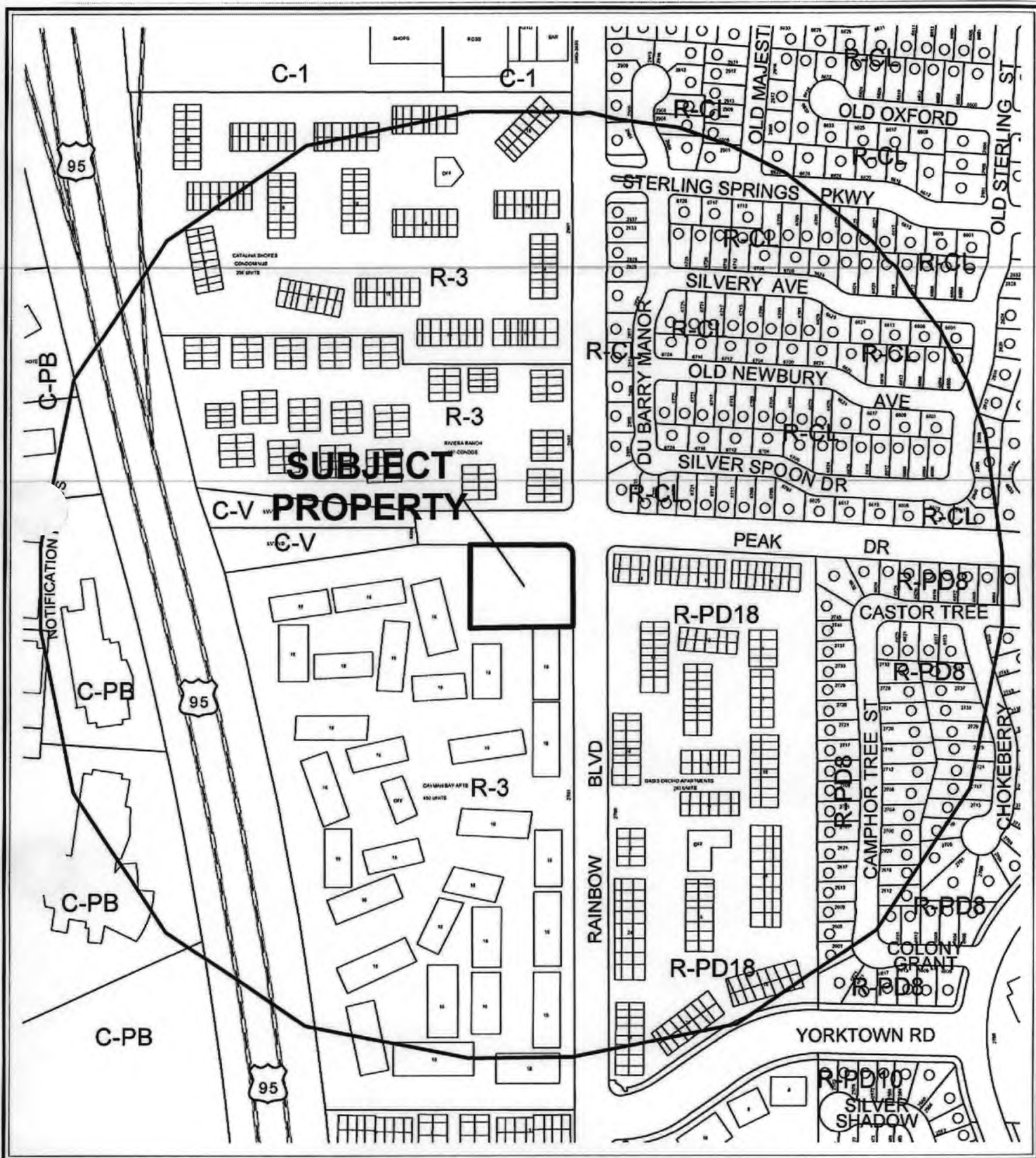
Motion made by LAWRENCE WEEKLY to Withdraw without Prejudice

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

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

Minutes:

See Item 140 for all related discussion and Item 141 for related backup.



CASE: **SUP-16520**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-16520 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
09/06/89	The City Council approved a Rezoning (Z-79-89) this parcel from U (Undeveloped) to C-1 (Limited Commercial); however this application has since expired.
01/12/98	The City Council denied a request to Rezone (Z-113-97) from U (Undeveloped) to C-1 (Limited Commercial).
01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
11/16/06	The Planning Commission recommended denial of companion items ZON-16510, VAR-16512, VAR-16516 and SDR-16508 concurrently with this application.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #21/ng).
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

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

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

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

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

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

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

Per 19.08.060, the following development standards apply:

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

<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>
U (SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping 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	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Per 15.18, the following parking standards apply:

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

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

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

ANALYSIS

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 by City clerk

APPROVALS 0

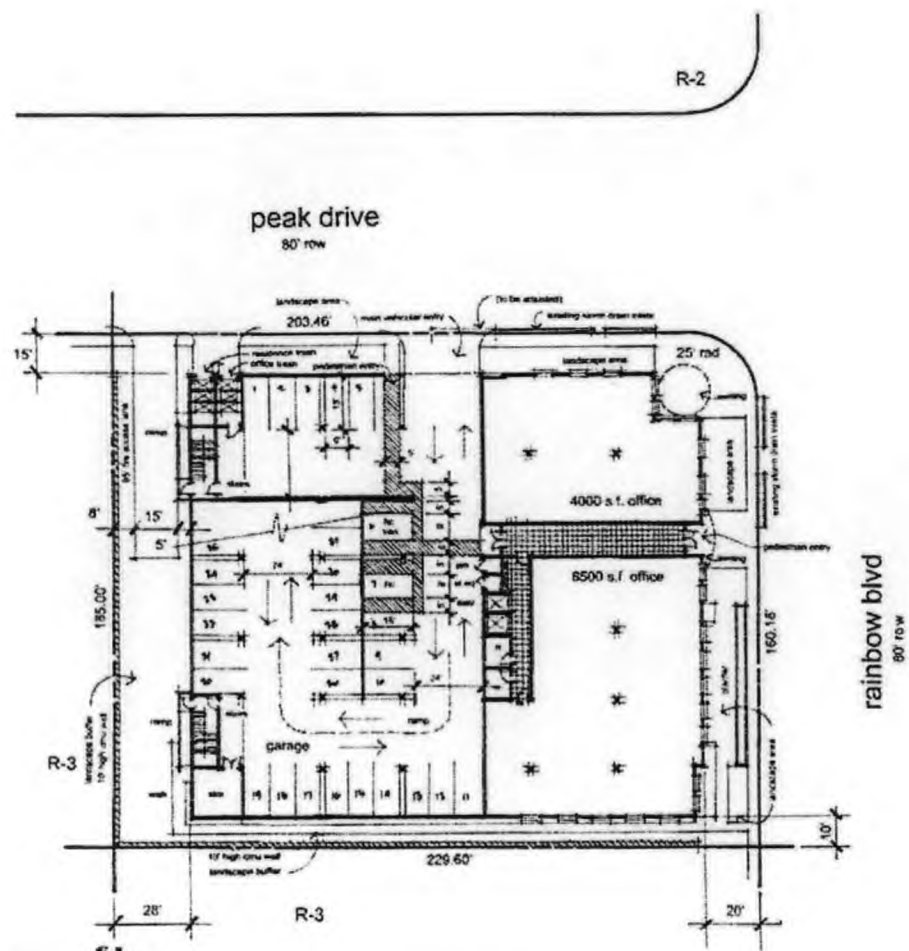
PROTESTS 0



RAINBOW PEAK MIXED USE

KKF architects, Inc. 6775 edmond street, Suite 260, las vegas, nevada 89118 - 702.269.6615 702.269.6625 fax www.kkf.com

A PROJECT FOR:
EMIL KHALILI
14523 SHERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91405



R-1



R-2

site analysis

.97 net acres (42,253.20 s.f.)
first floor area = 26,767 s.f.
second floor area = 26,817 s.f.
third floor area = 17,336 s.f.
fourth floor area = 18,096 s.f.
fifth floor area = 16,496 s.f.
total building = 105,512 s.f.

10,500 s.f. office space
32 - 2 bed/2 ba dwelling units (32 duplex)

parking analysis

retail space 10,500 s.f.
2,000 / 200 = 10 spaces (2 HC)
8,500 / 175 = 49 spaces
total required = 59 spaces
residential 32 units 75 = 56 spaces (2 HC)
32 / 6 = 6 spaces
total required = 62 spaces (4 HC)
retail + residential = 121 spaces required
89 spaces provided (4 HC)
(32 shared parking spaces)

F.A.R. analysis

office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	13,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	36,000 s.f.
	+ 72,000 s.f. (sprinklered)
actual	108,000 s.f.
F.A.R.	51,828 / 108,000 = .48 <1 (okay)

RECEIVED

SEP 05 2006

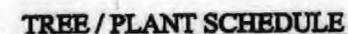
Conceptual Site Plan
August 15, 2006

NOTE: this information is conceptual in nature and is subject to adjustments pending further verification and Client, Tenant, and Governmental Agency approval. No warranties or guarantees of any kind are given or implied by the architect.

SUP-16520
11/16/06 PC



14523 SHERMAN WAY BLVE
VAN NUTS
CALIFORNIA
91405



TYPE	QTY	SIZE	BOTANICAL / COMMON NAME
	7"	1-1/2" Caliper Balanced & Unripppled	PHAS ELDERICA-STD MOMEL PINE
	2"	1-1/2" Caliper Balanced & Unripppled	BLUE PALM VERDE
	2"	2 1/2" Box	PHAS CERASPERA "AUTIOPURPUREA - STD PURPLE LEAF PLUM
	2"	N/A	Ornamental Ground Shrub and Cover
		N/A	Crush Rock and Aggregate

REVISED

RECEIVED

SEP 27 2006
SUP-16520

11/16/06 PC REVISED



NOTE: This information is conceptual in nature and is subject to requirements pending further verification and Client, Tenant, and Governmental Agency approval. No warranties or assurances of any kind are given or implied by the Architect.

KKE of Nevada, Inc.
6775 Edmond St.
Suite 200
Las Vegas, NV 89118
702/269-6671
702/269-6672 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

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

Special Use Permit

Dear Sirs:

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

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

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

The Special Use is an approved application for this zoning.

Thank you for your consideration in this manner.

Sincerely,

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

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

SLIP-16520
11/16/06 PC

expanding the vision

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-16510, VAR-16512, VAR-16516 AND SUP-16520

SDR-16508 - PUBLIC HEARING - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST - Request for a Site Development Plan Review FOR A PROPOSED 5-STORY, MIXED-USE DEVELOPMENT CONSISTING OF 10,500 SQUARE FEET OF COMMERCIAL SPACE AND 32 RESIDENTIAL UNITS on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive (APN 138-15-701-002), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED TO ADD A WAIVER TO ALLOW A REDUCTION IN THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS AND TO ALLOW A SETBACK OF 60 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 140 FEET. The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by LAWRENCE WEEKLY to Withdraw without Prejudice

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

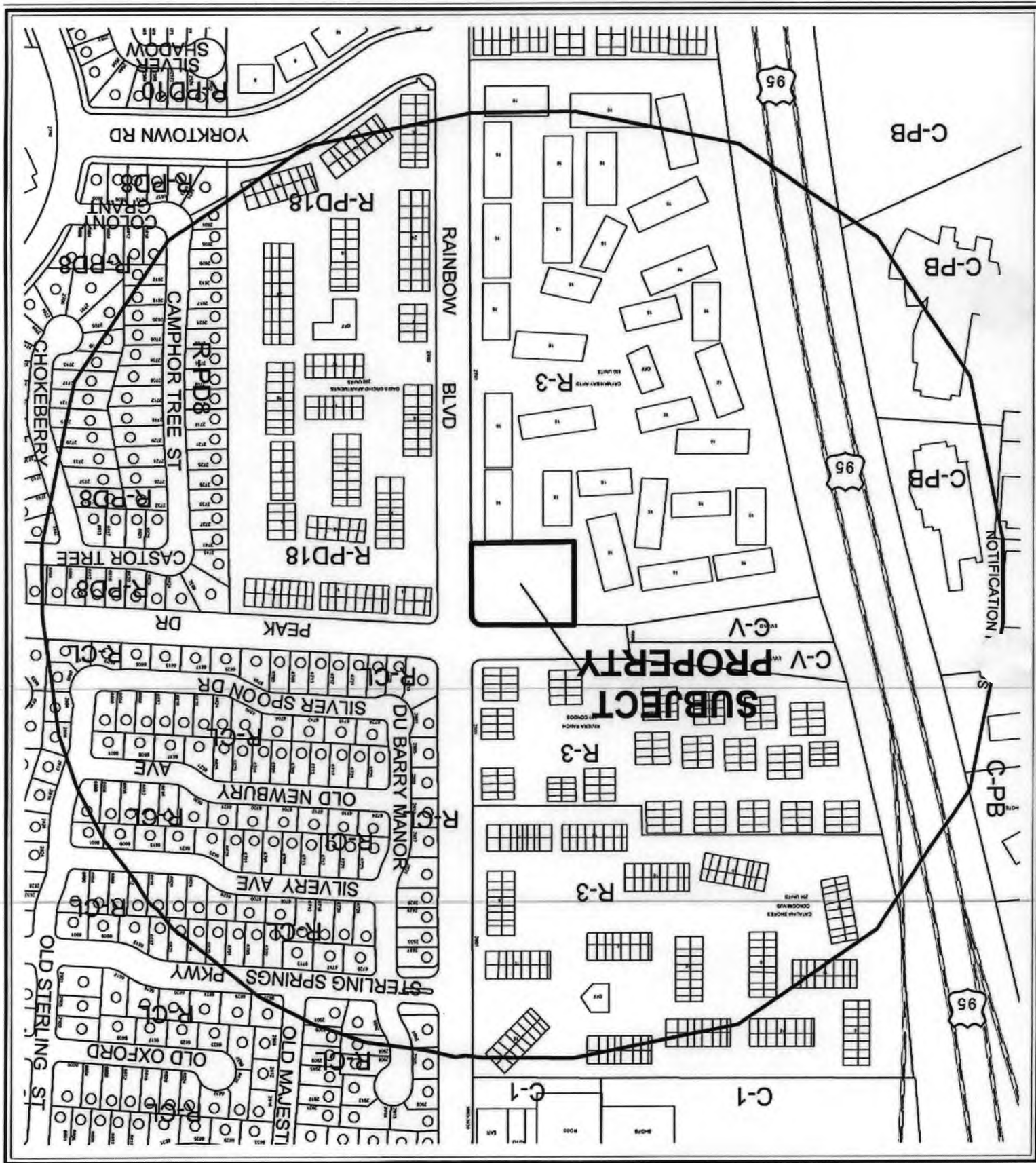
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

See Item 140 for related discussion.

RADIUS: 1000 FT

CASE: SDR-16508



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-16508 - APPLICANT: NUVISION HOLDINGS, LLC -
OWNER: THE MOYER TRUST**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16510), Special Use Permit (SUP-16520), Variance (VAR-16512), and Variance (VAR-16516).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 09/05/06, the landscape plan, date stamped 09/27/06, except as amended by conditions herein.
4. A Waiver from 19.12.040 is hereby approved, to allow a ten-foot landscape buffer along the Peak Drive frontage consisting of a five-foot landscape area adjacent to the curb, a five-foot detached sidewalk and five feet of foundational landscaping along the building. Along the Rainbow Boulevard frontage there shall be a five-foot landscape buffer adjacent to the curb, a five-foot sidewalk and an elevated landscape planter up to ten-foot in width as shown on the revised landscape plan, dated September 27, 2006; the planter shall include openings in the planter to provide connectivity to the building from the sidewalk in more than one location.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan. The Peak Drive frontage shall have a ten-foot landscape buffer with a variety of palm trees located 20 feet on center between a detached sidewalk and the curb. There shall be a ten-foot landscape buffer between a detached sidewalk and the curb plus a landscape planter as shown on the existing landscape plan with openings in the planter and a raised outside amenity area for the proposed restaurant.

6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect split-faced CMU block in the areas where flat-faced block is used.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
16. Conformance with revised landscape plan dated September 27, 2006.
17. Perimeter walls shall not exceed a maximum height of eight feet.

Public Works

18. Landscape and maintain all unimproved rights-of-way, if any, on Rainbow Boulevard and Peak Drive adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping, if any, located in the Rainbow Boulevard and Peak Drive public right-of-way adjacent to this site prior to occupancy of this site.
20. 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.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16510 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Site Development Plan Review for a proposed 5-story, mixed-use development consisting of 10,500 square feet of commercial space and 32 residential units with waivers for residential adjacency and a reduction in the perimeter landscaping buffer in conjunction with a mixed-use project as well as companion items for a Rezoning (ZON-16510) from U (Undeveloped) to C-1 (Limited Commercial District), Variances (VAR-16512 & VAR-16516) for increased percentage of lot coverage and reduced parking, as well as and a Special Use Permit (SUP-16520) for a mixed-use project on 0.98 acres at the southwest corner of Rainbow Boulevard and Peak Drive U (Undeveloped) Zone [SC (Service Commercial) Land Use Designation] [PROPOSED: C-1 (Limited Commercial) Zone.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/85	The City Council approved a Rezoning (Z-51-85) from U (Undeveloped) to R-3 (Medium Density Residential) for an apartment complex, which was constructed, but left out this 0.97 acre site.
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01/12/98	The City Council denied a request for a Special Use Permit (U-118-97) to construct a 3,150 square-foot convenience store with a retail pad site and a billboard.
11/16/06	The Planning Commission recommended denial of companion items ZON-16510, VAR-16512, VAR-16516 and SUP-16520 concurrently with this application.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #18/ng).
<i>Related Building Permits/Business Licenses</i>	
	No buildings exist on this parcel.
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was informed that the height of the proposed building was significantly taller than any building in the area, and that the residential adjacency standards were not being met. Additionally, the applicant was informed that parking would need to be reconfigured to meet the handicapped parking standards as well as the site being under parked.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

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

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

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

DEVELOPMENT STANDARDS

Per 19.08 the following development standards apply:

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

Min. Distance Between Buildings	N/A	N/A	Y
Max. Lot Coverage	50%	68%	N
Max. Building Height	150	70	Y
Trash Enclosure	50	In Garage	Y
Mech. Equipment	Screened	Screened	Y

Per 19.08.060, the following development standards apply:

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

<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>
U (SC)	N/A	N/A	C-1	N/A	SC	N/A

Per 19.12, the following landscaping 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	N/A Parking Structure	N/A	N/A	N/A
Buffer:				
Min. Trees	1 Trees/20 Linear Feet	31 Trees	27 Trees	N
TOTAL		31 Trees	27 Trees	N
Min. Zone Width	15/20 Feet		10/15 Feet	N
Wall Height	N/A		N/A	N/A

Per 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Residential	32 d/u	1.75/du + 1/6du	61	2	44	2	N
Commercial	10,500 sq. ft.	1:175 sq. ft.	60	3	44	2	N
SubTotal			121	5	88	4	N

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

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

ANALYSIS

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

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

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

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

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

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

FINDINGS (SDR)

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

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

Staff finds the proposed development is out of character with the surrounding land uses. At a height of 70 feet, the proposed development will be as much as 35 feet taller than any of the adjacent residential developments. Additionally, the proposed development has a residential density of 35.5 units per acre.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

While the proposed development is a permitted land-use within the Service Commercial land-use category, the proposed use is out of character for the area. Additionally, the landscaping for this development is substandard along the Rainbow Boulevard and the Peak Drive frontages. Moreover, the proposed development does not meet the parking requirements established for mixed-use projects.

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

Access to the site is gained via Peak Drive, which is a 80-foot wide street that provides two access points for the condominium complex to the north. Peak Drive dead-ends into a Las Vegas Valley Water District facility, adjacent to Interstate 95. The truck loading zone has the potential for a conflict with one of the access points to the condominium complex to the north because trucks will have to back out onto the street.

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

The building and landscape materials for the most part are appropriate for the area. However, the use of flat-faced CMU block is not an appropriate building material for a mixed-use project and the landscaping along the Rainbow Boulevard and Peak Drive frontages do not meet development standards. The use of split-faced CMU block would be a more appropriate building material and the use of a variety of palm trees along the Rainbow Boulevard and Peak Drive frontages would allow for the use of a landscape planter while still meeting the required number of trees along a right-of-way.

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

The proposed development has incorporated a number of attractive design elements; however, as stated in Finding Number Four, the use of flat-faced CMU block is an inappropriate building material in a mixed-use project and the use of split-faced CMU block is a more appropriate design alternative.

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

In general this project may negatively affect the health, safety, and general welfare of the public by increasing traffic along Rainbow Boulevard. Additionally, the height of the proposed building will cast shadows on the adjacent apartments (soon to be condominiums) to the south and west. Moreover, parking for this project, if successful, has the potential to force retail patrons (restaurant specifically) onto the street (Peak Drive).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 177 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-16508 APN: 13815701002

Name of Property Owner: MOYER TRUST

Name of Applicant: XUVISION HOLDINGS, LLC

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

 Yes

 X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Robert Franklin Moyer - TRUSTEE

Print Name: ROBERT FRANKLIN MOYER MOYER TRUST

Subscribed and sworn before me

This 7th day of Sept, 2006
Deborah Bousquet
Notary Public in and for said County and State



Los Vegas, Nevada

No. 07151058.04

14523 SHERMAN WAY BLVD.
VAN NUTS
CALIFORNIA
91405

R-1

R-2

F.A.R. analysis

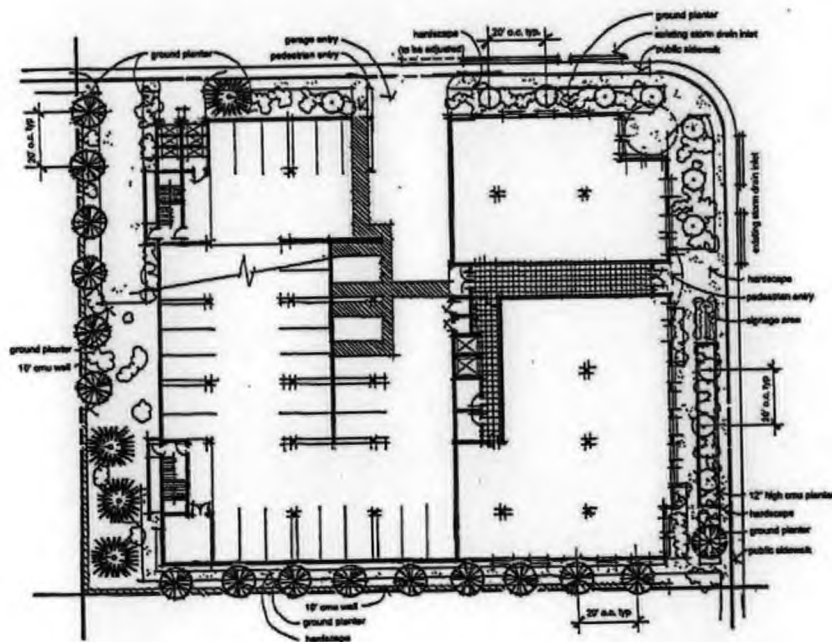
office	type I construction
allowable	unlimited s.f.
actual	13,000 s.f.
F.A.R.	13,000 / unlimited = <1 (okay)
residential	type VA (R-2)
allowable	36,000 s.f.
	+ 72,000 s.f. (sprinklered)
actual	108,000 s.f.
	51,928 s.f.
F.A.R.	51,928 / 108,000 = .48 <1 (okay)

retail space	10,500 s.f.
	$2,000 / 200 = 10 \text{ spaces (2 HC)}$
	$8,500 / 175 = 49 \text{ spaces}$
total required =	59 spaces
residential	32 units / .75 = 56 spaces (2 HC)
	$32 / 6 = 6 \text{ spaces}$
total required =	62 spaces (4 HC)
retail + residential =	121 spaces required
	89 spaces provided (4 HC)
	(32 shared parking spaces)

SEP 05 2006

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

A PROJECT FOR:
EMIL KHALIL
 14533 SHERMAN WAY BLVD.
 VAN NUYS
 CALIFORNIA
 91405



TREE / PLANT SCHEDULE

SYM	QTY	SIZE	BOTANICAL / COMMON NAME
	--	1-1/2" Caliper Balled & Burlapped	PINUS ELDERSONIANA - STD MONDEL PINE
	--	1-1/2" Caliper Balled & Burlapped	BLUE PALO VERDE
	--	24" Box	PRUNUS CERASIFERA 'AUTOPURPUREA' - STD PURPLE LEAF PLUM
	--	N/A	Ornamental Ground Shrubs and Cover
	--	N/A	Crush Rock and Aggregate

August 21, 2006

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 SEP 27 2006



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 SEP 27 2006



SDR-16508
 REVISED

SDR-16508
REVISED
11/16/06 PC

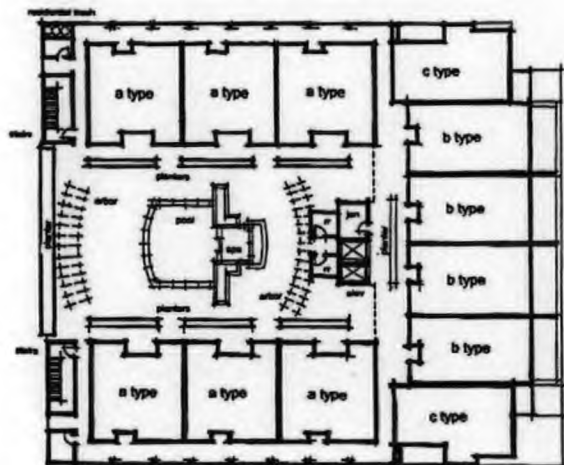
RAINBOW PEAK MIXED USE

Las Vegas, Nevada

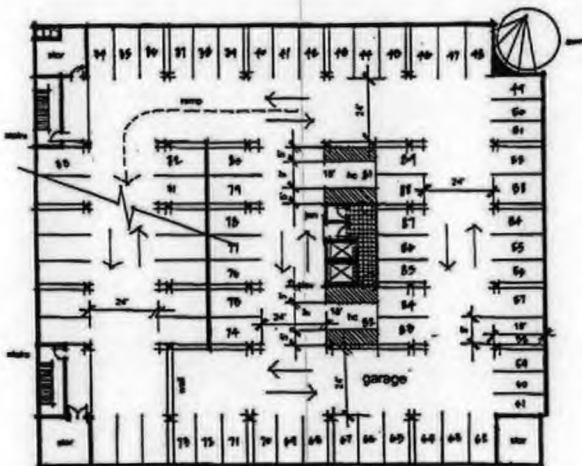
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KK architects, Inc. 6775 Edmond Street, Suite 280, Las Vegas, Nevada 89131 702.767.6615 702.767.6676 fax 702.767.6676 www.kk.com

A PROJECT FOR:
EMIL KHALIL
14523 SHERMAN WAY BLVD.
VAN NUYS
CALIFORNIA
91405



first level residential/plaza level



second level garage

Conceptual Building Plan

August 15, 2006

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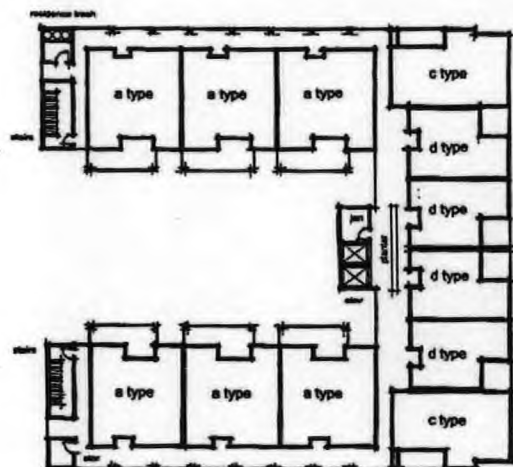
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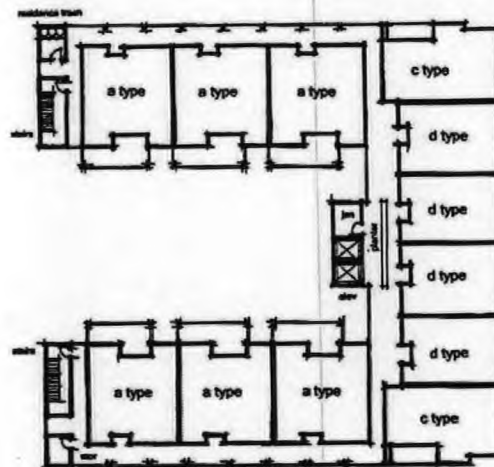
11/16/06 PC
SDR-16508



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 CALIFORNIA
 91405



third level residential



second level residential

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Conceptual Building Plan
 August 15, 2004

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11/16/06 PC
 SDR-16508



RAINBOW PEAK MIXED USE

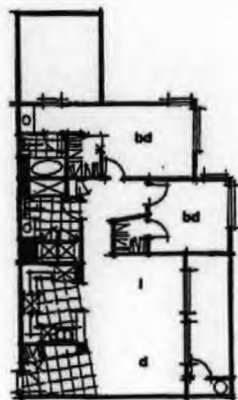
Las Vegas, Nevada

No. 0715.1058.01

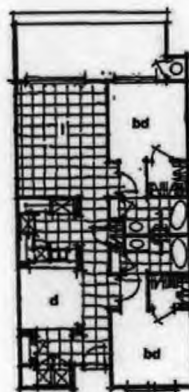
KKA architects, inc. 4775 diamond street, suite 280, las vegas, nevada 89121-2118 702-267-5615 702-267-4574 fax 702-267-5615 www.kka.com

A PROJECT FOR:
EMIL KHALIL

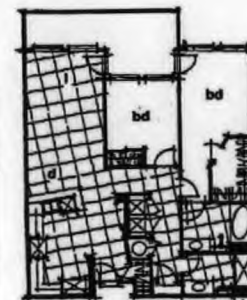
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CALIFORNIA
91405



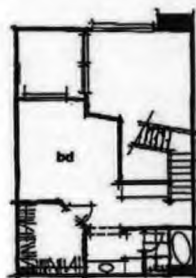
c type unit
±/- 1110 s.f.



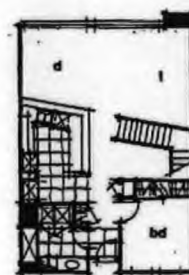
b type unit
±/- 1075 s.f.



a type unit
±/- 1100 s.f.



second floor



first floor

d type unit
±/- 1400 s.f.

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11/16/06 PC
SDR-16508



Conceptual Unit Plans

August 15, 2006

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RAINBOW PEAK MIXED USE

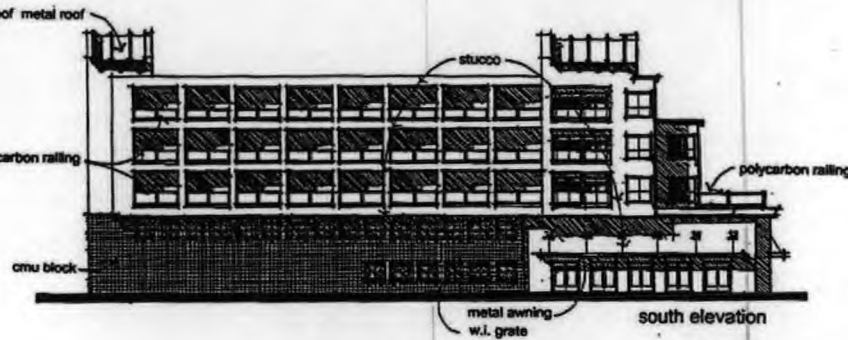
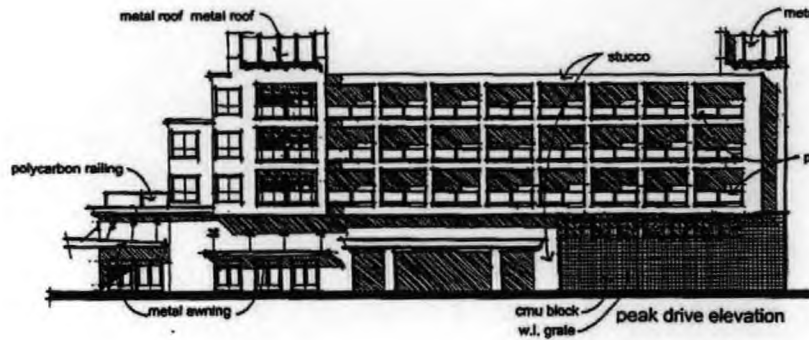
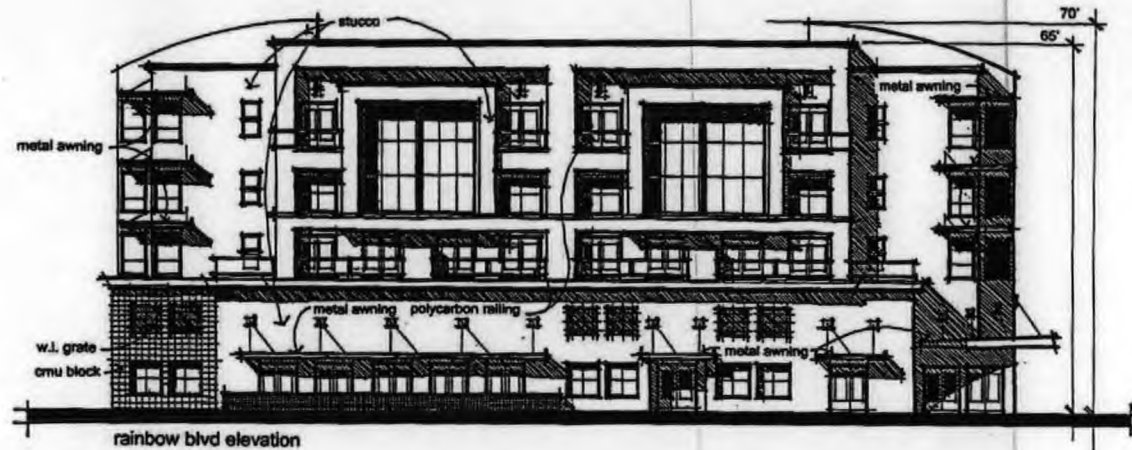
Las Vegas, Nevada

No. 0715.1035.01

KKK Architects, Inc. 6775 Edmond Street, Suite 260, Las Vegas, Nevada 89118 702.269.5615 / 702.269.4075 Fax: 702.269.4075 www.kkk.com

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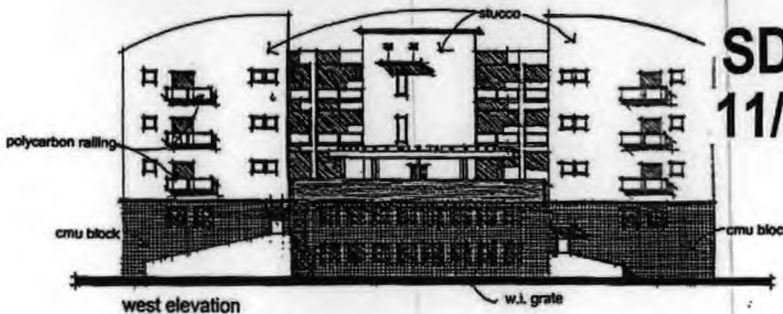
SEP 05 2006

Colors

CMU natural gray
stucco frazee 8711W misty mica
awnings frazee 8166N hawthorne valley
door/window frazee 8166N hawthorne valley
metal roofing everlast roofing burnished slate

Conceptual Elevations/Sections
August 15, 2006

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11/16/06 PC



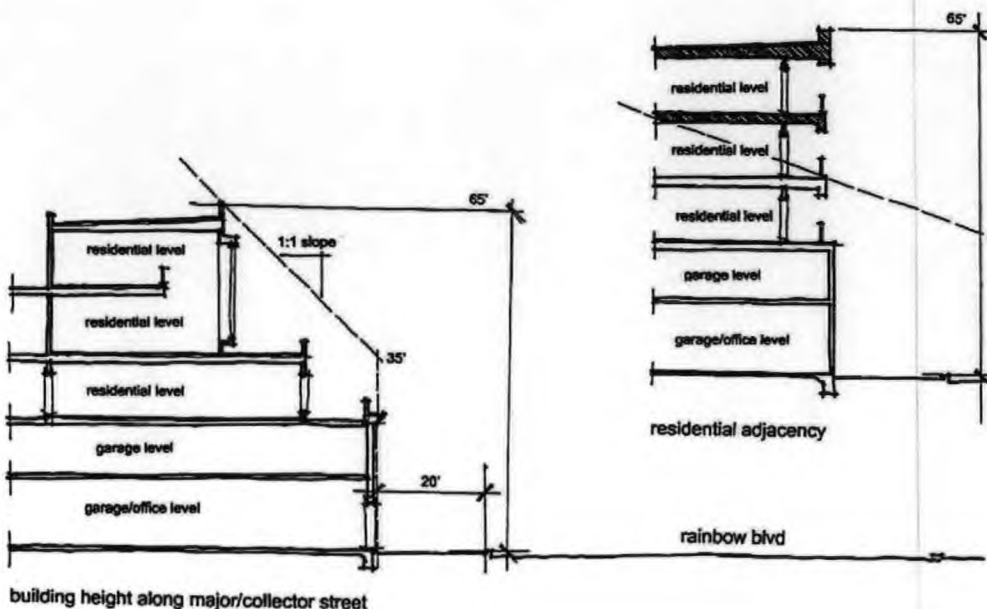
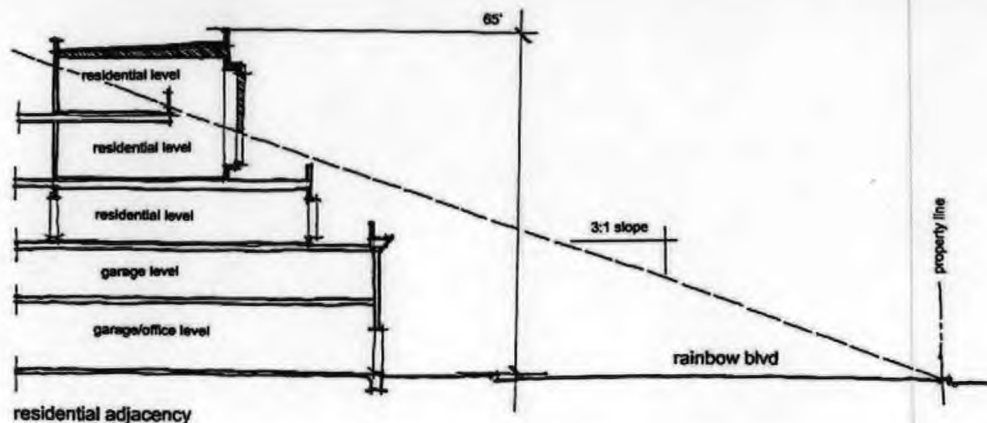
RAINBOW PEAK MIXED USE

Las Vegas, Nevada

No. 0715.1056.01

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August 31, 2006

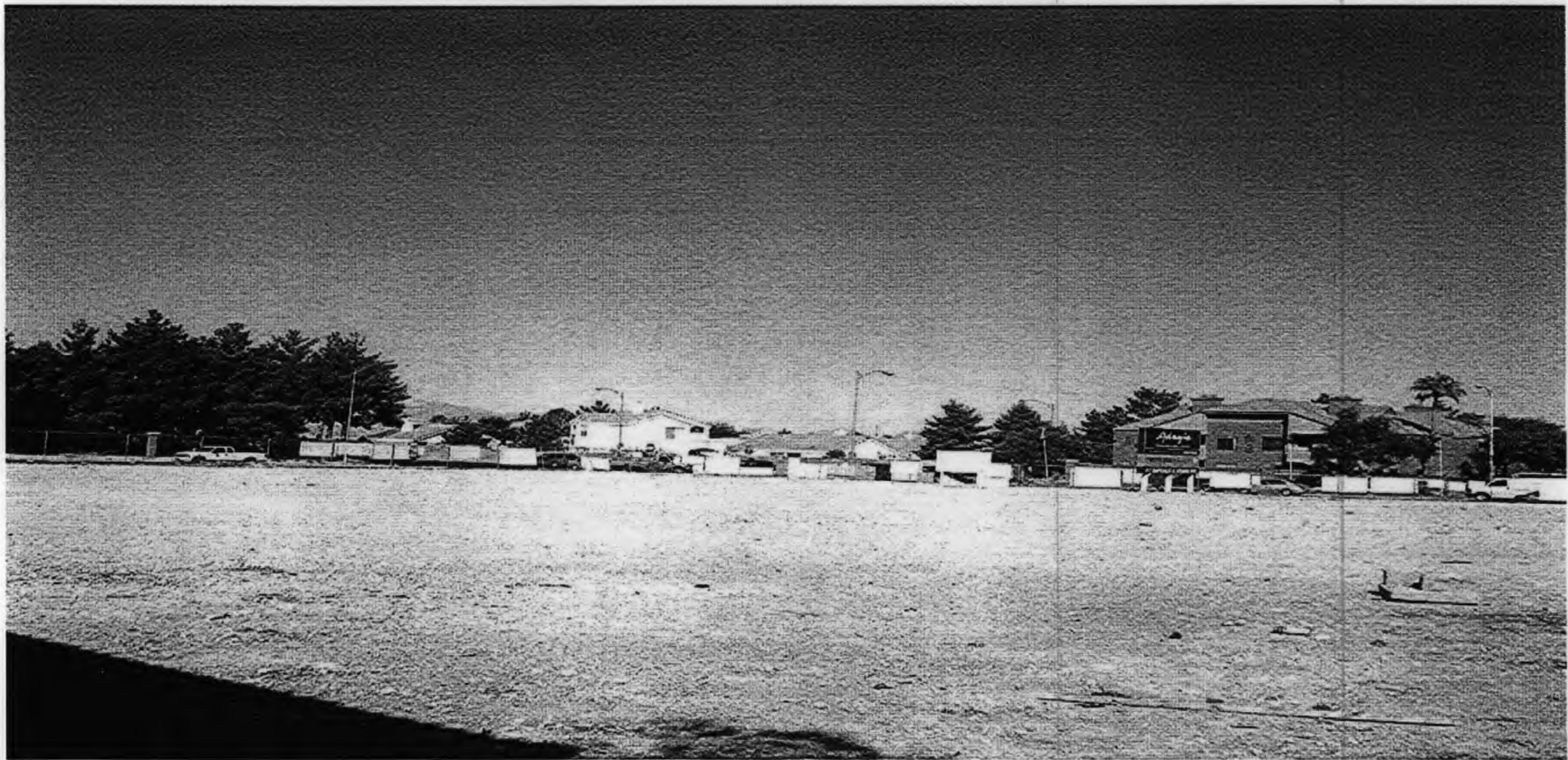
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SDR-16508
11/16/06 PC

KK
architects

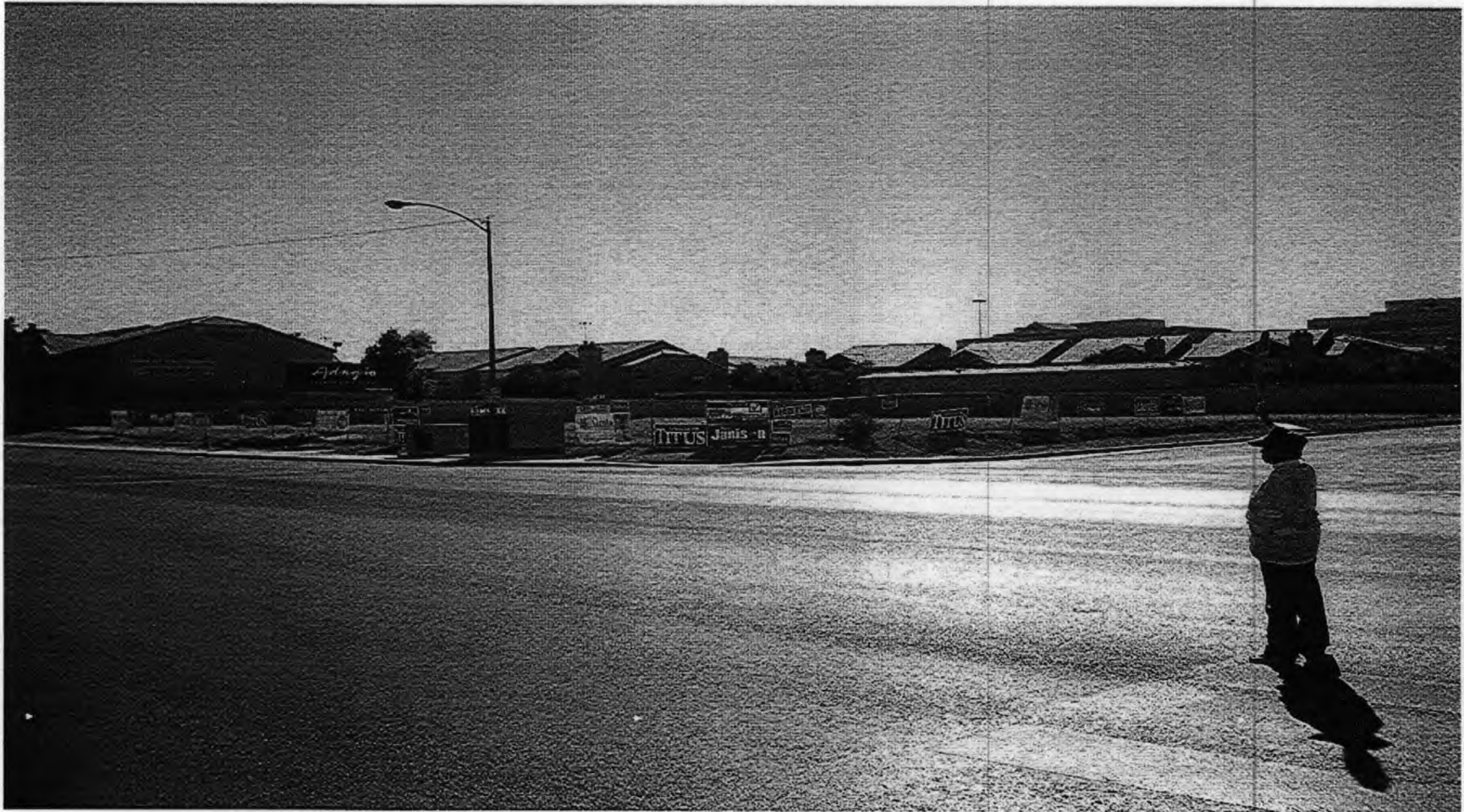
SDR 16508				
Nuvision Holdings, LLC				
SWC Peak & Rainbow				
Proposed 10.5 thousand square foot mixed-use commercial development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	10.5	42.94	451
AM Peak Hour			1.03	11
PM Peak Hour			3.75	39
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	32	5.86	188
AM Peak Hour			0.44	14
PM Peak Hour			0.52	17
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	10.5		638
AM Peak Hour				25
PM Peak Hour				56
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Peak Drive				
Average Daily Traffic (ADT)	1,375			
PM Peak Hour	110			
(heaviest 60 minutes)				
Rainbow Boulevard				
Average Daily Traffic (ADT)	21,913			
PM Peak Hour	1753			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				

	Adjacent street ADT			
	Capacity			
Peak Drive	32585			
Rainbow Boulevard	32585			
This project will add approximately 638 trips per day on Peak and Rainbow. This will increase expected volumes by about 46 percent on Peak and less than one percent on Rainbow. Peak is at about 4 percent of capacity and Rainbow is at about 67 percent of capacity.				
Based on Peak Hour use, this development will add roughly 56 additional cars into the area; which works out to about one every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-16510, VAR-16512, VAR-16516, SUP-16520 & SDR-16508 - APPLICANT: NUVISION HOLDINGS,
LLC - OWNER: THE MOYER TRUST
SOUTHWEST CORNER OF RAINBOW BOULEVARD AND PEAK DRIVE
NOVEMBER 16, 2006 PLANNING COMMISSION

09/18/06



ZON-16510, VAR-16512, VAR-16516, SUP-16520 & SDR-16508 - APPLICANT: NUVISION HOLDINGS, LLC - OWNER: THE MOYER TRUST
SOUTHWEST CORNER OF RAINBOW BOULEVARD AND PEAK DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/18/06

KKE of Nev. Inc.

6775 edmond st
suite 260
las vegas, nv 89118
702/269-6615
702/269-6625 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

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

Site Development Review

Dear Sirs:

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

The existing Parcel, APN# 138-15-701-002, is located at the SWC of Peak Drive and Rainbow Blvd. The site is currently undeveloped with full offsite Improvements existing. The site area is .98 acres net and currently zoned Undeveloped (Neighborhood) Service Commercial.

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

The proposed zoning for the parcel is C-1, Limited Commercial with a Special Use Permit for a Mixed Use development of Residential over Office/Garage Structure.

The total proposed lot coverage is .68 with a F.A.R. of .48 for the Residential; component and unlimited for the Commercial component.

The Residential component is proposed at 32 du/ac composed of all two-bedroom/two-bath units.

The proposed project's parking requirement and impact to the surrounding neighborhood of 121 required spaces is proposed at 89 spaces with the difference of 32 spaces substantiated by a shared parking agreement between the two major uses of the proposed project due to peak residential use and commercial establishment hour of operation.

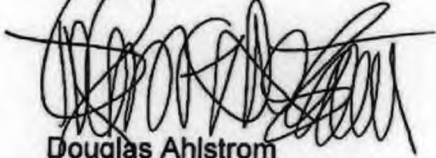
The proposed project is located on a major arterial with public transportation to residential amenities directly to the North and South of the project on Rainbow Blvd.

**11/16/06 PC
SDR-16508**

The proposed project is to be built of sustainable materials that blend into the surrounding neighborhood, in simple forms to be constructed to meet attainable goals of the proposed future residents.

Thank you for your consideration in this manner.

Sincerely,

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

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

SDR-16508
11/16/06 PC

KKE of Nev. Inc.

6775 edmond st
suite 260
las vegas, nv 89118
702/269-6615
702/269-6625 fax
www.kke.com



August 22, 2006

To: The City of Las Vegas
Planning and Development Department

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

Residential Adjacency Waiver

Dear Sirs:

NuVision Holdings, LLC is requesting a Waiver for the Residential Adjacency Standards for a Mixed Use Project, Office with Residential Above.

This request is for the adjacency to the multifamily project to the north of Peak Drive and the multifamily project to the east of Rainbow Blvd. Due to the nature of the project, that being a mixed use development of Office with Residential above, the 3:1 slope line will only intersect the residential components of the project.

Thank you for your consideration in this manner.

Sincerely,

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

Douglas Ahlstrom
Director of Housing
KKE of Nevada, Inc.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-16497 - PUBLIC HEARING - APPLICANT/OWNER: KEN BERRYDANE - Request for a Variance TO ALLOW A NINE-FOOT SETBACK IN THE FRONT YARD WHERE 25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A FIVE-FOOT SETBACK IN THE REAR YARD WHERE 15 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE-FAMILY RESIDENCE on 0.48 acres at 2521 Driftwood Drive (APN 139-32-512-016), R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 2521 DRIFTWOOD DRIVE TO 2520 DRIFTWOOD DRIVE. Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Revised Justification Letter
5. Backup referenced from the 11-16-06 Planning Commission Meeting Item 23

Motion made by LOIS TARKANIAN to Approve subject to conditions

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

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

Minutes:

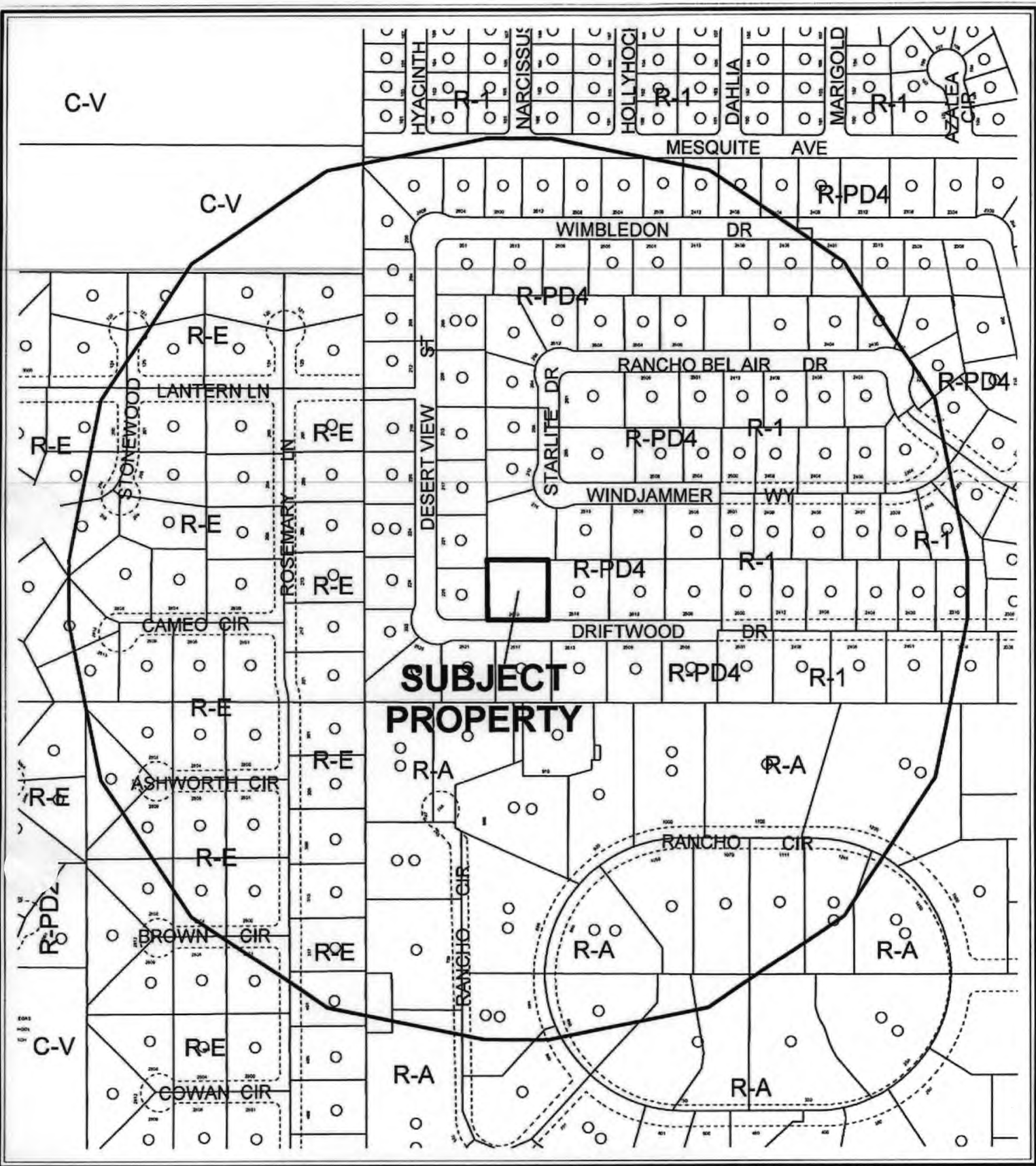
MAYOR GOODMAN declared the Public Hearing open for Item 145 [VAR-16497] and Item 146 [SUP-16498].

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

KEN BERRYDANE, 2521 Driftwood Drive, appeared and was prepared to answer any questions.

COUNCILWOMAN TARKANIAN noted that previous concerns have been addressed.

MAYOR GOODMAN declared the Public Hearing closed for Item 145 [VAR-16497] and Item 146 [SUP-16498]..



CASE: VAR-16497

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 200 400 Feet





CASE: VAR-16497

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-16497 - APPLICANT/OWNER: KEN BERRYDANE

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/d) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-16498), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval to allow a 14-foot setback in the front yard where 25 feet is the minimum required per the site plan date stamped 10/30/06.

**** STAFF REPORT ****

PROJECT DESCRIPTION

As part of the construction of a new single-family residence, the applicant is seeking to build a porte-cochere and a Habitable Accessory Structure (pool house). The porte-cochere in the front yard does not meet the setback standards of the Rancho Bel Air Development Agreement. The standards were established by Site Development Plan Review (Z-0057-78) and states that a 25-foot setback is required in the front yard. The applicant is seeking a 44 percent deviation from setback standards in the front yard.

Revised plans were submitted depicting that the portion of the variance dedicated to the rear yard setback is no longer required. The applicant has rotated the Habitable Accessory Structure (pool house) to accommodate the required setback.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/02/78	The City Council approved a Site Development Plan Review (Z-0057-78) for the Rancho Bel Air subdivision. The Planning Commission recommended approval.
10/19/06	A companion Special Use Permit (SUP-16498) was held in abeyance.
11/16/06	A companion Special Use Permit (SUP-16498) will be heard concurrently with this item.
11/16/06	The Planning Commission recommended approval of companion item SUP-16498 concurrently with this application. The Planning Commission voted 6-0-1/ld to recommend APPROVAL (PC Agenda Item #23/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this site.	
<i>Pre-Application Meeting</i>	
05/16/06	A pre-application meeting was held and elements of this project were discussed. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this project, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
North	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
South	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
West	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)

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

DEVELOPMENT STANDARDS

Per Z-57-78 and Title 19.08 the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	25 Feet	14 Feet	N
• Side	7.5 Feet	9 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Min. Distance Between Buildings	6 Feet	16 Feet	Y
Max. Building Height	30 Feet	30 Feet	Y

ANALYSIS

The rules concerning accessory structures in the Rancho Bel Air development were established by Z-0057-78. The process requires that the applicant gain the permission of the Home Owners Association/Architectural Committee first and then take appropriate action with the City of Las Vegas. This Variance application and the related Special Use Permit (SUP-16498) are intended to satisfy those requirements.

The porte-cochere in the front yard is being added as an aesthetic feature. The location of the porte-cochere is a design choice on the part of the applicant and is considered a self-imposed hardship. Denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 3

SENATE DISTRICT 6

NOTICES MAILED 170 by City Clerk

APPROVALS 0

PROTESTS 7



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16497** APN: 139-325-12016
Name of Property Owner: Ken Berrydane
Name of Applicant: Ken Berrydane

Name of Property Owner: Ken Berrydane

Name of Applicant: Ken Berrydane

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

 Yes

X No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: R. D. D.

Print Name: Ken Berrydane

Subscribed and sworn before me

This 25th day of MAY, 2004
 [Signature]
 Notary Public in and for said County and State
 Los Angeles, CALIFORNIA

Notary Public in and for said County and State
Los Angeles, CALIFORNIA

State of California, County of LOS ANGELES
Subscribed and sworn to (or affirmed) before me
on this 25th day of MAY, 2006,
by KEN BERRYDANE
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.
Signature: [Signature]

Subscribed and sworn to (or affirmed) before me
on this 25th day of MAY, 2006

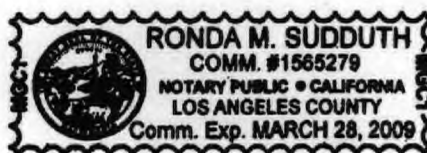
by KEN BERRYDAVE

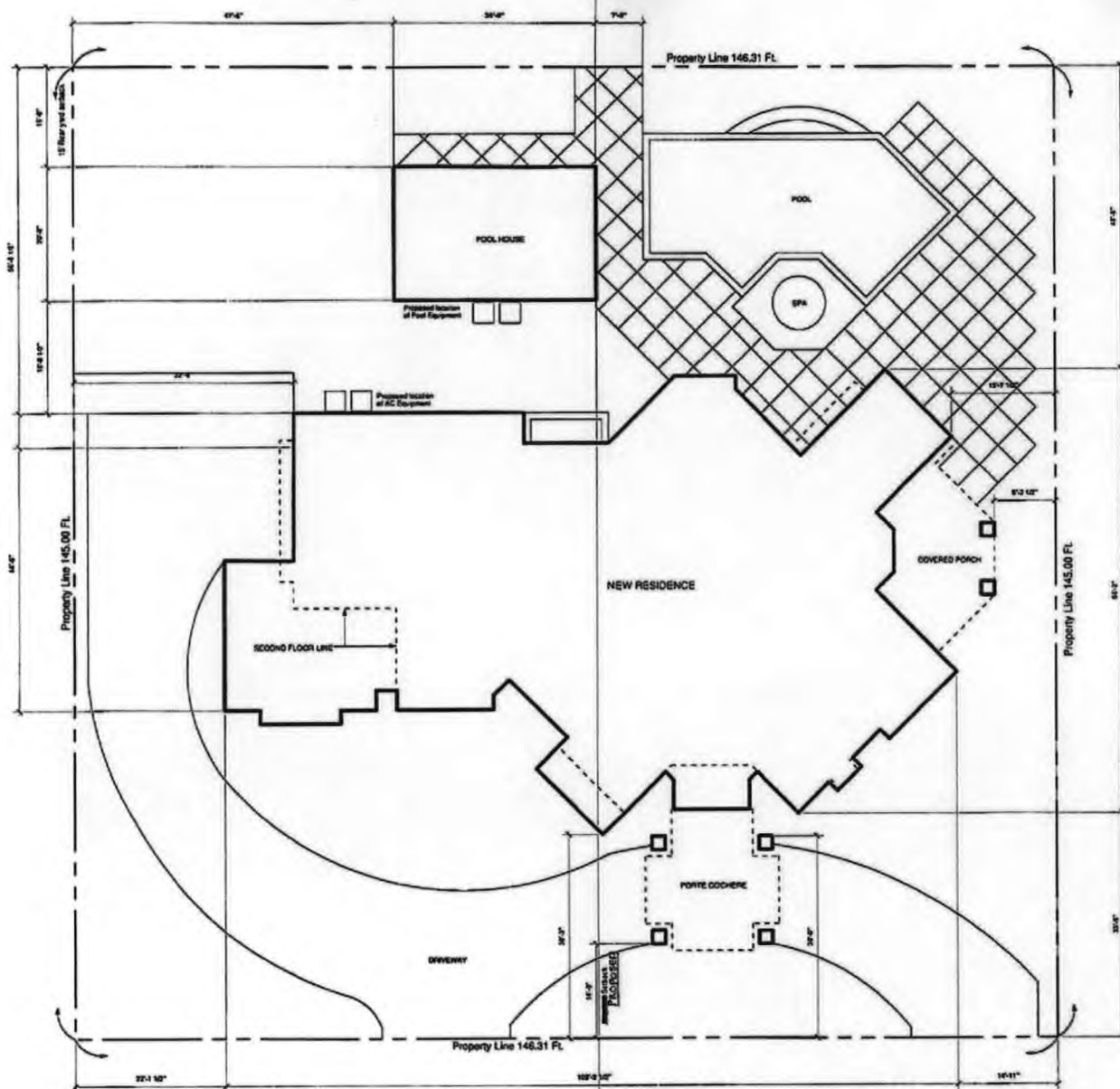
personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: 

Revised 12-03-04

C:\DepositApplication Packet\Statement of Financial Interest.doc





Site Plan

Project Data

Lot Area	21,215 sq. ft.
Residence Footprint (Including Garage)	4,988 sq. ft.
Residence Second Floor Area	4,776 sq. ft.
Total Residence	9,764 sq. ft.
Pool House	688 sq. ft.
Porte Cochere	448 sq. ft.
Total Lot Coverage	10,884 sq. ft.
Percent Lot Coverage	50.9%

Vicinity Map



Legal Description

Lot 18 of Unit #4
Block 2
Subdivision of Rancho Del Air Tract
APN 138-32-022-016

Sheet Index

Sheet No.	Sheet Title
C-1	Title Sheet
C-2	Grading Plan
C-3	Specifications
C-4	Specifications
A-1	First Floor Plan
A-2	Second Floor Plan
A-3	Sections
A-4	Roof Plan
A-5	Elevations
A-6	Elevations
A-7	Building Cross Sections
A-8	Building Cross Sections
A-9	Interior Elevations
A-10	Pool House
A-11	Architectural Details
A-12	Architectural Details
S-1	Notes and Details
S-2	Details
S-3	Details
S-4	Foundation Plan
S-5	Second Floor Framing Plan
S-6	Roof Framing Plan
M-1	Notes
M-2	Schedules and Notes
M-3	First Floor Ducting
M-4	Second Floor Ducting
P-1	Details
P-2	Schedules
P-3	First Floor Water
P-4	Second Floor Water
P-5	First Floor Waste and Vents
P-6	Second Floor Waste and Vents
P-7	First Floor Gas
P-8	Second Floor Gas
E-1	Notes and Schedules
E-2	First Floor Power and Lighting
E-3	Second Floor Power and Lighting

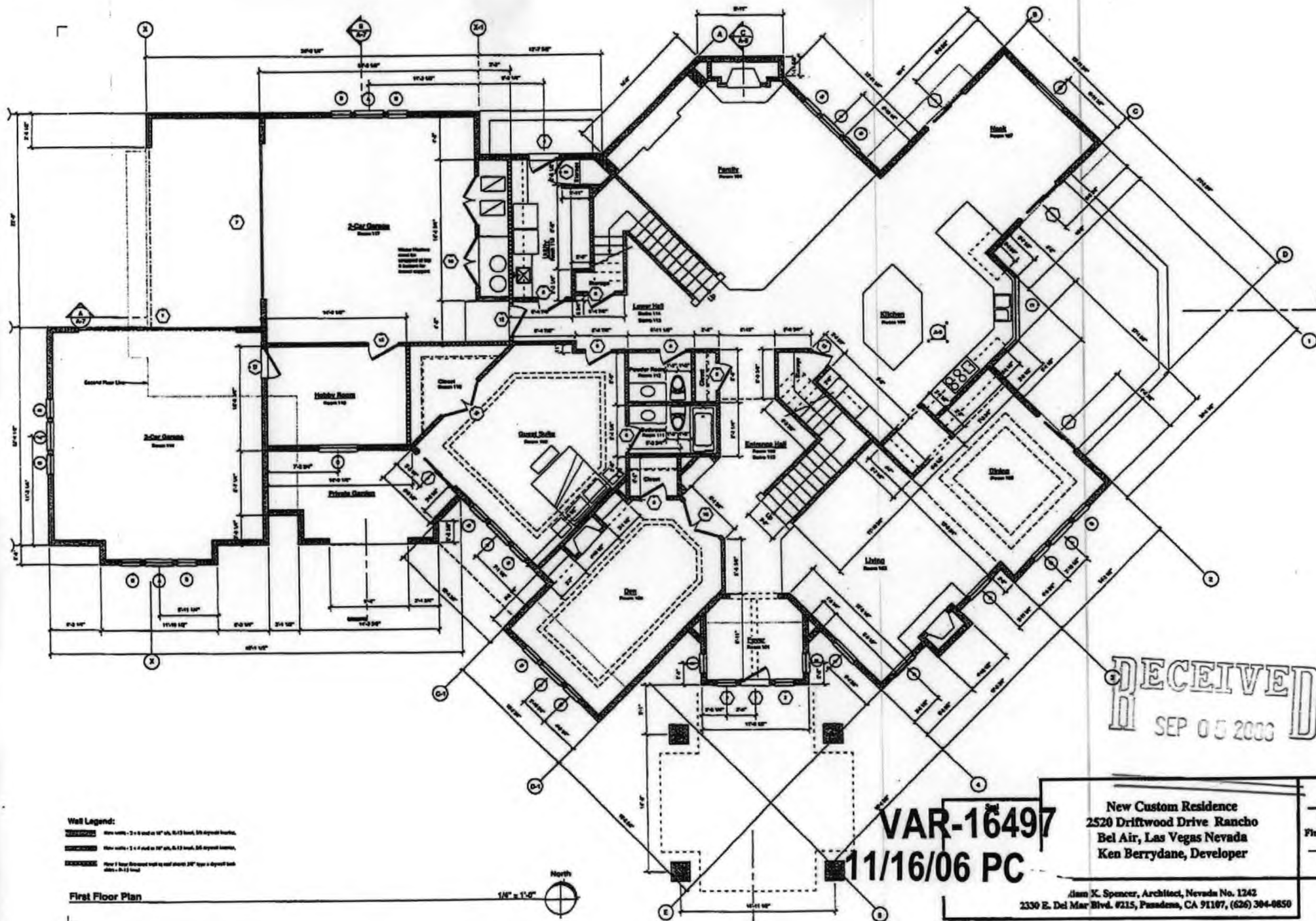
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OCT 30 2006

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

Sheet
C-1
Description
Title Sheet
Date
(10-25-06)

SUP-16498 VAR-16497
REVISED 11/16/06-PC

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850



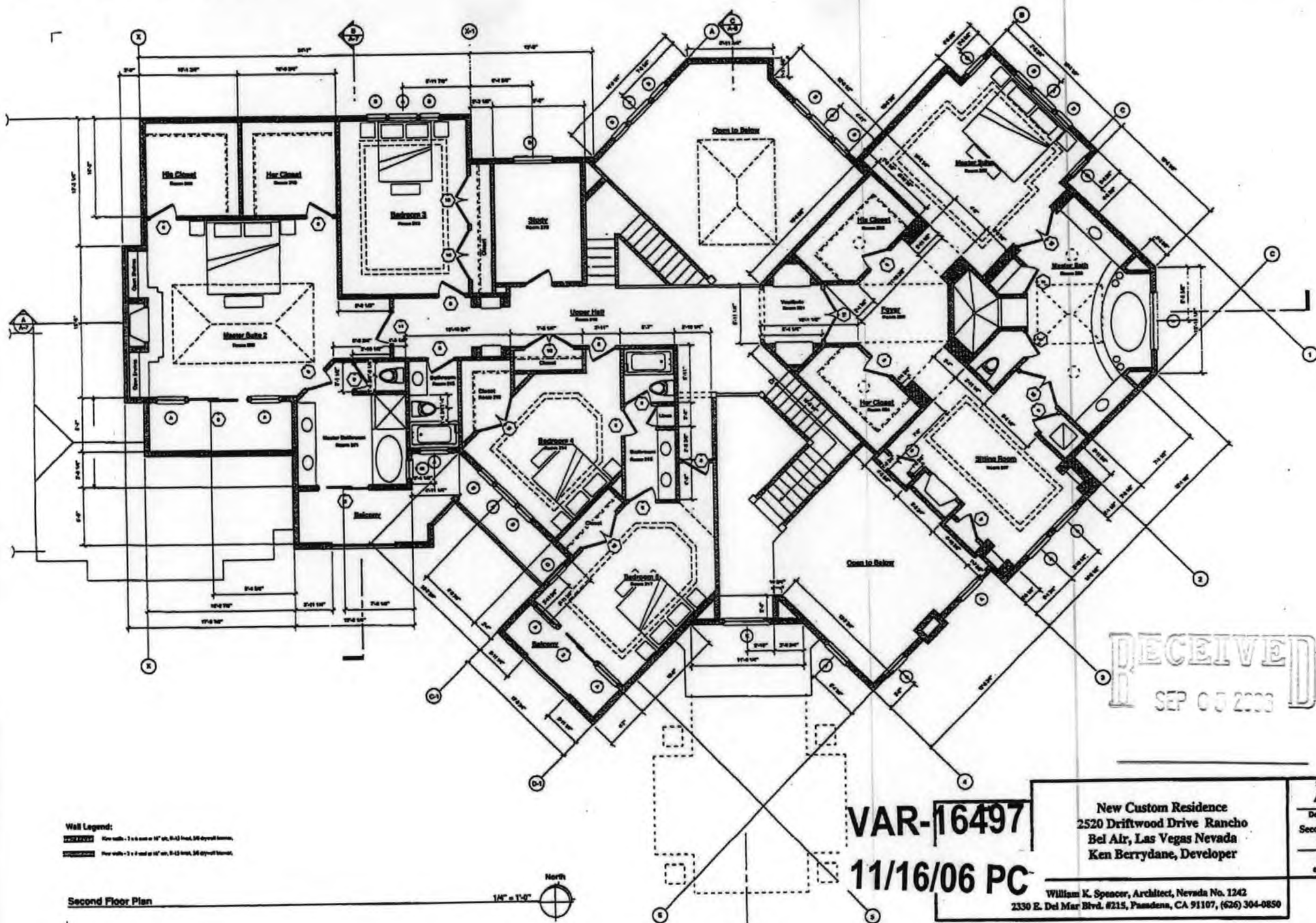
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VAR-16497
11/16/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

Alan K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 394-8850

Sheet
A-1
Doorly
First Floor
Date
02-06-4



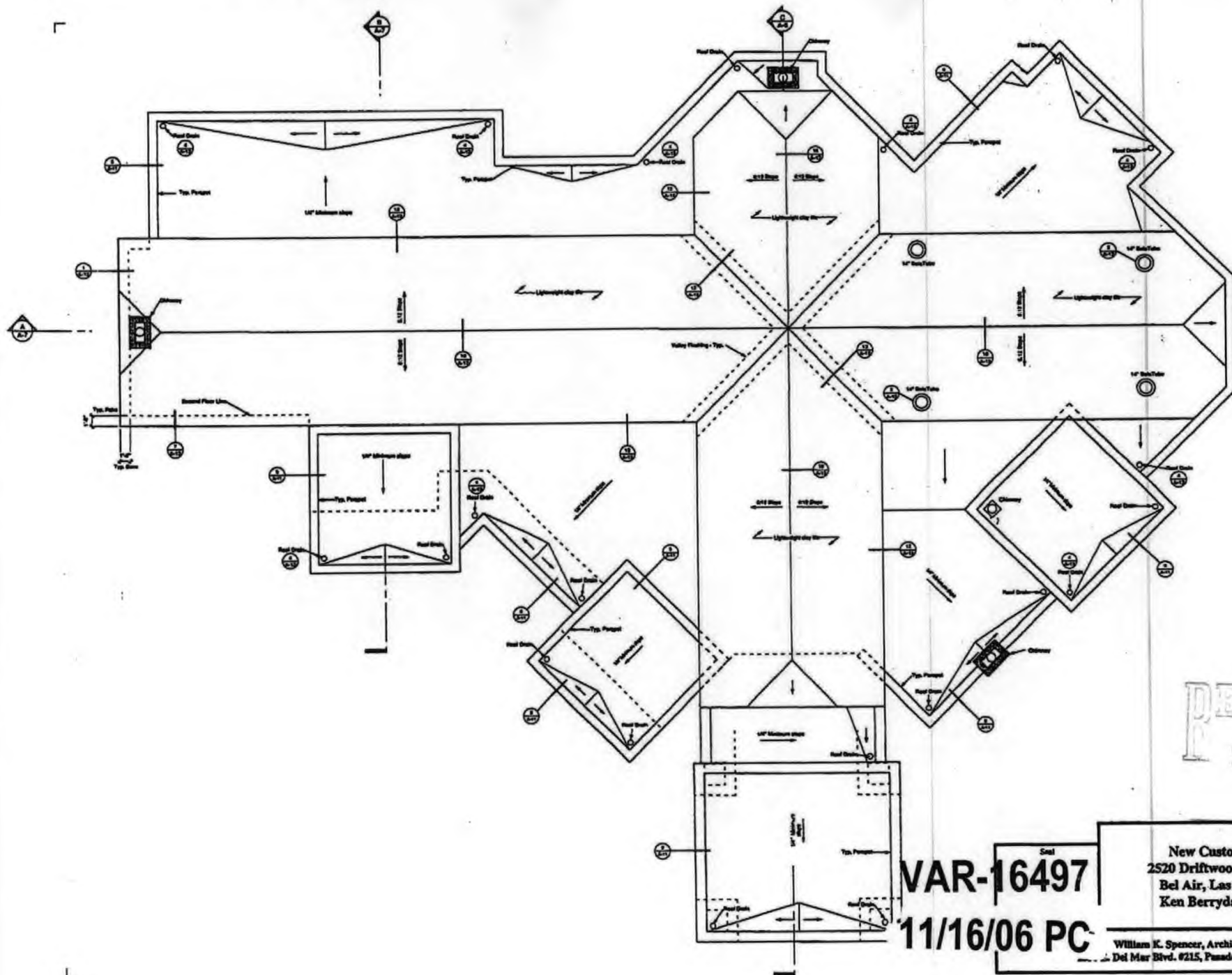
VAR-16497

11/16/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-2
Description
Second Floor
Plan
Date
02.06.06



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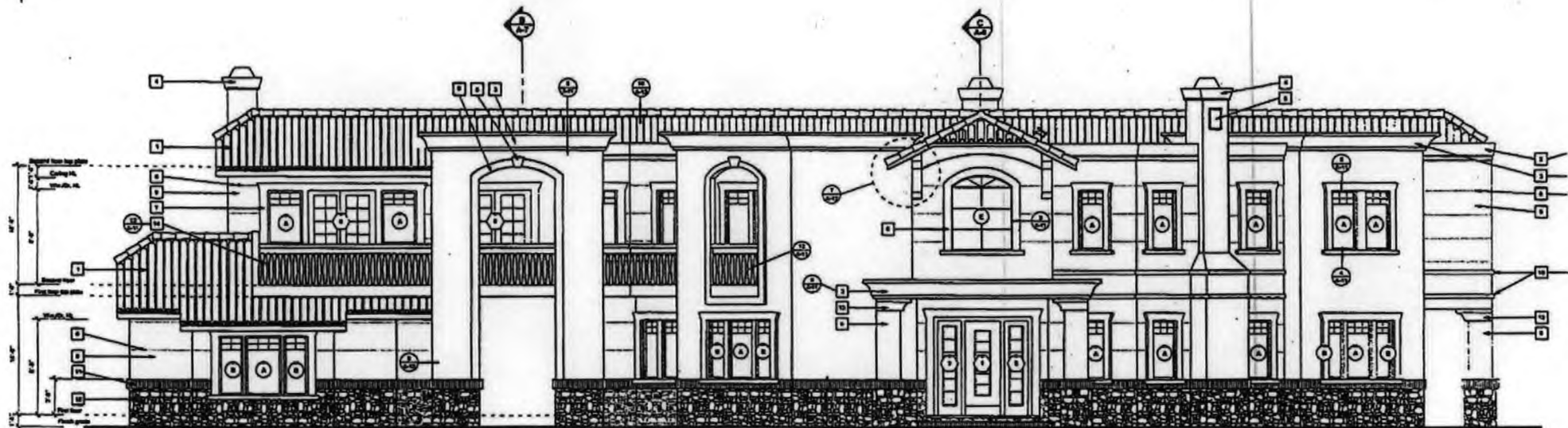
VAR-16497

11/16/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

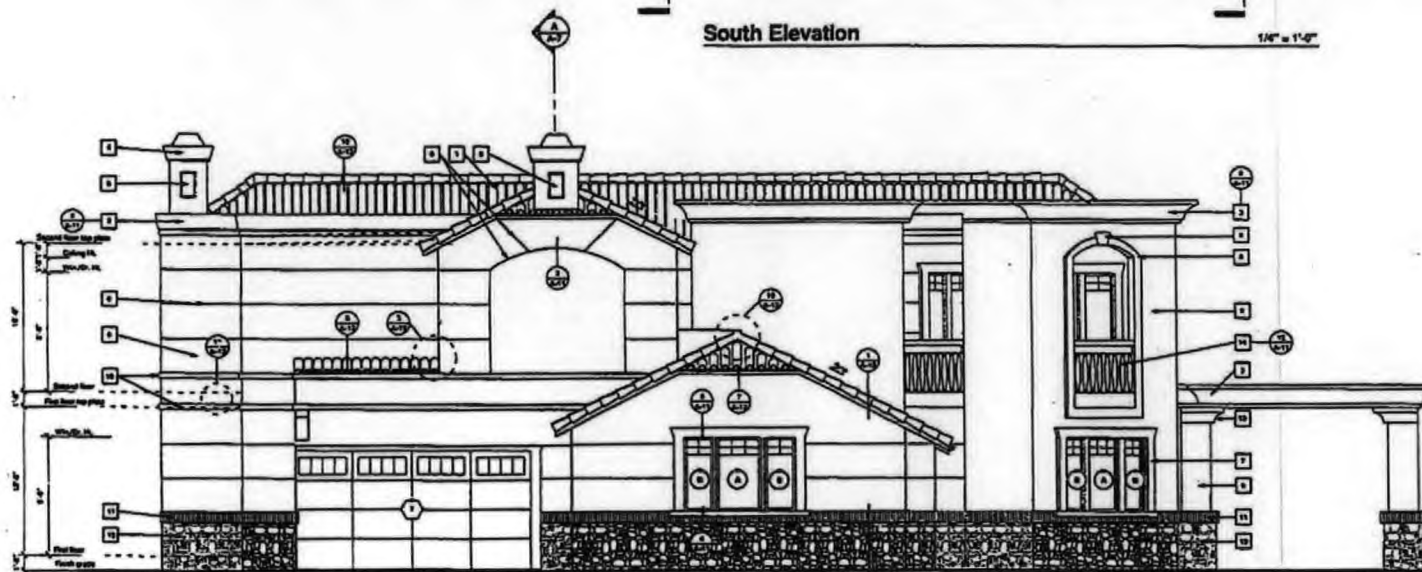
William K. Spencer, Architect, Nevada No. 1242
Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-4
Description
Roof Plan
Date
03-06-06



South Elevation

1/4" = 1'-0"



West Elevation

1/4" = 1'-0"

Item	Description
1	Lightweight roof tile
2	Chimney from Center of
3	Chimney from Center of
4	Chimney from Center of
5	Decorative light fixture - Chateau Designers, 8173-4444
6	Arched window
7	Window opening - standard building - Center Design Inc. 8173-4444
8	Window opening - standard building - Center Design Inc. 8173-4444
9	Small Travertine stone block
10	Small Travertine stone block
11	Small Travertine stone block
12	Small Travertine stone block
13	Small Travertine stone block
14	Small Travertine stone block

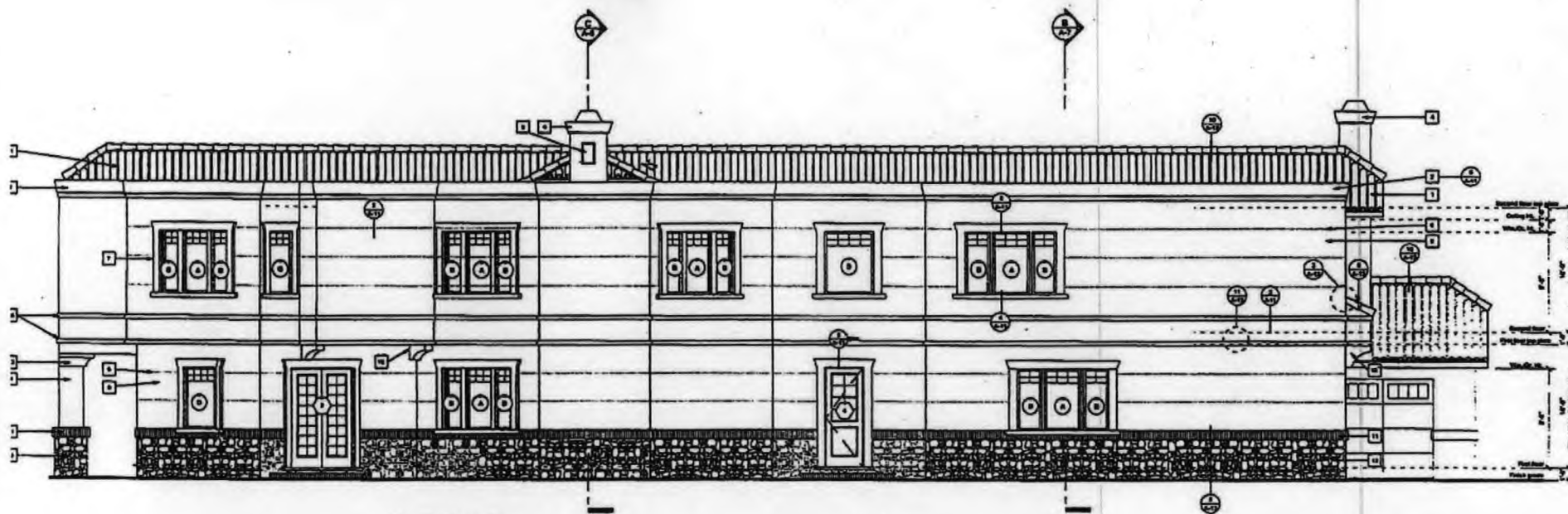
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11/16/06 PC
VAR-16497

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

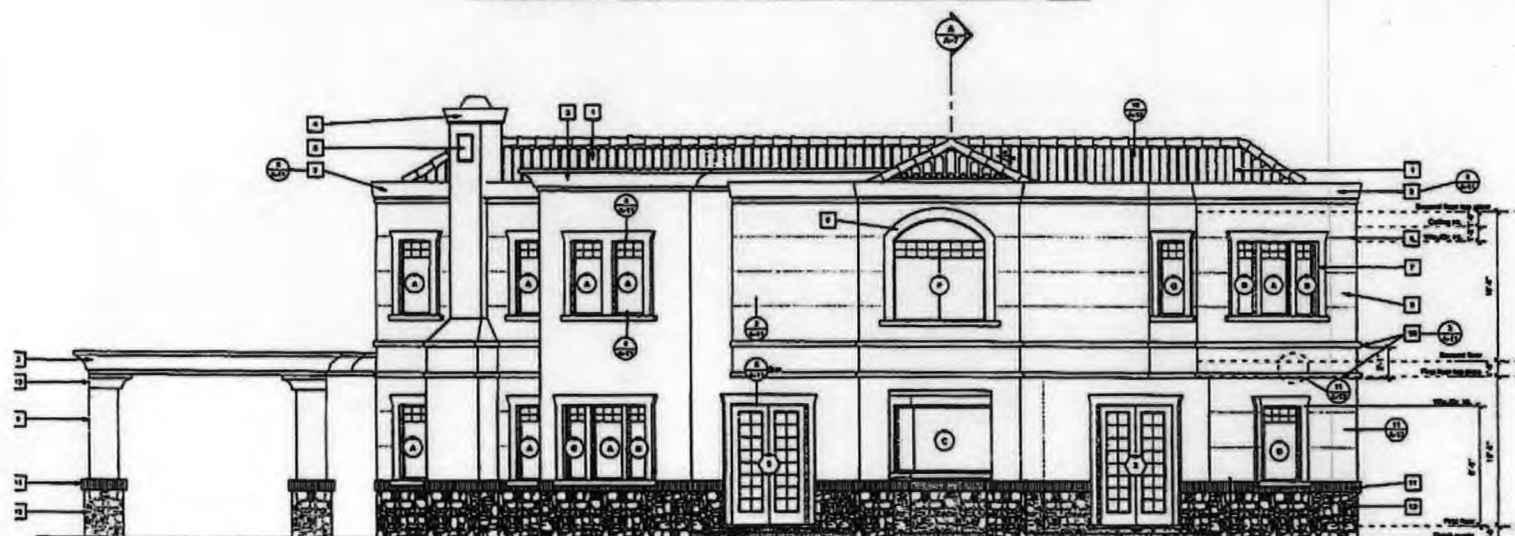
William K. Spencer, Architect, Nevada No. 1242
2339 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-1
Description
Elevation
Date
03-06-06



North Elevation

1/8" = 1'-0"



East Elevation

1/8" = 1'-0"

11/16/06 PC
VAR-16497

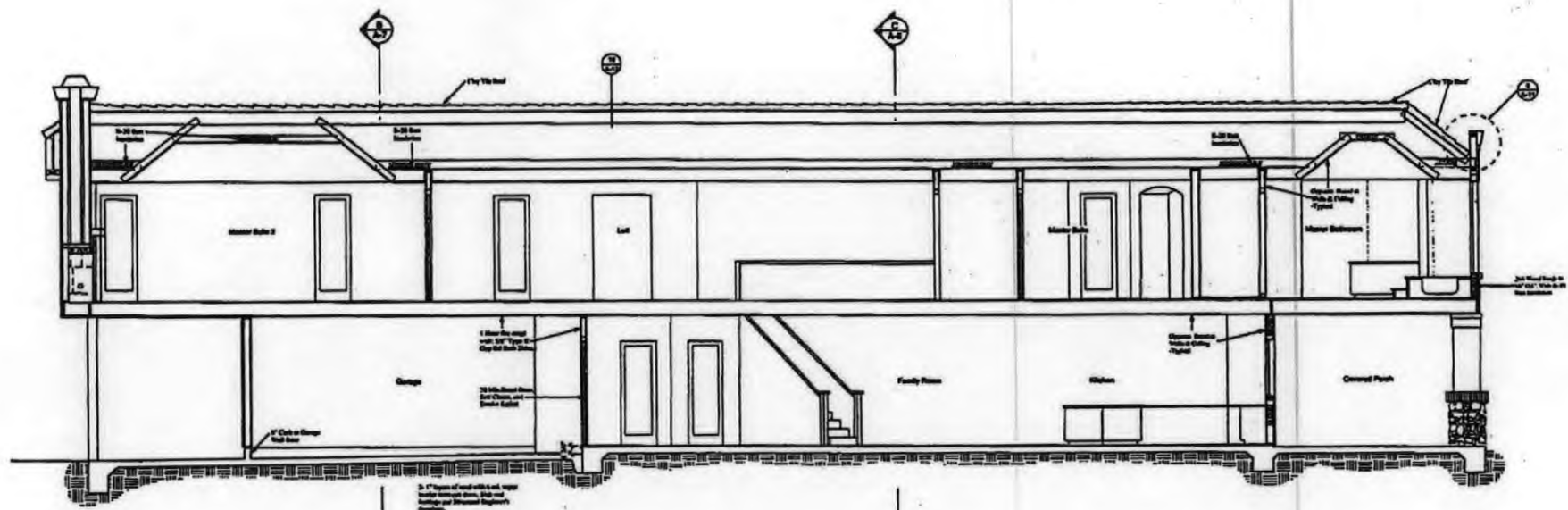
1	Lightweight clay tile roofing
2	Custom Pine Casework #1
3	Custom Pine Casework #2
4	Custom Pine Casework #3
5	Granite Inlaywork - Custom Design Inc. #12 detail
6	Acacia wood Lin
7	White-painted wood Inlaywork - Custom Design Inc. #13 detail
8	White-painted wood Inlaywork - Custom Design Inc. #14 detail
9	Soft Translucent wood Inlaywork
10	Soft Translucent wood Inlaywork over 2x2 board
11	Soft Translucent wood Inlaywork
12	Soft Translucent wood Inlaywork
13	Custom Pine Casework #4
14	Custom Pine Casework #5 - Custom Design Inc. #15 detail
15	Custom Pine Casework #6

SEP 25 2006

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

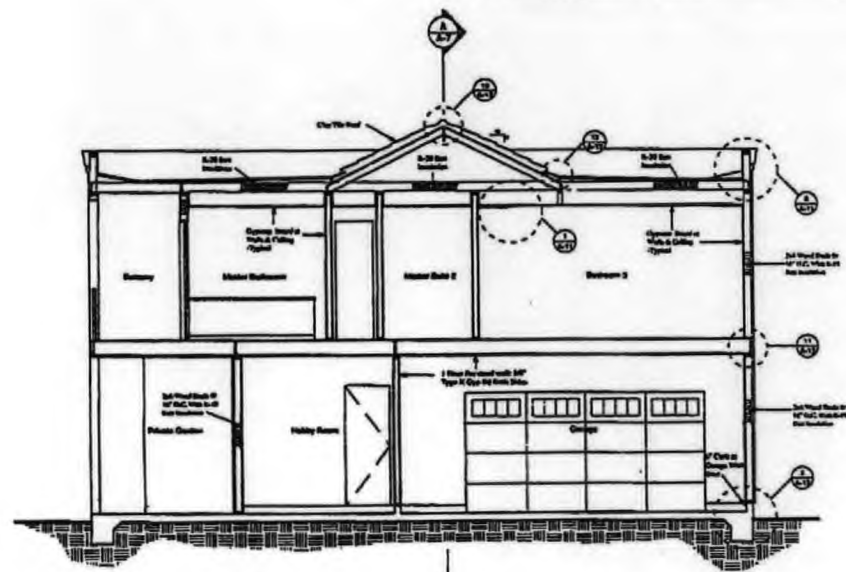
William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 394-0850

Sheet
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Descrip
Elevati
Date
8-24-06



Section A

1/4" = 1'-0"



Section B

1/4" = 1'-0"

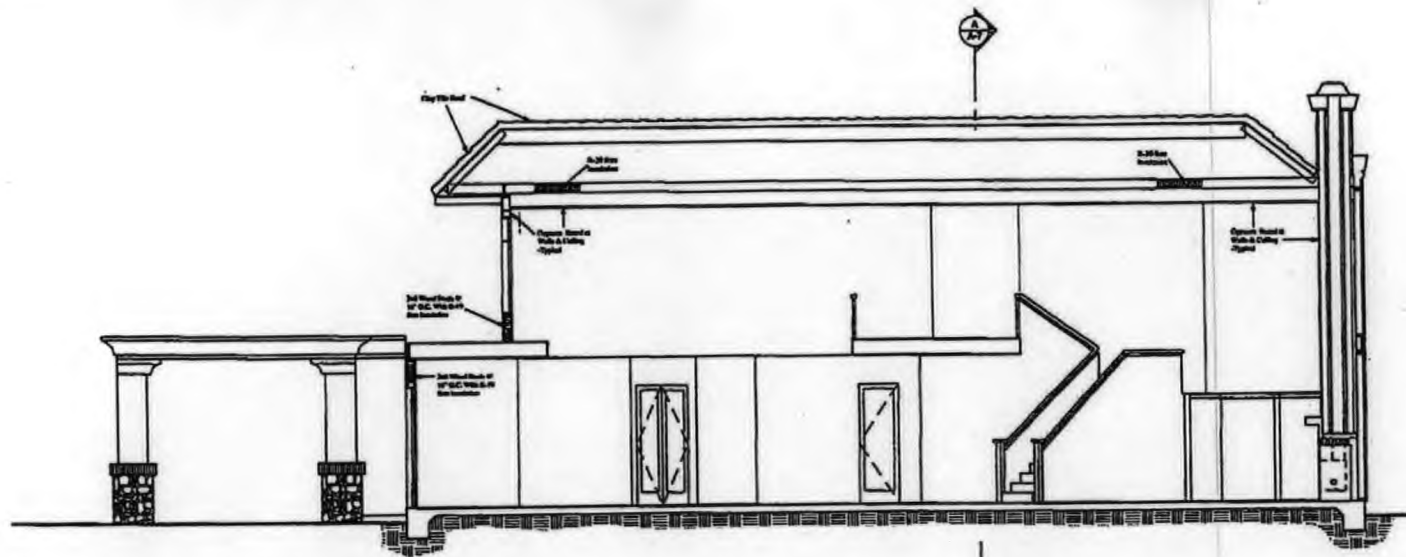
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11/16/06 PC
VAR-16497

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

Sheet
A-1
Describe
Building
Section
Date
02-04-0



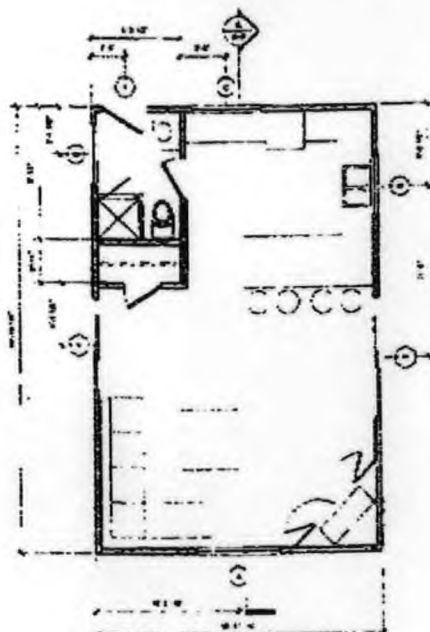
Section C

1/8" = 1'-0"

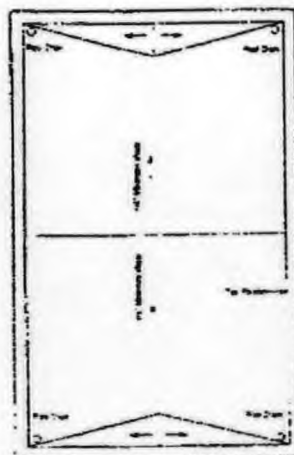
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11/16/06 PC
VAR-16497

Seal	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet
		A-1
		Describe Building Section
		Date
William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850		



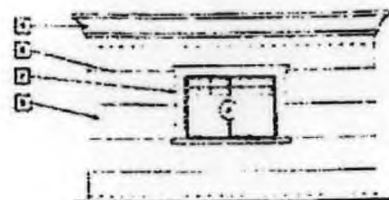
FLOOR PLAN



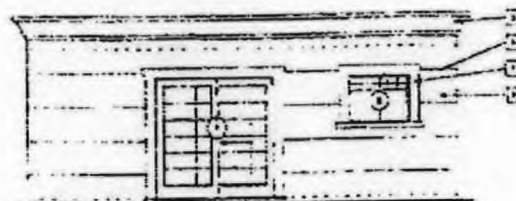
ROOF PLAN

No.	Size	Material	Type	Quantity	Notes	Remarks
Roofing						
1	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
2	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
3	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
Siding						
4	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
5	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
Windows						
6	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
7	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
8	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
9	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles
10	3' x 12'	Asph/Flt Shingles	Shingles	1000	Asph/Flt Shingles	Asph/Flt Shingles

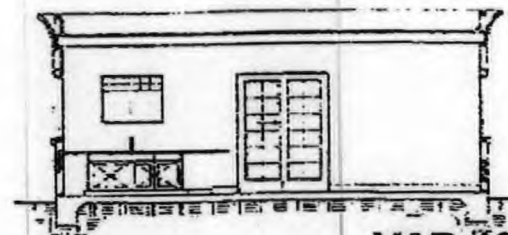
Note: All quantities are approximate and subject to change.



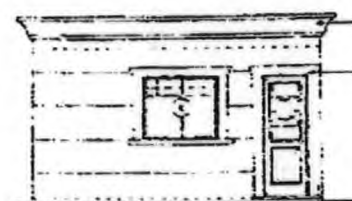
SIDE



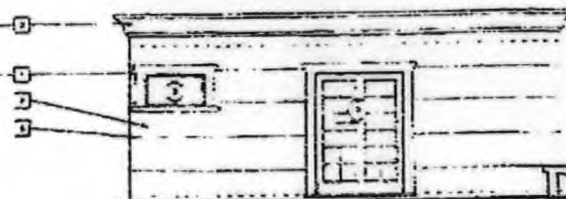
FRONT



SECTION



SIDE



REAR

VAR-16497

REVISED

11/16/06 PC

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 4242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91106, (626) 304-0854

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SEP 05 2006

Sheet
A-10
Description
Pool House
Date
11-16-06



KEN BERRYDANE - RESIDENCE
LAS VEGAS

RECEIVED
SEP 05 2006

VAR-16497 11/16/06 PC

Joost van der Maas

4921 Clear Creek Rd, Las Vegas, NV. 89110

Telephone 702-453 4923

Email: jvandermaas@hotmail.com

September 11, 2006

PLANNING AND DEVELOPMENT DEPARTMENT

JUSTIFICATION LETTER

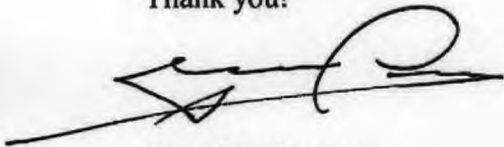
I am submitting this letter of justification on behalf of the owner, Ken Berrydane and William K. Spencer, Architect for the residential property on 2521 Driftwood Dr, Las Vegas, Nevada.

A setback variance is sought to allow the owner to enjoy all of the property like any of several other residences that have a porte-co chere in the front setback.

The Home Owners Association is in favor of this and have indicated so in writing, a document that is included.

Please allow this setback variance.

Thank you!



Joost Vandermaas

RECEIVED
SEP 11 2006

VAR-16497
REVISED
11/16/06 PC

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

Telephone Protest/ Approval Log

Meeting Date: Oct 19, 2006

Case Number: VAR 16497

Date: 10/19/2006
Name: Eddie Haddad
Address: 221 Desert View St
Las Vegas NV 89107
Phone: 702-491-5812
☒ PROTEST ☐ APPROVE

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

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

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☐ PROTEST ☐ APPROVE

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

City of Las Vegas
Attn: Carman Burney
Fax: 385-7268

October 9th, 2006

Eddie Haddad
221 Desert View St./ APN 139-32-512-018
Las Vegas, NV 89107
702-491-5812

Regarding: SUP 16498 and
VAR 16497

Dear Carman,

I would like to give my opposition to the above applications.

We at Rancho Bel Air Community have purchased in an area that has open spaces, and we enjoy these open spaces because of the large lots we share. To allow a builder to encroach on our open space is like owning a smaller lot, which takes away our favor.

Especially at this end of the community, we are at or close to 2 corners, one inner corner and one outer corner. The subject property backs up to the north, and will be followed with another built home backing up to the south, which will further crowd everyone's yard.

My next door neighbors and I back up east to both of these home lots. There are 2 additional homes located east of the subject that will also be affected negatively if this variance is granted. Therefore, allowing this variance will negatively affect in all 4 directions, all 5 homes.

Typically, lots are deeper in nature than they are wider. My lot, on Desert View St. is the opposite, a little wide, but not deep. This negatively impacts me further in that my backyard is not open and wide enough, and will be affected even more severely.

Finally, the land owner has 1/2 acre, plenty of land to build as large of a house as possible, with all the extras like a guest house. Just because he wants to get more space between his buildings doesn't mean we should get less space. Especially in our corners of the community, there are irregular sized lots and potential for overcrowding.

Please don't hesitate to contact me if you have any further questions.

Eddie Haddad- Adjoining Resident



City of Las Vegas
Planning Dept. Director
Attn: Margo Wheeler

October 17, 2006

Fran Dweck
217 Desert View St
Las Vegas, NV 89107
702-525-4233

Regarding SUP 16498 &
VAR 16497

Dear Ms. Wheeler,

Attached is a copy of the letter sent by Eddie Haddad (voicing his concerns about the property at 2520 Driftwood owned by Ken Berrydane) to Ms Carman Burney.

I will be attending the meeting on Thursday, Oct 18, 2006 to oppose.

The following neighbors also support our concerns

Gary Sepede 224 Desert View St.
Janet Sepede 224 Desert View St 89107
Michelle Morton 228 Desert View St 89107
GARY BURKHOLDER 228 DESERT VIEW ST 89107
Fran Dweck 217 Desert View St
Nancy Jewslakum 220 Desert View St

Please do not hesitate to contact me if you have any questions.

Fran Dweck - Adjoining Resident

**Rancho Bel Air HOA
% The Property Group
3286 Brentwood Street
Las Vegas, Nevada 89121
702 737-0190**

November 10, 2006

Ken Berrydane
2521 Driftwood
Las Vegas, Nevada 89107

I am pleased to report that your revised plans for the development of the lot at 2520 Driftwood have been approved by the Rancho Bel Air Architectural Committee to include your front setback of 14 feet and the rear setback of 15 feet. Once approved by the city we will need a copy of their approval as well as the building permit and any other correspondence you receive from them. Once you have paid your construction deposit of \$2,500 and placed construction fencing around the property you may begin construction.

We would appreciate your providing the association with a beginning and ending time frame for your construction.

Should you have any questions concerning the above, feel free to contact me at the office and thank you, for working with us.

Respectfully,

Robyne Brooks, CPM
Association Manager

Cc; Rancho Bel Air Board of Directors

Submitted after final agenda

1.. 11/16/06 item # 23-24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-16497

SUP-16498 - PUBLIC HEARING - APPLICANT/OWNER: KEN BERRYDANE - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 2521 Driftwood Drive (APN 139-32-512-016), R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 2521 DRIFTWOOD DRIVE TO 2520 DRIFTWOOD DRIVE. The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

5

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Revised Justification Letter
5. Backup referenced from the 11-16-06 Planning Commission Meeting Item 24

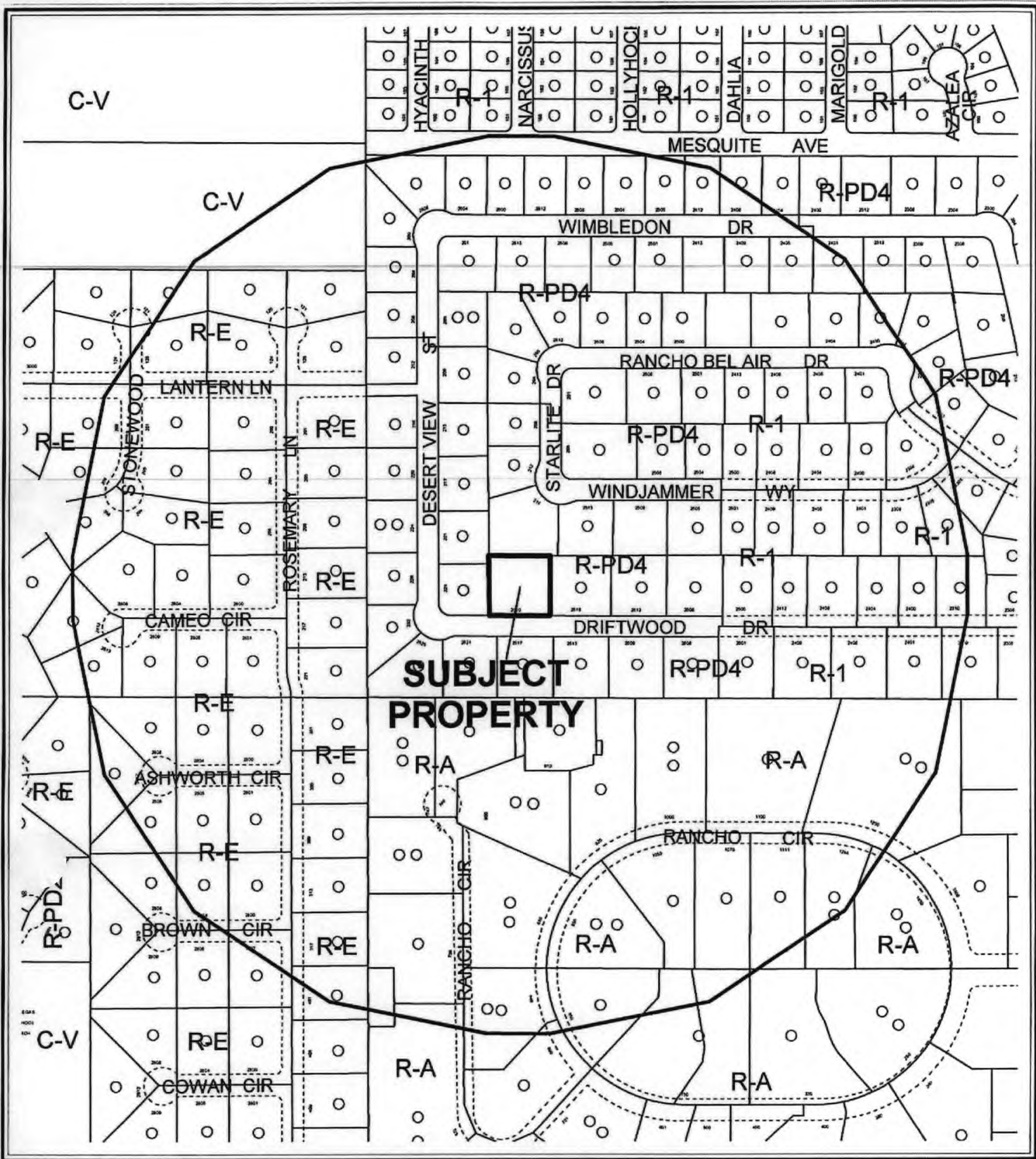
Motion made by LOIS TARKANIAN to Approve subject to conditions

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

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

Minutes:

See Item 145 for related discussion.



CASE: SUP-16498

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE

**** CONDITIONS ****

The Planning Commission (6-0-1/d vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Habitable Accessory Structure use.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

As part of the construction of a new single-family, residence the applicant is seeking to build a porte-cochere and a Habitable Accessory Structure (pool house). The Rancho Bel Air standards state that the applicant must first have the permission of the Rancho Bel Air Architectural Committee and, if that permission is granted, follow the City of Las Vegas requirements for the proposed use. The requirement for the Habitable Accessory Structure, in this case a pool house in the rear yard, is to obtain a Special Use Permit. This request meets all conditions for a Habitable Accessory Structure and approval is recommended.

Revised plans were submitted depicting that the applicant has rotated the Habitable Accessory Structure (pool house) to accommodate the required setback.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/02/78	The City Council approved a Site Development Plan Review (Z-0057-78) for the Rancho Bel Air subdivision. The Planning Commission recommended approval.
10/19/06	A companion Special Use Permit (SUP-16498) was held in abeyance.
11/16/06	A companion Special Use Permit (SUP-16498) will be heard concurrently with this item.
11/16/06	The Planning Commission recommended approval of companion item VAR-16497 concurrently with this application. The Planning Commission voted 6-0-1/d to recommend APPROVAL (PC Agenda Item #24/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this site.	
<i>Pre-Application Meeting</i>	
05/16/06	A pre-application meeting was held and elements of this project were discussed. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this project, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
North	Undeveloped	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
South	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
East	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)
West	Single-Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units per Acre)

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

DEVELOPMENT STANDARDS

Per Z-57-78 and Title 19.08 the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	25 Feet	14 Feet	N
• Side	7.5Feet	9 Feet	Y
• Corner	N/A	N/A	N/A
• Rear	15 Feet	15 Feet	Y
Min. Distance Between Buildings	6 Feet	19 Feet	Y
Max. Building Height	30 Feet	30 Feet	Y

ANALYSIS

The proposed Habitable Accessory Structure is located in the rear yard and is approximately 600 square feet in floor area. The structure will contain a kitchen and thus is considered habitable. This structure would not have a significant affect on the area and meets the required setbacks of the Rancho Bel Air Development Agreement. Building elevations and materials for the proposed Habitable Accessory Structure will match those of the main dwelling and are appropriate for the area. Approval of this request is recommended.

HABITABLE ACCESSORY STRUCTURE

- (1) The size of the lot or parcel must exceed six thousand five hundred square feet.
- (2) Unless the principal dwelling is owner-occupied, a habitable accessory structure may not be offered or occupied as a rental unit.
- (3) A habitable accessory structure may contain one kitchen, but otherwise must comply with all provisions of Section 19.08.040 applicable to accessory structures.
- (4) A minimum of one additional on-site parking space must be provided beyond the number of spaces normally required.

FINDINGS

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

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

The proposed Habitable Accessory Structure can be conducted in a manner that is harmonious and compatible with the surrounding area.

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

The subject site is physically suitable for the type and intensity of land-use proposed. The lot is 21,215 square feet and sufficient room is available in the rear yard to accommodate the proposed structure.

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

The property is a single-family residence and gains access from a standard residential street, in this case Driftwood Drive. This street provides adequate access to and from the subject property.

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

Approval of this Special Use Permit would not compromise the public health or the general welfare of the surrounding area.

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

The use meets all of the required conditions of Title 19.04 for Habitable Accessory Structure use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 3

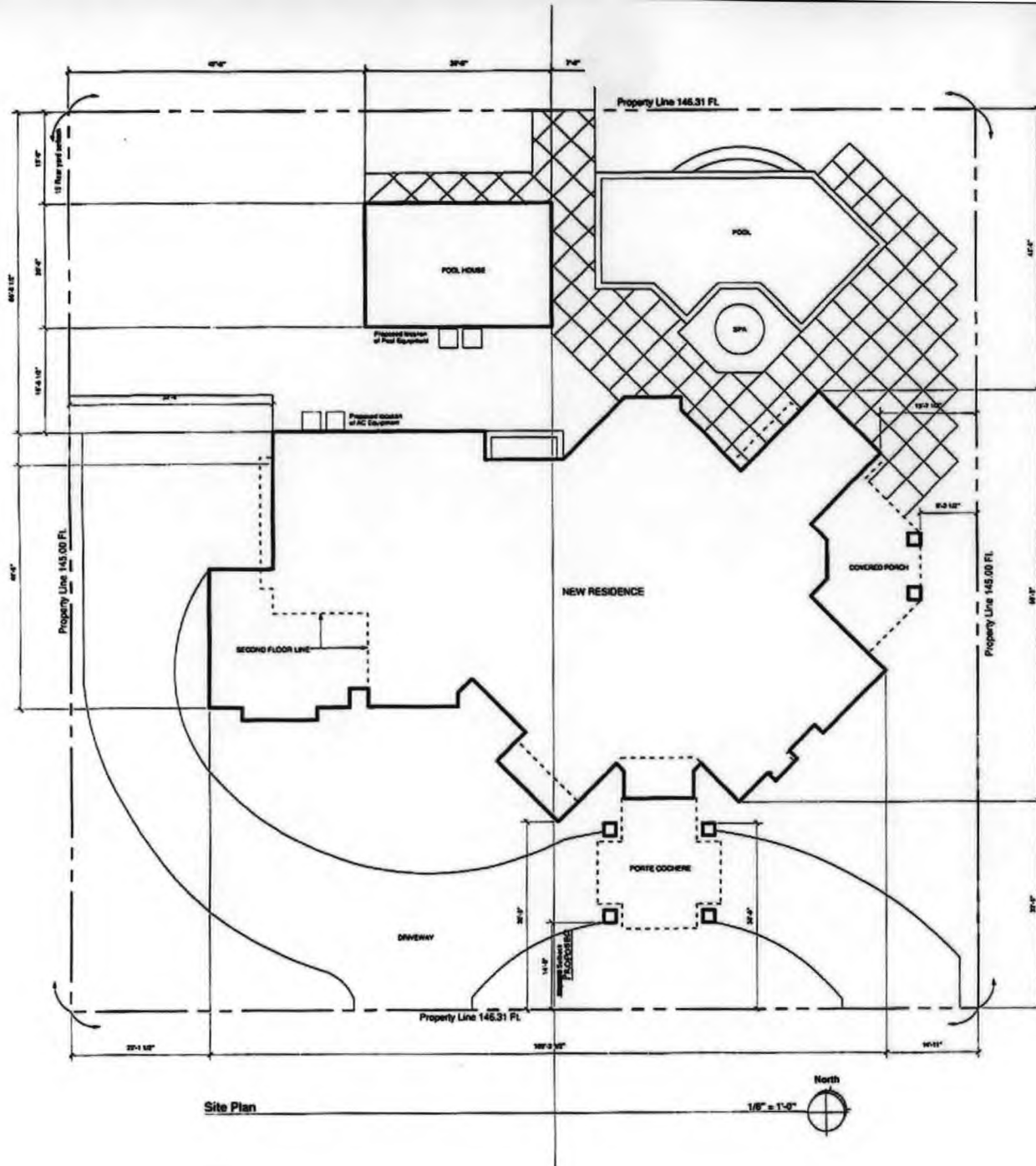
SENATE DISTRICT 6

NOTICES MAILED 170 by City Clerk

APPROVALS 0

PROTESTS 7

E:\depo\Application Packet\Supplement of Financial Interest.doc



Project Data

Lot Area	21,215 sq. ft.
Roadhouse Footprint (Including Garage)	4,988 sq. ft.
Residence Second Floor Area	4,776 sq. ft.
Total Residence	9,764 sq. ft.
Pool House	688 sq. ft.
Porte Cochere	440 sq. ft.
Total Lot Coverage	16,804 sq. ft.
Percent Lot Coverage	50.9%

Vicinity Map



Legal Description

Lot 18 of Unit #4
Block 2
Subdivision of Rancho Bel Air Trust
APN 139-75-512-016

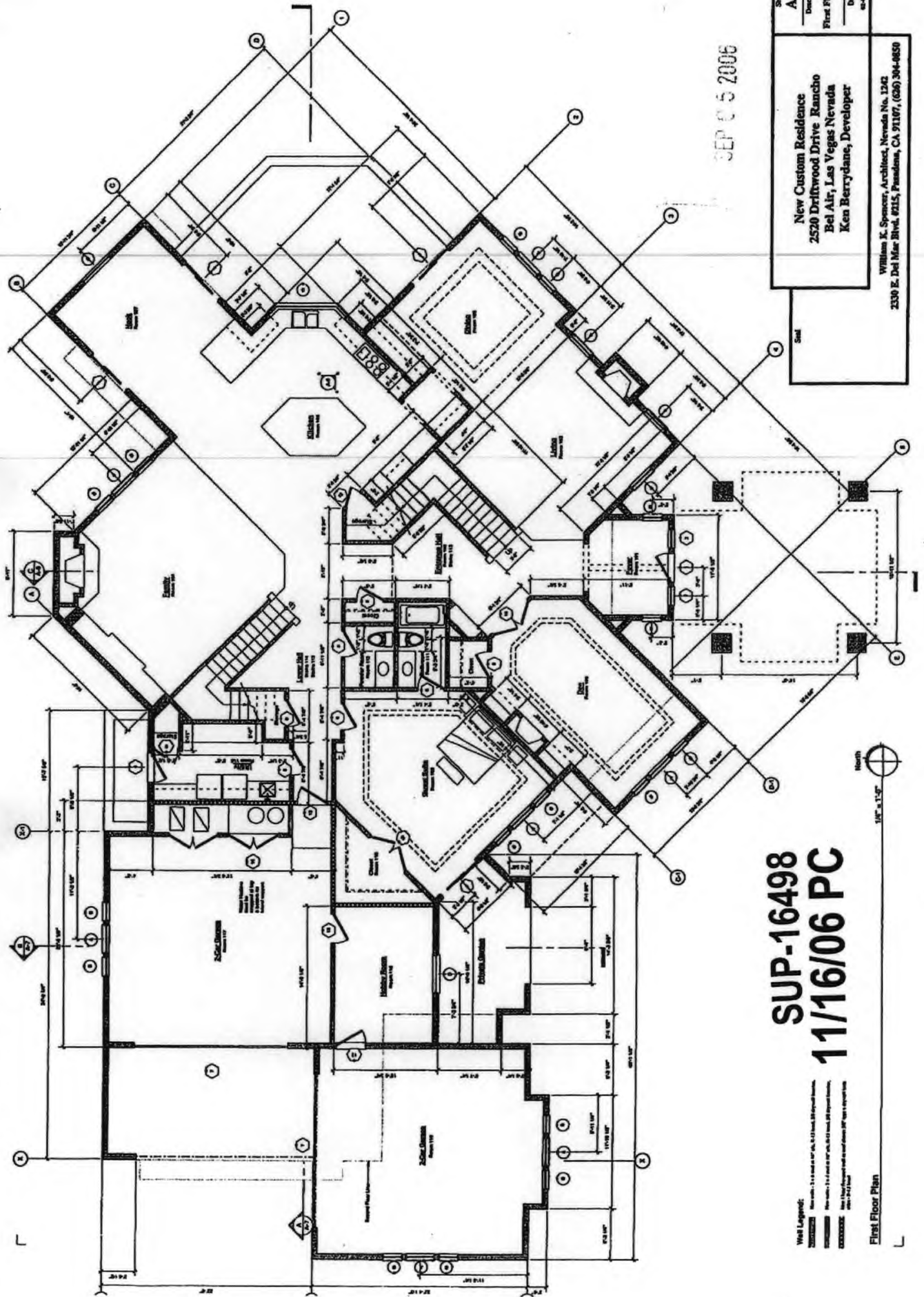
Sheet Index

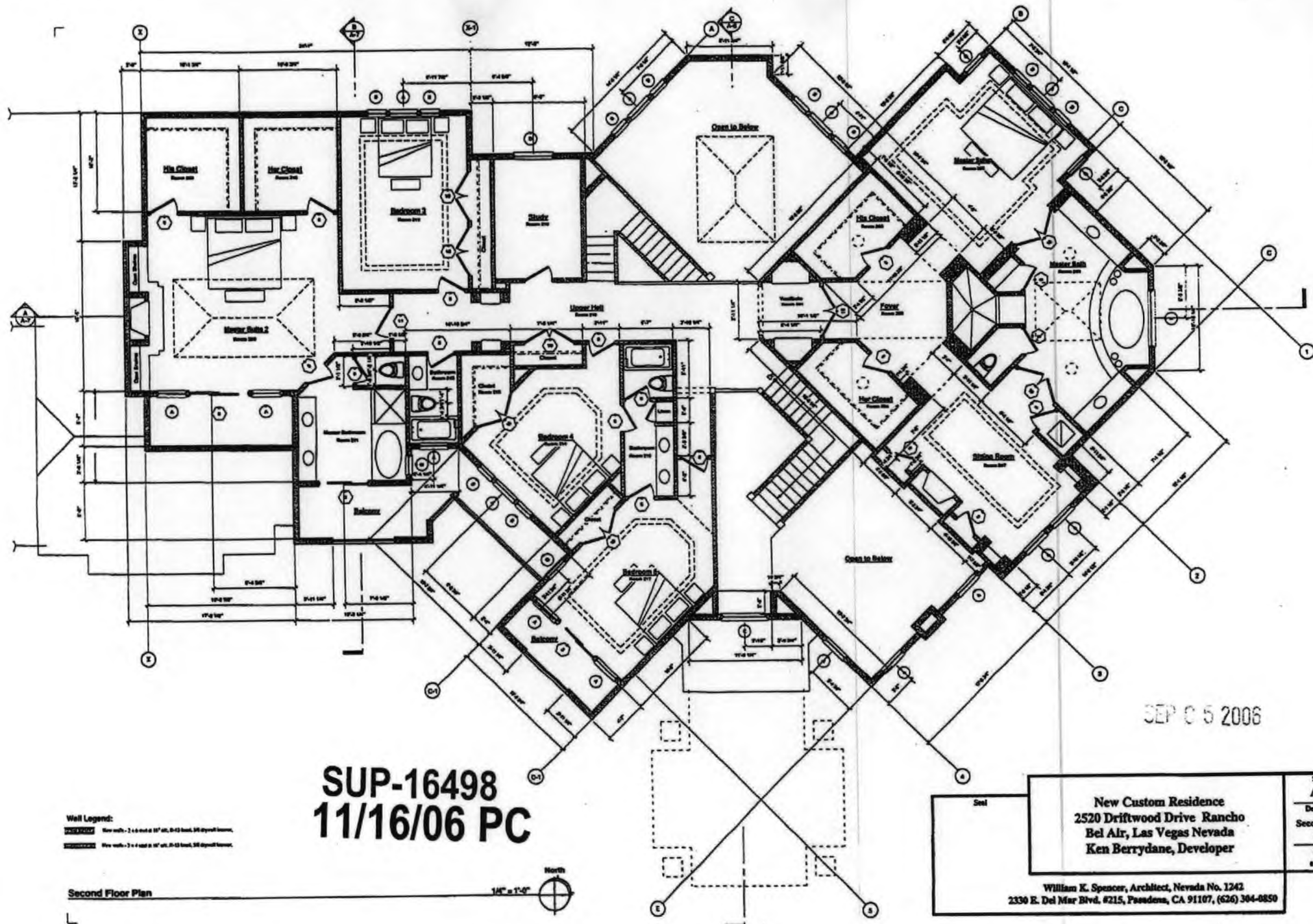
Sheet No.	Sheet Title
C-1	Title Sheet
C-2	Grading Plan
C-3	Specifications
C-4	Specifications
A-1	First Floor Plan
A-2	Second Floor Plan
A-3	Schedules
A-4	Roof Plan
A-5	Elevations
A-6	Elevations
A-7	Building Cross Sections
A-8	Building Cross Sections
A-9	Interior Elevations
A-10	Pool House
A-11	Architectural Details
A-12	Architectural Details
S-1	Notes and Details
S-2	Details
S-3	Details
S-4	Foundation Plan
S-5	Second Floor Framing Plan
S-6	Roof Framing Plan
M-1	Notes
M-2	Schedules and Notes
M-3	First Floor Ducting
M-4	Second Floor Ducting
P-1	Details
P-2	Schedules
P-3	First Floor Water
P-4	Second Floor Water
P-5	First Floor Waste and Vents
P-6	Second Floor Waste and Vents
P-7	First Floor Gas
P-8	Second Floor Gas
E-1	Notes and Schedules
E-2	First Floor Power and Lighting
E-3	Second Floor Power and Lighting

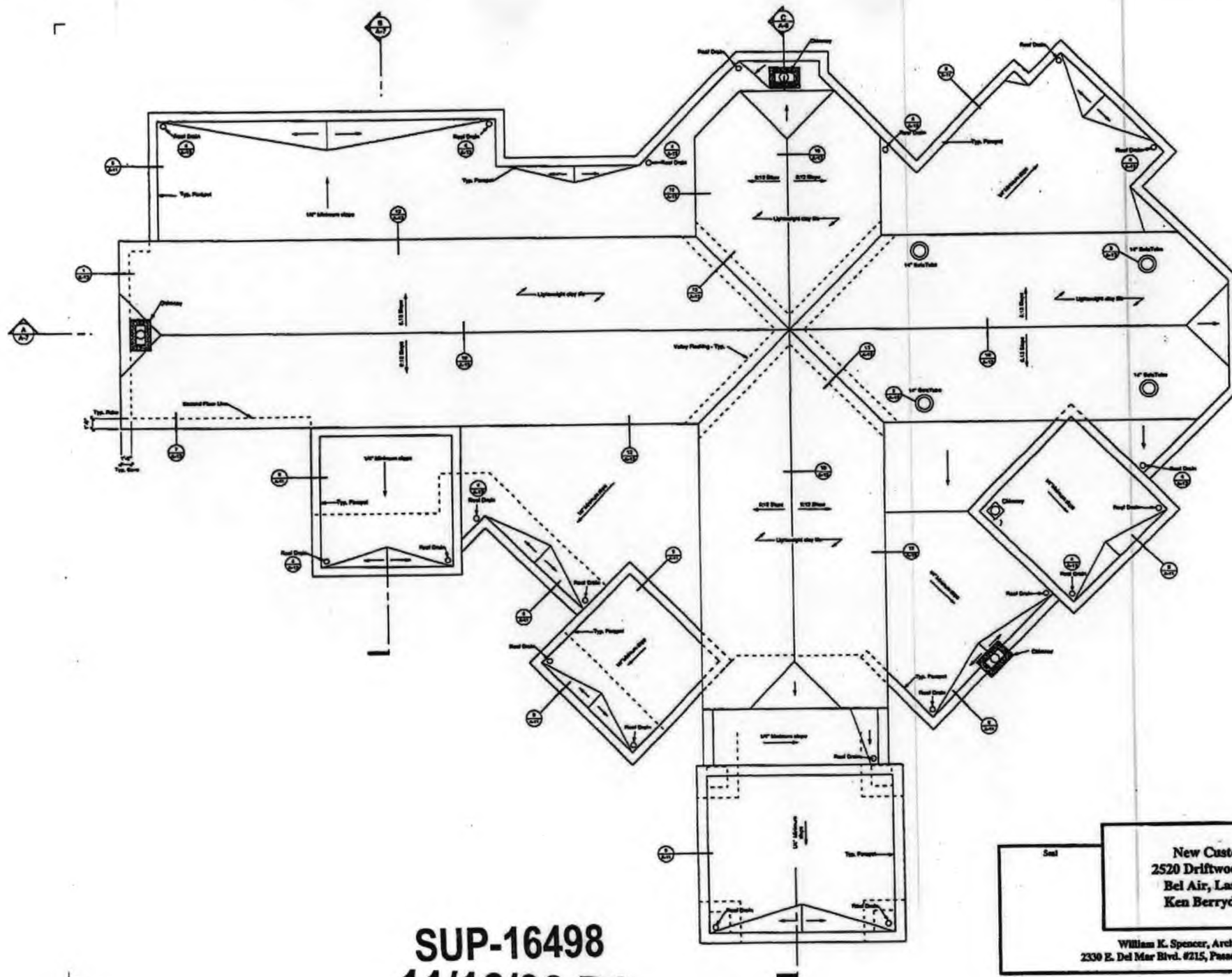
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OCT 30 2006

Seal	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet C-1
		Description Title Sheet
		Date (10-25-06)
		William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 364-0850

SUP-16498 VAR-16497
REVISED 11/16/06 PC



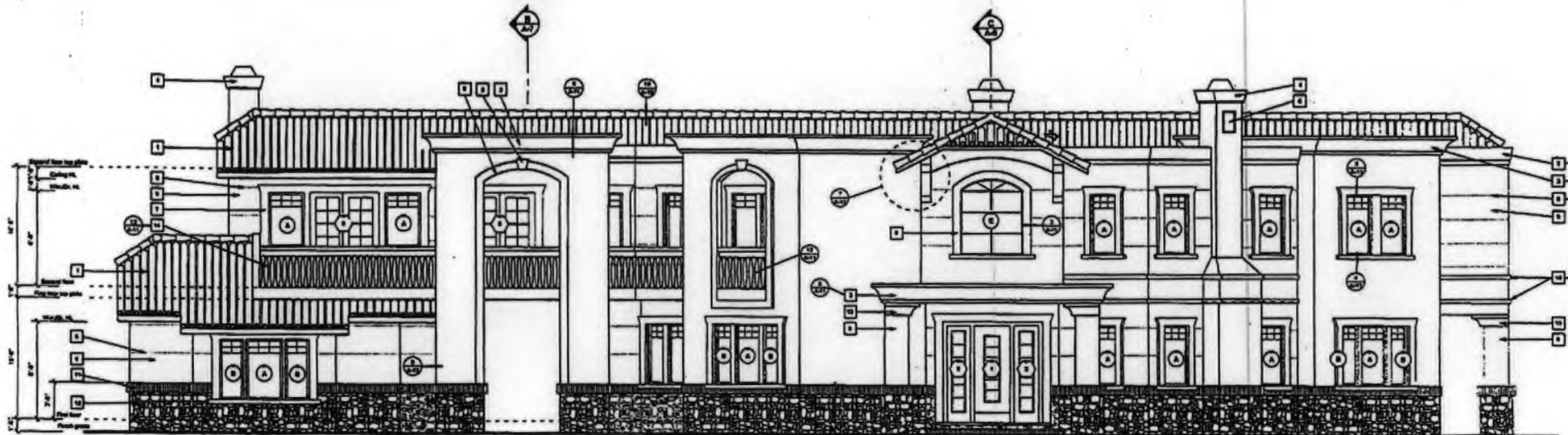




SUP-16498
11/16/06 PC

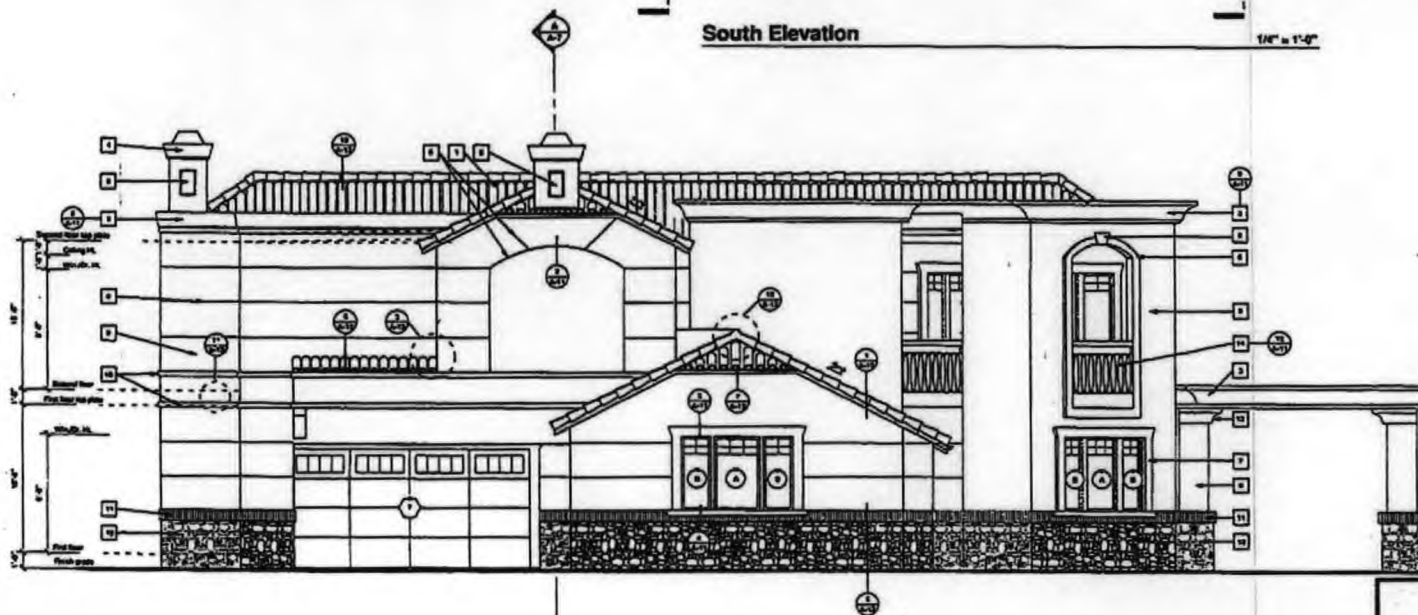
SEP 05 2006

Seal	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Sheet
		A-4
		Descr
		Roof F
William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850		Date 02-04-06



South Elevation

1/8" = 1'-0"



West Elevation

1/8" = 1'-0"

Legend	
1	Lightweight clay tile roofing
2	Custom Pines Ceiling #1
3	Custom Pines Ceiling #2
4	Custom Pines Ceiling #3
5	Decorative fireplace - Custom Design Inc. #11.14.14
6	Access panel Lin
7	Wallpapering material including Custom Design Inc. #11.14.14.14
8	Wallpapering material including Custom Design Inc. #11.14.14.14
9	Hard Translucent window film glass
10	Hard Translucent window film glass over 2nd floor
11	RAM, Sulfur Cement
12	Stone Veneer
13	Custom Pines Ceiling #1
14	Lightweight Clay Tile Roofing - Custom Design Inc. #11.14.14.14
22	Custom Detail

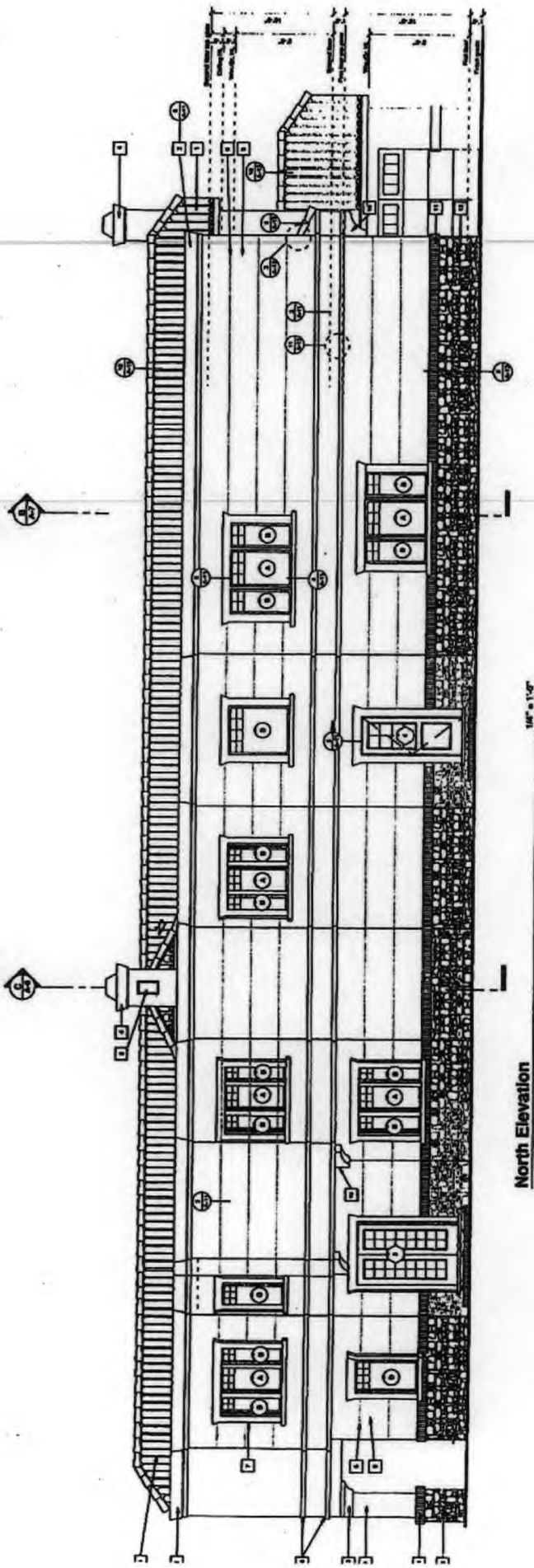
SEP 06 2006

New Custom Residence
2520 Driftwood Drive Rancho
Bel Air, Las Vegas Nevada
Ken Berrydane, Developer

William K. Spencer, Architect, Nevada No. 1242
2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 304-0850

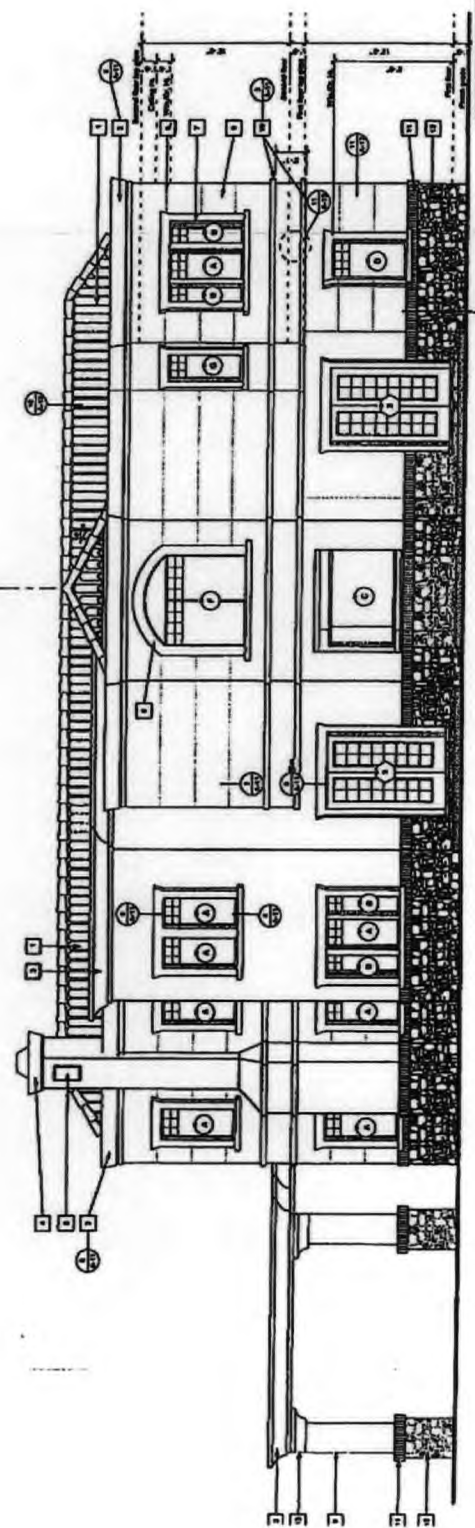
SUP-16498
11/16/06 PC

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North Elevation

1/8" = 1'-0"



East Elevation

1/8" = 1'-0"

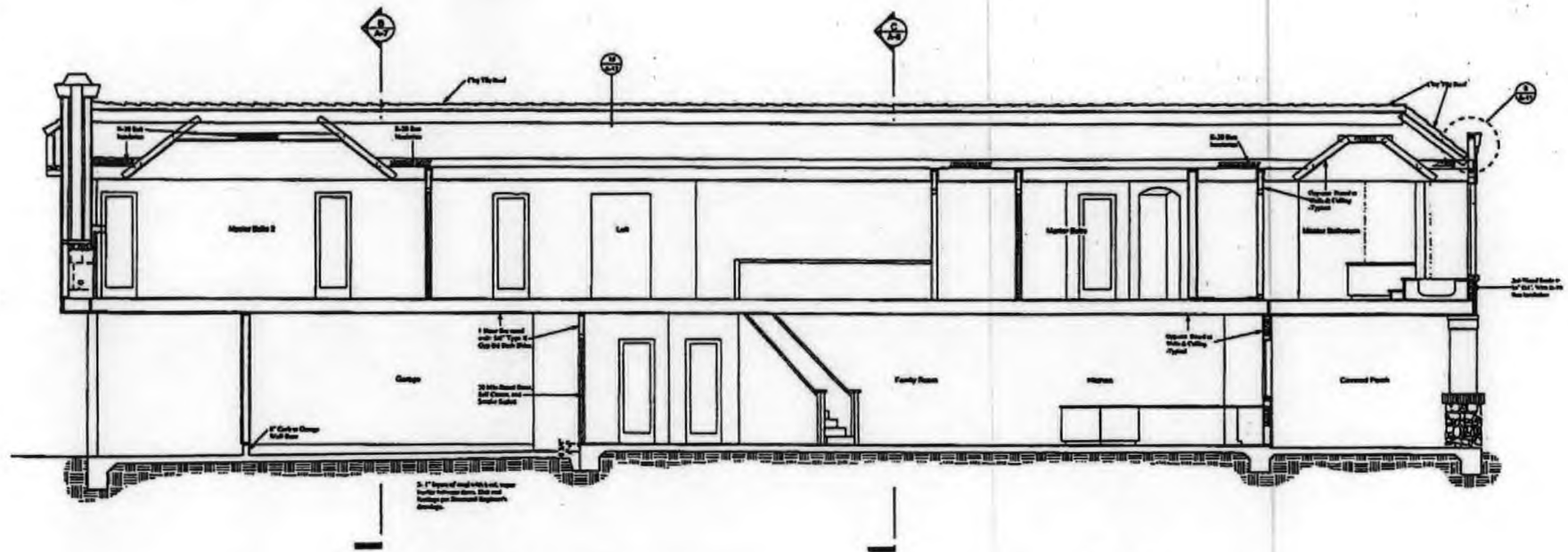
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SEP 05 2006

New Custom Residence
 2520 Driftwood Drive Rancho
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 Ken Berrydane, Developer

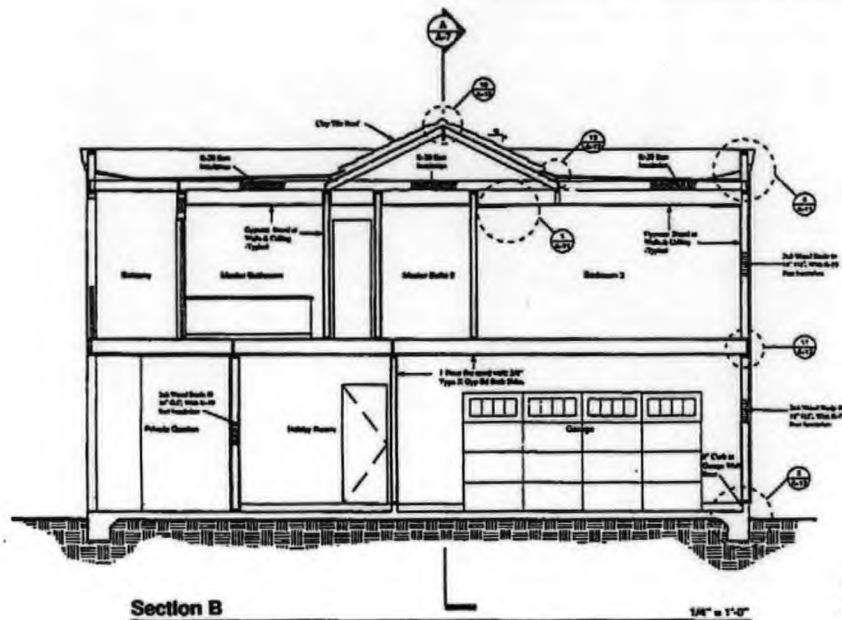
William K. Spencer, Architect, Nevada No. 1242
 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 394-6859

SUP-16498
11/16/06 PC



Section A

1/4" = 1'-0"



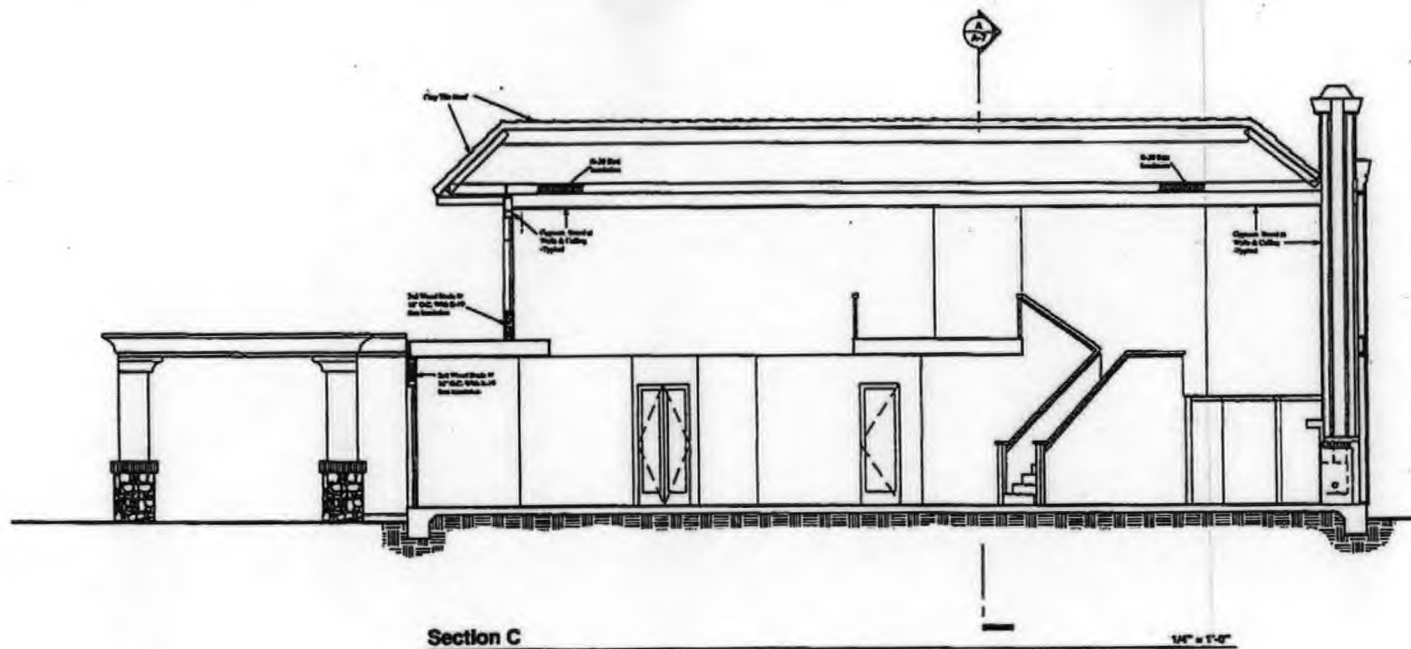
Section B

1/4" = 1'-0"

RECEIVED
SEP 05 2006

SUP-16498
11/16/06 PC

End	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	She A- Drawn Building Sect Det 02-04
	William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 394-0850	



SEP 05 2006

11/16/06 PC
SUP-16498

Sheet	A-1	New Custom Residence 2520 Driftwood Drive Rancho Bel Air, Las Vegas Nevada Ken Berrydane, Developer	Drawn by
			Building Section
Date	11-16-06	William K. Spencer, Architect, Nevada No. 1242 2330 E. Del Mar Blvd. #215, Pasadena, CA 91107, (626) 364-0850	



KEN BERRYDANE - RESIDENCE
LAS VEGAS

SUP-16498
11/16/06 PC

SEP 06 2006



VAR-16497 & SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE
2521 DRIFTWOOD DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21606



VAR-16497 & SUP-16498 - APPLICANT/OWNER: KEN BERRYDANE
2521 DRIFTWOOD DRIVE
OCTOBER 19, 2006 PLANNING COMMISSION

09/21606

Joost van der Maas

4921 Clear Creek Rd, Las Vegas, NV. 89110

Telephone 702-453 4923

Email: jvandermaas@hotmail.com

September 11, 2006

PLANNING AND DEVELOPMENT DEPARTMENT

JUSTIFICATION LETTER

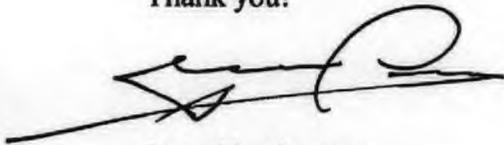
I am submitting this letter of justification on behalf of the owner, Ken Berrydane and William K. Spencer, Architect for the residential property on 2521 Driftwood Dr. Las Vegas, Nevada.

A setback variance is sought to allow the owner to enjoy all of the property like any of several other residences that have a porte-cochere in the front setback.

The Home Owners Association is in favor of this and have indicated so in writing, a document that is included.

Please allow this setback variance.

Thank you!



Joost Vandermaas

RECEIVED
SEP 11 2006

11/16/06 PC
SUP-16498
REVISED

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
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Case Number: Sup 16498

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City of Las Vegas
Attn: Margo Wheeler
Fax: 474-7463

October 9th, 2006

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Finally, the land owner has ½ acre, plenty of land to build as large of a house as possible, with all the extras like a guest house. Just because he wants to get more space between his buildings doesn't mean we should get less space. Especially in our corners of the community, there are irregular sized lots and potential for overcrowding.

Please don't hesitate to contact me if you have any further questions.

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Planning Dept. Director
Attn: Margo Wheeler

October 17, 2006

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VAR 16497

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Fax: 385-7268

October 9th, 2006

Eddie Haddad
221 Desert View St./ APN 139-32-512-018
Las Vegas, NV 89107
702-491-5812

Regarding: SUP 16498 and
VAR 16497

Dear Carman,

I would like to give my opposition to the above applications.

We at Rancho Bel Air Community have purchased in an area that has open spaces, and we enjoy these open spaces because of the large lots we share. To allow a builder to encroach on our open space is like owning a smaller lot, which takes away our favor.

Especially at this end of the community, we are at or close to 2 corners, one inner corner and one outer corner. The subject property backs up to the north, and will be followed with another built home backing up to the south, which will further crowd everyone's yard.

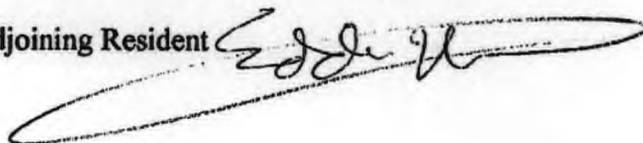
My next door neighbors and I back up east to both of these home lots. There are 2 additional homes located east of the subject that will also be affected negatively if this variance is granted. Therefore, allowing this variance will negatively affect in all 4 directions, all 5 homes.

Typically, lots are deeper in nature than they are wider. My lot, on Desert View St. is the opposite, a little wide, but not deep. This negatively impacts me further in that my backyard is not open and wide enough, and will be affected even more severely.

Finally, the land owner has ½ acre, plenty of land to build as large of a house as possible, with all the extras like a guest house. Just because he wants to get more space between his buildings doesn't mean we should get less space. Especially in our corners of the community, there are irregular sized lots and potential for overcrowding.

Please don't hesitate to contact me if you have any further questions.

Eddie Haddad- Adjoining Resident



**Rancho Bel Air HOA
% The Property Group
3286 Brentwood Street
Las Vegas, Nevada 89121
702 737-0190**

November 10, 2006

Ken Berrydane
2521 Driftwood
Las Vegas, Nevada 89107

I am pleased to report that your revised plans for the development of the lot at 2520 Driftwood have been approved by the Rancho Bel Air Architectural Committee to include your front setback of 14 feet and the rear setback of 15 feet. Once approved by the city we will need a copy of their approval as well as the building permit and any other correspondence you receive from them. Once you have paid your construction deposit of \$2,500 and placed construction fencing around the property you may begin construction.

We would appreciate your providing the association with a beginning and ending time frame for your construction.

Should you have any questions concerning the above, feel free to contact me at the office and thank you, for working with us.

Respectfully,

Robyne Brooks, CPM
Association Manager

Cc: Rancho Bel Air Board of Directors

Submitted after final agenda

1.. 11/16/06 11AM #23-24

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
VARIANCE

VAR-17299 - PUBLIC HEARING - APPLICANT: MICHAEL LAWSON - OWNER: SANDCASTLE ENTERPRISES, INC. - Request for a Variance TO ALLOW 13 PARKING SPACES WHERE 27 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.79 acres at 6565 Smoke Ranch Road (APN 138-23-110-031), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-16-06 Planning Commission Meeting Item 33

Motion made by LAWRENCE WEEKLY to Approve subject to conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 147 [VAR-17299] and Item 148 [SUP-17301].

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and appreciated staff and COUNCILMAN WEEKLY'S support.

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

ROBERT and CAROLYN PARKER, 2400 Golden Moon, stated the subject site is surrounded by residential and an elementary school. They and other neighbors have dogs, and adding additional dogs within close proximity, will only create a barking problem throughout the night. MR. PARKER indicated his mother lives next door to them at 2404 Golden Moon. He clarified that the applicant did not speak with residents residing within five feet of the kennel. Should problems arise, it is easier to contact other residents moreso than a kennel with dogs barking during the night. They asked that the application be denied.

MR. MORENO clarified that the Tanglewood residential development was not contacted but supported the proposal. He explained that the program is relatively new, whereby the dogs will be inside the facility with sufficient noise abatement. MAYOR GOODMAN could support the request, as MR. MORENO is an honorable man and he assured him the dogs would not be heard. MR. MORENO also supported a six-month or one-year review should that be the Council's desire.

COUNCILMAN WEEKLY stated the noise and any possible odor issues have been addressed in the conditions. He referred to a past approved similar item located adjacent to residential and there have not been any issues. MRS. PARKER was doubtful and disagreed, as the prior use on the subject site was a daycare facility. The site has a large backyard, and it is more than likely the dogs will be outdoors.

MAYOR GOODMAN suggested a 30-day review to address any problems, should some arise. MR. MORENO also suggested giving the residents the owner's cellular number, who is very responsive, should they need assistance with any problems.

COUNCILMAN WEEKLY stated that there has not been an overwhelming response of opposition from the adjacent residents; to his knowledge, MR. and MRS. PARKER are the first ones to oppose the proposal. The Councilman preferred to support the request, as similar projects within residential communities have been successful. He noted that residents can come back should there be disruptions to their quality of life.

COUNCILMAN BROWN encouraged MR. and MRS. PARKER to visit a kennel site on the northeast corner of Buffalo Drive and Gowan Road, which is surrounded by homes. The site has an outdoor area, but as a condition, the dogs are let out one at a time when needing to urinate. The facility has been opened for the past two months, and there have been no complaints.

MR. PARKER added that he is aware several residents of the Smoke Ranch neighborhood, who reside closest to the subject site, are extremely worried about a noise problem. He supported having a 30 or 60-day restriction.

MAYOR GOODMAN declared the Public Hearing closed for Item 147 [VAR-17299] and Item 148 [SUP-17301].

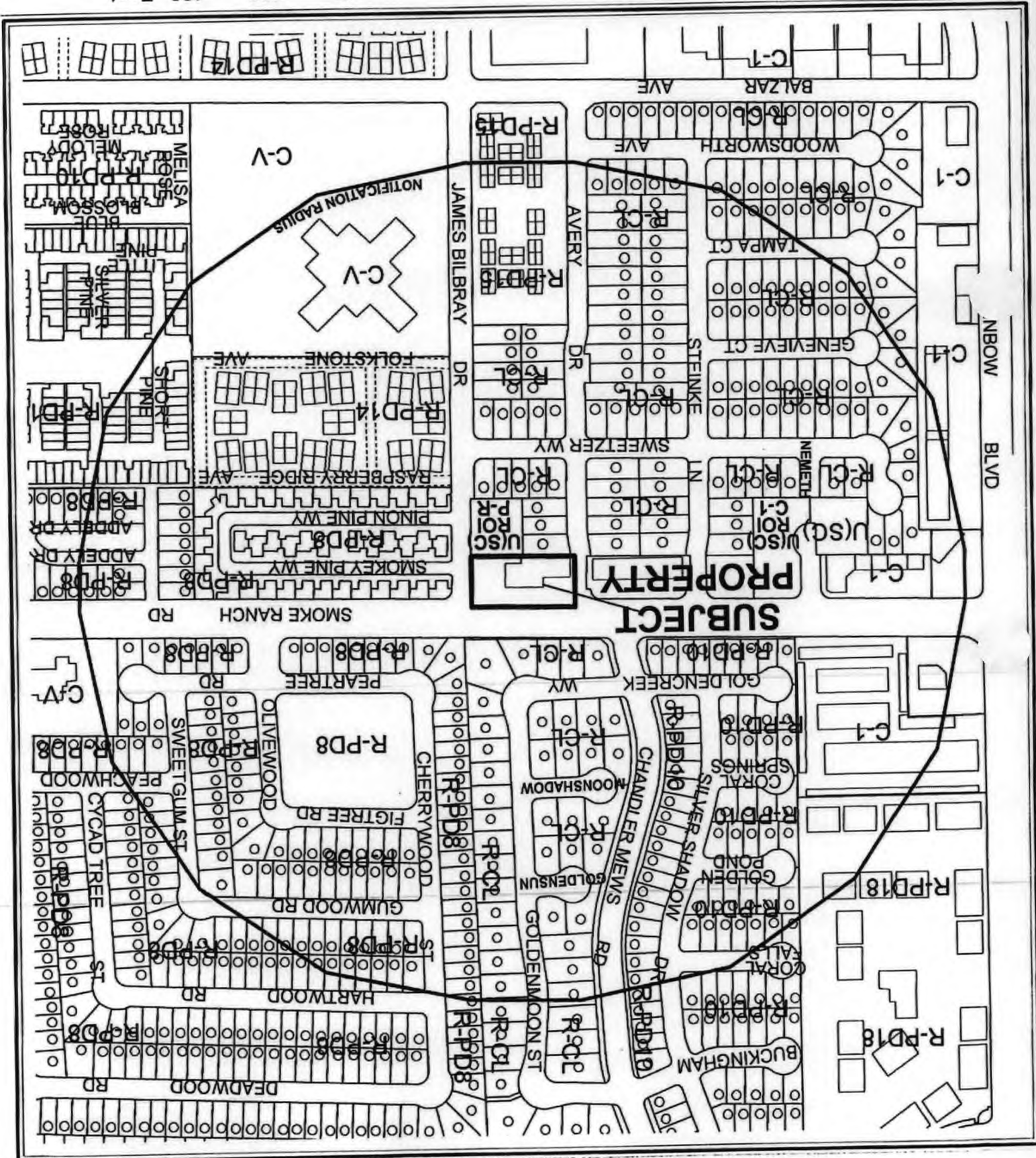


ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 1000 FEET

CASE: VAR-17299

0 200 400 Feet

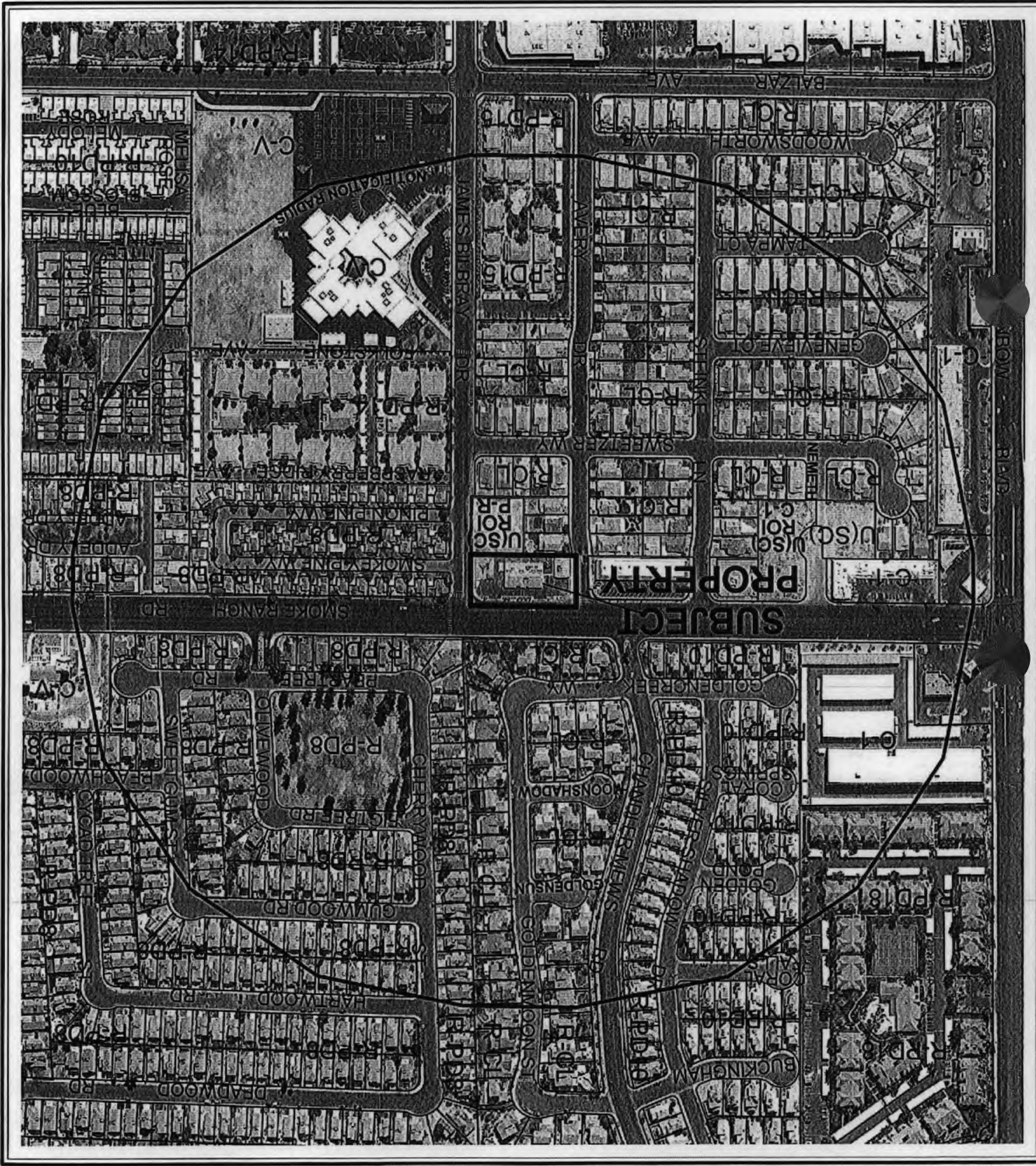
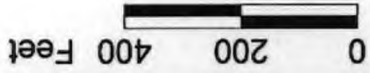




ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

RADIUS: 1000 FEET

CASE: VAR-17299



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-17299 - APPLICANT: MICHAEL LAWSON - OWNER:
SANDCASTLE ENTERPRISES, INC.**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit (SUP-17301) shall be required if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed project is a request for a Variance to allow 13 parking spaces where 27 parking spaces are the minimum required. The 0.79 acre project parcel is located at 6565 Smoke Ranch Road. The requested parking reduction is associated with an associated application for a Special Use Permit (SUP-17301) request to operate a pet boarding facility at the same site. If the proposed SUP-17301 is approved and the subject variance application is denied, parking for the proposed use will be deficient by 50 percent. Staff recommends denial of the requested Variance.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/05/87	The City Council approved a Plot Plan Review of an addition to a child care center on the property located at 6565 West Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1). Staff and the Planning Commission recommended approval.
11/16/06	The Planning Commission recommended approval of companion item SUP-17301 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #33/ja).
<i>Related Building Permits/Business Licenses</i>	
08/15/06	The business permit for the former child daycare center expired.
<i>Pre-Application Meeting</i>	
09/11/06	A Pre-Application meeting was held with the applicant. Development Services – Current Planning Staff were informed that the proposed use would be an “Upscale” pet boarding facility that would not include exterior pens, but would potentially utilize existing exterior rear yard areas for training.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this development type nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.79 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Child Care Facility	Service Commercial	C-1 (Limited Commercial)
North	Residential	Medium Low Residential	R-CL (Residential Compact Lot)
South	Residential and Undeveloped	Medium Low Residential and ROI Undeveloped (Service Commercial) to P-R (Professional Office and Parking)	R-CL (Residential Compact Lot)
East	Residential	Medium Low Attached Residential	R-PD (Residential Planned Development)
West	Commercial Office space	Service Commercial	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

The following Commercial Development Standards from Section 19.08.050 of Title 19 apply to the subject site.

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	
Service Commercial	6,712	1 space/250 square feet	25	2	12	1	N
TOTAL			27		13		N
Percent Deviation					50 percent		N

ANALYSIS

The proposed project is located within the C-1 (Limited Commercial) Zone, Southwest Sector of the City General Plan. The project site is currently developed with a former Child Daycare Center and associated parking. A companion application Special Use Permit (SUP-17301) to operate a 6,711 square foot pet boarding facility at a former Child Daycare Center site shall be considered with this variance request.

- Site Plan

The project site contains two existing one story commercial structures and a 13 space surface parking lot accessible from Smoke Ranch Road. The site is surrounded by existing residential uses to the north, south, and east, and commercial office to the west.

- Parking

In accordance with Title 19 Commercial Development Parking Standards, the proposed pet boarding use requires 1 parking space per 250 square feet of gross floor area (27 spaces) on-site. Existing site parking contains 13 standard spaces; 50 percent below zoning code requirements. Staff finds that the proposed use is not suitable for this site and the parking deficit could negatively affect surrounding residential uses. Therefore, staff recommends denial of the requested parking Variance.

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 in selecting a project site that is unable to provide required 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.

PLANNING COMMISSION ACTION

There was one speaker in favor and one opposed at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 451 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-17299

Case Number: _____ APN: 138-23-110-31

Name of Property Owner: Sandcastle Enterprises, Inc.

Name of Applicant: Michael Lawson

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: Carol Levin

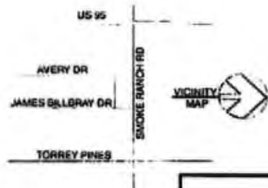
Print Name: CAROL LEVIN

Subscribed and sworn before me

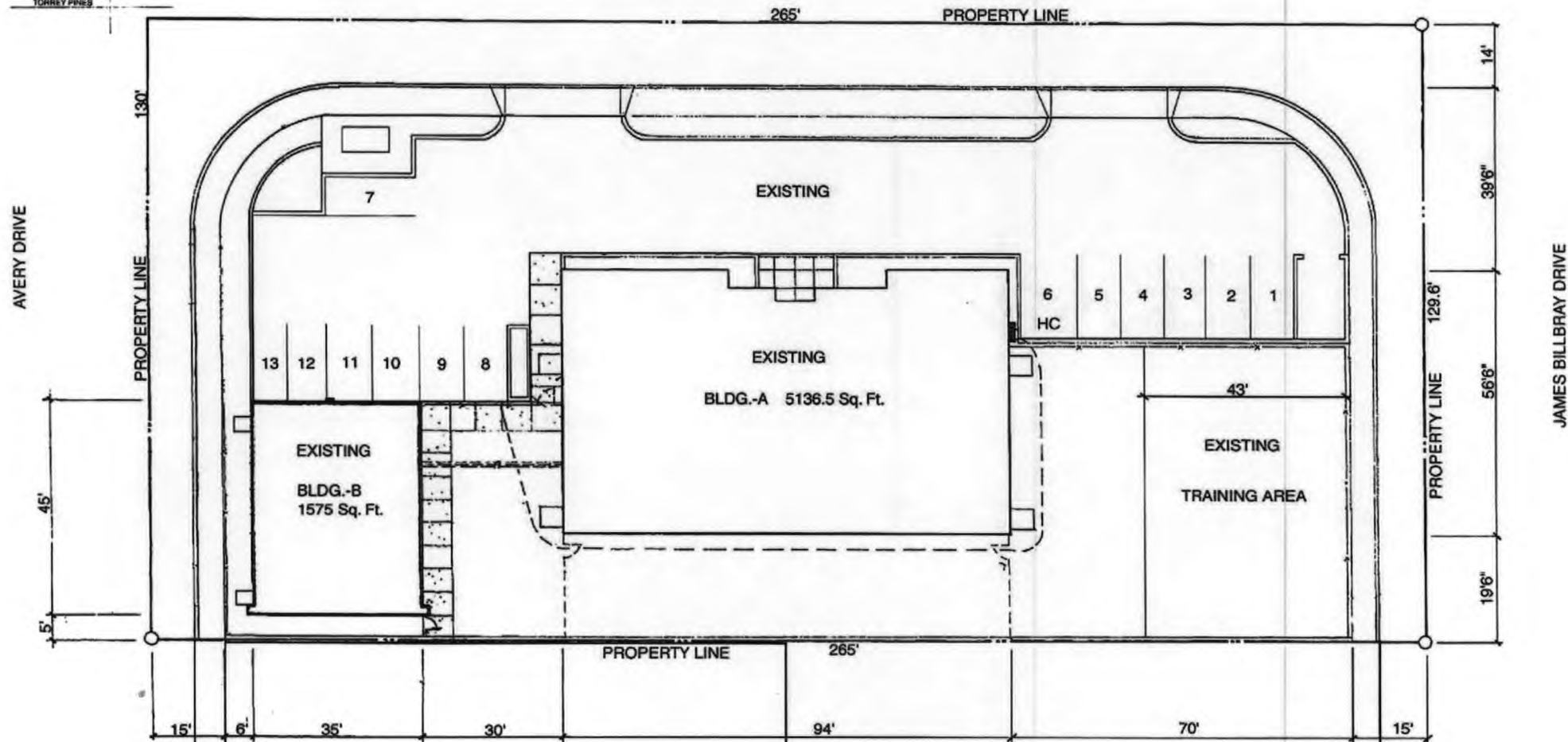
This 2 day of October, 2006

Link Rich

Notary Public in and for said County and State



6565 SMOKE RANCH ROAD



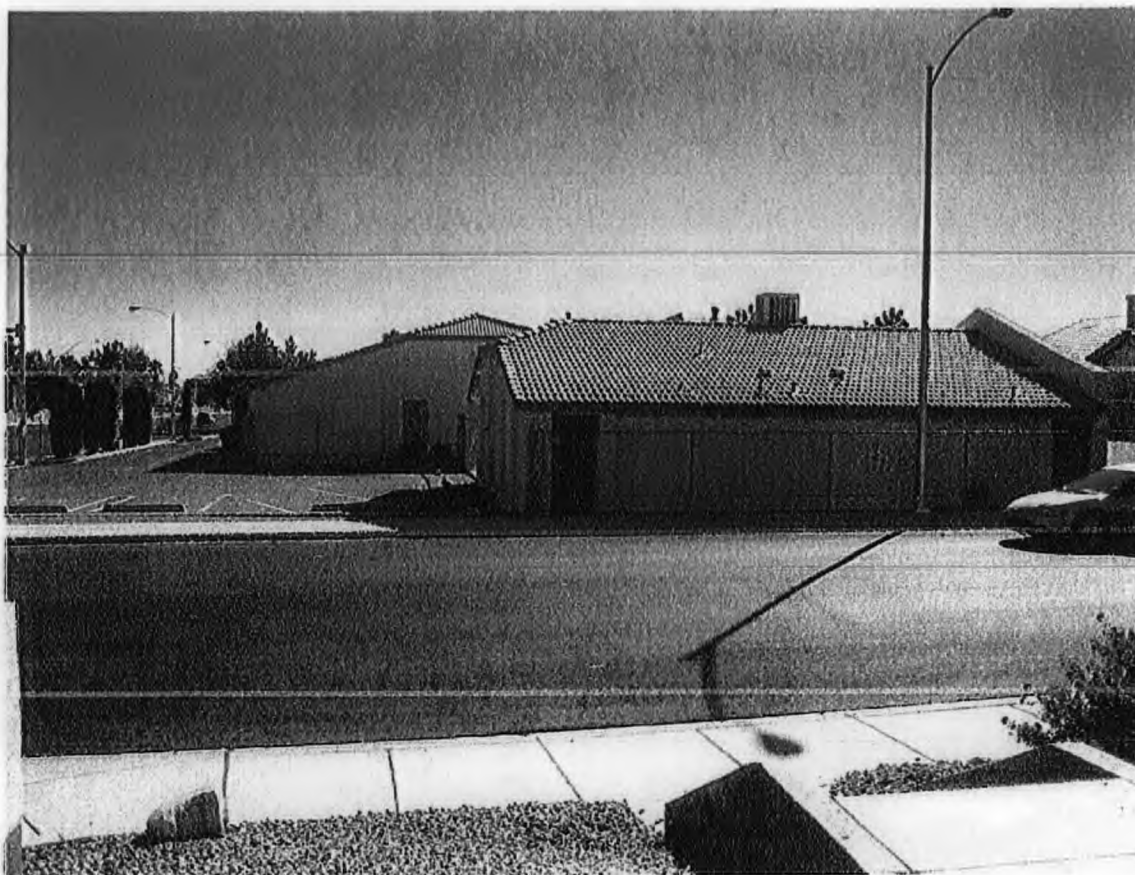
R-CL

PARKING REQUIRED 27
PARKING PROVIDED 13
LOT SIZE 34,450 (.79 Acre)
SCALE 1" = 20'

VAR-17299
11/16/06 PC

RECEIVED
OCT 03 2006

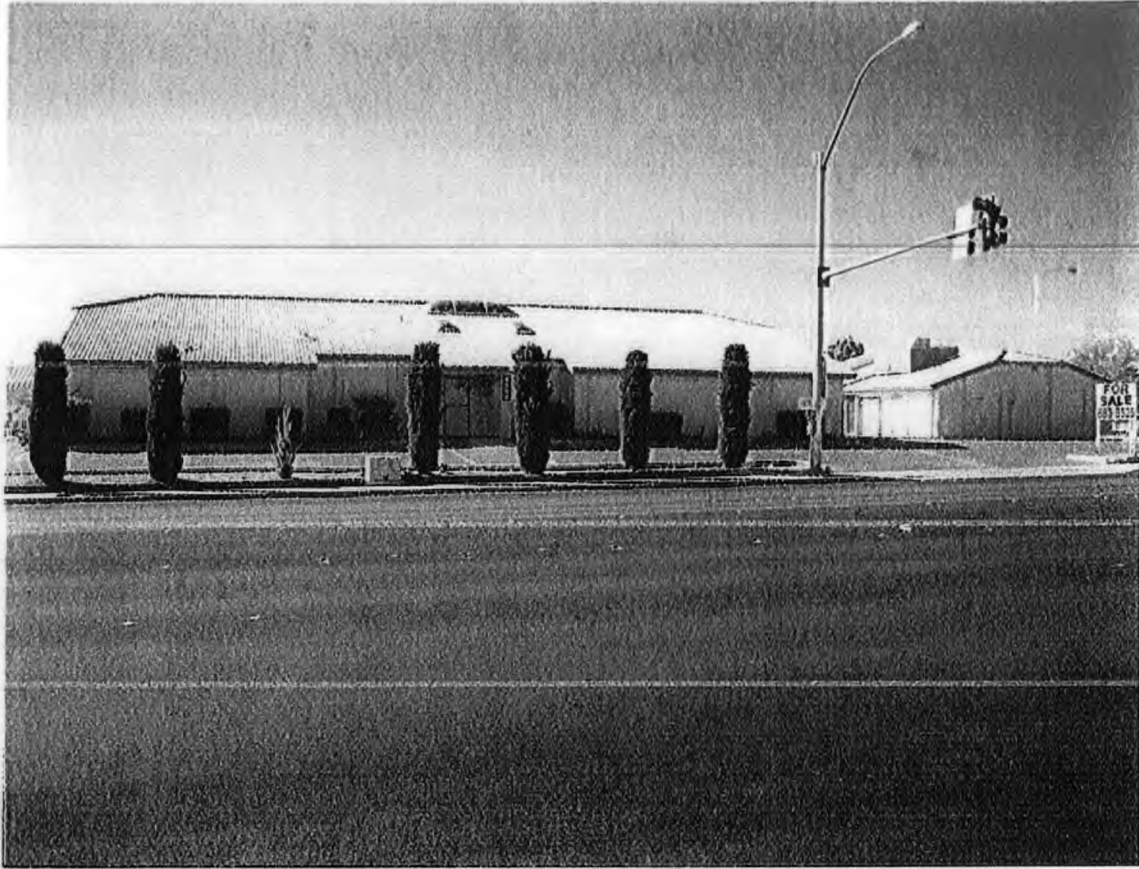




WEST END

RECEIVED
OCT 03 2006

VAR-17299
11/16/06 PC



FRONT

RECEIVED
OCT 03 2006

VAR-17299
11/16/06 PC



FRONT

RECEIVED
OCT 03 2006

VAR-17299
11/16/06 PC



EAST END

RECEIVED
OCT 03 2006

VAR-17299
11/16/06 PC

September 28, 2006

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

**Justification Letter
Parking Variance**

Re: 138-23-110-031

Fr: Michael Lawson
dba Bark Avenue

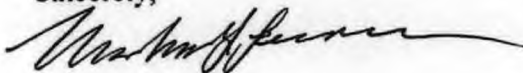
We are requesting a parking variance for the property located at 6565 Smoke Ranch Road. This is in conjunction with submittal for a special use permit to change the occupancy from child daycare to pet boarding/daycare. Both of these issues are contingencies for the subsequent purchase of the property. According to current city code, 27 parking spaces are required but only 13 parking spaces exist.

We believe the variance should be granted based on the following reasons:

1. Currently, as a child daycare facility it is approved for up to 148 children plus the staff. Though similar in traffic drop-off and pick-up patterns significant differences exist for the proposed use.
 - a. It would be rare to reach 75 dogs in attendance on any given day and we would agree to a limit of 90 maximum, lessening the drop-offs and pick-ups by approximately 40% to 50% comparatively.
 - b. Research has shown that 10% to 20% of the drop-offs and pick-ups on any given day will be of groups of 2 to 3 or more dogs from a single vehicle.
 - c. The drop-off hours will be from 6:30 am to 11:30 am, there are no scheduled beginning times for classes to cause a bottleneck.
 - d. The pick-up hours are between 2:00 pm and 7:00 pm. 10% to 20% will be for overnight stays not requiring a daily drop-off or pick-up.
2. If need arises for additional parking in the area it will be rare and of a very temporary nature.
3. Extensive use of video surveillance will allow a staff size not to exceed 6 people on any one shift
4. Utilizing the Internet to manage reservations and prepay fees allows the typical repeat customer to spend very little time in the drop-off, pick-up routine.

Your time and support will be very much appreciated.

Sincerely,



Michael Lawson

**VAR-17299
11/16/06 PC**

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

The Officer-In-Charge
Planning And Development Department
Current Planning Division
Development Services Center

2345 Avery Drive
Las Vegas, NV 89108

13 November 2006

RE: VAR-17299

Dear Sir/Ma'am:

I am writing to express my objection to VAR-17299.

I object to cars parking in front of my house because this is a residential area anything that has to do with regular or constant business transactions should have a designated area or confined to that area covered only by commercial zone. I value quiet and peaceful environment and letting cars park in front of my house could mean strangers hanging around, loud radio, loud noise, honking of horn, the noise of constant arrival and departure of cars and littering. Cleanliness, peace and order in the neighborhood could greatly be affected.

I have a question why was that big commercial building with address at 6595 Smoke Ranch Road with 10-DOOR SUITE approved by the City to be erected on such a small area and without enough space for parking for tenants and customers.

I would be very grateful for supporting me, this matter is really very important for me being located adjacent to that commercial building.

Thank you again for protecting my right and for your prudent decision on this matter.

Very truly yours,



ROSIE MANIA

Submitted after final agenda

Date 11/16/06 Item #33

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-17299

SUP-17301 - PUBLIC HEARING - APPLICANT: MICHAEL LAWSON - OWNER:
 SANDCASTLE ENTERPRISES, INC. - Request for a Special Use Permit FOR A PROPOSED
 PET BOARDING ESTABLISHMENT at 6565 Smoke Ranch Road (APN 138-23-110-031), C-1
 (Limited Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning
 Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by LAWRENCE WEEKLY to Approve subject to conditions and adding the
 following condition as read for the record:

- A. There shall be a 60-day review after the issuance of a business license.

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

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

Minutes:

See Item 147 for related discussion.



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-17301 - APPLICANT: MICHAEL LAWSON - OWNER:
SANDCASTLE ENTERPRISES, INC.**

**** CONDITIONS ****

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

Planning and Development

1. There shall be a one-year administrative review.
2. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Pet Boarding use.
3. Conformance to the Conditions of Approval for Variance (VAR-17299) shall be required.
4. 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed project is a request for a Special Use Permit (SUP-17301) for the operation of a 6,711 square foot pet boarding facility on a 0.79 acre project parcel located at 6565 Smoke Ranch Road. A companion item Variance (VAR-17299) request to reduce required parking shall be considered with this proposal.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/05/1987	The City Council approved a Plot Plan Review of an addition to a child care center on the property located at 6565 West Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1). Staff and the Planning Commission recommended approval.
11/16/06	The Planning Commission recommended approval of companion item VAR-17299 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #34/ja).
<i>Related Building Permits/Business Licenses</i>	
08/15/2006	The business permit for the former child daycare center expired.
<i>Pre-Application Meeting</i>	
09/11/2006	A Pre-Application meeting was held with the applicant. Development Services – Current Planning Staff were informed that the proposed use would be an “Upscale” pet boarding facility that would not include exterior pens, but would potentially utilize existing exterior rear yard areas for training.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this development type nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.79 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Child Care Facility	Service Commercial	C-1: Limited Commercial
North	Residential	Medium Low Residential	R-CL: Residential Compact Lot
South	Residential and Undeveloped	Medium Low Residential and ROI Undeveloped (Service Commercial) to P-R (Professional Office and Parking)	R-CL (Residential Compact Lot)

East	Residential	Medium Low Attached Residential	R-PD: Residential Planned Development
West	Commercial Office space	Service Commercial	C-1: Limited Commercial

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

The following Commercial Development Standards from Section 19.08.050 of Title 19 apply to the subject site.

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	
Service Commercial	6,712	1 space/250 square feet	25	2	12	1	N
TOTAL			27		13		N
Percent Deviation					50 percent		N

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Trash Enclosure	50 FEET	125 FEET	Y

ANALYSIS

The proposed project is located within the C-1 (Limited Commercial) Zone, Southwest Sector of the City General Plan. The project site is currently developed with two commercial buildings which previously operated as a Child Daycare Center. The project site includes surface parking to the north of the structures as well as exterior useable lawn areas at the south of the property.

A variance request to reduce parking requirements will be considered concurrently with this special use proposal.

- General Plan

The project site is located within an area designated for Service Commercial (SC) uses in the Southwest Sector of the City Master Plan.

- Zoning

The project is located within the C-1 (Limited Commercial) Zone.

- Site Plan

The project site is currently developed with two existing commercial structures totaling 6,711 square feet. The site is surrounded by existing residential to the north, east, and south; commercial office to west, and undeveloped land to the south.

- Parking

Existing parking on the project includes 13 standard parking spaces. A Variance for required parking will be considered with this Special Use Permit. Title 19 parking standards for pet shelter require 1 space per 250 square feet of gross floor area (27 spaces for the proposed use). As such, the project would result in a parking deficiency of 50 percent.

FINDINGS

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

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

The proposed pet boarding center would be located adjacent to existing residential uses to the south, east, and north; commercial office to the west, and undeveloped land to the south. As this proposal would be located directly adjacent to residentially protected uses, the pet facility is not considered an appropriate use with existing residential uses as well as future surrounding land uses.

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

Existing parking on the project site would not meet minimum parking standards of Title 19 – Commercial Development Standards. As such, the intensity of the proposed use is considered incompatible for the subject site.

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

Access to the project site would be made on Smoke Ranch Road which is classified as a 4-lane major thoroughfare. As such, existing streets are capable of accommodating 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.”**

The proposed Special Use Permit would allow for establishment of a pet boarding facility adjacent to existing residentially protected uses. Operation of this type of use may result in adverse effects to human health and safety.

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

The use will meet the conditions for special use requirements as described in Title 19 Section 19.04.050.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 451 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-17301** APN: 138-23-110-31
Name of Property Owner: Sandcastle Enterprises, Inc.
Name of Applicant: Michael Lawson

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: _____

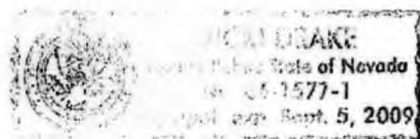
Signature of Property Owner: Carol Levinis

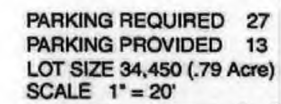
Print Name: CAROL LEVINIS

Subscribed and sworn before me

This 2 day of October, 2006

Vick Duke
Notary Public in and for said County and State

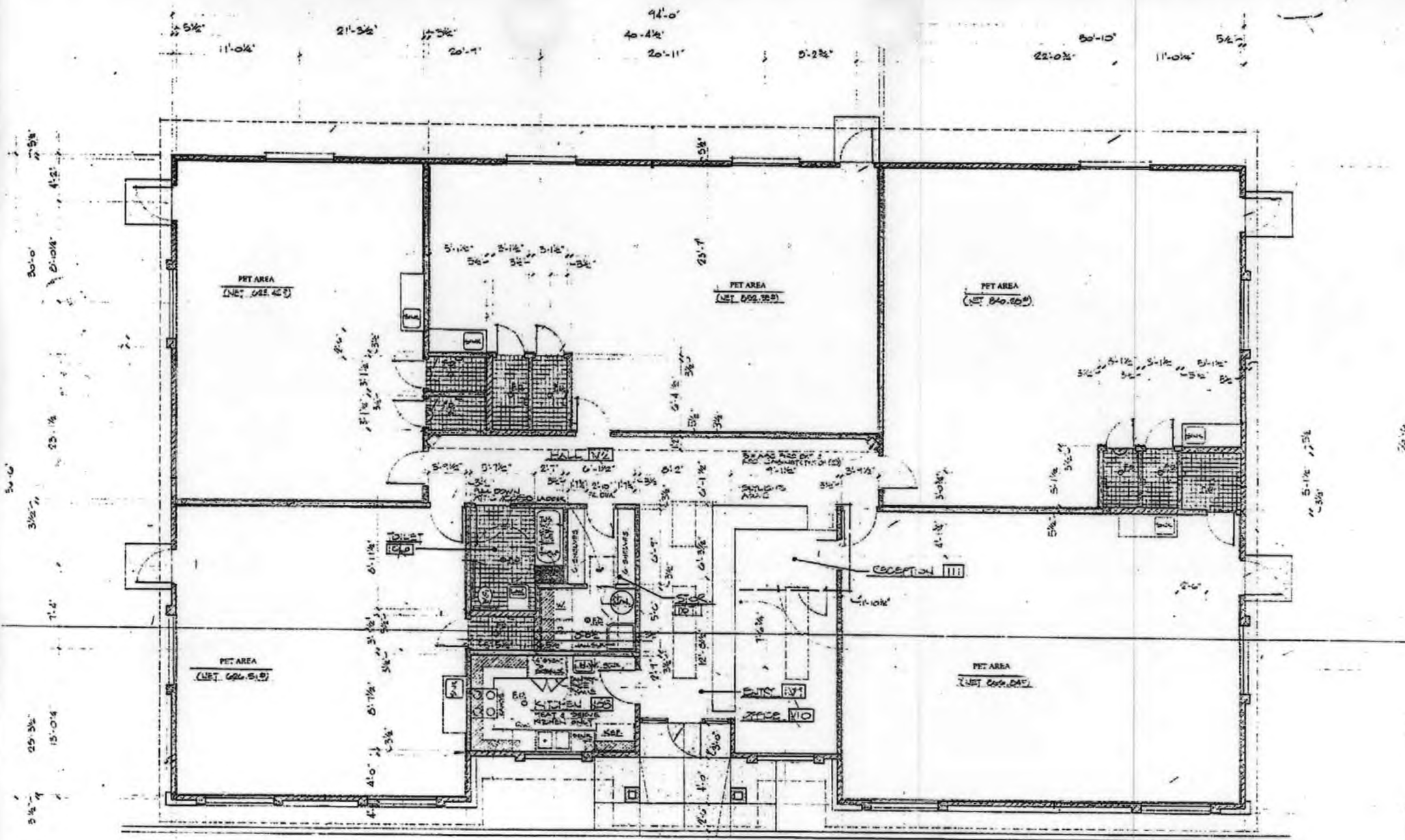




SUP-17301
11/16/06 PC

RECEIVED
OCT 03 2006





NOTE: PLUMBING LOCATED 2'-0" BELOW GROUND ENTER EX. C. 2'-0" & EXTENSION

FLOOR PLAN BLDG.-A

MAXIMUM OCCUPANCY 11

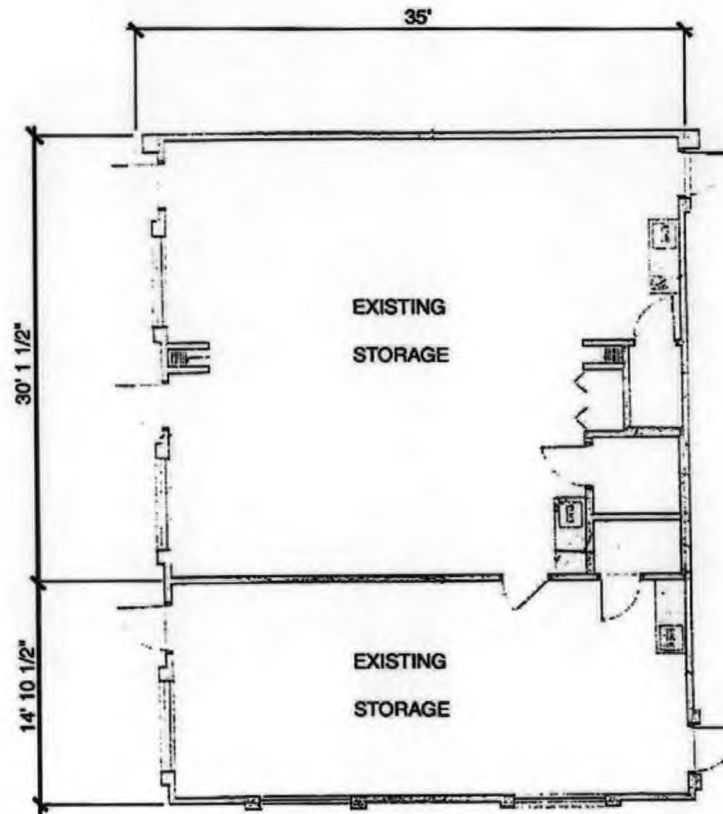
SIZE 150 FT

RECEIVED
OCT 03 2006

SUP-17301
11/16/06 PC

SCALE 1/4" = 1'





FLOOR PLAN

BLDG.-B

MAXIMUM OCCUPANCY 15

1575 SQ. FT.

SCALE: 1/4" = 1'



SUP-17301
11/16/06 PC

RECEIVED
OCT 03 2006



VAR-17299 & SUP-17301 - APPLICANT: MICHAEL LAWSON - OWNER: SANDCASTLE ENTERPRISES, INC.

6565 SMOKE RANCH ROAD

NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



VAR-17299 & SUP-17301 - APPLICANT: MICHAEL LAWSON - OWNER: SANDCASTLE ENTERPRISES, INC.

6565 SMOKE RANCH ROAD

NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



VAR-17299 & SUP-17301 - APPLICANT: MICHAEL LAWSON - OWNER: SANDCASTLE ENTERPRISES, INC.

6565 SMOKE RANCH ROAD

NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06

September 28, 2006

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

**Justification Letter
Special Use Permit**

Re: 138-23-110-031

Fr: Michael Lawson
dba Bark Avenue

This letter is to seek a Special Use Permit to operate an upscale pet boarding/daycare facility located at 6565 Smoke Ranch Rd., in conjunction with submittal for a parking variance.

The subject property is a former childcare facility and is the ideal property for a pet boarding/daycare business. Pet boarding/daycare and child daycare have many similarities and the impact to the community will be very minimal.

The facility will meet or exceed all requirements as dictated by the City of Las Vegas for a pet boarding/daycare facility. In fact, strict management of all five conditional use regulations, especially odor and noise are main concerns and top priorities in order to counter the stereotypical pet boarding/daycare image so as to attract the upscale customer.

This letter meets and supports the city of Las Vegas policies and regulations.

Your time and support will be very much appreciated.

Sincerely,



Michael Lawson

**SUP-17301
11/16/06 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-17306 - PUBLIC HEARING - APPLICANT: WEST ONE PROPERTIES, LTD - OWNER: ASP REALTY, INC. - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 25 PARKING SPACES ARE THE MINIMUM REQUIRED FOR AN EXISTING SHOPPING CENTER on 0.63 acres at 4441 East Bonanza Road (APN 140-32-101-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve subject to conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 149 [VAR-17306] and Item 150 [SUP-17302].

HOWARD STEIN, West One Properties, noted that the Planning Commission at a previous meeting desired to see improvement on the landscaping in front of the Albertson's store, which is a portion of property they do not own. Although he asked for clarification, MR. STEIN concurred with all conditions.

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

MARGO WHEELER, Director of Planning and Development, clarified for COUNCILMAN REESE that staff's recommendation for denial was due to the deficiency in parking. Regarding the landscaping, MS. WHEELER explained that conditions were not imposed, as the applicant does not own the property.

COUNCILMAN REESE did not feel parking would be an issue, as there is sufficient parking to the west of this site. He believed the proposed project would be a great addition to the area.

MAYOR GOODMAN declared the Public Hearing closed for Item 149 [VAR-17306] and Item 150 [SUP-17302].



CASE: **VAR-17306**

RADIUS: 1000 FEET

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-17306 - APPLICANT: WEST ONE PROPERTIES, LTD -
OWNER: ASP REALTY, INC.**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-17302), if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Variance to allow 15 parking spaces where 25 parking spaces are the minimum required for an existing shopping center.

The proposed development of a 6,180 square-foot commercial development would require the addition of 25 parking spaces to this site. The applicant would be providing 15 additional spaces. This variance is to permit this ten space deviation from requirements, if approved. The site is currently parking impaired and this project would increase the parking deficiency on site by ten spaces. Denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/17/78	The City Council approved a reclassification of property (Z-0032-78) at this location for a proposed shopping center. The Planning Commission recommended approval.
11/16/06	A companion Site Development Plan Review (SDR-17302) will be heard concurrently with this item.
11/16/06	The Planning Commission recommended approval of companion item SDR-17302 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
12/21/05	A pre-application meeting was held. It was noted that handicapped parking must be brought up to Code requirements and that this is a parking impaired development. Parking requirements were discussed and a cross access agreement would be required.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.63
Net Acres	0.63

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking-lot	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Per Title 19.08 the following Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	110 Feet	Y
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	77 Feet	Y
Max. Lot Coverage	50 %	23 %	Y
Trash Enclosure	50 Feet from a protected property	53 Feet	Y
Mech. Equipment	Screened	Screened	Y

Per Title 19.12 the following Landscape 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	7 Trees	10 Trees	Y
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	3 Trees	4 Trees	Y
TOTAL			19 Trees	Y

Min. Zone Width	15 Feet right-of-way	15 Feet	Y
	8 Feet	Zero Feet	Y (per Z-32-78)

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 (existing)	96,017 SF	1:250 SF	384	7			
Retail Pad (proposed)	6,180 SF	1:250 SF	25	2			
SubTotal			409	9	360	14	
TOTAL			409		360		N
Loading Spaces			1		1		Y
Percent Deviation					12 % Deviation from requirements		

ANALYSIS

The site is currently parking impaired. Per Title 19.10: A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a parking-impaired development.

The proposed development would increase this deficiency by ten spaces; thus this parking variance indicates that the variance is to allow 15 spaces where 25 spaces are required. This development is making a site that is already deficient in parking by current standards deficient by an additional ten spaces. The differences in the parking conditions on the site are as follows:

- Current conditions are a total of 384 parking spaces are required and a total of 345 spaces are provided.

- The proposed development will require 25 additional parking spaces and through this development 15 additional spaces are being added to the site, thus the variance is worded to allow 15 parking spaces where 25 parking spaces are the minimum required.
- The new overall total for the site, if this development is approved, would be 409 parking spaces are required and a total of 360 parking spaces are provided.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT

14

SENATE DISTRICT

10

<u>NOTICES MAILED</u>	298 by City Clerk
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17306** APN: 140-32-101-003
Name of Property Owner: ASP Realty, Inc.
Name of Applicant: West One Properties, Ltd.

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: _____

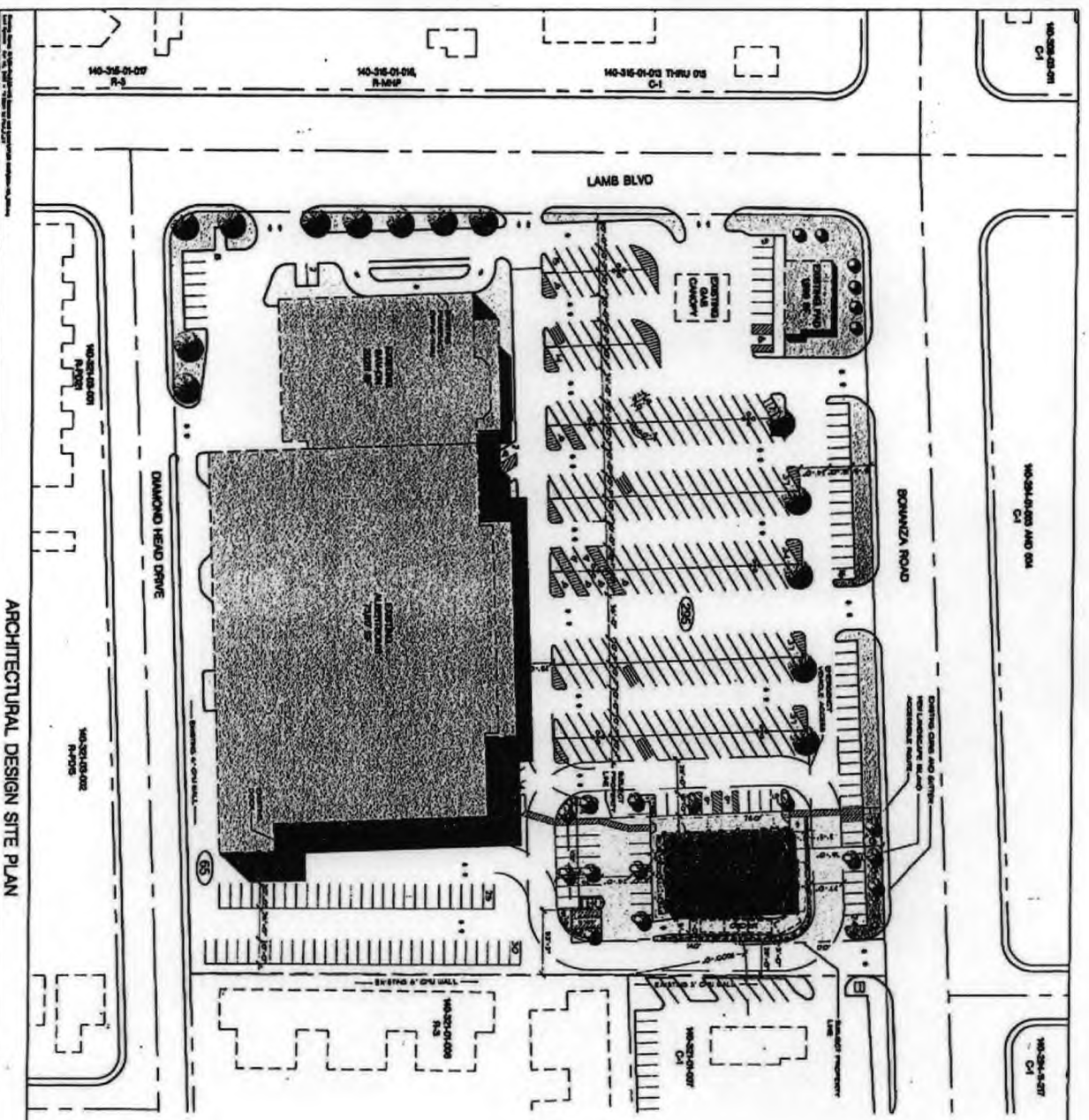
ASP Realty, Inc.

Signature of Property Owner: By: [Signature]
William H. Arnold, Vice President
Print Name: _____

Subscribed and sworn before me

This 2 day of October, 2006
Shae Hart My Commission Expires August 17, 2011
Notary Public in and for said County and State





ARCHITECTURAL DESIGN SITE PLAN

SCALE: 1" = 40'-0"

THIS PLAN HAS BEEN PREPARED WITHOUT REGARD OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. PRELIMINARY - NOT FOR CONSTRUCTION



Property Information

APN: 10-23-01-023 (Subject Parcel)
Jurisdiction: City of Las Vegas

27346 of Subject Parcel
33 Acres
5,180 of New Pad Building
23 FAR Staked Parcel

± 351204 of Land Area (East Center)
± 805 Acres
95,077 of Existing Total Building Area
102,877 of New Total Building Area
29 FAR East Center (New)

394 Stalks Existing Parking Required
25 Stalks New Parking Required
409 Stalks Total Parking Required
345 Stalks Existing Parking Provided
380 Stalks New Parking Provided
15 Stalks Net Gain to Existing
Parking Impacted Development

239 Stalks/1000 of Existing Parking Ratio
232 Stalks/1000 of New Parking Ratio

Parking required based on the following:
Shopping Center + Retail = 1000 ft² = 400 Stalks

P.R.

2001 Howard Hughes Freeway,
Suite 400
Las Vegas, Nevada 89169
702-486-0200
702-486-0201 fax
www.parkcity.com

Corporate Office
Long Beach, CA
Regional Office
Washington, DC
Atlanta, GA
New York, NY

Parkowitz, Ruth
ARCHITECTS

New Retail Pad + REC Bonanza and Lamb
**LAS VEGAS,
NEVADA**

Date: 10/16/06
Drawn By: VRF
Checked By: DM
Project No: 06-013
Rev: 06-013
Scale: 1" = 40'

SITE PLAN

09

VAR-17306
11/16/06 PC

RECEIVED
OCT 9 2006



October 3, 2006

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

RE: Justification Letter
APN#: 140-32-101-003

To Whom It May Concern:

Please accept the attached application package on behalf of West One Properties LLC, for a Site Development Review for a 6,180 sf retail pad with drive-thru on 0.63 acres. Also requested is a Parking Variance to allow a net gain of 15 spaces to an existing parking impaired shopping center. A full cross access and shared parking declaration between the proposed project and existing center is provided under the pending sale of the property. The project is limited to a single food use not greater than 1,700 sf.

The subject parcel is zoned C-1. The project is entirely surrounded by C-1 zoning with the exception of a small portion of R-3 to the southeast. This pad has remained vacant for the entire life of the Center, (at least 30 years). This project aims to put that lot to use.

The project provides improvements to 29 existing spaces and adds 15 new spaces to the existing Center. The subject property provides 22 spaces on site and an additional 8 spaces partially on site to enhance the parking layout of the overall Center.

The project meets setback and height/bulk requirements. The project exceeds the 50'-0" separation between the trash enclosure and the existing residential to the east. The drive thru-configuration meets stacking and orientation requirements, while exceeding the 100' buffer from residential. A standard loading zone is provided. The project meets landscaping and streetscape requirements. Emergency vehicle and solid waste access, including turning radii and lane clearances are provided.

Materials consist of painted stucco, aluminum storefront, and painted tube steel shading devices similar in character to other developments at that intersection.

We respectfully request your review and approval of the attached application.

Sincerely,

PERKOWITZ + RUTH ARCHITECTS
Paul Fenkell,
Designer

3980 Howard Hughes Parkway
Suite 450
Las Vegas, NV 89109
702.892.8500
702.892.8514 fax

www.prarchitects.com

Corporate Office
Long Beach, CA

Regional Offices
Costa Mesa, CA
Washington, D.C.
Las Vegas, NV
Portland, OR
Northwest, AR

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Executive Vice President

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Kenneth P. Gunther, AIA
Branko Prebenda
Alan Pullman, AIA
Marios A. Savopoulos, AIA
J. Todd Stoutenborough, AIA
Brian Wolfe, AIA

Senior Associates
Don Grainger, AIA
Rick Overley, AIA
Vasilis G. Papadatos, AIA
Michael Salmon, AIA
Ted Yoshizaki, AIA

Associates
Tarek Anan
Farooq Ameen, AIA, RIBA
Ronald E. Bernhardt, AIA
Michael Bohn
Ken Capilitan
Winston Chang, AIA
Edmond H. Classen
Wilson Deomampo
Kirk Ellis
Mitra Esfandiari
Yong Heng
Scott Jackson
Hans Kaufmann
David Littman
Deborah B. Loayza, AIA
Deborah McCutchen
Keith Mericle
Steven J. Phillips, AIA
Steve Stoyaov
Jim Thury
Terry Todd
Sean Unsell
John Vann
Brad Williams
Henry G. Wong, AIA

RECEIVED

VAR-17306
11/16/06 PC

OCT 03 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17306

SDR-17302 - PUBLIC HEARING - APPLICANT: WEST ONE PROPERTIES, LTD - OWNER: ASP REALTY, INC. - Request for a Site Development Plan Review FOR A PROPOSED 6,180 SQUARE-FOOT COMMERCIAL DEVELOPMENT CONSISTING OF 4,480 SQUARE FEET OF RETAIL SPACE AND A 1,700 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH on 0.63 acres at 4441 East Bonanza Road (APN 140-32-101-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve subject to conditions

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

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

Minutes:

See Item 149 for related discussion.

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-17302 - APPLICANT: WEST ONE PROPERTIES, LTD -
OWNER: ASP REALTY, INC.**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Variance (VAR-17306) and Reclassification of Property (Z-0032-78), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/03/06, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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

Public Works

13. 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.
14. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the parcel adjacent to this site (Assessor's Parcel Number 140-32-101-012) prior to the issuance of any permits.
15. 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, the submittal of any construction drawings or the recordation of a map for this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

16. 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.
17. The applicant shall enhance landscaping to the west of the site along the frontage

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to add a 6,180 square-foot development on a vacant pad of an existing retail development. The proposed project would consist of 4,480 square feet of retail space and a 1,700 square-foot restaurant with a drive-through. The proposed development is parking impaired and this development would increase the parking deficiency by a total of ten spaces. A Variance (VAR-17306) has been requested to permit this deviation from standards. Due to the proposed development increasing the parking deficiency at this location, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/17/78	The City Council approved a reclassification of property (Z-0032-78) at this location for a proposed shopping center. The Planning Commission recommended approval.
11/16/06	A companion Variance (VAR-17306) will be heard concurrently with this item.
11/16/06	The Planning Commission recommended approval of companion item VAR-17306 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #36/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
12/21/05	A pre-application meeting was held. It was noted that handicapped parking must be brought up to Code requirements and that this is a parking impaired development. Parking requirements were discussed and a cross access agreement would be required.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.63
Net Acres	0.63

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking-lot	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Per Title 19.08, the following Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	110 Feet	Y
Min. Setbacks			
• Front	20 Feet	76 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	77 Feet	Y
Max. Lot Coverage	50 %	23 %	Y
Trash Enclosure	50 Feet from a protected property	53 Feet	Y
Mech. Equipment	Screened	Screened	Y

Per Title 19.12, the following Landscape 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	7 Trees	10 Trees	Y
Buffer: Min. Trees	1 Tree/30 Linear Feet	3 Trees	4 Trees	Y
TOTAL			19 Trees	Y
Min. Zone Width	15 Feet right-of-way		15 Feet	Y
	8 Feet		Zero Feet	Y (per Z-32-78)

Pursuant to Title 19.10, the following parking standards apply:

In addition to Table 14-12, 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 (existing)	96,017 SF	1:250 SF	384	7			
Retail Pad (proposed)	6,180 SF	1:250 SF	25	2			
SubTotal			409	9	360	14	
TOTAL			409		360		N
Loading Spaces			1		1		Y
Percent Deviation					12 % Deviation from requirements		

ANALYSIS

The proposed development would fill in a pad on an existing retail site. The development would consist of four suites. Three of these suites are proposed to be used for retail development and the fourth is for a restaurant with a drive-through.

The site does not provide landscaping in the side yard; however this is an existing condition common to the entire shopping center and a waiver is not required. As it was part of the approval of Z-0032-78, the perimeter wall on this property is three feet tall where the property is adjacent to commercial development and six feet tall where adjacent to residential development. Elevations for the proposed development show a single story building. The design is typical of small commercial development. Materials include stucco, aluminum, metal trellis and canopies, and parapets for accents.

The site is currently parking impaired. A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a parking-impaired development. The proposed development would increase this deficiency by ten spaces; thus the parking Variance (VAR-17306) indicates that the variance is to allow 15 spaces where 25 spaces are required. This development is making a site that is already deficient in parking by current standards deficient by an additional ten spaces. Due to this increase in the parking deficiency on the site, denial of this request is recommended.

FINDINGS

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

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

Although the proposed retail and restaurant uses are compatible with adjacent development, the proposed development cannot be supported as the development would require an increase in the current parking deficiency at this location.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is not consistent with Title 19.10 parking requirements. A Variance (VAR-17306) has been requested and will be heard concurrently with this item. The proposed development is consistent with all other plans and policies.

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

The site gains access from Bonanza Road and Lamb Boulevard. Both are 100-foot primary arterials. These streets provide adequate access to and from the site.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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;

Building elevations and design characteristics are not unsightly and will be harmonious and compatible with development in the area.

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

The site will not compromise the public health or the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 14

SENATE DISTRICT 10

NOTICES MAILED 287 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-17302

Case Number: SDR-17302 APN: 140-32-101-003

Name of Property Owner: ASP Realty, Inc.

Name of Applicant: West One Properties, Ltd.

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: _____

ASP Realty, Inc.

Signature of Property Owner: By: [Signature]

William H. Arnold, Vice President

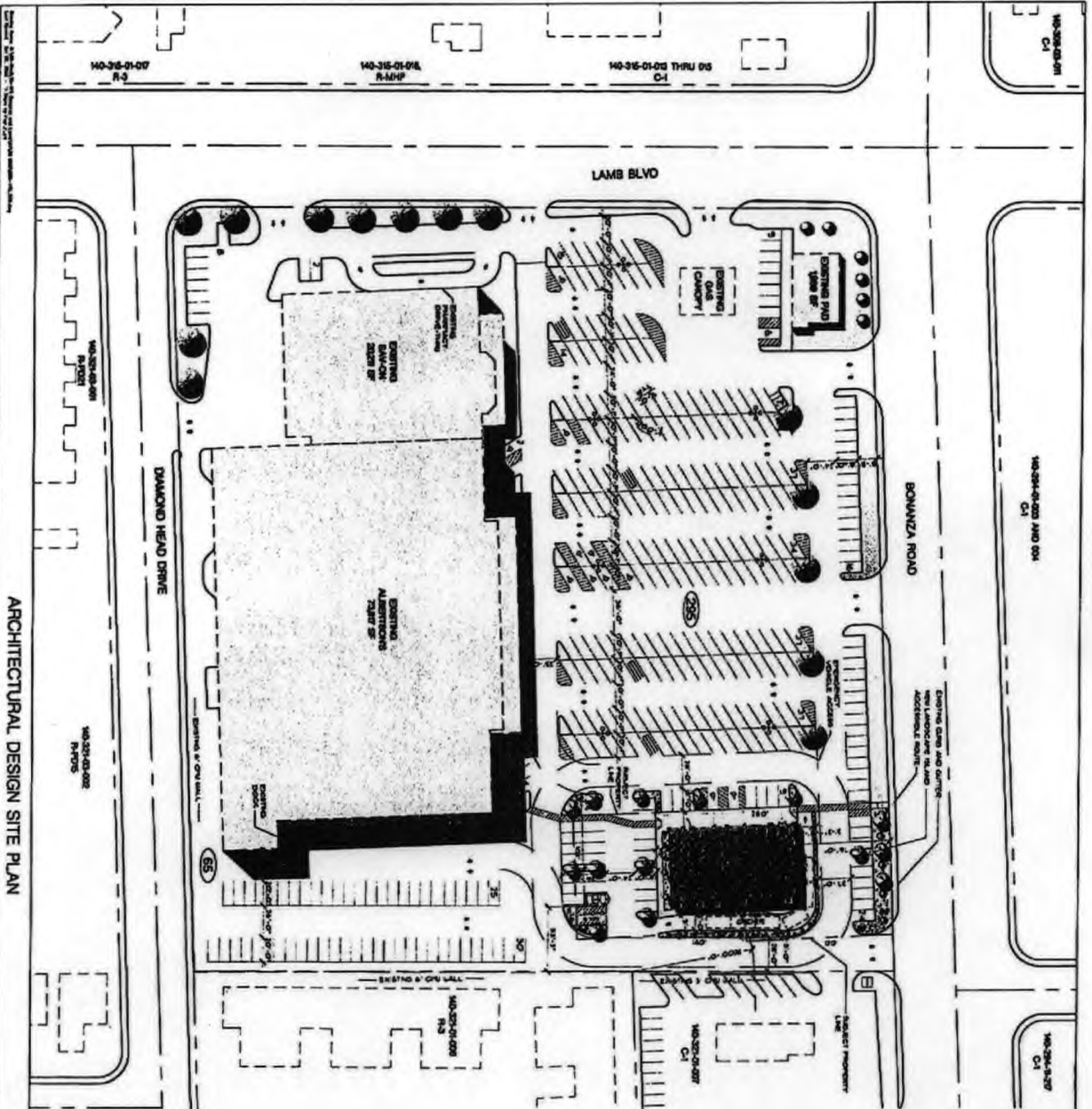
Print Name: _____

Subscribed and sworn before me

This 2 day of October, 2006

Shae Hart my commission Expires August 17, 2011
Notary Public in and for said County and State





ARCHITECTURAL DESIGN SITE PLAN

160-294-001-001
C1

160-294-002 AND 004
C1

160-294-007
C1

Property Information

APN# 160-29-001-001 (Subject Parcel)
Jurisdiction City of Las Vegas

27,946 sq Subject Parcel

63 Acres

6,300 sq New Pad Building

23 FAR Subject Parcel

± 351,004 sq Land Area (Exist. Center)

± 806 Acres

96,007 sq Existing Total Building Area

102,997 sq New Total Building Area

29 FAR Entire Center (New)

384 Stalls Existing Parking Required

23 Stalls New Parking Required

409 Stalls Total Parking Required

345 Stalls Existing Parking Provided

360 Stalls New Parking Provided

5 Stalls Net Gain to Existing

Parking Impaired Development

359 Subdivided sq Existing Parking Ratio

352 Subdivided sq New Parking Ratio

Parking required based on the following:
Shopping Center - 1,000 sq ft = 100 sq ft = 400 Stalls



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. PRELIMINARY - NOT FOR CONSTRUCTION

P.R.

2001 Howard Hughes Hwy.
Suite 400
Las Vegas, Nevada 89103
702-425-0200
702-425-0201 fax
www.parkway.com
Corporate Office
Long Beach, CA
Regional Offices
San Francisco, CA
Washington, DC
New York, NY

Perkowitz, Ruth
ARCHITECTS
New Retail Pad at SEC Bonanza and Lamb
**LAS VEGAS,
NEVADA**

Revisions

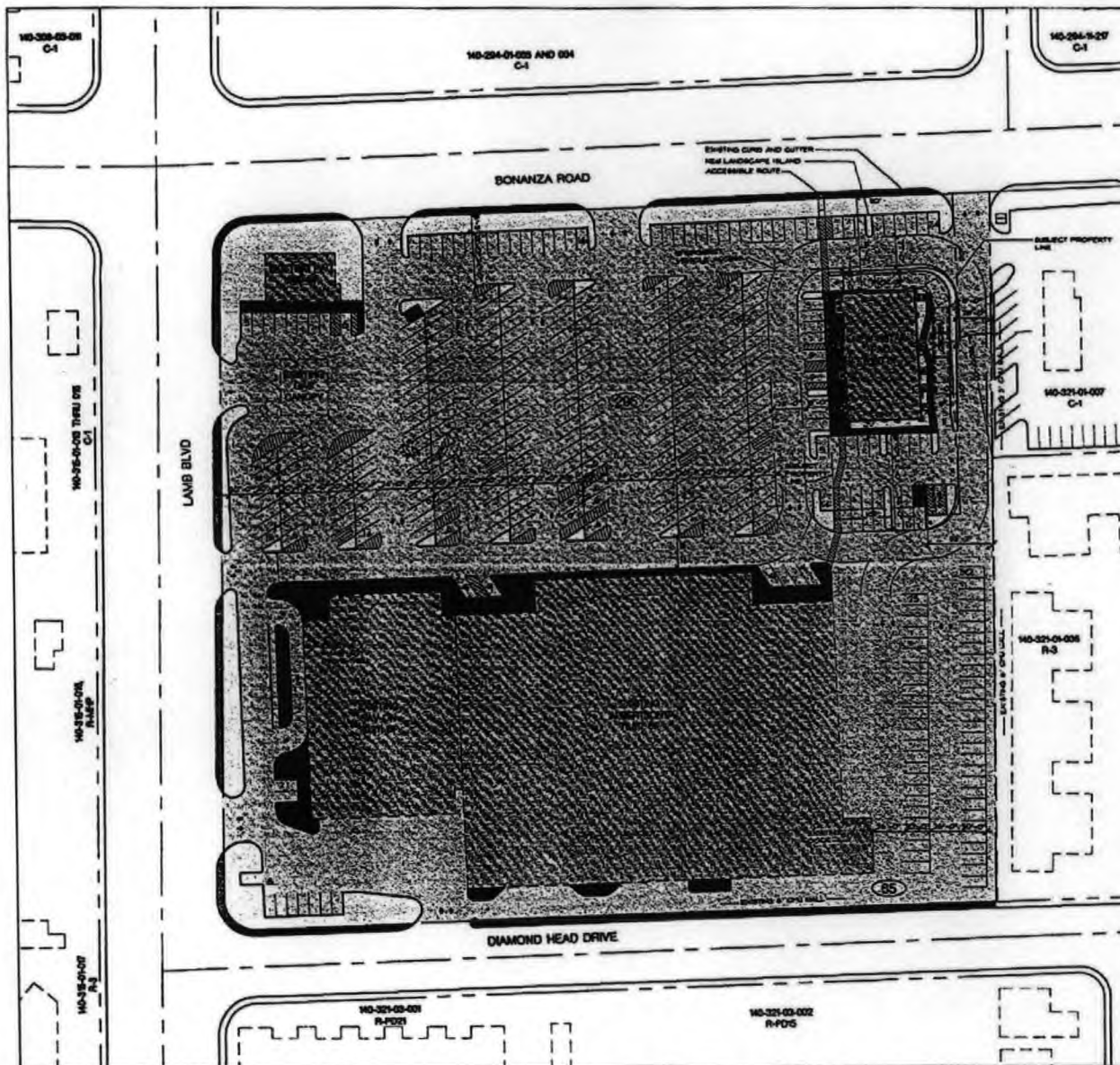
Date: 03/04
Drawn By: RVS
Checked By: DM
Project No: 06-1616
Rev Name: Site Plan
Scale: 1" = 40'

SITE PLAN

09

SDR-17302
11/16/06 PC

RECEIVED
OCT 9 2006



Property Information

APN: 140-32-101-003 (Subject Parcel)
Jurisdiction: City of Las Vegas

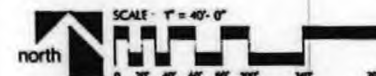
27,346 sf Subject Parcel
53 Acres
6,180 sf New Pad Building
23 FAR Subject Parcel

± 351,304 sf Land Area (Exist. Center)
± 806 Acres
96,017 sf Existing Total Building Area
102,197 sf New Total Building Area
29 FAR Entire Center (New)

384 Stalls Existing Parking Required
25 Stalls New Parking Required
409 Stalls Total Parking Required
345 Stalls Existing Parking Provided
360 Stalls New Parking Provided
15 Stalls Net Gain to Existing
Parking Impaired Development

159 Stalls/1000 sf Existing Parking Ratio
152 Stalls/1000 sf New Parking Ratio

Parking required based on the following:
Shopping Center = 102,000 sf = 1,050 of = 409 Stalls



THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
PRELIMINARY - NOT FOR CONSTRUCTION

ARCHITECTURAL DESIGN SITE PLAN

PR

2900 Howard Hughes Pkwy.
Suite 400
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702-892-8200
702-892-8314 fax

www.parkowitz.com

Corporate Office:
Long Beach, CA

Regional Office:
Newport Beach, CA
Washington, DC
Las Vegas, NV

Parkowitz + Ruth
ARCHITECTS

New Real Pad ± SEC Bonanza and Lamb
**LAS VEGAS,
NEVADA**

Revisions

Date: 10/20/06
Drawn By: PCF
Checked By: DM
Project No: 06-1511
File Name: Site_09.dwg
Scale: 1" = 40'

SITE PLAN

09

SDR-17302
11/16/06 PC

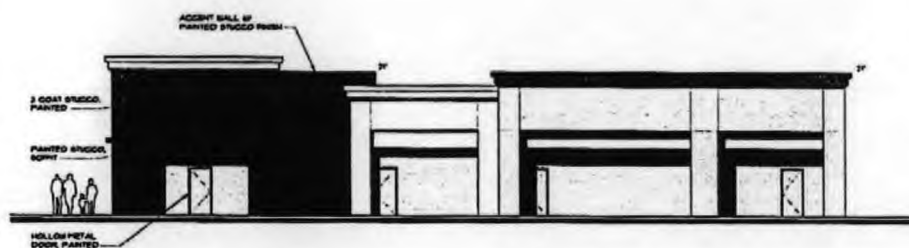
NOT A 2006



WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



PRELIMINARY - NOT FOR CONSTRUCTION

ARCHITECTURAL DESIGN ELEVATIONS

PR

3982 Howard Hughes Pkwy.
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Washington, DC
Las Vegas, NV

Perkowitz, Ruth
ARCHITECTS

Las Vegas,
NEVADA

RETAIL AND SEC. BOWLING • LAR

Revisions

Date: 10/2/06
Drawn By: POF
Checked By:
Project No: 06-175.11
File Name:
Scale: 1/8"=1'-0"

Concept Elevs

04

SDR-17302
11/16/06 PC

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OCT 3 2006

02

SDR 17302				
West One Properties, LTD				
4441 E Bonanza				
Proposed 6.18 thousand square foot fast food restaurant with drive-through.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	6.18	496.12	3,066
AM Peak Hour			53.11	328
PM Peak Hour			34.64	214
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Bonanza Road				
Average Daily Traffic (ADT)	28,810			
PM Peak Hour	2305			
(heaviest 60 minutes)				
Lamb Boulevard				
Average Daily Traffic (ADT)	40,491			
PM Peak Hour	3239			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Bonanza Road	51700			
Lamb Boulevard	51700			
This project will add approximately 3,066 trips per day on Bonanza and Lamb. This will increase expected volumes by about eleven percent on Bonanza and about eight percent on Lamb. Bonanza is at 56 percent of capacity and Lamb is at about 78 percent of capacity.				
Based on Peak Hour use, this development will add roughly 214 additional cars into the area; which works out to about seven every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



VAR-17306 & SDR-17302 - APPLICANT: WEST ONE PROPERTIES, LTD - OWNER: ASP REALTY, INC.
4441 EAST BONANZA ROAD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



VAR-17306 & SDR-17302 - APPLICANT: WEST ONE PROPERTIES, LTD - OWNER: ASP REALTY, INC.
4441 EAST BONANZA ROAD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



October 3, 2006

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

RE: Justification Letter
APN#: 140-32-101-003

To Whom It May Concern:

Please accept the attached application package on behalf of West One Properties LLC, for a Site Development Review for a 6,180 sf retail pad with drive-thru on 0.63 acres. Also requested is a Parking Variance to allow a net gain of 15 spaces to an existing parking impaired shopping center. A full cross access and shared parking declaration between the proposed project and existing center is provided under the pending sale of the property. The project is limited to a single food use not greater than 1,700 sf.

The subject parcel is zoned C-1. The project is entirely surrounded by C-1 zoning with the exception of a small portion of R-3 to the southeast. This pad has remained vacant for the entire life of the Center, (at least 30 years). This project aims to put that lot to use.

The project provides improvements to 29 existing spaces and adds 15 new spaces to the existing Center. The subject property provides 22 spaces on site and an additional 8 spaces partially on site to enhance the parking layout of the overall Center.

The project meets setback and height/bulk requirements. The project exceeds the 50'-0" separation between the trash enclosure and the existing residential to the east. The drive thru-configuration meets stacking and orientation requirements, while exceeding the 100' buffer from residential. A standard loading zone is provided. The project meets landscaping and streetscape requirements. Emergency vehicle and solid waste access, including turning radii and lane clearances are provided.

Materials consist of painted stucco, aluminum storefront, and painted tube steel shading devices similar in character to other developments at that intersection.

We respectfully request your review and approval of the attached application.

Sincerely,

PERKOWITZ + RUTH ARCHITECTS
Paul Fenkell,
Designer

120 Howard Hughes Parkway
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Las Vegas, NV 89109
P 702.892.8500
F 702.892.8514 fax

www.perkowitzruth.com

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Washington, D.C.
Las Vegas, NV
Portland, OR
Northwest, AR

Sy Perkowitz, AIA, PE
President & CEO

Steven J. Ruth, AIA
Executive Vice President

Principals
Betsy Clements
Kenneth B. Gunther, AIA
Franko Prebenda
Allen Pullman, AIA
Charles A. Savopoulos, AIA
B. Todd Stoutenborough, AIA
John Walle, AIA

Senior Associates
Chris Grainger, AIA
Pete Overley, AIA
Thomas G. Papadatos, AIA
Michael Salmon, AIA
And Yoshizaki, AIA

Associates
Derek Arian
Ahmed Ameen, AIA, RIBA
Donald E. Bernhardt, AIA
Michael Bohn
Ken Capitlan
Wensten Chang, AIA
Edmond H. Classen
Wilson Deonampo
D.J. Ellis
Musa Estandiani
Hong Heng
Sally Jackson
James Kaufmann
David Littman
Catherine B. Loayza, AIA
Georgina McCutchen
Keith Mericle
Steven J. Phillips, AIA
Alexey Stoyanov
Ben Thurn
Terry Todd
Sean W. H.
John V. J.
Sean Williams
Terry G. Wong, AIA

SDR-17302
11/16/06 PC

RECEIVED
OCT 03 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-17156 - PUBLIC HEARING - APPLICANT/OWNER: GLENN J. SORRELLS - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Variance TO ALLOW A SEVEN-FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM HEIGHT PERMITTED IN A PORTION OF THE FRONT YARD on 0.15 acres at 1109 Shifting Sands Drive (APN 138-26-615-088), R-1 (Single Family Residential) Zone, Ward 5 (Weekly). NOTE: THE APPLICATION IS FOR AN EIGHT FOOT HIGH WALL WHERE A FIVE-FOOT HIGH WALL IS THE MAXIMUM. The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

19

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by Glenn Sorrells
6. Submitted after final agenda – Protest petition with 19 signatures
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 32

Motion made by LAWRENCE WEEKLY to Hold in Abeyance to 1/3/2007

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

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

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

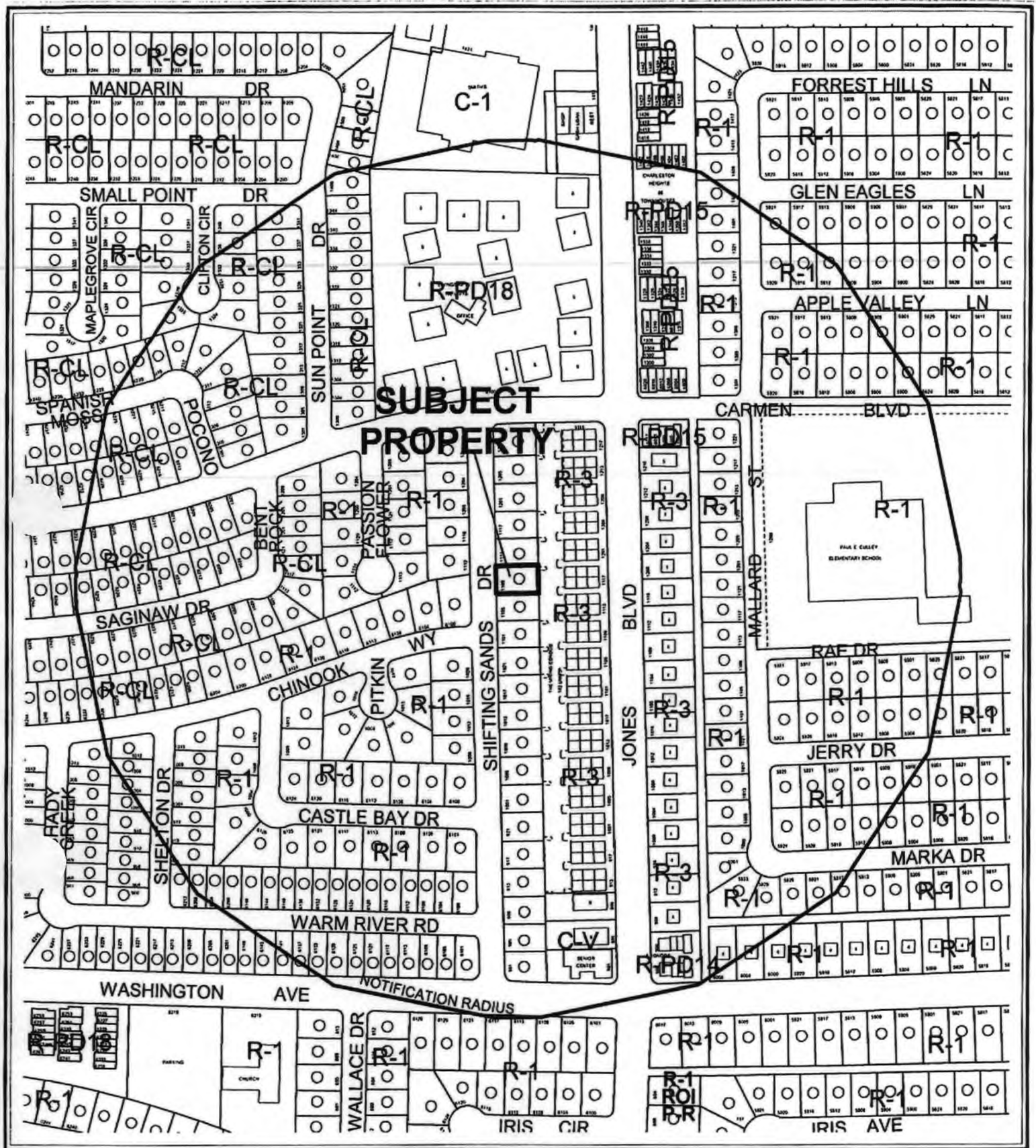
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

GLENN J. SORRELLS, 1109 Shifting Sands Drive, stated that he had spoken with COUNCILMAN WEEKLY and it was agreed that the item should be abeyed.

COUNCILMAN WEEKLY confirmed the item would be held in abeyance. He desired to meet with MR. SORRELLS and the resident who had some concerns with this request.

JOYCE DE LA ROSA noted that she resides next door to MR. SORRELLS, and she is the resident with concerns.

MAYOR PRO TEM REESE declared the Public Hearing closed.



CASE: **VAR-17156**

RADIUS: 1000 FT

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

0 200 400 Feet





CASE: **VAR-17156**

RADIUS: 1000 FT

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17156 - APPLICANT/OWNER: GLENN J. SORRELLS

**** CONDITIONS ****

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

Planning and Development

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a Variance request to allow for the construction of a 8 foot high combination masonry wall with the top 3 feet providing visibility, and ornamental fencing along a portion of the southern property line where 5 feet with the top 3 feet providing visibility is the permitted maximum height pursuant to Title 19 Wall Standards. The project is proposed within the front yard of a 0.15 acre single family residential site located at 1109 Shifting Sands Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/05/87	The City Council approved a Plot Plan Review of an addition to a child care center on the property located at 6565 West Smoke Ranch Road, N-U Zone (under Resolution of Intent to C-1). Staff and the Planning Commission recommended approval.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #32/ja).
<i>Pre-Application Meeting</i>	
09/16/2006	A Pre-application meeting was held with the applicant. Development Services – Current Planning staff informed the applicant that front yard walls/fences heights shall be 5 feet with the top 3 vertical feet open to permit visibility. In addition, the applicant was informed perimeter walls may be a maximum of eight feet high.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of development request nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.15 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	Low Density Residential	R-1 (Single Family Residential)
North	Single Family Residential	Low Density Residential	R-1 (Single Family Residential)
South	Single Family Residential	Low Density Residential	R-1 (Single Family Residential)
East	Single Family Residential	Medium Density Residential	R-3 (Medium density Residential)
West	Single Family Residential	Low Density Residential	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 square feet	NA	Y
Min. Lot Width	65 feet	NA	Y
Min. Setbacks		NA	Y
• Front	20		
• Side	5		
• Corner	15		
• Rear	15		
Max. Lot Coverage	50%	NA	Y
Max. Building Height	2 stories or 35 feet, whichever is less	NA	Y

Title 19.12.040

<i>Landscaping and Open Space Standards</i>			
<i>Standards</i>	<i>Maximum Height</i>	<i>Provided</i>	<i>Compliance</i>
Wall Height	5 feet	8 feet	N

ANALYSIS

The project proposes to construct a masonry block wall in the front yard and an ornamental iron fence along the side yard (southern property line shared with an existing single family residence). The wall will be as high as 8 feet within the front setback area, where 5-feet with the top three vertical feet open to permit visibility, is the maximum permitted height. The ornamental iron fence proposed along the side yard is proposed at 8 feet high which is the maximum permitted height consistent with Title 19 Residential Development Standards. The proposed wall would be constructed of 4 foot high masonry along the front with the top 3 feet a viewable fence.

The subject property does not possess any topographical constraints that precludes the applicant from meeting Title 19 wall height standards. As such, staff recommends denial of the requested variance.

Furthermore, City Council Bill 2006—43, Section 19.12.075 Wall Standards states that no screening wall shall be built in the front yard of a residential property.

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 with the proposed wall exceeding wall/fence height requirements as stipulated in Title 19.12.075. A reduction in the wall height will provide a design alternative that 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.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 362 by City Clerk

APPROVALS 0

PROTESTS 0



1155011
Shift

Existing Wall

5'-0"
CLEARANCE
TO IRON

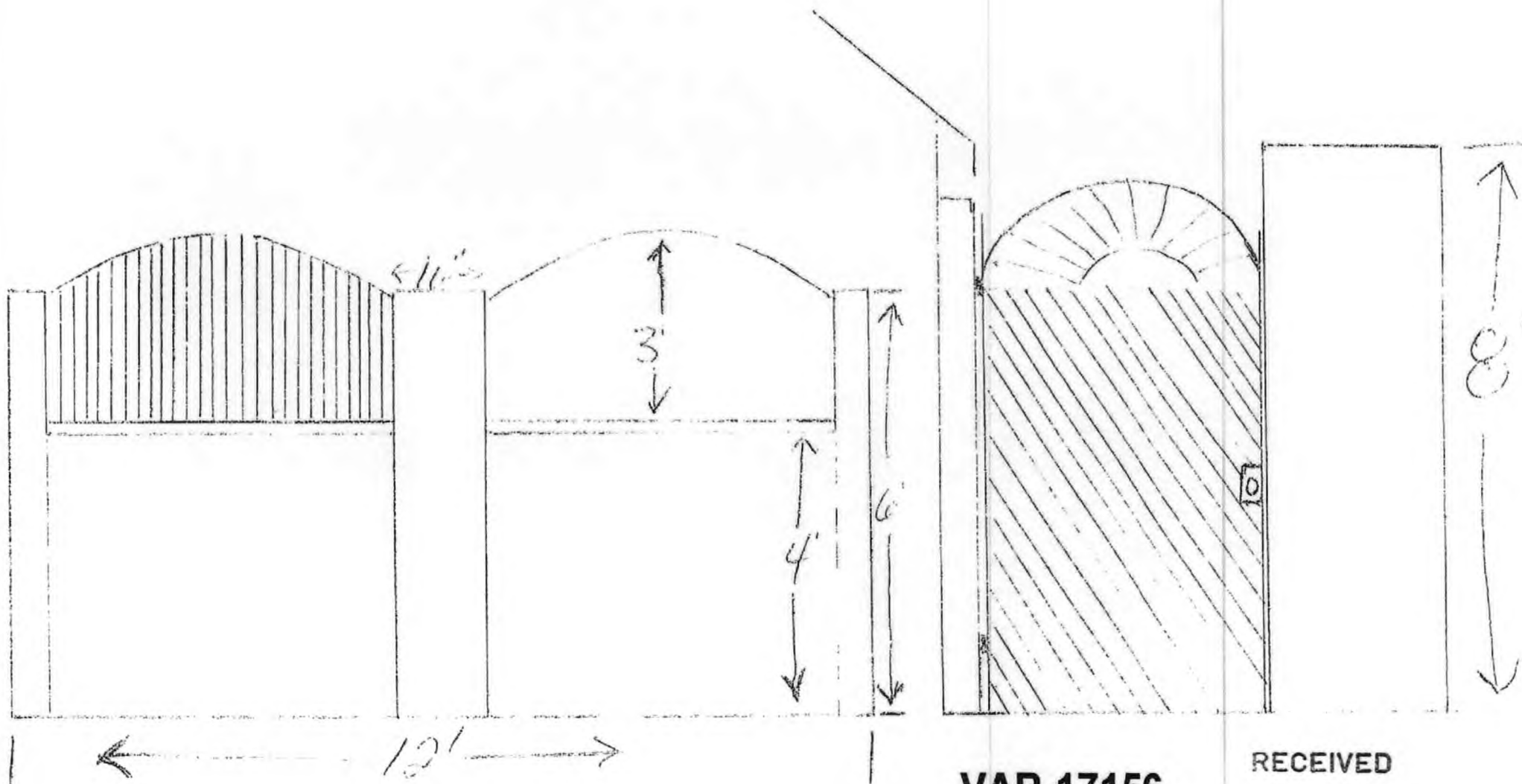
15'
12'
12'
12'

Shift
1155011
Shift

Shifting Sands De.

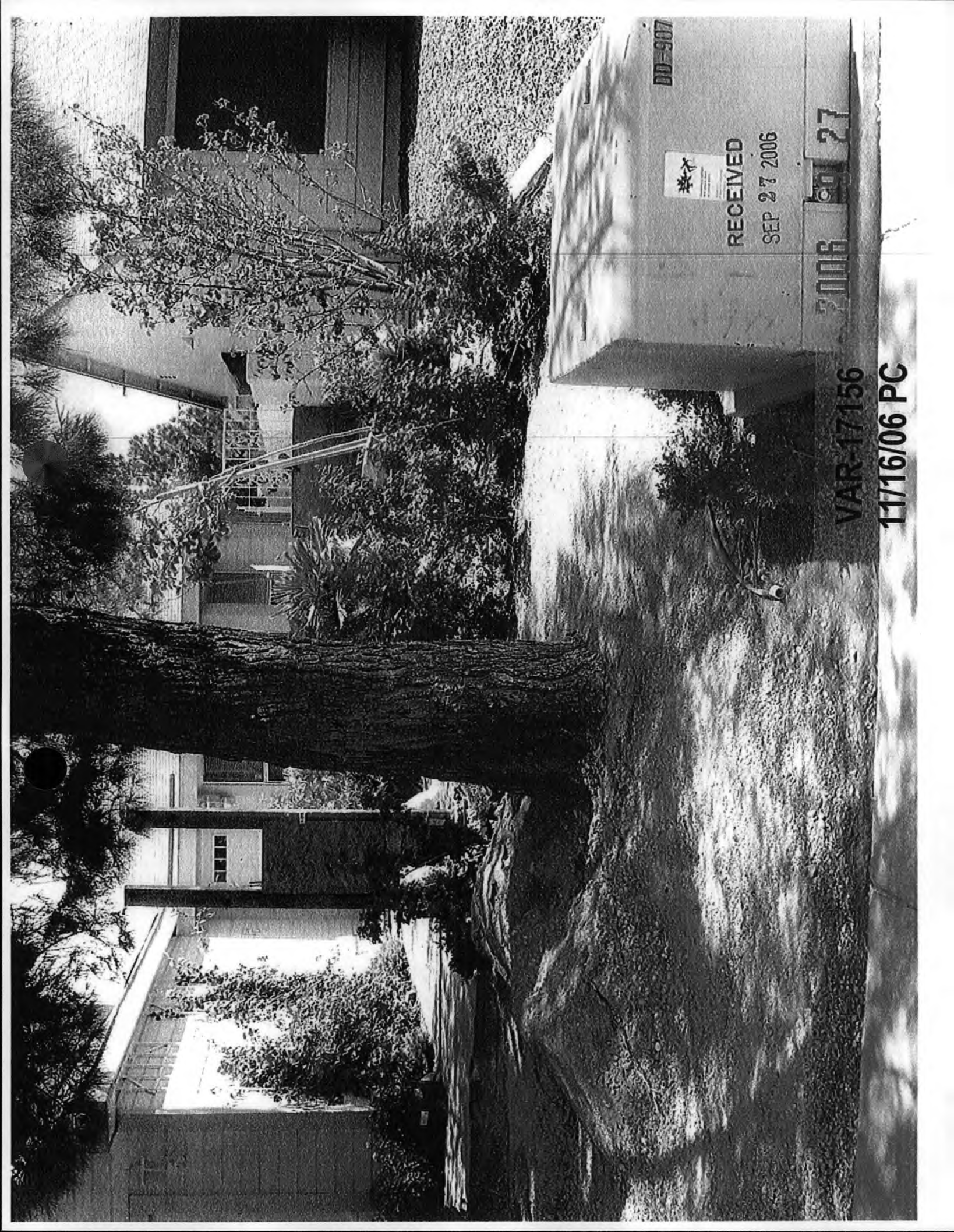
RECEIVED
SEP 27 2006

VAR-17156
11/16/06 PC



VAR-17156
11/16/06 PC

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SEP 27 2006



DD-907



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SEP 27 2006

2006 SEP 27

VAR-17156

11/16/06 PC



VAR-17156 - APPLICANT/OWNER: GLENN J. SORRELLS
1109 SHIFTING SANDS DRIVE
NOVEMBER 16, 2006 PLANNING COMMISSION

10/15/06



VAR-17156 - APPLICANT/OWNER: GLENN J. SORRELLS
1109 SHIFTING SANDS DRIVE
NOVEMBER 16, 2006 PLANNING COMMISSION

10/15/06

Glenn Sorrells
1109 Shifting Sands Ave.
Las Vegas, NV 89108
Phone (702) 429-5029

September 5, 2006

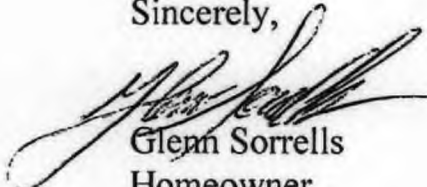
Planning and Development
City of Las Vegas

Re: Variance @ 1109 Shifting Sands Ave.

To whom it may concern:

I would like to request a variance for a courtyard wall. The proposed wall extends 6 ½ ft. beyond the home, and is projected to be 4' tall solid block with ornamental iron 2 ½ ft. tall on top. The purpose for the wall is to enclose a courtyard area in front of the home for privacy and security.

Sincerely,



Glenn Sorrells
Homeowner

VAR-17156
11/16/06 PC

RECEIVED
CITY CLERK

2006 NOV 17 P 3: 46

To Whom It May Concern:

In regards to the planning and developing meeting on November 16, 2006
I wish to appeal the decision of the courtyard wall request at 1109 Shifting Sands Dr.
which was denied. (VAR17156) Please advise in what steps need to be taken to do so.

Thank you in advance for your prompt attention in this matter.

Best regards,



Glenn Sorrells

PETITION
FOR DENIAL OF VARIANCE - 17156
APPLICANT/OWNER: GLENN J. SORRELLS

RECEIVED
CITY CLERK

2006 DEC 19 A 10:45

REQUEST FOR A VARIANCE TO ALLOW AN EIGHT FOOT WALL WHERE A FIVE-FOOT WALL IS THE MAXIMUM PERMITTED IN A PORTION OF THE FRONT YARD ON 0.15 ACRES AT 1109 SHIFTING SANDS DRIVE (APN 138-26-615-088), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE, WARD 5 (WEEKLY).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 26, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

THE ORIGINAL PLANNING COMMISSION MEETING ON NOVEMBER 16, 2006 AT 6:00 P.M. AT 400 STEWART AVENUE, IN CITY COUNCIL CHAMBERS, RECOMMENDED DENIAL OF THIS VARIANCE. IT WAS A UNANIMOUS VOTE TO DENY THIS REQUEST. THE APPLICANT HAD TEN DAYS TO REQUEST AN APPEAL IN WRITING, AND HE HAS DONE SO. NOTICES WILL BE SENT OUT AGAIN TO THOSE WHO OWN PROPERTY WITHIN A CERTAIN DISTANCE FROM THE APPLICANTS PROPERTY. THE DATE FOR THIS APPEAL IS **DECEMBER 20, 2006 AT 1:00 P.M.**

TO: AGENDA TECHNICIAN

MY NAME AND SIGNATURE APPEAR BELOW BECAUSE I OPPOSE THE APPROVAL OF THIS VARIANCE (#17156).

Protest

NAME	ADDRESS	SIGNATURE
Joyce E. de la Rosa	1105 Shifting Sands	Joyce de la Rosa
FRED WILLIAMS	1013 SHIFTING SANDS	Fred Williams
JAMES BURNS	6104 CASTLE BAY DR.	James Burns
CHARLES YOUNG	6117 Castle Bay Dr.	Charles Young
PATRICK BUSWELL	6108 CASTLE BAY DR	Patrick Buswell
MARCUS E RUIZ	6100 Castle Bay Dr	Marcus Ruiz
JESUS L. RIVERA-ABREGO	1005 Shifting Sands Dr.	Jesus Rivera-Abrego
LEO H. TURKAM	1016 SHIFTING SANDS DR	Leo Turkam
LEN COYLE	1205 Shifting Sands	Len Coyle
MISTY SUMMER	1209 Shifting Sands	Misty Summer
W. LYN HALL	6204 SAGINAW DR.	W. Lyn Hall
DUSTIN HOLT	6217 Saginaw Dr	Dustin Holt
MARLYN ROBERTS	6216 Saginaw Dr	Marlyn Roberts

RECEIVED
CITY CLERK

2006 DEC 19 A 10:45

SIGNATURE

Kim Bishop 6736 Chinook way LIBR-10

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

8 Nov. 2006

Chairman, Planning Commission
131 So. 4th St.
Las Vegas, NV 89101

Re: Var-11156 Connection

Dear Planning Chairman:

I am one of the original home owners in this neighborhood, having bought my home in 1989; and I've been pleased that my neighborhood has pretty much held its property values in spite of the seventeen years.

However, I am not pleased that Glenn J. Farrell has petitioned for a variance of a 7 to 8' patio wall extending into his front yard. I can see no reason to extend a large patio wall into a front yard - how far out is not spelled out in the variance - it can't be for looks!

I've seen what variances and owners' changes in architecture do to a neighborhood and I don't want that to happen to mine.

Please, please deny this request for the sake of our good neighborhood!

Yours sincerely,
M L Ferguson

PO Box 34195
Las Vegas, NV 89133

You have my permission to use this letter in this matter.

Submitted after final agenda

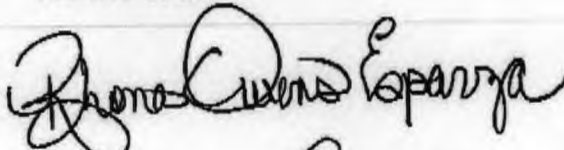
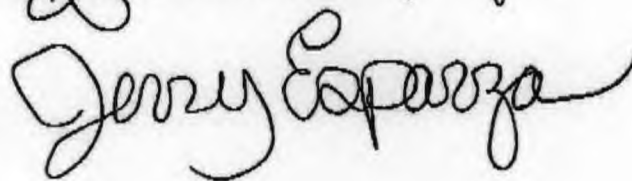
Date 11/16/06 Item # 32

Thursday, November 16, 2006

To Whom It May Concern,

We are the neighbors of Glen Sorrells. We feel that the wall addition that he is proposing will add beauty and security to his home, as well as the neighborhood. We are in complete agreement with his proposal.

Sincerely,
Jerry Esparza
Rhona Owens-Esparza
1112 Shifting Sands Dr.
Las Vegas, NV 89108
702-242-3388

Submitted at Planning Commission

Date 11/16/06 Item #32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REQUIRED FOUR YEAR REVIEW

RQR-17098 - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC - Appeal filed by the applicant from the denial by the Planning Commission of a Required Four-Year Review of an approved Special Use Permit (U-0025-98) WHICH ALLOWED A 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L King Boulevard (APN 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

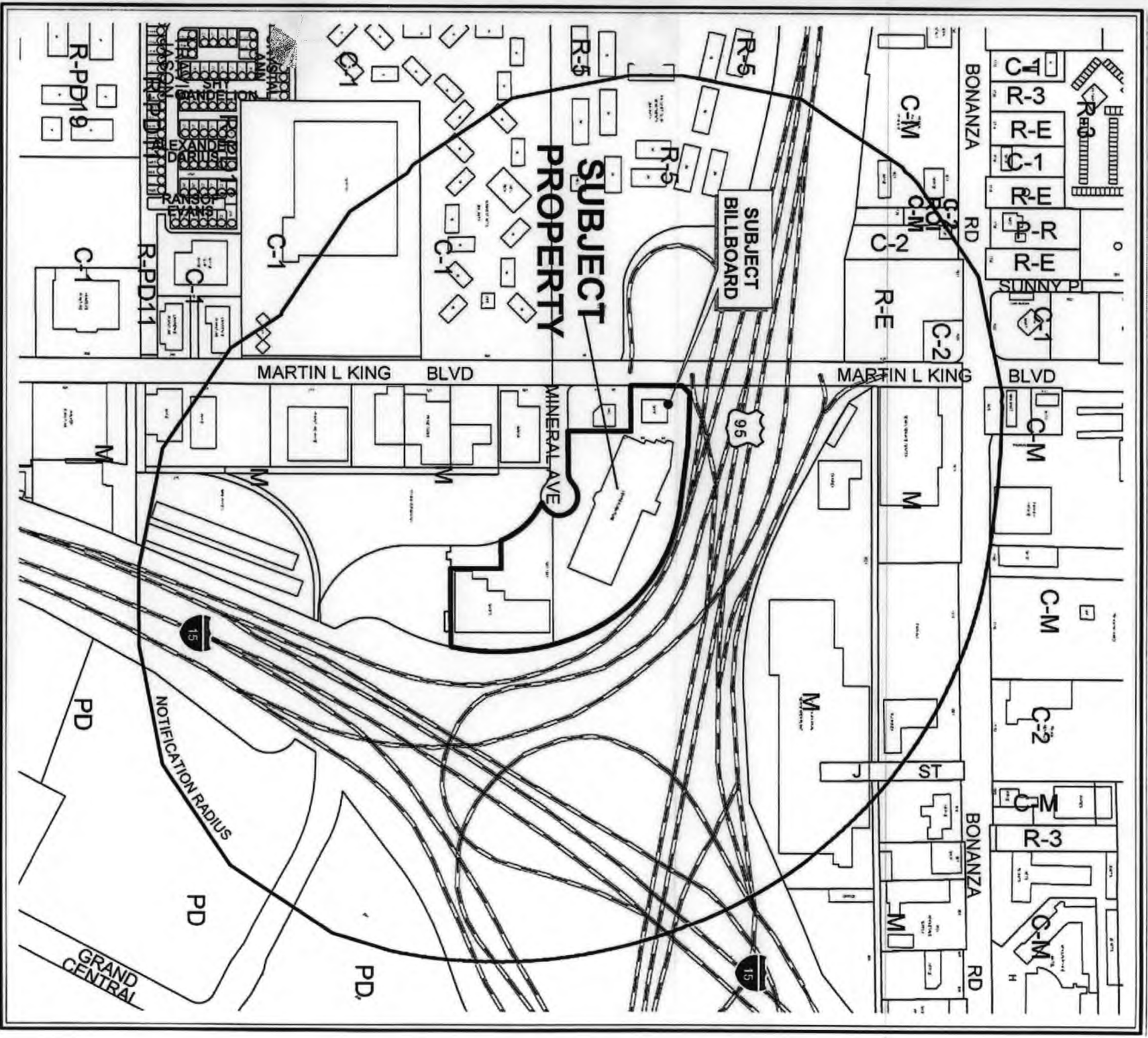
1. Location, Aerial, Separation and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for U-0025-98(2)
5. City Council Approval Letter for U-0025-98(1)
6. City Council Approval Letter for U-0025-98
7. Appeal letter filed by Clear Channel Outdoor
8. Submitted after final agenda - Abeyance request by Attorney Paul Larsen

Motion made by GARY REESE to Table Item 107 [GPA-16202], Item 108 [ZON-16196], Item 109 [SUP-16198], Item 110 [SUP-16200] and Item 111 [SDR-16197]; HOLD IN ABEYANCE Item 116 [ZON-15031], Item 117 [SDR-15030], Item 132 [SDR-17298], Item 152 [RQR-17098] and Item 154 [SDR-17057] to 1/3/2007; Item 122 [VAR-16165], Item 127 [SDR-15747], Item 133 [GPA-16511], Item 134 [ZON-16519], Item 135 [VAR-16525] and Item 136 [SDR-16522] to 1/17/2007; Item 137 [GPA-16578], Item 138 [ZON-16580] and Item 139 [SDR-16581] to 2/7/2007; and Item 153 [SUP-13490] to 2/21/2007

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

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

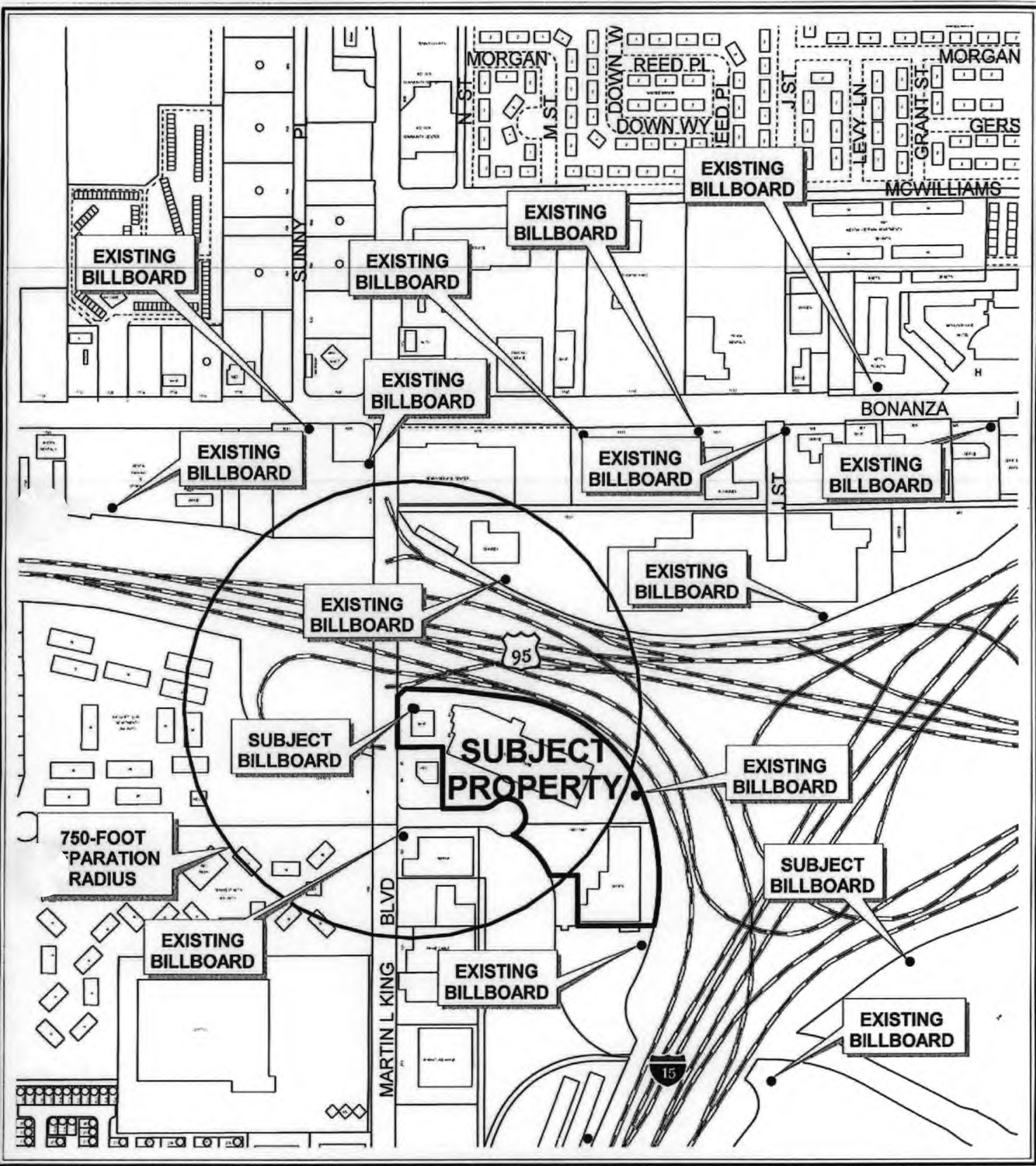
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)



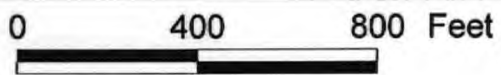
CASE: **RQR-17098**

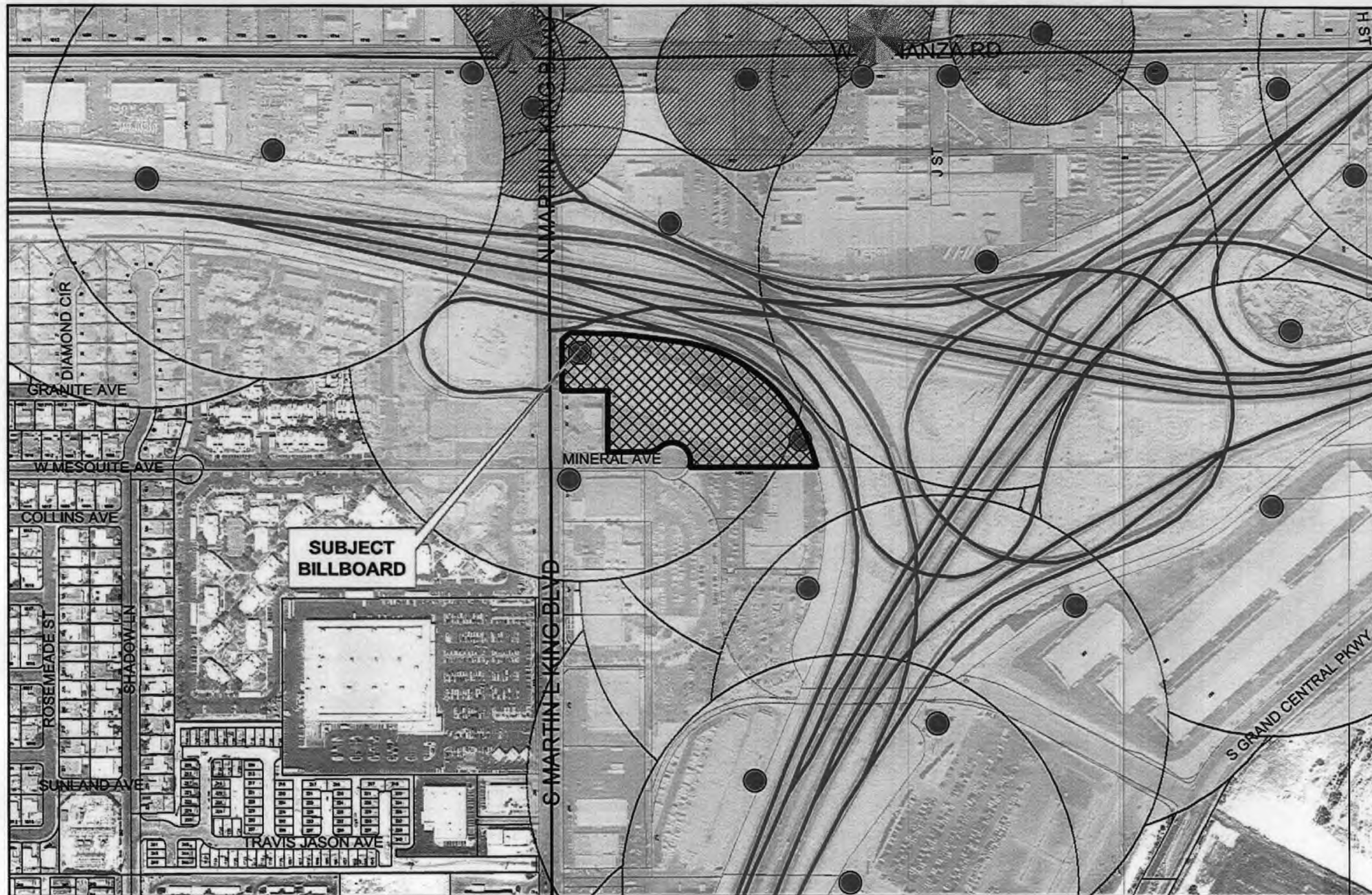
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **RQR-17098**
SEPARATION RADIUS: 750 FT
ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)





RQR-17098

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-17098 - APPLICANT: CLEAR CHANNEL OUTDOOR -
OWNER: CONSTANTINO NOVAL NV, LLC**

**** CONDITIONS ****

The Planning Commission (5-2 vote) and staff recommend DENIAL.

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a required Four-Year Review of an approved Special Use Permit (U-0025-98) which allowed a 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign at 73 South Martin L. King Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/08/98	The City Council approved a Special Use Permit (U-0025-98) for a 14-foot by 48-foot Off-Premise Advertising (Billboard) Sign at a height of 74 feet. The Planning Commission and staff recommended approval on 04/09/98.
08/02/00	The City Council approved a Two Year Required Review [U-0025-98(2)] of an approved Special Use Permit for a 672 square foot – 48-foot tall Off-Premise Sign (Billboard) Sign.
09/18/02	The City Council approved a Two Year Required Review [U-0025-98(2)] of an approved Special Use Permit which allowed a 74-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign. The Planning Commission and staff recommended approval on 08/22/02.
11/16/06	The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #39/bts).
<i>Related Building Permits/Business Licenses</i>	
07/30/98	A building permit (98015524) was issued on 07/30/98, but never received a final building inspection.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<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	5.6

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Building	LI/R (Light Industrial/Research)	M (Industrial)
North	R.O.W. (US-95)	R.O.W. (US-95)	R.O.W. (US-95)
South	Retail Buildings	LI/R (Light Industrial/Research) C (Downtown - Commercial)	M (Industrial)
East	R.O.W. (I-15)	R.O.W. (I-15)	R.O.W. (I-15)
West	Tennis Courts	MXU (Mixed Use)	R-5 (Apartment)

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

ANALYSIS

This is the third review of the subject Special Use Permit (U-0025-98). A building permit for the subject sign was issued on 07/30/98, but was never finalized. The applicant has not complied with Condition Number four (4) from the previous Required Review [U-0025-98(2)]. Condition four (4) stated "All City Code requirements and design standards of all City Departments must be satisfied". Since the applicant has never received a final from the Building Department, staff cannot support the subject Required Review. Therefore, staff is recommending denial of the subject Required Review.

FINDINGS

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

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

Title 19.14.100 allows the removal of an Off-Premise Advertising (Billboard) Sign if conditions in the surrounding area have changed such that the Off-Premise sign no longer meets the standards of the Code.

The continued use of the Off-Premise Advertising (Billboard) Sign on the subject site is inappropriate. The sign fails to meet requirements of all City Departments as it has not been properly inspected by the Building Department.

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

The subject site is physically suitable for the type of billboard if properly permitted. The failure of the applicant to comply with all City Code requirements creates a potentially dangerous situation.

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.”**

Staff finds the continuation of the Off-Premise Advertising (Billboard) Sign use will not affect traffic onto or near Martin L. King Boulevard.

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.”**

Staff cannot support the continued use of the existing billboard at its present location. The billboard has never received a final inspection by the building department. The existing structure may have an adverse affect on the public health, safety, and welfare until proper inspections are completed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 28 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-17098** APN: 139 33 510 002
Name of Property Owner: CONSTANTINO NOVAL LLC
Name of Applicant: CLEAR CHANNEL OUTDOOR

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

Signature of Property Owner: _____

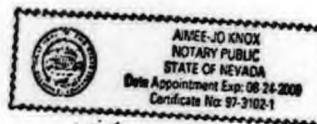
Print Name: _____

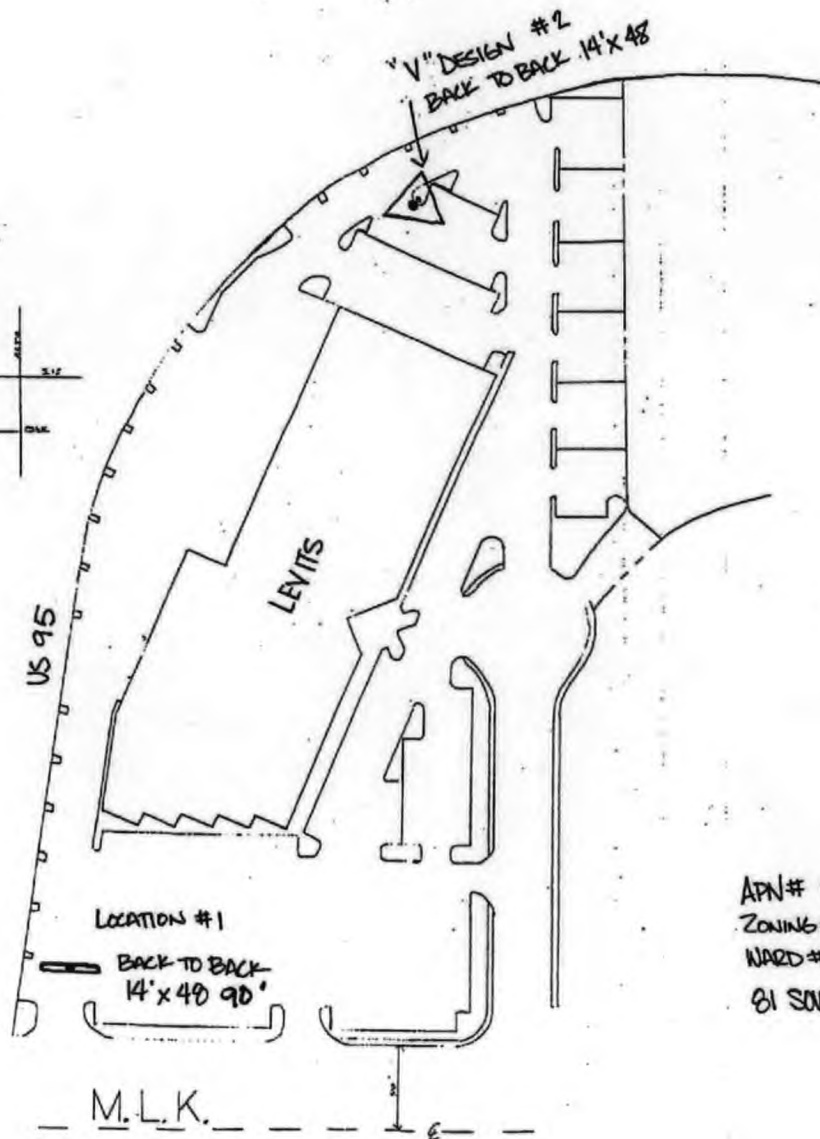
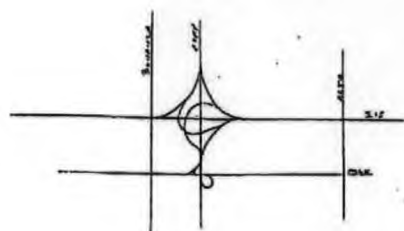
TEDD ROSENSTEIN

Subscribed and sworn before me

This 20 day of September 2006

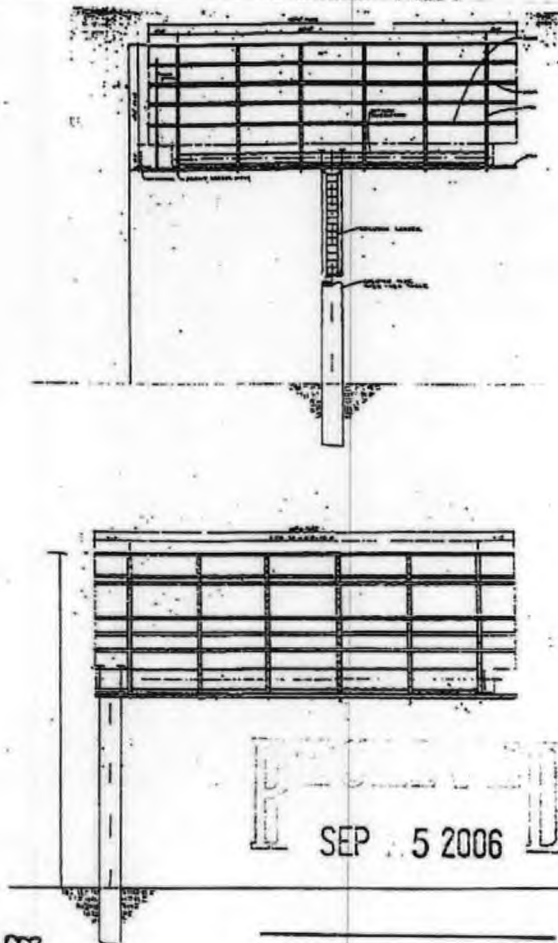
Aimee Jo Knox
Notary Public in and for said County and State





V" DESIGN #2
BACK TO BACK 14' x 48'

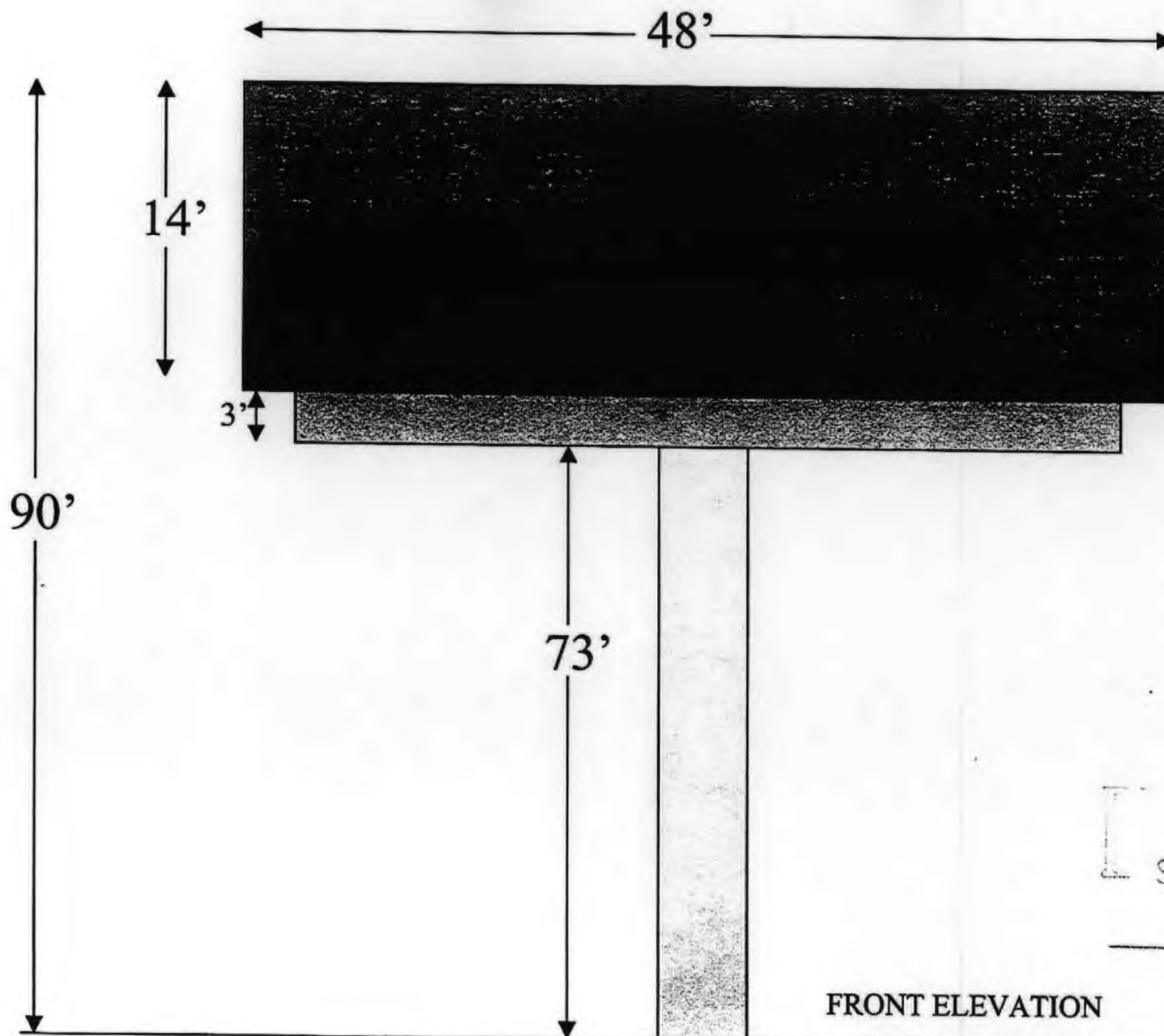
APN# 139 33 510 002
ZONING # M
WARD # 5
61 SOUTH MARTIN L. KING BLVD



RQR-17098
11/16/06 PC



SCALE 1" = 50'	DATE 2-4-91	DESIGNED BY 1	CHECKED BY Saxon / M.L.K. + M.H.
1211 West Sonoma Road, Suite 100, San Jose, CA 95128			



SEP 15 2006

FRONT ELEVATION

RQR-17098

11/16/06 PC

NOT TO SCALE



RQR-17098 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC
81 SOUTH MARTIN L KING BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/19/06



RQR-17098 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC
81 SOUTH MARTIN L KING BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/19/06



RQR-17098 - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: CONSTANTINO NOVAL NV, LLC
81 SOUTH MARTIN L KING BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/19/06



September 20, 2002

MAYOR
OSCAR B. GOODMAN

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

CITY MANAGER
DOUGLAS A. SELBY

Saxton, Inc.
5440 West Sahara Avenue
Las Vegas, Nevada 89102

RE: U-0025-98(2) - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Dear Applicant:

The City Council at a regular meeting held September 18, 2002 APPROVED the Required Two Year Review of an approved Special Use Permit WHICH ALLOWED A 74 FOOT HIGH, 14 FOOT X 48 FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L. King Boulevard (APN: 139-33-510-002), M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 19, 2002. This approval is subject to:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

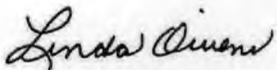
VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-17098
11/16/06 PC

Saxton, Inc.
Page Two – U-0025-98(2)
September 20, 2002

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

Sincerely,



LINDA OWENS
DEPUTY CITY CLERK II for
BARBARA JO RONEMUS, CITY CLERK

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

Ms. Debbie Torres
Clear Channel Outdoor
1211 West Bonanza Road
Las Vegas, Nevada 89106

RQR-17098
11/16/06 PC



August 8, 2000

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
MICHAEL J. McDONALD
(MAYOR PRO-TEM)
GARY REESE
ARRY BROWN
L' E B. McDONALD
ENCE WEEKLY
MICHAEL MACK

CITY MANAGER
VIRGINIA VALENTINE

Saxton, Inc.
5440 West Sahara Avenue
Las Vegas, Nevada 89102

RE: U-0025-98(1) - TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF AUGUST 2, 2000

Dear Applicant:

The City Council at a regular meeting held August 2, 2000 APPROVED the Two Year Required Review on an approved Special Use Permit which allowed a 672 square foot, 74 foot high off-premise advertising sign (billboard) at 73 South Martin Luther King Boulevard (APN: 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Notice of Final Action was filed with the Las Vegas City Clerk on August 3, 2000. This approval is subject to:

1. This use shall be reviewed in two years by the Planning Commission and the City Council at which time the sign may be required to be removed.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/lo

cc: Planning and Development Dept. Donrey Outdoor Advertising
Development Coordination-DPW 1211 West Bonanza Road
Dept. Of Fire Services Las Vegas, Nevada 89106
Land Development Services

Levitz Plaza, Limited Liability Company
c/o Capital #020932
P. O. Box 811097
Chicago, Illinois 60681

RQR-17098
11/16/06 PC

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

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

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MICHAEL J. McDONALD
GARY REESE
LARRY BROWN

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

June 10, 1998

Mr. James Saxton
Saxton Corporation
5440 West Sahara Avenue, 3rd Floor
Las Vegas, Nevada 89102

RE: U-25-98 - SPECIAL USE PERMIT

Dear Mr. Saxton:

The City Council at a regular meeting held June 8, 1998 APPROVED the request for a Special Use Permit on property located at 73 South Martin L. King Boulevard FOR A 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN AT A HEIGHT OF 74 FEET, M (Industrial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on June 9, 1998. This approval is subject to:

1. This use shall be reviewed in two years at which time the City Council may require the sign to be removed.
2. The applicant shall obtain a sign permit from the State of Nevada before acquiring an off-premise sign certificate from the Planning and Development Department of the City of Las Vegas.
3. All development shall be in conformance with the plot plan and building elevations.
4. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

BARBARA JO RONEMUS
City Clerk

/ac
See Attached List



Mr. James Saxton
U-25-98 – Page Two
June 10, 1998

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

Mr. Mike Cordero
Donrey Outdoor Advertising
1211 West Bonanza Road
Las Vegas, Nevada 89106

RQR-17098
11/16/06 PC



RECEIVED
CITY CLERK

2006 NOV 20 P 2:19

November 20, 2006

City of Las Vegas
Clerk Office
City Hall, First Floor
400 Stewart Ave
Las Vegas, NV 89101

RE: Letter of Appeal for: **RQR-17098**

To Whom It May Concern:

On November 16, 2006 at the City of Las Vegas Planning Commission Meeting, Planning Commissions voted unanimously to **DENY** the above said application for the continuation for our permit.

At this time Clear Channel Outdoor is exercising our option to **APPEAL** the decision made by the Planning Commission and is requesting that this item be heard by City Council.

Should you have any questions regarding this letter of appeal, please contact me directly at 702.238.7209

Kindest Regards,
CLEAR CHANNEL OUTDOOR

A handwritten signature in black ink, appearing to be 'Rod Carter', written over the printed name 'Rod Carter'.

Rod Carter
Senior Real Estate Rep
Clear Channel Outdoor
2880 Meade Avenue, Suite 350
Las Vegas, NV 89102

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

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

(702) 383-8888

FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

December 15, 2006

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RICHARD W. HORTON
DAN C. BOWEN
RODNEY M. JEAN
HARVEY WHITEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH

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

JEFFREY D. MENICUCCI
JANET SUE BESSEMER
GREGORY R. GEMIGNANI
DOREEN SPEARS HARTWELL
LINDA M. BULLEN
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III
MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE
CHRISTOPHER CHILDS
MEREDITH L. STOW
JOICE B. BASS
DOUGLAS A. CANNON

RICHARD CUNNINGHAM
MATTHEW R. POLICASTRO
JACOB D. BUNDICK
ADAM D. SMITH
GARRETT D. GORDON
TREVOR HAYES
JENNIFER J. DIMARZIO
PEARL GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN PICK
JON PEARSON
JENNIFER BRASTER
CRAIG HENDERSON
LUCAS TUCKER
CHRISTOPHER WALTHER

OF COUNSEL
ELLEN WHITEMORE
BRIAN HARRIS
LAURA J. THALACKER

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

VIA FACSIMILE (702-382-8558)

Councilman Lawrence Weekly
City Hall, Tenth Floor
400 Stewart Avenue
Las Vegas, NV 89101

VIA FACSIMILE (382-4803)

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

Re: RQR-17098

Dear Councilman Weekly and Ms. Ronemus:

On behalf of my client, Clear Channel Outdoor, I respectfully request that the above-referenced application, currently scheduled to be heard by the City Council on Wednesday, December 20, 2006, be held until the Council's first meeting in January.

We request this continuance because neither I nor the representative of my client will be available that day.

Submitted after final agency

Date 12/15/06 Item #152

G:\Attorneys\PEL\15508-25 (CLEAR CHANNEL - City of LV)\Weekly HOLD letter 12-15-06.doc

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

CARSON CITY OFFICE: 410 SOUTH CARSON STREET • CARSON CITY, NEVADA 89701 • (775) 851-2115 • FAX (775) 841-2119

WASHINGTON, DC OFFICE: 101 CONSTITUTION AVENUE NW, SUITE 800 • WASHINGTON, DC 20001 • (202) 742-4284 • FAX (202) 742-4285

RECEIVED
CITY CLERK
DEC 15 P 2:33

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW

Councilman Lawrence Weekly
Barbara Jo Ronemus, City Clerk
December 15, 2006
Page 2

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul E. Larsen", with a long horizontal flourish extending to the right.

Paul E. Larsen

PEL:csr

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-13490 - PUBLIC HEARING - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1619 West Charleston Boulevard (APN 162-04-510-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Revised Justification Letter
5. Appeal letter filed by Kelleen Cota
6. Submitted after final agenda - Abeyance request by Kelleen Cota
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 25

Motion made by GARY REESE to Table Item 107 [GPA-16202], Item 108 [ZON-16196], Item 109 [SUP-16198], Item 110 [SUP-16200] and Item 111 [SDR-16197]; HOLD IN ABEYANCE Item 116 [ZON-15031], Item 117 [SDR-15030], Item 132 [SDR-17298], Item 152 [RQR-17098] and Item 154 [SDR-17057] to 1/3/2007; Item 122 [VAR-16165], Item 127 [SDR-15747], Item 133 [GPA-16511], Item 134 [ZON-16519], Item 135 [VAR-16525] and Item 136 [SDR-16522] to 1/17/2007; Item 137 [GPA-16578], Item 138 [ZON-16580] and Item 139 [SDR-16581] to 2/7/2007; and Item 153 [SUP-13490] to 2/21/2007

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

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





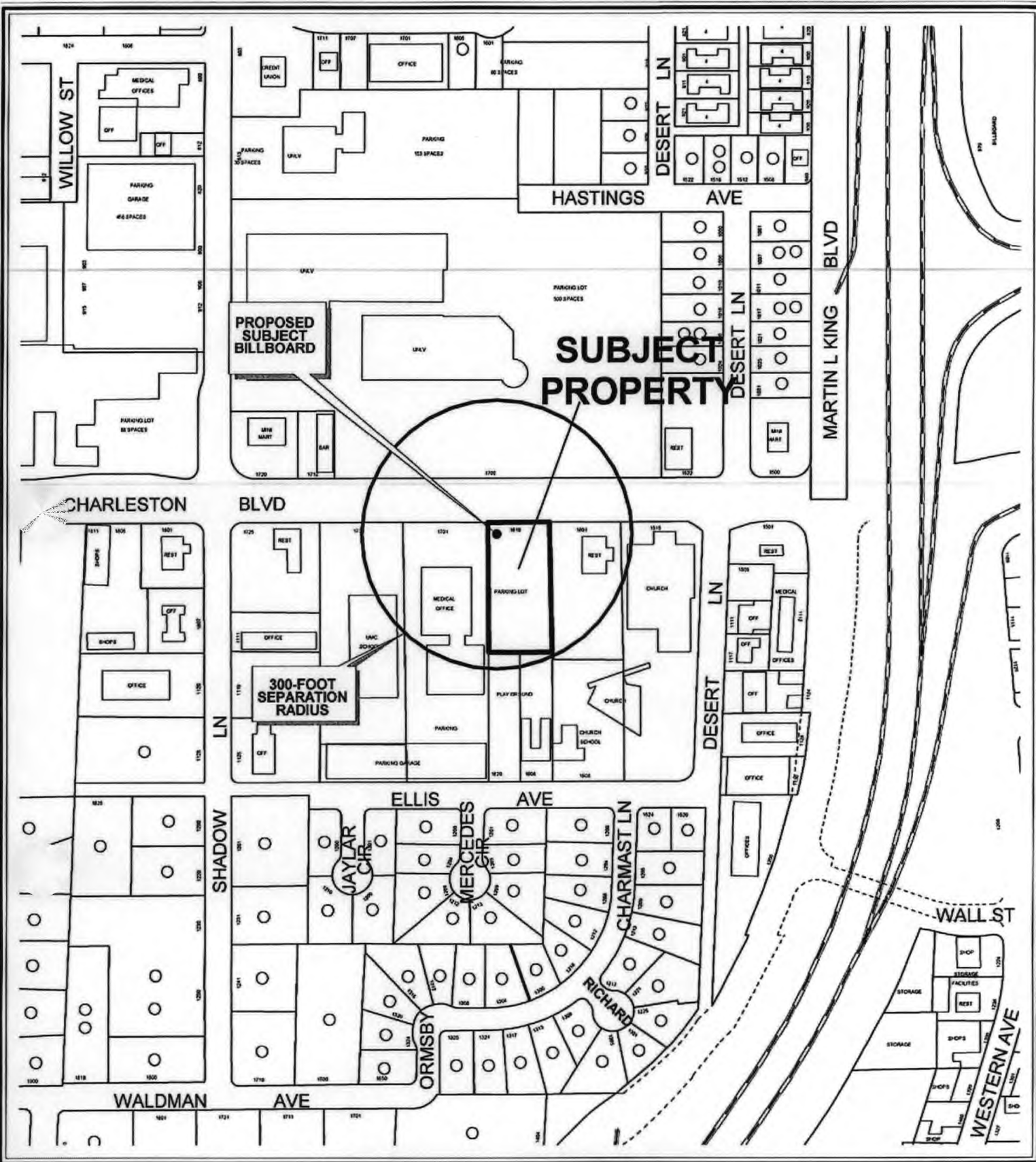
CASE: **SUP-13490**

RADIUS: 1000 FT

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

0 300 600 Feet

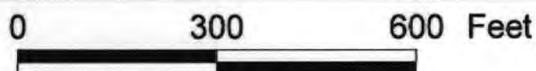


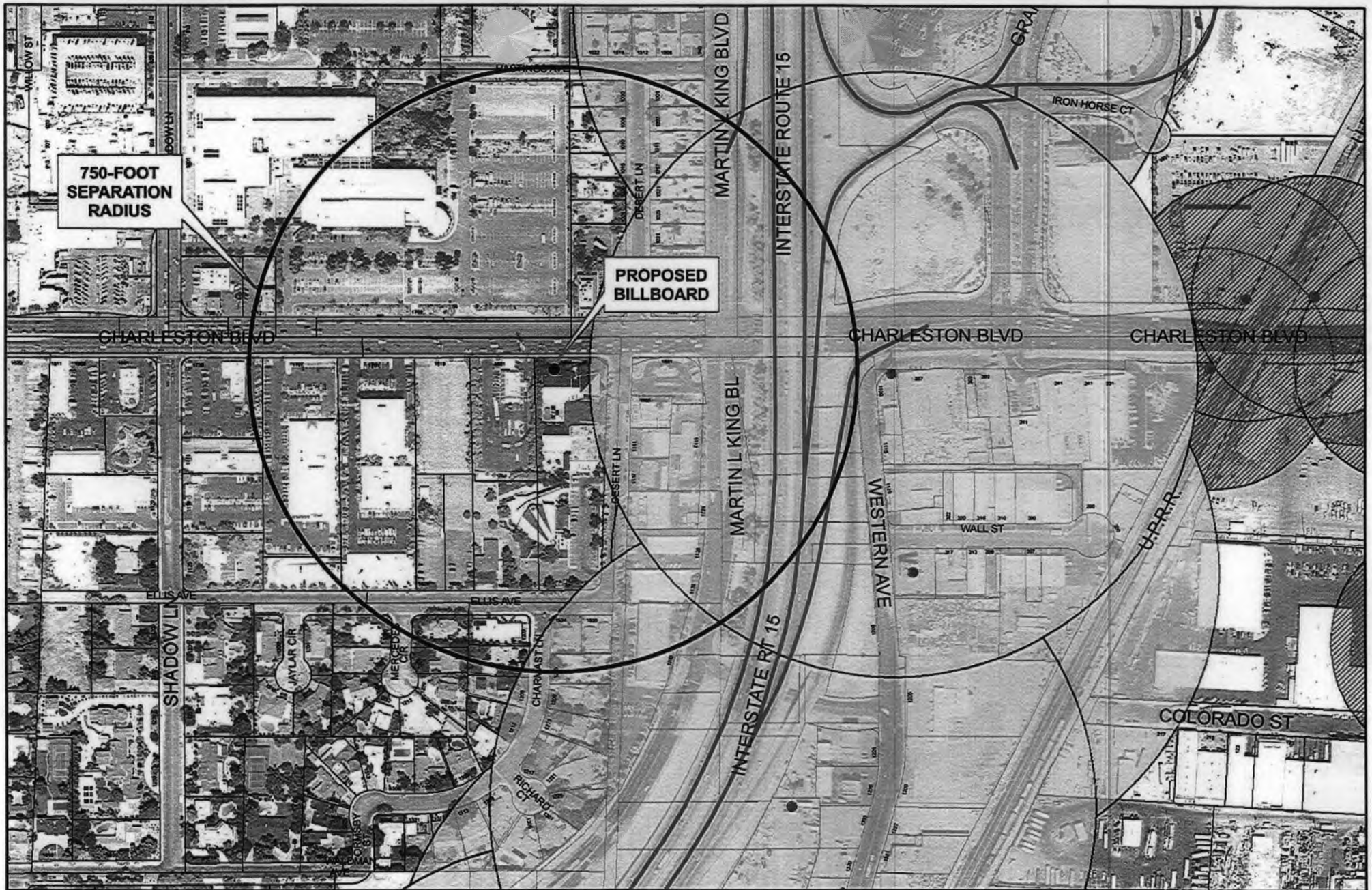


CASE: SUP-13490

SEPARATION RADIUS: 300 FT

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





SUP-13490

City of Las Vegas Billboard Data

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. Approval of a General Plan Amendment (GPA-13372) to a Service Commercial land use.
2. The billboard shall be placed so that it is perpendicular to Charleston Boulevard.
3. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
4. Animated and electronic message unit signage is prohibited.
5. The billboard shall not be internally or externally illuminated.
6. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
7. Prior to the issuance of any building permits, the applicant shall submit a site plan which includes a stamped certification, signed by a professional engineer, which includes the exact distances to the nearest residential property and to all other billboards and which states that the billboard complies with all separation requirements.
8. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a off-premise advertising (billboard) use.
9. 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.
10. This Special Use Permit shall be reviewed in two years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

11. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
12. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
13. Only one advertising sign is permitted per sign face.
14. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
15. Bird deterrent devices shall be installed on the sign.

Public Works

16. The proposed (billboard) sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The sign base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

APPLICATION REQUEST

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 1619 West Charleston Boulevard. The sign is to be located within an existing church parking lot located west of the McDonalds restaurant.

This billboard is one of four to be considered on this agenda. Staff has prepared a map of the proposed billboard locations, on which the subject sign is identified as billboard "C"

EXECUTIVE SUMMARY

The Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. Because the zoning districts recommended for this property by the Office land use designation do not permit billboards, and because staff is recommending denial of a related General Plan Amendment to SC (Service Commercial) (GPA-13372), staff's recommendation is for denial.

BACKGROUND INFORMATION

- | | |
|----------|---|
| 01/06/54 | The City Council approved a Special Use Permit (U-70-53) to allow a church on the subject property |
| 08/07/85 | The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses. |
| 10/24/91 | The Board of Zoning Adjustment approved a Special Use Permit for a child care facility in conjunction with the church on the subject property (U-261-91). |
| 05/24/94 | The Board of Zoning Adjustment approved a Special Use Permit for a school in conjunction with the church on the subject property (U-108-94). |
| 06/19/02 | The City Council adopted the Rancho Charleston Land Use Study and approved General Plan Amendment GPA-47-01. This amendment designated the subject property for O (Office) land uses. |

- 07/13/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 08/10/06 The Planning Commission voted to table this item.
- 10/19/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 11/16/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #25/ar).

B) Pre-Application Meeting

- 04/26/06 Staff explained the requirements for a Special Use Permit to the applicant and provided information regarding the required neighborhood meeting.

C) Neighborhood Meetings

A neighborhood meeting was held on Tuesday, June 20, 2006 at 6:00 pm at the First Presbyterian Church, 1515 West Charleston Boulevard. In attendance were: 32 citizens; 3 applicant representatives; Councilwoman Tarkanian and two council liaisons; and Margo Wheeler, Planning and Development Director

The applicant presented the project as five total signs. Three of the signs will be billboards and two of them will be for the church. The applicant indicated the height of signs could increase if the freeway is modified, and that all signs are proposed to include reader board.

DETAILS OF APPLICATION REQUEST

Site Area: 0.93 Net acres

Existing Land Use

Subject Property	Church parking lot
North	UNLV Dentistry School/Restaurant
South	Single Family Dwellings
East	Restaurant
West	Offices

Planned Land Use

Subject Property	O (Office)
North	MD-1 (Medical Support)
South	L (Low Density Residential)
East	SC (Service Commercial)
West	O (Office)

Existing Zoning

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

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Charleston/Rancho Study Area	X	
Special Overlay District		X
Trails		X

The subject site is located within the Charleston/Rancho study area. This study designates this site for Office uses.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward I-15. There are no existing billboards within the separation distance, and the applicant has indicated that this billboard will be at least 300 feet from the billboards that are proposed under Special Use Permits SUP-13362, SUP-13494, and SUP-13495.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in the "R" Zoning District. The nearest "R" zoned property is located approximately 600 feet to the south of the proposed location.

A2) Off-Premise Sign Requirements

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

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located south of the Charleston Boulevard right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y

Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The east and west faces are each 378 square feet.	Y
Height	40 Feet above grade	40 Feet above grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 470 feet from the right-of-way line of the intersection of Charleston Boulevard and Desert Lane	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign panels	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses on site.	Y

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial) and is not located within the Off-Premise Sign Exclusionary Zone. An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. However, the Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. The zoning districts recommended for this property by the Office land use designation do not permit billboards.

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.”**

Per Title 19.14 (B)(2), in determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. This proposed use would be located in the O (Office) General Plan designation. This area is characteristic of office development, and is not compatible with this proposed billboard.

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

There are no physical constraints to the location of the use on the subject site.

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

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

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

In 2002, the City of Las Vegas approved a land use study of properties located in the vicinity of Charleston Boulevard, Rancho Drive and Martin L. King Boulevard in an effort to resolve land use conflicts in the study area. The Charleston/Rancho study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the residential neighborhoods south of the subject properties. The proposed Off-Premise Advertising (Billboard) Sign would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 105 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-13490** APN: 162-04-510-004, 005, 006, 007

Name of Property Owner: First Presbyterian Church Las Vegas Nevada

Name of Applicant: First Presbyterian Church Las Vegas Nevada

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: _____

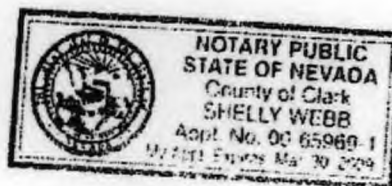
Signature of Property Owner: Wayne Petersen

Print Name: Wayne Petersen, President

Subscribed and sworn before me

This 2nd day of May, 2006

Shelly Webb
Notary Public in and for said County and State





ERIE

VALLEY HOSPITAL MEDICAL CENTER

SURGICAL CENTER

GOLDRING

BEARDEN

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THIS ENTIRE AREA IS CURRENTLY ZONED PD

THE GENERAL PLAN FOR THIS AREA IS PUBLIC FACILITY

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FIRST PRESBYTERIAN CHURCH

GENERAL PLAN

CURRENT ZONING

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GP: O

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GP: O

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EDGEWOOD

CURRENT ZONING R-E

GENERAL PLAN RURAL

CURRENT ZONING IS R-1

GENERAL PLAN LOW DENSITY

SUP-13490

11/16/06 PC

GPA-13372

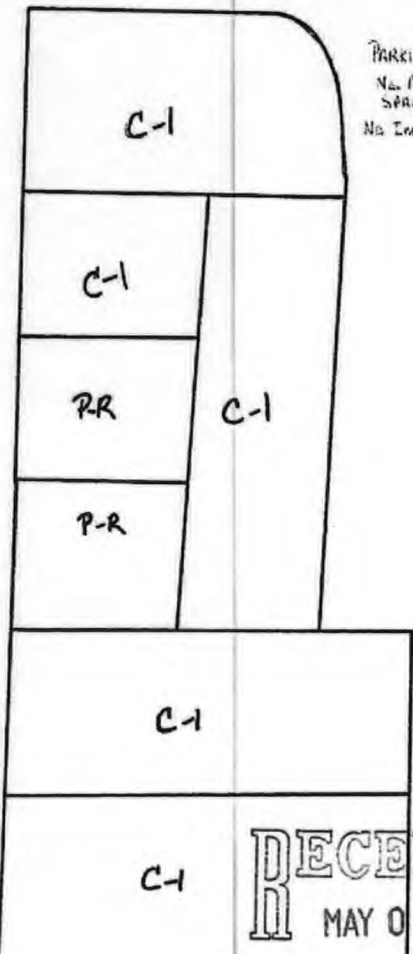
ZON-13491

SUP-13494

SUP-13495

07-13-06 PC

Waldman

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RECEIVED
MAY 08 2006

EXISTING 2 STORY PARKING GARAGE

SUP-13490
11/16/06 PC

FIRST PRESBYTERIAN CHURCH L.V. NV		
DATE: 1-88	APPROVED BY: PLS	BOOKED BY: J
AMOUNT: 112-04-510-503,004 S.S. COL	ON 7	RECEIVED BY: J
S. H. Kimes		

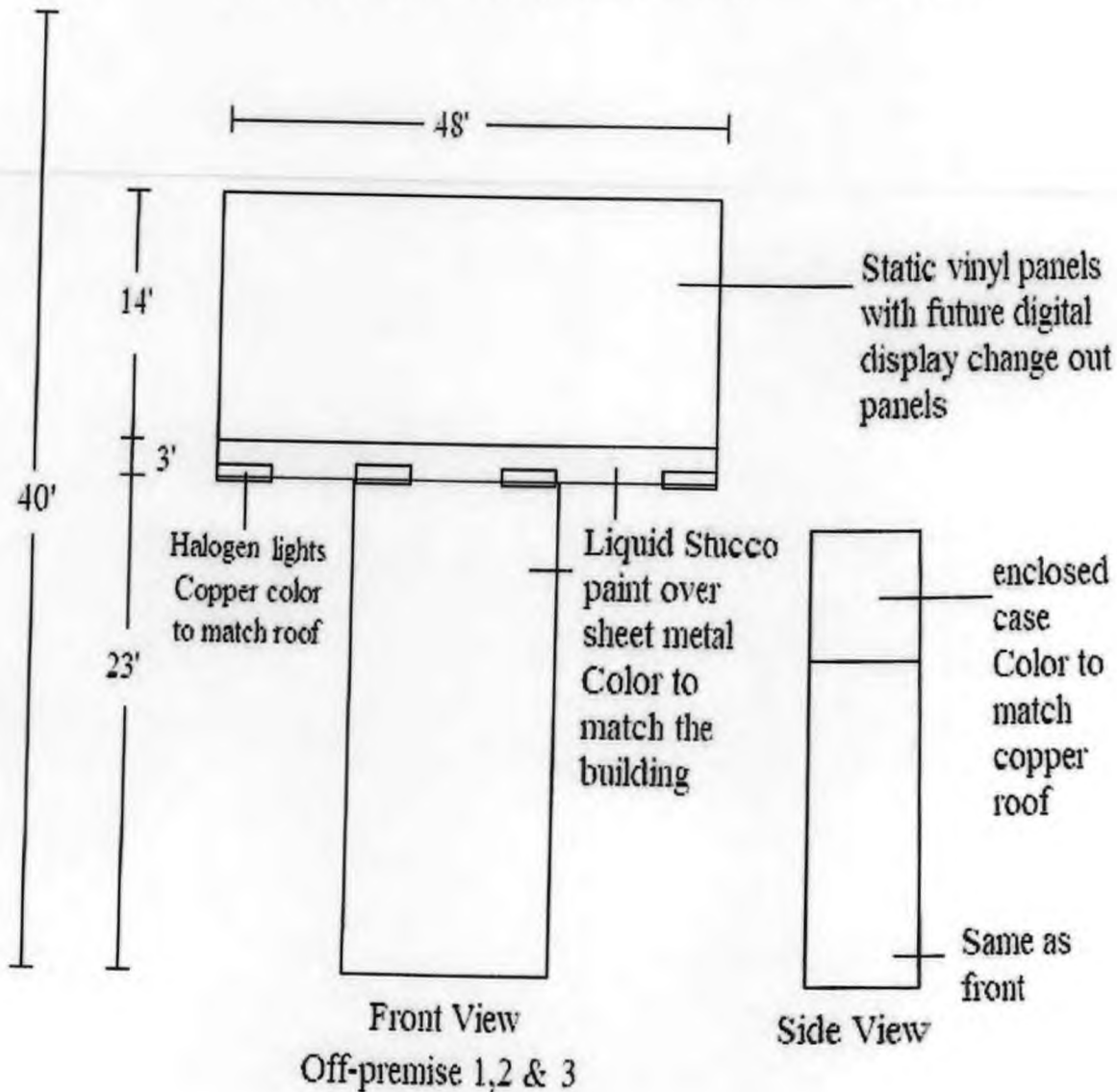
ELEVATION & MATERIALS

FIRST PRESBYTERIAN CHURCH

COLOR, DESIGN AND TEXTURE TO MATCH
BUILDING AND ROOF OF THE CHURCH

162-04-510-00 2

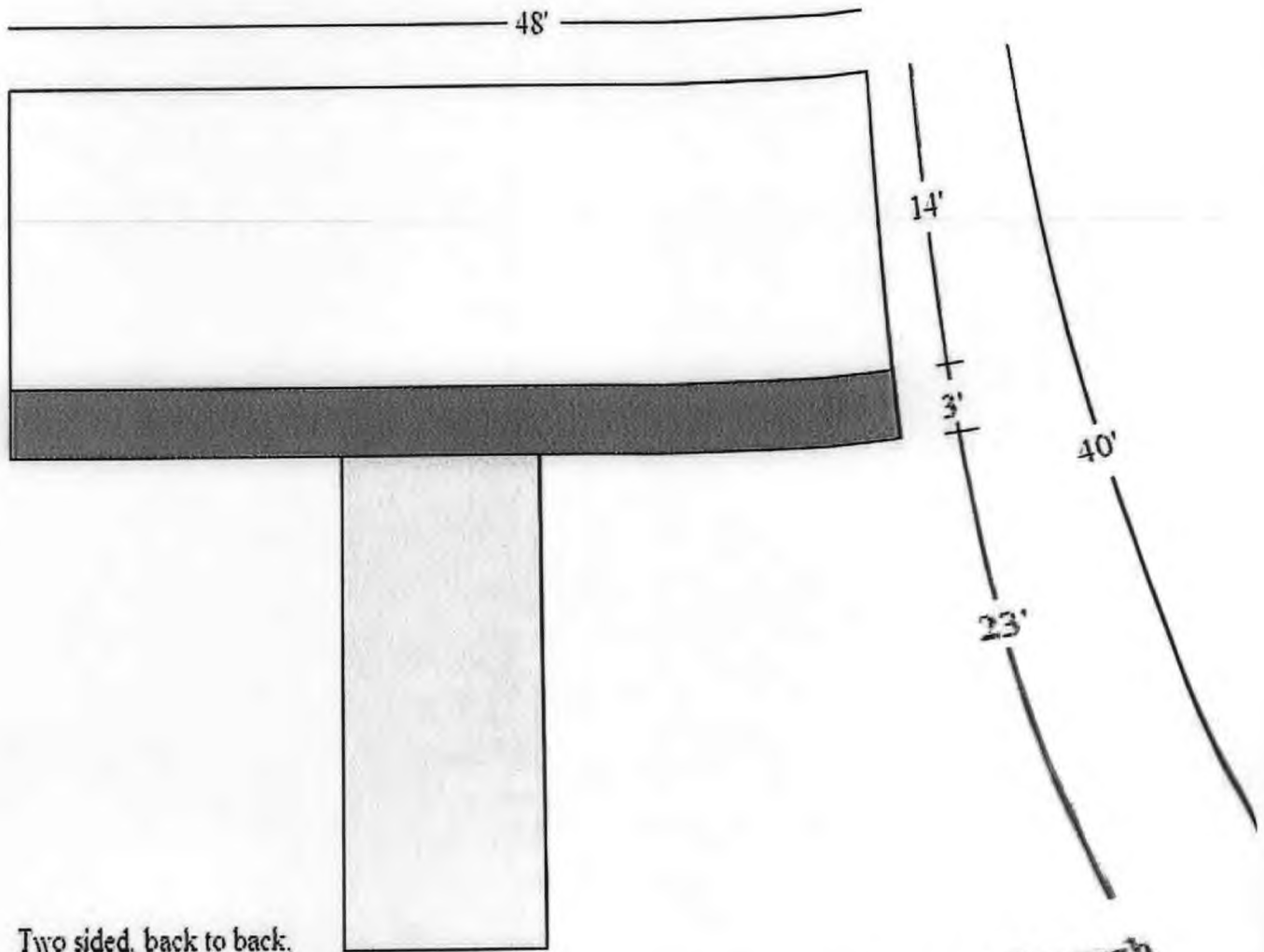
NO SCALE



SUP-13490
11/16/06 PC

RECEIVED
MAY 08 2006

Scale 1:10
Elevation



Two sided, back to back,
illuminated, enclosed case
Off Premise Sign

First Presbyterian Church
162-04-510-00X2
On Desert 243' N of Ellis

SU
11



SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV
1619 WEST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

06/20/06

Justification Letter required by Doug Rankin ...

June 23, 2006

Doug Rankin
City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

RE: First Presbyterian Church, 1515 W. Charleston, 162-04-510-002, & 004

Dear Mr. Rankin:

I would like to clarify the off-premise billboards in terms of orientation to particular streets

- The proposed Sign on 162-04-510-002 and is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The northern most Sign on 162-04-510-004 is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The southern most Sign on 162-04-510-004 is oriented only to traffic traveling north and south on Desert, this Sign is not intended to be seen nor can it be reasonably seen from Interstate 15. There is a proposed Sign to the east of this location that is oriented to the Interstate 15 and is significantly taller.

ADDITIONALLY:

- I agree to a condition that within 30 days of approval of the sign oriented to traffic on Desert that a site plan with a wet stamp for all locations be submitted to prove that the minimum spacing requirements are met.

Thank you in advance for your anticipated time and attention concerning this matter.

Sincerely,

Thalia Dondero

Thalia Dondero
Representative *pc*

SUP-1349

SUP-1349

11/1

RECEIVED
CITY CLERK**PECKMAN**
SIGN COMPANY

2006 NOV 27 A 7:58

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

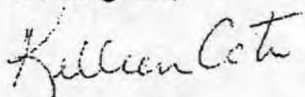
November 22, 2006

Dear City Clerk;

On behalf of The First Presbyterian Church, I hereby appeal item SUP-13490 that was denied by the Planning Commission on November 16, 2006. The Planning Commission stated that they were denying the billboard application because of the time and money the City of Las Vegas has spent on getting the UNLV Dental School across the street. I believe this is an erroneous fact and the UNLV Dental School has in fact been notified at least three times and has not opposed this project and furthermore this is an appropriate place for a billboard.

Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
Authorized representative

PECKMAN

SIGN COMPANY

RECEIVED
CITY CLERK

City of Las Vegas
City Clerk
400 Stewart Avenue
Las Vegas, NV 89101

2006 DEC 14 P 12:45

December 12, 2006

Dear City of Las Vegas Representative;

As an Authorized Agent of the First Presbyterian Church I respectfully request that item SUP-13490 scheduled for the December 20, 2006 City Council Meeting be held for 60 days as our regular Representative, Thalia Dondero, is having surgery that day and unable to attend and has an additional conflict in January.

Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
702-525-5988

Authorized Representative for Applicant

Submitted after final agenda

Date 12/14/06 Item #153

4000 FOREST KNOLL LANE • LAS VEGAS, NEVADA 89129 • TEL 702.413.3011 • FAX 702.645.4498

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

LAW OFFICE OF L. EARL HAWLEY

916 CASINO CENTER BOULEVARD

LAS VEGAS, NEVADA 89101

(702) 382-8910

FAX (702) 382-6675

July 03, 2006

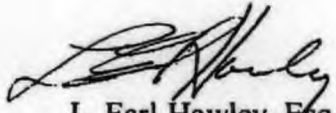
City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Re: SUP 13494, 134954, 13372, 13362, 13490
SDR 13820

To Whom It May Concern:

This is to advise you on behalf of the entity I represent, that objection to above permit applications is hereby made. Traffic in the area is a problem now and proposed development in the immediate area is only going to increase financial costs to the public, as well as create hazards that could result in accidents.

Very truly yours,


L. Earl Hawley, Esq.

LEH/sv

154
JUL 10 3 01 PM '06
154

Patricia Ames
1201 Shadow Lane
Las Vegas, NV 89102
Email: patriciaames@hotmail.com

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

July 10, 2006

RE: SUP-13372, 13490, 13491, 13494, 13495

Dear Current Planning Division:

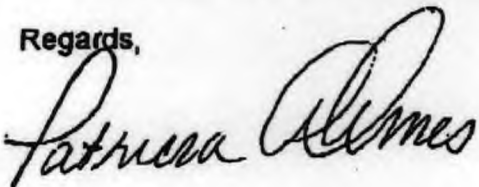
I would like to voice my strong objection to changing the zoning of what now is the First Presbyterian Church to Service Commercial. This is a lovely residential area, and right next to an historic Las Vegas neighborhood. While modern office buildings have in my opinion improved the area around Charleston, changing the zoning to a more commercial application could affect the area negatively and interrupt the residential properties adjacent. In addition, if the new zoning would at all increase traffic flow along Ellis Street, this could have a very negative impact on the residences along Ellis. It is a small side street in a residential area and does not appear to be meant for the heavier traffic associated with commercial activities.

The church has been a nice buffer between the busy C-1 activities on Charleston and the local neighborhood. Any zoning change will definitely impact the local community. A change from R-E to C-1 is quite dramatic. A much easier transition for the people that actually live adjacent would be from R-E to P-R, as is done on Shadow Lane. P-R tends to be quieter with much less traffic.

Also, raising 3 additional billboards in this area is extreme. There is already a proliferation of billboards here (Wendy's, MacDonald's, Carls Jr), and more would really ruin any residential character the area has left. Since I am not sure whether the billboards are only temporary in nature, and what the billboards would say, it is difficult to elaborate further. But, I strongly oppose any permanent billboards on any of the sites listed. There are residences right behind the church and billboards are very unsightly to have in a residential area.

Thank you for taking the time to gather our input!

Regards,



25

Kimberly Reid

From: Judy Norman [dept14ea@co.clark.nv.us]
Sent: Wednesday, November 15, 2006 9:30 AM
To: Lois Tarkanian
Subject: SUP-13362 & SUP-13490

Dear Councilwoman Tarkanian,

I would like to register my opposition to SUP-13362 and SUP-13490. (the Presbyterian Church's application for two billboards) The members of my neighborhood association to which I have spoken agree with me that this is merely an attempt on the part of the applicant to generate a great deal of income at the expense of the residential nature of the area. It seems that here in Las Vegas there is virtually no end to the number of billboards that "spring up".

I would ask for denial of this application. We appreciate the work you are doing for our district.

Sincerely,

Donald Mosley

Submitted at Planning Commission

Date 11/16/06 Item #25

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-17057 - PUBLIC HEARING - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 124-UNIT APARTMENT COMPLEX TO A CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

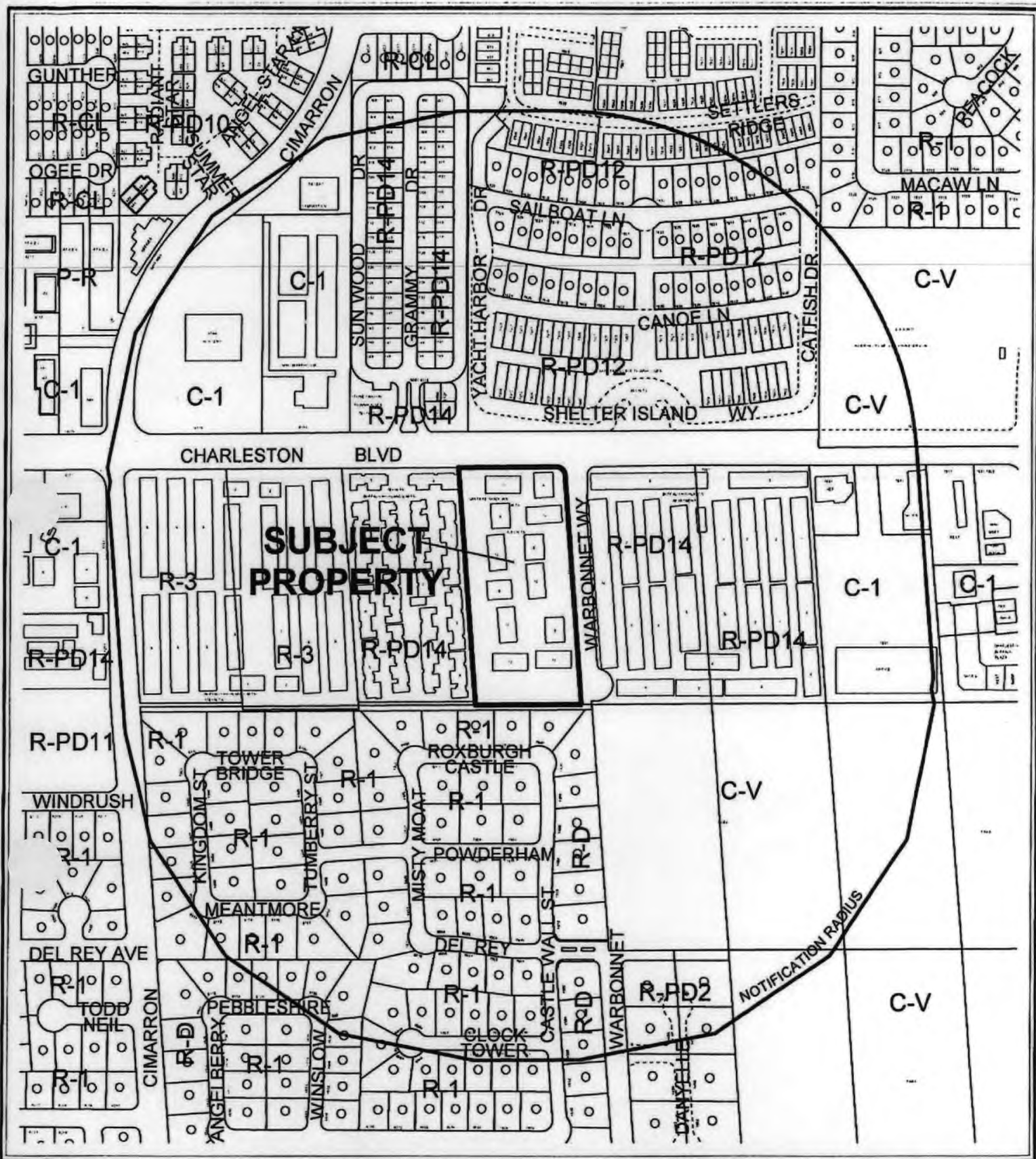
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised plans by staff and abeyance request by Attorney Jay Brown
6. Backup referenced from the 11-16-06 Planning Commission Meeting Item 40

Motion made by GARY REESE to Table Item 107 [GPA-16202], Item 108 [ZON-16196], Item 109 [SUP-16198], Item 110 [SUP-16200] and Item 111 [SDR-16197]; HOLD IN ABEYANCE Item 116 [ZON-15031], Item 117 [SDR-15030], Item 132 [SDR-17298], Item 152 [RQR-17098] and Item 154 [SDR-17057] to 1/3/2007; Item 122 [VAR-16165], Item 127 [SDR-15747], Item 133 [GPA-16511], Item 134 [ZON-16519], Item 135 [VAR-16525] and Item 136 [SDR-16522] to 1/17/2007; Item 137 [GPA-16578], Item 138 [ZON-16580] and Item 139 [SDR-16581] to 2/7/2007; and Item 153 [SUP-13490] to 2/21/2007

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

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



CASE: SDR-17057

RADIUS: 1000 FEET

ZONING OF SUBJECT PROPERTY:

R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17057 - APPLICANT/OWNER: SANTA FE 124, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/22/06, 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 of a Final Map. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local building, housing, mechanical and fire codes adopted for use by the city at the time of original construction.
11. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
12. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
13. The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.
14. Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.
15. Any remodeling or construction work in conjunction with the conversion of the apartments shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work. The conversion from apartments to condominiums shall require the payment of additional sewer connection fees. The additional fees shall be paid prior to the recordation of the Final Map. Proof of payment shall be required upon submittal of the Final Map.
16. Handicap parking spaces must be provided in accordance with Title 19.10 standards.

17. The applicant shall repair all damage to perimeter walls, covered parking, trash enclosures, and chipped metal railing on the site prior to time an application is made for a Tentative Map.
18. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

19. 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.
20. Obtain an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard public right-of-way, if any, adjacent to this site.
21. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Submit copies of the receipts to the Collection Systems Planning Section of the Department of Public Works with Final Map mylar submittal.
22. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. 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.
23. 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.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the conversion of a 124-unit apartment complex to a condominium development. The site has been operating as a multi-family rental community since 1989 and does not meet applicable parking standards for this type of multi-family development. The site plan depicts 171 parking spaces where 224 parking spaces are required. By current standards, this is a 24 percent parking deficiency. In addition, three handicap accessible spaces are being provided where seven are required. The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas. Staff cannot recommend this development as parking and landscaping are seriously deficient.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/04/85	The City Council approved the Re-classification of property (Z-0075-85) generally located on the southwest corner of Charleston Boulevard and Placid Avenue, from N-U (Non-Urban), to R-PD23 (Residential Planned Development – 23 Units Per Acre).
01/20/88	The City Council approved the Reinstatement and Extension of Time of property located on the southwest corner of Charleston Boulevard and Warbonnet Way, N-U (Non-Urban) Zone under Resolution of Intent to R-PD23 (Residential Planned Development – 23 Units Per Acre).
11/16/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/jm).
<i>Related Building Permits/Business Licenses</i>	
08/05/87	A Plot Plan Review was approved to construct a 12 apartment, 124 unit development.
<i>Pre-Application Meeting</i>	
Month/date/year	Description
09/21/06	At the pre-application meeting, the applicant was informed that the conversion request must comply with Title 19.04 parking standards for a condominium. The applicant was also informed that Title 19.12 landscape requirements would have to be upheld as closely as possible. Staff closed the meeting by explaining submittal requirements for the application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.7
Gross Acres	6.0

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartment	M (Medium Density Residential)	R-PD23 (Residential Planned Development – 23 Units Per Acre)
North	Townhouse	ML (Medium-Low Density Residential)	R-PD12 (Residential Planned Development – 12 Units Per Acre)
South	Single Family Residential	R (Rural Density Residential)	R-1 (Single Family Residential)
East	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)
West	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6.0 Acres	Y
Min. Lot Width	301.75 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	26 Feet 20 Feet 58 Feet 75 Feet	Y
Min. Distance Between Buildings	10 Feet	Y
Max. Lot Coverage	N/A	Y
Max. Building Height	24 Feet	Y
Trash Enclosure	3	Y
Mech. Equipment	Screened	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	4 Trees	Zero Trees	N
Buffer: Min. Trees	1 Tree/20 Linear Feet	96 Trees	47 Trees	N
Interior			65 Trees	N/A
TOTAL		100 Trees	112 Trees	N
Min. Zone Depth- Adjacent to Right- of-Way	10 Feet		5 Feet	N
Min. Zone Depth- Interior Lot Lines	6 Feet		Zero Feet	N
Wall Height	8 Feet		8 Feet	Y

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
6.00 acres	21 d.u./ac	1.65	35 %	90,561 SF	30%	79,558 SF

The proposal is deficient in the required amount of open space by approximately 5%.

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	
One Bedroom	28 Units	1 per 1.25	35				
Two Bedroom	96 Units	1 per 1.75	168				
Guest	124 Units	1 per 6 units	21				
SubTotal			224	7	171	3	
TOTAL			224	7	171	3	
Percent Deviation					24%		

ANALYSIS

- Zoning

The subject proposal is located in an R-PD23 (Residential Planned Development – 23 Units Per Acre) zone. R-PD (Residential Planned Development) zones allow applicants to define their own development standards. As such, the subject proposal, at a density of 21 units per acre, conforms to the applicable zoning designation.

- Site Plan

The request is for the conversion of a 124-unit apartment project to a condominium development on 6.00 acres. The site receives access from Warbonnet Way, a 60-foot collector street and 24-foot drives provide internal circulation for the site. The site consists of 28 one-bedroom and 96 two-bedroom units.

The complex was constructed in 1989 and provides 171 parking spaces where 224 parking spaces are required. The site is considered parking impaired as it complied with all applicable parking requirements on its date of construction, but does not meet current Title 19 requirements. If held to current standards, the site would be deficient by a total of 57 parking spaces (53 regular and 4 handicapped). This would constitute a 24% reduction of required parking. It should be noted that 47 are open stalls and 124 are covered stalls.

On the southwest portion of the site, the site plan depicts a shed. A site visit demonstrated that the shed does not meet the accessory structure setbacks expressed in Title 19.08 which state that a detached, accessory structure must be located a minimum distance of three feet from the side and rear property lines. A condition has been added requiring the shed to meet Title 19.08 standards.

- Waivers

As the project has already been built, waivers of the deficiencies noted above (handicap accessible parking spaces and parking and perimeter landscaping) will not be required. However, conditions of approval are being placed on the proposal to insure that the project complies with Title 19 standards when the conversion to condominiums is completed.

- Landscape Plan

The site is deficient with respect to the number and spacing of trees and shrubs planted in the parking lot and perimeter planter areas. No landscape fingers are provided, most noticeably within the perimeter parking spaces. Four fingers should accompany the parking lot, with one tree per finger. Per Title 19.14, the applicant is required to

provide a minimum of 49 additional trees (24-gallon minimum size) along the perimeter of the site spaced at a maximum of 20 feet apart on center to comply with current code requirements. Although the site is deficient 49 parking, street, and perimeter trees, the applicant does provide an additional 65 trees on the interior portion of the site. In addition, staff considers it would be adverse to the existing site to require trees along the south and west interior landscape buffers as it is populated with existing covered parking stalls.

- Open Space

Per Title 19.06 open space standards, the site shows a total of 79,558 square feet of open space where 90,561 square feet of open space is required. The proposal is deficient in the required amount of open space by approximately 5%. However, since the development was approved before open space requirements were considered for Residential Planned Developments (R-PD), the standards are not applicable.

FINDINGS

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

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

The site has been operating as a multi-family rental community since 1989, and the conversion of the complex to condominium units will not significantly impact the area. Although the proposed development is compatible with surrounding development, staff cannot recommend this development as the site is parking deficient.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The existing site was in compliance with all applicable development standards at the time of its construction. City policy dictates that all proposed condominium conversions meet Title 19 minimum landscape requirements. The proposed development is deficient in perimeter landscaping and parking lot fingers.

The subject proposal does not meet applicable parking standards for this type of multi-family development. The site plan depicts 171 parking spaces where 224 parking spaces are required. In addition, three handicap accessible spaces are being provided where seven are required. Therefore, Staff cannot recommend this request.

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

The site gains access from Warbonnet Way, 60-foot Local Street. The conversion of the existing apartments to condominiums will not impact the traffic generated by the site. As such, adjacent roadways will not be negatively impacted by approval of this project.

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

The type of materials used for both building and landscaping are appropriate. However, a site inspection revealed there has been considerable wear and damage to the trash enclosures, perimeter walls, and covered parking stalls that will need to be repaired and fixed before a Tentative Map application can be filed.

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

The existing development is harmonious and compatible with other developments in the area.

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

The public health, safety, and general welfare will not be compromise by approval of this project.

PLANNING COMMISSION ACTION

Changes were made to conditions as shown by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

2

SENATE DISTRICT

8

NOTICES MAILED

441 by Planning Department

<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
------------------------	---



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17057** APN: 163-04-501-004

Name of Property Owner: Santa Fe 124, LLC

Name of Applicant: Santa Fe 124, 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: _____

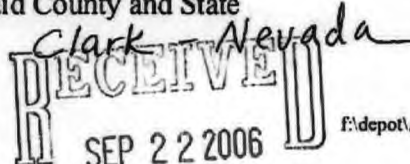
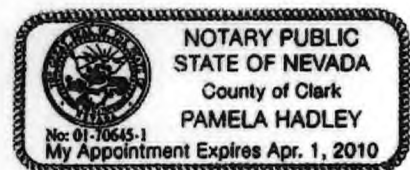
Signature of Property Owner: _____

Print Name: Santa Fe 124, LLC Seth McCormick - Manager

Subscribed and sworn before me

This 20 day of September, 2006

Pamela Hadley
Notary Public in and for said County and State



APN# 163-04-501-004
AN EXISTING LANDSCAPE PLAN
LAS VEGAS, NEVADA

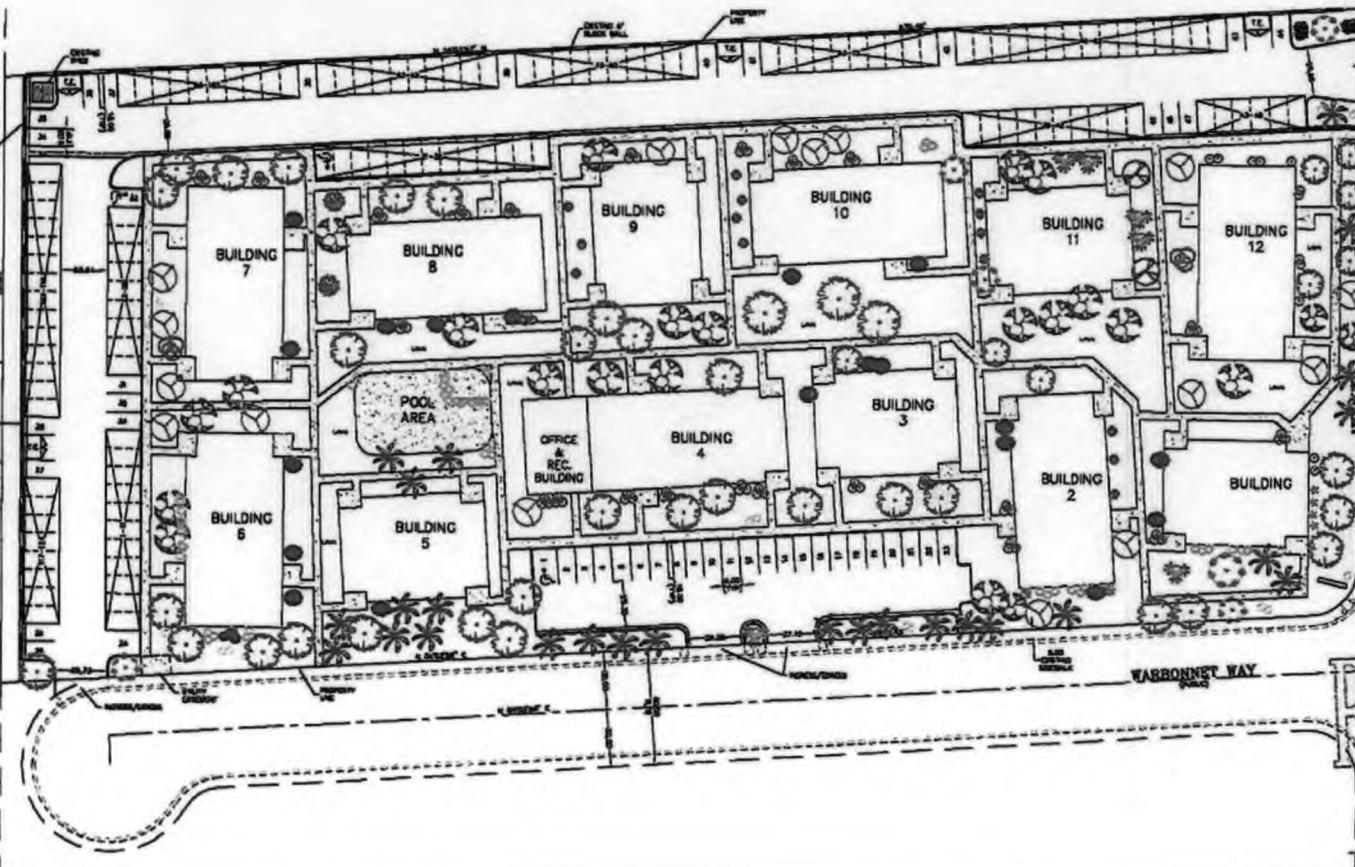
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WHEEL AND TIRE CHANGES		
WMA	Event	Top
1	General Motors Chevrolet and Oldsmobile	16.6%
2	General Motors Chevrolet and Oldsmobile	15.6%
3	General Motors Chevrolet and Oldsmobile	15.6%
4	General Motors Chevrolet and Oldsmobile	15.6%
5	General Motors Chevrolet and Oldsmobile	15.6%
6	General Motors Chevrolet and Oldsmobile	15.6%
7	General Motors Chevrolet and Oldsmobile	15.6%
8	General Motors Chevrolet and Oldsmobile	15.6%
9	General Motors Chevrolet and Oldsmobile	15.6%
10	General Motors Chevrolet and Oldsmobile	15.6%



SI

GRAPHIC SCALE



RECEIVED
SEP. 22 2006

SDR-17057

11/16/06 PC

**SANTA FE SHADOWS CONDOMINIUMS
EXISTING LANDSCAPE PLAN**

BAUGHMAN & TURNER, INC.

CIV. ENGINEERS	LAND SURVEYORS	LAND PLANNERS
1210 HOBSON STREET	LAS VEGAS, NEVADA 89102	
Ph. (702) 676-8771	Fax (702) 878-3895	

JAE 88-40-302
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NORTH AM
COUN. UP
SOUTH 1" = 2"

BEN HOWELL
PREPARED FOR :

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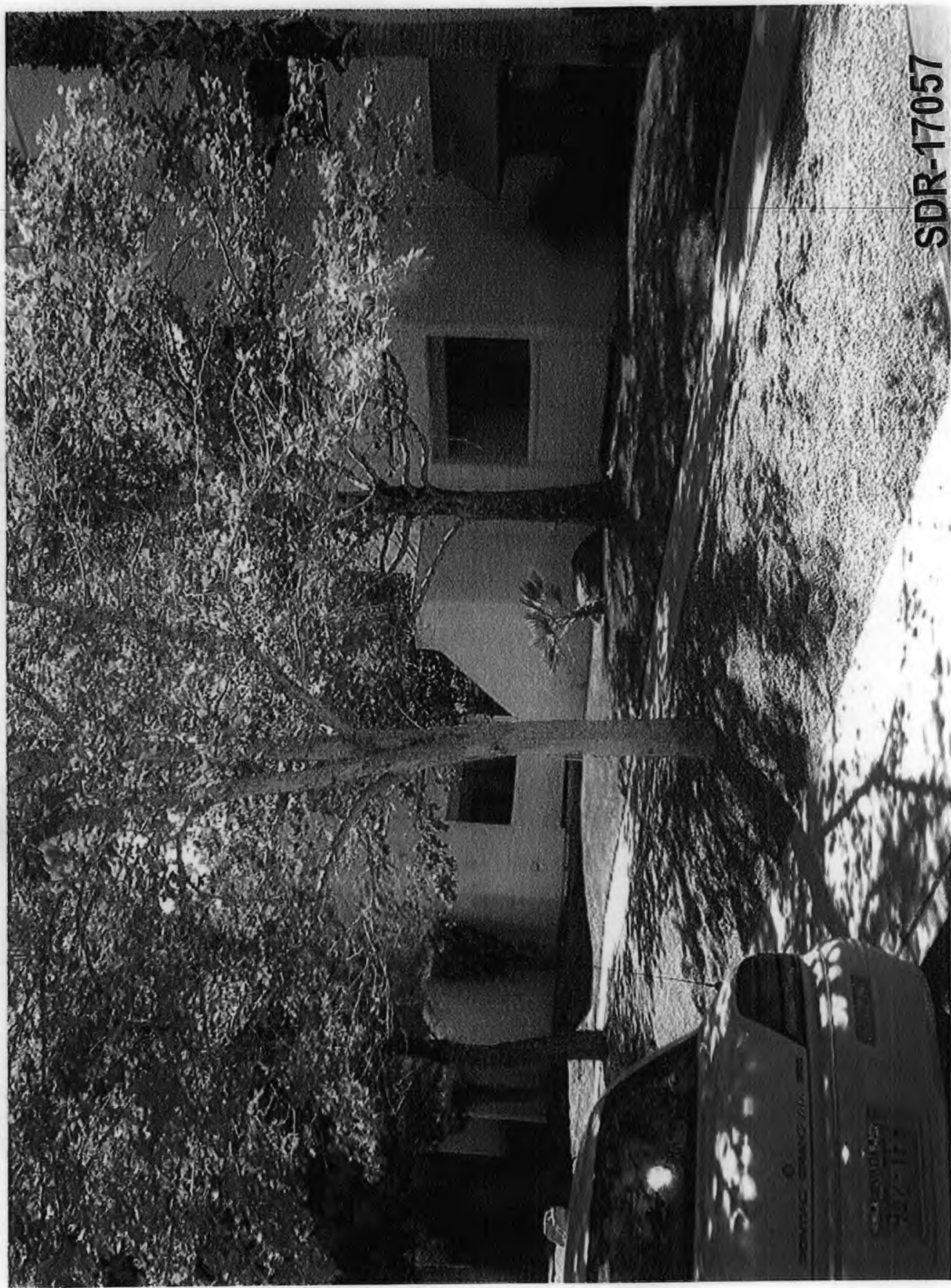


SDR-17057
11/16/06 PC

11/16/06 PC

SDR-17057



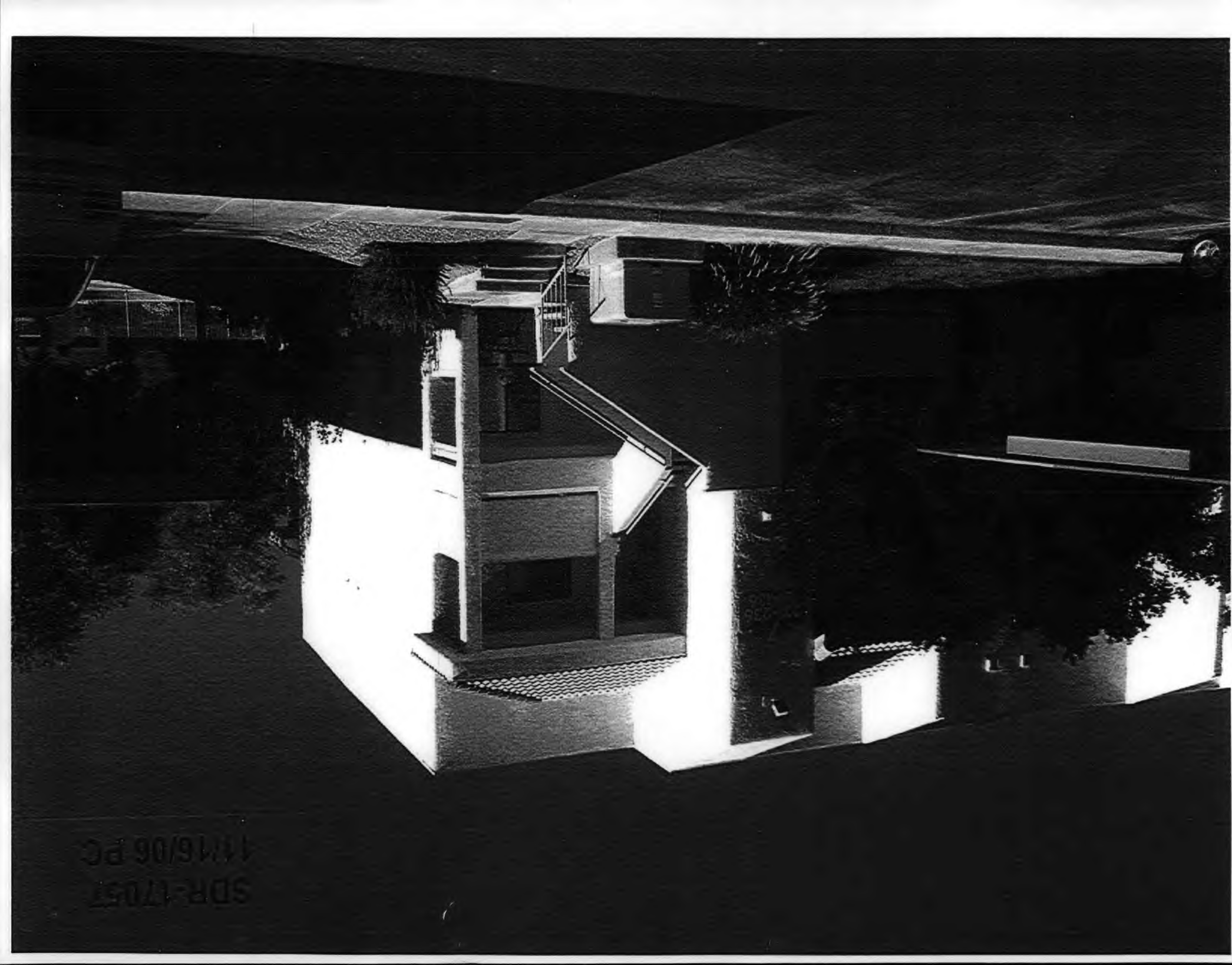


SDR-17057

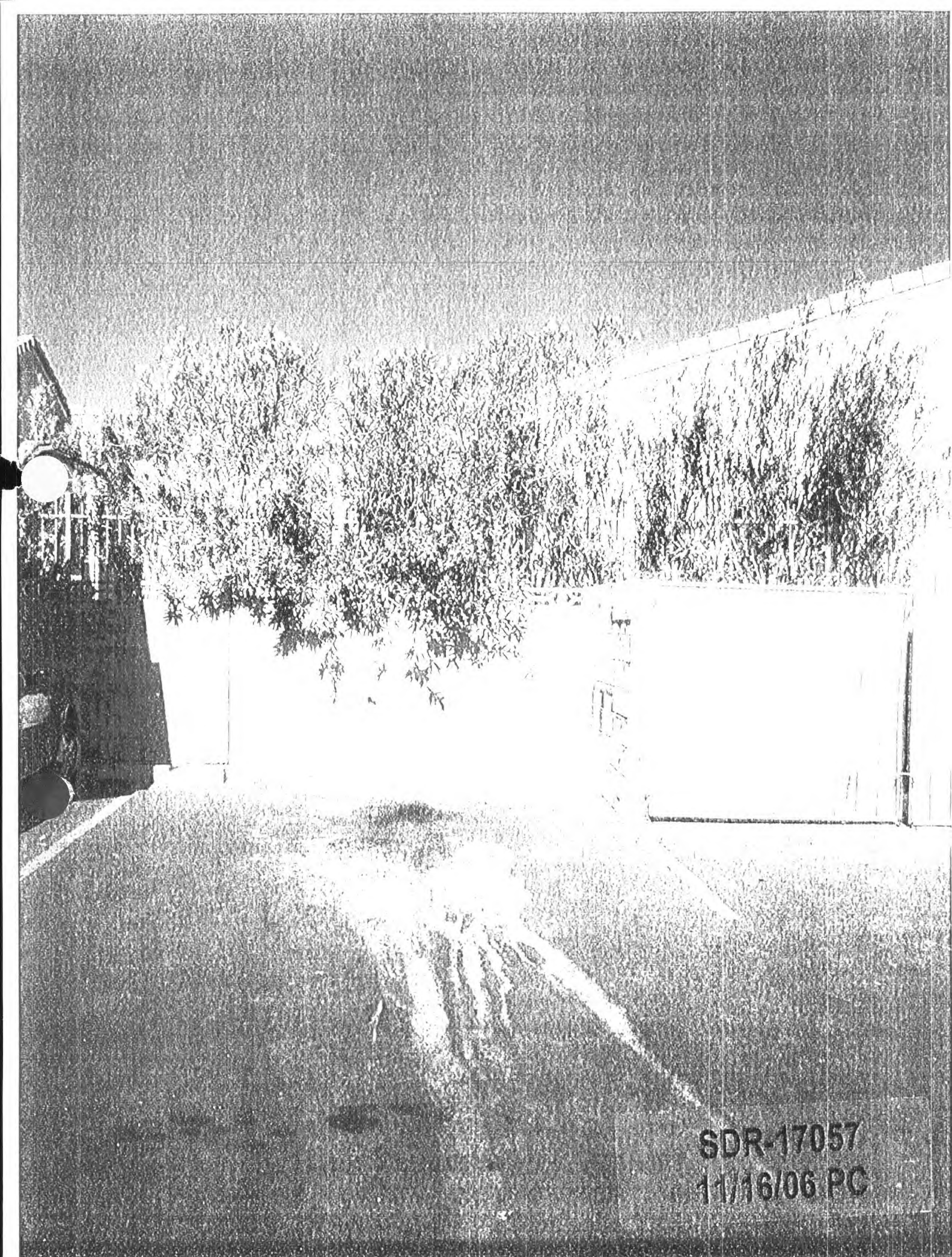
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SDR-17057
11/16/06 PC

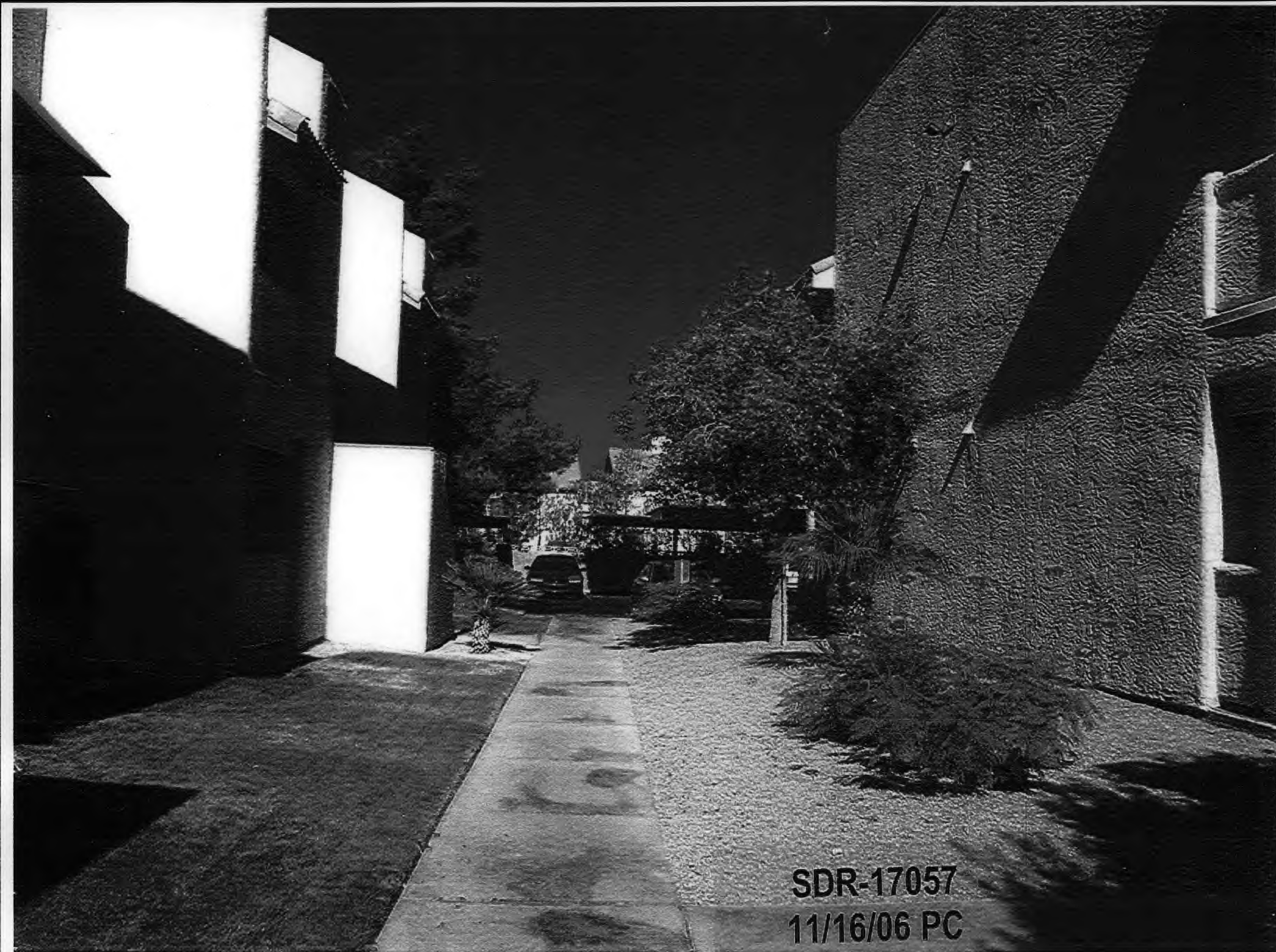




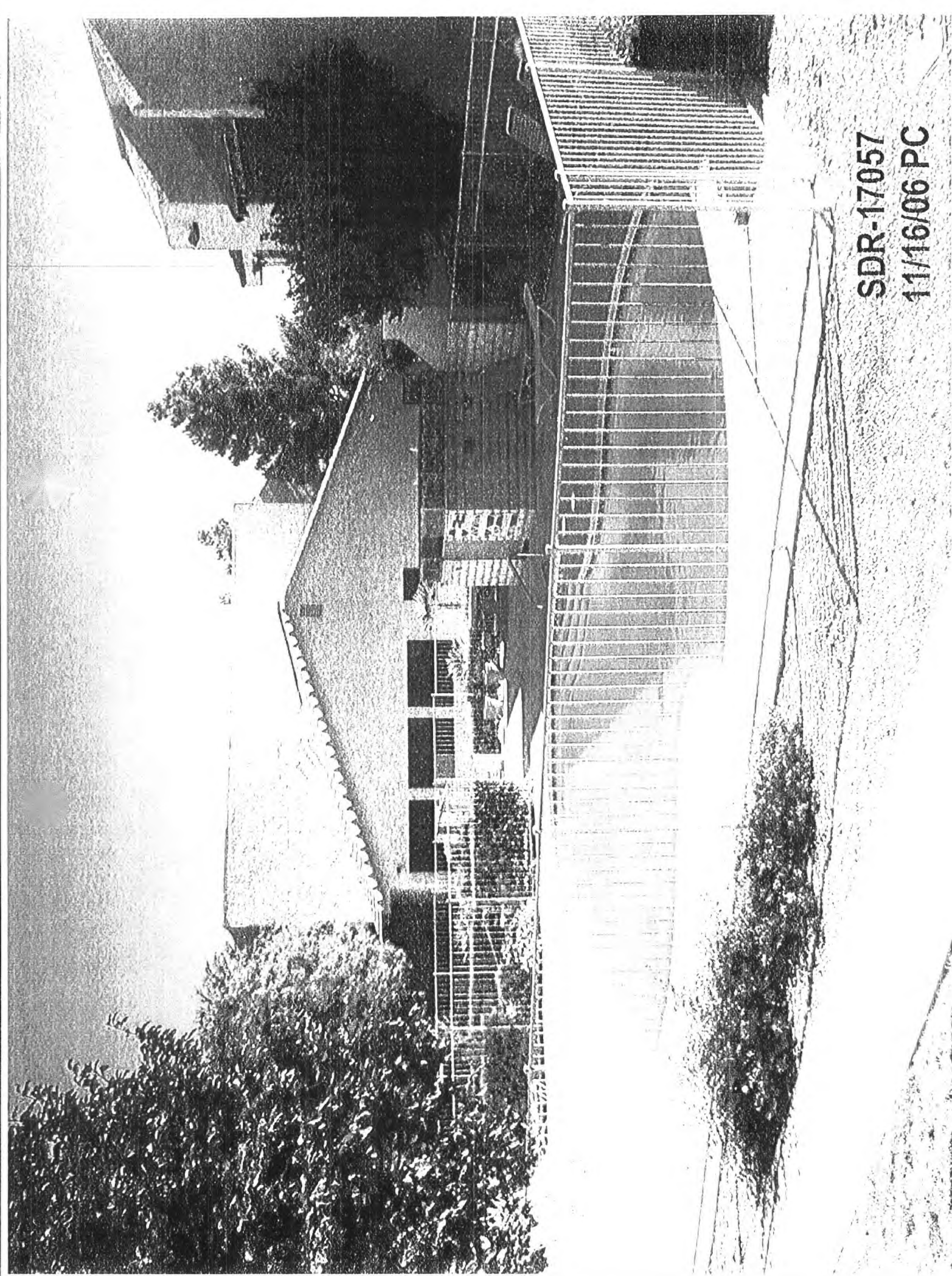
SDR-17057
1/16/06 PC



SDR-17057
11/16/06 PC



SDR-17057
11/16/06 PC



SDR-17057
11/16/06 PC



SDR-17057 - APPLICANT/OWNER: SANTA FE 124, LLC
1111 WARBONNET WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/15/06



SDR-17057 - APPLICANT/OWNER: SANTA FE 124, LLC
1111 WARBONNET WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/15/06



SDR-17057 - APPLICANT/OWNER: SANTA FE 124, LLC
1111 WARBONNET WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/15/06

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

Aug 02, 2006

City of Las Vegas, Planning & Development

731 S. Fourth Street
Las Vegas, NV 89101

RE: Santa Fe Shadows

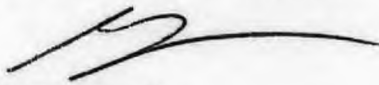
To Whom It May Concern,

Please let this letter serve as a justification for a Site Development Plan Review for a condominium conversion. The project called "Santa Fe Shadows Condominiums" consists of 12 apartment buildings (124 units) on 5.4 acres located at 1111 Warbonnet Way. The apartments will be converted to condominiums through the subdivision process.

The buildings were built in 1989 and have a beige stucco finish with a pink trim (See attached pictures). The current Zoning and General Plan are consistent with the proposed conversion. The original plans complied with minimum on-site parking requirements for a multi-family development. Since the project was built, on-site parking requirements have increased. Currently parking provided is 171 spaces where 224 spaces are required. Other condominium conversions with similar parking requirements have been approved. We will make every attempt to comply with Title 19 requirements for parking and landscaping. The approval of this application will not have a negative effect on either the environment or general public.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,
Baughman & Turner, Inc.

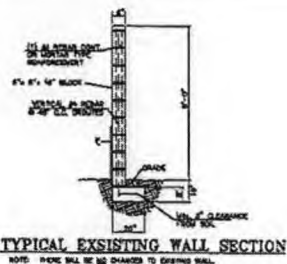

Gil Nockowitz,
Director of Processing

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SEP 22 2006

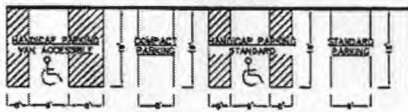
SDR-17057
11/16/06 PC

SANTA FE SHADOWS CONDOMINIUMS

APN# 163-04-501-004
CONDOMINIUM SUBDIVISION
LAS VEGAS, NEVADA



TYPICAL PARKING



LEGEND

STREET CLOSURE
PROPERTY LINE
ADJACENT PROPERTY LINE
CL. OFFICE
BLDG. WALL
TRAIL ENCLOSURE
CL. COVERED PARKING

SITE DATA

ADDRESS: 163-04-501-004
SECTION: SEC. 34, T. 21 S. 30 N., R. 80 E., S. 10 M.
LAND USE: RESIDENTIAL CONDOMINIUMS
APPROVED ZONING: RESIDENTIAL PLANNED DEVELOPMENT DISTRICT (RPD-PD)
NUMBER OF BUILDINGS: 13
NUMBER OF UNITS: 134
TOTAL ADJACENT: 86 ACRES DRIVEN
BUILDING HEIGHT: 30' MAX
DENSITY: 21 UNITS/ACRE

EXISTING PARKING

COVERED SPACES: 130
UNCOVERED SPACES: 10
TOTAL SPACES: 140
TOTAL SPACES: 140

DEVELOPER/OWNER

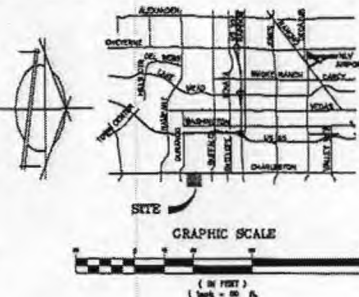
SANTA FE LAND, LLC
2225 WILLOW ROAD, SUITE 200
HENDERSON, NV 89015
PH: (702) 471-1000
CONTACT: BEN HOWELL

REQUIRED PARKING DATA

TYPE	NO. OF UNITS	REQUIRED SPACES
ONE BEDROOM/ONE BATH	20	20
TWO BEDROOM/TWO BATH	60	60
TOTAL	80	80

SITE BREAKDOWN

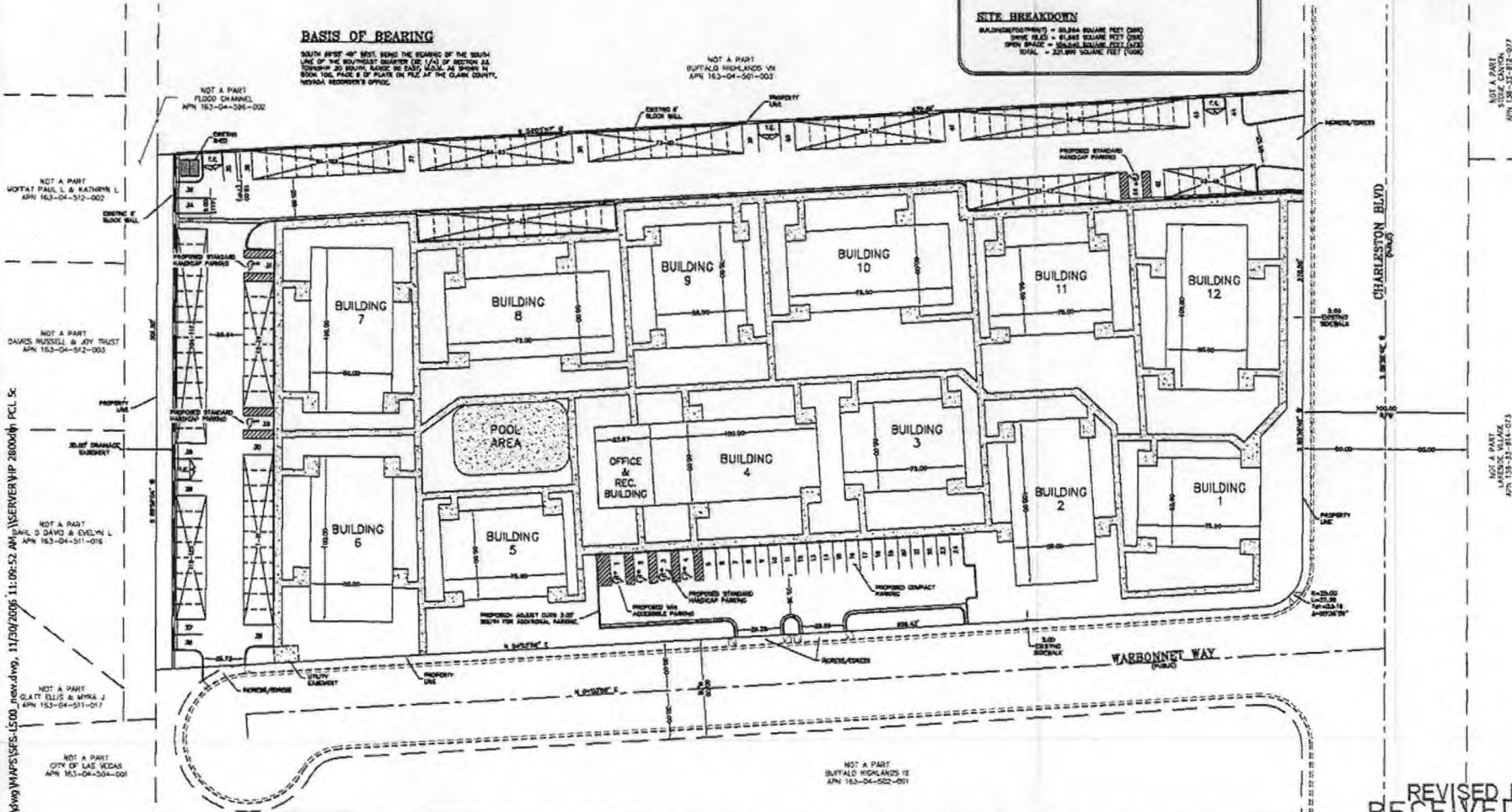
BUILDING/STORY: 13 BUILDINGS, 13 STORIES
BUILDING 1: 10 UNITS, 10 STORIES
BUILDING 2: 10 UNITS, 10 STORIES
BUILDING 3: 10 UNITS, 10 STORIES
BUILDING 4: 10 UNITS, 10 STORIES
BUILDING 5: 10 UNITS, 10 STORIES
BUILDING 6: 10 UNITS, 10 STORIES
BUILDING 7: 10 UNITS, 10 STORIES
BUILDING 8: 10 UNITS, 10 STORIES
BUILDING 9: 10 UNITS, 10 STORIES
BUILDING 10: 10 UNITS, 10 STORIES
BUILDING 11: 10 UNITS, 10 STORIES
BUILDING 12: 10 UNITS, 10 STORIES
BUILDING 13: 10 UNITS, 10 STORIES



BASIS OF BEARING

SOUTH 89° 45' 40" WEST BEING THE BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 80 EAST, S. 10 M., AS SHOWN IN BOOK 100, PAGE 8 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDERS OFFICE.

NOT A PART
BUFFALO HIGHLANDS II
APN 163-04-501-003



BEN HOWELL

BAUGHMAN & TURNER, INC.

LAND PLANNERS

1210 HAWK STREET
LAS VEGAS, NV 89102
PH: (702) 876-3899

NOT A PART
LAKESIDE VILLAGE
APN 159-21-814-013

NOT A PART
CITY OF LAS VEGAS
APN 163-04-501-017

NOT A PART
CITY OF LAS VEGAS
APN 163-04-501-017

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NOT A PART
CITY OF LAS VEGAS
APN 163-04-501-017

SDR-17057 12-20-06 CC

Submitted after final agenda

Date 12/18/06 Item #154
DEC 01 2006

REVISED 11/30/06
RECEIVED

LAW OFFICE

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

December 19, 2006

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: Item No. 154 - City Council Agenda of December 20, 2006
SDR-17057 Santa Fe 124, LLC

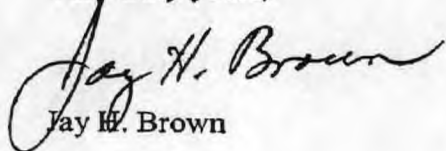
Dear Ms. Ronemus:

Please be advised that I represent the applicant in the above referenced matter.

I respectfully request that this item be abeyed from the presently scheduled meeting to the meeting to be held on January 3, 2007.

Thank you for your cooperation.

Very truly yours,


Jay H. Brown

JHB:cc

2006 DEC 19 P 4:03
RECEIVED
CITY CLERK

Submitted after final agenda

Date 12/19/06 Item #154

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

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST.
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771
FAX (702) 878-2695

November 15, 2006

Santa Fe 124, LLC
Attn: Mr. Ben Howell
2220 Village Walk Drive #3203
Henderson, Nevada 89052

Re: Santa Fe Shadows

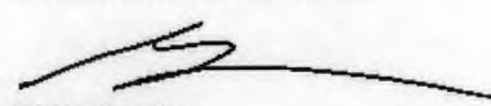
Dear Mr. Howell,

Baughman & Turner, Inc. conducted a parking analysis for Santa Fe Shadows. Enclosed please find the results of this analysis.

To the best of my knowledge, on the dates indicated, this reflects a true and accurate count.

Should you have any questions or concerns, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.



Gil Nockowitz
Director of Processing

GN/ab

Submitted at Planning Commission

Date 11/16/06 Item # 41

Santa Fe Shadows Parking Analysis

Total Parking Spaces: 171

Date	Available Spaces		
	6:00 A.M. Count	2:00 P.M. Count	6:00 P.M. Count
Saturday November 4, 2006	62	107	88
Wednesday November 8, 2006	58	122	74
Sunday November 12, 2006	64	99	71
Tuesday November 14, 2006	68	115	55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SITE DEVELOPMENT PLAN REVIEW**

SDR-17211 - PUBLIC HEARING - APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC - Request for a Site Development Plan Review FOR A 3,560 SQUARE-FOOT ADDITION TO AN EXISTING OFFICE BUILDING AND A WAIVER TO ALLOW A REDUCTION OF PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS on 1.46 acres at 700 East Charleston Boulevard (APN 162-03-501-003), P-R (Professional Office and Parking) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Justification Letter
6. Submitted after final agenda - Revised plan by staff
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 42

Motion made by GARY REESE to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

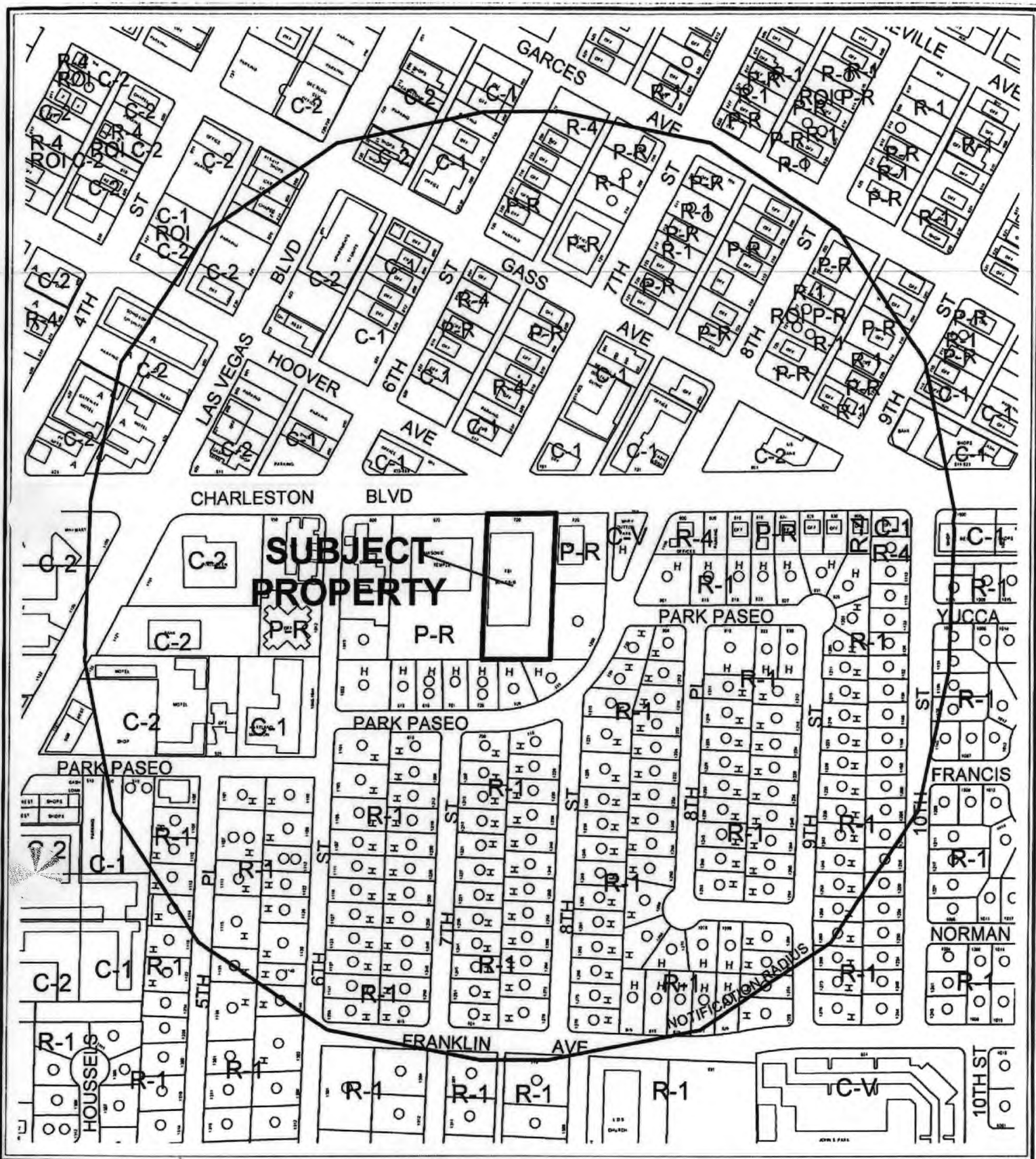
MAYOR GOODMAN requested a moment of silence, as a vigil was taking place throughout the City at 3:45 p.m. in memory of the homeless who have passed away this year. Council was not able to attend the vigil due to this City Council meeting.

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DAVE TRUMAN, Pennacle Architectural Studios, 9755 West Charleston Boulevard, appeared on behalf of the applicant and agreed to the conditions. The subject building is the former FBI building, and the applicant intends to lease out the second and third floors.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: SDR-17211

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17211 - APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and landscape plan date stamped 10/16/06, and building elevations date stamped 09/29/06 and 11/03/06 except as amended by conditions herein.
3. A Waiver to reduce perimeter landscape buffer requirements is hereby approved, to allow three feet along the south property line, zero feet along the east property line and five feet along the west property line.
4. An additional two loading spaces shall be added to the site in accordance with Title 19.10 standards.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets..
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. 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.
13. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 3,560 square-foot addition to an existing office building and a waiver to allow a reduction of perimeter landscape buffer width requirements on 1.46 acres at 700 East Charleston Boulevard.

The purpose of this request is to add a 3,560 square-foot atrium to an existing 63,229 square foot office complex which was built in 1989. The previous tenant of this building was the Federal Bureau of Investigation. The three-story office building is divided into three floors; a first floor parking garage consisting of 72 parking stalls and a second floor and third floor comprising approximately 40,100 square feet in office space. In addition to the atrium in the front of the office complex, the applicant has provided landscaping, handicap parking, trash enclosures and loading spaces on the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/27/72	The Board of City Commissioners approved a Rezoning (Z-0096-72) from R-1 (Single Family Residential) to PR (Professional Office and Parking) for the property located on the south side of East Charleston. Planning Commission recommended approval.
04/12/73	The Board of City Commissioners approved a Plot Plan Review (Z-0096-72) for a professional office for the property located on the south side of East Charleston. Planning Commission recommend approval.
06/17/74	The Board of City Commissioners approved a Reinstatement and Extension of Time (Z-0062-86) for the property located on the East Charleston.
12/05/86	The City Council approved the request for a Variance (V-0087-86) to allow the servicing of vehicles for various federal agencies in a proposed building which will also contain an office facility for the Federal Bureau of Investigation, and to allow the proposed office building to a height of 3 stories where 2 stories are the maximum permitted, on property located at 700 East Charleston Boulevard.
03/24/87	The Planning Commission approved a plot plan (Z-0096-72) to permit a 65,341 square-foot office building at 700 East Charleston Boulevard. Planning Commission approved as Final Action.
11/16/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #42/jm).
<i>Related Building Permits/Business Licenses</i>	
No related permits pertain to this site.	

Pre-Application Meeting	
09/13/06	At the pre-application meeting, the applicant was informed that the atrium addition that they were proposing would require a Site Development Plan Review. The applicant was also informed that the site was parking impaired, requiring the applicant to provide 109 parking stalls as approved for the existing building. By code, the 3,560 square feet atrium addition would require an additional 12 parking stalls. Lastly, submittal requirements were explained in detail to the applicant.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.46

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office Building	C (Commercial)	P-R (Professional Office and Parking)
North	Office Building	C (Commercial)	C-1 (Limited Commercial)
South	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office Building	C (Commercial)	P-R (Professional Office and Parking)
West	Non-Profit	C (Commercial)	P-R (Professional Office and Parking)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
John S. Park Historic Neighborhood	X		Y
Redevelopment Plan Area	X		Y
Special Purpose and Overlay Districts		X	Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A		Y
Min. Lot Width	60 Feet	169 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	15 Feet	87 Feet	Y
Max. Lot Coverage	50%	40%	Y
Max. Building Height	2 stories or 35 feet	3 stories, 35 Feet*	Y
Trash Enclosure	50 feet from Residential	69.1 Feet	Y
Mech. Equipment	Screened	Screened	Y

*Z-0087-86 permitted the height

<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/ 6 Spaces	11 Trees	10 Trees	N
Buffer: Min. Trees (Adjacent to Commercial)	1 Tree/30 Linear Feet	31 Trees	18 Trees	N
Buffer: Min. Trees (Adjacent to Residential)	1 Tree/20 Linear Feet	9 Trees	8 Trees	N
TOTAL		51 Trees	37 Trees	N
Min. Zone Width (Interior - West)	8 Feet		5 Feet	N
Min. Zone Width (Interior - East)	8 Feet		Zero Feet	N
Min. Zone Width (Interior - South)	8 Feet		3 Feet	N
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	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	
Office (new expansion)	3,560 GFA	1 per 300 GFA	12	1	14	1	Y
Office (Parking Impaired)	40,000 GFA	100	109*		109		Y
SubTotal			121		118	5	Y
Compact		30%			36		Y
Standard		70%			87		Y
TOTAL			121		123		Y
Loading Spaces			3		2		N

*Z-0096-72 existing requirement - parking impaired

ANALYSIS

- Zoning

The property is located within the Downtown Redevelopment Plan area and the John S Park Neighborhood Plan area. The subject site is designated C (Commercial) on the Downtown Redevelopment Area Land Use Map. Office, neighborhood service and general commercial uses are allowed in this area. The P-R (Professional Office and Parking) Zoning District is intended to allow for office uses in an area which is predominately residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses.

- Site Plan

The purpose of this request is to add a 3,560 square-foot atrium to an existing 63,229 square foot office complex which was built in 1989. The previous tenant of this building was the Federal Bureau of Investigation. The three-story office building is divided into three floors; a first floor parking garage consisting of 72 parking stalls and a second floor and third floor comprising approximately 40,100 square feet in office space. In addition to the atrium in the front of the office complex, the applicant has added landscaping, handicap parking, trash enclosures and loading spaces on the site.

The site's primary access point is off of Charleston Boulevard, a 100-foot Primary Arterial. The existing parking in the front of the development has been replaced with decorative pavers, outdoor seating, and 3,560 square-foot atrium addition.

The site is parking impaired per Title 19.10 parking standards as the existing building complied with the applicable parking standards at the time the use was established. Therefore, the applicant is required to provide 109 parking spaces, which was the amount approved in the original site development plan review (Z-0096-72). In addition, per Title 19.10 parking standards *for any remodeling, alteration, or expansion of a parking impaired development that requires an increase in the number of parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.* This would yield an additional 12 parking stalls. The site plan complies with the parking standards, providing 123 parking stalls, five of which are handicap accessible and one van accessible.

- Landscape Plan

The applicant has provided additional landscaping throughout the existing site, adding trees in the parking areas and replacing the existing 10-foot wide drive along the west side of the site. However, excluding the landscaping provided along the Charleston Boulevard street frontage, the site is lacking the appropriate landscaping per Title 19.12. The applicant is requesting a Waiver to reduce the perimeter landscape buffers along the east, west and south boundaries of the site. Where eight feet of perimeter landscaping is required in the interior of the site, the applicant provides zero to the east, three feet to the south and five feet to the west.

The applicant is also deficient in the amount of trees required for perimeter landscaping and parking stalls. Per 19.12 landscape standards the applicant is required to provide 51 trees. The landscape plan shows only 37 trees. It should be noted that the lack of landscaping could be attributed to the site's configuration and the decision of the applicant to forego landscaping to meet parking requirements. This statement is true to the east side of the property as the applicant is providing no perimeter landscaping in lieu of 24-foot access aisles and parking stalls.

- Elevation

The Elevation depicts a 3-story office building with a new exterior insulation finish system that will either replace or cover the existing brick veneer. The existing windows and horizontal bands of metal panels will be replaced with continuous horizontal glazing. In the front of the office complex, the new atrium addition matches the height of the existing structure at 35 feet.

FINDINGS

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

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

The P-R (Professional Office and Parking) zoning and C (Commercial) General Plan Designation are appropriate for adjacent development in this area.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development does not meet the perimeter landscape buffer requirements or the amount of trees required. The applicant has requested a Waiver to mitigate these deviations from the standards. The deficiency of landscaping is justified as the configuration of the existing building and parking standards would be jeopardized.

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

The site gains access off of Charleston Boulevard, a 100-foot Primary Arterial and would not negatively impact adjacent roadways or neighborhood traffic.

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

The proposed development does not meet the perimeter landscape buffer requirements. The applicant has requested a waiver to mitigate these deviations from the standards.

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;**

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety, and general welfare.

PLANNING COMMISSION ACTION

There was one speaker in favor and one opposed at the Planning Commission meeting.
Conditions were amended as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 390 by Planning Department

APPROVALS 0

PROTESTS 2

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: **SDR-17211** APN: 165-03-501-003Name of Property Owner: SVS Properties, Ltd.Name of Applicant: SVS Properties, Ltd.

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: _____

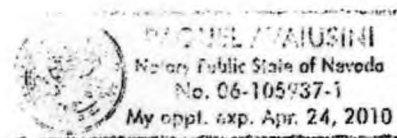
Partner(s): _____

APN _____

Signature of Property Owner: _____

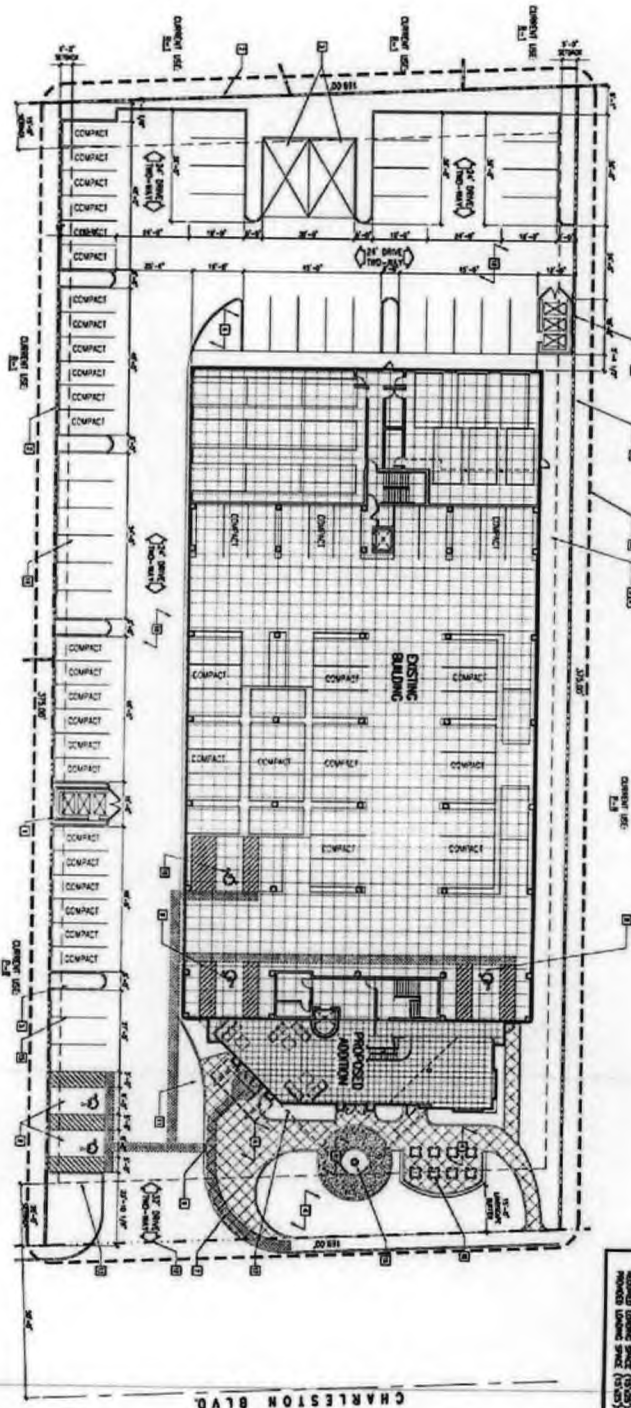
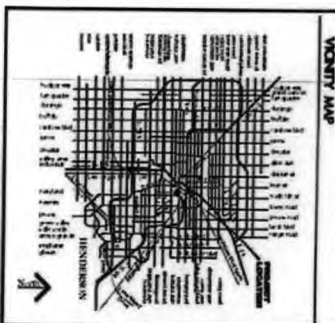
Print Name: Samuel Verturan

Subscribed and sworn before me

This 27th day of September, 2006Rachael Augustini
Notary Public in and for said County and State

RECEIVED
OCT 16 2006

1 SITE PLAN
SCALE: 1/16"

[illegible][illegible]

A1.1.1

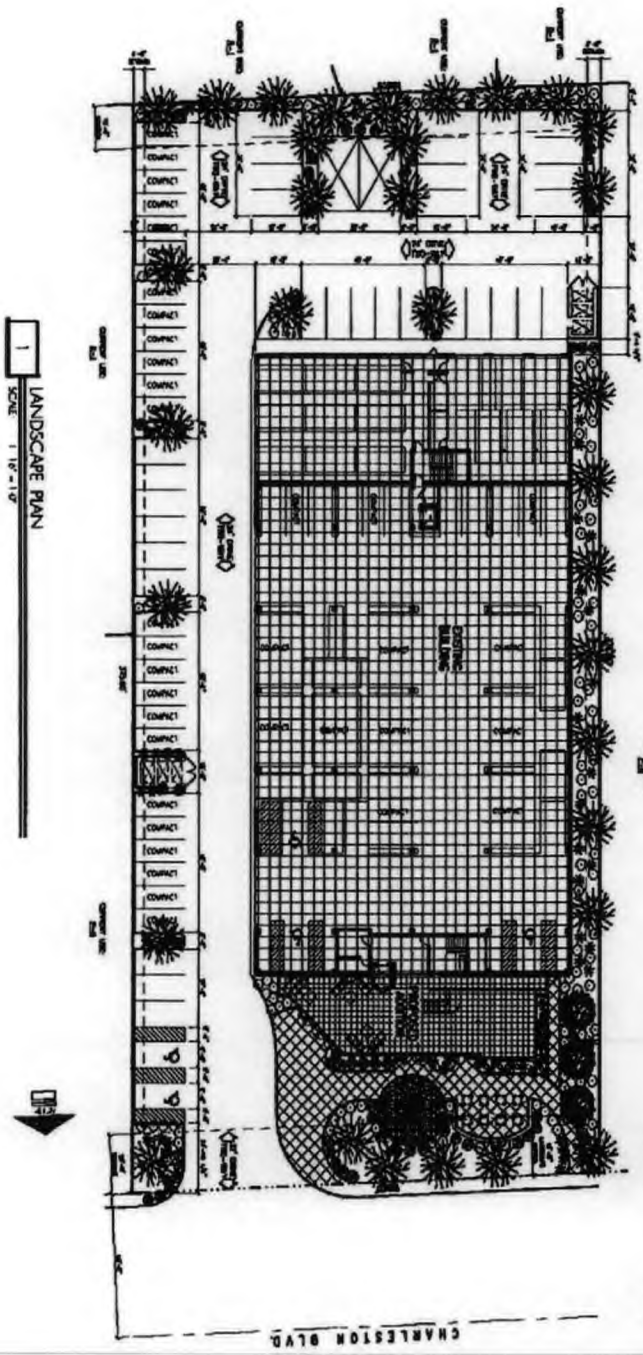
Drawn By:	DD*
Check By:	
Proj # - Loc:	1001 - 1001
Date:	10/15/00

FOLD HERE	
$\frac{1}{2}$	$\frac{1}{2}$
$\frac{1}{4}$	$\frac{1}{4}$
$\frac{1}{8}$	$\frac{1}{8}$

SCALE DRAWING NOTE
 ALWAYS INCLUDE THE SCALED DIMENSIONS ON YOUR ANSWERS TO QUESTIONS 1-4.

LV CORPORATE CENTER
FOR S V S PROPERTIES LTD LLC
7,61 EAST CHARLESTON BLVD LAS VEGAS, NV
DESIGN REVIEW
SITE PLAN

PINNACLE ARCHITECTURAL STUDIO, INC.
 GUYTON G. BOEFERKES Architect/Designer
 PHILIP H. KID Architect
 DAVID THOMAS Architect
 DEANE B. MANNING Architect/Designer
 9722 West Charleston Blvd., Las Vegas
 Nevada 89117 Phone (702) 845-0020 Fax (702) 845-0021



LANDSCAPE PLANT LEGEND

SYMBOL	COMMON NAME	SIZE	REMARKS
	AMERICAN Sycamore	30" DIA.	
	ROSEWOOD	30" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	

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OCT 16 2006

SDR-1721
REVISED
11/16/06 PC

11.1

SYMBOL	COMMON NAME	SIZE	REMARKS
	AMERICAN Sycamore	30" DIA.	
	ROSEWOOD	30" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	
	FLORIDA PALM	3" DIA.	

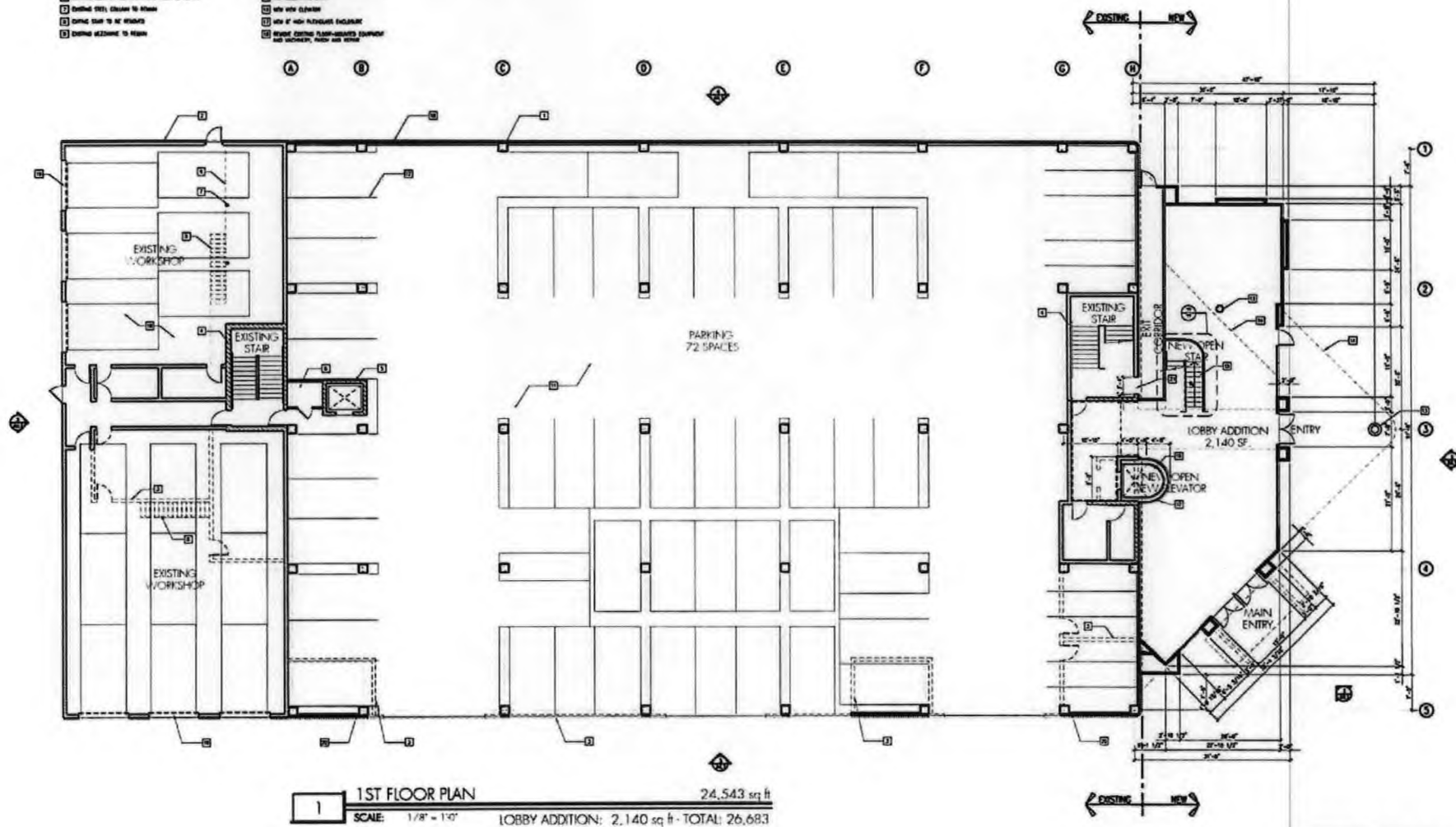
LV CORPORATE CENTER
FOR S V S PROPERTIES LTD LLC
DESIGN REVIEW
LANDSCAPE PLAN

PINNACLE ARCHITECTURAL STUDIO, INC.
11111 S. 28th Ave., Suite 100, Phoenix, AZ 85048
Phone: 602.998.1111 Fax: 602.998.1112
www.pinnaclearchitectural.com

- 1 EXISTING CONCRETE COLUMN TO REMAIN
- 2 EXISTING WALL TO REMAIN
- 3 EXISTING UNIT MIGHTY CONSTRUCTION TO BE REMOVED
- 4 EXISTING STAIR AND ENCLOSURE TO REMAIN
- 5 EXISTING ELEVATOR AND ENCLOSURE TO REMAIN
- 6 EXISTING ELEVATOR EQUIPMENT AND ROOM TO REMAIN
- 7 EXISTING STEEL COLUMN TO REMAIN
- 8 EXISTING STAIR TO BE REMOVED
- 9 EXISTING MECHANICAL TO REMAIN

- 10 EXISTING EXTERIOR WALL TO REMAIN
- 11 REMOVE ALL EXISTING PAINTING STRIPS
- 12 NEW 4" PLASTER PAINTING STRIPS
- 13 NEW GULLIES - REFER TO STRUCTURAL
- 14 SHOWED LANE NEIGHBOR'S CONSTRUCTION AREA
- 15 NEW REINFORCING STRAP
- 16 NEW WIRE CLOTH
- 17 NEW 4" HIGH PLASTERED ENCLOSURE
- 18 REMOVE EXISTING PLASTER-INSULATED CONCRETE

- ☐ REMOVE EXISTING WALL-UP DOORS
- ☐ REMOVE EXISTING REEF DRAIN LINE
- ☐ CUT NEW 3'-0" x 2'-0" OPENING IN EXISTING C.W.D. WALL



1 1ST FLOOR PLAN 24,543 sq ft
SCALE: 1/8" = 1'-0" LOBBY ADDITION: 2,140 sq ft - TOTAL: 26,683

**SDR-17211
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11/16/06 PC**

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OCT 16 2006

[illegible]

PINNACLE ARCHITECTURAL STUDIO, INC.
1000 G. STREET, N.W.
WASHINGTON, D.C. 20004
202/331-1100
FAX 202/331-1101
www.pinnaclearchitect.com

DESIGN REVIEW

LV CORPORATE CENTER
FOR S V S PROPERTIES LTD LLC

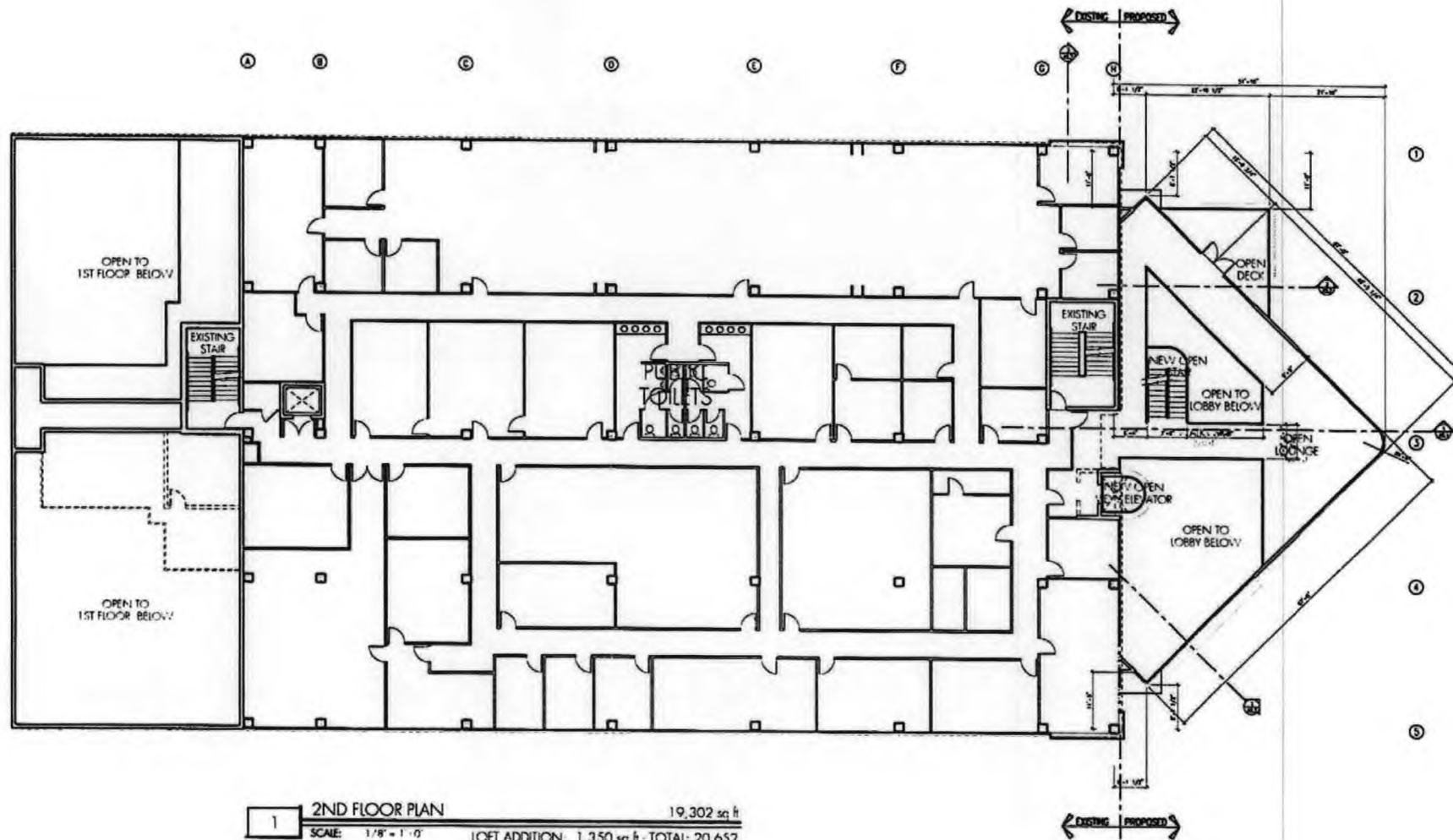
FIRST FLOOR PLAN

Findings:	Δ_{max}	Δ_{min}	Δ_{avg}	Δ_{std}	Δ_{rel}
	Δ_{max}	Δ_{min}	Δ_{avg}	Δ_{std}	Δ_{rel}
	Δ_{max}	Δ_{min}	Δ_{avg}	Δ_{std}	Δ_{rel}
	Δ_{max}	Δ_{min}	Δ_{avg}	Δ_{std}	Δ_{rel}

SCALE DRAWING NOT TO BE USED

Drainage	3307
Drainage	
Drainage	3307
Drainage	3307

A2.1



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11/16/06 PC

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SEP 29 2006

PROPOSED
NOTATION
CONSTRUCTION

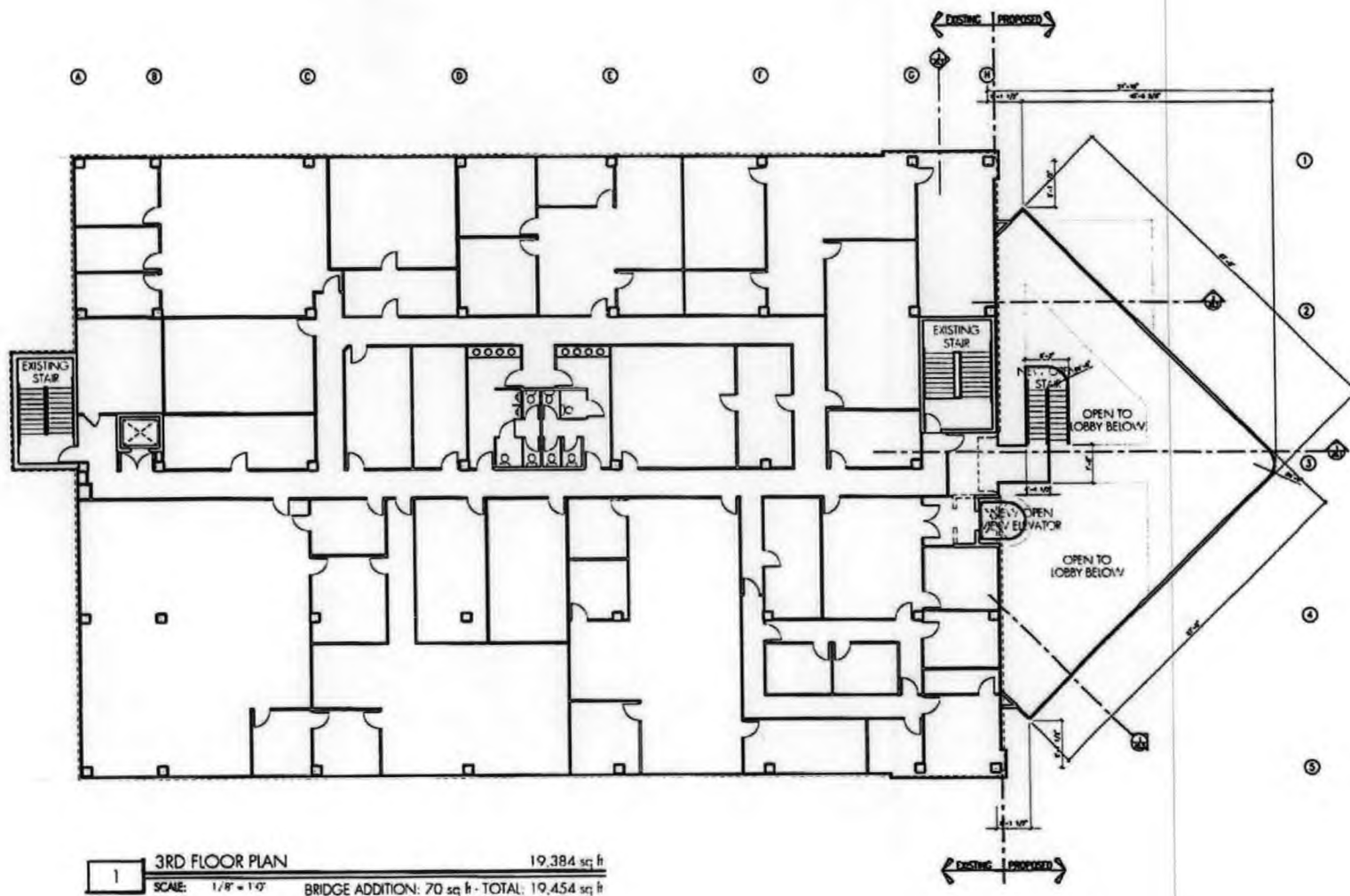
PINNACLE ARCHITECTURAL STUDIO, INC.
ARCHITECTS
1000 N. 10TH AVE. SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.PINNACLEARCHITECTS.COM

VENTURA OFFICE T1 AND ADDITION
FOR SAA VENTURA
DESIGN REVIEW
SECOND FLOOR PLAN

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

DATE: 11/16/06
BY: [Signature]

A2.2



SDR-17211
 11/16/06 PC

RECEIVED

SEP 29 2006

REVISIONS
 NOT FOR
 CONSTRUCTION

PINNACLE ARCHITECTURAL STUDIO, INC.
 1000 N. 10th Street, Suite 100
 Phoenix, AZ 85004
 Phone: 602.254.1111
 Fax: 602.254.1112
 Email: info@pinnaclestudio.com
 Website: www.pinnaclestudio.com

VENTURA OFFICE T.I. AND ADDITION
 FOR SAM VENTURA
 DESIGN REVIEW
 THIRD FLOOR PLAN

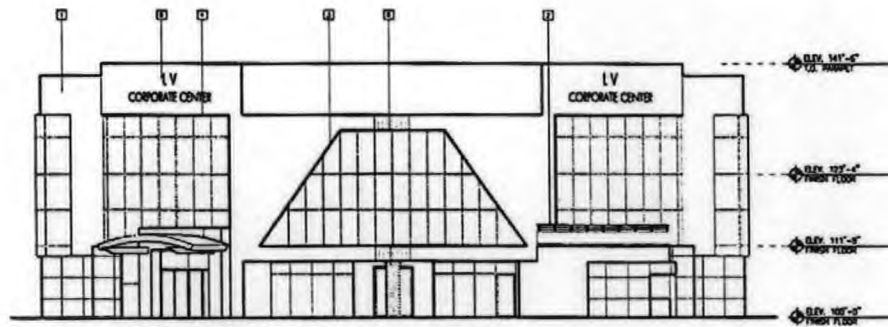
DATE: 11/16/06
 BY: [Signature]
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DATE: 11/16/06
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A2.3

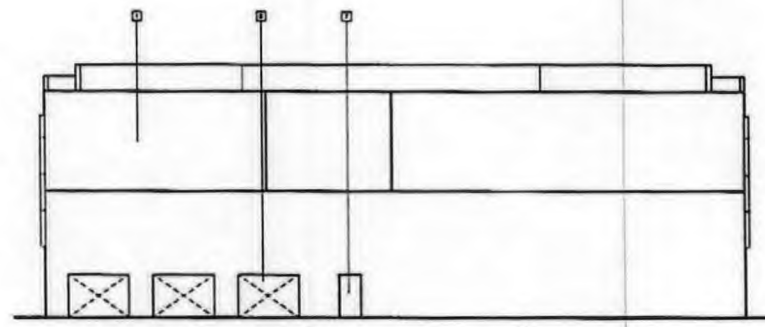
ELEVATION KEYNOTES

- 1 NEW EXTERIOR WALLS FROM EXISTING - EXISTING
- 2 EXISTING WALLS FROM EXISTING - EXISTING
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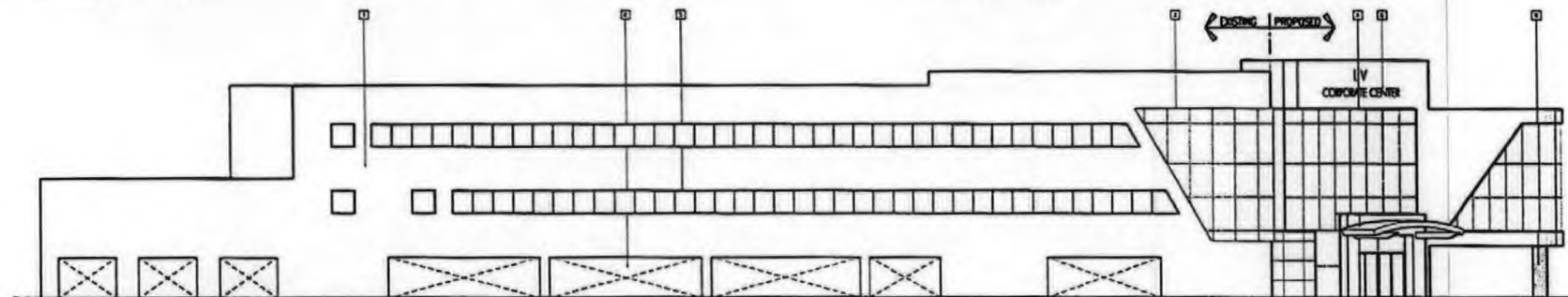
1 NORTH ELEVATION (FACING CHARLESTON)

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



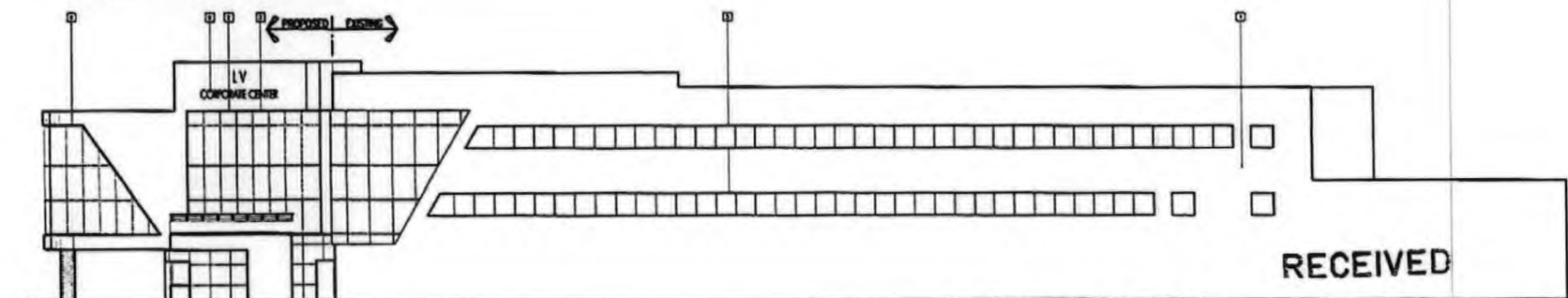
2 SOUTH ELEVATION

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



3 EAST ELEVATION

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



4 WEST ELEVATION

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

RECEIVED

SDR-17211
11/16/06 PC

SEP 29 2006

PROPOSED
NEW
CONSTRUCTION

PINNACLE ARCHITECTURAL STUDIO, INC.
ARCHITECTS
1000 N. 10TH AVE., SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112
WWW.PINNACLEARCHITECTS.COM

VENTURA OFFICE T.I. AND ADDITION
FOR SAM VENTURA
DESIGN REVIEW
BUILDING 1 EXTERIOR ELEVATIONS

DATE: 11/16/06
BY: SDR
CHECKED: SDR
APPROVED: SDR

DATE: 11/16/06
BY: SDR
CHECKED: SDR
APPROVED: SDR

A4.1



SDR-17211 APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC
700 EAST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



SDR-17211 APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC
700 EAST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



SDR-17211 APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC
700 EAST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06

September 29, 2006

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

**RE: VENTURA OFFICE AND T.I. AT FORMER F.B.I. BUILDING, 700 EAST
CHARLESTON, APN 165-03-501-003
JUSTIFICATION LETTER FOR APPLICATION OF SITE DEVELOPMENT REVIEW
AND VARIANCE-PARKING**

To Whom It May Concern:

The subject property is an existing office building, occupied since the late 1980s by the Federal Bureau of Investigation. Our client, Mr. Sam Ventura of SVS LLC, has purchased the building and intends to remodel it into Class 'A' office space. The centerpiece of the new construction will be a three-story atrium entry addition. Existing parking in the ground floor garage will remain, and the second and third floors will remain offices, although tenant improvement remodeling is planned. The entire site will be improved, including additional landscaping, particularly at the front along Charleston. Where there is now a parking lot the new plans call for extensive landscape, pedestrian walkways and other amenities. An exterior insulation finish system will be the new exterior, either replacing or covering the existing brick veneer. The existing windows and horizontal bands of metal panels will be replaced with continuous horizontal glazing.

The existing garage and surface parking were designed at 1 space per 400 sq. ft.; we are required to design to 300 sq. ft. per space, we must provide additional landscape area, and the structural grid in the parking garage does not allow much room for improving the layout. The original drawings show that the required parking was 109 spaces; by today's code, required parking for the 39,700 sq. ft. of existing office space is 132 spaces. We have excluded the square footage of the new construction; it is and always will be common area, never lease space, so it will not add to the number of occupants. We were also required to add 3 more handicap spaces, one of which is a van space. We have been able, with some creative site planning, to provide 127 spaces, a shortage of only 5 spaces, less than 4%. Three loading spaces are required; we have been able to include two loading spaces, where none were in place before. We therefore request a variance in the number of required parking spaces.

The 10' wide drive along the west will be completely replaced by landscaping. In addition, we plan to remove the existing planters and add landscape islands at the rate of one island per six parking spaces, to comply with today's more stringent requirements. We request a waiver of the landscape requirements, since we are dealing with existing conditions on all sides.

We believe the substantial improvements in our proposal far outweigh the few shortcomings that are the result of existing conditions. We therefore respectfully request approval of the accompanying site development and variance. Thank you.

Dave Truman
Architect

SDR-17211
11/16/06 PC

Pinnacle Architectural Studio

9255 West Charleston Boulevard, Las Vegas, NV 89117 • Tel: 702.240.6920 • Fax: 702.240.6921 • www.pinnaclestudio.com

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

**RE: VENTURA OFFICE AND T.I. AT FORMER F.B.I. BUILDING, 700 EAST
CHARLESTON, APN 165-03-501-003
JUSTIFICATION LETTER FOR APPLICATION OF SITE DEVELOPMENT REVIEW
AND VARIANCE-PARKING**

To Whom It May Concern:

The subject property is an existing office building, occupied since the late 1980s by the Federal Bureau of Investigation. Our client, Mr. Sam Ventura of SVS LLC, has purchased the building and intends to remodel it into Class 'A' office space. The centerpiece of the new construction will be a three-story atrium entry addition. Existing parking in the ground floor garage will remain, and the second and third floors will remain offices, although tenant improvement remodeling is planned. The entire site will be improved, including additional landscaping, particularly at the front along Charleston. Where there is now a parking lot the new plans call for extensive landscape, pedestrian walkways and other amenities. An exterior insulation finish system will be the new exterior, either replacing or covering the existing brick veneer. The existing windows and horizontal bands of metal panels will be replaced with continuous horizontal glazing.

The existing garage and surface parking were designed at 1 space per 400 sq. ft.; the original drawings show that the required parking was 109 spaces. This building qualifies as impaired parking under Title 19; we are therefore required to provide a total of the existing number of spaces plus one space per 300 square feet of added space, or 109 plus 12, for a grand total of 121 required. We are providing 123 spaces.

The 10' wide drive along the west will be completely replaced by landscaping. In addition, we plan to remove the existing planters and add landscape islands at the rate of one island per six parking spaces, to comply with today's more stringent requirements. We request a waiver of the landscape requirements, since we are dealing with existing conditions on all sides.

We believe the substantial improvements in our proposal far outweigh the few shortcomings that are the result of existing conditions. We therefore respectfully request approval of the accompanying site development and variance. Thank you.

Dave Truman
Architect

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NOV 03 2006

SDR-17211
REVISED 11/16/06 PC

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

Carman Burney

From: Nora Lares
Sent: Monday, November 06, 2006 8:11 AM
To: Carman Burney
Subject: FW: SDR-17211 neighbor opposition

From: James P. Reza [mailto:jpreza@cox.net]
Sent: Saturday, November 04, 2006 3:58 PM
To: Nora Lares
Subject: SDR-17211 neighbor opposition

Nora:

Please forward this to the appropriate recipient. Thank you!

RE: SDR-17211

Regarding the above-named Site Development Review and its inclusive waiver request, I would like to register my opposition to the granting of this request. Myself and my wife are native Las Vegas. We have lived at 1201 Strong Drive since June 2002, and my mother has lived in a house at 1264 South 9th Street for ten years. We purchased the home from my parents when my father was diagnosed with lung cancer and could no longer work. He passed away several years ago, though my mother -- who has been a Las Vegas resident since 1964 -- will likely live out her days in the home.

I have appeared before the Planning Commission in recent months to register opposition to similar variance requests in the McNeil Estates neighborhood. We deliberately sold our Summerlin home and moved to the center of town in order to live in a more urban environment, but this does not mean that we support variances and waivers of this type. Landscape buffers are important to homeowners because they protect them and their quality of life from commercial encroachment. This includes tangible encroachments such as increased noise, visual changes, privacy concerns, traffic and safety issues, but also intangibles such as preserving a sense of place in the neighborhood.

John S. Park -- the city's first (and perhaps, if things continue the way they have, only) neighborhood designated as historic -- is under relentless attack from all sides, situated as it is in near both Las Vegas and Charleston boulevards. Commercial developers has chipped and gnawed away at the neighborhood and its residents, hoping to eventually break enough of them down so that they give in and abandon the area to investors who might gladly sell out to commercial developers.

We're not ready for that. Please do not allow a precedent to be set. There is plenty of room for the FBI to increase their building size without obtaining a landscape buffer reduction. Please require them construct a building and landscape it in a manner as required by law, that blends in with the neighborhood and is a good neighbor to all of the residents of historic John S. Park.

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

JAMES P. REZA
<http://www.jamespreza.com>

Associate Publisher: Vurb Magazine
<http://www.vurbmagazine.com>

Las Vegas Writer/Editor:
Nightlife + Dining + Urban Living

11/6/2006

9

NOTICE OF PUBLIC HEARING

SITE DEVELOPMENT PLAN REVIEW

16203515032
LUCKY YOU TRUST
1248 S 8TH ST
LAS VEGAS NV 89104-1547

Case: SDR-17211

MEETING: PLANNING COMMISSION
DATE: NOVEMBER 16, 2006
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

OBJECT
TO THIS REQUEST
B

SDR-17211

APPLICANT/OWNER: SVS PROPERTIES, LTD, LLC - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR A 3,560 SQUARE-FOOT ADDITION TO AN EXISTING OFFICE BUILDING AND A WAIVER TO ALLOW A REDUCTION OF PERIMETER LANDSCAPE BUFFER WIDTH REQUIREMENTS ON 1.46 ACRES AT 700 EAST CHARLESTON BOULEVARD (APN 162-03-501-003), P-R (PROFESSIONAL OFFICE AND PARKING) ZONE, WARD 3 (REESE).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N½) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 3, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

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



DOUG RANKIN, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-17259 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR THE PROPOSED RENOVATION OF A CITY PARK on a portion of 68 acres at 850 North Mojave Road (APN 139-25-701-002), C-V (Civic) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 11-16-06 Planning Commission Meeting Item 43

Motion made by GARY REESE to Approve subject to conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

PATRICK BATTE, Public Works Department, 400 Stewart Avenue, Las Vegas, agreed to staff's conditions.

CHRIS KRISTOFF questioned the details of the project. COUNCILMAN REESE responded that the city park is Freedom Park and will be opened to the public. The swimming pool will have a fee of approximately two dollars. MR. KRISTOFF pointed out that the previous park did

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

not have sufficient staff to accommodate the children and hoped that staffing would not be a problem at this park.

MR. BATTE explained that Freedom Park will be renovated entirely, and the eastern portion will be ball fields conducted by Big League Dreams. The western portion will entertain soccer and basketball outdoor events during the holidays, which will be controlled by security. In addition, there will be out-of-state tournaments, stadium club restaurants, a multi-purpose sports arena and volleyball courts. The parking areas will be expanded and there will be new concession stands for the two new fields. Construction is scheduled to begin late summer of 2007 and should end within a year.

COUNCILMAN REESE was excited about the project and thanked MR. BATTE and his team for their efforts. He looks forward to the upcoming developments.

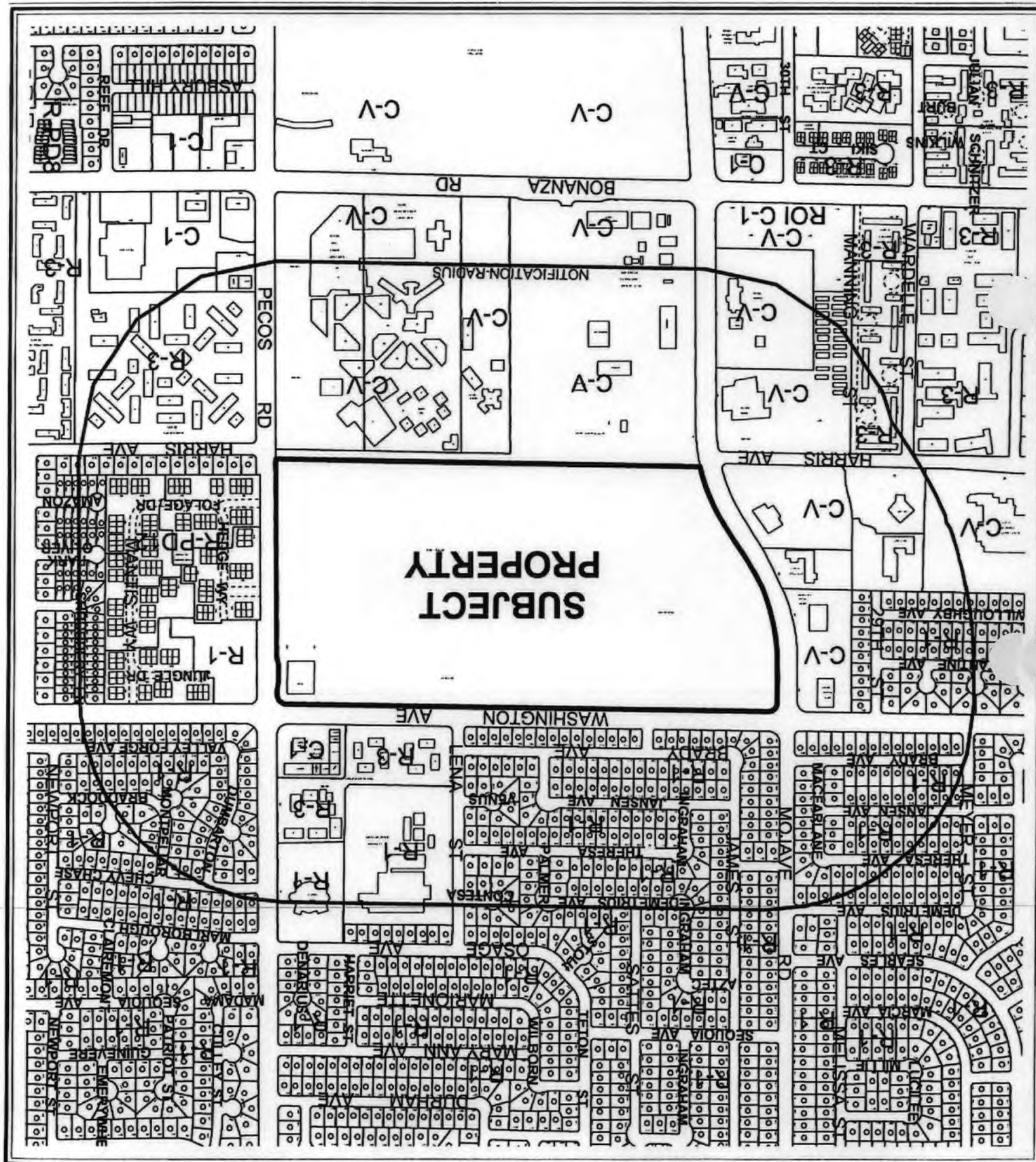
MAYOR GOODMAN declared the Public Hearing closed.



ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

RADIUS: 1000 FT

CASE: SDR-17259





CASE: SDR-17259

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17259 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan dated, landscape plan, and building elevations, date stamped 10/02/06, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Coordinate with the Traffic Engineering section of the Department of Public Works to determine appropriate median island modifications necessary to support this project, if any. Comply with the recommendations of the City Traffic Engineer prior to the issuance of any permits or the approval of any construction drawings, whichever may occur first.
12. 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.
13. Access to the existing public sewer easement along the southern boundary of this site shall be maintained.
14. An update to the previously approved Drainage Plan and Technical Drainage Study or other information acceptable to the Department of Public Works must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed renovation of a city park on a portion of 68 acres at 850 North Mojave Road. The site plan depicts two parts, a renovation of a 38 acre portion of the existing park and the development of the remaining 30 acres for a ballpark complex.

The ballpark complex portion includes six lighted ball fields with themed replica outfield walls patterned after major league fields with covered dugouts, synthetic turf and fixed stadium seating. In the center of the six ball fields, the site plan depicts two elevated club concession approximately 7,200 square feet in size that will house a sit down dining area, kitchen, bar, concession counter area, restrooms, and related storage. In addition, the ballpark complex will include a 2,700 square-foot administration/office building, eight batting cages, a tot play area, a 2,000 square feet maintenance building, an indoor multi-purpose/sport pavilion approximately 25,000 square feet in size and parking.

The renovation of the 38 acre existing portion of the park will include expanding, reconfiguring and providing new lighted parking areas, an AC paved adaptive recreation area; three lighted, prefabricated, group picnic structures; a performance event area for the show mobile; perimeter walking path, lighted skate park; two soccer fields; upgraded play tot lot area surfacing; renovation of an existing restroom building, new pathway lighting and renovated turf and irrigation and perimeter fencing.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/10/63	City Council approves zoned change from R-E (Residential Estates) to C-V (Civic) (Z-52-63). Planning Commission recommended approval.
06/24/04	Planning Commission approved a request for approval of a Site Development Plan Review (SDR-4453) for a community park swimming pool on 68 acres at the southwest corner of Pecos Road and Washington Avenue. The approval was final action.
11/16/06	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/jm).
<i>Related Building Permits/Business Licenses</i>	
No building permits pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
09/22/06	Site plan review requirements in C-V (Civic) Zoning were discussed. Setbacks, height, and lot coverage will be established upon approval of the site plan.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

Details of Application Request	
Site Area	
Net Acres	68.0

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Freedom Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
North	Single Family Residential, Medium Density Residential, Strip Commercial, Mini-mart	L (Low Density Residential), M (Medium Density Residential), SC (Service Commercial)	R-1 (Single Family Residential), R-3 (Medium Density Residential), C-1 (Limited Commercial)
South	City of Las Vegas water processing facility, Clark County Family Court Campus	PF (Public Facilities)	C-V (Civic)
East	Undeveloped, Condominiums, Single Family Residential	SC (Service Commercial) ML (Medium Low Density Residential) L (Low Density Residential)	R-1 (Single Family Residential) R-PD12 (Residential Planned Development - 12 Units Per Acre)
West	Boys and Girls Clubs of Nevada, Metro Police substation, Las Vegas Fire and Rescue Training Center	PF (Public Facilities)	C-V (Civic)

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

Trails: An existing multi-use trail runs along the eastern perimeter of the property.

DEVELOPMENT STANDARDS

Per Title 19.06

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Setbacks • Front • Side • Rear	810 Feet 245 Feet 75 Feet	Y
Min. Distance Between Buildings	10 Feet	Y
Max. Building Height	40.75 Feet	Y
Trash Enclosure	Screened	Y
Mech. Equipment	Screened	Y

Please note the applicable code section here (Title 19.12)

<i>Standards</i>	<i>Provided</i>	<i>Compliance</i>
Parking Area	1 Tree/ per 6 Spaces	Y
Buffer: Min. Trees	15 Feet	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	
Community Recreational Facility, Public	45,022	1 Space / 200 SF GFA	225	7	1,107	42	Y
SubTotal			225	7	1,107	42	Y
TOTAL			225		1,107		Y

ANALYSIS

- Zoning

The proposed project is consistent with the C-V (Civic) zoning district and the PR-OS (Parks/Recreation/Open Space) General Plan land use designation.

- Site Plan

The site plan depicts two parts, a renovation of a 38 acre portion of the existing park and the development of the remaining 30 acres for a ballpark complex.

The ballpark complex portion includes six lighted ball fields with themed replica outfield walls patterned after major league fields with covered dugouts, synthetic turf and fixed stadium seating. In the center of the six ball fields, the site plan depicts two elevated club concession approximately 7,200 square feet in size that will house a sit down dining area, kitchen, bar, concession counter area, restrooms, and related storage. In addition, the ballpark complex will include a 2,700 square-foot administration/office building, eight batting cages, a tot play area, a 2,000 square feet maintenance building, an indoor multi-purpose/sport pavilion approximately 25,000 square feet in size and parking.

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In their justification letter, the applicant expressed that the new swim complex off of Washington Boulevard will be protected and accessible for public use during construction as part of the overall Master Plan of the park. The two existing Little League fields will also be maintained operational during construction and considered for minor upgrades during the off-season. As well, a new restroom building will be added adjacent to the fields.

- Parking

The subject property exceeds current parking standards per Title 19.10, providing 1,107 parking stalls and 42 handicap accessible stalls where 225 are required. However, development in the C-V (Civic) district is not subject the automatic application of Title 19 development standards. Rather, parking standards are determined administratively by the site plan.

- Landscape Plan

As this parcel is designated C-V (Civic) in the General Plan, landscaping is established upon approval of the site plan. These are maintained by the Department of Field Operations as part of the overall landscaping of Freedom Park.

As mentioned above, the subject proposal is not automatically subject to the strict application of Title 19 development standards. The landscape plan depicts the parking lots populated with Chitalpa and Moraine Honey Locust Trees while the ball park area indicates Green Palo Verde and Eucalyptus Trees. With regard to landscaping, the site meets or exceeds any analogous requirements for other, similar zones.

- Elevation

The Elevation plans depict four major buildings on the site. The exterior of the two 6,375 square-foot Stadium club buildings reveal a desert base "Sahara" stucco color with brown brick pillars, accented by custom fabricated black steel trusses at a height of 19 feet 10 inches. The elevation for the proposed 4,040 square-foot administration building indicates a brick and stucco exterior with a height of 18 feet 10 inches. The 2,000 square foot maintenance building is composed of metal roof panels and stands at a height of 19 feet 6 inches, 25,084 square foot. The 24,084 square foot multi-purpose/pavilion shows a brick and stucco exterior with a "Teal Green" metal roof at a height of approximately 41 feet.

- Sign Standards

Monument sign near the corner of Mojave Road and Washington Avenue will be the typical Parks Department monument sign found at parks throughout the City. Project descriptive letters are to be designed into the front leading entry fascia.

The Big League Dreams entry sign will be located at the northern entrance off of Washington Avenue. The proposed sign will be six feet three and five eighth inches in height and 27 feet in width, including posts. The sign will read "Las Vegas Sports Park" in large letters above the City of Las Vegas seal and address moniker.

These signs will be subject to Title 19.14.060(C) 4 and 5 [Permitted Signs in the C-V (Civic) Zoning Districts].

- Waivers

Waivers have not been requested for this application, nor are any required.

FINDINGS

1. "The proposed development is compatible with adjacent development in the area;"

The areas to the west and south are C-V (Civic) zoned and are the sites of several existing public facilities. To the north and east are multi-family and single-family residential, with some commercial areas at Washington and Pecos Road. The design and function of the proposed development makes for a seamless fit with these areas.

2. "The proposed development is consistent with the General Plan, Title 19, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"

As this parcel is designated C-V (Civic) in the General Plan, design standards, landscape, and other standards are established upon approval of the site plan. This development is consistent with the design standards required of comparable facilities in public facility zoned areas. Landscape buffering between the site and streets match those of the surrounding area.

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

Freedom Park is a neighborhood, community and regional park, serving residents within an 8-mile radius. It is the largest park in the City's park system, and is heavily used. The proposed park will be served mainly by Washington Avenue and Pecos Road, both of which are major arterials (100 foot right-of-ways). Main site access will be via Washington Avenue. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

Building materials are standard for the area and the City. Landscaping conforms to low-water-usage standards; plants and groundcover match those of newer nearby developments.

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;"

This new ballpark addition has been designed to be a pleasant, visually pleasing, usable public space. This project will be harmonious and compatible with surrounding residential, commercial and civic properties.

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

The proposed development is subject to the International Building Code, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

There were two speakers in favor of the project at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 28

SENATE DISTRICT 10

NOTICES MAILED 631 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17259** APN: 129-25-701-002
Name of Property Owner: City of Las Vegas
Name of Applicant: City of Las Vegas

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

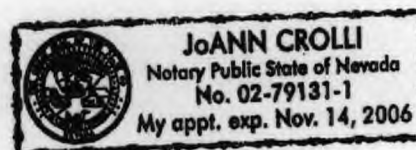
Signature of Property Owner: _____

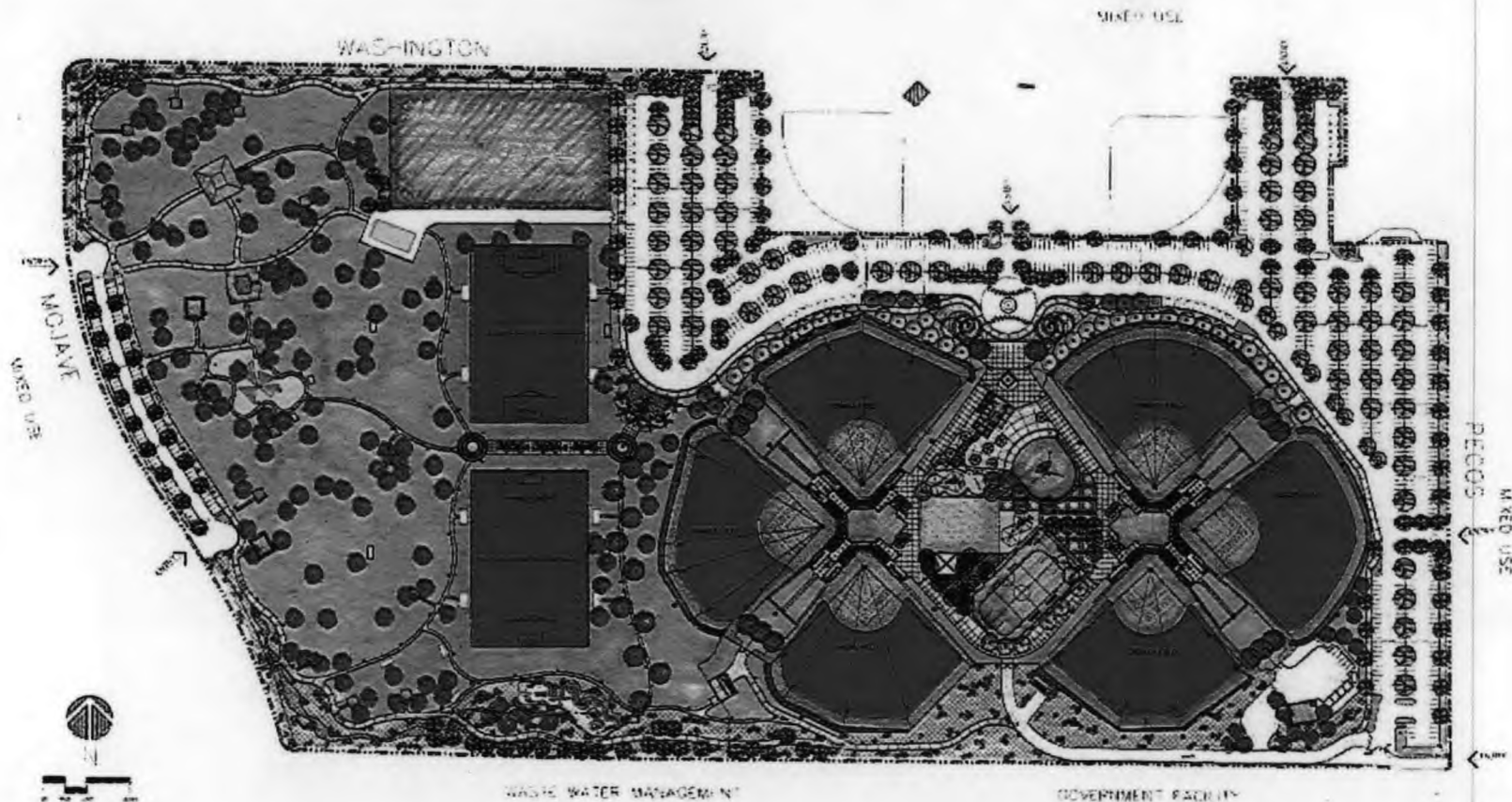
Print Name: _____

Subscribed and sworn before me

This 31st day of August, 2006

JoAnn Crolli
Notary Public in and for said County and State
County of Clark
State of Nevada.





PLAN PALETTE

PLANTS

SYMBOL	POTENTIAL NAME	COMMON NAME	GROWTH SIZE	DBH SIZE	SPREAD/SPREAD
	CASTLE TREE	N/A	N/A	N/A	N/A
	DESERT BERRY PLANT	GREEN PALM VASE	10 TO 20	24	200 DIAL
	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL
	SLIPPERY TREASANT	DESERT PLANT	10 TO 20	24	200 DIAL
	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL
	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL
	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL
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	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL
	CHERRY L. BERRY	DESERT PLANT	10 TO 20	24	200 DIAL

WATER TREATMENT PLANT

PLANTS

TYPE	POTENTIAL NAME	COMMON NAME	GROWTH SIZE	DBH SIZE	SPREAD/SPREAD
ASCENT	WESTERN BARKY PLANT	RED PLANT	10 TO 20	24	200 DIAL
ASCENT	WESTERN BARKY PLANT	RED PLANT	10 TO 20	24	200 DIAL
ASCENT	WESTERN BARKY PLANT	RED PLANT	10 TO 20	24	200 DIAL
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WATER TREATMENT PLANT

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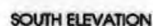
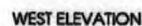
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LAS VEGAS FREEWAY PARK RENOVATION
CONCEPTUAL PLAN ONLY

DATE	11/16/06
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CHECKED	PC
APPROVED	PC



KEY NOTES

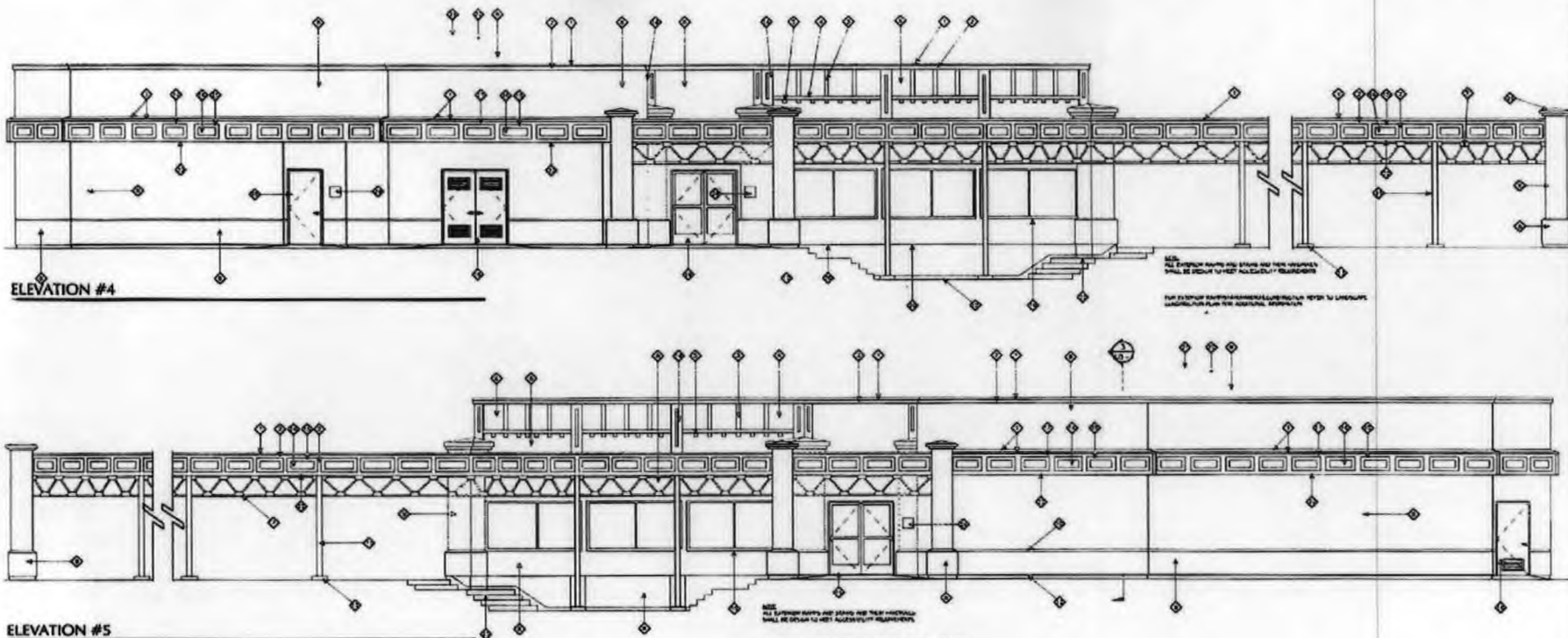
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- 4 JOHN EDWARDS "DINA SHOLINE" RUSA 53
42 JOHN EDWARDS "STEVENSON" OSC 58
43 JOHN EDWARDS "THOMAS GLENN" DETH 14
44 JOHN EDWARDS "WILLIAM HAN" DED 123
45 JOHN EDWARDS "WILLIAM" RUSA 147

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GRAPHIC SCALE
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ELEVATION #4

ELEVATION #5

FINISH SCHEDULE

- 1. EXTERIOR WALLS - WHITE GROUTED BRICK
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GENERAL NOTES

- 1. ALL MATERIALS & METHODS ARE SUBJECT TO APPROVAL BY THE ARCHITECT.
- 2. REFER TO THE ARCHITECT'S SPECIFICATIONS FOR MATERIALS & METHODS.
- 3. REFER TO THE ARCHITECT'S SPECIFICATIONS FOR MATERIALS & METHODS.
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KEY NOTES

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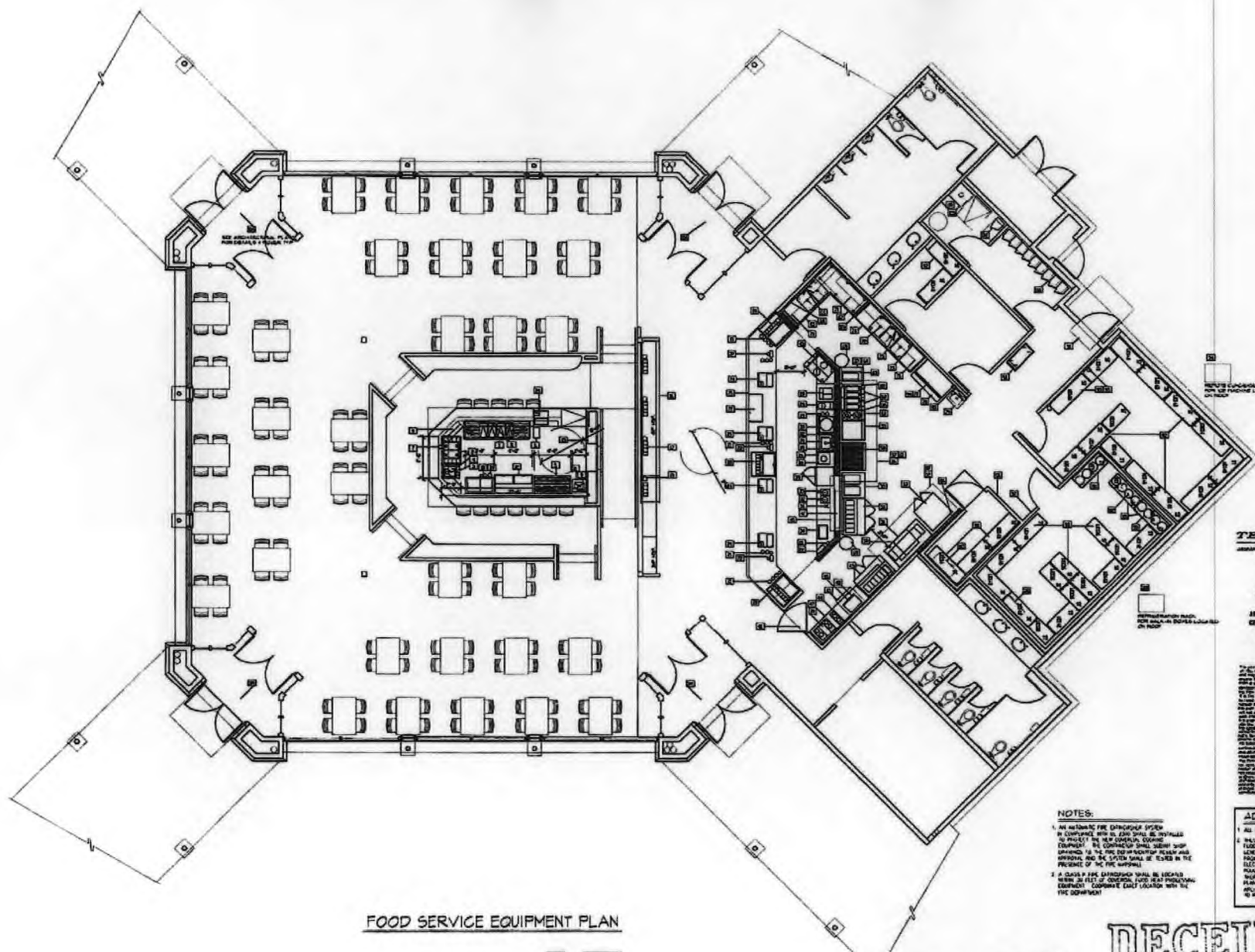


CITY OF LAS VEGAS
FREEDOM PARK RENOVATION
STADIUM CLUB BUILDING ELEVATIONS

DATE: 11/16/06
BY: SDR
CHECKED BY: SDR
APPROVED BY: SDR

PROJECT: FREEDOM PARK RENOVATION
SHEET: 11/16/06
SCALE: 1/2" = 1'-0"

6



FOOD SERVICE EQUIPMENT PLAN



TEC DESIGN
ARCHITECT & INTERIOR DESIGN



1970 D. GALLER BLVD.
CITY OF INDEPENDENCE, MO. 64644
TEL: 816/352-1000
FAX: 816/352-1000

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NOTES:

1. AN AUTOMATIC FIRE DETECTION SYSTEM IS REQUIRED TO BE INSTALLED IN ALL AREAS OF THE BUILDING TO PROTECT THE BUILDING AND ITS CONTENTS. THE SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 72, "NATIONAL FIRE ALARM AND NOTIFICATION Code".
2. A CLASS II FIRE EXTINGUISHING SYSTEM SHALL BE LOCATED WITHIN ALL AREAS OF THE BUILDING. THE SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 10, "Standard for Portable Fire Extinguishers".

ADDITIONAL NOTES:

1. ALL EQUIPMENT TO BE 115V. 60HZ.
2. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
3. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL ELECTRICITY REGULATORY CODE (IERC).
4. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL MECHANICAL REGULATORY CODE (IMRC).
5. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL PLUMBING REGULATORY CODE (IPRC).
6. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL HEATING, VENTILATION, AND AIR CONDITIONING REGULATORY CODE (HVACRC).
7. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL SAFETY REGULATORY CODE (ISRC).
8. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL ENVIRONMENTAL REGULATORY CODE (IERC).
9. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL SOUND REGULATORY CODE (ISRC).
10. ALL EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE INTERNATIONAL VIBRATION REGULATORY CODE (IVRC).

SDR-17259
11/16/06 PC

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STADIUM CLUB BUILDING FOOD SERVICE PLAN

CITY OF LAS VEGAS
FREEDOM PARK RENOVATION

DATE	11/16/06
BY	KM
CHECKED	4-24-06
SCALE	1/4" = 1'-0"
PROJECT	SDR-17259
DRAWING	11/16/06 PC
SHEET	7



YANKEE STADIUM - EXTERIOR ELEVATION

NO SCALE



GALVANIZED CHAIN LINK FENCE



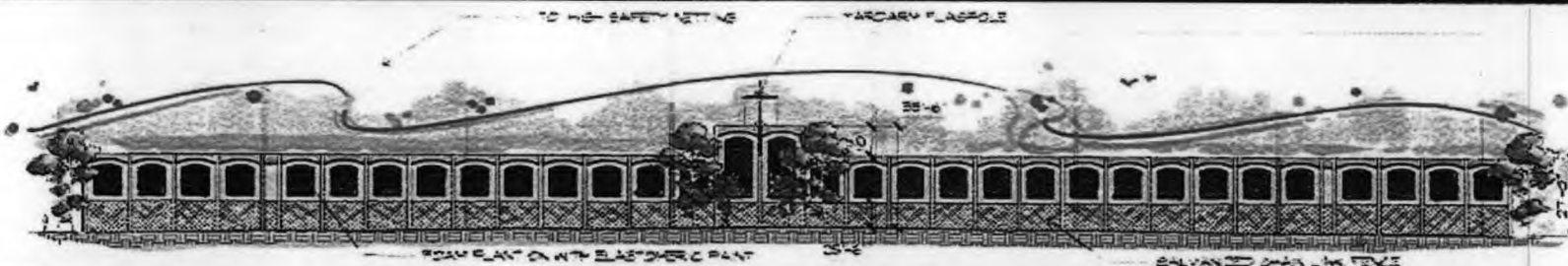
VISTA PAINT: 8436 WHITE CEL.



VISTA PAINT: 8804 GRAY MATTERS



VISTA PAINT: 8805 TITANIC GRAY



WRIGLEY FIELD - EXTERIOR ELEVATION

NO SCALE



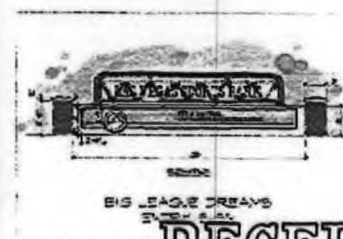
VISTA PAINT: 8488 MOCHA MOUSSE



VISTA PAINT: 8878 BENETINO



GALVANIZED CHAIN LINK FENCE



BIG LEAGUE DREAMS

SDR-17259

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USE AT OWNERS RISK
YANKEE STADIUM AND WRIGLEY FIELD
EXTERIOR WALL ELEVATIONS

4
REVISED 8/27/06



EAST ELEVATION



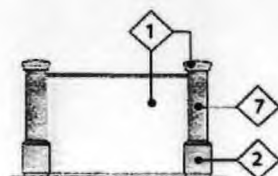
NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



SCREEN WALL ELEVATION

- 1 PRIMARY STUCCO COLOR
DUNN-EDWARDS "SAHARA" #DEC747
- 2 BUILDING BASE STUCCO COLOR
DUNN-EDWARDS "STEVEARENO" #DEC766
- 3 1ST ACCENT COLOR
DUNN-EDWARDS "DARK SHADOWS" #DEA183
- 4 2ND ACCENT COLOR
DUNN-EDWARDS "THUNDERBOLD" #DES774
- 5 3RD ACCENT COLOR
DUNN-EDWARDS "BURMESE TAN" #DES332
- 6 ALUMINUM WINDOW FRAMES
KAWNEER CLEAR ANODIZED ALUMINUM W/
CLEAR GLAZING
- 7 BRICK VENEER
H.C. MUDDOX RAILROAD BLEND

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OCT 02 2006

STATE ARCHITECTURAL BOARD
Division of Architecture
P.O. Box 10000, Raleigh, NC 27615-0000

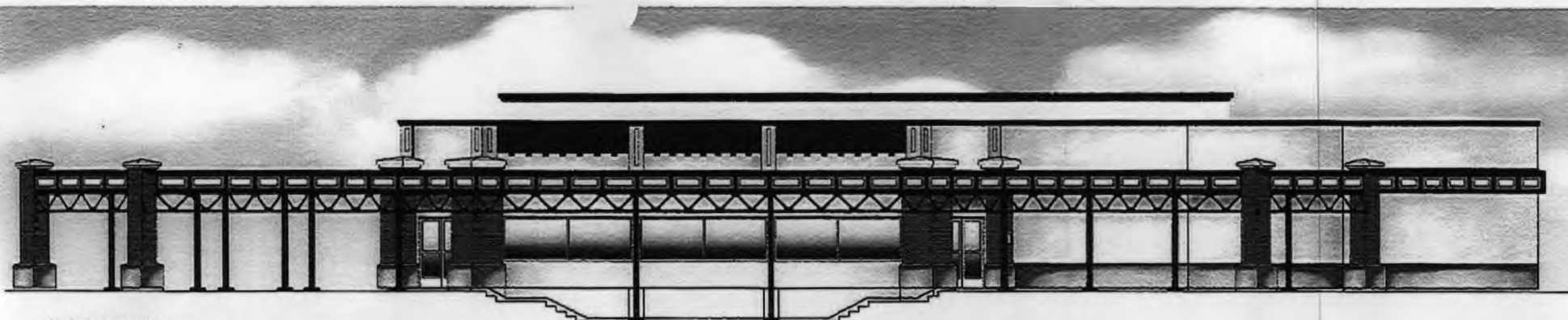
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FREEDOM PARK RENOVATION

ADMINISTRATION BUILDING

SDR-17259
11/16/06 PC

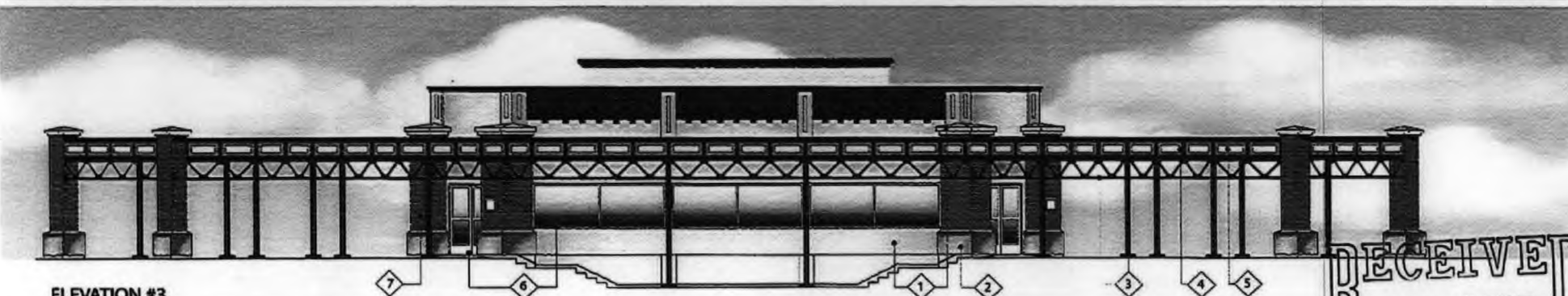
SEPTEMBER 29, 2006



ELEVATION #1



ELEVATION #2



ELEVATION #3

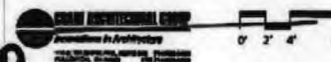
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DUNN-EDWARDS "SAHARA" #DEC147
- 2 BUILDING BASE STUCCO COLOR
DUNN-EDWARDS "STEVSARENO" #DEC786
- 3 1ST ACCENT COLOR
DUNN-EDWARDS "DARK SHADOWS" #DEA183
- 4 2ND ACCENT COLOR
DUNN-EDWARDS "THUNDERBOLT" #DES774

- 5 3RD ACCENT COLOR
DUNN-EDWARDS "BURMESE TAN" #DES382
- 6 ALUMINUM WINDOW FRAMES
BARNER CLEAR ANODIZED ALUMINUM W/
CLEAR GLAZING
- 7 BRICK VENEER
H.C. MUDDOCK RAILROAD BLIND

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FREEDOM PARK RENOVATION
STADIUM CLUB

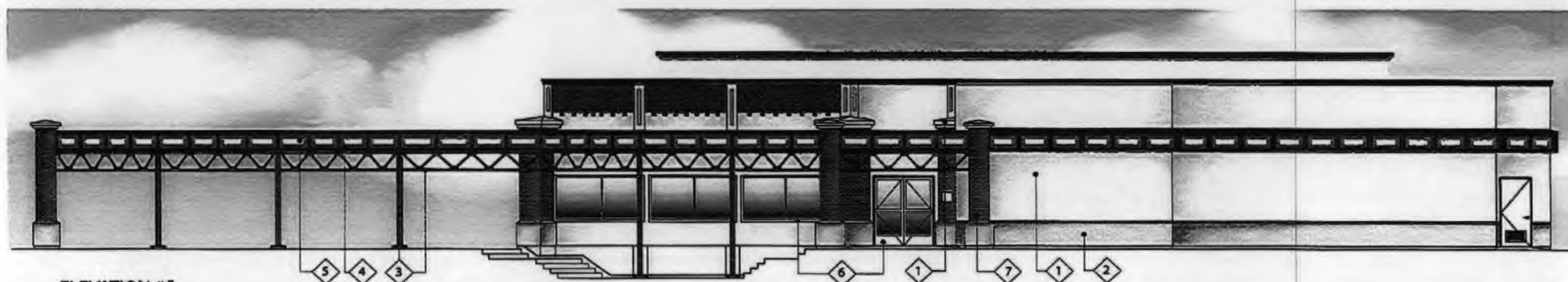
SDR-17259
11/16/06 PC



SEPTEMBER 29, 2006



ELEVATION #4



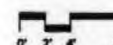
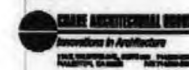
ELEVATION #5

- | | |
|---|--|
| 1 PRIMARY STUCCO COLOR
DUNN-EDWARDS "SAHARA" #DEC747 | 5 3RD ACCENT COLOR
DUNN-EDWARDS "BURMESE TAN" #DE5332 |
| 2 BUILDING BASE STUCCO COLOR
DUNN-EDWARDS "STEVEARENO" #DEC766 | 6 ALUMINUM WINDOW FRAMES
FINISHED CLEAR ANODIZED ALUMINUM W/
CLEAR GLAZING |
| 3 1ST ACCENT COLOR
DUNN-EDWARDS "DARK SHADOWS" #DEA183 | 7 BRICK VENEER
H.C. HUDDOCK RAILROAD BLEND |
| 4 2ND ACCENT COLOR
DUNN-EDWARDS "THUNDERBOLD" #DE5774 | |

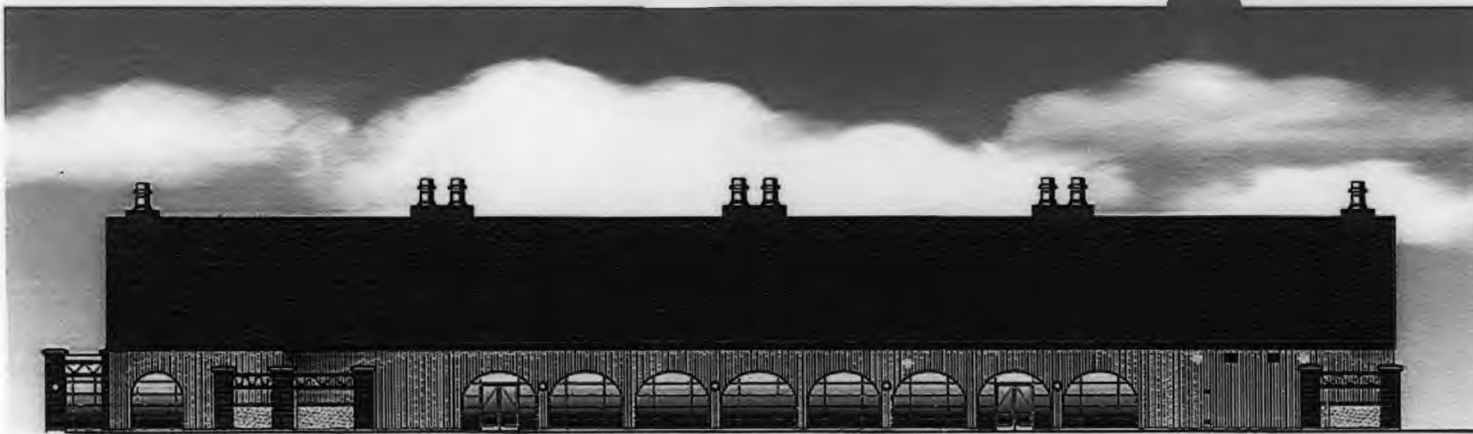
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FREEDOM PARK RENOVATION
STADIUM CLUB

SDR-17259
11/16/06 PC



SEPTEMBER 29, 2006



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

- 1 PRIMARY STUCCO COLOR
DUNN-EDWARDS "SAHARA" #DEC747
- 3 1ST ACCENT COLOR
DUNN-EDWARDS "DARK SHADOWS" #DEA183
- 4 2ND ACCENT COLOR
DUNN-EDWARDS "THUNDERBOLD" #DE5774
- 6 ALUMINUM WINDOW FRAMES
KAWNEER CLEAR ANODIZED ALUMINUM W/
CLEAR GLAZING
- 7 BRICK VENEER
H.C. MUDDOX RAILROAD BLEND
- 8 METAL ROOF/WALL PANELS
A.B.C. PREMIUM 70 PLUS "TEAL GREEN"

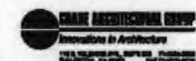
FREEDOM PARK RENOVATION

MULTI-PURPOSE BUILDING ELEVATION

SDR-17259
11/16/06

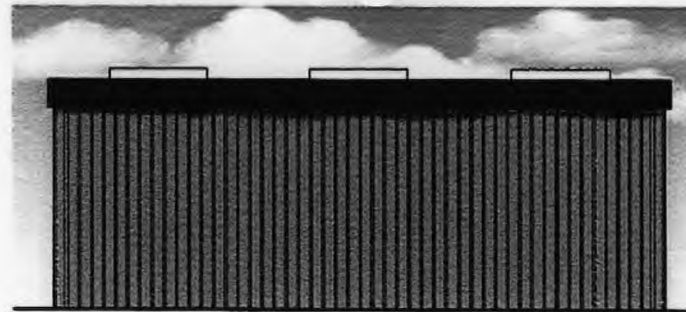
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OCT 02 2006

SEPTEMBER 29, 2006





EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

- 9 METAL ROOF PANELS
A.B.C. PREMIUM 70 PLUS "REFLECTIVE WHITE"
- 10 METAL EAVE/RAKE TRIM
A.B.C. PREMIUM 70 PLUS "EVERGREEN"
- 11 METAL PANELS, ROLL-UP MAN DOORS
A.B.C. PREMIUM 70 PLUS "HEMLOCK GREEN"

FREEDOM PARK RENOVATION

MAINTENANCE BUILDING ELEVATION

SDR-17259
11/16/06 PC

CRANE CONSTRUCTION GROUP
Elevations by Architecture
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ACCENT SHRUBS



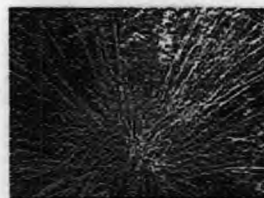
HEPERALOE PARVIFLORA
RED YUCCA



KNIPHOFIA UVARIA
RED HOT POKER

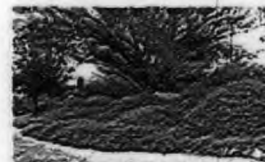


ROMNEYA COULTERI
MATILJA POPPY



MUHLENBERGIA RIGENS
DEER GRASS

FOREGROUND SHRUBS



DALEA GREGGII
TRAILING INDIGO BUSH

MIDDLE GROUND SHRUBS



MYOPORUM PARVIFOLIUM
PROSTRATE MYOPORUM



ACACIA REDOLENS
CREEPING ACACIA



DASYLIRION WHEELERI
DESERT SPOON

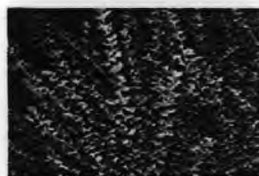


SALVIA GREGGII
AUTUMN SAGE



CASSIA ARTEMISIOIDES
FEATHERY CASSIA

BACKGROUND SHRUBS



LEUCOPHYLLUM FRUTESCENS
TEXAS RANGER



CAESALPINIA GILLIESII
DESERT YELLOW BIRD OF PARADISE



RHUS OVATA
SUGAR BUSH



CERCIDIUM 'DESERT MUSEUM'
GREEN PALO VERDE



CHILOPSIS LINEARIS
DESERT WILLOW



GLEDITSIA TRIACANTHOS INERMIS 'MORAIN'
MORAIN HONEY LOCUST



CHITALPA TASHKENTENSIS
CHITALPA



CERCIS CANADENSIS 'FOREST PANSEY'
REDBUD FOREST PANSEY



WASHINGTONIA FILIFERA
CALIFORNIA FAN PALM



EUCALYPTUS FORMANS
EUCALYPTUS



LAS VEGAS FREEDOM PARK RENOVATION
PLANT IMAGERY

OWNER: CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
ARCHITECTURAL SERVICES

DATE: 11/16/06
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

L-3

SDR-17259
11/16/06 PC

RECEIVED
OCT 02 2006



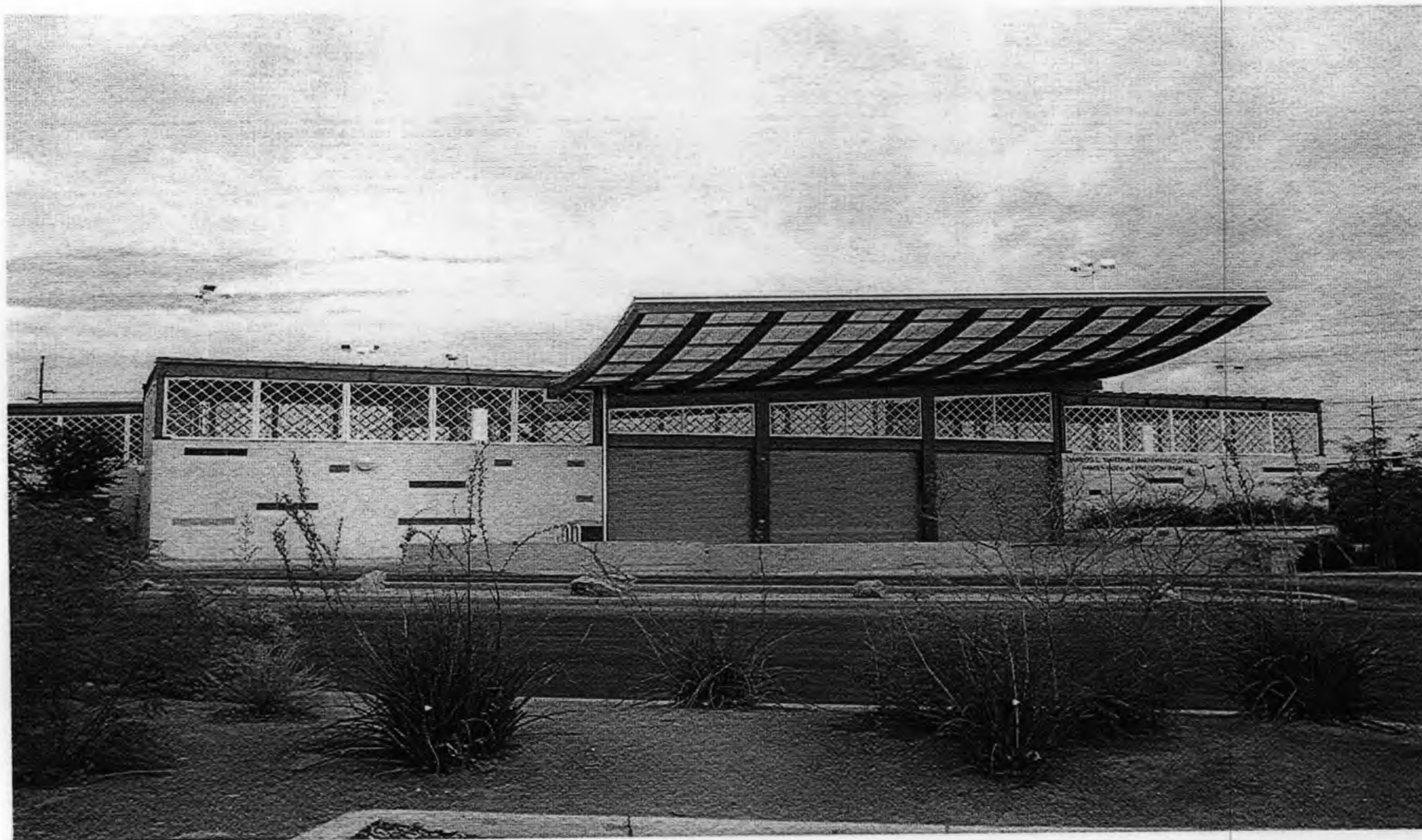
SDR-17259 - APPLICANT/OWNER: CITY OF LAS VEGAS
850 NORTH MOJAVE ROAD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



SDR-17259 - APPLICANT/OWNER: CITY OF LAS VEGAS
850 NORTH MOJAVE ROAD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



SDR-17259 - APPLICANT/OWNER: CITY OF LAS VEGAS
850 NORTH MOJAVE ROAD
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



September 22, 2006

Margo Wheeler
City of Las Vegas Planning Commission
731 So. 4th Street
Las Vegas, NV 89101

Subject: Justification letter for the Site Development Plan Review- Freedom Park Renovation-PC 11-16-06.

Dear Margo:

The Freedom Park Renovation Project is another effort to revitalize and invigorate our mature areas and the urban core. After completion, the Freedom Park site will enhance the quality of life and neighborhood pride for our citizens. We credit the leadership, support and vision on behalf of our Mayor, City Council, and Ward 3 Councilman Gary Reese that will have made this project possible.

The 68 acre Freedom Park Master Plan consists of renovation of a 38 acre portion of the existing park and development of the remaining 30 acres for a Big League Dreams Ball Park complex.

Big League Softball complex amenities include: six (6) lighted Ball fields with themed replica outfield walls patterned after major league fields with covered dugouts, synthetic turf and fixed stadium seats. The three field hubs will also include two elevated central stadium club concession (approximately 7,200 s.f. each) that will house a sit down dining area, kitchen, bar, concession counter area, restrooms, and related storage. Additional softball complex improvements that support outdoor use, include a 2,700 s.f. administration/office building; eight station batting cage; tot play area; an indoor multi-purpose/ sport pavilion (approximately 25,000 s.f.), prefabricated maintenance building (approximately 2,000 s.f.) and associated parking.

The new Swim Complex off of Washington Boulevard will be protected and accessible for public use during construction as part of the overall Master Plan of the park. The two existing Little League fields will be also be maintained operational during construction and considered in the park renovation plan for minor upgrades during the off season. A new Restroom building will be added adjacent to the fields.

Improvements at the existing Freedom Park will include: Expanding, reconfiguring and providing new lighting parking areas, an AC paved Adaptive Recreation Area; three lighted, prefabricated, group picnic structures; a performance event area for the show mobile; perimeter walking path, lighted skate park; two soccer fields; upgraded play tot lot area surfacing; renovation of an existing restroom building, new pathway lighting and renovated turf and irrigation and perimeter fencing.

Should you have any further questions, please contact me at 229-1046.

Sincerely,

A handwritten signature in black ink that reads "Patrick Batte'".

Patrick Batte'
Project Manager- City of Las Vegas Office of Architectural Services.

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

OFFICE 702.229.6276

FAX 702.382.0848

TDD 702.386.9108

www.lasvegasnevada.gov

SDR-17259
11/16/06 PC

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

November 10, 2006

**Planning and Development Department
Current Planning Division
Development Services Center**

Subject: Opposition to SDR-17259

We oppose any further development of this park known as Freedom Park that does not include sound barriers separating this park from our residential homes . We have lived at 2941 Theresa Ave since 1977 . This park has become an events park , with uncontrolled noise . We can not even watch our television as it is drowned out by music and/ or microphone talking . I have complained numerous times to the police department , the park marshals and to my councilman Reese to no avail . Metro and the park marshals have refused to take any action , stating that the events have a permit . The noise at times is unbearable .

Freedom Park was a neighborhood park where we could once play with our children and grandchildren . We could feed the ducks , and have picnics , and walk on the track for exercise . We can no longer do this . Since becoming an events park it is constantly closed on the week-ends for events . Mojave Road is often closed to thru traffic for these events . Our biggest opposition is to the noise . Some type of sound barrier needs to be installed on Washington Ave and Mojave Road and enforcement of the noise ordinance . We do not support any development on this park unless the noise problem is addressed .

Thank-you for your consideration .

**John and Cynthia Eastwood
2941 Theresa Ave
Las Vegas , NV 89101
702-649-7872**

*John A Eastwood
Cynthia Eastwood*

Submitted after final agenda

Date 11/16/06 Item #43

2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REVIEW OF CONDITION

ROC-18015 - PUBLIC HEARING - APPLICANT: GREYSTONE NEVADA, LLC - OWNER: SOUTHWEST COMMUNITIES DEVELOPMENT LLC - Request for a Review of Condition Number 9 of an approved Site Development Plan Review (SDR-6307) TO ADD A MINIMUM 18 FOOT SETBACK TO THE FRONT OF THE GARAGE AS MEASURED FROM BACK OF CURB OR EDGE OF THE PRIVATE STREET OR DRIVE on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (APNs Multiple), Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-6307

Motion made by STEVEN D. ROSS to Approve subject to conditions

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

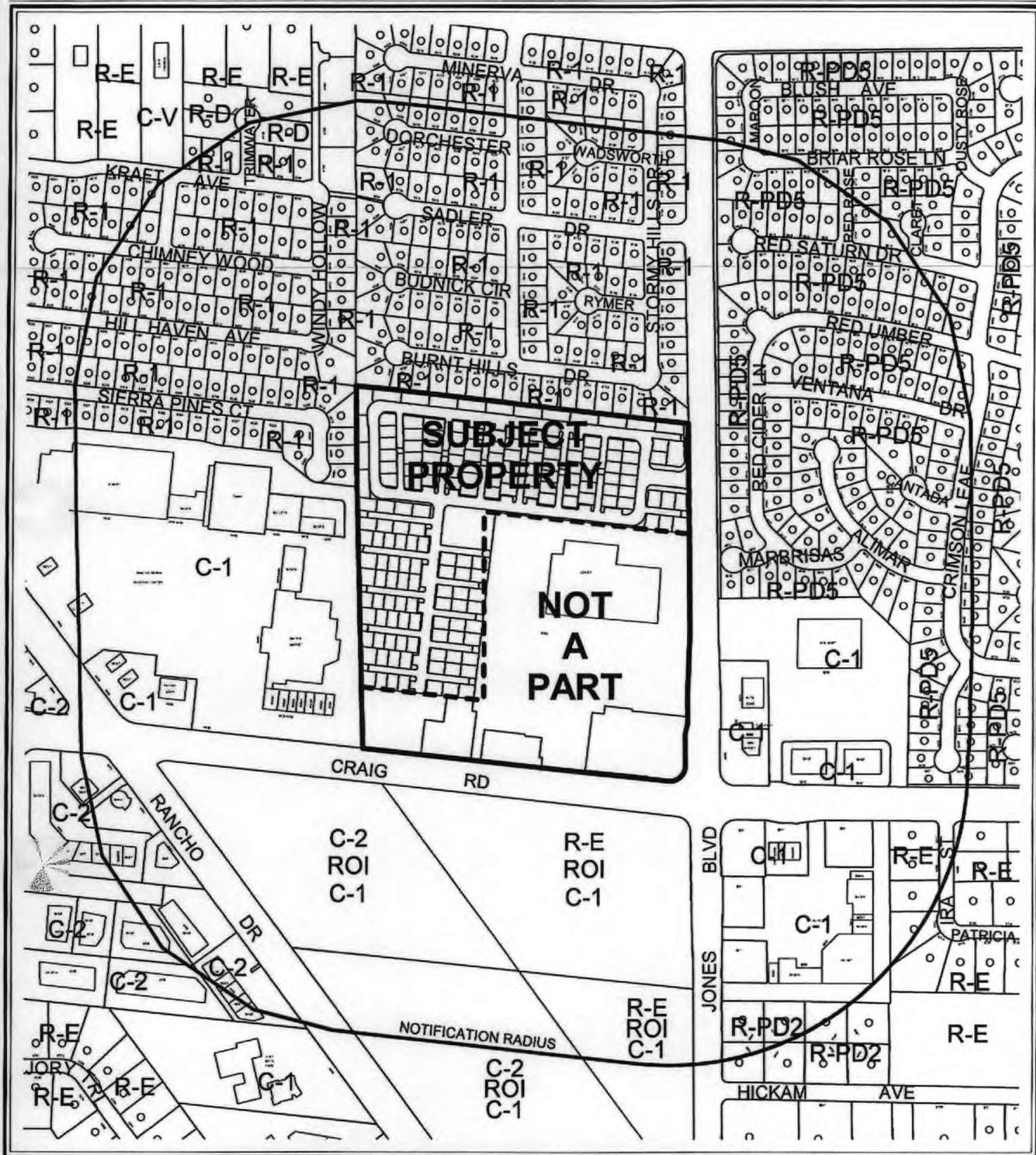
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

STEVE JONES, 6750 Via Austi Parkway, Suite 200, Las Vegas, appeared on behalf of the applicant and accepted all conditions. MR. JONES respectfully requested approval.

MAYOR GOODMAN declared the Public Hearing closed.



0 500 1000 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ROC-18015 - APPLICANT: GREYSTONE NEVADA, LLC -
OWNER: SOUTHWEST COMMUNITIES DEVELOPMENT LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 9 of Site Development Plan Review (SDR-6307) shall be amended to read, "The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet or a minimum of 18 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property liens, which shall have a minimum rear yard setback of 10 feet."
2. Conformance to all other conditions of approval for Site Development Plan Review (SDR-6307) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/15/05	The City Council approved a General Plan Amendment (GPA-6298) from O (Office) and SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); Rezoning (ZON-6300) from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to R-PD11 (Residential Planned Development - 11 Units per Acre); Site Development Plan Review (SDR-6307) for a proposed 182 lot single family residential development; and a Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 to allow a Private Drive of up to 234 feet in length where 200 feet is the maximum length allowed and to allow Private Drives greater than 150 feet in length to terminate without a turnaround or an emergency access gate on 17.31 acres. The Planning Commission and staff recommended denial on 04/28/05.
07/14/05	The Planning Commission recommended approval of a Tentative Map (TMP-6942) for a 176 lot single family residential subdivision on 17.31 acres near Jones Boulevard and Craig Road. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
01/26/06	Civil improvement plans (CIVIL-11488) were submitted on the indicated date. The plans were finalized on 05/17/06.
03/23/06	A Final Map (FMP-12579) was submitted on the indicated date. The map was finalized on 05/30/06.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	17.31

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium Low Attached Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development – 10 Units per Acre)
North	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residence)

South	Retail Building/Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East	Single Family Dwellings	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units per Acre)
West	Retail Development	SC (Service Commercial)/L (Low Density Residential)	C-1 (Limited Commercial)/R-1 (Single Family Residential)

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

PROJECT DESCRIPTION

This is a request for a Review of Condition Number 9 of an approved Site Development Plan Review (SDR-6307) to add a minimum 18 foot setback to the front of the garage as measured from back of curb or edge of the private street or drive on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road.

ANALYSIS

The current Public Works standard for driveways is a minimum of 18 feet and a maximum of five feet. Currently, Condition Number 9 only indicates a maximum of five feet. The applicant is proposing to add a minimum of 18 feet to Condition Number 9. The addition of the minimum of 18 feet, will allow conformance with the Public Works standard. If the condition is left unchanged, the cars parked in the driveway could pose a potential safety issue. Therefore, the Review of Condition can be supported since it creates an orderly and safe environment within the development.

Previous Conditions of Approval from Site Development Plan Review (SDR-6307)

1. No lot adjacent to the existing residences along the northern and western property lines shall have a finished elevation higher than the existing residential lot it abuts.
2. If legally able and with the permission of the property owner, all existing walls adjacent to the residences along the northern and western property lines shall be torn down and replaced, at the developers sole expense, with a new wall which shall measure a total of 8 feet in height above the finished grade of this site, including any retaining wall which may be required. The developer also agrees to complete the wall between 6212 and 6216 Sierra Pines, in order to tie it into a new property line wall, if allowed by the owners of those homes. The developer also agrees to assume all liability for any damage that may occur to any lateral walls due to construction of a new property line wall and to erect any temporary fence or wall that may be required during the construction of a new permanent wall.
3. A General Plan Amendment (GPA-6298) to an MLA (Medium-Low Attached Density Residential) land use designation and a Rezoning (ZON-6300) to a R-PD11 (Residential Planned Development – 11 Units per Acre) Zoning District approved by the City Council.
4. A Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 approved by the City Council.
5. A Variance (VAR-6305) to allow a reduction in open space approved by the City Council.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. All development shall be in conformance with the site plan and building elevations date stamped 06/07/2005 for a maximum of 176 units, except as modified by conditions herein.
8. The minimum distance between buildings shall be 6 feet. A maximum of 15 lots, which are restricted to single-story homes, not to exceed 20 feet in height, shall abut the existing residences along the northern and western property lines. Building height on all other lots shall not exceed 2 stories or 35 feet, whichever is less.
9. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of five feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.
10. A revised Lot Fit Analysis shall be submitted for review by Planning and Development Department staff prior to submittal of a Tentative Map on this site.
11. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box trees in the parking areas in conformance with Landscape, Wall and Buffer Standards.

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
14. Any new property line wall shall be a decorative block wall, with at least 20% contrasting materials; except any which may replace the existing walls adjacent to the residences along the northern and western borders, which shall be of flat block colored and textured to match as closely as possible the individual homeowners' existing walls. Retaining walls may not exceed 6 feet without a 4-foot landscaped offset between walls. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. 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.
16. All City Code requirements and design standards of all City departments must be satisfied.
17. The submitted Parcel Map, PMP-5453, must record prior to the recordation of a Map subdividing this site.
18. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any maps for this site or the issuance of any permits. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the approval of construction drawings or eliminate access.
20. 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.
21. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. 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.

23. Site development to comply with all applicable conditions of approval for Zoning Actions Z-0081-02, ZON-6300 and all other applicable site-related actions.
24. Public Works notes that waivers from the Title 18 Subdivision Ordinance, 18.12.105 & 18.12.130, must be approved for the site plan received March 15, 2005. If the waivers are not approved the site plan shall be NULL AND VOID and the site must be redesigned.
25. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
26. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that deviated knuckle designs are shown on this map.

FINDINGS

The addition of the minimum 18 feet to the front of the garage will allow conformance with the current Public Works standard. The added language will also allow for unobstructed vehicular access within the subject development. Staff recommends the additional language to Condition Number 9.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 433

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-18015 APN: See Attached APN Map

Name of Property Owner: South West Community Development

Name of Applicant: Greystone Nevada 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

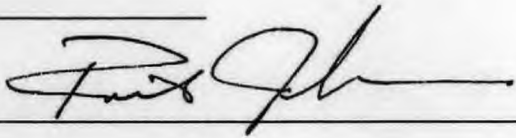
☒ No

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): _____

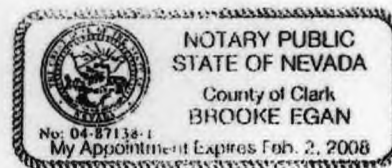
APN _____

Signature of Property Owner: 

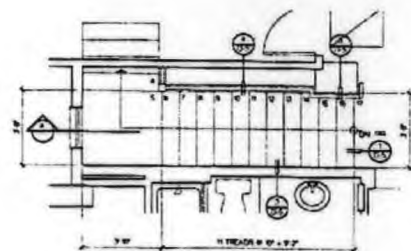
Print Name: Robert Johnson

Subscribed and sworn before me

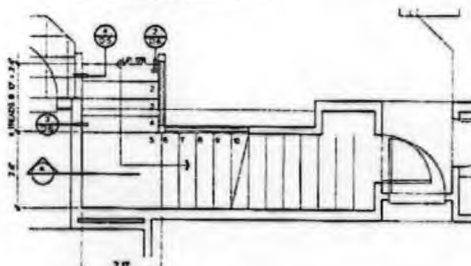
This 23rd day of October, 2006
Brooke Egan
Notary Public in and for said County and State



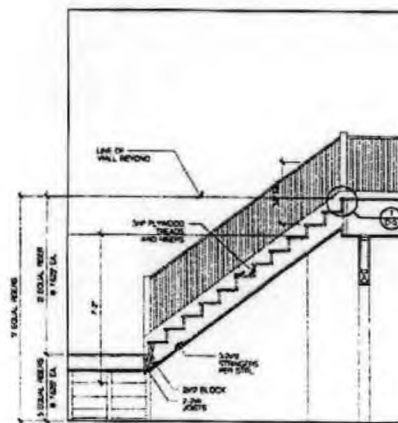
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SECOND FLOOR PLAN



FIRST FLOOR PLAN

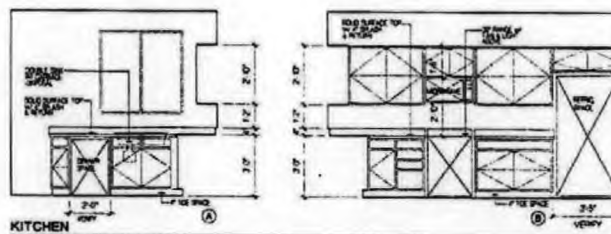


STAIR SECTION

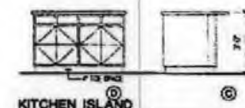
STAIR SECTIONS

SCALE 3/8" = 1'-0"

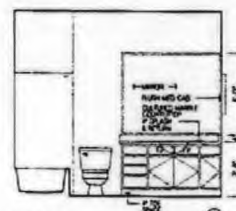
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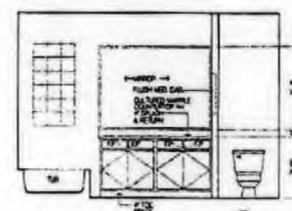
KITCHEN



KITCHEN ISLAND



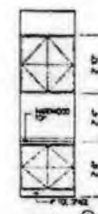
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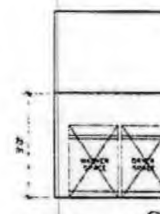
M. BATH



POWDER



LINEN



SERVICE

INTERIOR ELEVATIONS

SCALE 3/8" = 1'-0"

2

No. Date Issue / Description

10/15/05 (10/15/05) 10/15/05

10/15/05 (10/15/05) 10/15/05

Project: CENTENNIAL PARK III
LENNAR

3765 E SUNSET RD #9
LAS VEGAS, NV
89120

2005-0974



KTGY GROUP, INC.

Architectural Division

17792 MITCHELL, SOUTH

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Irvine, California

License Stamp:

SEP 16 2005

Team Manager: J. TULLY
Project Director: M. FOWLER
Project Manager: M. CHUNG
Project Designer: J. TSAI
Checked By: F. YONEMORI

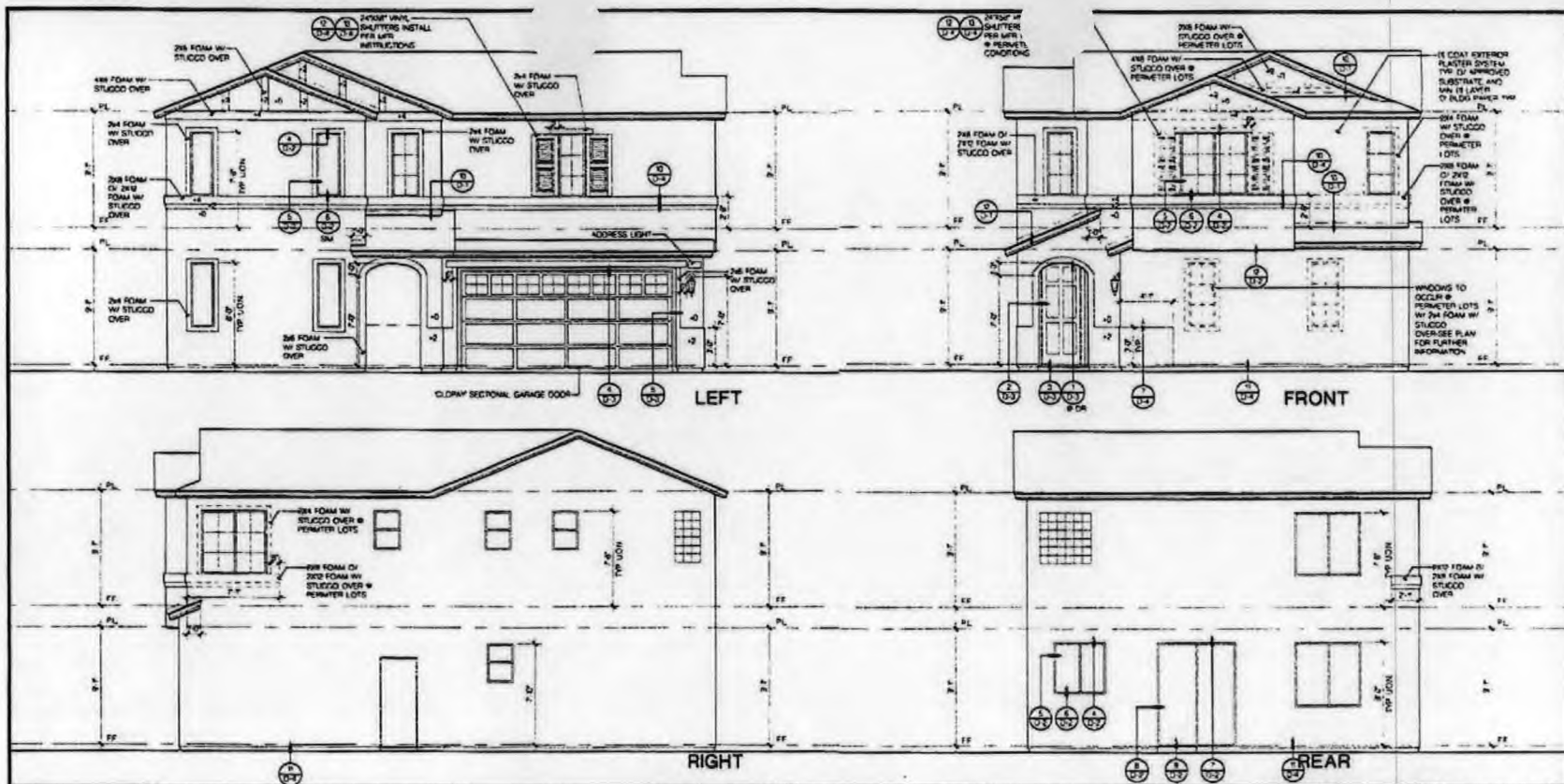
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PLAN 1531 ALT.
STAIRS SECTIONS/
INTERIOR ELEVATIONS

Sheet No.:

A-1X.3A

ROC-18015
12-20-06 CC

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EXTERIOR ELEVATIONS

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

ATTIC VENTILATION
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 100 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 300, PROVIDED AT LEAST 50 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATIONS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.

VENT. CLEARANCE WHERE EAVE OR CORNICE VENTS ARE INSTALLED, INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. A MINIMUM OF A 1/4" SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF THE VENT.

FLAT TILE VENTS MODEL 3038 BY YONEMORI INC. OR APPROVED EQUAL, 19 IN. NET FREE AREA.

EAVE VENTS MODEL 3038 BY YONEMORI INC. OR APPROVED EQUAL, 43 IN. NET FREE AREA.

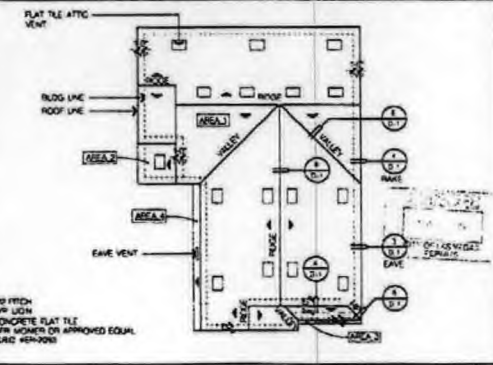
ALL FLAT TILE VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE.

AREA 1	ATTIC SQUARE FOOTAGE	1020 SF
	2000 SQ. FT. X 1/2" VENT	600 SF
	800 SQ. FT. X 1/4" SQ. IN. REQUIRED	800 SF
	HIGH VENTILATION	
	(2) FLAT TILE VENTS X 79 IN. X 19 IN.	580 SF
	PROVIDED	580 SF
	LOW VENTILATION	
	(8) FLAT TILE VENTS X 79 IN. X 19 IN.	476 SF
	PROVIDED	476 SF
	TOTAL PROVIDED	1056 SF

AREA 2	ATTIC SQUARE FOOTAGE	32 SF
	32 SQ. FT. X 1/2" VENT	16 SF
	21 SQ. FT. X 1/4" SQ. IN. REQUIRED	30.4 SF
	VENTILATION	
	(1) FLAT TILE VENTS X 79 IN. X 19 IN.	79 SF
	PROVIDED	79 SF
	TOTAL PROVIDED	79 SF

AREA 3	ATTIC SQUARE FOOTAGE	4 SF
	8 SQ. FT. X 1/2" VENT	4 SF
	57 SQ. FT. X 1/4" SQ. IN. REQUIRED	288 SF
	VENTILATION	
	(1) EAVE VENTS X 43 IN. X 19 IN.	43 SF
	PROVIDED	43 SF
	TOTAL PROVIDED	43 SF

ATTIC VENTILATION



ROOF PLAN

SCALE 1/4" = 1'-0" 2

No.	Date	Issue / Description
1	10-15-05	1. INITIAL DESIGN
2	10-20-05	2. REVISED DESIGN
3	11-10-05	3. REVISED DESIGN
4	12-10-05	4. REVISED DESIGN
5	01-10-06	5. REVISED DESIGN
6	02-10-06	6. REVISED DESIGN
7	03-10-06	7. REVISED DESIGN
8	04-10-06	8. REVISED DESIGN
9	05-10-06	9. REVISED DESIGN
10	06-10-06	10. REVISED DESIGN
11	07-10-06	11. REVISED DESIGN
12	08-10-06	12. REVISED DESIGN
13	09-10-06	13. REVISED DESIGN
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16	12-10-06	16. REVISED DESIGN
17	01-10-07	17. REVISED DESIGN
18	02-10-07	18. REVISED DESIGN
19	03-10-07	19. REVISED DESIGN
20	04-10-07	20. REVISED DESIGN
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25	09-10-07	25. REVISED DESIGN
26	10-10-07	26. REVISED DESIGN
27	11-10-07	27. REVISED DESIGN
28	12-10-07	28. REVISED DESIGN
29	01-10-08	29. REVISED DESIGN
30	02-10-08	30. REVISED DESIGN
31	03-10-08	31. REVISED DESIGN
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98	10-10-13	98. REVISED DESIGN
99	11-10-13	99. REVISED DESIGN
100	12-10-13	100. REVISED DESIGN

Project: **CENTENNIAL PARK III**
LENNAR
3765 E SUNSET RD #9
LAS VEGAS, NV
89120
2005-0974

KTGYGROUP, INC.
Architectural Planning
17943 MITCHELL, SOUTH
IRVINE, CA 92614
(949) 851-2133
(949) 851-2134 FAX
Irvine, California

License Stamp:

SEP 10 2006
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Project Director: M. FOWLER
Project Manager: M. CHUNG
Project Designer: J. TSAI
Checked By: F. YONEMORI
Sheet Title:
PLAN 1531 ALT.
'B' ALT. EXT. ELEVATIONS
& ROOF PLAN

Sheet No.:
A-1X.5

ROC-18015
12-20-06 CC

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EXTERIOR ELEVATIONS

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

1

ATTIC VENTILATION
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 60 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 200 PROVIDED AT LEAST 80 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATIONS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.
VENT CLEARANCE: WHERE EAVE OR CORNICE VENTS ARE INSTALLED, INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. A MINIMUM OF A 1/4" SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF THE VENT.

TO THE LOW PROFILE VENTS
MODEL BY VENTON INC. OR APPROVED EQUAL.
8080 NO. 68-246
70 SQ. FT. NET FREE AREA
EAVE VENTS
MODEL: 308 BY VENTON OR APPROVED EQUAL.
40 SQ. FT. NET FREE AREA

ALL 1/2" TILE VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE.

AREA I	
ATTIC SQUARE FOOTAGE	1033 SF
1/2" TILE VENT 1" VENT	641 SF
1/2" TILE VENT 1" VENT	1905 SF
HIGH VENTILATION	560 SF
80 TO TILE VENTS 1" TO 1/2"	
PROVIDED	540 SF
LOW VENTILATION	480 SF
1/2" TILE VENTS 1" TO 1/2"	
PROVIDED	480 SF
TOTAL PROVIDED	1020 SF

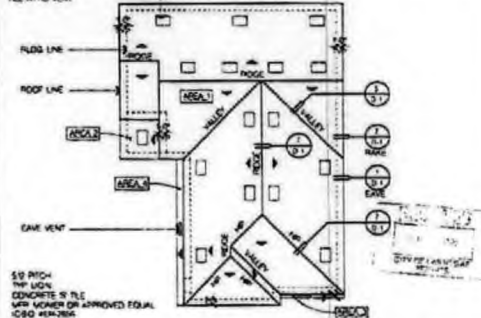
AREA II	
ATTIC SQUARE FOOTAGE	32 SF
1/2" TILE VENT 1" VENT	21 SF
1/2" TILE VENT 1" VENT	3074 SF
VENTILATION	10 SF
1/2" TILE VENTS 1" TO 1/2"	
PROVIDED	10 SF
TOTAL PROVIDED	10 SF

AREA III	
ATTIC SQUARE FOOTAGE	8 SF
1/2" TILE VENT 1" VENT	6 SF
1/2" TILE VENT 1" VENT	288 SF
VENTILATION	43 SF
1/2" TILE VENTS 1" TO 1/2"	
PROVIDED	43 SF
TOTAL PROVIDED	43 SF

AREA IV	
ATTIC SQUARE FOOTAGE	20 SF
1/2" TILE VENT 1" VENT	10 SF
1/2" TILE VENT 1" VENT	110 SF
VENTILATION	43 SF
1/2" TILE VENTS 1" TO 1/2"	
PROVIDED	43 SF
TOTAL PROVIDED	43 SF

ATTIC VENTILATION

LOW PROFILE 1/2" TILE ATTIC VENT



ROOF PLAN

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

2

No. Date Issue / Description

1 09/06/05 PLAN 1531 ALT. 'C' ALT. EXT. ELEVATIONS & ROOF PLAN

Project: **CENTENNIAL PARK III**

LENNAR

3765 E SUNSET RD #9
LAS VEGAS, NV
89120

2005-0974

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SEP 6 2006

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Project Manager: M. CHUNG
Project Designer: J. TSAI
Checked By: F. YONEMOR

Sheet Title:

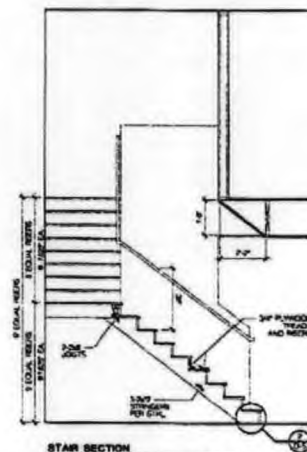
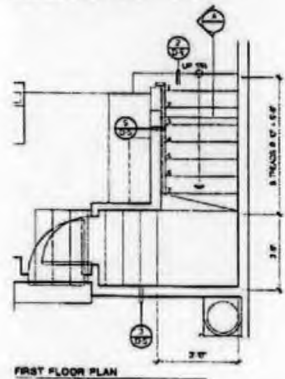
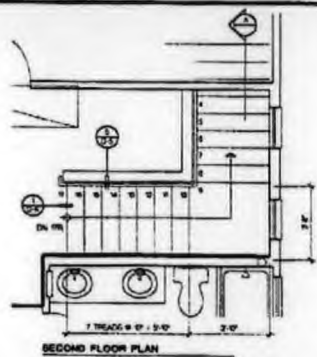
PLAN 1531 ALT.
'C' ALT. EXT. ELEVATIONS
& ROOF PLAN

Sheet No.:

A-1X.6

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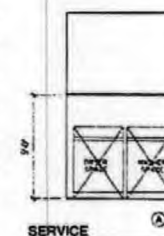
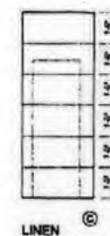
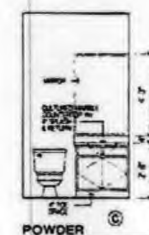
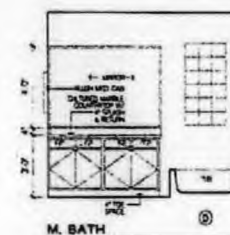
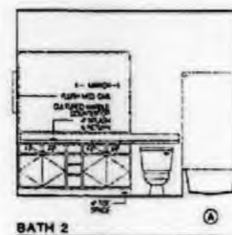
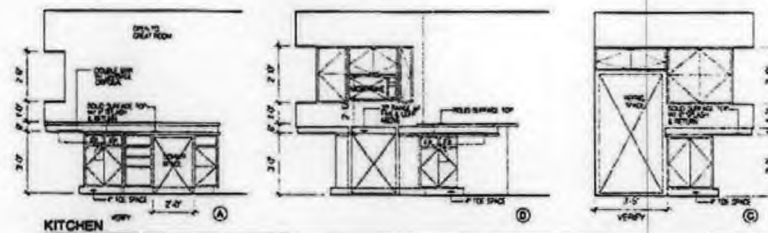
ROC-18015
12-20-06 CC



STAIR SECTIONS

SCALE 3/8" = 1'-0"

1



INTERIOR ELEVATIONS

SCALE 3/8" = 1'-0"

2

No. Date Issue / Description

2-15-X	REVISION	PLAN 1687 ALT.
2-15-X	REVISION	PLAN 1687 ALT.
2-15-X	REVISION	PLAN 1687 ALT.
2-15-X	REVISION	PLAN 1687 ALT.
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2-15-X	REVISION	PLAN 1687 ALT.
2-15-X	REVISION	PLAN 1687 ALT.

Project: CENTENNIAL PARK III

LENNAR

3765 E SUNSET RD #9
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89120

2005-0974



KTGYGROUP, INC.

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IRVINE, CA 92614

IRVINE, California

License Stamp

SEP 10 2006

Team Manager: J. TULLY
Project Director: M. FOWLER
Project Manager: M. CHUNG
Project Designer: J. TSAI
Checked By: P. YONEMORI

Sheet Title:
PLAN 1687 ALT.
STAIRS SECTIONS/
INTERIOR ELEVATIONS

Sheet No.:

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ROC-18015
12-20-06 CC

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12-10-06 BLDG DEPT SUBMITTAL
12-23-06 BLDG DEPT REVISION

Project:
**CENTENNIAL
PARK III**

LENNAR

3765 E SUNSET RD #9
LAS VEGAS, NV
89120

2005-0974



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Architectural Planning

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FAX 949-3114 FAX

Irvine, California

License Stamp:

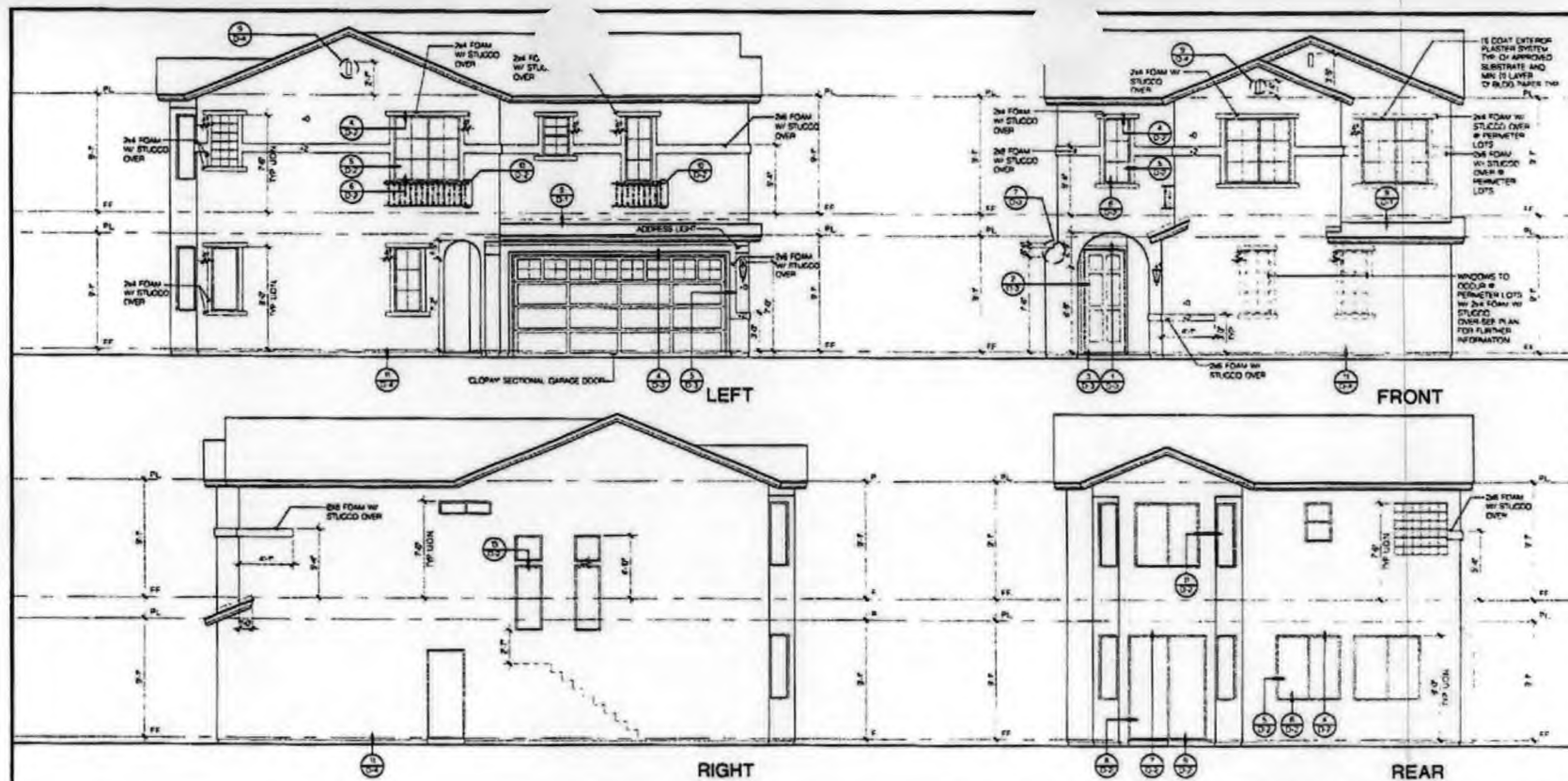
[Signature]
SEP - 2006

Team Manager: J. TULLY
Project Director: M. FOWLER
Project Manager: M. CHUNG
Project Designer: J. TSAI
Checked By: F. YONEMORI

Sheet Title:
**PLAN 1687 ALT.
'A' ALT. EXT. ELEVATIONS
& ROOF PLAN**

Sheet No.:

A-2X.4



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

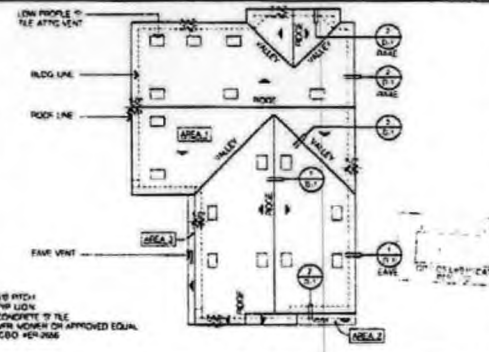
ATTIC VENTILATION:
THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 300 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 200 PROVIDED AT LEAST 80 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE GROUND OR CORNICE VENTS.
VOID CLEARANCE: WHERE GABLE OR CORNICE VENTS ARE INSTALLED, INSULATION SHALL NOT ALLOW THE FREE FLOW OF AIR. A MINIMUM OF A 1-INCH SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF THE VENT.
TO THE LOW PROFILE VENTS:
MODEL 161000A BY "CHANGING INC" OR APPROVED EQUAL.
1600 NO. 01-214
70 SQ. FT. NET FREE AREA
EAVE VENTS:
MODEL 161000A BY "CHANGING INC" OR APPROVED EQUAL.
40 SQ. FT. NET FREE AREA

ALL TO THE VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE

AREA 1	
ATTIC SQUARE FOOTAGE	600 SF
1000 SQ. FT. X 1/300	333 SF
MIN. SQ. FT. X 1/300 IN REQUIRED	333 SF
PROVIDED	360 SF
LOW VENTILATION	360 SF
IN 10 TIE VENTS X 70 SQ. FT.	490 SF
PROVIDED	490 SF
TOTAL PROVIDED	850 SF

AREA 2	
ATTIC SQUARE FOOTAGE	14 SF
14 SQ. FT. X 1/300	28 SF
MIN. SQ. FT. X 1/300 IN REQUIRED	28 SF
VENTILATION	40 SF
IN 10 TIE VENTS X 40 SF	40 SF
PROVIDED	40 SF
TOTAL PROVIDED	40 SF

AREA 3	
ATTIC SQUARE FOOTAGE	11 SF
11 SQ. FT. X 1/300	22 SF
MIN. SQ. FT. X 1/300 IN REQUIRED	22 SF
VENTILATION	40 SF
IN 10 TIE VENTS X 40 SF	40 SF
PROVIDED	40 SF
TOTAL PROVIDED	40 SF

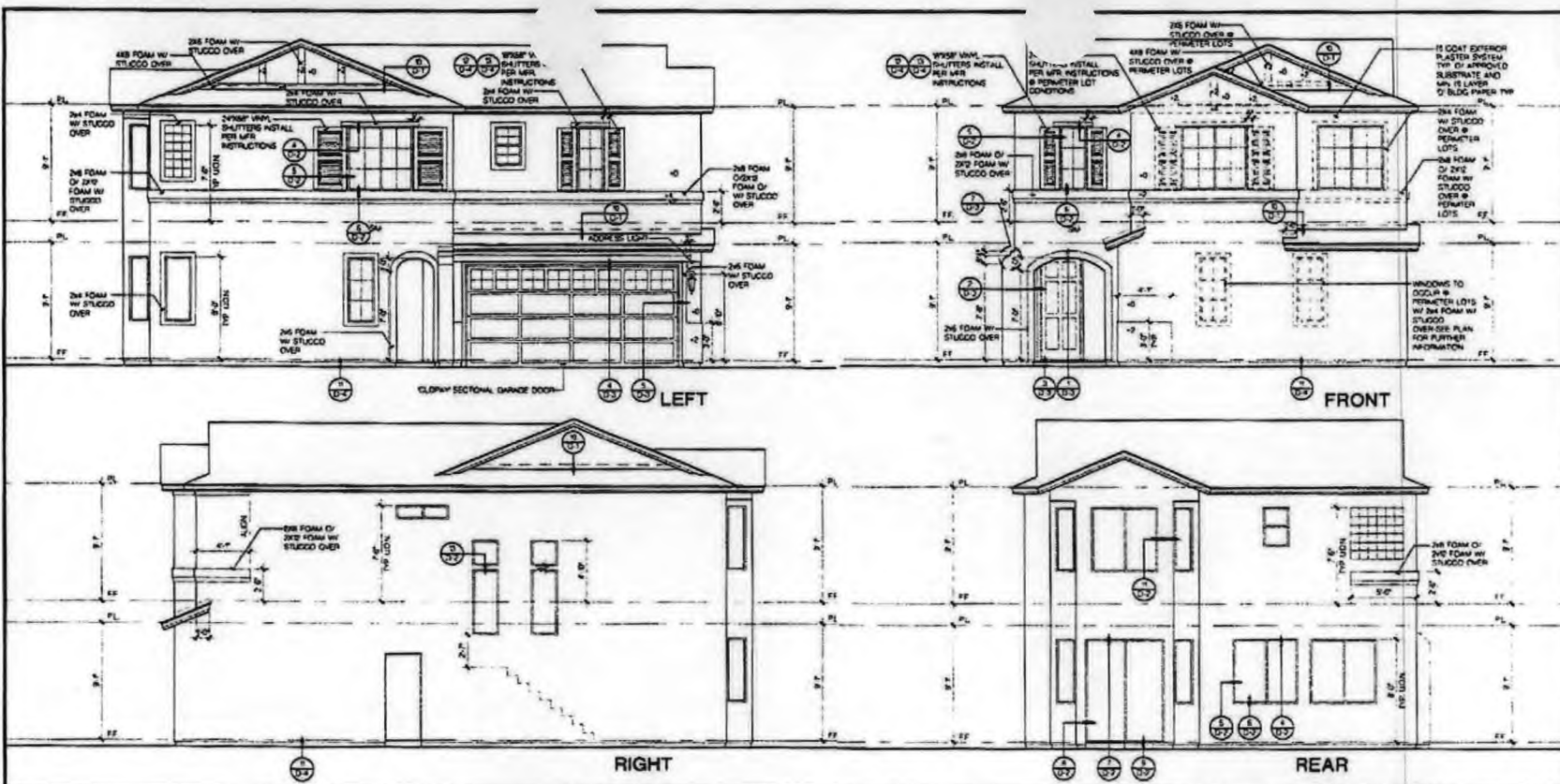


ROOF PLAN SCALE: 1/4" = 1'-0" 2

ATTIC VENTILATION

**ROC-18015
12-20-06 CC**

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

ATTIC VENTILATION
 THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1 TO 300 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE REDUCED TO 1 TO 200 PROVIDED AT LEAST 80 PERCENT AND NOT MORE THAN 80 PERCENT OF THE REQUIRED VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE SPACE TO BE VENTILATED AT LEAST 3 FEET ABOVE EAVE OR CORNICE VENTS.
VENT CLEARANCE WHERE EAVE OR CORNICE VENTS ARE INSTALLED, INSULATION SHALL NOT BLOCK THE FREE FLOW OF AIR. A MINIMUM OF A 1/2" SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF SHEATHING AT THE LOCATION OF THE VENT.
FLAT TILE ROOF
 MODEL IS RATED BY "CHANGING INC" ON APPROVED EQUAL.
 6000 40 0R 5000
 70 51 NET FREE AREA

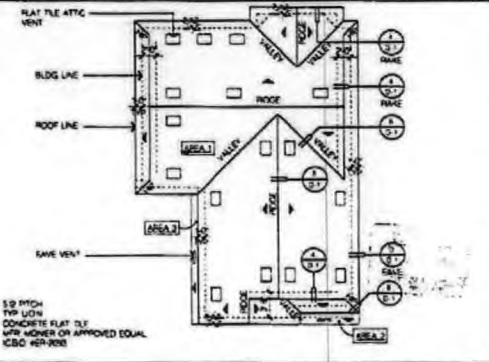
SAVE VENTS
 MODEL 3000 BY "CHANGING INC" OR APPROVED EQUAL.
 40 51 NET FREE AREA

ALL FLAT TILE VENTS TO BE LOCATED THE SAME DISTANCE FROM THE EAVE LINE

AREA 1	
ATTIC SQUARE FOOTAGE	1000 SF
8 SQ FT X 1/8" VENT	800 SF
8 SQ FT X 1/8" VENT IN REQUIRED	800 SF
PROVIDED	560 SF
LOW VENTILATION	560 SF
80 FLAT TILE VENTS X 70 51	560 SF
PROVIDED	560 SF
TOTAL PROVIDED	560 SF

AREA 2	
ATTIC SQUARE FOOTAGE	90 SF
8 SQ FT X 1/8" VENT	720 SF
8 SQ FT X 1/8" VENT IN REQUIRED	720 SF
PROVIDED	40 51
TOTAL PROVIDED	40 51

ATTIC VENTILATION



ROOF PLAN SCALE: 1/8" = 1'-0" 2

No. Date Issue / Description

1/2/06 BUILDING DEPT. SUBMITTAL

2/2/06 BUILDING DEPT. REVISION

Project: **CENTENNIAL PARK III**

LENNAR

3765 E SUNSET RD #9
 LAS VEGAS, NV
 89120

2005-0974

KITTYGROUP, INC.
 Architects / Planners

1190 MITCHELL, SOUTH
 IRVINE, CA 92614

(949) 861-2131
 (949) 861-1234 FAX

Irvine, California

License Stamp

[Signature]
 SEP 2 2006

Team Manager: J. TULLY
 Project Director: M. FOWLER
 Project Manager: M. CHUNG
 Project Designer: J. TSAI
 Checked By: K. YONEMORI

Sheet Title:
**PLAN 1887 ALT.
 'B' ALT. EXT. ELEVATIONS
 & ROOF PLAN**

Sheet No.: **A-2X.5**

ROC-18015
 12-20-06 CC

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November 06, 2006

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 890101

Re: Justification Letter for Centennial Park III- SDR-6307- Review of Conditions

To whom it may concern:

On June 15, 2005, City Council approved the request for a Site Development Plan Review for a proposed 182 lot single family residential development on 17.31 acres located on the west side of Jones Boulevard, approximately 830 feet north of Craig Road. We are requesting a review of the following condition of the Site Development Plan Review (SDR-6307):

9. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.

We are requesting that condition #9 be modified to read as follows:

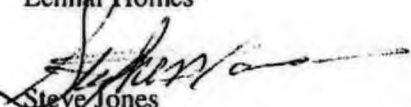
The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet or a minimum of 18 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.

In order for the previously approved footprints to be in compliance with the approved Site Development Plan Review, it is necessary to have this condition revised. We are not requesting a deviation from standards since 18 foot minimum is required per code.

Should you have any questions, please do not hesitate to contact me at 604-4527. Thank you in advance for your time and consideration.

Sincerely,

Lennar Homes


Steve Jones
Project Coordinator

**ROC-18015
12-20-06 CC**

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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER



054914

August 5, 2005

Mr. Jack Mandel
Lowe's HIW, Inc.
1530 Faraday Avenue, Suite #140
Carlsbad, California 92008

RE: SDR-6307 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JUNE 15, 2005
RELATED TO GPA-5298, ZON-6300, WVR-6441 and VAR-6305

Dear Mr. Mandel:

The City Council at a regular meeting held June 15, 2005 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 182 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road (portion of APN: 138-02-601-004), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 units per acre) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on June 16, 2005. This approval is subject to:

Planning and Development

1. No lot adjacent to the existing residences along the northern and western property lines shall have a finished elevation higher than the existing residential lot it abuts.
2. If legally able and with the permission of the property owner, all existing walls adjacent to the residences along the northern and western property lines shall be torn down and replaced, at the developers sole expense, with a new wall which shall measure a total of 8 feet in height above the finished grade of this site, including any retaining wall which may be required. The developer also agrees to complete the wall between 6212 and 6216 Sierra Pines, in order to tie it into a new property line wall, if allowed by the owners of those homes. The developer also agrees to assume all liability for any damage that may occur to any lateral walls due to construction of a new property line wall and to erect any temporary fence or wall that may be required during the construction of a new permanent wall.
3. A General Plan Amendment (GPA-6298) to an MLA (Medium-Low Attached Density Residential) land use designation and a Rezoning (ZON-6300) to a R-PD11 (Residential Planned Development - 11 units per acre) Zoning District approved by the City Council.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

ROC-18015
12-20-06 CC

Mr. Jack Mandel
SDR-6307 - Page Two
August 5, 2005

4. A Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 approved by the City Council.
5. A Variance (VAR-6305) to allow a reduction in open space approved by the City Council.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. All development shall be in conformance with the site plan and building elevations date stamped 6/7/2005 for a maximum of 176 units, except as modified by conditions herein.
8. The minimum distance between buildings shall be 6 feet. A maximum of 15 lots, which are restricted to single-story homes, not to exceed 20 feet in height, shall abut the existing residences along the northern and western property lines. Building height on all other lots shall not exceed 2 stories or 35 feet, whichever is less.
9. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.
10. A revised Lot Fit Analysis shall be submitted for review by Planning and Development Department staff prior to submittal of a Tentative Map on this site.
11. The landscape plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, to reflect 24-inch box trees in the parking areas in conformance with Landscape, Wall and Buffer Standards.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
14. Any new property line wall shall be a decorative block wall, with at least 20 % contrasting materials; except any which may replace the existing walls adjacent to the residences along the northern and western borders, which shall be of flat block colored and textured to match as closely as possible the individual homeowners' existing walls. Retaining walls may not exceed 6 feet without a 4-foot landscaped offset between walls. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. 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.

ROC-18015
12-20-06 CC

Mr. Jack Mandel
SDR-6307 - Page Three
August 5, 2005

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

Public Works

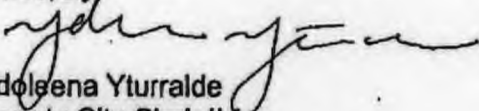
17. The submitted Parcel Map, PMP 5453, must record prior to the recordation of a Map subdividing this site.
18. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any maps for this site or the issuance of any permits. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the approval of construction drawings, or eliminate access, unless otherwise allowed by the City Traffic Engineer.
20. 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.
21. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. 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.
23. Site development to comply with all applicable conditions of approval for Zoning Actions Z-0081-02, ZON 6300 and all other applicable site-related actions.
24. Public Works notes that waivers from the Title 18 Subdivision Ordinance, 18.12.105 & 18.12.130, must be approved for the site plan received March 15, 2005. If the waivers are not approved the site plan shall be NULL AND VOID and the site must be redesigned.
25. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

ROC-18015
12-20-06 CC

Mr. Jack Mandel
SDR-6307 - Page Four
August 5, 2005

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

Sincerely,

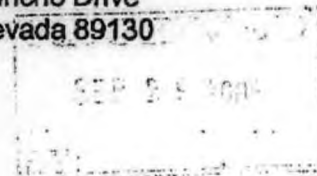

Ydelsena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk


M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Jeff Roberts
Southwest Homes
245 East Warm Springs Road
Las Vegas, Nevada 89119

Ms. Sally Pelham
Southwest Engineering
3610 North Rancho Drive
Las Vegas, Nevada 89130



ROC-18075
12-20-06 CC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

CN - 1919 E. Fremont Street; AB - 9504 Belgate Court; AB - 960 G Street; AB - 3804 Beacon Point; RQR-17518; SUP-17551, SUP-17716, SUP-17724, SUP-17729, SUP-17307; VAR-17741, VAR-17742, VAR-17743, VAR-17749, VAR-17751; VAC-16295, VAC-17744.



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 20, 2006

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND 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

BACKUP DOCUMENTATION:

Submitted after final agenda - Information by Palmer Christopher

Minutes:

JOE MAVIGLIA commented on economic restructuring and low income housing. He is in negotiations with the GATES Foundation and if their proposal is approved, approximately 30 acres of land in East Las Vegas given by the County will be refurbished to construct a mobile home park for low income housing. He felt that too many of the mobile home parks have been destroyed causing those residents to be displaced who cannot afford the average "affordable housing". He believed the primary objective is to come together as a body with a pilot project that will allow the lower income individual an opportunity to live a decent life. It would be a win-win situation for the City, as mobile homes would be the catalyst to re-introduce low income housing. Should his proposal go forward, he requested the Council's support.

CHRIS KRISTOFF stated he resides at two different properties. MR. KRISTOFF proposed giving the homeless plastic bags to carry their personal belongings when shopping carts are taken away. He noted other representatives who supported his request. He felt this would also help the homeless appreciate that they are not being stepped on and pushed around. He firmly believed his suggestion was not an expense but rather a solution.

PALMER CHRISTOPHER, 5231 North Durango Drive, gave a brief summarization of an ongoing sewer issue relative to an agenda item. The matter has no location within the City of Las Vegas; it is based on an interlocal agreement with the City of Las Vegas to provide sewer connections to her property. In essence, the other property owner has backed down and appears to be waiting for the work to be done by her, which could cause financial detriment. MRS. CHRISTOPHER would like assurance from the City that a permit will not be issued until the matter is resolved. She submitted documentation and noted the documentation was also submitted at a previous meeting. She will be contacting COUNCILMAN BROWN'S office to set up a meeting as directed by the Councilman.

DOROTHY BARNES, Las Vegas resident, expressed concern for her ongoing problems with individuals lying about her and keeping her name on a program.

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

AL HESSER, Retired Navy veteran and City resident, was upset at the Mayor promoting the \$80 admittance fee to attend the New Year's Eve festivities on Fremont Street, which has doubled from last year's fee. He also showed displeasure for the homeless situation and felt the Mayor has played a part in what he calls "abusing the homeless".

DON DIHART, Clark County resident, commented on the recent arena task force project and its financial shortfall, as the total cost for the project is 800 million dollars, which does not include the land and the parking garages. In his opinion, hockey will not succeed here in Las Vegas, as history has proven sports has not done well from a local stance. He emphasized the site should be located on Las Vegas Boulevard/Russell Road, as tourism is greatly needed and will contribute 90 percent.

In response to MAYOR GOODMAN'S inquiry, five individuals in the audience raised their hands confirming they were homeless. The Mayor expressed disappointment and apologized for a recent event that took place involving a homeless person being arrested illegally. After confirming assistance was desired, staff made arrangements to accommodate the homeless person, who unfortunately, did not follow up. He stressed the resources available by the City that are prepared to house the homeless and give them an opportunity to become active again in the community. MAYOR GOODMAN pleaded to the homeless to take advantage of these resources and facilities.

JOE SACKO, 1807 South 8th Street, has been a Las Vegas resident for 13 years and has owned his home for the past four years. He believed that the recent closing of Circle Park was an attack on the homeless activities and their constitutional rights. He felt his research proved that there is twice as much illegal activity occurring in other parks. He also questioned when Circle Park will reopen; he is a taxpayer and is actively involved in his community and feels that his rights to utilize the park have been violated. He expressed frustration in failed attempts to meet with COUNCILMAN REESE, as he was informed discussions could not take place due to pending federal lawsuits against the City of Las Vegas. MR. SACKO pleaded with Council to be accountable for their decisions and open Circle Park as soon as possible. If not, he asked for the resignations of COUNCILMAN GARY REESE, CITY ATTORNEY BRAD JERBIC and CITY MANAGER DOUG SELBY. Regarding the homeless situation, MAYOR GOODMAN responded that instead of only feeding the homeless, citizens can assist by guiding them to facilities, such as Catholic Charities or the Salvation Army, for assistance.

RASHAND JOSHUA COLLINS, homeless advocate, informed the Mayor he was present to speak on behalf of the homeless and it is not his choice to be homeless. The homeless are silent and terrified, as they are being bullied by the police. He requested jail time and fines be reduced and keep parks open 24 hours so the homeless will have a place to sleep. He also stressed the need for low income and no income housing. He referenced a scripture in the Bible, James 2:5, and questioned if the events taking place were identical to that of the biblical text. The Mayor suggested MR. COLLINS assist the homeless by taking them to a shelter or facility rather than remaining outdoors in the cold weather. MR. COLLINS informed the Mayor that some of the homeless are sick with stomach cancer and questioned where funding would come from for treatment.

CITY COUNCIL MEETING OF: DECEMBER 20, 2006

MAX SPEARS commented that some of the aforementioned facilities turn the homeless away due to overcrowding, and those that are assisted are excused by 5 a.m. Some of the homeless cannot walk, and he would rather be taken to jail than remain outdoors. He has seen the Marshals chase away the homeless while taking away their personal belongings. MAYOR GOODMAN responded that staff is available to provide transportation to these facilities and assured MR. SPEARS that no one will be turned away. He added that feeding the homeless in the parks does not resolve the homeless issue. The Mayor urged MR. SPEARS and other homeless individuals to take advantage of the services available.

EDUARDO M. CASTILLO stated he had experienced theft and harassment when staying at one of the shelters. When asked by MAYOR GOODMAN, MR. CASTILLO accepted his offer to stay at a different shelter. The Mayor reiterated his desire to see all the homeless in attendance accept his offer.

TERRY ROZADA stated he is from New York and upon arriving in Las Vegas, he was robbed. His personal belongings, including his identification, was taken; whereby, he has been refused assistance by some shelters. The only assistance he has received has been from those that have been arrested for feeding the homeless; his opinion was that the homeless are afraid of the agencies and the Marshals, as they are the ones taking their personal belongings. He would like assistance to relocate to Florida for employment in roofing. MAYOR GOODMAN informed him that he must provide a contact person prior to receiving a bus ticket. MR. ROZADA accepted the Mayor's offer to stay in a shelter at this time.

Meeting adjourned at 4:31 p.m.

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CITY CLERK

FAX PAGE ONE OF NINE

2006 DEC 15 A 11:33

December 15, 2006

To:

City Clerk's Office
Attention: Paula Clark
Fax number: 702.382.4803

From:

Palmer Christopher
reachpalmer@yahoo.com
702.396.2032

Re: City Council meeting scheduled for December 20, 2006
Subject: Our address to council members during public comment segment

As we would like to address the City Council members during the public comment section of the council meeting scheduled for December 20, 2006, we would appreciate your forwarding copy of these documents to the council members.

Thank you.

Citizen Participation

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CITY CLERK

2006 DEC 15 A 11: 34

Paul and Palmer Christopher
5231 N. Durango Drive
Las Vegas, NV 89149
702.396.2032

December 15, 2006

Members of the Las Vegas City Council
CITY OF LAS VEGAS
400 Stewart Avenue
Las Vegas, NV
Fax: 702.382.4803

Re: Inequitable treatment by the City of developers of a portion of its sewer line (in particular, relating to the proposed extension from Craig Road and El Capitan Way to Helena Avenue and El Capitan Way)

Dear Gentlepeople:

On December 20, 2006, at your regular meeting, or as soon thereafter as is possible, we intend to set forth reasons why the City of Las Vegas, and in particular its Department of Public Works of the Development Services Center, should in *fairness and consistency* with its earlier requirements withhold permits for the construction and completion of the sewer line that will serve the Southeast corner of Helena Avenue and El Capitan Way (also known as APN: 138-05-701-021, hereinafter referred to as the SE corner) *until* such time as the owners of said property resolve the issue of equitably bearing the financial burden of the construction of the aforesaid sewer line with the owners of the Northwest Corner of Helena Avenue and El Capitan Way (also known as APN: 138-05-301-049, hereinafter referred to as the NW corner). We, Paul and Palmer Christopher are the owners of said NW corner.

Attached please find a brief history of the events that lead to this matter, as well as related exhibits in support.

Members of the Las Vegas City Council
Attachment to letter of December 15, 2006
Page 1

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CITY CLERK

2006 DEC 15 A 11: 34

A Brief History of this matter is as follows:

During the course of our submittal and re-submittals of the plans and applications for the development of the Northwest corner of Helena Avenue and El Capitan Way, and more particularly the sewer extension to serve said location (former City of Las Vegas project number 7242, current project number we are informed is 11358, APN: 138-05-301-049, referred to as the "NW corner") there came a time when the plans for the NW corner were ready for approval and just prior to receiving project approval, we were contacted by a representative for the City who explicitly told us that we were required to, and in reliance on what we were told, we did both of the following: 1) amend our civil plans to accommodate the more extensive construction needs of the SE corner for extension of the sewer line, and 2) send in a written communication saying that we would cooperate with the owners of the SE corner so that all parties would share the burden of the construction that was to serve us all (see, Exhibit A, note to Kent Chang, P.E., dated October 13, 2004). We were told that the SE corner owners, who were in the same application for development process, were being required to commit and cooperate in the same manner.

Since as we were told the owners of the Southeast corner were making similar permit applications we willingly cooperated as per the City's directions including civil plans amendments to accommodate the needs of the Southeast corner (which is at a lower elevation), and associated bonding requirements and permit fees. However, the owners of the Southeast corner have since, we are told, abandoned their development applications.

Further, we have been informed by one of the bidding contractors for this job that the Southeast corner owners are fully aware of this situation and had in fact *given him a copy of our civil plans* to in order to get a construction estimate. He told us that the fact that as we received our permits first, and that with the ramifications of our earlier permits, including although not limited to the window of time for permit and related construction expiring first and the tremendous costs associated with delays and amendments to plans for permits that are not timely constructed, that the owners of the Southeast corner have decided to merely wait for us to complete the construction before they make further applications for permits.

Finally, we notified the public works department that the owners of the SE corner are ignoring our requests to cooperate, either now or in the future, and the response has been pretty much that we are on our own in this matter. [See Exhibit B- letter of November 17, 2006 from Tim Parks and Lucien Paet]

Members of the Las Vegas City Council
Attachment to letter of December 15, 2006
Page 2

RECEIVED
CITY CLERK

2006 DEC 15 A 11: 34

Discussion:

If we were to complete the job now- *without any further assurances from the City*- the result would be unfairly detrimental to us financially and extremely beneficial to the owners of the Southeast corner, because they could then complete their construction by tapping in to the sewer line at the corner of Helena and El Capitan at their convenience without a dollar exchanging hands in our direction.

By the tone of its letter of November 17, 2006, the Public Works department does not wish to involve itself with the matter of sustaining a fair and equitable division of costs for the sewer line on El Capitan Way between the two developers who will benefit from it. We find this tone very regrettable. We acted upon the wishes and requirements of the department to our financial detriment, and we truly relied on the representations that were made to us in regard to this matter. It is unfortunate that the department does not comprehend the points that we made to it regarding the basis for our actions and our reliance on their directions. We feel it unfortunate that the department has abandoned us in regard to this matter, when their help could make such a simple and fair resolution of the matter consistent with past requirements.

If we improve the sewer line according to the requirements of the City which includes all of its related increased costs, and the City does nothing to protect our financial interests and cause the owners of the Southeast corner to share this burden, the City's actions- or inaction- would amount to an unconstitutional government taking of our property to benefit a private entity.

We have done everything that the City required in reliance on the fair treatment of all parties involved and therefore the City must not permit the owners of the Southeast corner to derive a free benefit to our financial detriment.

Request for Assurances from the City:

Our permits are near expiration and we have hired a contractor to complete the sewer line according to code and permit. However, we have halted our construction of the portion of the line that extends down to Helena Avenue from Craig Road because we have not gotten the cooperation that we rightfully expected from the owners of the SE property.

We have notified the public works department that the owners of the SE corner are ignoring our requests to cooperate, either now or in the future, and the response has been pretty much that we are on our own in this matter. [See Exhibit B- letter of November 17, 2006 from Tim Parks and Lucien Paet]

Members of the Las Vegas City Council
Attachment to letter of December 15, 2006
Page 3

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2006 DEC 15 A 11: 34

We are not in a hurry to complete this project, but construction costs always seem to be on the rise, and as our contractor is ready to complete the construction- we feel in mitigation of the ever-increasing costs of construction for all involved, that we must complete this job now, or otherwise expect higher costs to complete in the future. However, even if we complete this construction now in order to mitigate the rising costs involved, we will still reserve any and all rights with respect to this matter to seek reimbursement for our financial outlays. We still maintain our very reasonable expectation that we should not have to bear the entire financial burden of this construction and that it is a simple matter for the Public Works department to impose cooperation on the owners/developers of the SE corner in this regard, as per the department's past representations to us that they too bear half of the costs whenever they seek to tie in to the sewer line.

Our Request:

In consideration of these matters, and in fairness and consistency with its past requirements we would plead that the City give us written assurances that it will not issue a permit for the SE corner to tie-in to the sewer lines until the City receives proper written notification from us (developers of the NW corner), or court order, that the financial issues have been equitably resolved. In this regard we would still propose that a letter, such as the sample letter included in our letter of November 14, 2006 (Exhibit C), to Tim Parks and Lucien Pact be submitted to all interested parties and kept in the file of the department of Public Works until related future development is completed and this financial issued is appropriately concluded.

Thank you for your consideration of this matter.

Sincerely,



Paul and Palmer Christopher

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2006 DEC 15 A 11: 34

To: Kent Chang, P.E.
City of Las Vegas
Development Services- Dept. of Public Works

October 13, 2004

From: Palmer Christopher
5231 N. Durango Dr.
Las Vegas, NV 89149
(702)396-2032

Re: APN: 138-05-301-049, NW corner Helena and El Capitan
Development of off-site improvements, in particular sewer lines and related
Permit application #7242
Subject: coordination of sewer lines with other potential developer(s)

As it relates to the pending application for a sewer permit, we are intending to proceed with the application process so that we may qualify for a grading permit for our site at the earliest opportunity. We have already entered agreement with a local excavation contractor and do not wish to delay this project any more.

As per your stated requirements that we amend our submittals to accommodate the sewer extension requirements for the development of the southeast corner of Helena and El Capitan and cooperate with the developers in its construction, we will cooperate with a view to sharing the costs of the construction that will serve us both. If necessary we will permit him/her to utilize our plans and our permit to install his/her improvements- and the developer can then adjust/revise his/her plans accordingly.

Exh A
1 of 1

DEVELOPMENT
SERVICES
CENTER

Public Works Department
Engineering Planning

731 S. Fourth Street
Las Vegas, NV 89101

Voice 702-229-6541
FAX 702-382-8551
702-386-9108

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2006 DEC 15 A 11:34

November 17, 2006

Paul and Palmer Christopher
5231 N. Durango Drive
Las Vegas, NV 89149

RE: Response to Your Letter of November 14, 2006

Paul and Palmer:

The Christopher 5 Lot Residential plans were originally submitted for City review on or about May 11, 2004. This first review (LD #7242) failed and the second review wasn't submitted until October 8, 2004. During this period, the Sinclair Construction/CNC Properties plans (Hansen #7918) were submitted on or about September 21, 2004.

The City conditioned Sinclair Construction/CNC Properties to coordinate the design of sewer in El Capitan Wy with your development. The purpose for requiring coordination between the two plans was to avoid multiple sewer extensions in the same street where construction and future utility alignment conflicts could be an issue. No evidence of written communication requiring the sharing of cost is in the project records, as the City does not have the authority to require such documentation. The City does have the authority to require a revision of plans under review in order to provide a serviceable point of connection for future developments. The decision of which project will construct the sewer line lies solely with the developers involved.

Given these facts, we are not amenable to the sample letter you provided. The City is prepared to grant a one-year extension on your City permits as stated in your letter. Extensions for other permits and/or submittals will need to be negotiated with the appropriate entity.

Sincerely,

Tim Parks, P.E.
Project Engineer
Sanitary Sewer Planning Section
Department of Public Works

Lucien Dietl, P.E.
Engineering Project Manager
Land Development Services Section
Department of Public Works

Las Vegas City Council

Oscar B. Goodman
Mayor

Gary Keese, Ward 3
Mayor Pro Tem

Larry Brown, Ward 4
Lawrence Weekly, Ward 5
Steve Wolfson, Ward 2
Lois Tarkanian, Ward 1
Steven D. Ross, Ward 6

City Manager
Douglas A. Selby



15901-005-1K1-05

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DEC 15 A 11:34

Paul and Palmer Christopher
5231 N. Durango Drive
Las Vegas, NV 89149
reachpalmer@yahoo.com
702.396.2032

November 14, 2006

Tim Parks
City of Las Vegas Development Services
731 S. Fourth Street
Las Vegas, NV 89101

Lucien Paet
City of Las Vegas Development Services
731 S. Fourth Street
Las Vegas, NV 89101

Gentlemen:

As you recall our recent conversations in regard to the extension of the sewer line from Craig Road and El Capitan Way to Helena Avenue and El Capitan Way in which we explained that the owners of the property located at the Southeast corner of Helena Avenue and El Capitan Way (APN: 138-05-701-021, your project number 7918, formerly assigned to Lucien Paet, referred to as the "SE corner") who we have contacted via telephone and mail, are essentially ignoring our communications. Further, as we explained, we are informed from one of the contractors from whom a bid was sought for this project that the SE corner owners already inquired about the costs for constructing this project and have indicated that they intend to wait until we complete the project at our sole expense before continuing.

To review the history of this matter, during the course of our submittal and re-submittals of the plans and applications for our project located at the Northwest corner of Helena Avenue and El Capitan Way (former project number 7242, current project number we believe 11358, APN: 138-05-301-049, referred to as the "NW corner") there came a time when the plans for the NW corner were ready for approval and just prior to receiving project approval, *we were required to and did* 1) amend our civil plans to accommodate the more extensive construction needs of the SE corner for extension of the sewer line, and 2) send in a written communication saying that we would cooperate with the owners of the SE corner so that neither would have to bear the entire burden of this construction. We were told that the SE corner owners were required to commit and cooperate in the same manner.

Exh C
1 of 3

Tim Parks
Lucien Paet
November 14, 2006
Page two

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In respect to these requirements and in reliance on the expectations that the SE owners would respect the same, we have already 1) paid for additional design time for our civil engineer, and 2) paid for the associated bond obligations, and 3) contracted to have the sewer line installed.

We assumed that the requirements of your department were given in the spirit of fairness for the purpose of assuring the department that the developers would cooperate with each other and that the first owners to get their project permits would not unfairly bear the burden of the associated increased costs of the project due to the required amendment for the benefit of the development of the SE corner.

With all of this in mind we would simply propose the following:

As you know we have stopped our construction of the portion of the line that extends down to Helena Avenue from Craig Road because we have not gotten the cooperation that we expected from the owners of the SE property, and we are not in a hurry- but we intend to meet any requirements and deadlines as set out by the governing agencies in a timely manner. It is our understanding that your agency would be willing to grant an extension of time to complete our project from March 24, 2007 to March 24, 2008- and we are appreciative of this. However, in lieu of asking for the extension we would propose the following. Since all of the work has been done to get this project underway, and our contractor is set to construct at this time, we would be willing to complete the project now if the your department would kindly send a letter to all owners reiterating your requirement for cooperation between the owners in completion of this sewer line. If you were to send a letter to all owners on your letterhead, which you can simply copy from the sample letter that we have attached to this letter, we would complete the project at this time and not ask for any further extension.

We do realize that the City's main concern is a properly constructed sewer line, irrespective of who does the installation, but we feel that this accommodation would be fair to all parties involved and *completely consistent with the expectations of all parties as to the past requirements and communications regarding applications for permits and plan submittals.*

If this is agreeable to you please let us know so that we may inform our contractor to proceed. Thank you so much for your consideration of this matter.

Sincerely,

/s/

Paul and Palmer Christopher

Attachment

EXC
2 of 3

SAMPLE LETTER RECEIVED
CITY CLERK

Paul Christopher, Trustee
PAUL CHRISTOPHER LIVING TRUST
P.O. Box 81033
Las Vegas, NV 89180

2006 DEC 15 A 11:34

R & S HELENA, LLC
3705 E. Flamingo Rd. #102-A
Las Vegas, NV 89121-4903

Keith Clegg
CNC PROPERTIES, LLC
8780 La Sombra Circle
Las Vegas, NV 89129

Re: Sewer tie-in for properties located at Northwest and Southeast
corners of Helena Avenue and El Capitan Way,
APN: 138-05-301-049 and 138-05-701-021, respectively

Dear Sirs:

During 2004 the owners of the above-referenced properties submitted plans and applications relating to extension of the sewer line from Craig Road and El Capitan Way to Helena Avenue and El Capitan Way. Since this extension of the sewer line was to serve both submitting parties and as no construction had yet begun, the party who had made the earlier submission was required to amend its submission to accommodate the additional construction requirements of the second party. Both parties were told of this requirement and in consideration of this accommodation they were both told that the City of Las Vegas expected the parties to share the burden of the installation to its sewer line.

In fairness and consistency with our previous requests and before permits for tie-in to the sewer line will issue, we will continue to require that the respective owners of the aforementioned properties, and or their successors in interest, resolve the issue of cooperation and of sharing the financial burden of the construction of the portion of the sewer line that extends from Craig Road and El Capitan Way to Helena Avenue and El Capitan Way.

Evidence of said cooperation will be accepted in the form of a waiver to tie-in to the sewer line notarized and signed by the owners of the respective properties acknowledging their mutual contributions.

Your cooperation is appreciated.

{Signed}

Exh C
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