

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2006-80 - Ordinance Creating Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) Sponsored by: Step Requirement

**Fiscal Impact**

☐

No Impact

☒

Augmentation Required

☐

Budget Funds Available

**Amount:** \$245,052.00

**Funding Source:** Capital Projects Fund - Special Assessments

**Dept./Division:** Public Works/SID

**PURPOSE/BACKGROUND:**

The District is being formed to provide annual funding for the general maintenance of the Fremont Street Pedestrian Improvements. The property owners will be billed in four (4) quarterly installments each year for the actual cost of maintenance based on contractor bids. The cost of the initial SID is estimated to be \$245,052.00. The maintenance of the pedestrian improvement project is funded 100% by the property owners through this SID.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

Bill No. 2006-80

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

1/2/2007 Recommending Committee

1/3/2007 Council Agenda

Summary- An ordinance creating the City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street), ratifying action taken by City officers toward the creation of such District and providing other matters related thereto.

**BILL NO. 2006-80**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA, IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the City Council of the City of Las Vegas in the State of Nevada (the "Council," "City" and "State," respectively) has determined and does declare that the public convenience and necessity require, and the Council deems it necessary to create, the City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District"), to defray the annual costs of a Commercial Area Vitalization Project (the "Project"), as defined in Nevada Revised Statutes ("NRS") 271.063; and

**WHEREAS**, by a resolution previously passed and approved (the "Provisional Order Resolution"), the Council declared its determination to create the District for the purpose of acquiring, improving and maintaining the Project, stating therein the character and location of the Project, what portion of the entire expense thereof shall be paid by special assessments, and that the assessments are to be made according to benefits, by apt description designating the District, including the lands to be so assessed and definitely locating the improvements to be made; and

**WHEREAS**, the Council has previously determined that the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District, which the Council has determined will receive special benefits (and corresponding market value increases) from the Project; and

**WHEREAS**, among other documents, the City's Director of Public Works, together with the City Engineer Division of the City and certain consulting engineers (collectively, the "Engineer") made out a preliminary assessment roll and an assessment plat for the District which contains, among other things, the names and addresses of the last-known owners of the property to be assessed, or if not known, stating that the name is "unknown"; a description of each lot, tract, or parcel of land to be



assessed; the market value of each lot; the amount of the estimated assessment to be levied thereon; and the amount of maximum special benefits (and corresponding market value increases); and the Engineer has reported to the Council the preliminary assessment roll and assessment plat, and has prepared and reported the "Engineer's Report to the City Council on Benefits" (the "Engineer's Report") and has filed the assessment plat, the preliminary assessment roll and the Engineer's Report with the City Clerk of the City (the "City Clerk"); and

**WHEREAS**, pursuant to the Provisional Order Resolution, the Council gave notice (in the manner specified by NRS 271.305) of the filing of the preliminary plans, assessment plat, preliminary assessment roll, typical section of the contemplated improvements, preliminary estimate of cost, and estimate of maximum benefits (and corresponding market value increases), and of the time and place of a hearing thereon; and

**WHEREAS**, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interest; and

**WHEREAS**, all owners of property to be assessed, any tenants who reside or own businesses located within the District and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, December 1, 2006, to appear before the Council on Wednesday, December 6, 2006, to be heard as to the propriety and advisability of acquiring, improving and maintaining the Project provisionally ordered, as to the estimated cost thereof, the manner of payment therefor, and as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District; and

**WHEREAS**, the written and oral complaints, objections and protests received represented less than one third (1/3) of the area to be assessed in the District; and

**WHEREAS**, the written and oral complaints, objections and protests received were duly considered by the Council, and the Council has determined that it is in the best interests of the District, the City, and the inhabitants thereof to create the District; and

**WHEREAS**, every written complaint, protest and objection was found to be without sufficient merit and was overruled by the Council by the Improvement District No. 1516 Protest Disposal Resolution except as otherwise provided in said resolution; and

**WHEREAS**, any person filing a written complaint, protest or objection shall have the right within 30 days after the Council has finally passed on such complaint, protest or objection to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination; and

**WHEREAS**, the Council and officers of the City have done all things necessary and preliminary to the creation of the District, including, without limitation, the filing with the City Clerk of an accurate estimate of cost, full and detailed revised and final plans and specifications, revised assessment plat, revised and final map, and a report on benefits by the Engineer, and the Council desires now to authorize the Project and to create the District by this ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS, IN THE STATE OF NEVADA, DOES ORDAIN:**

Section 1. This ordinance shall be known as, and may be cited by, the short title "Improvement District No. 1516 Creation Ordinance" (the "Ordinance").

Section 2. The Council has previously determined and now confirms that each and every protest and objection made in connection with the District is without sufficient merit and the same be, and the same previously has been by the Improvement District No. 1516 Protest Disposal Resolution, overruled and finally passed upon by the Council, except as otherwise set forth in the Improvement District No. 1516 Protest Disposal Resolution.

The Council has also determined and does declare as follows:

- (a) The public convenience and necessity require the creation of the District.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 4. There is created in the City an improvement district designated the "City of Las Vegas, Nevada, Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street)" for the purpose of financing the Project in and along the following street:

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

Section 5. Except as shown on the preliminary plans and specifications now on file in the Office of the City Clerk and in the office of the Special Improvement District, Department of Public Works in Las Vegas, Nevada, the character of the Project which will be financed is described more particularly as follows: The Project will consist of all or part of the following: the beautification and improvement of the public portions of any area zoned primarily for business or commercial purposes, including, without limitation, public restrooms, facilities for outdoor lighting and heating, decorations, fountains, landscaping, facilities or equipment, or both, to enhance protection of persons and property, ramps, sidewalks, rehabilitation or removal of existing structures, promotional activities including the promotion of public events that benefit business or real property, providing music in any public place, promotion of tourism marketing and economic development, including the recruitment and retention of retail business, providing services related to security, sanitation, the removal of graffiti, the cleaning of streets and sidewalks and providing other municipal services that are supplemental to those typically provided by the City and any other activity that benefits businesses and real property located in the District. The District is being formed to finance the annual costs of providing the Project. The City will annually adopt a budget for the Project and will annually assess the costs of the Project against all benefited tracts in the District.

Section 6. The Council has determined that the cost of the Project is of special benefit and shall be paid in part by special assessments against the lots, tracts and parcels of land benefited. That the total cost of the Project shall be apportioned and assessed as follows:

| Total Cost | Estimated Amount of Special Assessment | Amount Available from Other Sources |
|------------|----------------------------------------|-------------------------------------|
| \$245,052  | \$245,052                              | \$0                                 |

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

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

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

Section 7. The portion of the costs to be assessed against, and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon, each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Preliminary Assessment Roll."

Section 8. The Engineer is authorized to advertise for the doing of the work and making the improvements in the Las Vegas Review Journal, a daily newspaper published in Las Vegas, Nevada, and of general circulation in the City. Such notice shall be published at least once, not less than



seven days before the opening of bids. The notice shall be in substantially the form provided by the plans, specifications, and contract documents.

Section 9. After the award of the contract, the Council shall determine the total cost of such work, including incidentals, and assessments shall be levied in accordance with the laws of the State, and the Council shall provide that the assessments will be payable in four (4) substantially equal quarterly installments of principal without interest.

Section 10. All action, proceedings, matters and things previously taken, had and done by the City, and the officers thereof (not inconsistent with the provisions of this Ordinance), concerning the District, including, but not limited to, the performing of all prerequisites to the creation of the District, providing of the Project, the specially benefited property in the District, the determination that the lots, tracts and parcels of land in the District will receive special benefits and market value increases, and the levy of assessments for that purpose be, and the same are, ratified, approved and confirmed.

Section 11. The officers of the City are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, construction contracts, engineering specifications, contract addenda, and other items necessary or desirable for the completion of the levying of the assessments for the District.

Section 12. In accordance with subsection 6 of NRS 271.325, upon the final adoption of this Ordinance the City Clerk is authorized and directed to immediately file in the office of the Clark County Recorder a certified copy of the Preliminary Assessment Roll (the list of the tracts to be assessed). The Clark County Recorder is to record such assessment roll for the purpose of establishing of record the lien or liens against the lots, tracts, and parcels of land and the amounts of maximum benefits estimated to be assessed against each tract in the assessment area as set forth in this Ordinance.

Section 13. All ordinances or resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, previously repealed.

Section 14. When first proposed, this Ordinance shall be read to the Council by title, after which an adequate number of copies of this Ordinance shall be filed with the City Clerk for public distribution. Notice of the filing shall be published once in a newspaper published and having general circulation in the City, at least 10 days before the adoption of this Ordinance, such publication to be in substantially the following form:

(Form of Publication of Notice of Filing of Ordinance)

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA,  
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET  
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH  
STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled proposed Ordinance are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas at her office in the City Hall, 400 Stewart Avenue, Las Vegas, Nevada, and that such Ordinance was proposed on December 20, 2006 and will be considered for adoption at the regular meeting of the City Council to be held on January 17, 2007.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form of Publication of Notice of Filing of Ordinance)

Section 15. This Ordinance shall be in effect on the date of publication as hereinafter provided. After this Ordinance is adopted and signed by the Mayor and attested and sealed by the Clerk, this Ordinance shall be published once by its title only, together with the names of the Council members voting for or against its passage, such publication to be made in a newspaper published and having a general circulation in the City, and such publication to be in substantially the following form:



(Form of Publication)

BILL NO. \_\_\_\_

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE CREATING THE CITY OF LAS VEGAS, NEVADA,  
IMPROVEMENT DISTRICT NO. 1516 - FREMONT STREET  
MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH  
STREET) AND PROVIDING OTHER MATTERS RELATED THERETO.**

PUBLIC NOTICE IS HEREBY GIVEN that the above-numbered and entitled Ordinance was proposed on December 20, 2006 and that such Ordinance was passed at a regular meeting of the City Council on January 17, 2007 by the following vote of the City Council:

Those Voting Aye:

Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Lois Tarkanian  
Steve Wolfson  
Steven D. Ross

Those Voting Nay:

Those Absent:

\_\_\_\_\_  
\_\_\_\_\_

This Ordinance shall be in full force and effect from and after the 21st day of January, 2007 (i.e., the date of the publication of such Ordinance by its title only).

IN WITNESS WHEREOF, the City Council of the City of Las Vegas, Nevada has caused this Ordinance to be published by title only.

DATED this January 17, 2007.

/s/ Oscar B. Goodman  
Mayor

Attest:

/s/ Barbara Jo Ronemus  
City Clerk

Section 16. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Introduced December 20, 2006, PASSED, ADOPTED AND APPROVED January 17, 2007.

(SEAL)

\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

7 DEC 06 H 21  
Date Deputy City Attorney

This Ordinance shall be in full force and effect from and after January 21, 2007, i.e., the day after the publication of such Ordinance by its title only.

**STATE OF NEVADA**                    )  
                                                       ) ss.  
**CITY OF LAS VEGAS**                  )

I, Barbara Jo Ronemus, the duly chosen, qualified and acting Clerk of City of Las Vegas, Nevada (the "City"), do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council of the City (the "Council") on December 20, 2006 and finally adopted and approved on January 17, 2007.

2. The following members of the Council were present at the December 20, 2006 meeting:

|                |                  |
|----------------|------------------|
| Mayor:         | Oscar B. Goodman |
| Councilmembers | Gary Reese       |
|                | Larry Brown      |
|                | Lawrence Weekly  |
|                | Lois Tarkanian   |
|                | Steve Wolfson    |
|                | Steven D. Ross   |

3. The foregoing Ordinance was first proposed and read by title to the Council on December 20, 2006, and referred to a committee composed of the \_\_\_\_\_ for recommendation; thereafter said committee reported favorably on said Ordinance on January 17, 2007, which was a regular meeting of said Council; that as said regular meeting, the proposed Ordinance was again read by title to the Council and adopted. The members of the Council were present at the January 17, 2007 meeting and voted upon the adoption of the Ordinance as follows:

Those Voting Aye: Oscar B. Goodman  
Gary Reese  
Larry Brown  
Lawrence Weekly  
Lois Tarkanian  
Steve Wolfson  
Steven D. Ross

Those Voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself as Clerk of the City, and sealed with the seal of the City.

and has been recorded in the journal of the Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the Council were given due and proper notice of the meetings held on December 20, 2006 and January 17, 2007. Pursuant to NRS § 241.020, written notice of the meeting including the time, place, location and agenda of the meeting was given by 9:00 a.m. at least three working days before the meeting.

(a) By posting a copy of the notice at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three other separate, prominent places within the jurisdiction of the Council, to wit:

- (i) Bulletin Board (next door to Metro Records)  
City Hall Plaza  
Las Vegas, Nevada
- (ii) City Hall Plaza  
City Clerk's Bulletin Board, 2nd Floor Skybridge  
Las Vegas, Nevada
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 S. Grand Central Parkway  
Las Vegas, Nevada
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada

and

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the Council in the same manner in which notice is required to be mailed to a member of the Council.

6. A copy of the notice of each meeting was posted on the City's website no later than 9:00 a.m. on the third working day prior to each meeting.

7. Copies of the notice of each such meeting as posted and mailed are attached hereto as Exhibits A and B.

8. A copy of the affidavit of publication of notice of deposit of the Ordinance is attached to this certificate as Exhibit C. A copy of the affidavit of publication of adoption of the Ordinance is attached to this certificate as Exhibit D.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of the City  
this January \_\_, 2007.

\_\_\_\_\_  
City Clerk

(SEAL)



**EXHIBIT A**

**(Attach Copy of Notice of Meeting held December 20, 2006)**

**EXHIBIT B**

**(Attach Copy of Notice of Meeting held January 17, 2007)**

**EXHIBIT C**

**(Attach Affidavit of Publication of Filing of Ordinance)**

**EXHIBIT D**

**(Attach Affidavit of Publication of Adoption of Ordinance)**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

**NEW BILL:**

Bill No. 2006-81 - Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical service to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company. Proposed by: Mark R. Vincent, Director of Finance and Business Services

**Fiscal Impact**



**No Impact**



**Augmentation Required**



**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Nevada Power Company, Inc. currently provides residents of the City with electric service pursuant to a non-exclusive franchise issued to it by the City, which agreement was renewed in 2004 for an additional three-year term. The City proposes the issuance of a new eighteen-year non-exclusive franchise to Nevada Power, in accordance with the terms and conditions of the Franchise Agreement incorporated in this bill. As consideration for this franchise, Nevada Power will pay the City annually five percent (5%) of its gross revenue in accordance with the provisions of LVMC 6.67.040.

**RECOMMENDATION:**

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2006-81
2. Franchise Agreement

**Minutes:**

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

1/2/2007 Recommending Committee

1/3/2007 Council Agenda

THE MORNING SESSION RECESSED AT 12:48 P.M.



**BILL NO. 2006-81**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO GRANT A NON-EXCLUSIVE FRANCHISE TO NEVADA POWER COMPANY TO PROVIDE ELECTRICAL SERVICES WITHIN THE CORPORATE LIMITS OF THE CITY IN ACCORDANCE WITH THAT CERTAIN FRANCHISE AGREEMENT BETWEEN THE CITY AND NEVADA POWER COMPANY, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director  
Department of Finance and Business Services

Summary: Grants to Nevada Power Company, a Nevada Corporation, a non-exclusive franchise to install, operate and maintain an electrical distribution system to provide electrical services to consumers within the City subject to and in accordance with the terms and conditions of the Franchise Agreement between the City and Nevada Power Company, incorporated by reference into this Ordinance.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
AS FOLLOWS:

SECTION 1: The City of Las Vegas, Nevada, hereby grants to Nevada Power Company, a Nevada Corporation, the non-exclusive right, privilege, authority and permission to own, construct, operate, maintain, upgrade, and repair an electrical distribution system upon the surface of and the space above and below any and all public highways, streets, roads, alleys avenues, tunnels, parkways, and easements granted to the City, including easements created or reserved in favor of the City for any road or public utility purposes in any patent granted by the United States of America, or in any other recorded map, plat or recorded document, as the same now or may hereafter exist within the City, including State highways now or hereafter established within the City to whatever extent the City may have jurisdiction to authorize the use stated above, for the sole purpose of providing electrical service to consumers within the City, subject to and in accordance with the terms and conditions of that certain document entitled Franchise Agreement, commencing on the 1st day of February, 2007, by and between the City of Las Vegas and Nevada Power Company, a copy of which said Franchise Agreement is on file with the Clerk of the City of Las Vegas and by this reference incorporated herein as part of this Ordinance.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or

ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

APPROVED:

By OSCAR B. GOODMAN, Mayor

ATTEST:

**BARBARA JO RONEMUS, City Clerk**

APPROVED AS TO FORM:

Larry G. Bellis 12-11-06  
Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the  
2 \_\_\_\_ day of \_\_\_\_\_, 2006, and referred to the following committee composed of  
3 \_\_\_\_\_ and \_\_\_\_\_ for recommendation;  
4 thereafter the said committee reported favorably on said ordinance on the \_\_\_\_ day of  
5 \_\_\_\_\_, 2007, which was a \_\_\_\_\_ meeting of said Council; that at said  
6 \_\_\_\_\_ meeting, the proposed ordinance was read by title to the City Council  
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": \_\_\_\_\_

9 VOTING "NAY": \_\_\_\_\_

10 ABSENT: \_\_\_\_\_

11

12 APPROVED:

13

14 By \_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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**FRANCHISE AGREEMENT**

between

**City of Las Vegas, Nevada**

and

**Nevada Power Company**

Effective February 1, 2007

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## FRANCHISE AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into by and between the City of Las Vegas, Nevada, a municipal corporation ("City"), and Nevada Power Company, a Nevada corporation ("Franchisee"), collectively, the "Parties." In consideration of the covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby covenant and agree as follows:

### Section 1. Definitions.

For the purposes of this Franchise Agreement, the following terms, phrases, words, and their derivations shall have the meanings set forth herein, unless the context clearly indicates that another meaning is intended. Words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive.

- (A) "Abandoned" means Franchisee's voluntary relinquishment or transfer of its Facilities to the City.
- (B) "Affiliate" means each person who falls into one or more of the following categories:
  - (1) Each person having, directly or indirectly, a controlling interest in Franchisee.
  - (2) Each person in which Franchisee has, directly or indirectly, a controlling interest.
  - (3) Each person that, directly or indirectly, is controlled by a third party which also directly or indirectly controls Franchisee.
  - (4) Affiliate shall in no event mean any creditor of Franchisee solely by virtue of its status as a creditor and which is not otherwise an affiliate by reason of owning a controlling interest in, being owned by, or being under common ownership, common management, or common control with, Franchisee.
- (C) "Business License" means the written authorization of the City to engage in the business for which the license was issued.
- (D) "City" means the City of Las Vegas, Nevada, a municipal corporation of the State of Nevada in its incorporated form or in any subsequent consolidated, reorganized, enlarged or reincorporated form.
- (E) "City Council" means the elected governing body of the City.
- (F) "City Manager" means the person appointed by the City Council to perform such administrative functions of the City government as may be required of him or her by the City Council or City Charter, or his or her designee.

- (G) "Code" or "City Code" means the Las Vegas Municipal Code as amended from time to time.
- (H) "CPI-U" means the Consumer Price Index, All Urban Consumers, U.S. City Average, as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C.
- (I) "Director" means the Director of the Public Works Department of the City, or any successor department, or his or her designee.
- (J) "Easement" means an interest in and the right to use the real property of another, but not including licenses or leases.
- (K) "Electrical Service" or "Electricity Service" means the provision, sale, distribution or transmission of electric energy and power in the Franchise Area over or through Electrical Distribution System Facilities located in the City's Rights-of-Way.
- (L) "Electrical Distribution System" or "System" means any Facilities in the Rights-of-Way, in whole or in part used to provide Electrical Service.
- (M) "Emergency" means those conditions which are not in the control of Franchisee, including, but not limited to, natural disasters, civil disturbance and severe weather.
- (N) "Facility" or "Facilities" means, collectively, any and all electric transmission and distribution systems used or useful in the transmission and distribution of electrical light, heat and power, including but not limited to poles, wires, lines, conduits, ducts, cables, braces, guys, anchors and vaults, transformers, generators, switches, meter-reading devices, fixtures, studs, platforms, crossbars, manholes, cutouts, communication circuits, appliances, attachments, appurtenances and any other property to be located in, upon, along, across, under or over the City's Rights-of-Way.
- (O) "Franchise" means the nonexclusive privilege granted by the City to Franchisee to construct, operate and maintain its Electrical Distribution System in the City's Rights-of-Way.
- (P) "Franchise Agreement" or "Agreement" means this agreement.
- (Q) "Franchise Area" means the area within the jurisdictional boundaries of the City and any area annexed by the City during the term of this Agreement.
- (R) "Franchisee" means Nevada Power Company and its lawful successors or assigns.
- (S) "Gross Revenue" means all cash, credits, property or other consideration of any kind or nature arising from, attributable to, or in any way derived directly or



indirectly by Franchisee or its affiliates from the operation of Franchisee's Electrical Distribution System in the City. Gross Revenue shall include by illustration and not limitation all revenue received by Franchisee from customers within the Franchise Area from charges, however denominated, for the following:

- (1) Sales of electric energy to customers;
- (2) Facility Charges Max Demand;
- (3) Electric Adjustments;
- (4) Facility Charge – Customer Specific Flat – LGS-XP;
- (5) Facility Charge – Maintenance – LGS-XT;
- (6) Broken Meter Charge;
- (7) Broken Seal Charge;
- (8) Connection Charge;
- (9) Charges by Meter Validity (Meter Tampering);
- (10) Facility Charge – Customer Specific Flat – (LGS-3P);
- (11) Gold Band Charge;
- (12) Facility Charge – Maintenance – LGS-1;
- (13) Facility Charge – Maintenance – LGS-2P;
- (14) Reconnect Charges;
- (15) Remote Meter Charge;
- (16) Returned Check Charge: and
- (17) Same Day Service Charge.

Gross Revenue shall also include by illustration and not limitation all revenue received for Franchisee's transmission and distribution of electrical energy generated by others for sale within the Franchise Area. Gross Revenue shall not include: (a) any revenue or charges by Franchisee for transmission of electrical energy to customers outside of the Franchise Area; (b) any bad debt; provided, however, that any portion of such debt which is written off but subsequently collected shall be included in Gross Revenue in the period collected; or (c) any taxes on services furnished by Franchisee that are imposed directly on any customer or user by the State, the City or other governmental entity and which are collected by Franchisee on behalf of said governmental unit.

- (T) "JPA" means the Joint Pole Agreement made between Nevada Power Company and Central Telephone Company–Nevada, dated June 1, 1964, as amended, which establishes pole ownership, operating practices and use.
- (U) "NRS" means the Nevada Revised Statutes.
- (V) "Person" means a natural person or any form of business or social organization, including but not limited to the estate of a natural person, a corporation, limited-liability company, partnership, association, trust, or any other form of legal entity.
- (W) "Public Improvement" means any improvements for roadways and pavements, sidewalks, curbs and gutters, landscaping, street lights, foundations, poles and traffic signal conduits, water mains, sanitary and storm sewers, tunnels, subways, people movers, viaducts, bridges, underpasses, overpasses, public buildings or



public structures, or other public installations or improvements which are to be used by the general public.

- (X) "Public Utilities Commission" or "PUCN" means the Public Utilities Commission of the State of Nevada, and its predecessors and successors.
- (Y) "Rights-of-Way" means the surface of, and the space above and below, any and all public highways, streets, roads, alleys, avenues, tunnels, parkways, and Easements granted to the City (including Easements created or reserved in favor of the City for any road and public utility purposes in any patent granted by the United States of America, or in any other recorded map, plat or recorded document), as the same now or may hereafter exist within the City, including State highways now or hereafter established within the City to whatever extent the City may have jurisdiction to authorize the use of same for the purposes herein specified.
- (Z) "Transfer" or "Assignment" means any transaction in which: (1) any ownership or other right, title or interest of more than 5% in Franchisee or its Facilities is transferred, sold, assigned, leased or sublet, directly or indirectly, in whole or in part; (2) there is any change or transfer of control of Franchisee or its Facilities; (3) the rights and/or obligations held by Franchisee under this Agreement are transferred, directly or indirectly, to another party; or (4) any change or substitution occurs in the managing general partners of Franchisee, if applicable. A "transfer" or "assignment" shall not include a mortgage, pledge or other encumbrance as security for money owed.

## **Section 2. Term.**

This Agreement shall commence on the first day of February, 2007 ("Effective Date"), and shall supersede all prior franchise agreements between the parties, including the parties' Franchise Agreement dated November 14, 1979 and the Renewal of Franchise Agreement dated November 3, 2004. This Agreement shall continue in full force and effect through January 31, 2025, or until this Agreement shall be terminated for noncompliance by Franchisee with the terms and conditions imposed herein, or with such reasonable restrictions, limitations and regulations as the City Council may from time to time impose by ordinance, or until the State of Nevada or other public corporation duly authorized shall purchase, by voluntary agreement or under the power of eminent domain, all property actually used and useful in the exercise of the Franchise situated within the City, or until Franchisee shall permit its corporate existence to expire without renewal, whichever of the foregoing shall first occur. The Franchise shall not terminate solely by reason of a merger, sale or other consolidation if the PUCN approves such merger, sale or other consolidation and a successor to Franchisee assumes the obligations of Franchisee hereunder.

## **Section 3. Non-Exclusivity.**

- 3.1 NON-EXCLUSIVE GRANT OF FRANCHISE. The Franchise granted by this Agreement is not exclusive, and the City hereby reserves the right, power, and

authority to grant similar rights, privileges, permission and authority to any person at any time.

- 3.2 CITY OWNERSHIP OF ELECTRICAL DISTRIBUTION SYSTEM.** The City reserves the right to acquire, including the property of Franchisee, construct, own, operate and maintain an Electrical Distribution System to serve all or any portion of the City at any time during the term of this Agreement, and to fully exercise such right in accordance with applicable law.

**Section 4. Grant of Franchise.**

- 4.1 FRANCHISE.** Subject to the terms and conditions of this Agreement and applicable City ordinances, the City hereby grants Franchisee the right to own, construct, operate, maintain, upgrade, and repair an Electrical Distribution System along the Rights-of-Way within the Franchise Area, for the sole purpose of providing Electrical Service for which it holds a certificate of public convenience and necessity issued by the PUCN.
- 4.2 USE OF SYSTEM.** Franchisee is authorized to allow a third party, including affiliates, to use capacity on its Electrical Distribution System for use in providing electrical service.

**Section 5. Limitations on Grant of Franchise.**

- 5.1 ELECTRICAL USE ONLY.** Nothing contained in this Agreement shall be construed as authorizing Franchisee to use, or permit the use of, any portion of its Electrical Distribution System for any purpose other than those reasonably necessary for the transmission or distribution of Electrical Service, including Facilities necessary for intra-Company communications, unless prior written approval is obtained from the City.
- 5.2 SHARED USE OF RIGHTS-OF-WAY.** The right of Franchisee to maintain Facilities in the Rights-of-Way pursuant to this Agreement and the City Code shall be equal to similar rights of other utilities, except that earlier-installed facilities shall have a prior right to occupy the necessary and reasonable amount of space in the Rights-of-Way.
- 5.3 PRIVILEGE/EXEMPTION.** No privilege or exemption is granted by or to be inferred from this Agreement except those specifically described herein.
- 5.4 FRANCHISEE'S ACQUISITION OF PROPERTY RIGHTS.** Franchisee shall not acquire as a result of the location of its Facilities in any existing or proposed Rights-of-Way, even though such location was approved by the City, any vested right or interest in any particular Rights-of-Way location by virtue of the Franchise.

## **5.5 AMERICANS WITH DISABILITIES ACT ("ADA").**

- (a) Facilities installed in the Rights-of-Way during the term of this Agreement, or Facilities in the Rights-of-Way which are altered such that application of the ADA is triggered, shall comply with the requirements of the ADA.
- (b) With respect to existing Facilities located in Rights-of-Way which prevent disabled persons' use of and access to buildings, structures, facilities, sidewalks, streets, alleys or other paths of travel in violation of the requirements of the ADA, the Franchisee shall correct such violations in good faith, up to an annual maximum of \$100,000, which amount shall escalate annually in accordance with the CPI-U, during the term of the Agreement so long as access barriers caused by the Facilities remain ("ADA Fund").
- (c) Franchisee will meet periodically with the City to coordinate and establish plans and time frames for removal of access barriers caused by the Facilities, with priority given to more serious access barriers. Further, within thirty (30) days of the Franchisee's receipt of a notice of a third-party complaint from the City or others identifying Facilities that may cause access barriers in violation of the ADA, the Parties shall meet to review the complaint and determine an appropriate response and required repair, if any. If repair is required, the Parties shall establish plans and time frames for the repair. Franchisee's scope of work shall consist of removal and or relocation of Facilities, and the ADA Fund shall be limited to the costs to accomplish such work, including costs to acquire Easements for relocated Facilities, if necessary. The City's underground utility installations provisions, Chapter 13.52 of the City Code, shall not apply to repairs performed pursuant to this Section.
- (d) Notwithstanding the Parties' efforts to eliminate access barriers in the City, Franchisee does not assume the City's duties and obligations under the ADA, and nothing in this Agreement shall be deemed by the Parties to modify the Franchisee's obligations with regard to its Facilities under the ADA.

## **Section 6. Franchisee's Use of City Property.**

### **6.1 FRANCHISEE'S FUTURE ATTACHMENTS TO CITY PROPERTY.**

The Franchise granted herein does not authorize Franchisee to attach any part of its Facilities to City property located within or outside of the Rights-of-Way until and unless Franchisee has entered into a separate written agreement (herein "Master Attachment Agreement") with the City for the rights of attachment and use. When such Master Attachment Agreement is effective for any particular City Property, such Master Attachment Agreement shall supersede the provisions of this Section 6 concerning Franchisee's attachments to and use of the particular City property. Nothing in this Agreement obligates the City to approve



Franchisee's attachments to any use of any particular City property, and the City may, in its sole discretion, withhold its consent to any such proposed attachments and use.

- 6.2 FRANCHISEE'S PRIOR ATTACHMENTS TO CITY PROPERTY.** Franchisee acknowledges that, prior to the Effective Date of this Agreement, it has attached some of its Facilities to City property without separate written agreements with the City authorizing the attachments to and use of such property. No later than six months after the Effective Date of this Agreement, Franchisee shall provide the City a list of all City-owned, known facilities to which Facilities are attached. Franchisee shall notify the City of additional attachments to City facilities within a reasonable amount of time, as it becomes aware of them throughout the course of Franchisee's normal operations, but no less than semiannually.
- 6.3 MASTER ATTACHMENT AGREEMENT.** No later than twelve months after the Effective Date of this Agreement, Franchisee shall either enter into a Master Attachment Agreement with the City for its attachments to and use of each particular City property or, if no such agreement is reached for a particular City property, remove such attachment at its own expense. Newly discovered attachments reported after the initial execution of the Master Agreement pursuant to Subsection 6.2 shall either be subject to the Master Attachment Agreement or removed at Franchisee's expense. Franchisee shall promptly repair and restore any City property from which one of Franchisee's attachments has been removed to as good condition as the City's property was in prior to the attachment.
- 6.4 NO RETROACTIVE EFFECT OF FEE REQUIREMENTS.** City may charge the Franchisee an administrative fee for the purpose of reviewing an application and inspecting the installation. Nothing in this Section 6 shall require Franchisee to pay any attachment, rental, or other fees to the City for attachments to and the use of City property prior to the Effective Date or during the term of this Agreement.
- 6.5 INDEMNIFICATION OBLIGATIONS.** Franchisee acknowledges that its indemnification obligations under Section 23 of this Agreement extend to any and all claims or liabilities of whatever nature arising out of Franchisee's attachments to or use of City property.

**Section 7. Third-Party Attachment to Franchisee's Facilities; Undergrounding; Pole Ownership.**

- 7.1 PRIOR AUTHORIZATION BY CITY REQUIRED FOR ATTACHMENT TO FRANCHISEE'S FACILITIES BY THIRD-PARTY.** Franchisee shall not allow the attachment to any of its Facilities in the Rights-of-Way by a third party unless the third party is authorized by the City, as follows: 1) Upon a third party's initial request to enter into an attachment agreement, Franchisee shall notify City in writing of the name and address of such third party. 2) Upon verification by City that said third party is duly licensed, franchised or otherwise permitted to occupy the Rights-of-Way, or if no response is provided by City within 45 days after Franchisee's notification to City, Franchisee may permit such third party to attach

its facilities to Franchisee's Facilities within the Rights-of-Way. 3) If the third party presents written confirmation from the City of its legal right to use the Rights-of-Way, including but not limited to an appropriate franchise agreement, rights-of-way agreement, license agreement or similar agreement between the City and the third party, Franchisee shall not be required to verify the third party's status with the City.

- 7.2 UNAUTHORIZED USE OF RIGHTS-OF-WAY / ENFORCEMENT.** Franchisee acknowledges that, notwithstanding any legal rights that a telecommunications provider, cable television provider or any other service provider may have to use the Franchisee's Facilities in Rights-of-Way, including pole attachments, the City retains a paramount interest in managing the Rights-of-Way. The City shall be solely responsible for enforcement of its permitting requirements as a result of a third party's use of Facilities. If Franchisee permits a third party to use its Facilities without satisfying the requirements of Subsection 7.1, it may be subject to a claim for liquidated damages pursuant to Section 22.
- 7.3 PERMISSION REQUIRED TO TRANSFER FRANCHISEE'S FACILITIES TO THIRD PARTY.** Franchisee shall not transfer ownership of any of its Facilities in the Rights-of-Way that are no longer used by Franchisee for purposes of providing Electrical Service to any third party without the express written consent of the Director, which consent may be withheld or conditioned in his or her sole discretion. Such restriction does not apply to Facilities transferred pursuant to the JPA when such transfer is made to provide for pole parity and a sharing of costs between the parties to that agreement, unless the transfer has the effect of avoiding the application of the City's underground utility installations provisions, Chapter 13.52 of the City Code, or Franchisee's obligations pursuant to Subsection 5.5.
- 7.4 UNDERGROUND REQUIREMENTS.** Whenever Franchisee intends to relocate and place underground any of its overhead Facilities which are in the Rights-of-Way, Franchisee shall, at the earliest date possible, provide written notice to the Director and to all third parties that have attached their own facilities to such overhead Facility of the anticipated relocation of the overhead Facility. Such notice shall include an estimated timetable for completion of the relocation and specify that all third-party attachments must be removed from the overhead Facilities no later than 30 days after Franchisee's Facilities are placed underground. Franchisee cannot transfer any ownership interest in its overhead Facility to any third party without the express written consent of the Director, which the Director may withhold or condition in his or her sole discretion, except that such restriction does not apply to Facilities, or portions thereof, transferred pursuant to the JPA, when such transfer is done to provide for pole parity and a sharing of costs between the parties to that agreement, unless the transfer has the effect of avoiding the application of the City's underground utility installations provisions, Chapter 13.52 of the City Code, or Franchisee's obligations pursuant to Subsection 5.5. As between the City and Franchisee, Franchisee shall remain responsible for all claims and liabilities of whatever nature related to the overhead Facility, excluding any claims caused solely by the overhead Facility remaining in

the Right-of-Way after properly noticed third parties have failed to remove their attachments therefrom, until such time as such Facility has been completely removed and the Rights-of-Way repaired and restored to the satisfaction of the Director, or until such time as ownership of the overhead Facility has been transferred to a third party with the Director's consent. If Franchisee has provided required notices to other users, Franchisee shall not be liable for liquidated damages, fines, or other penalties to City as a result of other users' failure to remove their attachments from the overhead Facilities, but Franchisee shall continue its good faith efforts to have the third-party attachments removed in order to fully implement the undergrounding requirements.

- 7.5** **AGREEMENTS PERTAINING TO THIRD PARTY'S USE OF FRANCHISEE'S FACILITIES.** Franchisee shall, upon request, promptly provide the City with a list of all third parties currently authorized to use any of Franchisee's Facilities in the Rights-of-Way and with copies of all pole attachment agreements or similar agreements concerning the use of Franchisee's Facilities by third parties.

**Section 8. Quality of Use; Construction; Maintenance; Expansion; Reconstruction.**

- 8.1** **WORKMANLIKE MANNER.** Franchisee agrees that all of its Electrical Distribution System within the City shall be installed, used and maintained in a good, workmanlike manner and in accordance with good engineering practices, and in compliance with all applicable laws, ordinances, rules and regulations of the United States, the State of Nevada, and the City from time to time in effect, including but not limited to applicable portions of the National Electrical Safety Code, all applicable City Code provisions and the "Uniform Standard Specifications for Off-Site Construction, Clark County Area."
- 8.2** **SAFETY AND QUIET ENJOYMENT OF PROPERTY.** Franchisee agrees that the installation, use, and maintenance of its Electrical Distribution System, including, but not limited to, all poles and power lines shall be attached and secured, or otherwise constructed and maintained, in such a manner as to avoid unreasonable danger to persons and property and as to cause minimum interference with the proper use of public roads or with any reasonable use and enjoyment of adjacent property by owners.
- 8.3** **INTERFERENCE WITH CITY FACILITIES.** The installation, use and maintenance of Franchisee's Electrical Distribution System within the Rights-of-Way shall be in a manner so as not to interfere with the placement, construction, use and maintenance of City street lighting, water pipes, drains, sewers, traffic signal systems or other City systems that have been, or may be, authorized by the City Council, City Manager or Director, or the City Council acting as the governing body of any special district or entity, now or hereafter created for any purpose.
- 8.4** **PERMITS.** Prior to the installation, construction, reconstruction, replacement, extension or relocation of any portion of the Electrical Distribution System



authorized herein, Franchisee shall apply for and obtain from the City a permit. The City shall issue such permit to Franchisee on such conditions as are reasonable and necessary to ensure compliance with the terms and conditions of this Agreement.

- 8.5 NOTICE TO ADJOINING PROPERTIES.** Except in the case of an emergency, before commencing a project (for which Franchisee, or its contractor, has pulled the applicable permit) in Rights-of-Way upon which residential property is located or is abutting thereto, Franchisee shall notify such abutting residents at least two (2) days prior to the date that Franchisee proposes to commence construction. Notice shall be in writing by one of the following methods: in person, by posted notice on the Rights-of-Way where the proposed project is scheduled to be built (which notice is to be capable of being read by passing motorists), by door hanger, or by mail, with a description of the proposed project and the name of Franchisee and its telephone number.
- 8.6 RESTORATION OF RIGHTS-OF-WAY.** With respect to projects for which Franchisee, or its contractor, has pulled the applicable permit, Franchisee shall, at its own expense, after installation, construction, relocation, maintenance, removal or repair of any of Franchisee's Facilities within the Rights-of-Way, restore the surface of the Rights-of-Way and other City property which may be disturbed or damaged by such work, to at least the same condition as it was in immediately prior to any such work. The City shall have the final approval of the condition of the Rights-of-Way and any other City property after restoration pursuant to the provisions of applicable City Codes, ordinances, regulations standards and procedures, including the "Uniform Standard Specifications for Off-Site Construction, Clark County Area" as now exist or may be hereafter amended or suspended.
- 8.7 SURVEY MONUMENTS.** All survey monuments which are disturbed or displaced by Franchisee in its performance of any work under this Agreement shall be referenced and restored by Franchisee in accordance with all pertinent federal, state and local standards and specifications.

**Section 9. Work by Others; Abandonment of Rights-of-Way.**

- 9.1 CITY AND OTHER UTILITY PROVIDERS.** The City reserves the right to lay and permit to be laid, sewer, gas, water, electrical, telecommunications, cable television and other pipe lines or cables and conduits, and to do and permit to be done, any underground and overhead work, and any attachment, restructuring or changes in aerial facilities that the City Manager requires in, across, along, over or under any Rights-of-Way occupied by Franchisee, and to change any curb or sidewalk or the grade of any street. The City also reserves the right to lay, construct, erect, install, use, operate, repair, remove, relocate, re-grade, widen, realign or maintain any public roads or any surfaces or subsurface improvements. In allowing work to be performed, the City shall not be liable to Franchisee for any damages, except those caused by the willful misconduct of the City; provided, however, nothing herein shall relieve any other person or entity, including any

contractor, subcontractor, or agent of the City from liability for damages to Franchisee.

- 9.2 ADJACENT PROPERTY OWNERS / ABANDONMENT OF RIGHTS-OF-WAY.** In the event that during the term of this Agreement, the City authorizes abutting landowners to occupy space under the surface of any Rights-of-Way, such grant to an abutting landowner shall be subject to the rights herein granted to Franchisee. In the event that the City abandons a segment of the Rights-of-Way that contains a portion of Franchisee's Facilities, the City shall grant to Franchisee an easement for the Facilities to allow Franchisee to use, operate, maintain, upgrade, and repair such Facilities in the abandoned Rights-of-Way.

**Section 10. Undergrounding of Facilities.**

UNDERGROUNDING POLICY. Franchisee acknowledges that the City desires to promote a policy of undergrounding of Facilities within the Franchise Area. The City acknowledges that Franchisee provides electrical service on a non-preferential basis subject to and in accordance with applicable tariffs on file with the PUCN. Subject to and in accordance with such tariffs, Franchisee shall cooperate and participate with the City in the formulation of policy and development of an underground management plan with respect to Franchisee's aerial Facilities within the City.

**Section 11. Relocation of Facilities.**

- 11.1 REMOVAL OR RELOCATION OF FACILITIES BY FRANCHISEE.** Subject to Franchisee's rights set forth in the Franchise Agreement, including Subsection 11.12, upon written notice from the City, Franchisee shall, at its own expense, remove, relocate, or reconstruct any portion of its Facilities as reasonably necessary to accommodate the rights reserved by the City in the Franchise.
- 11.2 PERMITS FOR REMOVAL OF FACILITIES.** Franchisee agrees to obtain a permit as required under Subsection 8.4, and to remove, relocate, or reconstruct said Facilities as provided herein. To the extent that relocation is required by the City for a City project, the City shall waive the permit fee.
- 11.3 NOTICE TO RELOCATE / FRANCHISEE'S ACKNOWLEDGMENT OF NOTICE TO RELOCATE / DESIGNATION OF NEW LOCATION.**
- (a) Upon initiation of a new public improvement project ("Improvement"), the City shall notify the Franchisee in a timely manner of the general scope of the Improvement and requirement to reconstruct, remove or relocate its Facilities ("Notice"). The Notice shall include the plans ("Plans") for the Improvement, including, but not limited to (as applicable) grading (current and future grades), channel and storm drainage, utility (current and future utility locations and depths), trails, bridge and wall, and other designs and construction plans for the Improvement. Within thirty (30) days after receiving the Notice and the Plans, the Franchisee shall meet with the City and establish a time schedule ("Schedule"), mutually agreeable to the

Parties, reasonable in the circumstances given the nature and scope of the work required for removal or relocation of said Facilities and based on standard practices in the construction industry. To the extent that the Plans require the relocation of critical Facilities, Franchisee may not be required to relocate such Facilities from June 1 to September 30, in Franchisee's sole discretion. Notwithstanding the foregoing, in order to expedite the completion of the relocation work, Franchisee shall in good faith perform such portions of the relocation work not affecting the reliability or safety of the critical Facilities and which work may reasonably be accomplished without materially increasing Franchisee's costs.

- (b) The Schedule shall be reduced to writing by the City with the Franchisee to receive a copy in accordance with this Section. If Franchisee identifies a recommended location for its relocated Facilities within the Rights-of-Way, the Director shall provide that location or a reasonable alternate location within the Rights-of-Way, if sufficient space is available.
- (c) To assist the City in scheduling the timing of the Improvement work and the potential effect of Franchisee's relocation work, the City will deliver to Franchisee project information equivalent in detail to thirty percent (30%) or more of final design for the Improvement. Within thirty (30) days of receipt of such information, Franchisee will notify the City of critical Facilities located in the area of the Improvement that might be affected by such work. For purposes of Subsection 11.3, "critical Facilities" shall mean: "(i) transmission Facilities and (ii) certain feeder distribution Facilities which, in the reasonable professional judgment of Franchisee, may suffer compromised reliability or safety if relocated during periods of peak loads that occur during summer months."

#### **11.4 Intentionally Omitted.**

- 11.5 REVISION IN SCOPE OF WORK / EXTENSION OF TIME / APPEAL OF EXTENSION DENIAL.** If, following the delivery of the Plans for an Improvement in equivalent to one-hundred percent (100%) of final design, there is a substantial change in the scope of the relocation work related to the Improvement, or other circumstances beyond the control and without the fault or negligence of Franchisee, including, but not limited to, changes in elevation or changes affecting Rights-of-Way alignment and widths of alignment, the City shall notify Franchisee of the substantial changes. Based on the substantial changes, Franchisee may seek an extension of the Schedule by written application submitted to the Director along with relevant supporting information. The Director shall grant such request if he or she determines additional time is required due to circumstances beyond the control and without the fault or negligence of Franchisee, such as: (1) changes or revisions in the Plans which alter the relocation work subsequent to delivery of the Plans, (2) changes in required equipment or supplies or the delays in the delivery of such equipment and supplies, (3) changes in the scope of the relocation work that must be



completed, (4) the failure by others to timely complete work that must be completed as a pre-condition for Franchisee to complete its relocation work, (5) the inability to use Rights-of-Way or to secure necessary Easements for the relocated Facilities, and (6) interference by others with Franchisee's relocation work. If the request for extension of time is denied, Franchisee may appeal the denial to the City Council by notice to the City Manager within fourteen (14) days from the receipt of notice of denial. The decision of the City Council shall be final.

- 11.6 EMERGENCY RELOCATION / COST / CONTACT NUMBER.** In the event an emergency posing a threat to public safety or welfare requires the relocation of Franchisee's Facilities, the City shall give Franchisee notice of the emergency as soon as reasonably practicable. Upon receipt of such notice from the City, Franchisee shall, at its own expense, respond as soon as reasonably practicable to relocate the affected Facilities. Franchisee shall at all times keep the City informed of Franchisee's contact persons for emergencies and their telephone numbers where they can be reached twenty-four (24) hours a day.
- 11.7 THIRD PARTY REQUEST.** Whenever any third party requires the relocation of Franchisee's Facilities to accommodate work of such third party within the Franchise Area, including requests by the City on behalf of or for the benefit of such third party, Franchisee shall have the right as a condition of any such relocation to require payment by such third party to Franchisee, at times and upon terms acceptable to Franchisee, for any and all costs and expenses incurred by Franchisee in the relocation of the Facilities.
- 11.8 MANDATORY RELOCATION UPON THIRD PARTY REQUEST.** Any condition or requirement imposed by the City upon any third party (including, without limitation, any condition or requirement imposed pursuant to any contract or in conjunction with approvals or permits obtained pursuant to any zoning, land use, construction or other development regulation) which requires the relocation of Franchisee's Facilities shall be a condition or requirement causing relocation of Franchisee's Facilities to occur in accordance with the provisions of Subsection 11.7 above.
- 11.9 REMOVAL OF FACILITIES BY CITY / DAMAGES.** If Franchisee fails to remove or relocate its Facilities as required by this Section, the City may remove or relocate said Facilities and charge the cost of removal or relocation to Franchisee. The City will not be held liable for any losses or damages resulting from the City's removal or relocation of such Facilities. In addition to any other remedy for damages provided in this Agreement, the City may recover from Franchisee actual third-party damages incurred by the City if Franchisee fails to complete the reconstruction, removal or relocation of its Facilities within the time schedule established pursuant to this Section 11.
- 11.10 COOPERATION.** The City and Franchisee will cooperate on the planning for the relocation and selection of a new location for any of Franchisee's Facilities to minimize the cost of such relocation.

- 11.11 TEMPORARY REMOVAL / RELOCATION.** If applicable, Franchisee shall, on request of any person holding a permit to move a building, temporarily raise or lower its wires or cables to permit the movement of the building. The expense of temporary removal or raising or lowering of wires and cables shall be paid by the person requesting the same, and Franchisee shall have the authority to require such payment in advance. Franchisee shall be given at least thirty (30) days advance written notice to arrange for such temporary removal or relocation.
- 11.12 PRIOR RIGHTS OF FRANCHISEE.** Notwithstanding any other provision of this Agreement to the contrary, if the City requires Franchisee to relocate any Facilities that are located in the Rights-of-Way and (1) the Franchisee holds an Easement on which such Facilities are located, such as but not limited to an Easement or a patent for utility use granted by the United States Bureau of Land Management; or (2) the Facilities were installed in such location prior to the time at which such location was dedicated to or otherwise acquired by the City as Rights-of-Way, the City shall be responsible for Franchisee's actual costs of relocating such Facilities pursuant to this Section 11. Franchisee shall not be required to relocate such Facilities until such time as the City Council has approved the expenditures for such relocation. Furthermore, in the event such Facilities are located on an Easement held by Franchisee, the City shall grant Franchisee a replacement Easement within the Rights-of-Way or acquire on Franchisee's behalf a replacement Easement outside the Rights-of-Way in the event there is not space within the Rights-of-Way for relocation. If the Facilities are not located on an Easement held by Franchisee, the City shall not be required to grant or acquire a replacement Easement on behalf of Franchisee as a condition of Franchisee's relocation pursuant to this Section 11. If the City requires that Franchisee relinquish an Easement it holds in the Rights-of-Way which does not have Franchisee's Facilities located thereon, Franchisee shall not be required to relinquish such Easement until the City has either granted Franchisee a replacement Easement within the Rights-of-Way or has compensated Franchisee for its Easement. All other provisions of this Section 11 shall apply to Franchisee's work in performing the relocation of any Facilities covered by this Subsection 11.12.
- 11.13 STATE CONTRIBUTIONS.** Nothing in this Agreement shall be construed as to prohibit or restrict payment to Franchisee from the State of Nevada for relocation of all or any portion of Franchisee's Electrical Distribution System pursuant to the provisions of NRS 408.407.
- 11.14 PUCN TARIFFS.** The Parties acknowledge and agree that this Agreement does not abrogate or modify the Parties' responsibility to comply with applicable PUCN tariffs with respect to services provided by Franchisee to the City.

**Section 12. City's Use of Facilities.**

- 12.1 JOINT USE AGREEMENT.** During the term of this Agreement, and with respect to poles that are owned by Franchisee (in whole or part), the City may, subject to



the Franchisee's prior written consent, which shall not be unreasonably withheld, install and maintain City-owned, street lights, communications equipment, wires and/or fiber. The City's use of such wires or fibers shall be for noncommercial municipal lighting or communications purposes and such use will be administered under a joint facilities use agreement between Franchisee and the City.

- 12.2. INSTALLATION / MAINTENANCE.** Installation and maintenance shall be done by the City at its sole risk and expense, in accordance with all applicable laws, and subject to such reasonable requirements as Franchisee may specify from time to time including, without limitation, requirements accommodating Franchisee's Facilities or the facilities of other parties having the right to use Franchisee's Facilities.
- 12.3 LIABILITY / DAMAGES.** Except in the event of willful misconduct by Franchisee, Franchisee shall have no obligation arising under the indemnity and insurance provisions of this Agreement as to any circumstances directly or indirectly caused by or related to such City-owned lighting or communications equipment, wires and/or fiber or the installation or maintenance thereof.
- 12.4 COST / FEES.** Franchisee shall not bear any cost or expense in connection with any such installation and/or maintenance by the City. Franchisee may charge the City an administrative fee for the purpose of reviewing an application and inspecting the installation, but shall not charge the City any attachment, rental, or other fees for the use of Franchisee's poles.

**Section 13. Coordination; Shared Excavations.**

- 13.1 COORDINATION.** Franchisee and the City shall exercise reasonable efforts to coordinate any construction work that either may undertake within the Franchise Area so as to promote the orderly and expeditious performance and completion of such work as a whole. Such efforts shall include, at a minimum, reasonable and diligent efforts to keep the other party and other utilities within the Franchise Area informed of its intent to undertake such construction work. Franchisee and the City shall further exercise reasonable efforts to minimize any delay or hindrance to any construction work undertaken by the other party or other utilities within the Franchise Area.
- 13.2 SHARED EXCAVATIONS.** If either Franchisee or the City shall cause excavations to be made within the Franchise Area, the party causing such excavation to be made shall afford the other, upon receipt of a written request to do so, an opportunity to use such excavation, provided that: (1) such joint use shall not delay the work of the party causing the excavation to be made; and (2) such joint use shall be arranged and accomplished on terms and conditions satisfactory to both parties.

**Section 14. Business License.**

Franchisee shall maintain a valid, unexpired business license and pay all applicable business license fees in accordance with the City Code during the entire term of this Agreement.

**Section 15. Franchise Fee In Lieu of Business License Fee.**

If the business license fee provisions of the City Code relative to Franchisee are repealed or declared invalid by a court of competent jurisdiction during the term of this Agreement, Franchisee agrees as compensation for the use of the Rights-of-Way to pay the City a franchise fee. The franchise fee shall be five percent (5%) of Franchisee's Gross Revenue as defined in this Agreement.

**Section 16. Conflicts between City Code and Agreement.**

This Agreement hereby incorporates all applicable provisions of the City Code. Any conflict between the provisions of this Agreement and the City Code, except as otherwise provided in this Agreement, shall be resolved in favor of the provisions of the City Code. The City represents that it is unaware of any conflicts between this Agreement and the City Code.

**Section 17. Public Records.**

**17.1 ACKNOWLEDGMENT OF PUBLIC RECORDS LAW.** Franchisee acknowledges that information submitted to the City is open to public inspection and copying under Nevada Public Record Law, Chapter 239 of the Nevada Revised Statutes.

**17.2 IDENTIFYING CONFIDENTIAL RECORDS.** Franchisee may identify information, such as trade secrets, proprietary financial records, customer information or technical information, submitted to the City as confidential. Franchisee shall prominently mark any information for which it claims confidentiality with the word "Confidential" on each page of such information prior to submitting such information to the City. The City shall treat any information so marked as confidential until the City receives any request for disclosure of such information. Within five (5) working days of receiving any such request, the City shall provide Franchisee with written notice of the request, including a copy of the request. Franchisee shall have five (5) working days within which to provide a written response to the City before the City may disclose any of the requested confidential information. The City retains the final discretion to determine whether to release the requested confidential information, in accordance with applicable laws.

**Section 18. Records of Installation and Planning.**

**18.1 POTENTIAL IMPROVEMENTS.** Upon the City's reasonable request, Franchisee shall provide to the City copies of any plans prepared by Franchisee for potential improvements, relocations and conversions of its Facilities within the Franchise Area; provided, however, any such plans so submitted shall be for

informational purposes only and shall not obligate Franchisee to undertake any specific improvements within the Franchise Area.

- 18.2 "AS-BUILT" DRAWINGS.** The City may inspect Franchisee's drawings and maps at Franchisee's offices upon reasonable notice. At no cost to the City, Franchisee shall supply the City with a set of "as-built" drawings of its Facilities related to public works projects. Additional "as-built" drawings of other Facilities shall be provided to the City for its use as the Parties reasonably agree. The drawings shall be submitted in the Franchisee's standard format and may be delivered in either paper or electronic form at the discretion of the Franchisee. Such additional drawings remain the property of Franchisee and are to be held confidential for public safety and security concerns, are for the internal use of the City, and shall not be provided to third parties unless the third party is working for the City on related matters and the third party signs a confidentiality and non-disclosure agreement, subject to the requirements of public records disclosure laws.
- 18.3 LOCATION DRAWINGS.** Upon the City's request, Franchisee shall provide to the City copies of available drawings in use by Franchisee showing the location of its Facilities at specific locations within the Franchise Area. As to any such drawings so provided, Franchisee does not warrant the accuracy thereof and, to the extent the locations of Facilities are shown, such Facilities are shown in their approximate location.
- 18.4 VOLTAGE INFORMATION.** Upon the City's request, Franchisee shall provide to the City records, drawings and any other information reasonably requested by the City concerning the voltage capacities and usage of all of Franchisee's Facilities.
- 18.5 PUBLIC WORK PROJECTS.** Upon the City's request, in connection with the design of any public works project, Franchisee shall verify the location of its underground Facilities within the Franchise Area in accordance with the requirements of applicable law, and may, in the City's discretion, excavate (e.g. pothole) to locate such Facilities, at no expense to the City, except where required by PUCN tariffs. In the event Franchisee performs such excavation, the City shall not require any restoration of the disturbed area in excess of restoration to the same condition as existed immediately prior to the excavation.
- 18.6 USE OF DRAWINGS.** Any drawings and/or information concerning the location of Franchisee's Facilities provided by Franchisee shall be used by the City solely for management of the Franchise Area, exercising due care for Franchisee's safety and security concerns.
- 18.7 REQUIREMENT TO DISCLOSE LOCATION OF UTILITY FACILITIES.** Notwithstanding the foregoing, nothing in this Section 18 is intended (nor shall be construed) to relieve either party of its respective obligations arising under applicable law with respect to determining the location of utility facilities.



**Section 19. Service Interruption.**

Whenever it is necessary to shut off or interrupt services for the purposes of installing, maintaining, or using any of its Facilities, Franchisee shall do so at such time as will cause the least amount of inconvenience to its customers, and unless such interruption is unforeseen and immediately necessary, it shall comply with all requirements set by the PUCN regarding service interruptions, including, if applicable, notice to its customers.

**Section 20. Right of Acquisition.**

This Agreement shall not in any way or to any extent impair or affect the right of the City to acquire the property of Franchisee, either by purchase or through the exercise of eminent domain, and nothing herein contained shall be construed to contract away, modify, or abridge the City's right to exercise the power of eminent domain.

**Section 21. Transfers and Assignments.**

The following conditions for transfer or assignment of this Agreement and the Franchise shall apply:

- (A) Franchisee must give written notice to the City of its intent to sell, transfer, assign, lease or otherwise dispose of, in whole or in part, voluntary or involuntary, any of the rights, privileges, permission, or authority granted pursuant to the provisions of this Agreement.
- (B) The intended buyer, transferee, assignee or lessee must hold a valid, unexpired City business license and furnish the same information required of other franchise applicants pursuant to the City Charter and City Code.
- (C) If Franchisee holds a certificate of convenience and necessity issued by the PUCN, and transfer or assignment of its certificate of public convenience and necessity has been approved by the PUCN, the Franchise may be transferred or assigned to the same person to whom the certificate of public convenience and necessity was transferred or assigned, or to such other person as approved by the PUCN, without the prior approval of the City Council, except that the transferee or assignee must obtain a valid City business license pursuant to the City Code within thirty (30) days of the transfer or assignment, and Franchisee and its transferee or assignee must provide a notarized document to the City Manager acknowledging the transfer or assignment and the assumption by the transferee or assignee of all terms and conditions of this Agreement, including all obligations and/or defaults under this Agreement occurring prior to the transfer (whether known or unknown), signed by Franchisee's and its transferee's or assignee's respective officers duly authorized to do so, on a form approved by the City Manager.

**Section 22. Violation; Default; Remedies; Liquidated Damages.**

- 22.1 VIOLATION.** This Franchise is granted upon each and every condition herein, and each of the conditions is a material and essential condition to the granting of this Franchise. Except for causes beyond the reasonable control of Franchisee, if Franchisee fails to comply with any of the conditions and obligations imposed hereunder the City shall deliver to Franchisee a reasonably detailed written notice describing the violation on the part of the Franchisee. If Franchisee fails to correct such defect within thirty (30) days, the City shall have the right to terminate this Agreement, in addition to any other rights or remedies set forth in this Agreement or provided by law.
- 22.2 CONDITIONS BEYOND REASONABLE CONTROL OF FRANCHISEE.** If the nature of the violation is such that it cannot be fully cured within thirty (30) days, the period of time for Franchisee to cure the violation is extended for such additional time reasonably necessary to complete the cure, provided that: (1) Franchisee promptly begins its efforts to cure, and (2) Franchisee diligently pursues its efforts to cure.
- 22.3 LIQUIDATED DAMAGES.** If a violation has not been cured within the time allowed under Subsections 22.1 or 22.2, Franchisee shall be liable for liquidated damages as follows:
- (a) Failure to comply with the City's requirements concerning the usage of the City's Rights-of-Way: FIVE HUNDRED DOLLARS (\$500.00) per day, and for each day such failure continues.
  - (b) Failure to comply with any other provisions of this Agreement, including but not limited to failure to promptly provide data, documents, reports or information to the City, or to provide insurance or security for the performance of Franchisee's obligations hereunder: TWO HUNDRED AND FIFTY DOLLARS (\$250.00) per day, and for each day such failure continues.
- 22.4 NOT EXCLUSIVE REMEDY.** No provision in this Agreement made for the purpose of securing enforcement of the terms and conditions of this Agreement shall be deemed an exclusive remedy or to afford the exclusive procedure for the enforcement of said terms and conditions, but the remedies herein provided are deemed to be cumulative.
- 22.5 WAIVER.** The City reserves the right to waive any specific breach of the terms and conditions imposed by this Agreement, and such waiver shall not be deemed to be continuous with respect to any future breaches on the part of Franchisee.
- 22.6 DENIAL OF PERMITS.** When in default of this Agreement, Franchisee may be denied further encroachment, excavation or similar permits until such time as Franchisee comes in compliance.



**Section 23. Indemnification and Hold Harmless.**

- 23.1 INDEMNIFY / DEFEND / HOLD HARMLESS.** Franchisee, for itself and its agents, employees, subcontractors, and the agents and employees of any subcontractors, shall, at its own expense and throughout the term of this Agreement, indemnify, defend, and hold harmless the City, and any of its elected or appointed officers and employees, from any and all claims, demands, actions, damages, decrees, judgments, attorney fees, costs, and expenses which the City, or such elected or appointed officers or employees, may suffer, or which may be recovered from, or obtainable against the City, or such elected or appointed officers or employees, as a result of, by reason of, or arising out of the installation, use, or maintenance by Franchisee of its Electrical Distribution System, or the exercise by Franchisee of any or all of the rights, privileges, permission, and authority conferred herein, or as a result of any alleged act or omission on the part of Franchisee in performing or failing to perform any of its obligations under this Agreement. Franchisee is not, however, liable and is not required to indemnify or hold harmless the City for any damages caused by the negligence of any agents, servants and/or employees of the City.
- 23.2 RISKS ASSOCIATED WITH OPERATION OF FRANCHISEE'S FACILITIES / LIABILITY LIMITS.** Franchisee shall assume all risks in its operations of Facilities and shall be solely responsible and answerable for any and all injuries to persons or property arising out of the existence or performance of this Agreement. The amounts and types of required insurance coverages, as set forth in this Agreement, shall in no way be construed as limiting the scope of indemnity or liability set forth in this Section.
- 23.3 RECOURSE FOR LOSS.** Franchisee shall have no recourse whatsoever against the City for any loss, cost, expense, or damage arising out of the enforcement or lack of enforcement of any provision or requirement of the City Code or this Agreement.
- 23.4 DAMAGES RELATED TO UNTIMELY REMOVAL / RELOCATION.** Franchisee shall indemnify, hold harmless, and defend the City, its elected or appointed officers and employees from claims for damages asserted by third parties against the City, including but not limited to costs, expenses, fees, and the actual amount of damage asserted by third parties, arising from delays of reconstruction, removal, or relocation work of Franchisee, beyond the time period provided for completion of such work by this Agreement.
- 23.5 NOTICE OF CLAIM / TERMINATION OF CLAIM.** In the event a claim against Franchisee and the City is received first by the City, the City will promptly notify Franchisee of such claim. The parties will fully cooperate with each other in defense of such claim. The City will not settle or otherwise compromise any claim covered by Franchisee's indemnity without Franchisee's written consent. Any claim against the City which is covered by this Section which is settled or compromised by Franchisee shall contain written provisions in

such settlement or compromise terminating with prejudice such claim against the City.

**23.6** The following procedures shall apply to all claims for indemnification under this Section 23.

- (a) If the City receives notice of or otherwise has actual knowledge of a claim which it believes is within the scope of indemnification owed to it under this Section 23 by Franchisee, it shall by writing as soon as practicable:
  - (i) Inform the Franchisee of such claim;
  - (ii) Send to Franchisee a copy of all written materials the City has received asserting such claims; and
  - (iii) Notify Franchisee that either (1) the defense of such claims is being tendered to the Franchisee or (2) the City has elected to conduct its own defense for a reason set forth in Subsection 23.6 (e) below.
- (b) If the insurer under any applicable insurance policy accepts tender of defense, the Franchisee and the City shall cooperate in the defense as required by the insurance policy. If no defense is provided by insurers under potentially applicable insurance policies, then Subsections 23.6 (c), (d), (e) and (f) below shall apply.
- (c) If the defense is tendered to the Franchisee, it shall within 45 days of said tender deliver to the City a written notice stating that the Franchisee:
  - (i) Accepts the tender of defense and confirms that the claims are subject to full indemnification hereunder without any "reservation of rights" to deny or disclaim full indemnification thereafter;
  - (ii) Accepts the tender of defense but with a "reservation of rights" in whole or in part; or
  - (iii) Rejects the tender of defense if it reasonably determines it is not required to indemnify against the claims under this Section 23.

If such notice is not delivered within such 45 days, the tender of defense shall be deemed rejected.

- (d) If the City gives notice under Subsection 23.6 (a)(iii)(1) above, the Franchisee shall have the right to select legal counsel for the City, and the Franchisee shall otherwise control the defense of such claims, including settlement, and bear the fees and costs of defending and settling such claims. During such defense:

- (i) The Franchisee shall at the Franchisee's expense, fully and regularly inform the City of the progress of the defense and of any settlement discussions; and
  - (ii) The City shall, at the Franchisee's expense, (1) fully cooperate in said defense, (2) provide to the Franchisee all materials and access to personnel it requests as necessary for defense, preparation and trial and which or who are under the control of or reasonably available to the City, and (3) maintain the confidentiality of all communications between it and the Franchisee concerning such defense.
- (e) City shall be entitled to select its own legal counsel and otherwise control the defense of such claims if:
- (i) The defense is tendered to the Franchisee and it refuses the tender of defense, or fails to accept such tender within 45 days, or reserves any right to deny or disclaim such full indemnification thereafter; or
  - (ii) City, at the time it gives notice of the claims or at any time thereafter, reasonably determines that (1) a conflict exists between it and the Franchisee which prevents or potentially prevents the Franchisee from presenting a full and effective defense, (2) the Franchisee is otherwise not providing an effective defense in connection with the claims or (3) the Franchisee lacks the financial capacity to satisfy potential liability or to provide an effective defense.
  - (iii) City may assume its own defense pursuant to this Subsection 23.6 (e) by delivering to the Franchisee written notice of such election and the reasons therefor. A refusal of, or failure to accept, a tender of defense may be treated by City as claims against the Franchisee.
- (f) If City is entitled and elects to conduct its own defense pursuant hereto, all reasonable costs and expenses it incurs in investigating and defending claims for which it is entitled to indemnification hereunder shall be reimbursed by the Franchisee on a current basis. In the event the City is entitled to and elects to conduct its own defense, then it shall have the right to settle or compromise the claims with the Franchisee's prior written consent, which shall not be unreasonably withheld or delayed, or with approval of the court, and with the full benefit of the Franchisee's indemnity.

## **Section 24. Insurance.**

- 24.1 SECURING AND MAINTAINING INSURANCE.** Franchisee shall procure and maintain for the duration of the Franchise insurance against all claims for injuries

to persons or damages to property which may arise from or in connection with the exercise of the rights, privileges and authority granted hereunder to Franchisee, its agents, representatives or employees.

**24.2 PROOF OF INSURANCE / POLICY LIMITS.** Franchisee shall provide evidence of an insurance certificate, together with an endorsement naming the City, its elected and appointed officers and employees as additional insureds, to the City for its inspection prior to the commencement of any work or installation of any Facilities pursuant to this Agreement or not later than ten (10) days after approval of this Agreement by the City Council, whichever comes sooner, and such insurance certificate shall evidence the following minimum coverages:

- (a) General liability insurance, with minimum limits of FIVE MILLION DOLLARS (\$5,000,000.00) per occurrence, which includes coverage for products liability, completed operations, blanket contractual liability and broad form property damage, including but not limited to coverage for explosion, collapse and underground hazard;
- (b) Automobile liability insurance, with a minimum combined single limit occurrence of FIVE MILLION DOLLARS (\$5,000,000.00), and which includes coverage for non-owned and hired automobile liability. Automobile liability insurance may be included as part of the general liability insurance; and
- (c) Workers' compensation insurance in accordance with NRS Chapters 616A, 616B, 616C, 616D and 617.

**24.3 SINGLE PRIMARY / UMBRELLA POLICY.** The minimum limits may be provided for through a single primary insurance policy providing such coverage or through addition of an umbrella policy written in excess of the general liability and automobile liability policies.

**24.4 CERTIFICATE OF INSURANCE REQUIREMENTS.** Any certificate of insurance required by this Section 24 shall provide that:

"The described policies and coverages in this certificate will not be canceled or modified before the expiration date thereof, without the issuing company giving sixty (60) days written notice to the certificate holder and those named as additional insureds."

In the event of said cancellation, modification or intent not to renew, Franchisee shall obtain and furnish to the City evidence of replacement insurance policies meeting the requirements of this Section 24 by the cancellation or modification date.

**24.5 CLAIMS-MADE FORM.** If insurance coverage is obtained on a claims-made form, Franchisee shall provide proof of coverage for "prior acts" and proof of coverage for claims reported within two years of any occurrence.



**24.6 POLICY LIMIT INCREASES.** The insurance policy limits required by this Section 24 shall be adjusted every five (5) years after the Effective Date of this Agreement based upon the percentage of change in the CPI-U. Policy limits changes shall be effective as of July 1 following the fifth, tenth, and fifteenth anniversary dates of this Agreement, and shall be based upon the percentage change in the CPI-U for the preceding five calendar years.

**24.7 COMPLIANCE WITH STATE REQUIREMENTS.** All primary and excess insurance obtained for meeting the requirements of this Section 24 must be provided in compliance with NRS Title 57, and any commercial insurance carrier providing any required coverage must have an A.M. Best rating of A-VII or higher.

**Section 25. Security for Performance.**

**25.1 CASH DEPOSIT / PLEDGE OF CERTIFICATE OF DEPOSIT / LETTER OF CREDIT / PERFORMANCE BOND.** No later than ten (10) days after approval of this Agreement by the City Council, Franchisee, as security for compliance with the terms of this Agreement and applicable City Code provisions, shall provide security to the City in the form of either cash deposited with the City Manager, or an irrevocable pledge of certificate of deposit, an irrevocable letter of credit, or a performance bond, payable in each instance to the City, in an amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), to remain in full force and effect for the term of this Agreement, any or all of which may be claimed by the City as payment for fees, liquidated damages and penalties, and to recover losses resulting to the City from Franchisee's failure to perform its duties pursuant to this Agreement.

**25.2 BOND CONDITIONS.** If bonds are used to satisfy these security requirements, they shall be in accordance with the following:

- (a) All bonds shall, in addition to all other costs, provide for payment of reasonable attorneys' fees.
- (b) All bonds shall be issued by a surety company authorized to do business in the State of Nevada, and which is listed in the U.S. Department of the Treasury Fiscal Service (Department Circular 570, Current Revision): companies holding certificates of authority as acceptable sureties on federal bonds and as acceptable reinsuring companies.
- (c) Franchisee shall require the attorney-in-fact who executes the bonds on behalf of the surety to affix thereto a certified and current copy of his or her power of attorney.
- (d) All bonds shall guarantee the performance of all of Franchisee's obligations under this Agreement and all applicable laws.



**25.3 REPLENISH SECURITY.** If at any time the City draws upon such performance security, Franchisee shall within thirty (30) days of notice from the City replenish such performance security to the original minimum amount required by this Section 25.

**25.4 ADJUSTMENT OF BOND AMOUNT.** The bond amount required by this Section 25 shall be adjusted every five (5) years after the Effective Date of this Agreement based upon the percentage of change in the CPI-U. Bond amount changes shall be effective as of July 1 following the fifth, tenth, and fifteenth anniversary dates of this Agreement, and shall be based upon the percentage change in the CPI-U for the preceding five calendar years.

**Section 26. Accounts; Records; Reports; Investigations; Late Payment Penalty.**

**26.1 RECORD KEEPING.** Franchisee shall at all times maintain complete and accurate books of account and records regarding Franchisee and operation of its System, including, without limitation, chart of accounts, account summary detail, books of account and records adequate to enable Franchisee to demonstrate that at all times it has been in compliance with the Franchise Agreement. The City shall have the right to inspect, copy and audit the following at any time during normal business hours, and after giving reasonable advance notice of not less than fifteen (15) business days, at Franchisee's office in the greater Las Vegas Valley: all books, receipts, as-built maps, financial statements, contracts, records of requests for service, computer records, legends, or any other records used in the normal course of business and disks or other storage media and other like material which are appropriate in order to monitor compliance with the terms of this Agreement. This includes not only the books and records of Franchisee, but any books and records, to the extent such books or records relate to a larger system of Franchisee's affiliates, and upon a showing by the City that such affiliates' records are necessary to monitor compliance with this Agreement. Franchisee is responsible for collecting the information and producing it at the location specified above, and by accepting this Franchise it affirms that it can and will do so. Franchisee may request that the inspection take place at some other location, provided that: (1) Franchisee must make necessary arrangements for copying documents selected by the City after review; (2) Franchisee must pay all travel and additional copying expenses incurred by the City in inspecting those documents or having those documents inspected by its designee; (3) Franchisee shall maintain financial records that allow analysis and review of its Gross Revenue within the Franchise Area; and (4) access to Franchisee's records shall not be denied by Franchisee for any reason, including alleged proprietary information.

**26.2 GROSS REVENUE REPORTS.** Franchisee shall submit quarterly reports of Gross Revenue in such form as may be agreed to by City and Franchisee. Franchisee agrees to cooperate with City to develop such reporting forms in such formats as will provide the City with usable information regarding usage and revenue trends and patterns, and that do not require Franchisee to incur an unreasonable level of expenses to develop and implement.

- 26.3 RECORD RETENTION.** Franchisee shall maintain such records as required by NRS 364.210 and keep said records once an audit is commenced until completion of the audit.
- 26.4 RECORD REQUESTS BY CITY.** Franchisee shall provide records within fifteen (15) business days of a request by the City for production of the same unless the City agrees to additional time. Failure to provide records in a timely manner shall subject Franchisee to liquidated damages under Section 22. If any person other than Franchisee maintains records on Franchisee's behalf, Franchisee shall be responsible for making such records available to the City for auditing purposes pursuant to this Section.
- 26.5 AUDIT EXPENSE / ADDITIONAL PAYMENTS BASED ON AUDIT FINDINGS.** The City's audit expenses shall be borne by the City unless the audit discloses an underpayment in excess of five percent (5%) of the amount paid during the audit period, in which case the costs of the audit shall be borne by Franchisee as a cost incidental to the enforcement of the Franchise. The City may recompute any amounts determined to be payable under this Agreement based on this audit findings. Any additional amount due to the City shall be paid within thirty (30) days following written notice to Franchisee by the City, and such delinquent amount shall be subject to a penalty of 2% simple interest a month on the unpaid balance, computed from the date the fees were due. Penalties and interest shall not be included in the determination of responsibility for audit costs.
- 26.6 CITY'S REQUEST FOR ADDITIONAL INFORMATION.** The City may require such additional information, records, and documents from Franchisee from time to time as are appropriate and reasonable in order to monitor compliance with the terms of this Agreement.

**Section 27. Conservation.**

The City and Franchisee mutually recognize the desirability of and the benefits that accrue to the citizens of the City from the wise, efficient use of electrical energy. The City and Franchisee therefore agree to work cooperatively for greater energy efficiency within the City for City facilities and for the citizens of the City. Franchisee will work with the City to support the City's Green Building Program and to make available to the City all conservation, renewable energy, and distributed energy programs offered by Franchisee, subject to available budgets and on a non-preferential basis, for City facilities. The City will cooperatively work with Franchisee to promote the benefits of Franchisee's conservation, renewable energy, and distributed energy programs to the citizens of the City.

**Section 28. Severability.**

If any section, subsection, sentence, clause, phrase, or other portion of this Agreement is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the

remaining portions hereof, which other portions shall continue in full force and effect. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the parties and shall thereafter be binding on Franchisee and the City. If the terms of this Agreement are materially altered due to changes in or rulings regarding governing law, then the parties agree to negotiate in good faith to amend this Agreement so as to restore the original intent of Franchisee and City and preserve the benefits bargained for by each party.

**Section 29. No Third Party Beneficiary.**

It is not intended by any of the provisions of this Agreement to create for the public, or any member thereof, a third-party beneficiary right or remedy, or to authorize anyone to maintain a suit for personal injuries or property damage pursuant to the provisions of this Agreement. The duties, obligations, and responsibilities of the City with respect to third parties shall remain as imposed by Nevada law.

**Section 30. Effect of Compliance Inspections.**

Any inspections or subsequent approvals undertaken by the City pursuant to this Agreement are undertaken solely to ensure compliance with this Agreement and are not undertaken for the safety or other benefit of any individual or group of individuals as members of the public. Provisions of the City Code dealing with inspection or approval by the City do not expand the City's general law duties, nor does any inspection or approval by the City reduce or eliminate any liability of Franchisee.

**Section 31. Notice to the Parties.**

Unless otherwise expressly stated herein, all notices shall be in writing and shall be sufficiently given and served upon the other party by personal service or by registered or certified mail, return receipt requested, postage prepaid, and addressed as follows:

FRANCHISING AUTHORITY:

City of Las Vegas  
City Manager's Office  
400 Stewart Avenue, 8<sup>th</sup> Floor  
Las Vegas, NV 89101

With Copy to:

City of Las Vegas  
City Attorney's Office  
400 Stewart Avenue, 9<sup>th</sup> Floor  
Las Vegas, NV 89101

FRANCHISEE:

Nevada Power Company  
P. O. Box 98910  
Attn: Governmental Affairs MS29  
Las Vegas, Nevada 89151-0001



**Section 32. Force Majeure.**

The time within which Franchisee shall be required to perform any act under this Agreement shall be extended by a period of time equal to the number of days performance is delayed due to force majeure, and Franchisee shall not be subject to any penalty hereunder because of acts or failure to act due to force majeure. The term force majeure shall mean delays due to acts of God, fire, unavoidable casualty, construction delays due to weather, failure of suppliers, or for other similar causes beyond the control of Franchisee, but does not include civil disturbances.

**Section 33. Construction of Agreement.**

The terms and provisions of this Agreement shall not be construed strictly in favor of or against either party, regardless of which party drafted any of its provisions. This Agreement shall be construed in accordance with the fair meaning of its terms.

**Section 34. Regulation of Rates and Service.**

Franchisee shall maintain and operate its Facilities and render efficient service in accordance with the rates, rules, tariffs, and regulations prescribed by the PUCN.

**Section 35. Franchise Has No Monetary Value.**

The acceptance of the Franchise granted herein shall be deemed to be an arrangement on the part of Franchisee to place no monetary value upon the Franchise in the event that any property of Franchisee is obtained by the City through legal right of condemnation or by other legal means.

**Section 36. Law Governing.**

This Agreement and the Franchise granted herein will be governed by the laws of the State of Nevada with respect to both their interpretation and performance.

**Section 37. Binding Effect.**

All of the rights and obligations under this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted transferees and assigns.

**Section 38. Compliance with Federal, State and Local Laws / Police Power.**

Franchisee shall at all times comply with all applicable federal, state and local laws, rules and regulations, including all ordinances, rules or regulations adopted in the future by the City.



**Section 39. Transfer of Authority by City Council.**

Any right or power in, or duty impressed upon any officer or employee of the City by virtue of this Agreement shall be subject to transfer by the City Council to any other officer or employee of the City.

**Section 40. Section and Paragraph Headings.**

The headings of the sections and paragraphs of this Agreement are for convenience of reference only and are not intended to restrict, affect or be of any weight in the interpretation or construction of the provisions of such sections or paragraphs.

**Section 41. Survival of Provisions.**

All provisions, conditions and requirements of this Agreement that may be reasonably construed to survive the termination or expiration of this Agreement shall survive the termination or expiration of this Agreement, including, but not limited to, all of Franchisee's indemnification obligations under Section 23 of this Agreement.

**Section 42. Time of the Essence.**

The parties agree that time is of the essence with regard to the performance of Franchisee's obligations under this Agreement.

**Section 43. Gifts.**

No officer or employee of Franchisee shall offer to any officer or employee of the City, either directly or indirectly, any rebate, contribution, gift, money, service without charge, or other thing of value whatsoever, unless permitted by law and given with the consent and approval of the City, except where given for the use and benefit of the City. The provisions of this Section 43 requiring consent and approval of the City does not apply to campaign contributions.

**Section 44. Additional Representations and Warranties.**

In addition to the representations, warranties, and covenants of Franchisee to the City set forth elsewhere herein, Franchisee represents and warrants to the City and covenants and agrees (which representations, warranties, covenants and agreements shall not be affected or waived by any inspection or examinations made by or on behalf of the City) that as of the Effective Date of this Agreement:

- (A) Franchisee is a corporation duly organized, validly existing and in good standing under the laws of the State of Nevada and is duly authorized to do business in the State of Nevada and in the Franchise Area.
- (B) Franchisee is in substantial compliance with all laws, ordinances, decrees and governmental rules and regulations applicable to the System and has obtained all

government licenses, permits, and authorizations necessary for the operation and maintenance of the Facilities.

**Section 45. Disclosure of Principals.**

Pursuant to Resolution R-79-99 adopted by the City Council effective October 1, 1999, and amendments thereto by the City Council on November 17, 1999, Franchisee warrants that it has disclosed, on the form attached hereto as Exhibit A, all principals, including partners, of Franchisee, as well as all persons and entities holding more than 1% interest in Franchisee or any principal of Franchisee. If Franchisee, principals, or partners described above are required to provide disclosure under federal law (such as disclosure required by the Securities and Exchanges Commission (SEC) or the Employee Retirement Income Security Act ("ERISA")), and attaches current copies of such federal disclosures to Exhibit A, the requirement of this Section shall be satisfied. Throughout the term hereof, Franchisee shall within ten (10) days notify City in writing of any material change in the above disclosure. Copies of new federal disclosure filings shall also be sent to the City within ten (10) days of any such filing.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the Effective Date set forth in Section 2.

CITY OF LAS VEGAS, NEVADA,  
a municipal corporation,

by: \_\_\_\_\_  
Oscar B. Goodman, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form:

Samy C. Bettis 12-12-06  
Date

NEVADA POWER COMPANY,  
a Nevada corporation,

by: Jeff Ceccarelli  
Jeff Ceccarelli, Corporate Senior Vice  
President, Service Delivery and Operations

Approved as to form:

Darryl C. Brown 12/12/06  
Date

**Exhibit "A"****CERTIFICATE  
DISCLOSURE OF OWNERSHIP/PRINCIPALS****1. Definitions**

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

**2. Policy**

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

**3. Instructions**

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

**4. Incorporation**

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

| Block 1     | <u>Contracting Entity</u>                  |
|-------------|--------------------------------------------|
| Name        | Nevada Power Company                       |
| Address     | 6226 W. Sahara Ave.<br>Las Vegas, NV 89146 |
| Telephone   | 702-367-5000                               |
| EIN or DUNS | 00-697-1006                                |

| Block 2                                                                         | <u>Description</u> |
|---------------------------------------------------------------------------------|--------------------|
| <u>Subject Matter of Contract/Agreement:</u><br><br>Utility Franchise Agreement |                    |
| RFP #                                                                           |                    |

| Block 3                             | <u>Type of Business</u>              |                                                    |                                                 |
|-------------------------------------|--------------------------------------|----------------------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input checked="" type="checkbox"/> Corporation |

**CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS  
(CONTINUED)**

**Block 4 Disclosure of Ownership and Principals**

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

|     | FULL NAME/TITLE | BUSINESS ADDRESS | BUSINESS PHONE |
|-----|-----------------|------------------|----------------|
| 1.  |                 |                  |                |
| 2.  |                 |                  |                |
| 3.  |                 |                  |                |
| 4.  |                 |                  |                |
| 5.  |                 |                  |                |
| 6.  |                 |                  |                |
| 7.  |                 |                  |                |
| 8.  |                 |                  |                |
| 9.  |                 |                  |                |
| 10. |                 |                  |                |

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: \_\_\_\_\_

**Block 5 Disclosure of Ownership and Principals - Alternate**

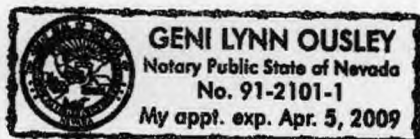
If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Security Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: 2005 Sierra Pacific Resources Form 10-K (see pgs. 3, 188-190)

Date of Attached Document: March 6, 2006

*EP 12.12.06*

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.



*[Signature]*  
Name  
*12/12/06*  
Date

Subscribed and sworn to before me this 12 day of

December, 2006

*[Signature]*  
Notary Public



**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

**FORM 10-K**

**ANNUAL REPORT PURSUANT TO SECTION 13 OR 15 (d) OF  
THE SECURITIES EXCHANGE ACT OF 1934**

For the fiscal year ended December 31, 2005

| Commission File<br>Number | Registrant, Address of Principal Executive Offices and Telephone<br>Number                                           | I.R.S. Employer<br>Identification Number | State of<br>Incorporation |
|---------------------------|----------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------|
| 1-08788                   | SIERRA PACIFIC RESOURCES<br>P.O. Box 30150 (6100 Neil Road)<br>Reno, Nevada 89520-3150 (89511)<br>(775) 834-4011     | 88-0198358                               | Nevada                    |
| 2-28348                   | NEVADA POWER COMPANY<br>6226 West Sahara Avenue<br>Las Vegas, Nevada 89146<br>(702) 367-5000                         | 88-0420104                               | Nevada                    |
| 0-00508                   | SIERRA PACIFIC POWER COMPANY<br>P.O. Box 10100 (6100 Neil Road)<br>Reno, Nevada 89520-0024 (89511)<br>(775) 834-4011 | 88-0044418                               | Nevada                    |

(Title of each class)

(Name of exchange on which registered)

**Securities registered pursuant to Section 12(b) of the Act:**

**Securities of Sierra Pacific Resources:**

Common Stock, \$1.00 par value

New York Stock Exchange

7.803% Senior Notes Due 2012

New York Stock Exchange

**Securities of Nevada Power Company and subsidiaries:**

8.2% Cumulative Quarterly Income

New York Stock Exchange

Preferred Securities, Series A, issued by NVP Capital I

7<sup>3</sup>/<sub>4</sub>% Cumulative Quarterly Trust Issued

New York Stock Exchange

Preferred Securities, issued by NVP Capital III

**Securities registered pursuant to Section 12(g) of the Act:**

**Securities of Sierra Pacific Power Company:**

Class A Preferred Stock, Series I, \$25 stated value

Indicate by check mark if the registrant is a well-known seasoned issuer, as defined in Rule 405 of the Securities Act:

Sierra Pacific Resources Yes ☒ No ☐ Nevada Power Company Yes ☐ No ☒ Sierra Pacific Power Company Yes ☐ No ☒

Indicate by check mark if the registrant is not required to file reports pursuant to Section 13 or Section 15(d) of the Act. Yes ☐ No ☒

Indicate by check mark whether each of the registrants (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes ☒ No ☐

Indicate by check mark if disclosure of delinquent filers pursuant to item 405 of Regulation S-K is not contained herein, and will not be contained, to the best of registrants' knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-K or any amendment to this Form 10-K. ☐

Indicate by check mark whether any registrant is a large accelerated filer, an accelerated filer, or a non-accelerated filer. (See definition of "accelerated filer and large accelerated filer" in Rule 12b-2 of the Exchange Act).

Sierra Pacific Resources: Large accelerated filer ☒ Accelerated filer ☐ Non-accelerated filer ☐

Nevada Power Company: Large accelerated filer ☐ Accelerated filer ☐ Non-accelerated filer ☒

Sierra Pacific Power Company: Large accelerated filer ☐ Accelerated filer ☐ Non-accelerated filer ☒

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Act). Yes ☐ No ☒ (Response applicable to all registrants)

State the aggregate market value of Sierra Pacific Resources' common stock held by non-affiliates. As of June 30, 2005: \$ 1,458,239,815

Indicate the number of shares outstanding of each of the issuer's classes of Common Stock, as of the latest practicable date.

Common Stock, \$1.00 par value, of Sierra Pacific Resources outstanding at March 1, 2006: 200,879,752 Shares

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$1.00 stated value, of Nevada Power Company.

Sierra Pacific Resources is the sole holder of the 1,000 shares of outstanding Common Stock, \$3.75 par value, of Sierra Pacific Power Company.

**DOCUMENTS INCORPORATED BY REFERENCE:**

Portions of Sierra Pacific Resources' definitive proxy statement to be filed in connection with the annual meeting of shareholders, to be held May 1, 2006, are incorporated by reference into Part III hereof.

This combined Annual Report on Form 10-K is separately filed by Sierra Pacific Resources, Nevada Power Company and Sierra Pacific Power Company. Information contained in this document relating to Nevada Power Company is filed by Sierra Pacific Resources and separately by Nevada Power Company on its own behalf. Nevada Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Nevada Power Company.

Information contained in this document relating to Sierra Pacific Power Company is filed by Sierra Pacific Resources and separately by Sierra Pacific Power Company on its own behalf. Sierra Pacific Power Company makes no representation as to information relating to Sierra Pacific Resources or its subsidiaries, except as it may relate to Sierra Pacific Power Company.

## FORWARD LOOKING STATEMENTS

The discussion of forward looking statements in Item 7, Management's Discussion and Analysis of Financial Condition and Results of Operations, is incorporated herein by reference.

### PART I

#### ITEM 1. BUSINESS

##### SIERRA PACIFIC RESOURCES

Sierra Pacific Resources (SPR) is an investor-owned holding company that was incorporated under Nevada law on December 12, 1983. The company's stock is traded on the New York Stock Exchange under the symbol "SRP". SPR's mailing address is P.O. Box 30150 (6100 Neil Road), Reno, Nevada 89520-3150 (89511).

SPR has six primary, wholly-owned subsidiaries: Nevada Power Company (NPC), Sierra Pacific Power Company (SPPC), Tuscarora Gas Pipeline Company (TGPC), Sierra Pacific Communications (SPC), Sierra Pacific Energy Company (SPE), and Lands of Sierra (LOS). References to SPR refer to the consolidated entity, except where the context provides otherwise. NPC and SPPC are referred to collectively in this report as the "Utilities."

The Utilities operate three regulated business segments, as defined by FASB Statement No. 131, *Disclosure about Segments of an Enterprise and Related Information*: NPC electric; SPPC electric; and SPPC natural gas service. Electric service is provided to Las Vegas and surrounding Clark County, northern Nevada and the Lake Tahoe area of California. Natural gas services are provided in the Reno-Sparks area of Nevada. The Utilities are the major contributors to SPR's financial position and results of operations. Other subsidiaries either do not meet or are below the quantitative threshold for separate segment disclosure and are combined under "all other" in the following pages. Parenthetical references are included after each major section title to identify the specific entity or entities addressed in the section. See Note 2, Segment Information of the Notes to Financial Statements, for further discussion.

### PART III

#### ITEM 10. DIRECTORS AND EXECUTIVE OFFICERS OF THE REGISTRANT

##### (a) Directors

The following is a listing of all the current directors of SPR, NPC, and SPPC, and their ages. There are no family relationships among them. Directors serve three-year terms with three (or four) terms of office expiring at each Annual Meeting, or until their successors have been elected and qualified.

##### Directors whose terms expire in 2006:

Mary Lee Coleman, 69

President of Coleman Enterprises, a developer of shopping centers and industrial parks. She is also a director of First Dental Health, Inc.. Ms. Coleman has served as a Director of NPC since 1980, and was elected a Director of SPR and SPPC in July 1999.

Theodore J. Day, 56

Chairman of Dacole Company, an investment firm, and President of Nevada Superior, Inc., a mining company. Formerly Partner of Hale, Day, Gallagher Company, a real estate brokerage and investment firm. Mr. Day has served as a Director of NPC since 1986, of SPR since 1987, and was elected a Director of NPC in July 1999. He is also a Director of the W.M. Keck Foundation, the W.K. Day Foundation, the Boy Scouts of America, Nevada Area Council, the Reno Air Race Association, Sierra Nevada College, Western Exploration and Development, Ltd., and the National Cowboy and Western Heritage Museum.

Jerry E. Herbst, 68

Chief Executive Officer of Terrible Herbst, Inc., a gasoline retail company, since 1968. Mr. Herbst has served as a Director of NPC since 1990, and was elected a Director of SPR and SPPC in July 1999.

Donald D. Snyder, 58

Mr. Snyder retired in March 2005, as President of Boyd Gaming, a gaming entertainment company. Previously, he was Chairman and CEO of First Interstate Bank of Nevada from 1987 to 1991. He is Chairman of the Las Vegas Performing Arts Center Foundation and Fremont Street Experience LLC. He is Director of BankWest of Nevada, Western Alliance Bancorporation, Cash Systems, Inc., Nathan Adelson Hospice, the Nevada Development Authority, University of Nevada Las Vegas Foundation, and Tournament Players Club at Summerlin. Mr. Snyder was elected a Director of SPR, SPPC and NPC in November, 2005.

##### Directors whose terms expire in 2007:

James R. Donnelley, 70

Partner, Stet and Query, Ltd., a family-owned investment company, since June 2000. He retired from R.R. Donnelley & Sons Company in June 2000, where he served as Vice Chairman of the Board from July 1990 to June 2000 and as a Director from 1976 to May 2005. He is also a Director of PMP Limited, and Chairman of National Merit Scholarship Corporation. Mr. Donnelley has served as a Director of SPR since 1987, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Walter M. Higgins, 61

Chairman, President and Chief Executive Officer of SPR and Director and Chief Executive Officer of NPC and SPPC since August 2000. Mr. Higgins served as Chairman, President and Chief Executive Officer of AGL Resources, Inc., from January 1998 to August 2000. He is also a director of AEGIS Insurance Services, Inc., Edison Electric Institute, American Gas Institute, Desert Research Institute Foundation Board, Western Energy Institute and several not-for-profit organizations.

John F. O'Reilly, 60

Chairman and Chief Executive Officer of the law firm of O'Reilly Law Group LLC and John F. O'Reilly, APC, Chairman and an Officer and/or a Board member of various family-owned business entities and related investments and businesses. He serves as a Director of the Community Board of Wells Fargo Bank Nevada, N.A., Director of Herbst Gaming, Inc., UNLV Foundation, Nevada Development Authority, Advisory Board of Boys and Girls Clubs of Las Vegas, a member of the Las Vegas Chamber of



Commerce Government Affairs Committee, and is involved in various other capacities in other not-for-profit organizations, including Vision 2020, on which he serves as Chairman/CEO and Board member.

**Directors whose terms expire in 2008:**

Joseph B. Anderson, Jr., 63

Chairman and CEO of TAG Holdings, LLC. Mr. Anderson is on the Board of Rite Aid Corporation, Quaker Chemical Corporation and ArvinMeritor, Inc., the Board of Governors of the Center for Creative Leadership, and the Board of Trustees for the National Recreation Foundation. He is Director of the Original Equipment Suppliers Association and Director of the Society of Automotive Engineers Foundation. Mr. Anderson was elected as a Director of SPR, SPPC and NPC in February 2005.

Krestine M. Corbin, 68

President and Chief Executive Officer of Sierra Machinery, Incorporated, a machine tool manufacturing company, since 1984 and a director of that company since 1980. Ms. Corbin has served as a Director of SPR since 1989, of SPPC since 1992, and was elected a Director of NPC in July 1999.

Philip G. Satre, 56

Mr. Satre retired January 1, 2005, as Chairman of the Board, Harrah's Entertainment, Inc., a gaming entertainment company. Previously he was CEO of Harrah's Entertainment from 1993 to 2003. He is a Director of the National Center for Responsible Gaming, the Nevada Cancer Institute, TABCORP Holdings Limited (Australia), Nordstrom, Inc., and Rite Aid Corporation. He is a Trustee of Stanford University, The National D-Day Museum Foundation and the UC Davis School of Law Alumni Association Board. Mr. Satre was elected as a Director of SPR, SPPC, and NPC in January 2005.

Clyde T. Turner, 68

Owner and Manager of Turner Investments, a general-purpose investment company, Global Trust Ventures, LLC and Global Trust Ventures Management, LLC, Private Equity Fund and several special-purpose real estate development companies known as Spectrum Companies and TurnKee, Ltd. Mr. Turner is the retired Chairman and Chief Executive Officer of Mandalay Bay Resort & Casino. He was elected a Director of SPR, NPC, and SPPC in November 2001.

Messrs. Day and Higgins are Directors of Tuscarora Gas Pipeline Company; Mr. Higgins is a Director of Lands of Sierra, Inc., Great Basin Energy Company, Sierra Pacific Energy Company, Sierra Pacific Communications, Sierra Water Development Company, Sierra Gas Holdings Company, Piñon Pine Co. LLC, SPPC Funding LLC, and Nevada Electric Investment Co. All of the above-listed companies are subsidiaries of Sierra Pacific Resources, with the exception of Piñon Pine Co. LLC, and SPPC Funding LLC which are subsidiaries of Sierra Pacific Power Company and Nevada Electric Investment Co. which is a subsidiary of Nevada Power Company.

**(b) Executive Officers**

See Executive Officers of the Registrant immediately following Item 4.

(c) Although all outstanding shares of SPPC's common stock are held by SPR and it is SPR's common stock which is traded on the New York Stock Exchange, SPPC has one series of non-voting preferred stock outstanding and registered under the Securities Exchange Act of 1934 (the Act). As a technical matter, SPPC is thus deemed an "issuer" for purposes of the Act whose officers are required to make filings with respect to beneficial ownership, if any, of those non-voting preferred securities. SPPC's officers, all of whom are currently reporting pursuant to Section 16(a) of the Act with respect to SPR's common stock, have filed reports with respect to SPPC's preferred stock, which reports show no past or current beneficial ownership of such preferred stock.

**Section 16(a) Beneficial Ownership Reporting Compliance**

Section 16(a) of the Securities Exchange Act of 1934, or the Exchange Act, requires that Directors, officers, and any holders of more than 10% of the Company's common stock file reports with the SEC disclosing ownership of the Company's stock and changes in beneficial ownership. Officers, Directors and 10% stockholders are required by SEC regulations to furnish the Company with copies of all Section 16(a) forms they file.

To SPR's knowledge, based solely on review of the Company's records and written representations by persons required to file these reports, during 2005, all filing requirements under Section 16(a) were complied with in a timely fashion, except that Stephen R. Wood, an officer of SPR, filed on May 6, 2005 a Form 4 for a stock issuance related to restricted stock that had vested, which



report was due on April 8, 2005; each of Roberto R. Denis and Julian C. Leone, officers of the Company, filed on August 11, 2005, a Form 4 for stock issuance related to restricted stock that had vested, which reports were due on July 19, 2005 and June 16, 2005, respectively; each of T.J. Day and Clyde Turner, directors of the Company, filed on February 14, 2006 a Form 5 for stock deemed acquired, which reports were due on June 3, 2005; and each of Carolyn Barbash, Susan Brennan, John Brown, Jeff Ceccarelli, Roberto Denis, Julian Leone, Carol Marin, Donald Shalmy, Mary Simmons, Michael Smart, Stephen R. Wood and Michael Yackira, officers of the Company, filed on February 14, 2006, a Form 4 for options grants; which reports were due on February 9, 2005.

#### **Audit Committee**

The Audit Committee consists of the following individuals: Philip Satre, Krestine M. Corbin, Donald Snyder and Clyde T. Turner who are all independent as defined under applicable rules promulgated under the Exchange Act. The Board of Directors of SPR, NPC and SPPC have determined that Audit Committee member Clyde T. Turner is an "audit committee financial expert" as defined by the SEC.

#### **Code of Ethics**

SPR, NPC and SPPC have adopted a code of ethics that applies to its Chief Executive Officer, Chief Financial Officer and to its Controller. Printed copies of the code of ethics may be obtained free of charge by writing to SPR's Corporate Secretary at Sierra Pacific Resources, P.O. Box 30150, Reno, NV 89520-3150.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

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**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

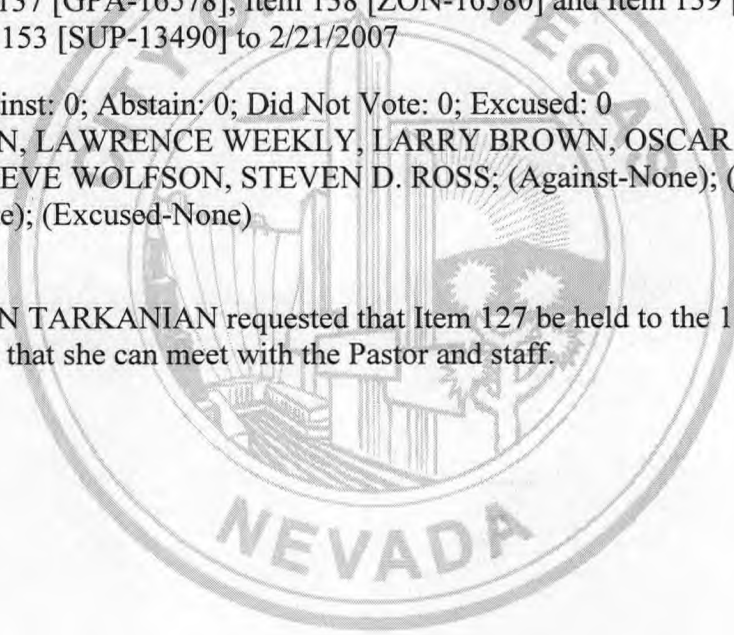
Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

Motion made by GARY REESE to 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)

**Minutes:**

COUNCILWOMAN TARKANIAN requested that Item 127 be held to the 1/17/2007 City Council meeting so that she can meet with the Pastor and staff.



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

Public hearing on annexation report for the proposed annexation area generally located on the north and south sides of Clark County Highway 215, between Shaumber Road and Fort Apache Road (ANX-12215) - Ward 6 (Ross)

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

**PURPOSE/BACKGROUND:**

NRS Sections 268.588 and 268.590 require a public hearing in connection with the annexation of property when the long form annexation process is utilized. By previous action, the City Council, in accordance with NRS, has adopted a resolution of intent to annex, set the date for a public hearing, and approved an annexation report regarding the proposed annexation. Notice of this December 20, 2006, public hearing has been provided in accordance with NRS. Those who wish to be heard regarding the annexation will have the opportunity.

**RECOMMENDATION:**

Public hearing only; no action required

**BACKUP DOCUMENTATION:**

1. Annexation Report
2. Submitted after final agenda - Notice of Public Hearing

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, confirmed the annexation report is in order and requested Council's favorable action.

MAYOR GOODMAN declared the Public Hearing closed.

ANNEXATION REPORT – ANX-12215

This annexation area is generally located in two areas on the north and south sides of CC215, generally bounded between Centennial Parkway on the south, Deer Springs Road to the north, N. Shaumber Road to the west and to the east by Fort Apache Road.

The portion north of CC215 is bounded to the east by Grand Canyon Drive, on the west by Hualapai Way, and the north by Deer Springs Road.

The portion directly south of the CC215 is generally located north of Centennial Parkway between Chieftain Street and Alpine Ridge Way.



## CONTENTS – ANX-12215

Summary of Municipal Services to be provided

Boundary Map/ General Land Use Maps

Location Map

Accurate Map with Legal Description

Map of Conceptual Rights-of-Way

Map of Existing and Proposed Sewer Facilities

Map of Existing and Proposed Electric Transmission and Distribution Lines [For information purposes only]

Maps of Existing Flood Control Facilities and Flow Rates [For information purposes only]

Map of Gas Facilities [For information purposes only]

Map of Existing and Proposed Water Facilities [For information purposes only]

Statement of Eligibility for Annexation

SUMMARY OF MUNICIPAL SERVICES TO BE PROVIDED  
BY THE CITY OF LAS VEGAS

The City of Las Vegas will provide fire protection, street maintenance, street sweeping and street lighting maintenance in the territory proposed to be annexed on the effective date of such annexation, on substantially the same basis and in the same manner as such services are provided by the City to the property owners and residents within the remainder of the City. Police protection and garbage collection provided by other agencies will also be provided on substantially the same basis and in the same manner as such services are provided by the City to the property owner and residents within the remainder of the City immediately prior to the effective date of the annexation.

**Water**

The proposed annexation area is located within the 2975 and 2860 pressure zones. The LVVWD provides water service in each of these zones and has planned for the future development in the annexation area by planning additional facilities to be constructed.

The area will be serviced by existing water lines in Centennial Parkway, and Hualapai Way. The LVVWD will typically take 3 years to construct the required facilities and 18 months for oversized main extensions. The District's policy is to allow development demands to dictate construction schedules. The proposed water system as outlined is shown on the attached exhibit.

**Drainage**

This text and the attached exhibits have been prepared to outline the anticipated drainage system and improvements which impact this project. This information has been taken from several exhibits approved by the City of Las Vegas (CLV) including the Cliff's Edge Master Plan and information from the Las Vegas Valley Water District.

The storm sewer system outlined on the attached exhibit illustrates both planned CLV local and Clark County Regional Flood District (CCRFGD) facilities. According to the CCRFGD *Flood Control Construction Progress in Northwest Las Vegas Valley* "As part of the construction of the Western Beltway, flood channels are being built alongside the expressway. The channel extending between Lone Mountain Road and Tropical Parkway was completed in fall 2003. Clark County Public Works funded the drainage improvements along the Beltway. This channel collects and conveys flood flows to the existing gravel pits where lone mountain road intersects the Beltway at Hualapai Way. Currently, design plans are 30 percent complete to modify the gravel pits into a detention basin and construct permanent inflow channels and an outfall system. They City of Las Vegas has tentative plans to include recreational facilities in the basin. The Regional Flood Control District has programmed \$1.3 million for drainage modifications to the basin."

Any improvements necessary to provide adequate flood protection to this area will be constructed by this project. Any CCRFGD improvements not necessary to provide adequate floor protection for this project will be constructed by others.

### **Sewer**

The City of Las Vegas will provide sewer service to this annexation area in accordance with the existing Wastewater Collection System Master Plan. The Master Plan identifies oversized sewer to be built in Centennial Parkway and in Deer Springs Way up to Grand Canyon Drive from the east. These two sewers have already been constructed beyond Grand Canyon Dr.

At Centennial Pkwy, an 8-inch to 10-inch pipe extends along the full southern boundary of the proposed annexation. This line will serve the annexation area south of the I-215 Beltway.

At Deer Springs Way, a 12-inch pipe extends along the full northern boundary of the proposed annexation. This line will serve a portion of the annexation area north of the I-215 Beltway. Due to existing grades, this sewer does not have sufficient depth to service the full area. Therefore, an 8-inch sewer in Bath Drive currently terminating at Grand Canyon Dr will likely require extension to the west in order to service the portion of the annexation that can not be serviced by Deer Springs Way. These existing sewer lines outfall into an existing oversize 30" sewer line in Durango Road.

The City of Las Vegas does not anticipate any over sizing /extension agreements due to this annexation. The existing and proposed sewer system as outlined is shown on the attached exhibit.

### **Gas**

Gas lines currently extend to south of the annexation area, following the Centennial Parkway alignment. Upon development, the line will be extended by the developer.

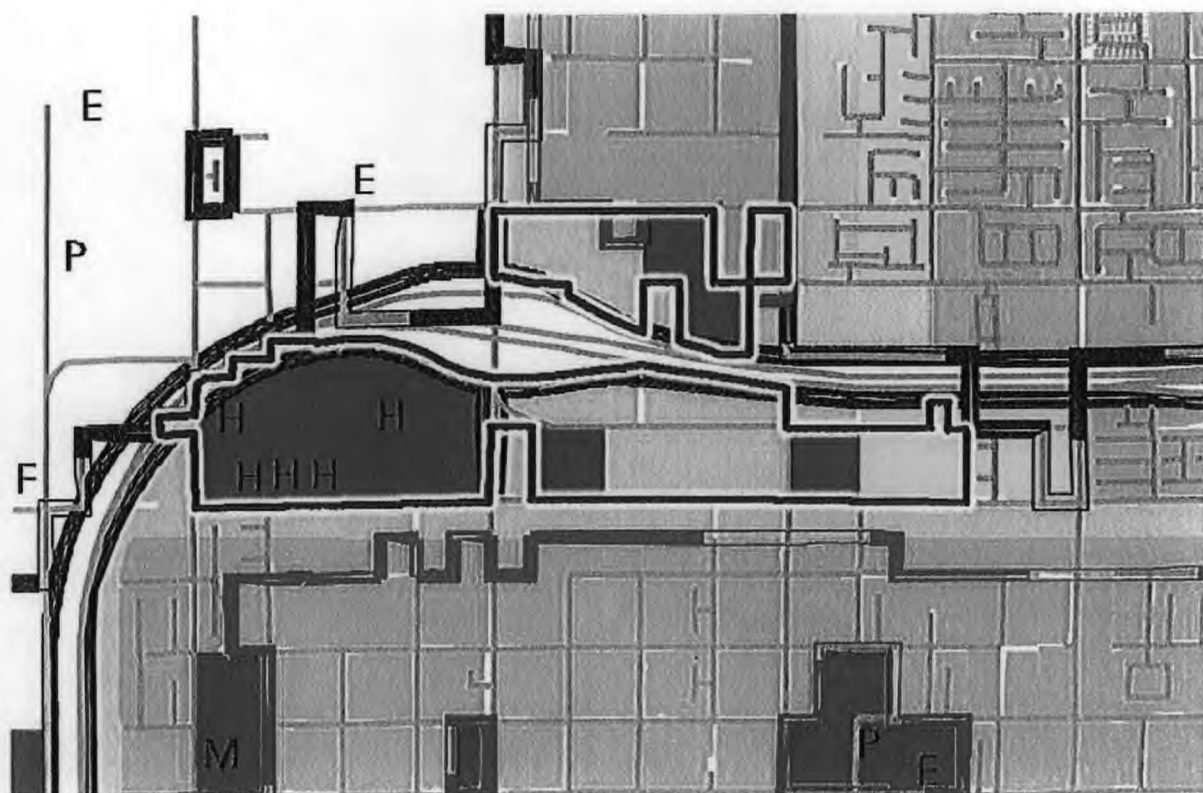
### **Electricity**

Nevada Power will provide distribution lines along a north-south alignment running approximately 1320 feet east of Puli Road. Substations are planned to the northeast and south of the annexation areas

### **Right-of-Way**

In the areas requested, Public Works would expect to extend the following public street corridors as development occurs: Centennial Parkway, 50 feet of half-street Right-of-Way (total planned width, 100 feet); Grand Canyon Drive, 40 feet of half-street Right-of-Way and 80 feet for full-width, as appropriate; Hualapai Way, 100 feet of total Right-of-Way; Deer Springs Way, 40 feet of half-street Right-of-Way (total planned width, 80 feet).

In addition, minor access streets would need to be provided for legal access to some of the individual parcels that would otherwise be land-locked, unless the parcels are incorporated into a larger development that provides internal access.



### City Land Use Categories

- ☐ Rural Neighborhood Preservation - up to 2 du/ac
- ☐ Desert Rural - up to 2.49 du/ac
- ☐ Rural - up to 3.59 du/ac
- ☐ Low - up to 3.49 du/ac
- ☐ Medium-Low - up to 8.49 du/ac
- ☐ Medium-Low Attached - up to 12.49 du/ac
- ☐ Medium - up to 25.49 du/ac
- ☐ High - 25+ du/ac
- ☐ Office
- ☐ Service Commercial
- ☐ General Commercial
- ☐ Park/Recreation/Open Space
- ☐ Public Facility
- ☐ Resource Conservation
- ☐ Right-of-Way
- ☐ Light Industrial/Research
- ☐ Planned Community Development
- ☐ Traditional Neighborhood District
- ☐ Town Center

- Corporate Limits
- BIM Disposal Boundary
- Red Rock Canyon National Conservation Area

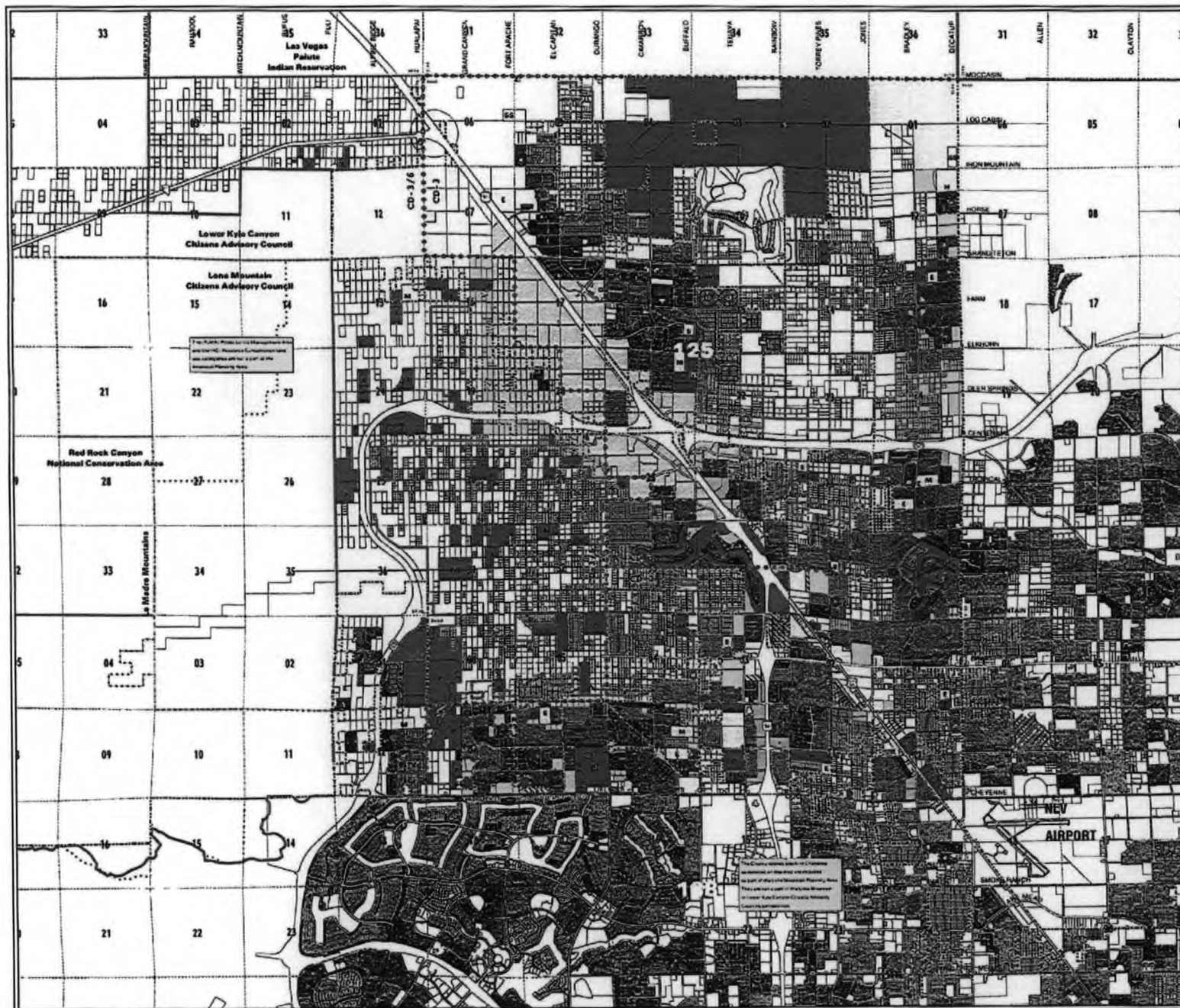
### County Land Use Categories

- ☐ Rural Neighborhood Preservation - up to 2 du/ac
- ☐ Rural Estates - up to 2 du/ac
- ☐ Rural Density Residential - up to 15 du/ac
- ☐ Public Facilities
- ☐ Public Lands Management Area
- ☐ Planned Community Development

- E Elementary School
- M Middle School
- H High School
- P Park
- F Fire Station
- SS Electric Power Sub Station

## Annexation Area Land Use Designation





## Comprehensive Planning Lone Mountain / Centennial Hills Planned Land Use Update

### County Land Use Categories

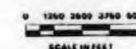
- PLMA Public Lands Management Area
- PF Public Facilities
- RNP Rural Neighborhood Preservation - up to 2 duacs
- RE Rural Estates - up to 2.5 duacs
- R Rural Density Residential - up to 3.5 duacs
- PCD Planned Community Development

### City Land Use Categories

- RC Resource Conservation
- PF Public Facilities
- PR-OS Parks/Recreation - Open Space
- RNP Rural Neighborhood Preservation - up to 2 duacs (0-2 duacs)
- DR Desert Rural - up to 2.49 duacs (2.1-2.49 duacs)
- RI Rural Density Residential - up to 3.59 duacs (2.5-3.59 duacs)
- L Low Density Residential - 3.6 to 5.5 duacs
- ML Medium Low Density Residential - 5.6 to 8 duacs
- MLA Medium Low Attached Density Residential - 8.1 to 12 duacs
- M Medium Density Residential - 12.1 to 25 duacs
- H High Density Residential - 16+ duacs
- PCD Planned Community Development
- O Office
- SC Service Commercial
- GC General Commercial
- TC Town Center
- Lower Kyle Canyon CAC Boundary
- Lone Mountain CAC Boundary
- BLM Disposal Boundary
- Community Districts Boundary
- Red Rock Canyon National Conservation Area
- City Limits
- E Elementary School
- M Middle School
- H High School
- P Park
- F Fire Station
- SS Electric Power Sub Station



Adopted on: January 8, 2003

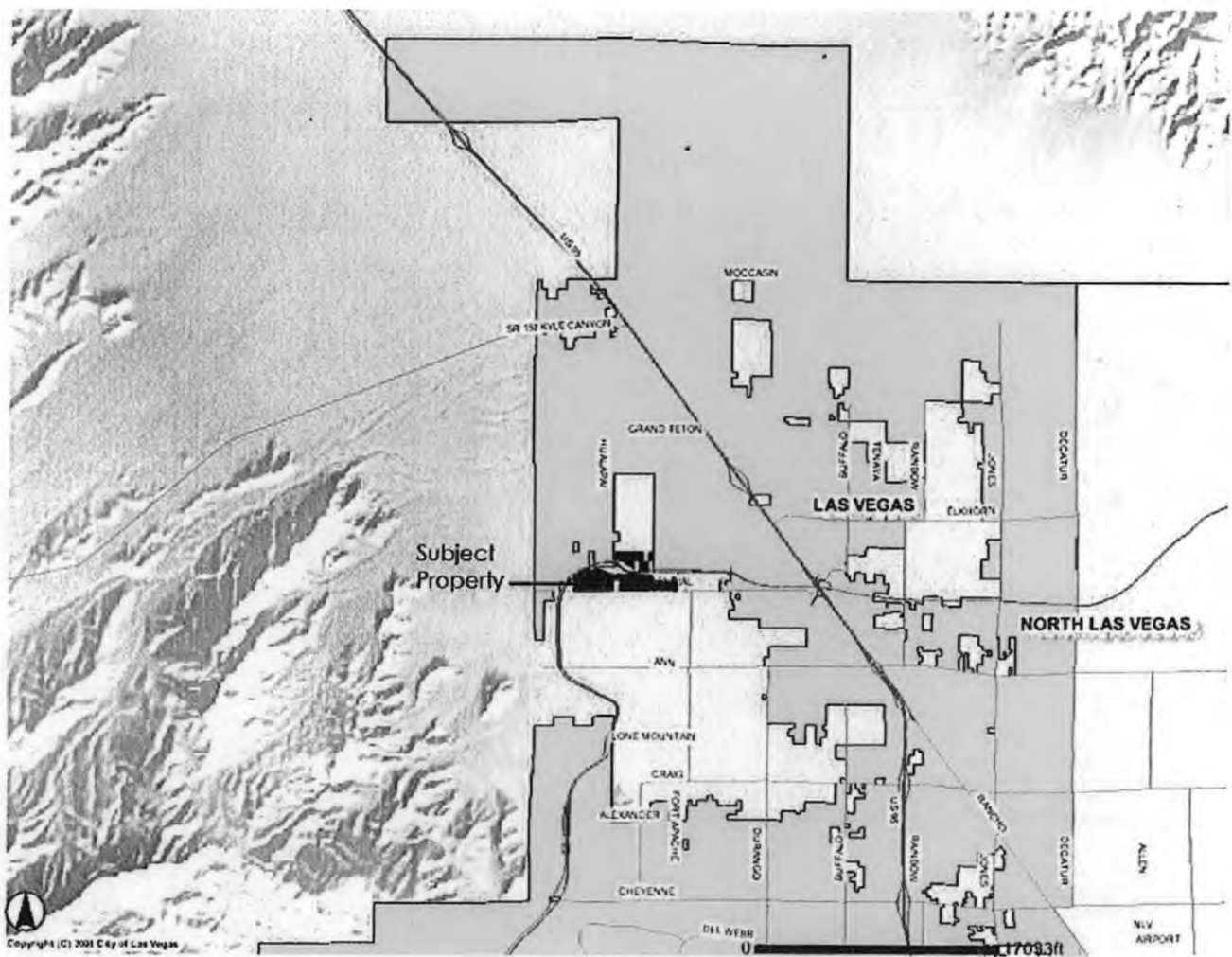


Plot created on: February 13, 2003

This information is for display purposes only.  
No liability is assumed as to the accuracy of the data displayed herein.  
For detailed Land Use information, see Adopted Land Use Plans.



Clark County Planning Department



- Legend**
- Major Street Names
  - Freeways
  - Lake
  - Major Streets
  - City Limits
  - Boulder City
  - Henderson
  - Las Vegas
  - North Las Vegas

Annexation Area  
Location Map

**CITY OF LAS VEGAS  
DEPARTMENT OF PUBLIC WORKS  
RIGHT OF WAY DESIGN  
LEGAL DESCRIPTION**

A.P.N. 125-19-301-001 to -006, -008, -009, -011, -013; -399-001,  
-005, -006; -401-002, -003, -005 to -007, -009 to -011;  
-802-008, -010, -011; 126-24-801-002 to -005

Reference: Amended Record of Survey in File 160, Page 77 (2006)  
Record of Survey in File 158, Page 9 (2006)  
Book 118 of Plats, Page 88 (2004)

Vesting: ANX-12215

Section: S 1/2, SEC 19, T19S, R60E, AND S 1/2, SEC 24, T19S,  
R59E, MDM

Street/Subdivision: SOUTH OF DEER SPRINGS WAY, NORTH OF  
CENTENNIAL PARKWAY, EAST OF ALPINE RIDGE WAY,  
WEST OF GRAND CANYON DRIVE

W.A. No. P21400

Cogo:- TM: anx-12215.pro

Requested eb Written byu Checked nw Proofread nw/byu  
07-05-06 07-20-06 07-24-06

Revised 10-17-06

Those portions of the South Half (S 1/2) of Section 19, Township 19 South, Range 60 East, M.D.M., and those portions of the South Half (S 1/2) of Section 24, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, including portions of Northern Beltway I-215 right of way, as shown on "AMENDED RECORD OF SURVEY – ANNEXATION PLAT" recorded October 13, 2006 in File 160 of Surveys, Page 77 of Clark County, Nevada Records, described as follows:

BEGINNING at the southeast corner of said Section 24, also being the centerline intersection of CENTENNIAL PARKWAY and HUALAPAI WAY; thence along the south line of the Southeast Quarter (SE 1/4) of said Section 24, North 88°58'34" West 2706.05 feet to the west line of said Southeast Quarter (SE 1/4); thence along said west line, North 00°04'23" East 669.08 feet; thence departing said west line, South 88°58'09" West 339.09 feet; thence North 00°00'30" East 167.21 feet; thence North 88°57'34" East 339.28 feet to the aforementioned west line; thence North 00°04'23" East 334.54 feet; thence departing said west line, North 88°56'02" East 338.65 feet; thence North 00°05'30" East 167.31 feet to the south line of the



Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the south line of said Northwest Quarter (NW 1/4), North 88°55'41" East 338.70 feet; thence departing said south line, North 00°06'42" East 167.23 feet; thence North 88°55'04" East 338.78 feet; thence South 00°08'10" West 167.29 feet to the south line of said Northwest Quarter (NW 1/4); thence along said south line, North 88°55'41" East 338.70 feet to the southeast corner of said Northwest Quarter (NW 1/4); thence along the east line of said Northwest Quarter (NW 1/4), North 00°09'39" East 334.71 feet; thence departing said East line, North 88°53'41" East 1358.00 feet to the east line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the east line of said Northeast Quarter (NE 1/4), North 00°19'19" East 1005.57 feet to the northwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence along the north line of said Northwest Quarter (NW 1/4) and the centerline of DEER SPRINGS WAY, South 89°27'56" East 1344.49 feet to the northwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence continuing along said centerline, South 89°29'27" East 662.09 feet; thence departing said centerline South 00°04'10" East 667.73 feet; thence South 89°33'36" East 331.41 feet; thence North 00°06'06" West 667.33 feet returning to the centerline of said DEER SPRINGS WAY; thence South 89°29'27" East 331.04 feet to the center quarter corner of said Section 19, also being the centerline intersection of DEER SPRINGS WAY and GRAND CANYON DRIVE; thence along the centerline of said GRAND CANYON DRIVE and the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19, South 00°08'02" East 666.94 feet; thence departing said east line, North 89°33'36" West 331.41 feet; thence South 00°06'06" East 667.33 feet to a point hereinafter referred to as POINT "A"; thence South 89°37'45" East 331.79 feet to the northwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the west line of said Southwest Quarter (SW 1/4), South 00°07'26" East 666.75 feet to the southwest corner of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the south line of said North Half (N 1/2),



South 89°41'28" East 1328.72 feet to the east line of said North Half (N 1/2); thence

No. 06-07-01a

Page 3

along said east line, North 00°12'42" West 332.68 feet; thence departing the east line of said North Half (N 1/2), South 89°40'36" East 165.98 feet; thence South 00°13'34" East 332.60 feet; thence South 89°42'19" East 166.06 feet; thence South 00°14'27" East 665.03 feet to the south line of the Southeast Quarter (SE 1/4) of said Section 24; thence along said south line North 89°45'46" West 332.46 feet; thence continuing along said south line, North 89°45'05" West 1329.72 feet to the south quarter corner of said Section 19; thence along the south line of the Southwest Quarter (SW 1/4) of said Section 19, North 89°47'13" West 1329.78 feet; thence continuing along said south line, North 89°47'00" West 997.89 feet; thence departing said south line, North 00°06'13" East 669.94 feet; thence North 89°42'16" West 359.37 feet to the west line of the Southwest Quarter (SW 1/4) of said Section 19; thence along said west line, South 00°19'07" West 670.44 feet to the POINT OF BEGINNING.

EXCEPT THEREFROM a parcel of land described as follows:

COMMENCING at the aforementioned POINT 'A'; thence North 89°37'45" West 663.57 feet to the POINT OF BEGINNING "A1"; thence continuing North 89°37'45" West 331.79 feet to the southwest one sixteenth corner of said Section 19; thence North 00°00'19" West 668.52 feet to a point hereinafter referred as POINT "B"; thence South 89°33'36" East 331.41 feet; thence South 00°02'14" East 668.13 feet to the POINT OF BEGINNING "A1".

The above-described parcel of land contains an area of 221,606 feet or 5.087 acres, more or less.

FURTHER EXCEPT THEREFROM another parcel of land described as follows:

COMMENCING at the aforementioned POINT "B"; thence North 89°32'44" West 331.31 feet to the POINT OF BEGINNING "B1"; thence South 00°01'47" West 668.98 feet; thence North 89°37'30" West 311.77 feet; thence North 00°04'00" East 532.84 feet to the northerly right-of-way of the I-215 BELTWAY; thence along said northerly right-of-way, North 62°30'11" West 153.23 feet to the beginning of a curve, concave southwesterly, having a radius of 1120.00 feet; thence northwesterly continuing along said curve and said right-of-way, through a central angle

of 08°55'36" and an arc length of 174.50 feet to a point of cusp; thence South 89°32'44" East 627.85 feet to the POINT OF BEGINNING "B1".

The above-described parcel of land contains an area of 240,682 square feet or 5.525 acres, more or less.

The above-described annexation boundary contains a net area of 11,319,245 square feet or 259.854 acres, more or less.

BASIS OF BEARINGS: North 88°58'34" East being the bearing of the Southeast Quarter (SE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., as shown on that plat of "CLIFFS EDGE PARENT" recorded in Book 118 of Plats, Page 88 of Clark County, Nevada Records.

Prepared by:  
Brian Yu PLS  
Public Works, City of Las Vegas,  
731 S. Fourth Street,  
Las Vegas, NV 89101  
[byu@lasvegasnevada.gov](mailto:byu@lasvegasnevada.gov)

# MEMORANDUM

City of Las Vegas  
Department of Public

Works

Right-of-Way Design

To: Ed Byrge, Supervisor  
Right-of-Way and Real Property Services  
Department of Public Works

From: Brian Yu  
Right-of-Way Design  
Department of Public Works

Date: October 17, 2006

Re: Annexation ANX-12215

1. A legal description for inclusion in the annexation ordinance and an accurate map exhibit for attachment thereto, has been prepared in partial compliance with the requirements of annexation under NRS 268.570 to NRS 268.608, inclusive, and as requested by the Department of Planning and Development for the Annexation ANX-12215.

2. Said map exhibit was prepared under the supervision of a competent surveyor or engineer as required by the provision in NRS 268.600, from the record information in the Office of the County Recorder in Clark County, Nevada and/or the filed information in the Office of the Bureau of Land Management, Department of the Interior of the United States of America, on file in Reno, Nevada and other quasi-public records, as necessary and sufficient to accurately portray the parcels of land to be annexed; said map exhibit does not constitute a Record of Survey as defined by the provisions of NRS 625.340 to NRS 625.380.

Those portions of the South Half (S 1/2) of Section 19, Township 19 South, Range 60 East, M.D.M., and those portions of the South Half (S 1/2) of Section 24, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, including portions of Northern Beltway I-215 right of way, as shown on "AMENDED RECORD OF SURVEY – ANNEXATION PLAT" recorded October 13, 2006 in File 160 of Surveys, Page 77 of Clark County, Nevada Records, described as follows:

BEGINNING at the southeast corner of said Section 24, also being the centerline intersection of CENTENNIAL PARKWAY and HUALAPAI WAY; thence along the south line of the Southeast Quarter (SE 1/4) of said Section 24, North 88°58'34" West 2706.05 feet to the west line of said Southeast Quarter (SE 1/4); thence along said west line, North 00°04'23" East 669.08 feet; thence departing said west line, South 88°58'09" West 339.09 feet; thence North 00°00'30" East 167.21 feet; thence North 88°57'34" East 339.28 feet to the aforementioned west line; thence North 00°04'23" East 334.54 feet; thence departing said west line, North 88°56'02" East 338.65 feet; thence North 00°05'30" East 167.31 feet to the south line of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the south line of said Northwest Quarter (NW 1/4), North 88°55'41" East 338.70 feet; thence departing said south line, North 00°06'42" East 167.23 feet; thence North 88°55'04" East 338.78 feet; thence South 00°08'10" West 167.29 feet to the south line of said Northwest Quarter (NW 1/4); thence along said south line, North 88°55'41" East 338.70 feet to the southeast corner of said Northwest Quarter (NW 1/4); thence along the east line of said Northwest Quarter (NW 1/4), North 00°09'39" East 334.71 feet; thence departing said East line, North 88°53'41" East 1358.00 feet to the east line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the east line of said Northeast Quarter (NE 1/4), North 00°19'19" East 1005.57 feet to the northwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence along the north line of said Northwest Quarter (NW 1/4) and the centerline of DEER SPRINGS WAY, South 89°27'56" East 1344.49 feet to the northwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence continuing along said centerline, South 89°29'27" East 662.09 feet; thence departing said centerline South 00°04'10" East 667.73 feet; thence South 89°33'36" East 331.41 feet; thence North 00°06'06" West 667.33 feet returning to the centerline of said DEER SPRINGS WAY; thence South 89°29'27" East 331.04 feet to the center quarter corner of said Section 19, also being the centerline intersection of DEER SPRINGS WAY and GRAND CANYON DRIVE; thence along the centerline of said GRAND CANYON DRIVE and the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19, South 00°08'02" East 666.94 feet; thence departing said east line, North 89°33'36" West 331.41 feet; thence South 00°06'06" East 667.33 feet to a point hereinafter referred to as POINT "A"; thence South 89°37'45" East 331.79 feet to the northwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the west line of said Southwest Quarter (SW 1/4), South 00°07'26" East 666.75 feet to the southwest corner of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the south line of said North Half (N 1/2), South 89°41'28" East 1328.72 feet to the east line of said North Half (N 1/2); thence along said east line, North 00°12'42" West 332.68 feet; thence departing the east line of said



North Half (N 1/2), South 89°40'36" East 165.98 feet; thence South 00°13'34" East 332.60 feet; thence South 89°42'19" East 166.06 feet; thence South 00°14'27" East 665.03 feet to the south line of the Southeast Quarter (SE 1/4) of said Section 24; thence along said south line North 89°45'46" West 332.46 feet; thence continuing along said south line, North 89°45'05" West 1329.72 feet to the south quarter corner of said Section 19; thence along the south line of the Southwest Quarter (SW 1/4) of said Section 19, North 89°47'13" West 1329.78 feet; thence continuing along said south line, North 89°47'00" West 997.89 feet; thence departing said south line, North 00°06'13" East 669.94 feet; thence North 89°42'16" West 359.37 feet to the west line of the Southwest Quarter (SW 1/4) of said Section 19; thence along said west line, South 00°19'07" West 670.44 feet to the POINT OF BEGINNING.

EXCEPT THEREFROM a parcel of land described as follows:

COMMENCING at the aforementioned POINT 'A'; thence North 89°37'45" West 663.57 feet to the POINT OF BEGINNING "A1"; thence continuing North 89°37'45" West 331.79 feet to the southwest one sixteenth corner of said Section 19; thence North 00°00'19" West 668.52 feet to a point hereinafter referred as POINT "B"; thence South 89°33'36" East 331.41 feet; thence South 00°02'14" East 668.13 feet to the POINT OF BEGINNING "A1".

The above-described parcel of land contains an area of 221,606 feet or 5.087 acres, more or less.

FURTHER EXCEPT THEREFROM another parcel of land described as follows:

COMMENCING at the aforementioned POINT "B"; thence North 89°32'44" West 331.31 feet to the POINT OF BEGINNING "B1"; thence South 00°01'47" West 668.98 feet; thence North 89°37'30" West 331.77 feet; thence North 00°04'00" East 532.84 feet to the northerly right-of-way of the I-215 BELTWAY; thence along said northerly right-of-way, North 62°30'11" West 153.23 feet to the beginning of a curve, concave southwesterly, having a radius of 1120.00 feet; thence northwesterly along said curve and said right-of-way, through a central angle of 08°55'36" and an arc length of 174.50 feet to a point of cusp; thence South 89°32'44" East 627.85 feet to the POINT OF BEGINNING "B1".

The above-described parcel of land contains an area of 240,682 square feet or 5.525 acres, more or less.

The above-described annexation boundary contains a net area of 11,319,245 square feet or 259.854 acres, more or less.

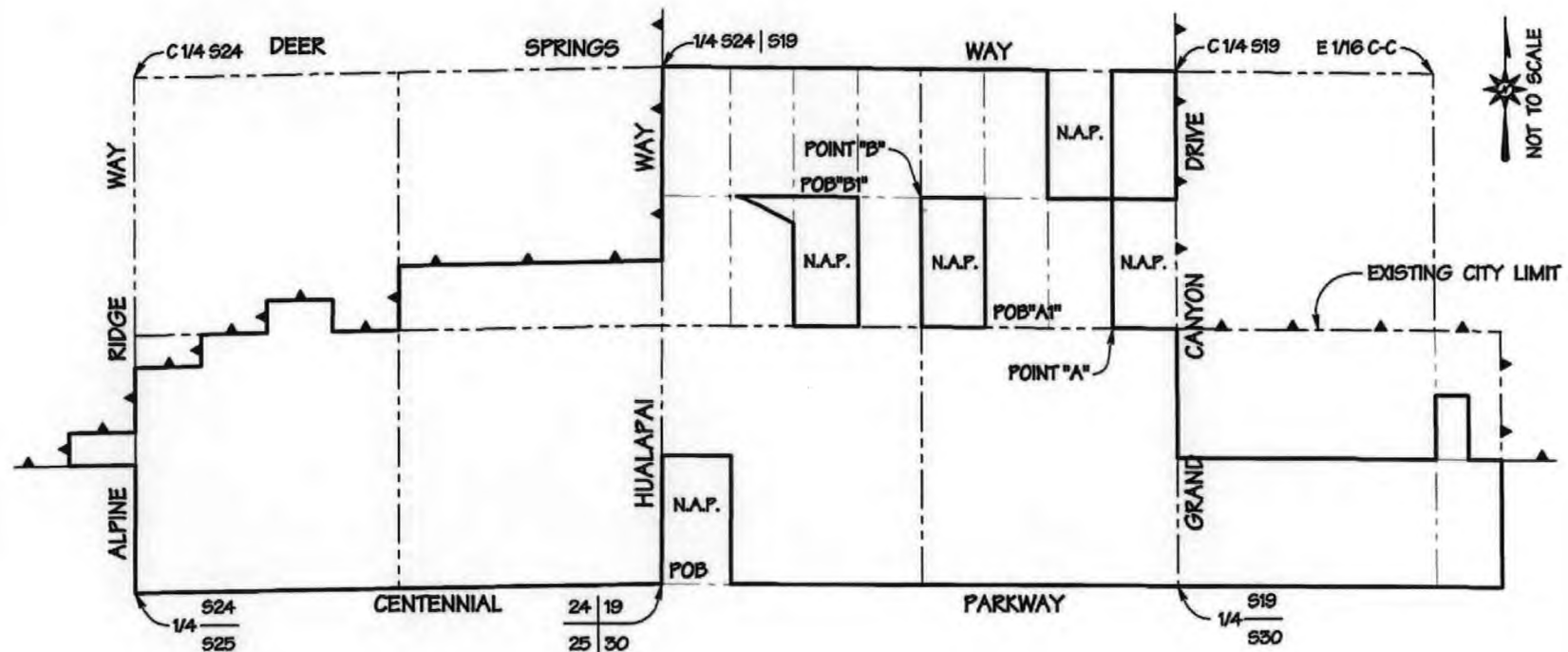
BASIS OF BEARINGS: North 88°58'34" East being the bearing of the Southeast Quarter (SE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., as shown on that plat of "CLIFFS EDGE PARENT" recorded in Book 118 of Plats, Page 88 of Clark County, Nevada Records.

Prepared by:  
Brian Yu PLS  
Public Works, City of Las Vegas,

731 S. Fourth Street,  
Las Vegas, NV 89101  
[byu@lasvegasnevada.gov](mailto:byu@lasvegasnevada.gov)

A.P.N. 125-19-301-001 to -006, -008, -009, -011, -013; -399-001,-005,-006;  
-401-002, -003, -005 to -007, -009 to -011; -802-008, -010,  
-011; 126-24-801-002 to -005  
ANX-12215

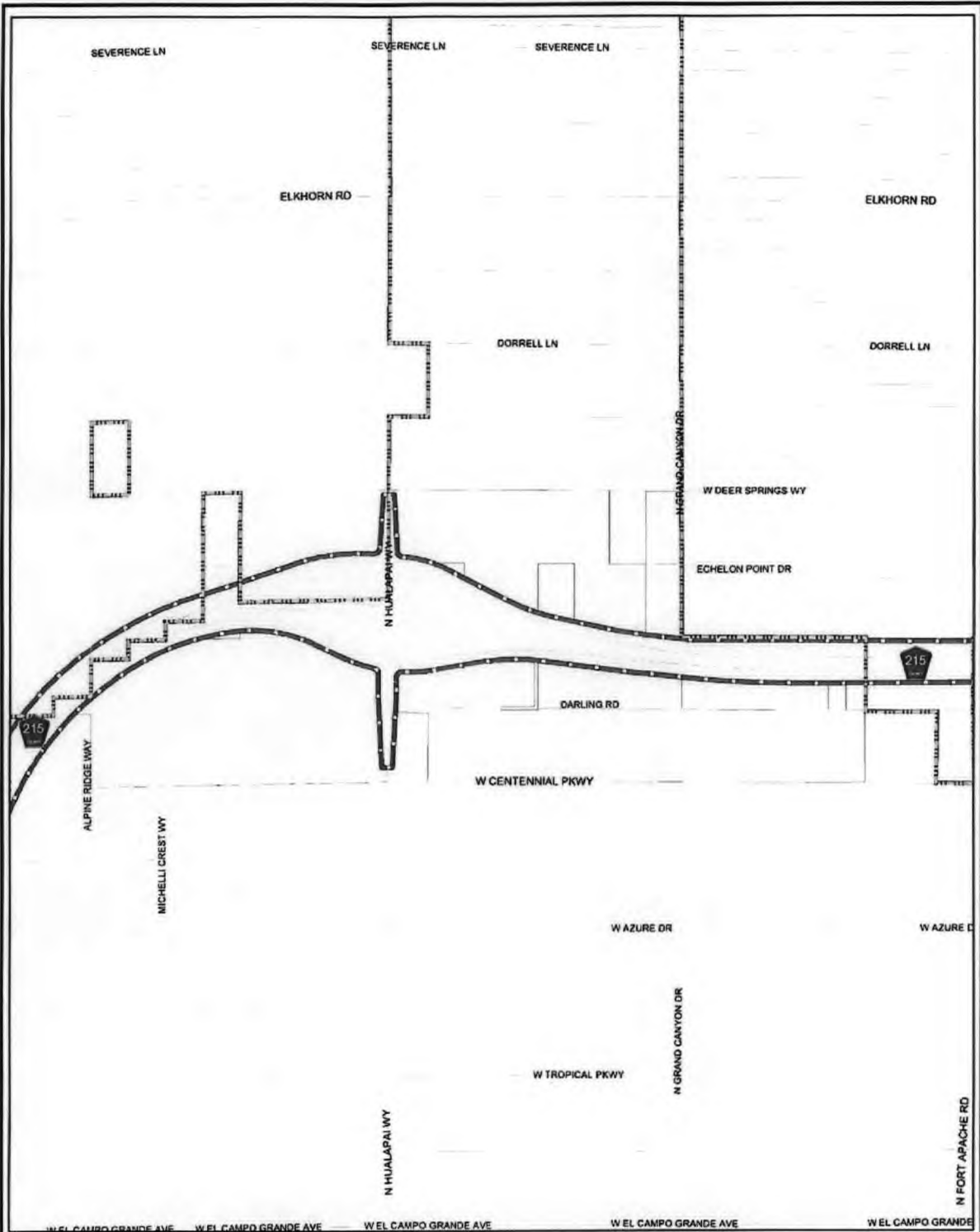
PORTION OF THE S 1/2, SEC 24, T19S, R59E, AND THE S 1/2, SEC 19, T19S, R60E, M.D.M.,



ANX-12215

ANNEXED TO THE CITY OF LAS VEGAS UNDER ORDINANCE No. \_\_\_\_\_

THE MAP EXHIBIT WAS PREPARED PER NRS 268.600 FROM THE DATA ON THE AMENDED SURVEY MAP IN FILE 160, PAGE 77 OF CLARK COUNTY, NEVADA RECORDS; SAID EXHIBIT IS NOT A RECORD OF SURVEY AS DEFINED BY NRS 625.340 TO 625.380.



 Redrock Conservation Area

 City Limits

 Annexation Case #12215 - Conceptual Rights-of-way

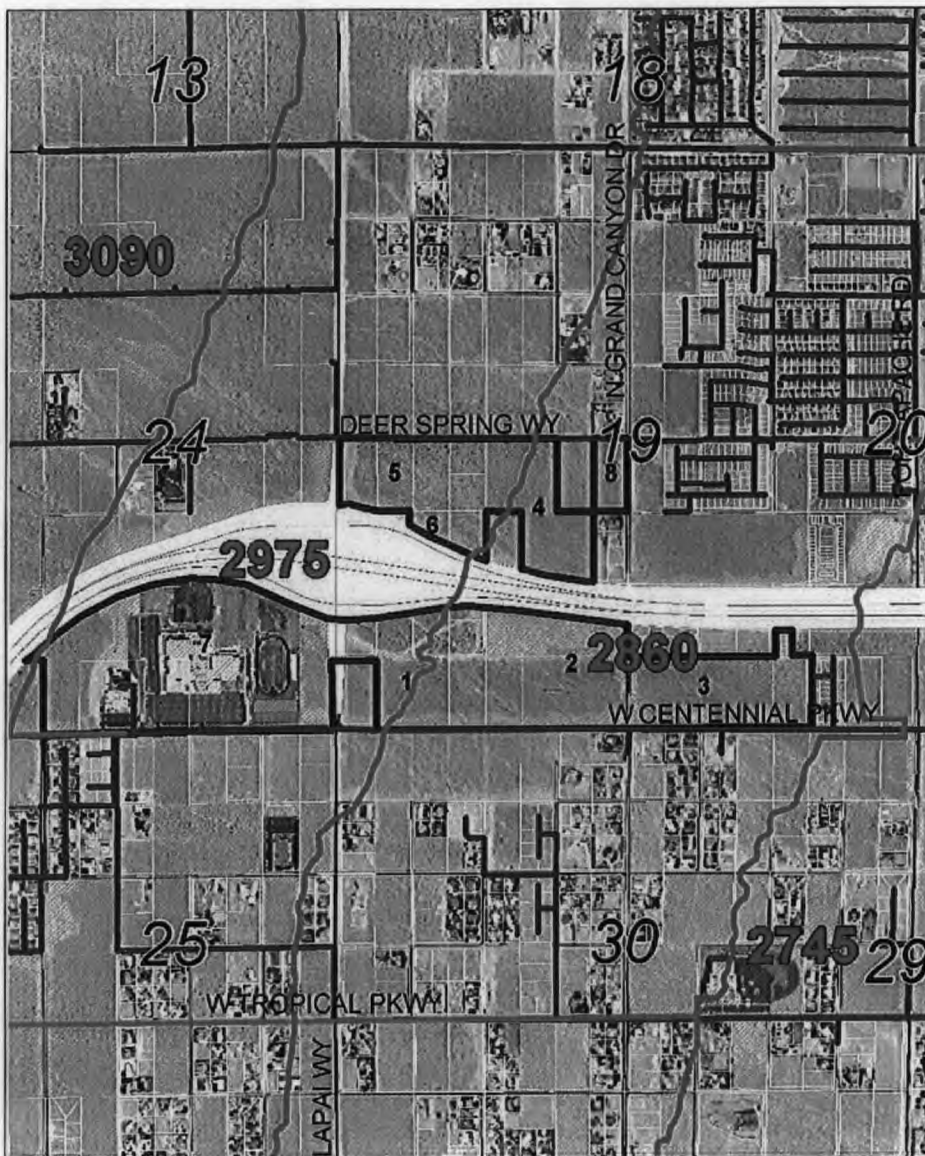
Printed: 10/18/2006



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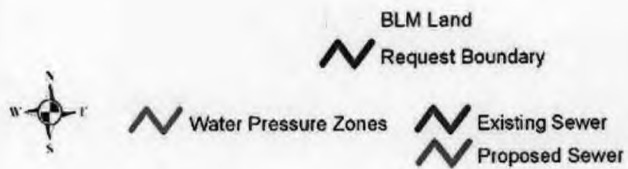






**Request for Annexation of BLM Parcels in  
Section 19 - T19S, R60E**

**Sewer Service Exhibit**



**MAP ELEVEN**  
**City of Las Vegas**  
**CENTENNIAL HILLS**  
**SECTOR**

Existing and Approved  
 Power Lines

-  Existing Power Lines
-  Existing Substations
-  Proposed Power Lines
-  Proposed Substations
-  Annexation Area

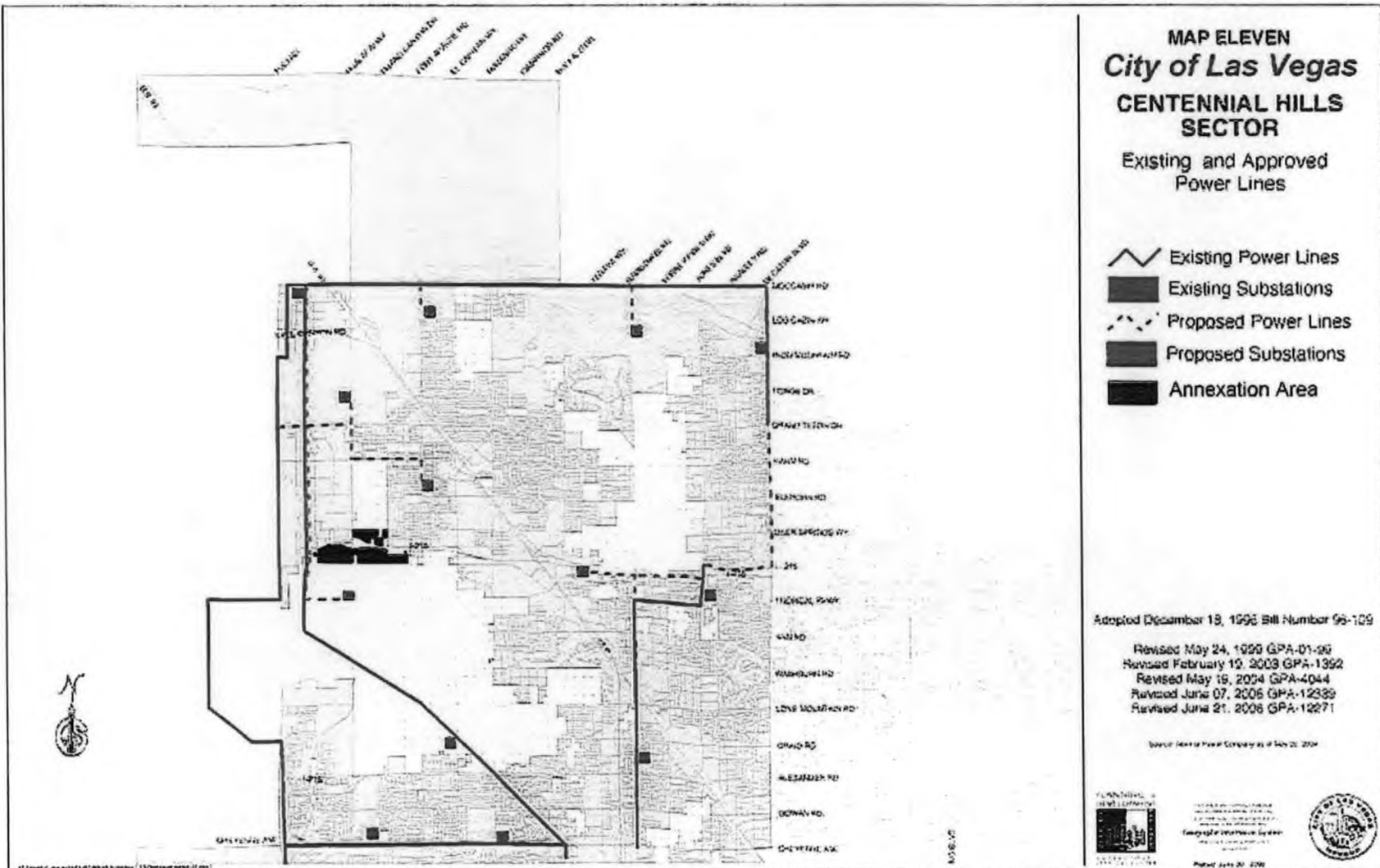
Adopted December 18, 1996 Bill Number 96-109

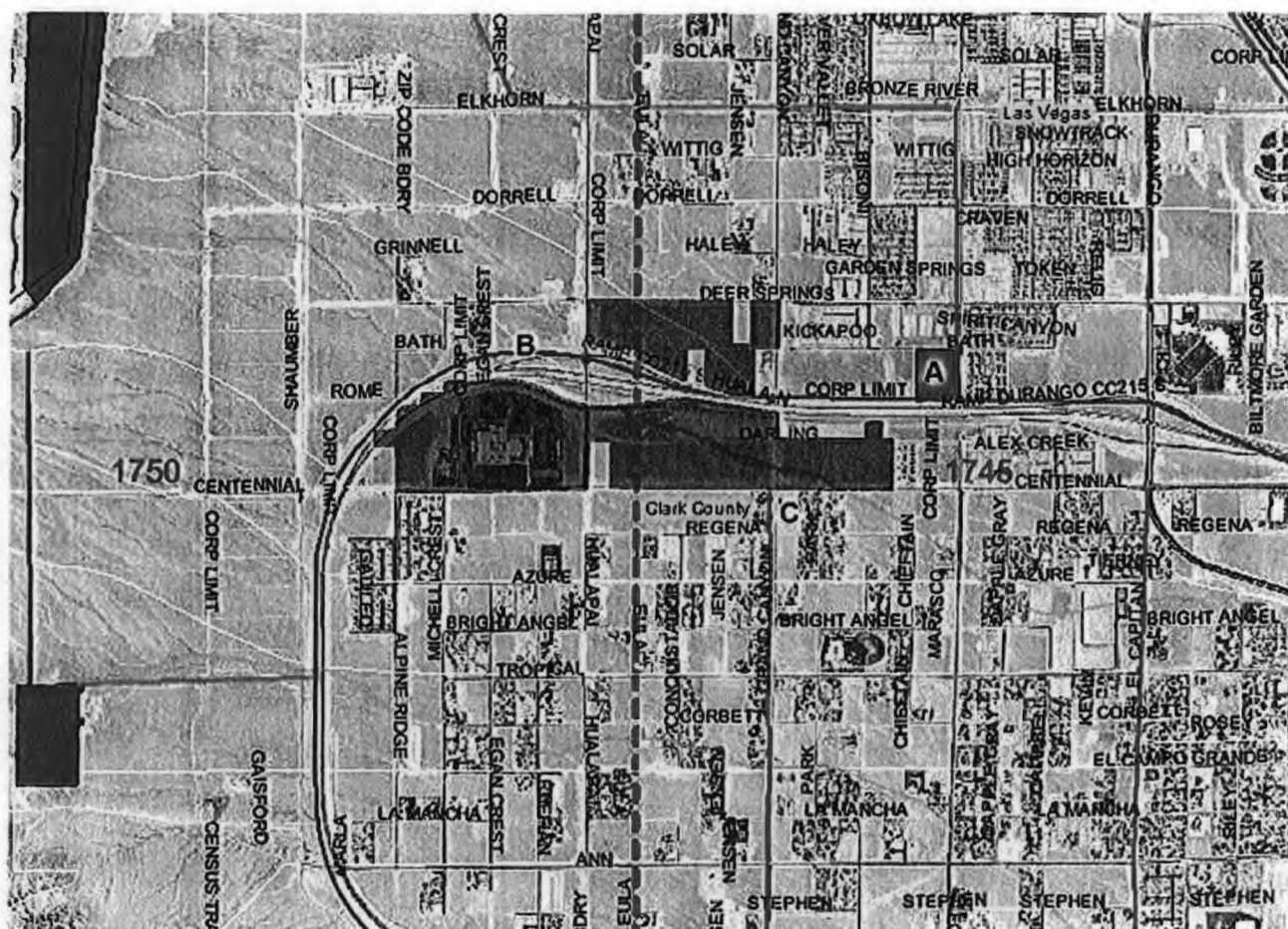
Revised May 24, 1999 GPA-01-99  
 Revised February 19, 2003 GPA-1392  
 Revised May 19, 2004 GPA-4044  
 Revised June 07, 2006 GPA-12389  
 Revised June 21, 2006 GPA-12271

Source: Southern Power Company as of June 20, 2004



City of Las Vegas  
 Engineering Department  
 200 North Las Vegas Blvd., Suite 200  
 Las Vegas, NV 89101  
 Phone: 702-258-2000  
 Fax: 702-258-2001  
 Email: info@cityoflasvegas.com





**A**  
 Watershed: Northern Las Vegas Wash  
 Description: 82 ac-ft. Ft. Apache Detention Basin  
 Status: E1: Existing - Estimated Cost  
 Volume (acre-feet): 82  
 HEC-1 Flow (cfs): 1031  
 Tributary Area (sq mi): 1.23  
 Row Acreage: 11

**B**  
 Watershed: Northern Las Vegas Wash  
 Description: Conc Chnl 12'W 5.5' D  
 Status: E1: Existing - Estimated Cost  
 Length (ft): 1968 Width (ft): 12  
 Pipe Diameter (ft): 5.5  
 low Depth / Pipe Diameter (ft): 2.4  
 Flow Velocity / Pipe Velocity (ft): 22.3  
 HEC-1 Flow (cfs): 636  
 Manning's n: 0.015  
 Channel Slope (ft/ft): 0.025  
 Tributary Area (sq mi): 0.58  
 Row Zone: 5.5  
 Row Length: 1968  
 Row Acreage: 1.490909  
 Row Width: 33

**C**  
 Watershed: Gowan  
 Description: 7' X 6' RCB  
 Status: P1: Planning Level  
 Length (ft): 1320  
 Width (ft): 7 Pipe Diameter (ft): 6  
 Flow Depth / Pipe Diameter (ft): 4.6  
 Flow Velocity / Pipe Velocity (ft): 16.7  
 Freeboard (ft): 0  
 HEC-1 Flow (cfs): 541  
 Manning's n: 0.015  
 # of Pipes or Boxes: 1  
 Channel Slope (ft/ft): 0.01136  
 Tributary Area (sq mi): 0.6  
 Row Zone: 6

#### Legend

##### Conveyances

- ~ Candidate
- ~ Under Construction
- ~ Proposed
- ~ 30 ft
- ~ 40 ft

##### ETRS Stations

- ▲ Weather Station
- ▲ Precipitation Gauge
- ▲ Water Level Rain Gauge

##### Bridges

- Candidate
- Under Construction
- Proposed
- 30 ft
- 40 ft

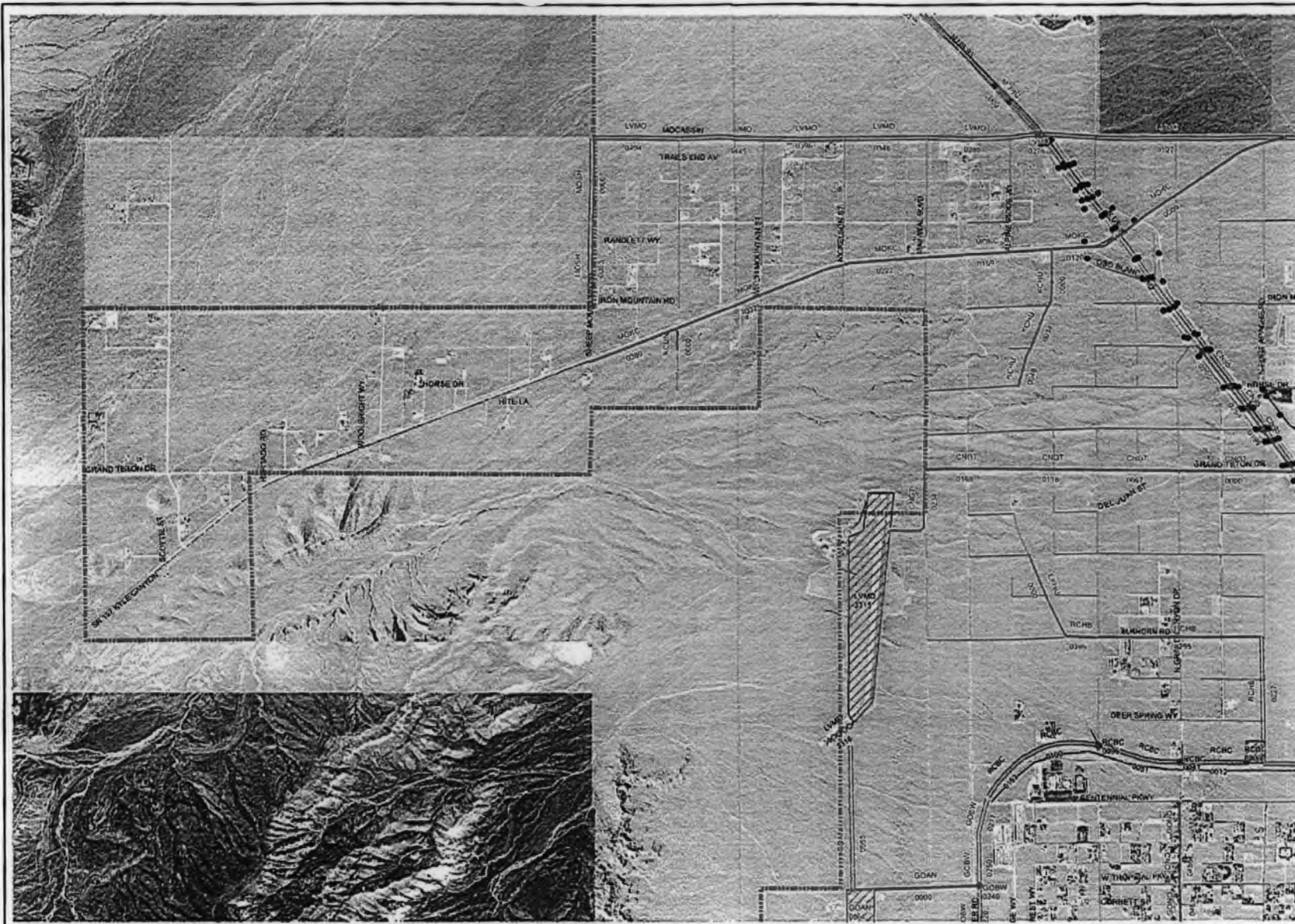
##### Basins

- Candidate
- Under Construction
- Proposed
- 30 ft
- 40 ft

##### Areas changed by LDMR

- ADDED
- REMOVED
- STRENGTHENED
- Washes
- Major Streets
- All Street
- Floodways





REGIONAL FLOOD CONTROL DISTRICT

**2002  
LAS VEGAS VALLEY  
FLOOD CONTROL  
MASTER PLAN UPDATE**

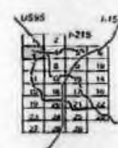
**LEGEND**

- Ultimate Development Boundary
- Existing Facilities
- Category A Proposed Facilities
- Category B Proposed Facilities
- Local Existing Facilities
- Local Proposed Facilities
- Detention Basin
- Culvert
- Bridge
- Pipeline
- Levee Channel
- Unleveled Channel
- Dike
- Natural Wash
- ID-Mile Separator



0 1,000 2,000 3,000 4,000 5,000  
Feet

SCALE: 1 inch = 3000 feet



**FLOOD CONTROL FACILITIES  
FIGURE F-3**

**PBS&J**











# NORTHWEST NEIGHBORHOOD STUDY

## LEGEND

- SUB BASIN BOUNDARY
- FLOW ARROW
- 250 10-YEAR STREET FLOW
- 500 100-YEAR STREET FLOW
- 300 10-YEAR FACILITY FLOW
- 800 100-YEAR FACILITY FLOW
- (FLOWS IN CFS)

BWJS -- Basin-ID  
(13 / 59) -- Contributing flow  
(10 Year / 100-Year)  
from the basin (cfs)

PHOTO DATE: APRIL 1996

FIGURE E-1



## EXISTING DRAINAGE CONDITIONS

**PBSJ** POST,  
BUCKLEY,  
SCHUH &  
JERNIGAN, INC.

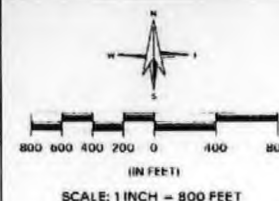
ENGINEERING PLANNING SURVEYING GIS  
601, N. Green Valley Pkwy., Ste. 100, Henderson NV 89014  
Phone: (702) 263-7275 Fax: (702) 263-7200

| RELAT. | PT. INCH | RELAT. | RELAT. | RELAT. | RELAT. |
|--------|----------|--------|--------|--------|--------|
| 1      | 2        | 3      | 4      | 5      | 6      |
| 7      | 8        | 9      | 10     | 11     | 12     |
| 13     | 14       | 15     | 16     | 17     | 18     |

LEGEND  
UNIMPROVED  
IMPROVED  
SPREADING  
DRAINAGE

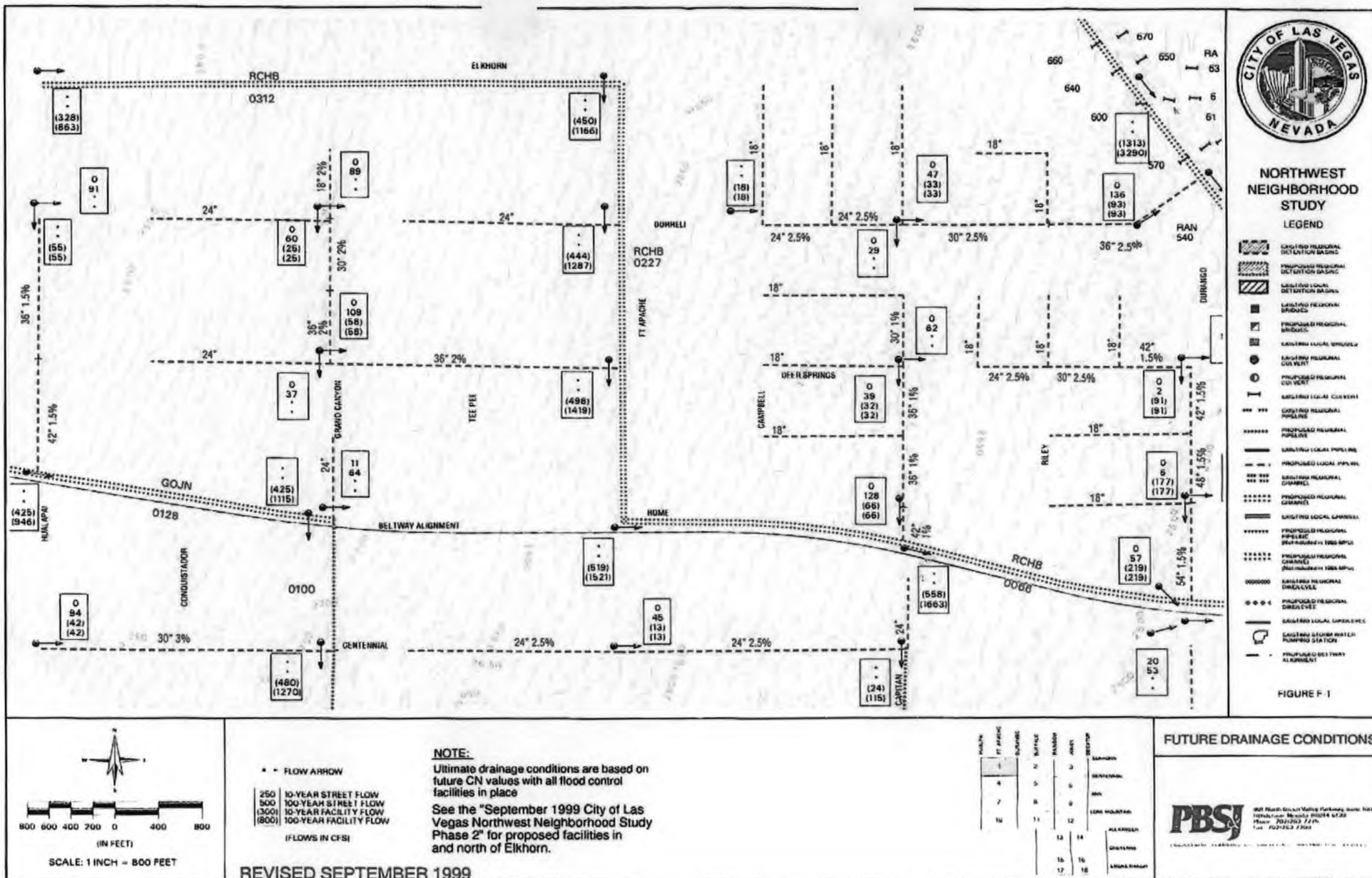
## NOTE:

Existing conditions are based on future  
CN values with only existing local and  
CCRFCD facilities in place



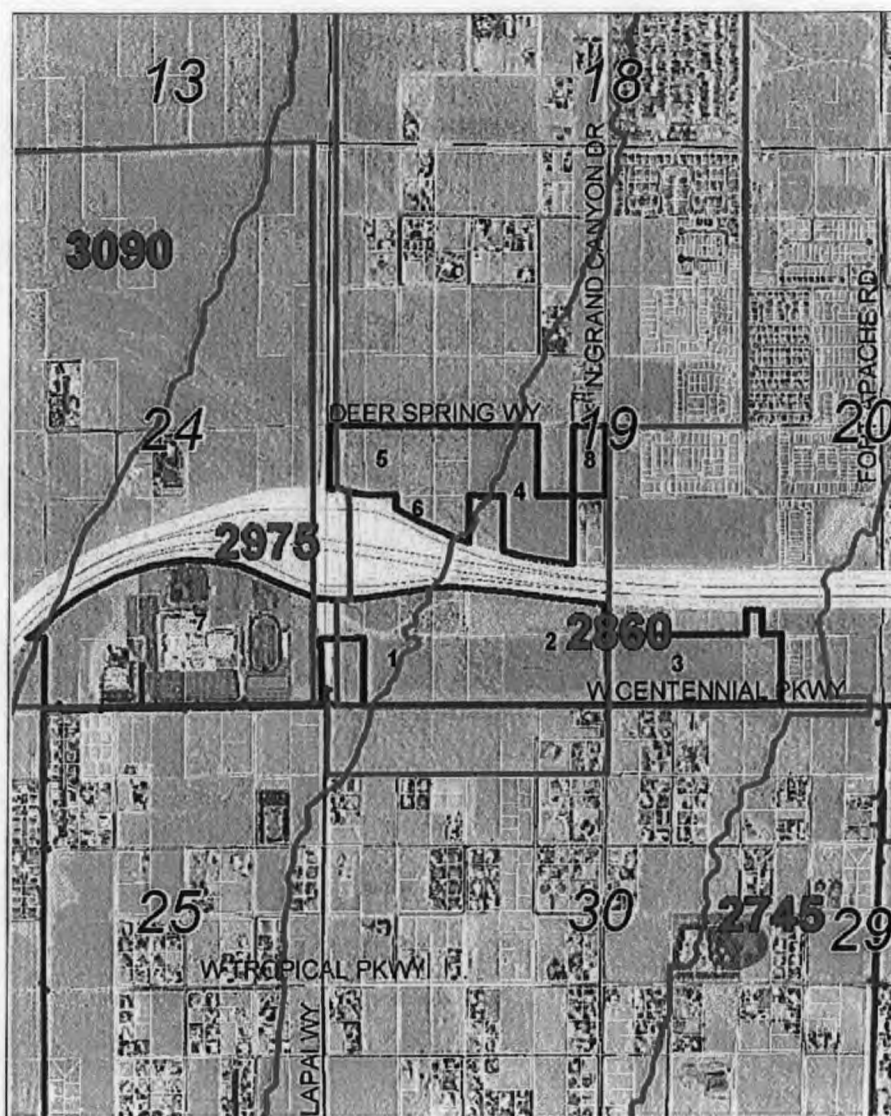
REVISED SEPTEMBER 1999  
(UPDATED EVERY 10 YEARS)





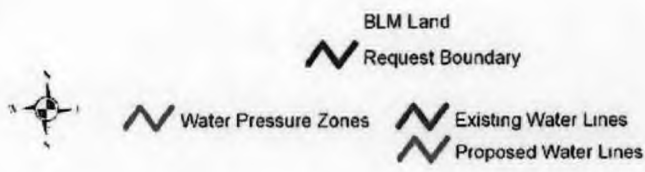






# **Request for Annexation of BLM Parcels in Section 19 - T19S, R60E**

## **Water Service Exhibit**



## ELIGIBILITY FOR ANNEXATION

In order for territory to be annexed to a city within Clark County, all the territory must meet the general standards of NRS 268.580 (2) and must meet the requirements of NRS 268.580 (3), 268.580 (4), 268.580 (5) or 268.580 (6). The territory proposed for annexation in connection with this report is eligible for annexation under subsections 2 through 6 of NRS 268.580 as follows:

### Subsection 2

- (a) The area to be annexed is contiguous to the City's boundaries at the time the annexation proceedings were instituted.
- (b) More than one eighth of the aggregate external boundaries of the area are contiguous to the boundaries of the City of Las Vegas. (21% aggregate boundaries are contiguous)
- (c) The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983.

### Subsection 3

Not applicable

### Subsection 4

Not applicable

### Subsection 5

Not applicable

### Subsection 6

With respect to territory not owned by a governmental entity, as referred to in Paragraph (a) of the subsection (6), the owners of record of not less than 75 percent of the individual lot a or parcels of land within the territory have petitioned the City to annex the territory.

With respect to territory owned by a governmental entity, as referred to in Paragraph (b) of the Subsection (6), the City has received a written statement from the governmental entity that owners the territory indicating that the entity does not object to the City's annexation of the territory.

**NOTICE OF HEARING ON QUESTION OF ANNEXATION OF TERRITORY  
(ANNEXATION ANX-12215)**

NOTICE IS HEREBY GIVEN to the property owners within the area proposed to be annexed into the City of Las Vegas, Nevada, by Annexation ANX-12215 that:

1. The City Council of the City of Las Vegas, Nevada, has by Resolution duly passed, adopted and approved on the 1<sup>st</sup> day of November, 2006, declared its intention to annex to the City certain territory generally located on the north and south sides of Clark County Highway 215, between Shaumber Road and Fort Apache Road. The portion north of Clark County Highway 215 is generally described as located between Hualapai Way to the west, Deer Springs Road to the north, and Grand Canyon Drive to the east. The portion located south of Clark County Highway 215 is generally described as located between Alpine Ridge Way to the west, Centennial Parkway to the south, and Chieftain Street to the east.

The territory proposed to be annexed is more particularly described as follows:

Those portions of the South Half (S 1/2) of Section 19, Township 19 South, Range 60 East, M.D.M., and those portions of the South Half (S 1/2) of Section 24, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, including portions of Northern Beltway I-215 right of way, as shown on "AMENDED RECORD OF SURVEY – ANNEXATION PLAT" recorded October 13, 2006 in File 160 of Surveys, Page 77 of Clark County, Nevada Records, described as follows:

BEGINNING at the southeast corner of said Section 24, also being the centerline intersection of CENTENNIAL PARKWAY and HUALAPAI WAY; thence along the south line of the Southeast Quarter (SE 1/4) of said Section 24, North 88°58'34" West 2706.05 feet to the west line of said Southeast Quarter (SE 1/4); thence along said west line, North 00°04'23" East 669.08 feet; thence departing said west line, South 88°58'09" West 339.09 feet; thence North 00°00'30" East 167.21 feet; thence North 88°57'34" East 339.28 feet to the aforementioned west line; thence North 00°04'23" East 334.54 feet; thence departing said west line, North 88°56'02" East 338.65 feet; thence North 00°05'30" East 167.31 feet to the south line of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the south line of said Northwest Quarter (NW 1/4), North 88°55'41" East 338.70 feet; thence departing said south line, North 00°06'42" East 167.23 feet; thence North 88°55'04" East 338.78 feet; thence South 00°08'10" West 167.29 feet to the south line of said Northwest Quarter (NW 1/4); thence along said south line, North 88°55'41" East 338.70 feet to the southeast corner of said Northwest Quarter (NW 1/4); thence along the east line of said Northwest Quarter (NW 1/4), North 00°09'39" East 334.71 feet; thence departing said East line, North 88°53'41" East 1358.00 feet to the east line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the east line of said Northeast Quarter (NE 1/4), North 00°19'19"



East 1005.57 feet to the northwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence along the north line of said Northwest Quarter (NW 1/4) and the centerline of DEER SPRINGS WAY, South 89°27'56" East 1344.49 feet to the northwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19; thence continuing along said centerline, South 89°29'27" East 662.09 feet; thence departing said centerline South 00°04'10" East 667.73 feet; thence South 89°33'36" East 331.41 feet; thence North 00°06'06" West 667.33 feet returning to the centerline of said DEER SPRINGS WAY; thence South 89°29'27" East 331.04 feet to the center quarter corner of said Section 19, also being the centerline intersection of DEER SPRINGS WAY and GRAND CANYON DRIVE; thence along the centerline of said GRAND CANYON DRIVE and the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of said Section 19, South 00°08'02" East 666.94 feet; thence departing said east line, North 89°33'36" West 331.41 feet; thence South 00°06'06" East 667.33 feet to a point hereinafter referred to as POINT "A"; thence South 89°37'45" East 331.79 feet to the northwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the west line of said Southwest Quarter (SW 1/4), South 00°07'26" East 666.75 feet to the southwest corner of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence along the south line of said North Half (N 1/2), South 89°41'28" East 1328.72 feet to the east line of said North Half (N 1/2); thence along said east line, North 00°12'42" West 332.68 feet; thence departing the east line of said North Half (N 1/2), South 89°40'36" East 165.98 feet; thence South 00°13'34" East 332.60 feet; thence South 89°42'19" East 166.06 feet; thence South 00°14'27" East 665.03 feet to the south line of the Southeast Quarter (SE 1/4) of said Section 24; thence along said south line North 89°45'46" West 332.46 feet; thence continuing along said south line, North 89°45'05" West 1329.72 feet to the south quarter corner of said Section 19; thence along the south line of the Southwest Quarter (SW 1/4) of said Section 19, North 89°47'13" West 1329.78 feet; thence continuing along said south line, North 89°47'00" West 997.89 feet; thence departing said south line, North 00°06'13" East 669.94 feet; thence North 89°42'16" West 359.37 feet to the west line of the Southwest Quarter (SW 1/4) of said Section 19; thence along said west line, South 00°19'07" West 670.44 feet to the POINT OF BEGINNING.

EXCEPT THEREFROM a parcel of land described as follows:

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FURTHER EXCEPT THEREFROM another parcel of land described as follows:

COMMENCING at the aforementioned POINT "B"; thence North 89°32'44" West 331.31 feet to the POINT OF BEGINNING "B1"; thence South 00°01'47" West 668.98 feet; thence North 89°37'30" West 331.77 feet; thence North 00°04'00" East 532.84 feet to the northerly right-of-way of the I-215 BELTWAY; thence along said northerly right-of-way, North 62°30'11" West 153.23 feet to the beginning of a curve, concave southwesterly, having a radius of 1120.00 feet; thence northwesterly along said curve and said right-of-way, through a central angle of 08°55'36" and an arc length of 174.50 feet to a point of cusp; thence South 89°32'44" East 627.85 feet to the POINT OF BEGINNING "B1".

BASIS OF BEARINGS: North 88°58'34" East being the bearing of the Southeast Quarter (SE 1/4) of Section 24, Township 19 South, Range 59 East, M.D.M., as shown on that plat of "CLIFFS EDGE PARENT" recorded in Book 118 of Plats, Page 88 of Clark County, Nevada Records.

Prepared by:  
Brian Yu PLS  
Public Works, City of Las Vegas,  
731 S. Fourth Street,  
Las Vegas, NV 89101  
byu@lasvegasnevada.gov

2. At its meeting of Wednesday, December 20, 2006, during the afternoon session commencing at the hour of 1:00 p.m. in the Council Chambers, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will conduct a public hearing on the question of the annexation described in this Notice.

3. A report setting forth the City's plans for the extension into the above-described territory of all major municipal services presently furnished by the City to its residents and citizens will be available for examination by the public in the Office of the City Clerk, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, no later than twenty (20) days prior to the date of the public hearing. The report shall include:

- A. An accurate map or plat of the territory proposed to be annexed, prepared under the supervision of a competent surveyor or engineer;
- B. A map or maps of the City and the adjacent territory to show the following information:
  - (1) The present and proposed boundaries of the City;
  - (2) The present streets and sewer interceptors and outfalls;

(3) The proposed extension of the present streets and sewer interceptors and outfalls; and

(4) The present and proposed general land use pattern into the territory proposed to be annexed.

C. A statement showing that the territory proposed to be annexed is eligible for annexation under NRS 268.570 to 268.608, inclusive.

4. The names and addresses of all record owners of real property within the above-described territory proposed to be annexed are as follows:

KR Land Company, LLC  
c/o Focus Coml Group  
3455 Cliff Shadows Pkwy  
Las Vegas, NV 89129-1062

Southwest Desert Equities, LLC  
c/o Focus Coml Group  
3320 N Buffalo Dr #204  
Las Vegas, NV 89129-7411

Southwest Desert Equities, LLC  
c/o Focus Coml Group  
3455 Cliff Shadows Pkwy #220  
Las Vegas, NV 89129-1077

Beazer Homes Holding Corp  
c/o J Bohn  
4670 S Fort Apache Rd #200  
Las Vegas, NV 89147-7941

Southwest Desert Equities, LLC  
c/o K Hermanson  
3455 Cliff Shadows Pkwy #220  
Las Vegas, NV 89129-1077

Dark, LLC  
7251 W Lake Mead #300  
Las Vegas, NV 89129-8380

Northwest Investments, LLC  
3455 Cliff Shadows Pkwy #220  
Las Vegas, NV 89129-1077

School Board of Trustees  
2832 E Flamingo Rd  
Las Vegas, NV 89121-5205

Southwest Desert Equities, LLC  
3455 Cliff Shadows Pkwy #220  
Las Vegas, NV 89129-1077

USA  
Washington, D.C. 20260

Brain Surgery, LLC  
3455 Cliff Shadows Pkwy #220  
Las Vegas, NV 89129-1077

USA  
City of Las Vegas Lease  
Washington, D.C. 20260

5. Any record owner of real property within the above-described territory may:

A. Appear and be heard either in favor of or in protest of the proposed annexation at the public hearing;

B. File with the City Clerk a written protest of such annexation at any time within fifteen (15) days after the conclusion of the public hearing; or

C. Do both.

Unless a majority of the property owners in the territory proposed to be annexed protest the annexation either orally at the public hearing or in writing within fifteen (15) days after the conclusion of such public hearing, the City Council shall have authority to adopt an ordinance extending the corporate limits of the City of Las Vegas to include all or any part of the territory described in this Notice.

By ORDER of the City Council of the City of Las Vegas, Nevada, dated this 1st day of November, 2006.

  
BEVERLY K. BRIDGES, Chief Deputy City Clerk



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

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**DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: STEPHEN K. HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 6600 Lemitar Drive. PROPERTY OWNER: STEVEN D & STEVEN YOUNG (\$6,575.63 – General Fund) - Ward 5 (Weekly)

**Fiscal Impact**☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

**Amount:** \$6,575.63**Funding Source:** General Fund**Dept./Division:** Neighborhood Services/Neighborhood Response**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Allied Flooring Services dba Disaster Kleen-Up of Nevada to remove vegetation (dead, dry & overgrow, repair window, remove vehicle on site and landscape work. To date, there have been sixteen (16) inspections conducted at this location. The value of the property based on the sale date of July 1997 was \$124,000.00.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$6,575.63 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by LAWRENCE WEEKLY to Approve

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

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,

**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

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.

Video shown but not submitted.

The property owner nor a representative was present.

DEVIN SMITH, Manager of Neighborhood Response, read the purpose/background regarding the condition of the property as a public and attractive nuisance requiring the described abatement. To date, there have been 16 inspections and the value of the property, based upon the sale date of July 1997, was \$124,000. MR. SMITH recommended the City Council approve the report of expenses in the amount of \$3,257.50 to Disaster Kleen-Up of Nevada, \$379.50 in reinspection fees, \$2,450.00 in civil penalties and a 15 percent administrative fee, totalling \$6,575.63. MR. SMITH also recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

COUNCILMAN WEEKLY thanked MR. SMITH and his staff for their efforts.

MAYOR GOODMAN declared the Public Hearing closed.

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: December 20, 2006**

**DEPARTMENT: Neighborhood Services**

**ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 6600 Leimtar Drive. PROPERTY OWNER: STEVEN D & STEVEN YOUNG – Ward 5 (Weekly)**

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Allied Flooring Services dba Disaster Kleen-Up of Nevada completed work on September 19, 2006 at a cost of \$3,257.50; \$379.50 in reinspection fees; \$2,450.00 in civil penalties plus a 15% administrative fee, for a total of \$6,575.63.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.

**BEST BUY**



# Memorandum

## City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk  
From: Devin S. Smith, Manager – Neighborhood Response Division  
CC: File  
Date: November , 2006  
Re: Report of Expenses for the abatement of Dangerous Building at 6600 Lemitar Drive - Ward 5 (Weekly)

*LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.*

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building", the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, vegetation (dead/dry/overgrown), repairing window and removing vehicle on site. The abatement was completed by Allied Flooring Services dba Disaster Kleen-up of Nevada on September 19, 2006 at a cost of \$3,257.50 which was accepted by the Department of Neighborhood Services.

| Contract Amount Breakdown:                 |                                  |
|--------------------------------------------|----------------------------------|
| Landscape (front/side yards only)          | \$2,362.50                       |
| Rockscape with weed barrier, no irrigation |                                  |
| Remove all vegetation (dead/dry/overgrown) | \$250.00                         |
| Repair window on Garage                    | \$195.00                         |
| Remove Ford Van from Driveway              | \$450.00                         |
| AMOUNT DUE:                                | \$3,257.50                       |
| Administrative Processing Fee:             | \$488.63                         |
| Sub-Total:                                 | \$3,746.13                       |
| Reinspection Fees:                         | \$379.50                         |
| Civil Penalties:                           | \$2,450.00                       |
| TOTAL AMOUNT DUE:                          | \$6,575.63                       |
| OWNER OF RECORD:                           | STEVEN D. & STEVEN YOUNG         |
| PROPERTY ABATED:                           | 6600 Lemitar Drive               |
| ASSESSOR PARCEL:                           | 138-23-310-092                   |
| LEGAL DESCRIPTION:                         | METROPOLITANS FIRST COLONY NORTH |
|                                            | PLAT BOOK 35 PAGE 10             |
|                                            | LOT 19 BLOCK 2                   |

DSS:ed

ALLIED FLOORING SERVICES  
DBA DISASTER KLEEN-UP OF NEVADA  
1722 Primrose Path  
LAS VEGAS, NEVADA 89108

DISCLOSURE OF PRINCIPALS

The principals and partners of Allied Flooring Services and  
all persons and entities holding more than a 1% interest in

Allied Flooring Services or any principal of  
Allied Flooring Services are the following:

| <u>FULL NAME</u>           | <u>BUSINESS ADDRESS</u>               | <u>BUSINESS PHONE</u> |
|----------------------------|---------------------------------------|-----------------------|
| 1. <u>Javier Cardona</u>   | <u>1722 Primrose Path LV NV 89108</u> | <u>647-7777</u>       |
| 2. <u>Marisela Cardona</u> | <u>1722 Primrose Path LV NV 89108</u> | <u>647-7777</u>       |
| 3. _____                   | _____                                 | _____                 |
| 4. _____                   | _____                                 | _____                 |
| 5. _____                   | _____                                 | _____                 |
| 6. _____                   | _____                                 | _____                 |

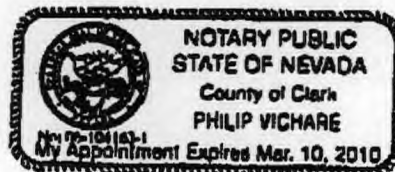
Continue list until full and complete disclosure is made

I certify under penalty or perjury, that the foregoing list is  
full and complete.

Allied Flooring Services  
BY: Lyn Muravnick  
Lynn Muravnick, Office Mgr.

Subscribed and sworn to before me  
This 16<sup>th</sup> day of August, 2006.

Philip Vichare  
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

EVE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

DOUGLAS A. SELBY  
CITY MANAGER

**NOTICE OF PUBLIC HEARING  
DECEMBER 20, 2006**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, December 20, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing vegetation (dead, dry and overgrown) , repairing windows, removing vehicle on site and landscape work on property located at **6600 LEMITAR DRIVE**, legally described as **METROPOLITANS FIRST COLONY NORTH PLAT BOOK 35 PAGE 10 LOT 19 BLOCK 2**. Owner of record at time of abatement: **STEVEN D. & STEVEN YOUNG – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$6,575.63 was expended (\$3,257.50 for cleaning and posting the property by Allied Flooring Services dba Disaster Kleen-Up of Nevada; \$379.50 Reinspection Fee; \$2,450.00 Civil Penalties; and \$488.63 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS  
CITY CLERK

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009

CASENO 39040 CODEENF

02219-62

Address: 6600 LEMITAR DR

CITZ

Inop vehicles in driveway with flat tires

**Parcel(s)**

|                |              |                                  |
|----------------|--------------|----------------------------------|
| <b>Parcel:</b> | <b>Size:</b> | <b>Subdivision Name:</b>         |
| 13823310092    | 0.1 ACRE     | METROPOLITANS FIRST COLONY NORTH |

**Owner Information:**

|           |           |                                                                      |
|-----------|-----------|----------------------------------------------------------------------|
| 10-Aug-02 | 31-Mar-04 | WOODS JOHN YOUNG STEVEN<br>6600 LEMITAR DR; LAS VEGAS, NV 89108-2759 |
| 31-Mar-04 | 04-Dec-04 | YOUNG STEVEN & STEVEN D<br>PO BOX 270191; LAS VEGAS, NV 89127        |
| 04-Dec-04 |           | YOUNG STEVEN & STEVEN D<br>6600 LEMITAR DR; LAS VEGAS, NV 89108-2759 |

**Inspection Summary**

| <b>Inspector:</b>       | <b>Status:</b> |         | <b>Scheduled DT:</b> | <b>Start Dt:</b> | <b>Comp DT:</b>  | <b>Min:</b> |
|-------------------------|----------------|---------|----------------------|------------------|------------------|-------------|
| 880076                  | Failed         |         | 3/8/2006             | 03/08/2006 12:15 | 03/08/2006 12:24 | 9           |
| 880076                  | Passed         | Partial | 3/20/2006            | 03/20/2006 12:30 | 03/20/2006 12:35 | 5           |
| 880076                  | Passed         | Partial | 3/28/2006            | 03/21/2006 9:55  | 03/21/2006 10:00 | 5           |
| 880076                  | Failed         |         | 4/5/2006             | 04/06/2006 12:35 | 04/06/2006 12:41 | 6           |
| 981876                  | Passed         | Partial | 4/7/2006             | 04/07/2006 9:07  | 04/07/2006 9:12  | 5           |
| 981876                  | Passed         | Partial | 4/21/2006            | 04/12/2006 11:02 | 04/12/2006 11:05 | 3           |
| 981876                  | Failed         |         | 4/24/2006            | 04/24/2006 9:47  | 04/24/2006 10:00 | 13          |
| 970581                  | Passed         | Partial | 4/30/2006            | 04/30/2006 9:55  | 04/30/2006 10:08 | 13          |
| 981876                  | Failed         |         | 5/9/2006             | 05/09/2006 10:37 | 05/09/2006 10:40 | 3           |
| 981876                  | Failed         |         | 5/18/2006            | 05/19/2006 11:04 | 05/19/2006 11:09 | 5           |
| 981876                  | Passed         | Partial | 5/23/2006            | 06/09/2006 12:21 | 06/09/2006 12:24 | 3           |
| 981876                  | Failed         |         | 6/19/2006            | 06/26/2006 10:24 | 06/26/2006 10:31 | 7           |
| 981876                  | Failed         |         | 6/30/2006            | 07/27/2006 11:08 | 07/27/2006 11:12 | 4           |
| 982400                  | Passed         | Partial | 8/4/2006             | 08/17/2006 13:46 | 08/17/2006 13:48 | 2           |
| 981876                  | Failed         |         | 8/24/2006            | 08/25/2006 8:48  | 08/25/2006 8:53  | 5           |
| 981876                  | Passed         |         | 8/30/2006            | 09/19/2006 9:11  | 09/19/2006 9:22  | 11          |
| <b>Time in Minnets:</b> |                |         |                      |                  |                  | <b>99</b>   |

**Violation Details**

| <b>Violation</b>                            | <b>Violation DT:</b> | <b>Resolve DT:</b> | <b>Location:</b>        |
|---------------------------------------------|----------------------|--------------------|-------------------------|
| A-VEHICLE                                   | 3/8/2006             | 3/21/2006          | DRIVEWAY                |
| REMOVE INOPERTIVE/JUNKED VEHs FROM PROPERTY |                      |                    |                         |
| A-REFUSE/WST                                | 3/20/2006            | 3/21/2006          | FRONT YARD AND DRIVEWAY |
| REMOVE ALL REFUSE AND WASTE                 |                      |                    |                         |
| A-WEEDS                                     | 3/20/2006            | 3/21/2006          | FRONT YARD              |
| REMOVE ALL WEEDS/HIGH GRASS                 |                      |                    |                         |



|                                                             |          |           |          |
|-------------------------------------------------------------|----------|-----------|----------|
| A-ZONE OTHER                                                | 4/7/2006 | 9/19/2006 | PROPERTY |
| REMOVE ALL VEHICLES FROM THIS VACANT PROEPTY (TAN FORD VAN) |          |           |          |
| A-REFUSE/WST                                                | 4/7/2006 | 9/19/2006 | PROPERTY |
| REMOVE ALL REFUSE AND WASTE FROM THE PROPERTY.              |          |           |          |
| A-MITIGATION                                                | 4/7/2006 | 9/19/2006 | PROPERTY |
| SUBMIT A MITIGATION PLAN.                                   |          |           |          |
| A-INTENT LTR                                                | 4/7/2006 | 9/19/2006 | PROPERTY |
| SUBMIT A LETTER OF INTENT                                   |          |           |          |
| A-BRDG CERT                                                 | 4/7/2006 | 9/19/2006 | PROPERTY |
| OBTAIN A BOARDING CERT                                      |          |           |          |
| A-BLD DNGR                                                  | 4/7/2006 | 9/19/2006 | PROPERTY |
| SECURE PROPERTY TO CLV SPECS                                |          |           |          |
| A-WEEDS                                                     | 4/7/2006 | 9/19/2006 | PROPERTY |
| REMOVE ALL HIGH WEEDS                                       |          |           |          |

Jg

| Type:                                                                                                                                                         | Date:                 | Employee:         | Min: |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------|------|
| INSP                                                                                                                                                          | 12/4/2006 11:07:00 AM | LYNN NIHIPALI     | 3    |
| 16)POST MITI PIX, CB 12-5 TO 24                                                                                                                               |                       |                   |      |
| MISC                                                                                                                                                          | 12/1/2006 4:00:00 AM  | ELIZABETH DOUGLAS | 0    |
| Sent Expense Letter and Memo certified and regular mail to owner.                                                                                             |                       |                   |      |
| MISC                                                                                                                                                          | 10/17/2006 3:38:00 PM | KATHY STEWART     | 0    |
| Sent invoice (\$3,257.50) from Disaster Kleen-up of NV to Finance for payment. Gave file to #24 for review & Council.                                         |                       |                   |      |
| MISC                                                                                                                                                          | 10/16/2006 7:26:00 AM | KATHY STEWART     | 0    |
| Received invoice (\$3,257.50) from Disaster Kleen-up of Nevada for completion of abatement of property.                                                       |                       |                   |      |
| PHONE                                                                                                                                                         | 9/19/2006 3:41:00 PM  | KELLY OLIVERIUS   | 0    |
| 30)PHONED TOM, DISASTER KLEEN UP, INFORMED HIM POST ABATEMENT FILM COMPLETE, MAY SUBMIT PAYMENT REQ.                                                          |                       |                   |      |
| VIDPST                                                                                                                                                        | 9/19/2006 9:11:00 AM  | KELLY OLIVERIUS   | 11   |
| 30)FILMED POST ABATE. VIDEO FOR CITY MIT. PROPERTY NOW APPEARS OCCUPIED, LANDSCAPED. R/W REMOVED. WINDOW REPAIRED. R/Y SECURED. CLOSE CASE.                   |                       |                   |      |
| MISC                                                                                                                                                          | 9/11/2006 3:51:00 PM  | KATHY STEWART     | 0    |
| Filed Certified letter from owner, Return to Sender, Unclaimed.                                                                                               |                       |                   |      |
| PHONE                                                                                                                                                         | 9/6/2006 10:35:00 AM  | KELLY OLIVERIUS   | 2    |
| 30)PHONED DISASTER KLEEN UP, INFORMED THEM FILM DONE, READY FOR ABATEMENT.                                                                                    |                       |                   |      |
| VIDPRE                                                                                                                                                        | 9/6/2006 10:28:00 AM  | KELLY OLIVERIUS   | 9    |
| 30)FILMED PRE ABATEMENT VIDEO FOR CITY MITIGATION. NO CHANGE AT PROPERTY. NO MIT. RECIEVED.                                                                   |                       |                   |      |
| EMAIL                                                                                                                                                         | 9/6/2006 7:29:00 AM   | KELLY OLIVERIUS   | 1    |
| 30)EMAIL FROM KATHY STATING ABATE TO OCCUR 09/07.                                                                                                             |                       |                   |      |
| FAX                                                                                                                                                           | 9/6/2006 7:00:00 AM   | KATHY STEWART     | 0    |
| Received fax from contractor stating start date will be Thursday, 9/7/06. E-mailed #30 & #24 this information.                                                |                       |                   |      |
| BIDA                                                                                                                                                          | 8/31/2006 11:20:00 AM | KATHY STEWART     | 0    |
| Faxed Award letter to Disaster Kleen-up of Nevada. Contractor has five days to call/fax our office with a start date.                                         |                       |                   |      |
| DIRECT                                                                                                                                                        | 8/31/2006 10:00:00 AM | KATHY STEWART     | 0    |
| Per Devin Smith, Award Mitigation Bid to low bidder, Disaster Kleen-up of Nevada                                                                              |                       |                   |      |
| RESEAR                                                                                                                                                        | 8/29/2006 2:43:00 PM  | KELLY OLIVERIUS   | 0    |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.                                                                                                                  |                       |                   |      |
| EMAIL                                                                                                                                                         | 8/29/2006 2:42:00 PM  | KELLY OLIVERIUS   | 0    |
| 30)EMAIL FROM LINDA STATES THERE IS ONLY AN OLD TENANT'S PHONE NUMBER. DIALED IT, OUT OF SERVICE. ALSO STATED BILL HAS NOT BEEN PAID IN THREE YEARS FOR SEWER |                       |                   |      |

|                                                                                                                                                                                                                                 |                       |                    |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|---|
| INSP                                                                                                                                                                                                                            | 8/25/2006 8:48:00 AM  | KELLY OLIVERIUS    | 5 |
| 30)NO CHANGE AT PROPERTY. ALL VIOL. REMAIN.NO ANSWER AT DOOR. NO SIGN OF ACTIVITY. TAGGED VAN FOR TOW. PIX. ASSESS FEE AND CIVIL PENALTY. SUBMIT FOR CONT. ABATEMENT. CB 08/30 TO 24.                                           |                       |                    |   |
| NOPOST                                                                                                                                                                                                                          | 8/17/2006 1:46:00 PM  | LYNN NIHIPALI      | 2 |
| 16)POSTED ON GARAGE DOOR. CB 8/24                                                                                                                                                                                               |                       |                    |   |
| INSP                                                                                                                                                                                                                            | 8/17/2006 1:46:00 PM  | LYNN NIHIPALI      | 2 |
| 16)VAN STILL ON DRIVEWAY, NO POWER ON, CB 8/24                                                                                                                                                                                  |                       |                    |   |
| CIVPEN                                                                                                                                                                                                                          | 8/15/2006 7:35:00 AM  | JESSICA LARRAMENDY | 0 |
| JL) Billed \$500 Civil Penalty - Invoice #39040HN-349851. Forwarded to Finance.                                                                                                                                                 |                       |                    |   |
| NOTICE                                                                                                                                                                                                                          | 8/11/2006 2:38:00 PM  | KATHY STEWART      | 0 |
| Sent Ten (10) Day Before Mitigation letter to owner. POST: 8/14. C/B: 8/24. Sent file to #24 since #30 is on vacation                                                                                                           |                       |                    |   |
| DIRECT                                                                                                                                                                                                                          | 8/11/2006 9:18:00 AM  | KATHY STEWART      | 0 |
| Per Devin Smith, Proceed with 10 Day Before Mitigation letter to owner.                                                                                                                                                         |                       |                    |   |
| BIDR                                                                                                                                                                                                                            | 8/11/2006 7:00:00 AM  | KATHY STEWART      | 0 |
| Received bids from contractors (1) Disaster Kleen up of Nevada-\$3,257.50; (2) C&W Enterprises - \$3,900; (3) C.H. Construction-\$4,100                                                                                         |                       |                    |   |
| BIDS                                                                                                                                                                                                                            | 8/4/2006 7:22:00 AM   | KATHY STEWART      | 0 |
| Faxed Invitation to Bid - Mitigation to contractors. Bid due by COB, Thursday, 8/10/06.                                                                                                                                         |                       |                    |   |
| MISC                                                                                                                                                                                                                            | 8/3/2006 12:54:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)PER DEVIN, PROCESSED REQ FOR CITY MIT. CB 08/04 TO DEVIN FOR APPROVAL.                                                                                                                                                       |                       |                    |   |
| RESEAR                                                                                                                                                                                                                          | 8/3/2006 12:52:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)CHECKED ASSESSOR, MULTIPLE PROEPRITIES LISTED FOR STEVEN YOUNG, DIFFERENT MIDDLE INITIALS. UNABLE TO DETERMINE WHICH IS THE SAME PERSON. CHECKED SEWER, NO CONTACT. ALSO NOTATION OF DELINQUENT BILL, NO FORWARDING ADDRESS. |                       |                    |   |
| EMAIL                                                                                                                                                                                                                           | 8/3/2006 12:49:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)EMAILED LINDA FOR CONTACT NUMBER.                                                                                                                                                                                            |                       |                    |   |
| PHONE                                                                                                                                                                                                                           | 8/3/2006 12:48:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)phoned steve young, 289-0830, was toldit was the wrong number. he hung up before i could verify the number.                                                                                                                  |                       |                    |   |
| DIRECT                                                                                                                                                                                                                          | 8/3/2006 11:33:00 AM  | KELLY OLIVERIUS    | 0 |
| 30)PER DEVIN, MITIGATION WELL PAST DUE. PUT IN FOR CITY MITIGATION TO INCLUDE ALL CURRENT VIOL.                                                                                                                                 |                       |                    |   |
| RESEAR                                                                                                                                                                                                                          | 7/28/2006 4:09:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.                                                                                                                                                                                    |                       |                    |   |
| EMAIL                                                                                                                                                                                                                           | 7/28/2006 3:14:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)EMAILED DEVIN TO DIRECT IF CITY MITIGATION IS TO BE DONE OR ABATEMENT.                                                                                                                                                       |                       |                    |   |
| PHONE                                                                                                                                                                                                                           | 7/28/2006 2:47:00 PM  | KELLY OLIVERIUS    | 1 |
| 30)PHONED STEVE YOUNG, 289-0830, HE ANSWERED AND THE CONNECTION ENDED WHEN I STARTED SPEAKING. I CALLED BACK, THERE WAS NO ANSWER,LEFT A VM FOR HIM TO CALL, PROPERTY IN VIOL, AND ASSESSMENT FOR CITY MITIGATION OCCURING.     |                       |                    |   |
| INSP                                                                                                                                                                                                                            | 7/27/2006 11:08:00 AM | KELLY OLIVERIUS    | 4 |
| 30)all viol. remain. van still on d/w. r/w r/y. broken window on garage. power off. no answer at door. pix. review case with devin. assess fees. submitted civil penalty form to 24, second \$500.                              |                       |                    |   |
| MISC                                                                                                                                                                                                                            | 7/20/2006 1:39:00 PM  | KATHY STEWART      | 0 |
| Gave file to #30 to re-inspect. (Need to re-bid)                                                                                                                                                                                |                       |                    |   |
| CIVPEN                                                                                                                                                                                                                          | 7/14/2006 10:02:00 AM | JESSICA LARRAMENDY | 0 |
| JL) Processed civil penalty fee of \$500.00. Forwarded to Finance - Invoice #39040HN-335676                                                                                                                                     |                       |                    |   |
| EMAIL                                                                                                                                                                                                                           | 6/30/2006 9:38:00 AM  | LAURA DEARMOND     | 0 |
| SENT EMAIL TO DEVIN FOR OK TO AWARD                                                                                                                                                                                             |                       |                    |   |
| RESEAR                                                                                                                                                                                                                          | 6/29/2006 3:52:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERHSIP.                                                                                                                                                                                    |                       |                    |   |
| PHONE                                                                                                                                                                                                                           | 6/29/2006 3:50:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)PHONED STEVE YOUNG, NO ANSWER, MAILBOX WAS FULL.                                                                                                                                                                             |                       |                    |   |

|                                                                                                                                                                                                                                                               |                       |                    |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|----|
| INSP                                                                                                                                                                                                                                                          | 6/26/2006 10:24:00 AM | KELLY OLIVERIUS    | 7  |
| 30)ALL VIOL. REMAIN. NO ANSWER AT DOOR. ATTEMPT CONTACT WITH OWNER. REVIEW WITH 24. STICKERED VAN FOR TOW. PIX. ASSESS FEE. NO POWER ON.                                                                                                                      |                       |                    |    |
| MISC                                                                                                                                                                                                                                                          | 6/23/2006 2:15:00 PM  | LAURA DEARMOND     | 0  |
| CERT LETTER TO OWNERS STEVEN & STEVEN YOUNG RETURNED UNCLAIMED                                                                                                                                                                                                |                       |                    |    |
| MISC                                                                                                                                                                                                                                                          | 6/19/2006 8:41:00 AM  | KATHY STEWART      | 0  |
| Sent Regular letter from owner, Return to Sender, Attempted Not Known, to #30 to file.                                                                                                                                                                        |                       |                    |    |
| NTCABT                                                                                                                                                                                                                                                        | 6/9/2006 12:21:00 PM  | KELLY OLIVERIUS    | 3  |
| 30)POSTED TEN DAY NOTICE TO ABATE. CB 06/19.                                                                                                                                                                                                                  |                       |                    |    |
| NOTICE                                                                                                                                                                                                                                                        | 6/8/2006 1:08:00 PM   | KATHY STEWART      | 0  |
| Sent Ten (10) Day Notice Before Abatement letter to owner. POST: 6/9. C/B: 6/19. Sent file to #30.                                                                                                                                                            |                       |                    |    |
| BIDR                                                                                                                                                                                                                                                          | 6/7/2006 7:00:00 AM   | KATHY STEWART      | 0  |
| Bid received from C.H. Construction - \$2,145                                                                                                                                                                                                                 |                       |                    |    |
| BIDS                                                                                                                                                                                                                                                          | 5/31/2006 7:53:00 AM  | KATHY STEWART      | 0  |
| Faxed Invitation to Bid to contractors. Bid due by COB, Tuesday, 6/6/06.                                                                                                                                                                                      |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                                        | 5/24/2006 7:06:00 AM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$300.00 civil penalty request. Forwarded to Finance - Invoice #39040HN-312477                                                                                                                                                                  |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                                        | 5/24/2006 7:06:00 AM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$150.00 civil penalty request. Forwarded to Finance - Invoice #39040HN-312476                                                                                                                                                                  |                       |                    |    |
| RESEAR                                                                                                                                                                                                                                                        | 5/22/2006 8:44:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERHSIP.                                                                                                                                                                                                                  |                       |                    |    |
| PHONE                                                                                                                                                                                                                                                         | 5/22/2006 8:42:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)PHONED OWNER, NO ANSWER, LEFT A VM.                                                                                                                                                                                                                        |                       |                    |    |
| INSP                                                                                                                                                                                                                                                          | 5/19/2006 11:04:00 AM | KELLY OLIVERIUS    | 5  |
| 30)VAN REMAINS. NO ANSWER AT DOOR. R/W R/Y AND F/Y. NO POWER. PIX. ASSESS FEE. PUT IN FOR ABATEMENT. CB 05/23 TO 24.WINDOW ON GARAGE BROKEN. SUBMITTED CIVIL PENALTY FORM TO 24 FOR APPROVAL, SECOND, \$300.                                                  |                       |                    |    |
| PHONE                                                                                                                                                                                                                                                         | 5/16/2006 4:13:00 PM  | KELLY OLIVERIUS    | 0  |
| 30)PHONED OWNER, NO ANSWER, LEFT A VM FOR HIM TO CALL.                                                                                                                                                                                                        |                       |                    |    |
| DIRECT                                                                                                                                                                                                                                                        | 5/16/2006 4:11:00 PM  | KELLY OLIVERIUS    | 0  |
| 30)REVIEWED CASE WITH DEVIN, PROPERTY IS TO BE ADDRESSED AS A VACANT PROPERTY DUE TO APPEARANCE AND INABILITY TO VERIFY OCCUPANCY.                                                                                                                            |                       |                    |    |
| INSP                                                                                                                                                                                                                                                          | 5/9/2006 10:37:00 AM  | KELLY OLIVERIUS    | 3  |
| 30)VAN REMAINS. R/W IN R/Y REMAINS. SHOPPING CART IN F/Y. NO ANSWER AT DOOR. REVIEW WITH DEVIN. ASSESS FEE AND FIRST CIVIL PENALTY, \$150, SUBMITTED FORM TO 24 FOR APPROVAL.                                                                                 |                       |                    |    |
| PHONE                                                                                                                                                                                                                                                         | 5/8/2006 5:17:00 PM   | KELLY OLIVERIUS    | 0  |
| 30)PHONED MR YOUNG, NO ANSWER, LEFT A VM. CB 05/09 FOR INSP.                                                                                                                                                                                                  |                       |                    |    |
| PHONE                                                                                                                                                                                                                                                         | 5/1/2006 7:38:00 AM   | KELLY OLIVERIUS    | 0  |
| 30)PHONED MR YOUNG AS REQUESTED, NO ANSWER, LEFT A VM FOR HIM TO CALL.                                                                                                                                                                                        |                       |                    |    |
| INSP                                                                                                                                                                                                                                                          | 4/30/2006 9:55:00 AM  | ROBERT KAEMPFER    | 13 |
| 26) Met w/Mr Young, weeds cut & front yd clean. Still has r/w in rear yd. He did not have keys or registration for van. there are misc items & furn in house but NO ELECT. He wants to meet Monday morn to show regis & start veh, his cell# 289-0830, cb 5-1 |                       |                    |    |
| EMAIL                                                                                                                                                                                                                                                         | 4/25/2006 9:07:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)EMAILED REQUEST TO #26 WITH OWNER CONTACT INFO.                                                                                                                                                                                                            |                       |                    |    |
| PHONE                                                                                                                                                                                                                                                         | 4/25/2006 8:55:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)RETURNED A CALL TO STEVE YOUNG, 289-0830, OWNER, HE SAID HE DOES LIVE IN HOUSE, HE IS OUT OF TOWN ALOT. HE SAID VAN RUNS. WILL REMOVE R/W BY 05/09. REQ #26 TO INSPECT SUNDAY, 04/30 AT 10AM TO VERIFY RESIDENCY AND OWN/OPER OF VAN. EMAIL BOB.           |                       |                    |    |
| RESEAR                                                                                                                                                                                                                                                        | 4/24/2006 1:54:00 PM  | KELLY OLIVERIUS    | 0  |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.                                                                                                                                                                                                                  |                       |                    |    |
| EMAIL                                                                                                                                                                                                                                                         | 4/24/2006 1:52:00 PM  | KELLY OLIVERIUS    | 0  |
| 30)emailed linda for contact number.                                                                                                                                                                                                                          |                       |                    |    |



|                                                                                                                                                                                       |                       |                    |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|----|
| INSP                                                                                                                                                                                  | 4/24/2006 9:47:00 AM  | KELLY OLIVERIUS    | 13 |
| 30)all viol. remain. pix. assess fee. email linda for contact number. put in for abatement.                                                                                           |                       |                    |    |
| MISC                                                                                                                                                                                  | 4/20/2006 1:54:00 PM  | KATHY STEWART      | 0  |
| Sent Regular & Certified letters from owners @ 6600 Lemitar Dr., LV, NV 89108, Return to Sender, Attempted Not Known, to #30 to file.                                                 |                       |                    |    |
| RECORD                                                                                                                                                                                | 4/18/2006 2:08:00 PM  | JESSICA LARRAMENDY | 0  |
| JL) Recorded N&O dated April 11,2006 at Clark County. Book: 20060418 Inst: 02458.                                                                                                     |                       |                    |    |
| NOPOST                                                                                                                                                                                | 4/12/2006 11:02:00 AM | KELLY OLIVERIUS    | 3  |
| 30)POSTED N&O, CB 04/24                                                                                                                                                               |                       |                    |    |
| DBPROJ                                                                                                                                                                                | 4/11/2006 2:23:00 PM  | KATHY STEWART      | 0  |
|                                                                                                                                                                                       |                       |                    |    |
| MISC                                                                                                                                                                                  | 4/10/2006 8:24:00 AM  | KELLY OLIVERIUS    | 5  |
| 30)PROCESSED N&O, FORWARDED TO KATHY.                                                                                                                                                 |                       |                    |    |
| RESEAR                                                                                                                                                                                | 4/10/2006 8:16:00 AM  | KELLY OLIVERIUS    | 5  |
| 30)CHECKED ASSESSOR FOR OWNER INFO. CHECKED WHITE PAGES, SEWER, AND HANSEN FOR CONTACT INFO. NO OTHER PROPERTY OWNED. NO CONTACT NUMBER FOUND. PROCESS N&O.                           |                       |                    |    |
| VSP                                                                                                                                                                                   | 4/7/2006 9:07:00 AM   | KELLY OLIVERIUS    | 5  |
| 30)SFD, POSS VACANT (FURNITURE ON INTERIOR). TAN FORD VAN ON D/W. R/W ALL YARDS (BAGS, BUSCKETS, JACUZZI, POOL TABLE, DEBRIS, ECT.). HIGH WEEDS. PIX. PROCESS N&O.                    |                       |                    |    |
| INSP                                                                                                                                                                                  | 4/6/2006 12:35:00 PM  | MICHAEL WAKE       | 6  |
| 23) COPIES OF C/N AND F/N CAME BACK UNOPENED, HOUSE IS NOW VACANT, WINDOW BROKEN ON EAST SIDE, TOOK PHOTOS, VAN, REFUSE,WEEDS REMAIN RE30                                             |                       |                    |    |
| INSP                                                                                                                                                                                  | 3/28/2006 12:26:00 PM | MICHAEL WAKE       | 5  |
| 23) NO CHANGE INOP VAN AND REFUSE REMAINS, TOOK PHOTOS ASSESS FEES 75.00 C/B 4/5                                                                                                      |                       |                    |    |
| INSP                                                                                                                                                                                  | 3/21/2006 9:55:00 AM  | MICHAEL WAKE       | 5  |
| 23) SPOKE WITH CHRIS WITH THE H/A GARAGE DOOR IS ON ORDER NEEDS EXT C/B 3/31                                                                                                          |                       |                    |    |
| INSP                                                                                                                                                                                  | 3/20/2006 12:30:00 PM | MICHAEL WAKE       | 5  |
| 23) 60S CHEVY REMOVED FROM PROPERTY, INOP VAN REMAINS ON DRIVEWAY, WEEDS, SOME REFUSE FRONT YARD AREA, NO RESPONSE F/N AND COPY OF C/N SENT TO OWNER 75.00 FEE ON NEXT INSP. C/B 3/28 |                       |                    |    |
| INSP                                                                                                                                                                                  | 3/8/2006 12:15:00 PM  | MICHAEL WAKE       | 9  |
| 23) GOLD 60S CHEVY 4/DR AND WHITE FORD VAN INOP/TIRES FLAT, ON DRIVEWAY. NO RESPONSE AT DOOR, C/N C/B 3/20                                                                            |                       |                    |    |

*Time in minuets:*

132



APN 138-23-310-092  
Ref # 39040

**NOTICE AND CLAIM OF LIEN OF ASSESSMENT**

**TO: STEVEN D. & STEVEN YOUNG**  
(Reputed Owner(s)) at time of abatement.

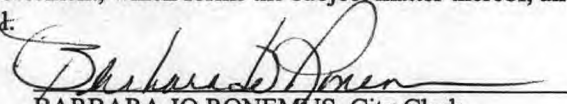
Assessor's Parcel No.: 138-23-310-092  
Commonly known as: 6600 LEMITAR DRIVE  
Legal Description: METROPOLITANS FIRST COLONY  
NORTH  
PLAT BOOK 35 PAGE 10  
LOT 19 BLOCK 2

On September 19, 2006, as provided in the Municipal Code, 9.04, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$6,575.63 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on December 20, 2006, ordered the above charges in the amount of \$6,575.63, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

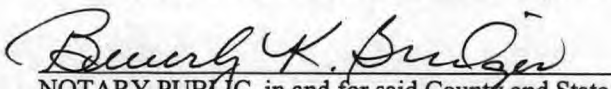
  
BARBARA JO RONEMUS, City Clerk  
400 Stewart Avenue  
Las Vegas, NV 89101 - (702) 229-6311

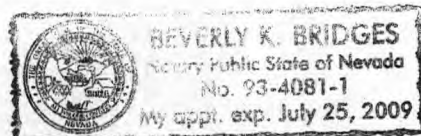
STATE OF NEVADA )  
COUNTY OF CLARK )

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

  
BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 23<sup>rd</sup> day of January, 2007

  
NOTARY PUBLIC, in and for said County and State



**WHEN RECORDED, RETURN TO:**  
**CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE**  
**400 STEWART AVENUE**  
**LAS VEGAS, NV 89101**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: NEIGHBORHOOD SERVICES**

**DIRECTOR: STEPHEN K. HARSIN**

☐ Consent ☒ Discussion

**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS (\$4,973 – General Fund) - Ward 5 (Weekly)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$4,973.00

Funding Source: General Fund

Dept./Division: Neighborhood Services/Neighborhood Response

**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C & W ENTERPRISES to remove refuse, waste, trash, debris, vegetation (dead, dry & overgrown), secure all structures, remove stored vehicles, post No Trespassing, and No Dumping signs on site. To date, there have been nine (9) inspections conducted at this location. The value of the property based on the sale date of September 1968 was \$17,000.00.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$4,973.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

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

**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)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

Video shown but not submitted.

DEVIN SMITH, Manager of Neighborhood Response, read the purpose/background regarding the condition of the property as a public and attractive nuisance requiring the described abatement. To date, there have been nine inspections and the value of the property, based upon the sale date of September 6, 1968, was \$17,000. MR. SMITH recommended the City Council approve the report of expenses in the amount of \$3,970.00 to C & W Enterprises, \$82.50 in reinspection fees, \$325.00 boarding certificate and a 15 percent administrative fee, totalling \$4,973.00. MR. SMITH also recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

WALTER THOMAS commended COUNCILMAN WEEKLY on his efforts with a recent event. MR. THOMAS summarized past events and his concerns relative to his property and other nearby properties. He showed photos of properties that were in disarray, in violation of the Code and questioned why those have not been cited as well. He was also displeased by some comments made to him by previous code enforcement officers. MR. THOMAS explained that the homes in this area were built in the 1960s and his property is a work in progress. The storage has been removed and only three vehicles and a boat remain on site, but the property is not abandoned. He felt that his property was being singled out.

COUNCILMAN WEEKLY recalled past events dealing with this property and others in the neighborhood, as residents have been desiring a major cleanup. There have been many complaints for some time regarding public nuisance, trash and debris. COUNCILMAN WEEKLY preferred holding the item in abeyance to allow a meeting to take place with MR. THOMAS and staff in hopes to resolve the issues.

MAYOR GOODMAN declared the Public Hearing closed.

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: Neighborhood Services**

**ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 886 Miller Avenue. PROPERTY OWNER: WALTER & LIZZIE THOMAS – Ward 5 (Weekly)**

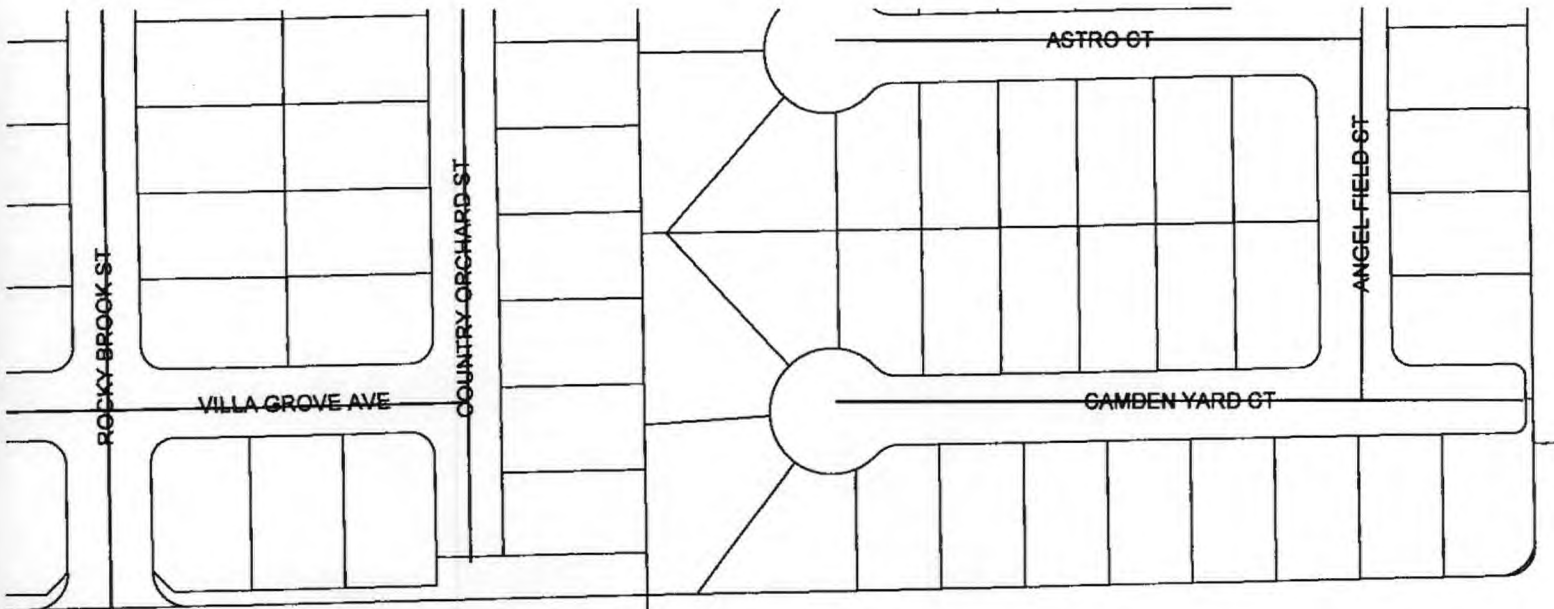
---

C & W Enterprises completed work on October 11, 2006 at a cost of \$3,970.00; \$82.50 in reinspection fees (includes ; plus a 15% administrative fee, and \$325.00 boarded building certificate fee for a total of \$4,973.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.





W CAREY AVE

|      |      |      |      |     |     |     |     |     |
|------|------|------|------|-----|-----|-----|-----|-----|
| 1036 | 1024 | 1012 | 1000 | 988 | 976 | 952 | 940 | 916 |
| 102  | 1025 | 1013 | 1001 | 989 | 977 | 965 | 953 | 941 |
|      |      |      |      |     |     |     |     | 929 |
|      |      |      |      |     |     |     |     | 917 |

|     |     |     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 886 | 874 | 856 | 850 | 838 | 832 | 826 | 820 | 810 | 800 |
| 893 | 887 | 881 | 875 | 869 | 863 | 857 | 851 | 845 | 839 |
|     |     |     |     |     |     |     |     |     | 833 |
|     |     |     |     |     |     |     |     |     |     |

MILLER AVE

|      |      |      |     |     |     |     |
|------|------|------|-----|-----|-----|-----|
| 1024 | 1012 | 988  | 966 | 956 | 936 | 926 |
| 137  |      | 1001 | 989 | 977 | 965 | 953 |
|      |      |      |     |     |     | 941 |
|      |      |      |     |     |     | 929 |
|      |      |      |     |     |     | 917 |

|     |  |  |     |  |     |  |     |  |     |  |     |  |        |  |
|-----|--|--|-----|--|-----|--|-----|--|-----|--|-----|--|--------|--|
| 887 |  |  | 869 |  | 863 |  | 857 |  | 851 |  | 827 |  | 809    |  |
| ○   |  |  | ○   |  |     |  | ○   |  | ○   |  | ○   |  |        |  |
| ○   |  |  |     |  |     |  |     |  | ○   |  | □   |  | CHURCH |  |
| 888 |  |  | 884 |  | 880 |  | 874 |  | 856 |  | 838 |  | 832    |  |
|     |  |  |     |  |     |  |     |  |     |  |     |  | 808    |  |

CHURCH

BLANKENSHIP AVE

|      |      |      |      |     |     |     |     |     |     |     |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|
| 036  | 024  | 012  | 000  | 988 | 976 | 964 | 952 | 940 | 928 | 916 |
| 1037 | 1025 | 1013 | 1001 | 989 | 977 | 965 | 953 | 941 | 929 | 917 |

|     |     |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|
| 892 | 886 |     |     | 862 | 856 | 850 | 844 |
| 893 |     | 875 | 869 | 863 | 855 | 845 | 839 |
|     |     |     |     |     |     |     | 833 |
|     |     |     |     |     |     |     | 827 |
|     |     |     |     |     |     |     | 809 |

# Memorandum

## City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk  
From: Devin S. Smith, Manager – Neighborhood Response Division  
CC: File  
Date: November 30, 2006  
Re: Report of Expenses for the abatement of the Dangerous Building at 886 Miller Avenue - Ward 5 (Weekly)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor, (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Dangerous Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing refuse, waste, trash, debris, vegetation exceeding 8" in height, securing all structures, removing stored vehicles at vacant property, posting No Trespassing, No Dumping and No Vehicle signs on site. The abatement was completed by C & W Enterprises on October 11, 2006 at a cost of \$3,970.00 (\$3,600 abatement & \$370 stand by time due to owner stopping work), which was accepted by the Department of Neighborhood Services.

| <b>Contract Amount Breakdown:</b>                                                  |                          |
|------------------------------------------------------------------------------------|--------------------------|
| Removal litter, trash, debris, refuse, waste, etc.                                 | \$800.00                 |
| Removal of all vegetation (dead, dry and overgrown                                 | \$800.00                 |
| Post signs (No Trespassing, Dumping & Vehicles)                                    | \$200.00                 |
| Vehicle Removal                                                                    | \$600.00                 |
| Board/Secure (Doors, Windows and All other openings – including shed(s) and gates) | \$1,200.00               |
| Stand by time due to owner stopping work                                           | \$370.00                 |
| AMOUNT DUE:                                                                        | \$3,970.00               |
| Boarded Building Certificate                                                       | \$325.00                 |
| Administrative Processing Fee:                                                     | \$595.50                 |
| Sub-Total:                                                                         | \$4,890.50               |
| Reinspection Fees (w/late fee):                                                    | \$82.50                  |
| <b>TOTAL AMOUNT DUE:</b>                                                           | <b>\$4,973.00</b>        |
| <b>OWNER OF RECORD:</b>                                                            | WALTER & LIZZIE THOMAS   |
| <b>PROPERTY ABATED:</b>                                                            | 886 Miller Avenue        |
| <b>ASSESSOR PARCEL:</b>                                                            | 139-21-510-050           |
| <b>LEGAL DESCRIPTION:</b>                                                          | VEGAS HGTS TRACT UNIT #4 |
|                                                                                    | PLAT BOOK 1 PAGE 77      |
|                                                                                    | LOT 156A & LOTS 156B, C  |

DSS:ed

**C & W Enterprises, Inc.**  
**3426 Losee Road**  
**N. Las Vegas, Nevada 89030**  
**License# 43362**

**Phone: 702-732-8961**

**Fax: 702-248-7095**

### **DISCLOSURE OF PRINCIPALS**

The principals and partners of C & W Enterprises, Inc. and all persons and

Entities holding more than a 1% interest in C & W Enterprises, Inc.

Or any principal of C & W Enterprises, Inc. are the following:

**Full Name**

**Business Address**

**Business Phone**

1. Tony Moreno 3426 Losee Road N. Las Vegas, 89030 702-732-8961

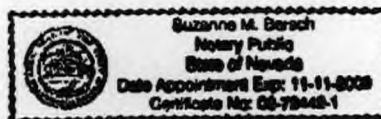
I Certify under penalty of perjury, that the foregoing list is full and complete.

By: Tony Moreno

Subscribed and sworn to before me

This 7<sup>th</sup> day of December, 2006

Suzanne M. Bersch  
Notary Public





LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
VRENCE WEEKLY

EVE WOLFSON  
LOIS TARKANIAN  
STEVEN D. ROSS

DOUGLAS A. SELBY  
CITY MANAGER

**NOTICE OF PUBLIC HEARING  
DECEMBER 20, 2006**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, December 20, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing refuse, waste, trash, debris, vegetation (dead, dry and overgrown) securing all structures, removing stored vehicles at vacant property and posting No Trespassing, No Dumping and No Vehicles signs on property located at **886 MILLER AVENUE**, legally described as **VEGAS HGTS TRACT UNIT #4 PLAT BOOK 1 PAGE 77 LOT 156A & LOTS 156B, C** Owner of record at time of abatement: **WALTER & LIZZIE THOMAS – WARD 5 (WEEKLY)**

The Director of Neighborhood Services certifies in the report that the sum of \$4,973.00 was expended (\$3,970.00 for cleaning and posting the property by C & W Enterprises; \$325.00 Boarded Building Certificate; \$82.50 Reinspection Fee; and \$595.50 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

BARBARA JO RONEMUS  
CITY CLERK

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-06-05  
CLV 7009





CASENO 44707 CODEENF

02224-19

Address: 886 MILLER AVE

CITZ

ON THE NE CORNER OF LA SALLE AND MILLER

PER METRO OFFICER P#7577: BURNED OUT MOTORHOME WITH NO PLATES AND TWO SILVER MERCEDES IN THE 80'S ON PROPERTY

**Parcel(s)**

|                |              |                          |
|----------------|--------------|--------------------------|
| <b>Parcel:</b> | <b>Size:</b> | <b>Subdivision Name:</b> |
| 13921510050    | 0.35 ACRE    | VEGAS HGTS TRACT UNIT #4 |

**Owner Information:**

|           |           |                                          |
|-----------|-----------|------------------------------------------|
| 10-Aug-02 | 11-Mar-04 | THOMAS LIZZIE & WALTER                   |
|           |           | 1560 MARION DR; LAS VEGAS, NV 89110-1423 |
| 11-Mar-04 |           | THOMAS LIZZIE & WALTER                   |
|           |           | 886 MILLER AVE; LAS VEGAS, NV 89106-2256 |

**Inspection Summary**

| <b>Inspector:</b> | <b>Status:</b> |         | <b>Scheduled DT:</b> | <b>Start Dt:</b> | <b>Comp DT:</b>  | <b>Min:</b> |
|-------------------|----------------|---------|----------------------|------------------|------------------|-------------|
| 970581            | Passed         | Partial | 7/21/2006            | 07/22/2006 9:18  | 07/22/2006 9:28  | 10          |
| 981876            | Failed         |         | 7/24/2006            | 07/24/2006 10:27 | 07/24/2006 10:38 | 11          |
| 981876            | Failed         |         | 8/7/2006             | 08/08/2006 12:46 | 08/08/2006 12:49 | 3           |
| 981876            | Passed         | Partial | 8/7/2006             | 07/27/2006 9:46  | 07/27/2006 9:49  | 3           |
| 981876            | Passed         | Partial | 8/10/2006            | 08/31/2006 11:10 | 08/31/2006 11:13 | 3           |
| 981876            | Passed         | Partial | 9/1/2006             | 09/12/2006 12:54 | 09/12/2006 12:57 | 3           |
| 982400            | Passed         | Partial | 9/25/2006            | 09/25/2006 13:29 | 09/25/2006 13:32 | 3           |
| 982400            | Passed         | Partial | 9/27/2006            | 10/06/2006 9:15  | 10/06/2006 11:45 | 150         |
| 982400            | Passed         | Partial | 10/9/2006            | 10/18/2006 8:15  | 10/18/2006 8:20  | 5           |
| 982400            | Passed         | Partial | 11/10/2006           | 12/04/2006 10:41 | 12/04/2006 10:44 | 3           |
| 982400            | No Action      |         | 12/5/2006            |                  |                  |             |

Time in Minuets: 194

**Violation Details**

| <b>Violation</b>                                                                                                          | <b>Violation DT:</b> | <b>Resolve DT:</b> | <b>Location:</b> |
|---------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------|------------------|
| A-ZONE OTHER                                                                                                              | 7/24/2006            |                    | PROPERTY         |
| REMOVE ALL VEHICLES FROM THIS VACANT PROPERTY (BOAT/TRAILER, WHT DODGE CARAVAN, DODGE MOTORHOME, TWO MERCEDES-SILVER/GRY) |                      |                    |                  |
| A-REFUSE/WST                                                                                                              | 7/24/2006            |                    | PROPERTY         |
| REMOVE ALL REFUSE AND WASTE                                                                                               |                      |                    |                  |
| A-PERMIT REQ                                                                                                              | 7/24/2006            |                    | PROPERTY         |
| REMOVE OR OBTAIN A PERMIT FOR THE TWO STORAGE SHEDS.                                                                      |                      |                    |                  |
| A-MITIGATION                                                                                                              | 7/24/2006            |                    | PROPERTY         |
| SUBMIT A MITIGATION PLAN.                                                                                                 |                      |                    |                  |
| A-INTENT LTR                                                                                                              | 7/24/2006            |                    | PROPERTY         |
| SUBMIT A LETTER OF INTENT                                                                                                 |                      |                    |                  |
| A-BRDG CERT                                                                                                               | 7/24/2006            |                    | PROPERTY         |
| OBTAIN A BOARDING CERT                                                                                                    |                      |                    |                  |

A-BLD DNGR 7/24/2006 PROPERTY

SECURE ALL STRUCTURES TO CLV SPECS.

A-LITTER 7/24/2006 PROPERTY

REMOVE ALL LITTER

A-WEEDS 7/24/2006 PROPERTY

REMOVE ALL HIGH WEEDS

**Log**

| Type:                                                                                                                                                                                                                                                          | Date:                  | Employee:          | Min: |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------|------|
| CNI                                                                                                                                                                                                                                                            | 12/4/2006 3:16:00 PM   | LYNN NIHIPALI      | 0    |
| 16)PREPARED CORRECTION NOTICE FOR VEHICLES AND LETTER OF INTENT, MIT PLAN AND BOARDING CERT, CB 12-15 (WILL POST ONE ON HOUSE, MAILED COPY)                                                                                                                    |                        |                    |      |
| INSP                                                                                                                                                                                                                                                           | 12/4/2006 10:41:00 AM  | LYNN NIHIPALI      | 3    |
| 16)TOOK POST ABATEMENT PIX, CB 12-15                                                                                                                                                                                                                           |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 12/1/2006 4:00:00 AM   | ELIZABETH DOUGLAS  | 0    |
| Sent Expense Letter and Memo certified and regular mail to owner.                                                                                                                                                                                              |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 11/3/2006 12:05:00 PM  | JESSICA LARRAMENDY | 0    |
| JL) Sent invoice to Finance for payment (emailed to Candice). Paid in Oracle - \$370.00 - Req #95718, PO #240636, Rec #181149.                                                                                                                                 |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 10/25/2006 2:18:00 PM  | KATHY STEWART      | 0    |
| Sent invoice to Finance for payment; gave file to Pam Hines for review/Council.                                                                                                                                                                                |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 10/25/2006 11:20:00 AM | KATHY STEWART      | 0    |
| Sent invoice to Devin Smith for signature                                                                                                                                                                                                                      |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 10/23/2006 1:32:00 PM  | KATHY STEWART      | 0    |
| E-mailed Devin Smith to approve Oracle payment for contractor.                                                                                                                                                                                                 |                        |                    |      |
| VIDPST                                                                                                                                                                                                                                                         | 10/18/2006 8:15:00 AM  | LYNN NIHIPALI      | 5    |
| 16)POST ABATEMENT VIDEO DONE                                                                                                                                                                                                                                   |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 10/17/2006 2:12:00 PM  | KATHY STEWART      | 0    |
| Received invoice (\$3,600) from C&W Enterprises for completion of abatement of property.                                                                                                                                                                       |                        |                    |      |
| PHONE                                                                                                                                                                                                                                                          | 10/9/2006 9:15:00 AM   | KATHY STEWART      | 0    |
| Per Jack with C&W, will be done with abatement this morning. E-mailed #16 this information for AFTER Abatement Video                                                                                                                                           |                        |                    |      |
| VIDPRE                                                                                                                                                                                                                                                         | 10/8/2006 8:15:00 AM   | LYNN NIHIPALI      | 10   |
| 16)PRE ABATEMENT VIDEO DONE                                                                                                                                                                                                                                    |                        |                    |      |
| INSP                                                                                                                                                                                                                                                           | 10/6/2006 9:15:00 AM   | LYNN NIHIPALI      | 150  |
| 16)CONTRACTOR RESUMED WORK. CB 10-9                                                                                                                                                                                                                            |                        |                    |      |
| INSP                                                                                                                                                                                                                                                           | 10/6/2006 9:15:00 AM   | LYNN NIHIPALI      | 150  |
| 16)MET ON SITE WITH CONTRACTOR, OWNER SHOWED UP, ASKED CONTRACTOR TO LEAVE, CONTACTED METRO, DSS AND GG ON SITE TO BRING NOTICE AND DSS TO SPEAK TO OWNER,METRO SHOWED UP,SAID CIVIL, BUT SPOKE TO OWNER TO LET HIM KNOW ADMIN WARRANT COULD GET HIM ARRESTED, |                        |                    |      |
| MISC                                                                                                                                                                                                                                                           | 10/5/2006 1:57:00 PM   | KATHY STEWART      | 0    |
| File Certified letter from owners, Return to Sender, Unclaimed.                                                                                                                                                                                                |                        |                    |      |
| FAX                                                                                                                                                                                                                                                            | 10/5/2006 6:49:00 AM   | KATHY STEWART      | 0    |
| Received fax from C&W Enterprises stating the start date to abate the property will be 10/5/06, ending date should be on or before 10/9/06.                                                                                                                    |                        |                    |      |
| BIDA                                                                                                                                                                                                                                                           | 10/4/2006 7:15:00 AM   | KATHY STEWART      | 0    |
| Faxed Award letter to C&W Enterprises, Inc. Contractor to call/fax a start date.                                                                                                                                                                               |                        |                    |      |
| DIRECT                                                                                                                                                                                                                                                         | 10/3/2006 3:12:00 PM   | KATHY STEWART      | 0    |
| Per Devin Smith, Award bid to abate property to low bidder, C&W Enterprises, Inc.                                                                                                                                                                              |                        |                    |      |
| EMAIL                                                                                                                                                                                                                                                          | 10/3/2006 8:41:00 AM   | KATHY STEWART      | 0    |
| Sent email to Devin Smith requesting to Proceed with Abatement, Award, to C&W Enterprises.                                                                                                                                                                     |                        |                    |      |

|                                                                                                                                                                                                                                                                |                       |                    |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|---|
| DIRECT                                                                                                                                                                                                                                                         | 10/3/2006 8:00:00 AM  | KATHY STEWART      | 0 |
| Per #24, continue abatement                                                                                                                                                                                                                                    |                       |                    |   |
| INSP                                                                                                                                                                                                                                                           | 9/25/2006 1:29:00 PM  | LYNN NIHIPALI      | 3 |
| 16)NOTHING DONE, ALL VEHICLES STILL ON PROPERTY, LITTER, R/W HIGH GRASS WEEDS, TOOK PIX, PROCEED WITH ABATEMENT. REFER TO 24                                                                                                                                   |                       |                    |   |
| NTCABT                                                                                                                                                                                                                                                         | 9/12/2006 12:54:00 PM | KELLY OLIVERIUS    | 3 |
| 30)POSTED TEN DAY NOTICE BEFORE ABATEMENT. CB 09/25.                                                                                                                                                                                                           |                       |                    |   |
| NOTICE                                                                                                                                                                                                                                                         | 9/11/2006 1:24:00 PM  | KATHY STEWART      | 0 |
| Sent 10 Day Notice Before Abatement letter to owners, Lizzie & Walter Thomas. POST: 9/12. C/B: 9/22. Sent file to #30.                                                                                                                                         |                       |                    |   |
| BIDR                                                                                                                                                                                                                                                           | 9/8/2006 7:00:00 AM   | KATHY STEWART      | 0 |
| Bids received from contractors (1) C&W Enterprises - \$3,600; (2) C.H. Construction - \$3,869; (3) Disaster Kleen-up - \$7,290.52                                                                                                                              |                       |                    |   |
| BIDS                                                                                                                                                                                                                                                           | 9/1/2006 7:05:00 AM   | KATHY STEWART      | 0 |
| Faxed Invitation to Bid to contractors. Bid due by COB, Thursday, 9/7/06                                                                                                                                                                                       |                       |                    |   |
| MISC                                                                                                                                                                                                                                                           | 8/31/2006 2:44:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)FORWARDED CASE TO KATHY TO SECURE BIDS FOR ABATEMENT.                                                                                                                                                                                                       |                       |                    |   |
| RESEAR                                                                                                                                                                                                                                                         | 8/31/2006 2:44:00 PM  | KELLY OLIVERIUS    | 3 |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERHSIP. CHECKED PLANNING/BLDG, FOUND RENEWED PERMIT FOR STORAGE UNITS ON 08/08. UNITS DO NOT NEED TO BE REMOVED.                                                                                                          |                       |                    |   |
| DIRECT                                                                                                                                                                                                                                                         | 8/31/2006 2:43:00 PM  | KELLY OLIVERIUS    | 0 |
| 30)REVIEWED PIX/CASE WITH DEVIN, WAS INSTRUCTED ABATEMENT IS TO PROCEED.                                                                                                                                                                                       |                       |                    |   |
| INSP                                                                                                                                                                                                                                                           | 8/31/2006 11:10:00 AM | KELLY OLIVERIUS    | 3 |
| 30)THE CLEANING BEING DONE IS SOME R/W REMOVED AND PUT INTO THE BURNED OUT MOTORHOME. BLDG STILL OPEN, STORAGE UNITS ONSITE, VEHICLES, R/W REMAIN. SOME WEEDS. PIX. REVIEW WITH DEVIN.                                                                         |                       |                    |   |
| MISC                                                                                                                                                                                                                                                           | 8/29/2006 7:25:00 AM  | KATHY STEWART      | 0 |
| Gave file to #30.                                                                                                                                                                                                                                              |                       |                    |   |
| BIDR                                                                                                                                                                                                                                                           | 8/29/2006 7:00:00 AM  | KATHY STEWART      | 0 |
| Received bids from contractors (1) C&W Enterprises - \$3,200; (2) C.H. Construction - NO BID, owner cleaning property.                                                                                                                                         |                       |                    |   |
| PHONE                                                                                                                                                                                                                                                          | 8/28/2006 10:15:00 AM | KATHY STEWART      | 0 |
| Received phone call from Afton with C.H. Construction, said owner had contractor on-site cleaning property. E-mailed #30 this information.                                                                                                                     |                       |                    |   |
| BIDS                                                                                                                                                                                                                                                           | 8/23/2006 9:03:00 AM  | KATHY STEWART      | 0 |
| Faxed Invitation to Bid to contractors. Bid due by COB, Monday, 8/28/06.                                                                                                                                                                                       |                       |                    |   |
| RESEAR                                                                                                                                                                                                                                                         | 8/9/2006 1:02:00 PM   | KELLY OLIVERIUS    | 0 |
| 30)CHECKED ASSESSOR, NO CHANGE IN OWNERSHIP.                                                                                                                                                                                                                   |                       |                    |   |
| PHONE                                                                                                                                                                                                                                                          | 8/9/2006 1:02:00 PM   | KELLY OLIVERIUS    | 0 |
| 30)PHONED WET (WALTER THOMAS), NO ANSWER, LEFT A VM FOR HIM TO CALL.                                                                                                                                                                                           |                       |                    |   |
| INSP                                                                                                                                                                                                                                                           | 8/8/2006 12:46:00 PM  | KELLY OLIVERIUS    | 3 |
| 30)ALL VIOL. REMAIN. PIX. ASSESS FEE. CONTACT OWNER. PUT IN FOR ABATEMENT                                                                                                                                                                                      |                       |                    |   |
| RECORD                                                                                                                                                                                                                                                         | 8/1/2006 2:24:00 PM   | JESSICA LARRAMENDY | 0 |
| JL) Recorded N&O dated July 26, 2006 at Clark County. Book: 20060801 Inst: 03054                                                                                                                                                                               |                       |                    |   |
| NOPOST                                                                                                                                                                                                                                                         | 7/27/2006 9:46:00 AM  | KELLY OLIVERIUS    | 3 |
| 30)POSTED N&O, CB 08/07                                                                                                                                                                                                                                        |                       |                    |   |
| DBPROJ                                                                                                                                                                                                                                                         | 7/26/2006 3:11:00 PM  | LAURA DEARMOND     | 0 |
| MISC                                                                                                                                                                                                                                                           | 7/25/2006 3:46:00 PM  | KELLY OLIVERIUS    | 5 |
| 30)PROCESSED N&O, FORWARDED TO KATHY.                                                                                                                                                                                                                          |                       |                    |   |
| PHONE                                                                                                                                                                                                                                                          | 7/25/2006 3:18:00 PM  | KELLY OLIVERIUS    | 6 |
| 30)CONTACT INFO, HE DID NOT THINK HIS PROPERTY WAS IN VIOLATION. SAID HE HAD THIS ALL STRAIGHTENED OUT WITH ORLANDO AND WOULD CONTACT HIM TO FIND OUT WHY I AM ADDRESSING THE PROPERTY. HE WOULD NOT GIVE ME A MAILING ADDRESS AND SAID TO MAIL TO 886 MILLER. |                       |                    |   |

|                                                                                                                                                                                                                                                           |                       |                 |    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------|----|
| PHONE                                                                                                                                                                                                                                                     | 7/25/2006 3:18:00 PM  | KELLY OLIVERIUS | 7  |
| 30)PHONED OWNER, WALTER THOMAS, 279-5028, INFORMED HIM OF VIOLATIONS. TOLD HIM BLDG NEEDS TO BE SECURED WITHIN TEN DAYS OF NOTICE. REMOVE R/W, WEEDS, LITTER, VEH, AND STORAGE SHEDS (OR OBTAIN A PERMIT FOR SHEDS TO BE ON PROEPRTY). HE DID NOT WANT MY |                       |                 |    |
| RESEAR                                                                                                                                                                                                                                                    | 7/25/2006 3:06:00 PM  | KELLY OLIVERIUS | 7  |
| 30)CHECKED BLDG FOR PERMITS ON STORAGE UNITS, EXP PERMIT (10/05) ACCESSED COUNTY FOR OWNER INFO. CHECKED SEWER, WHITE PAGES, AND HANSEN, FOUND A NUMBER FOR OWNER, 279-5028 WALTER THOMAS.                                                                |                       |                 |    |
| INSP                                                                                                                                                                                                                                                      | 7/24/2006 10:27:00 AM | KELLY OLIVERIUS | 11 |
| 30)MERCEDES, DODGE MOTORHOME, BURNT. TWO STORAGE UNITS ONSITE, CHECK FOR PERMITS. PIX. PROCESS N&O.                                                                                                                                                       |                       |                 |    |
| INSP                                                                                                                                                                                                                                                      | 7/24/2006 10:27:00 AM | KELLY OLIVERIUS | 11 |
| 30)SFD, ACCESSORY STRUCTURES, OPEN/ACCESS (MULTIPLE BROKEN WINDOWS, OPEN DOORS, ECT.). SOME BOARDING. WEEDS, LITTER. R/W (BURNT DEBRIS, WOOD, FURNITURE, CAR PARTS, ECT.). POWER IS OFF. VEH ONSITE:BOAT/TRAILER, WHT DODGE CARAVAN, SILVER MERCEDES, GRV |                       |                 |    |
| INSP                                                                                                                                                                                                                                                      | 7/22/2006 9:18:00 AM  | ROBERT KAEMPFER | 4  |
| 26) Observed vacant house w/several junk/inop vehs on yd, burnt Motorhome in back, r/w in all yards and high weeds in all yards. House in open and accessible because back window is broken out. Electric meter is turned, refer to #30, cb 7-24          |                       |                 |    |

*Time in minuets:*

387



APN 139-21-510-050

**NOTICE AND CLAIM OF LIEN OF ASSESSMENT**

**TO: WALTER & LIZZIE THOMAS**

(Reputed Owner(s) at time of abatement.

Assessor's Parcel No.: 139-21-510-050  
Commonly known as: 886 Miller  
Legal Description: VEGAS HGTS TRACT UNIT #4  
PLAT BOOK 1 PAGE 77  
LOT 156A & LOTS 156B, C

On October 11, 2006, as provided in the Municipal Code, 16.08, Section 302, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of \$4,973.00 were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on December 20, 2006 ordered the above charges in the amount of \$4,973.00, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk  
400 Stewart Avenue  
Las Vegas, NV 89101 - (702) 229-6311

STATE OF NEVADA )  
COUNTY OF CLARK)

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

\_\_\_\_\_  
BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this \_\_\_\_ day of October, 2006

\_\_\_\_\_  
NOTARY PUBLIC, in and for said County and State

**WHEN RECORDED, RETURN TO:**  
**CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE**  
**400 STEWART AVENUE, LAS VEGAS, NV 89101**  
**Case # - 44707**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: UNDEFINED NAN, NAN**

**DEPARTMENT: NEIGHBORHOOD SERVICES**

**DIRECTOR: STEPHEN K. HARSIN**

☐ Consent ☒ Discussion

**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 5433 Flora Spray Street. PROPERTY OWNER: GREG E. VINCENT (\$11,725 – General Fund) - Ward 6 (Ross)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

**Amount:** \$11,725.00

**Funding Source:** General Fund

**Dept./Division:** Neighborhood Services/Neighborhood Response

**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C.H. Construction, LLC to remove a dead tree, replace front door and install on site. To date, there have been nine (14) inspections conducted at this location. The value of the property based on the sale date of October 2005 was \$449,900.00.

**RECOMMENDATION:**

That the City Council: 1. Approve the report of expenses in the amount of \$11,725.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by STEVEN D. ROSS to Approve \$20,000 lien

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

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,

**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

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.

Video shown but not submitted.

The property owner nor a representative was present.

DEVIN SMITH, Manager of Neighborhood Response, read the purpose/background regarding the condition of the property as a public and attractive nuisance requiring the described abatement. To date, there have been 14 inspections and the value of the property, based upon the sale date of October 2005, was \$449,900.00. MR. SMITH recommended the City Council approve the report of expenses in the amount of \$4,940.00 to C & H Construction, LLC, \$594.00 in reinspection fees, \$5,450.00 in civil penalties and a 15 percent administrative fee, totalling \$11,725.00. MR. SMITH also recommended that the above charges be filed and recorded against the property as a special assessment and lien and that the Notice and Lien of Assessment should be filed and recorded with the County Treasurer's Office.

COUNCILMAN ROSS found it puzzling that individuals can have beautiful homes in nice neighborhoods yet do not maintain their properties nor respond to City actions. He confirmed the penalties assessed with MR. SMITH and noted that the actual total in civil penalties that could be assessed is up to \$76,357. He referenced the most recent data which reflected a total of 16 inspections. After discussing the number of man hours and time spent on these items with MR. SMITH, COUNCILMAN ROSS was comfortable in sending a clear message by assessing an additional fine of \$8,275 on this property owner, totalling \$20,000 in fines for this property owner. He expressed appreciation for MR. SMITH and his staff in their efforts on cleaning up these properties.

MAYOR GOODMAN declared the Public Hearing closed.

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: December 20, 2006**

**DEPARTMENT: Neighborhood Services**

**ITEM DESCRIPTION: Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned building and assess civil penalties located at 5433 Flora Spray Street. PROPERTY OWNER: GREG E. VINCENT – Ward 6 (Ross)**

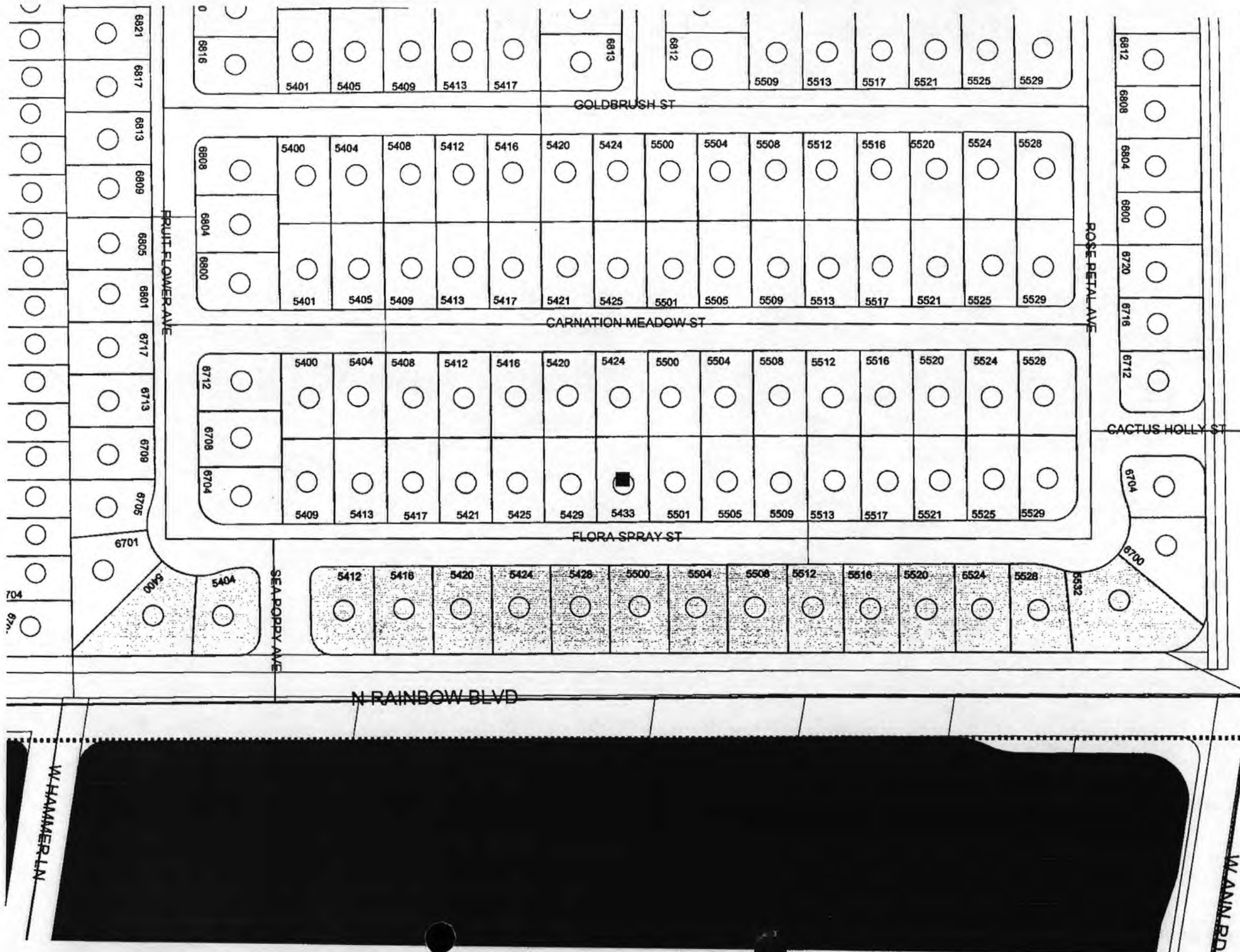
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C.H. Construction, LLC completed work on August 31, 2006 at a cost of \$4,940.00; \$594.00 in reinspection fees (including late fees); \$5,450.00 in civil penalties plus a 15% administrative fee, for a total of \$11,725.00.

Today's public hearing is to consider the Report of Expenses filed by the Department of Neighborhood Services and to hear any objections thereto. Under the Uniform Code for the Abatement of Dangerous Building, Vacant or Abandoned Buildings and Civil Penalties, the City Council may make revisions or adjustments to the Report of Expenses as deemed proper. If the Report of Expenses is confirmed and accepted by the Council, the Council can then declare the charges to be a personal obligation on the part of the property owner or may order the charges assessed against the property by means of a Lien of Assessment. In this particular case, we recommend a Lien of Assessment.

If the Lien is approved by the Council, certified copies of the recorded lien will be given to the County Treasurer's Office and the amount of the assessment will be collected at the same time and in the same manner as ordinary property taxes. All laws applicable to the collection and enforcement of property taxes shall be applicable to such assessment, and the amount of the assessment will be added to the next regular property tax bill levied against the parcel.





# Memorandum

## City of Las Vegas Neighborhood Services Department

To: Barbara Jo Ronemus, City Clerk  
From: Devin S. Smith, Manager – Neighborhood Response Division  
CC: File  
Date: November 30, 2006  
Re: Report of Expenses for the abatement of Vacant or Abandoned Building at 5433 Flora Spray Street - Ward 6 (Ross)

LVMC9.04.045 Authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC9.04.020 and 9.040.030 Authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; On the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; On the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

After giving due process, notification, and an opportunity for an appeal hearing as specified in the Las Vegas Municipal Code for "Vacant/Abandoned Building," the Department of Neighborhood Services caused the above-referenced property to be corrected by removing dead tree, replacing front door and installing on site. The abatement was completed by C.H. Construction, LLC on August 31, 2006 at a cost of \$4,940.00 which was accepted by the Department of Neighborhood Services.

| Contract Amount Breakdown:     |                         |
|--------------------------------|-------------------------|
| Tree removal                   | \$200.00                |
| Replace front door             | \$600.00                |
| Install Landscaping            | \$3,000.00              |
| Overhead and Profit            | \$1,140.00              |
| AMOUNT DUE:                    | \$4,940.00              |
| Administrative Processing Fee: | \$741.00                |
| Sub-Total:                     | \$5,681.00              |
| Reinspection Fees:             | \$594.00                |
| Civil Penalties:               | \$5,450.00              |
| TOTAL AMOUNT DUE:              | \$11,725.00             |
| OWNER OF RECORD:               | GREG E. VINCENT         |
| PROPERTY ABATED:               | 5433 Flora Spray Street |
| ASSESSOR PARCEL:               | 125-34-514-025          |
| LEGAL DESCRIPTION:             | TIERRA VISTA EST-UNIT 4 |
|                                | PLAT BOOK 70 PAGE 40    |
|                                | LOT 86 BLOCK 6          |

DSS:ed

C.H. Construction, LLC  
2505 Anthem Village Dr, Suite E-532  
Henderson, NV 89052

Disclosure of Principals

The principals and partners of C.H. Construction, LLC and all persons and entities holding more than 1% interest in C.H. Construction, LLC or any principal of C.H. Construction, LLC are the following:

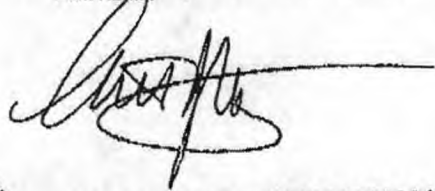
| Full Name                         | Business Address                     | Business Phone      |
|-----------------------------------|--------------------------------------|---------------------|
| 1. <u>Christopher G. Harrison</u> | <u>2505 Anthem Village Dr. E-532</u> | <u>702-858-7800</u> |
|                                   | <u>Hend, NV 89052</u>                |                     |
| 2. _____                          | _____                                | _____               |
| 3. _____                          | _____                                | _____               |
| 4. _____                          | _____                                | _____               |
| 5. _____                          | _____                                | _____               |
| 6. _____                          | _____                                | _____               |
| 7. _____                          | _____                                | _____               |

Continue list until full and complete disclosure is made.

I certify under penalty of perjury, that the foregoing list is full and complete.

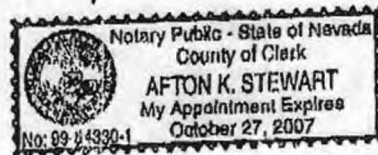
**C.H. Construction, LLC**

By: Christopher Harrison  
Print Name:



STATE OF NEVADA )  
COUNTY OF CLARK }

Subscribed and sworn to before me, a Notary Public,  
on this 10 day of May, 2005.



  
\_\_\_\_\_  
Notary Public in and for Clark County,  
State of Nevada





**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

**NOTICE OF PUBLIC HEARING**  
**DECEMBER 20, 2006**

Pursuant to Title 9, Chapter 4 of the Las Vegas Municipal Code, NOTICE IS HEREBY GIVEN THAT ON **Wednesday, December 20, 2006 at 1:00 P.M.**, in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following REPORT OF EXPENSES submitted by the Director of Neighborhood Services incurred by the City of Las Vegas for:

Abatement of the property by removing vegetation (dead, dry and overgrown), repairing windows, removing vehicle on site and landscape work on property located at **5433 FLORA SPRAY STREET**, legally described as **TIERRA EST-UNIT 4 PLAT BOOK 70 PAGE 40 LOT 86 BLOCK 6**. Owner of record at time of abatement: **GREG E. VINCENT – WARD 6 (ROSS)**

The Director of Neighborhood Services certifies in the report that the sum of \$11,725.00 was expended (\$4,940.00 for cleaning and posting the property by C H Construction, LLC; \$594.00 Reinspection Fee; \$5,450.00 Civil Penalties; and \$741.00 Administrative Processing Fee).

If upon hearing the report, the City Council is satisfied with the correctness of the expenses incurred by the City, it may order a lien of assessment recorded and given to the County Treasurer to be collected in the same manner as ordinary property taxes.

Any person interested in or affected by the proposed charge may file written protests or objections with the City Clerk at any time prior to the time set for the hearing on the Report of Expenses. Each such protest or objection must contain a description of the property in which the signer thereof is interested and the grounds of such protest or objection. The City Clerk shall endorse on every such protest or objection the date it was received by her. She shall present such protests or objections to the City Council at the time set for the hearing, and no other protests or objections shall be considered.

**BARBARA JO RONEMUS**  
CITY CLERK

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

VOICE 702.229.6011  
TTY 702.386.9108  
[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)  
18112-001-08-05  
CLV 7008



CASENO 37308 CODEENF

01718-29

Address: 5433 FLORA SPRAY ST

CITZ  
DBPROJ

ABANDONED HOUSE IN DISREPAIR. LOOKS AWFUL

**Parcel(s)**

| Parcel:     | Size:     | Subdivision Name:       |
|-------------|-----------|-------------------------|
| 12534514025 | 0.14 ACRE | TIERRA VISTA EST-UNIT 4 |

**Owner Information:**

|           |           |                                                                               |
|-----------|-----------|-------------------------------------------------------------------------------|
| 10-Aug-02 | 22-Oct-03 | MARTINEZ JOEL D & MICHELLE L<br>5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840 |
| 22-Oct-03 | 21-Jul-04 | FITCH JOHN 8861 WINTER SKY<br>; LAS VEGAS, NV 89148-1203                      |
| 21-Jul-04 | 28-Jul-04 | LUNA SCOTT<br>7632 EMINENCE CT; LAS VEGAS, NV 89131                           |
| 28-Jul-04 | 23-Dec-04 | LUNA SCOTT<br>7632 EMINENCE CT; LAS VEGAS, NV 89131-8224                      |
| 23-Dec-04 | 29-Dec-04 | LUNA SCOTT<br>5433 FLORA SPRAY ST; LAS VEGAS, NV 89130                        |
| 29-Dec-04 | 21-Apr-05 | LUNA SCOTT<br>5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840                   |
| 21-Apr-05 | 13-Oct-05 | THOMPSON LARRY D<br>5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840             |
| 13-Oct-05 |           | VINCENT GREG E<br>5433 FLORA SPRAY ST; LAS VEGAS, NV 89130-3840               |

**Inspection Summary**

| Inspector: | Status:        | Scheduled DT: | Start Dt:        | Comp DT:         | Min: |
|------------|----------------|---------------|------------------|------------------|------|
| 981876     | Failed         | 1/5/2006      | 01/06/2006 12:28 | 01/06/2006 12:34 | 6    |
| 981876     | Failed         | 1/23/2006     | 01/24/2006 12:27 | 01/24/2006 12:32 | 5    |
| 981876     | Passed Partial | 1/27/2006     | 02/10/2006 15:57 | 02/10/2006 16:00 | 3    |
| 981876     | Failed         | 2/21/2006     | 02/21/2006 14:14 | 02/21/2006 14:18 | 4    |
| 981876     | Passed Partial | 2/23/2006     | 04/14/2006 7:56  | 04/14/2006 7:56  | 0    |
| 981876     | Failed         | 4/25/2006     | 04/25/2006 12:14 | 04/25/2006 12:20 | 6    |
| 981876     | Failed         | 5/2/2006      | 05/02/2006 9:10  | 05/02/2006 9:14  | 4    |
| 981876     | Failed         | 5/9/2006      | 05/09/2006 12:29 | 05/09/2006 12:32 | 3    |
| 981876     | Failed         | 5/16/2006     | 05/16/2006 9:17  | 05/16/2006 9:20  | 3    |
| 981876     | Failed         | 5/23/2006     | 05/23/2006 13:19 | 05/23/2006 13:22 | 3    |
| 981876     | Failed         | 5/30/2006     | 05/30/2006 10:07 | 05/30/2006 10:11 | 4    |
| 981876     | Failed         | 6/7/2006      | 06/07/2006 10:04 | 06/07/2006 10:07 | 3    |
| 981876     | Failed         | 6/13/2006     | 06/15/2006 9:02  | 06/15/2006 9:05  | 3    |
| 981876     | Failed         | 6/22/2006     | 06/23/2006 9:03  | 06/23/2006 9:15  | 12   |
| 981876     | Failed         | 6/30/2006     | 06/30/2006 11:32 | 06/30/2006 11:35 | 3    |
| 981876     | Failed         | 7/7/2006      | 07/11/2006 12:43 | 07/11/2006 12:46 | 3    |

|                         |           |         |            |                  |                  |    |
|-------------------------|-----------|---------|------------|------------------|------------------|----|
| 981876                  | Passed    | Partial | 7/18/2006  | 07/27/2006 13:12 | 07/27/2006 13:15 | 3  |
| 981876                  | Failed    |         | 8/7/2006   | 08/07/2006 9:10  | 08/07/2006 9:13  | 3  |
| 982400                  | Passed    | Partial | 8/10/2006  | 09/22/2006 12:15 | 09/22/2006 12:20 | 5  |
| 870076                  | No Action |         | 12/13/2006 |                  |                  |    |
| <i>Time in Minutes:</i> |           |         |            |                  |                  | 76 |

**Violation Details**

| <i>Violation</i>                                     | <i>Violation DT:</i> | <i>Resolve DT:</i> | <i>Location:</i> |
|------------------------------------------------------|----------------------|--------------------|------------------|
| A-MITIGATION                                         | 1/5/2006             |                    | PROPERTY         |
| SUBMIT FOR APPROVAL AND ADHERE TO A MITIGATION PLAN. |                      |                    |                  |
| A-INTENT LTR                                         | 1/5/2006             |                    | PROPERTY         |
| SUBMIT A LETTER OF INTENT                            |                      |                    |                  |
| A-BLD DNGR                                           | 1/5/2006             | 1/24/2006          | PROPERTY         |
| SECURE PROPERTY TO CLV SPECS                         |                      |                    |                  |
| A-LITTER                                             | 1/5/2006             | 6/23/2006          | PROPERTY         |
| REMOVE ALL LITTER FROM THE PROPERTY                  |                      |                    |                  |
| A-POOL                                               | 1/5/2006             | 6/23/2006          | REAR YARD        |
| REMOVE ALL STAGNANT WATER FROM POOL IN R/Y           |                      |                    |                  |
| A-BLD VACANT                                         | 1/24/2006            |                    | PROPERTY         |
| MAINTAIN PROPERTY SECURE AND CLEAN.                  |                      |                    |                  |

**Log**

| <i>Type:</i>                                                                                                                                                                              | <i>Date:</i>           | <i>Employee:</i>   | <i>Min:</i> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------|-------------|
| FEE                                                                                                                                                                                       | 2/1/2007 10:48:00 AM   | JESSICA LARRAMENDY | 0           |
| JL) Removed \$4.50 late fee entered in error                                                                                                                                              |                        |                    |             |
| RECORD                                                                                                                                                                                    | 1/29/2007 2:41:00 PM   | JESSICA LARRAMENDY | 0           |
| JL) Recorded lien in the amount of \$20,000 at Clark County. Recorded in Book: 20070129 Inst: 02767                                                                                       |                        |                    |             |
| PHONE                                                                                                                                                                                     | 12/19/2006 10:23:00 AM | PAMELA HINES       | 0           |
| 24)ATTEMPTED TO CALL OWNER TO ADVISE OF PUBLIC HEARING. N/A & NO VOICEMAIL TO LEAVE A MESSAGE. 306-7209                                                                                   |                        |                    |             |
| NTCPH                                                                                                                                                                                     | 12/8/2006 2:33:00 PM   | LYNN NIHIPALI      | 2           |
| 16)POSTED ON GARAGE, PUT IN 24 QUEUE                                                                                                                                                      |                        |                    |             |
| INSP                                                                                                                                                                                      | 12/4/2006 11:40:00 AM  | LYNN NIHIPALI      | 2           |
| 16)PIX FOR POST MITI, CB 12-5 TO 24                                                                                                                                                       |                        |                    |             |
| MEET                                                                                                                                                                                      | 11/30/2006             | ELIZABETH DOUGLAS  | 0           |
| ED) SCHEDULED TO GO BEFORE COUNCIL ON 12/20/06.                                                                                                                                           |                        |                    |             |
| LETTER                                                                                                                                                                                    | 11/30/2006             | ELIZABETH DOUGLAS  | 0           |
| ED) SENT REPORT OF EXPENSE LETTER AND MEMO TO PROPERTY OWNER--CERTIFIED AND REGULAR MAIL.                                                                                                 |                        |                    |             |
| DIRECT                                                                                                                                                                                    | 10/3/2006 9:13:00 AM   | PAMELA HINES       | 4           |
| 24)FORWARD FILE TO JESS FOR SUMMARY, RECOVER MITIGATION COST AND CIVIL FEES - \$500 PER DAY. WHY DOES CASE SAY CLOSED WHEN WE STILL HAVE ACTIVITY AFTER FIRST ABATEMENT? CONFUSING TO ME. |                        |                    |             |
| MISC                                                                                                                                                                                      | 9/28/2006 7:02:00 AM   | KATHY STEWART      | 0           |
| Sent invoice (\$4,940) from C.H. Construction, LLC, to Finance for payment; gave file to Pam Hines for review for Council.                                                                |                        |                    |             |
| MISC                                                                                                                                                                                      | 9/27/2006 10:40:00 AM  | KATHY STEWART      | 0           |
| Sent invoice to Devin Smith for signature.                                                                                                                                                |                        |                    |             |
| MISC                                                                                                                                                                                      | 9/26/2006 11:54:00 AM  | KATHY STEWART      | 0           |
| Per #16, okay to pay                                                                                                                                                                      |                        |                    |             |
| INSP                                                                                                                                                                                      | 9/22/2006 12:15:00 PM  | LYNN NIHIPALI      | 5           |
| 16)ROCK HAS BEEN INSTALLED, NEW FRONT DOOR, CB 9/25                                                                                                                                       |                        |                    |             |

|                                                                                                                                                         |                       |                    |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|----|
| VIDPST                                                                                                                                                  | 9/22/2006 12:15:00 PM | LYNN NIHIPALI      | 5  |
| 16)VIDEO TAKEN, FORWARD TO 19 CB 9/25                                                                                                                   |                       |                    |    |
| MISC                                                                                                                                                    | 9/18/2006 11:03:00 AM | KATHY STEWART      | 0  |
| Received invoice (\$4,940) from C.H. Construction for completion of Mitigation abatement. E-mailed #30 this information.                                |                       |                    |    |
| PHONE                                                                                                                                                   | 8/29/2006 9:13:00 AM  | KELLY OLIVERIUS    | 1  |
| 30)PHONED CHRIS WITHCH CONST, 858-7860, INFORMED HIM VIDEO IS COMPLETE AND ABATEMENT CAN PROCEED.                                                       |                       |                    |    |
| VIDPRE                                                                                                                                                  | 8/29/2006 9:04:00 AM  | KELLY OLIVERIUS    | 10 |
| 30)FILMED PRE ABATEMENT VIDEO FOR CITY MITIGATION. NO ACTIVITY AT PROPERTY, VIOL. REMAIN. NO LANDSCAPING. NO CHANGE IN OWNERSHIP.                       |                       |                    |    |
| FAX                                                                                                                                                     | 8/24/2006 2:29:00 PM  | KATHY STEWART      | 0  |
| Received Fax from C.H. Construction stating start date to abate property will be Wednesday, 8/30/06. E-mailed #30 this information.                     |                       |                    |    |
| BIDA                                                                                                                                                    | 8/23/2006 2:15:00 PM  | KATHY STEWART      | 0  |
| Faxed Award (Mitigation) letter to C.H. Construction, LLC. Contractor must call/fax a start date within five days of award.                             |                       |                    |    |
| DIRECT                                                                                                                                                  | 8/23/2006 11:22:00 AM | KATHY STEWART      | 0  |
| Per Devin Smith, Award to low bidder, C.H. Construction.                                                                                                |                       |                    |    |
| EMAIL                                                                                                                                                   | 8/23/2006 11:06:00 AM | KATHY STEWART      | 0  |
| 2nd Request--Sent email to Devin Smith requesting to proceed with abatement, Award to low bidder.                                                       |                       |                    |    |
| EMAIL                                                                                                                                                   | 8/22/2006 10:59:00 AM | KATHY STEWART      | 0  |
| Sent email to Devin Smith requesting to proceed with abatement, Award to low bidder.                                                                    |                       |                    |    |
| RESEAR                                                                                                                                                  | 8/9/2006 4:08:00 PM   | KELLY OLIVERIUS    | 0  |
| 30)CHECKED OWNERSHIP, NO CHANGE.                                                                                                                        |                       |                    |    |
| INSP                                                                                                                                                    | 8/7/2006 9:10:00 AM   | KELLY OLIVERIUS    | 3  |
| 30)NO CHANGE AT PROEPRTY. SECURE. F.DOOR BOARDED. NO LANDSCAPING. PIX. PUT IN FOR CONTINUED ABATEMENT FOR MITIGATION. ASSESS FEE.                       |                       |                    |    |
| MISC                                                                                                                                                    | 7/31/2006 2:26:00 PM  | KATHY STEWART      | 0  |
| Sent Certified & Regular letters from owner, Return to Sender, Move, Left No Address, to Maria to file.                                                 |                       |                    |    |
| PSTMIT                                                                                                                                                  | 7/27/2006 1:12:00 PM  | KELLY OLIVERIUS    | 3  |
| 30)POSTED NOTICE OF MITIGATION. CB 08/07                                                                                                                |                       |                    |    |
| NOTICE                                                                                                                                                  | 7/26/2006 8:32:00 AM  | KATHY STEWART      | 0  |
| Sent Ten (10) Day Notice Before Mitigation letter to owner. POST: 7/27. C/B: 8/7. Sent file to #30.                                                     |                       |                    |    |
| DIRECT                                                                                                                                                  | 7/24/2006 11:15:00 AM | KATHY STEWART      | 0  |
| Per Devin Smith, proceed with abatement, send 10 Day Notice Before Mitigation letter.                                                                   |                       |                    |    |
| INSP                                                                                                                                                    | 7/11/2006 12:43:00 PM | KELLY OLIVERIUS    | 3  |
| 30)NO CHANGE AT PROEPRTY. SECURE. NO MITIGATION RECIEVED. PIX. ASSESS FEE AND CIVIL PENALTY. CB 07/18.                                                  |                       |                    |    |
| INSP                                                                                                                                                    | 6/30/2006 11:32:00 AM | KELLY OLIVERIUS    | 3  |
| 30)NO MITIGATION RECIEVED. NO CHANGE AT PROPERTY. PIX. CB 07/07. ASSESS FEES AND CIVIL PENALTIES. CB 07/07.                                             |                       |                    |    |
| INSP                                                                                                                                                    | 6/23/2006 9:03:00 AM  | KELLY OLIVERIUS    | 12 |
| 30)NO MITIGATION RECIEVED. NO CHANGE AT PROPERTY. FILMED VIDEO FOR CIVIL PENALTIES \$500 A DAY. CB 06/30. ASSESS FEES AND CIVIL PENALTY.                |                       |                    |    |
| VCIVIL                                                                                                                                                  | 6/23/2006 9:03:00 AM  | KELLY OLIVERIUS    | 12 |
| 30)FILMED CIVIL PENALTIES VIDEO.                                                                                                                        |                       |                    |    |
| INSP                                                                                                                                                    | 6/15/2006 9:02:00 AM  | KELLY OLIVERIUS    | 3  |
| 30)NO CHANGE AT PROPERTY. NO MITIGATION RECIEVED. PIX. ASSESS FEES AND CIVIL PENALTIES. CB 06/22.                                                       |                       |                    |    |
| RECORD                                                                                                                                                  | 6/9/2006 8:39:00 AM   | JESSICA LARRAMENDY | 0  |
| JL) Recorded lien in the amount of \$4,500.85 at Clark County. Book: 20060609 Inst: 02224.                                                              |                       |                    |    |
| PHONE                                                                                                                                                   | 6/8/2006 3:22:00 PM   | KELLY OLIVERIUS    | 0  |
| 30)PHONED NUMBER FOR OWNER, SOMEONE ANSWERED THEN HUNG UP. TRIED AGAIN AND THEMOBILE UNIT AGAIN WAS NOT RESPONDING OR OUT OF AREA AFTER MULTIPLE RINGS. |                       |                    |    |
| INSP                                                                                                                                                    | 6/7/2006 10:04:00 AM  | KELLY OLIVERIUS    | 3  |
| 30)NO ACTIVITY. STILL BOARDED/SECURE. NO MITIGATION. CONTACT OWNER. CB 06/13.                                                                           |                       |                    |    |



|                                                                                                                                                                                                                                              |                       |                    |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|----|
| PHONE                                                                                                                                                                                                                                        | 6/1/2006 3:06:00 PM   | KELLY OLIVERIUS    | 0  |
| 30)PHONED NUMBER FOR OWNER, GOT "THE MOBILE UNIT YOU ARE CALLING IS UNAVAILABLE OR OUTSIDE THE COVERAGE AREA".                                                                                                                               |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 5/30/2006 10:07:00 AM | KELLY OLIVERIUS    | 4  |
| 30)NO CHANGE AT PROPERTY. NO MITIGATION RECIEVED. PIX. ASSESS FEE AND CIVIL PENALTY, \$500, GOES TO DAILY, NO FURTHER FORM REQ. ATTEMPT CONTACT WITH OWNER. CB 06/07.                                                                        |                       |                    |    |
| BIDR                                                                                                                                                                                                                                         | 5/30/2006 7:00:00 AM  | KATHY STEWART      | 0  |
| Received Mitigation Proposals from contractors (1) CH Construction-\$4,940; (2) Disaster Kleen-up of NV-\$6,978.62. Forward Proposals to Devin Smith.                                                                                        |                       |                    |    |
| PHONE                                                                                                                                                                                                                                        | 5/24/2006 7:46:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)PHONED NUMBER FOR OWNER, 306-7209, MOBILE UNIT IS 'NOT RESPONDING OR OUTSIDE THE COVERAGE AREA'. NO OPTION FOR MESSAGE.                                                                                                                   |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                       | 5/23/2006 3:52:00 PM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$500.00 civil penalty request. Forwarded to Finance - Invoice #37308HN-312375                                                                                                                                                 |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                       | 5/23/2006 3:52:00 PM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$500.00 civil penalty request. Forwarded to Finance - Invoice #37308HN-312374                                                                                                                                                 |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                       | 5/23/2006 3:52:00 PM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$300.00 civil penalty request. Forwarded to Finance - Invoice #37308HN-312373                                                                                                                                                 |                       |                    |    |
| CIVPEN                                                                                                                                                                                                                                       | 5/23/2006 3:51:00 PM  | JESSICA LARRAMENDY | 0  |
| JL) Processed \$150.00 civil penalty request. Forwarded to Finance - Invoice #37308HN-312372                                                                                                                                                 |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 5/23/2006 1:19:00 PM  | KELLY OLIVERIUS    | 3  |
| 30)NO CHANGE AT PROPERTY. SECURE, CLEAN. NO MITIGATION RECIEVED.PIX. ASSESS FEE AND CIVIL PENALTY. ATTEMPT CONTACT AGAIN.SUBMITTED FIFTH CIVIL PENALTY TO 24 FOR APPROVAL, \$500. CB 05/30.                                                  |                       |                    |    |
| MEET                                                                                                                                                                                                                                         | 5/17/2006 10:00:00 AM | KELLY OLIVERIUS    | 90 |
| 30)MET WITH DEVIN, PAM, AND CONTRACTORS TO EVALUATE PROPERTY FOR CITY MITIGATION. BID IS DUE 05/26.                                                                                                                                          |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 5/16/2006 9:17:00 AM  | KELLY OLIVERIUS    | 3  |
| 30)NO ACTIVITY, PROEPRTY SECURE. FEW HIGH WEEDS. NO MITIGATION RECIEVED. PIX. ASSESS FEE. CB 05/23.SUBMITTED FOURTH CIVIL PENALTY TO 24 FOR APPROVAL, \$500.                                                                                 |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 5/9/2006 12:29:00 PM  | KELLY OLIVERIUS    | 3  |
| 30)PROEPRTY STILL VACANT, SECURE. NO MITIGATION RECIEVED. PIX. ASSESS FEES. SUBMITTED THIRD CIVIL PENALTY TO 24 FOR APPROVAL, \$500. CB 05/16.                                                                                               |                       |                    |    |
| PHONE                                                                                                                                                                                                                                        | 5/3/2006 8:21:00 AM   | KELLY OLIVERIUS    | 0  |
| 30)PHONED OWNER, THE MOBILE NUMBER WAS 'NOT RESPONDING OR OUTSIDE THE COVERAGE AREA", NO MESSAGE OPTION.                                                                                                                                     |                       |                    |    |
| EMAIL                                                                                                                                                                                                                                        | 5/3/2006 7:27:00 AM   | KELLY OLIVERIUS    | 0  |
| 30)EMAILED LLOYD TO REQ REAR DOOR SECURED.                                                                                                                                                                                                   |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 5/2/2006 9:10:00 AM   | KELLY OLIVERIUS    | 4  |
| 30)HOUSE STILL VACANT/BOARDED. FEW HIGH WEEDS. PIX. NO MITIGATION. ASSESS FEE. ATTEMPT CONTACT WITH OWNER AGAIN. REAR SLIDING DOOR OPEN, EMAIL RRT TO REQ. SECURE.CB 05/09. SUBMITTED CIVIL PENALTY FORM TO 24, 2ND, \$300                   |                       |                    |    |
| DIRECT                                                                                                                                                                                                                                       | 4/27/2006 1:01:00 PM  | DEVIN SMITH        | 0  |
| Continue to inspect and assess fees as necessary. Will meet with contractors to get bids on mitigation.                                                                                                                                      |                       |                    |    |
| MISC                                                                                                                                                                                                                                         | 4/26/2006 7:38:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)SUBMITTED CIVIL PENALTY FORM TO 24, FIRST, \$150                                                                                                                                                                                          |                       |                    |    |
| RESEAR                                                                                                                                                                                                                                       | 4/26/2006 7:36:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)CHECKED ASSESSOR, NO CHANG EIN OWENERSHIP.                                                                                                                                                                                                |                       |                    |    |
| PHONE                                                                                                                                                                                                                                        | 4/26/2006 7:33:00 AM  | KELLY OLIVERIUS    | 0  |
| 30)PHONED OWNER, MOBILE UNIT WAS NOT WORKING.                                                                                                                                                                                                |                       |                    |    |
| INSP                                                                                                                                                                                                                                         | 4/25/2006 12:14:00 PM | KELLY OLIVERIUS    | 6  |
| 30)PROEPRTY STILL VACANT, FRONT DOOR BOARDED. NO MITIGATION RECIEVED. REQ FOR CITY MITIGATION:REPAIR FRONT DOOR. LANDSCAPE F/Y. REMOVE BROKEN TREE FROM R/Y. REMOVE HIGH WEEDS. PIX. ASSESS FEE. REFER TO DEVIN. ATTEMPT CONTACT WITH OWNER. |                       |                    |    |
| NTCPH                                                                                                                                                                                                                                        | 4/21/2006 10:08:00 AM | KELLY OLIVERIUS    | 3  |
| 30)POSTED PUBLIC HEARING NOTICE. PIX.                                                                                                                                                                                                        |                       |                    |    |



|                                                                                                                                                    |                      |                    |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------|---|
| MISC                                                                                                                                               | 4/13/2006 2:52:00 PM | JESSICA LARRAMENDY | 0 |
| JL) Rec'd regular mailed letter back - Moved left no forwarding address. Unable to forward. Return to Sender.                                      |                      |                    |   |
| MISC                                                                                                                                               | 4/11/2006 2:21:00 PM | JESSICA LARRAMENDY | 0 |
| JL) Rec'd cert ltr back - Moved left no forwarding address.                                                                                        |                      |                    |   |
| MEET                                                                                                                                               | 4/5/2006 10:00:00 AM | JESSICA LARRAMENDY | 0 |
| JL) Scheduled to go before Council on May 3, 2006.                                                                                                 |                      |                    |   |
| LETTER                                                                                                                                             | 4/5/2006 10:00:00 AM | JESSICA LARRAMENDY | 0 |
| JL) Report of expense ltr and memo mailed to property owner both certified and regular mail.                                                       |                      |                    |   |
| MISC                                                                                                                                               | 3/24/2006 2:39:00 PM | KATHY STEWART      | 0 |
| Sent Certified letter from owner, Return to Sender, Unclaimed, to Jessica to file.                                                                 |                      |                    |   |
| MISC                                                                                                                                               | 3/22/2006 7:40:00 AM | KATHY STEWART      | 0 |
| Sent invoice (\$3,799) from C.H. Construction, LLC to Finance for payment; gave file to Jessica Larramendy for Council.                            |                      |                    |   |
| MISC                                                                                                                                               | 3/15/2006 9:02:00 AM | KATHY STEWART      | 0 |
| Waiting for Devin Smith approve Oracle                                                                                                             |                      |                    |   |
| MISC                                                                                                                                               | 3/14/2006 4:23:00 PM | KATHY STEWART      | 0 |
| Received Revised Invoice (\$3,799) from C.H. Construction.                                                                                         |                      |                    |   |
| VIDPST                                                                                                                                             | 3/8/2006 12:39:00 PM | KELLY OLIVERIUS    | 6 |
| 30)PER EMAIL NOTIFICATION FILMED POST ABATEMENT VIDEO. POOL IS DRAINED, DOORS SECURED, R/W-LITTER REMOVED.                                         |                      |                    |   |
| MISC                                                                                                                                               | 3/7/2006 4:09:00 PM  | KATHY STEWART      | 0 |
| Received invoice (\$5,149) from C.H. Construction for abatement of property.                                                                       |                      |                    |   |
| PHONE                                                                                                                                              | 3/2/2006 3:20:00 PM  | KELLY OLIVERIUS    | 3 |
| 30)PHONED CHRIS, TOLD HIM READY TO ABTE. TOLD HIM OF CURRENT VIOL.                                                                                 |                      |                    |   |
| VIDPRE                                                                                                                                             | 3/2/2006 3:11:00 PM  | KELLY OLIVERIUS    | 9 |
| 30)FILMED PRE ABATMENT VIDEO. REAR DOOR OPEN, LOCK BUSTED. FRONT DOOR OPEN, LOCK BUSTED. WINDOWS INTACT. POOL FULL OF STAGNANT WATER. R/W REMAINS. |                      |                    |   |
| FAX                                                                                                                                                | 2/28/2006 4:12:00 PM | KATHY STEWART      | 0 |
| Received fax from C.H. Construction stating start date for abatement of property will be Friday, 3/3/06. E-mailed #30 this information.            |                      |                    |   |
| BIDA                                                                                                                                               | 2/27/2006 8:23:00 AM | KATHY STEWART      | 0 |
| Faxed Award letter to C.H. Construction. Contractor to call within 5 days with a start date.                                                       |                      |                    |   |
| DIRECT                                                                                                                                             | 2/27/2006 8:01:00 AM | KATHY STEWART      | 0 |
| Per Devin Smith, Award to low bidder, C.H. Construction.                                                                                           |                      |                    |   |
| MISC                                                                                                                                               | 2/27/2006 7:58:00 AM | KATHY STEWART      | 0 |
| Sent e-mail to Devin Smith, okay to proceed with abatement.                                                                                        |                      |                    |   |
| REFER                                                                                                                                              | 2/22/2006 2:22:00 PM | KELLY OLIVERIUS    | 0 |
| 30)REFERRED CASE TO 24.                                                                                                                            |                      |                    |   |
| RESEAR                                                                                                                                             | 2/22/2006 2:22:00 PM | KELLY OLIVERIUS    | 0 |
| 30)CHECKED ASSESSOR FOR OWNERSHIP CHANGE, NO CHANGE.                                                                                               |                      |                    |   |
| PHONE                                                                                                                                              | 2/22/2006 2:21:00 PM | KELLY OLIVERIUS    | 0 |
| 30)PHONED NUMBER FROM LINDA, NO ANSWER, LEFT A VM FOR HIM TO CALL.                                                                                 |                      |                    |   |
| INSP                                                                                                                                               | 2/21/2006 2:14:00 PM | KELLY OLIVERIUS    | 4 |
| 30)POOL STILL FULL OF STAGNANT WATER. ALL VIOL. REMAIN. PIX. PUT IN FOR ABATEMENT.                                                                 |                      |                    |   |
| MISC                                                                                                                                               | 2/15/2006 2:03:00 PM | KATHY STEWART      | 0 |
| Sent Regular letter, Return to Sender, Unclaimed, to #30 to file.                                                                                  |                      |                    |   |
| NTCABT                                                                                                                                             | 2/10/2006 3:57:00 PM | KELLY OLIVERIUS    | 3 |
| 30)POSTED TEN DAY NOTICE TO ABATE. CB 02/21                                                                                                        |                      |                    |   |
| NOTICE                                                                                                                                             | 2/7/2006 7:53:00 AM  | KATHY STEWART      | 0 |
| Sent Ten (10) Day Notice Before Abatement letter to owner. POST: 2/8. C/B: 2/21. Sent file to #30.                                                 |                      |                    |   |

|                                                                                                              |                       |                    |   |
|--------------------------------------------------------------------------------------------------------------|-----------------------|--------------------|---|
| BIDR                                                                                                         | 2/6/2006 10:00:00 AM  | KATHY STEWART      | 0 |
| Received bid from contractor (1) C.H. Construction - \$5,149.                                                |                       |                    |   |
| BIDS                                                                                                         | 1/30/2006 1:43:00 PM  | KATHY STEWART      | 0 |
| Faxed Invitation to Bid to contractors. Bid due by COB, 2/3/06.                                              |                       |                    |   |
| RESEAR                                                                                                       | 1/26/2006 7:35:00 AM  | KELLY OLIVERIUS    | 3 |
| 30)CHECKED ASSESSOR FOR CHANGE IN OWNERSHIP, NO CHANGE.                                                      |                       |                    |   |
| REFER                                                                                                        | 1/26/2006 7:34:00 AM  | KELLY OLIVERIUS    | 0 |
| 30)CB 01/27 TO 24 FOR ABATEMENT.                                                                             |                       |                    |   |
| PHONE                                                                                                        | 1/26/2006 7:30:00 AM  | KELLY OLIVERIUS    | 0 |
| 30)PHONED NUMBER FROM LINDA,NO ANSWER, LEFT A VM FOR HIM TO CALL.                                            |                       |                    |   |
| EMAIL                                                                                                        | 1/25/2006 10:16:00 AM | KELLY OLIVERIUS    | 1 |
| 30)CONTACT FROM LINDA, 306-7209.                                                                             |                       |                    |   |
| EMAIL                                                                                                        | 1/25/2006 8:33:00 AM  | KELLY OLIVERIUS    | 0 |
| 30)EMAILED LINDA FOR CONTACT NUMBER.                                                                         |                       |                    |   |
| INSP                                                                                                         | 1/24/2006 12:27:00 PM | KELLY OLIVERIUS    | 5 |
| 30)WATER STILL IN POOL. HOUSE SECURE. LITTER REMAINS. PIX. TRY TO CONTACT OWNER.                             |                       |                    |   |
| RECORD                                                                                                       | 1/12/2006 8:48:00 AM  | JESSICA LARRAMENDY | 0 |
| JL) Recorded N&O dated January 10, 2006 at Clark County. Book: 20060112 Inst: 0000573                        |                       |                    |   |
| NOPOST                                                                                                       | 1/11/2006 12:38:00 PM | LYNN NIHIPALI      | 3 |
| 16)POSTED ON GARAGE DOOR, CB 1/23 TO 30.                                                                     |                       |                    |   |
| DBPROJ                                                                                                       | 1/10/2006 9:33:00 AM  | KATHY STEWART      | 0 |
| MISC                                                                                                         | 1/9/2006 8:23:00 AM   | KELLY OLIVERIUS    | 5 |
| 30)PROCESSED N&O, FORWARDED TO 24 FOR REVIEW.                                                                |                       |                    |   |
| RESEAR                                                                                                       | 1/9/2006 8:17:00 AM   | KELLY OLIVERIUS    | 6 |
| 30)ACCESSED ASSESSOR FOR OWNER INFO. CHECK WHITE PAGES, SEWER, AND HANSEN FOR CONTACT INFO. NO NUMBER FOUND. |                       |                    |   |
| INSP                                                                                                         | 1/6/2006 12:28:00 PM  | KELLY OLIVERIUS    | 6 |
| 30)SFD, OPEN/ACCESS (GARAGE DOOR. NO ACCESS TO RY. LITTER IN F/Y (LEAVES, DEBRIS, ECT.). PIX. PROCESS N&O.   |                       |                    |   |

*Time in minutes:* 241

APN 125-34-514-025  
Ref # 37308

**NOTICE AND CLAIM OF LIEN OF ASSESSMENT**

**TO: GREG E. VINCENT**  
(Reputed Owner(s)) at time of abatement.

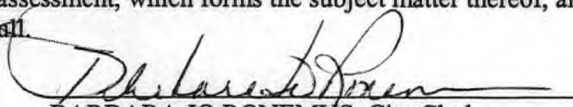
Assessor's Parcel No.: **APN 125-34-514-025**  
Commonly known as: **5433 FLORA SPRAY STREET**  
Legal Description: **TIERRA VISTA EST UNIT 4**  
**PLAT BOOK 70 PAGE 40**  
**LOT 86 BLOCK 6**

On August 31, 2006, as provided in the Municipal Code, 9.04, the City of Las Vegas caused the abatement of a nuisance condition on the following property after due notification.

Expenses in the amount of **\$20,000** were incurred by the City of Las Vegas in the above nuisance condition abatement procedure.

The Las Vegas City Council, at a duly noticed public hearing held on **December 20, 2006**, ordered the above charges in the amount of **\$20,000**, assessed against the property by means of a Lien of Assessment, such a lien to be duly recorded and certified copies of said lien given to the County Treasurer for collection as ordinary property taxes. Said lien shall also be prior to and superior to all liens, claims, encumbrances and titles, other than liens of assessment and general taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to this lien.

All or any portion of this lien of assessment, which remains unpaid after 30 days from the date of the recording thereof on the assessment roll, shall become delinquent and shall accrue interest at the rate of 7 percent per annum from and after said date. This lien shall continue until the assessment, which forms the subject matter thereof, and all interest due and payable thereon, shall have been paid in full.

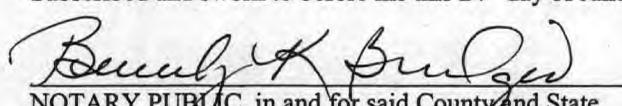
  
BARBARA JO RONEMUS, City Clerk  
400 Stewart Avenue  
Las Vegas, NV 89101 - (702) 229-6311

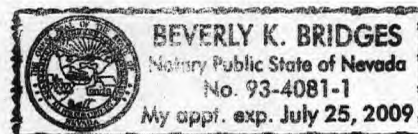
STATE OF NEVADA )  
COUNTY OF CLARK )

BARBARA JO RONEMUS, being duly sworn, deposes and says that she is the person who executed the foregoing instrument on behalf of the City of Las Vegas and that she has read the same and knows the contents thereof, that the matters stated herein are true to her own knowledge, except such matters as are stated to be on information and belief, and as to those matters, she believes them to be true.

  
BARBARA JO RONEMUS, City Clerk

Subscribed and sworn to before me this 24<sup>th</sup> day of January, 2007

  
NOTARY PUBLIC, in and for said County and State



**WHEN RECORDED, RETURN TO:**  
**CITY OF LAS VEGAS, DEPARTMENT OF NEIGHBORHOOD RESPONSE**  
**400 STEWART AVENUE**  
**LAS VEGAS, NV 89101**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: CHARLIE KAJKOWSKI**

☐ Consent ☒ Discussion

**SUBJECT:**

Public hearing on local improvement district for Special Improvement District No. 1493 - Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) (\$623,643.30 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$623,643.30

Funding Source: Capital Projects Fund/Special Assessments

**PURPOSE/BACKGROUND:**

Public hearing on the Final Assessment Roll for the installation of pavement, curb and gutter, sidewalks, driveway approaches, water laterals, sewer laterals, and streetlights along Hualapai Way and Alexander Road from Cheyenne Avenue to Cimarron Road.

**RECOMMENDATION:**

Public Hearing only; no action required.

**BACKUP DOCUMENTATION:**

Public hearing notice

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLES KAJKOWSKI, Director of Public Works, confirmed the project was complete. He further stated that the item is to consider finalizing the roll and it is in order.

MAYOR GOODMAN declared the Public Hearing closed.



NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE  
OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR  
OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL  
CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR  
IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA,  
SPECIAL IMPROVEMENT DISTRICT NO. 1493 – HUALAPAI  
WAY/ALEXANDER ROAD (CHEYENNE AVENUE TO CIMARRON  
ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2006-2 for City of Las Vegas, Nevada, Special Improvement District No. 1493 – Hualapai Way/Alexander Road (Cheyenne Avenue to Cimarron Road) (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on November 15, 2006, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1493 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

HUALAPAI WAY (BOTH SIDES) - from the centerline of Cheyenne Avenue north along Hualapai Way approximately 5,280 feet to Alexander Road (100-foot right-of-way)

ALEXANDER ROAD (SOUTH SIDE) – from the western right-of-way of Hualapai Way west along Alexander Road approximately 982 feet (80-foot right-of-way)

ALEXANDER ROAD (BOTH SIDES) – from the Hualapai Way curve east along Alexander Road approximately 13,140 feet to Cimarron Road (100-foot right-of-way)

CAMPBELL ROAD (WEST SIDE) – from the southern right-of-way of Alexander Road south approximately 294 feet (60-foot right-of-way).

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an 8-foot wide pavement section, curb, gutter, sidewalks, driveway approaches and streetlights, where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council previously held a hearing to consider all complaints, protests, and objections to said final assessment roll on May 3, 2006. However, the publication of the hearing on May

3, 2006, did not comply with the requirements of NRS Chapter 271. Accordingly, the City Council has determined to hold a new hearing on said final assessment roll.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, December 20, 2006, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, December 15, 2006, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

If a property owner has already prepaid his or her assessments, he or she can apply for a refund of their prepayments. If a property owner does not apply for a refund of prepayments, the prepayments shall be applied to such property owner's assessments for the Project. Property owners who paid their first assessment installment on October 1, 2006 may apply for a refund of such payments. If a property owner does not apply for such refund, such payment shall be applied to the first assessment installment on April 1, 2007. Requests for refunds of prepayments or October 1, 2006 assessment installments should be directed to Mike Thompson, City Hall, 400 Stewart Ave., Las Vegas NV 89101, Las Vegas, Nevada, (702) 229-2136.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall by provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than December 15, 2006, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this 15<sup>th</sup> day of November, 2006.

  
BEVERLY K. BRIDGES, Chief Deputy City Clerk



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: CHARLIE KAJKOWSKI**

☐ Consent ☒ Discussion

**SUBJECT:**

Public hearing on local improvement district for Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights (\$62,576.19 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$62,576.19

Funding Source: Capital Projects Fund/Special Assessments

**PURPOSE/BACKGROUND:**

Public hearing on the Final Assessment Roll for the installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

**RECOMMENDATION:**

Public Hearing only; no action required.

**BACKUP DOCUMENTATION:**

Public hearing notice

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLES KAJKOWSKI, Director of Public Works, confirmed the project was complete. He further stated that the item is to consider finalizing the roll and it is in order.

MAYOR GOODMAN declared the Public Hearing closed.



NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2006-3 for City of Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights (hereinafter the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on November 15, 2006, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1505 Creation Ordinance heretofore adopted (hereinafter the "Creation Ordinance"). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

South of Lake Mead Boulevard, along both sides of Lirio Way, Bellota Drive, Arpa Way, Ilanos Lane and Yerba Lane (51-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a unit lot basis. Each property owner will be assessed for the cost of streetlights, where not already existing.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, December 20, 2006 at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, December 15, 2006, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its

discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in ten (10) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at a rate not exceeding two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City for the assessments. A person desiring to apply for a hardship determination shall file an application no later than December 15, 2006, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this 15th day of November, 2006.

  
BEVERLY K. BRIDGES, Chief Deputy City Clerk

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

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ **Consent** ☐ **Discussion**

**SUBJECT:**

EXTENSION OF TIME - REZONING

EOT-18040 - APPLICANT/OWNER: NEVADA H.A.N.D., INC. - Request for an Extension of Time of an approved Rezoning (ZON-5176) FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO R-5 (APARTMENT) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 139-35-211-087, 088, 089, 090 and 091), Ward 5 (Weekly). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

0

**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

0

**City Council Meeting**

0

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-5176

Motion made by GARY REESE to Approve subject to conditions Item 96 [EOT-18040], Item 97 [EOT-18039], Item 98 [EOT-17696], Item 99 [EOT-17977] and Item 101 [EOT-18053]

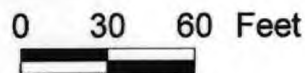
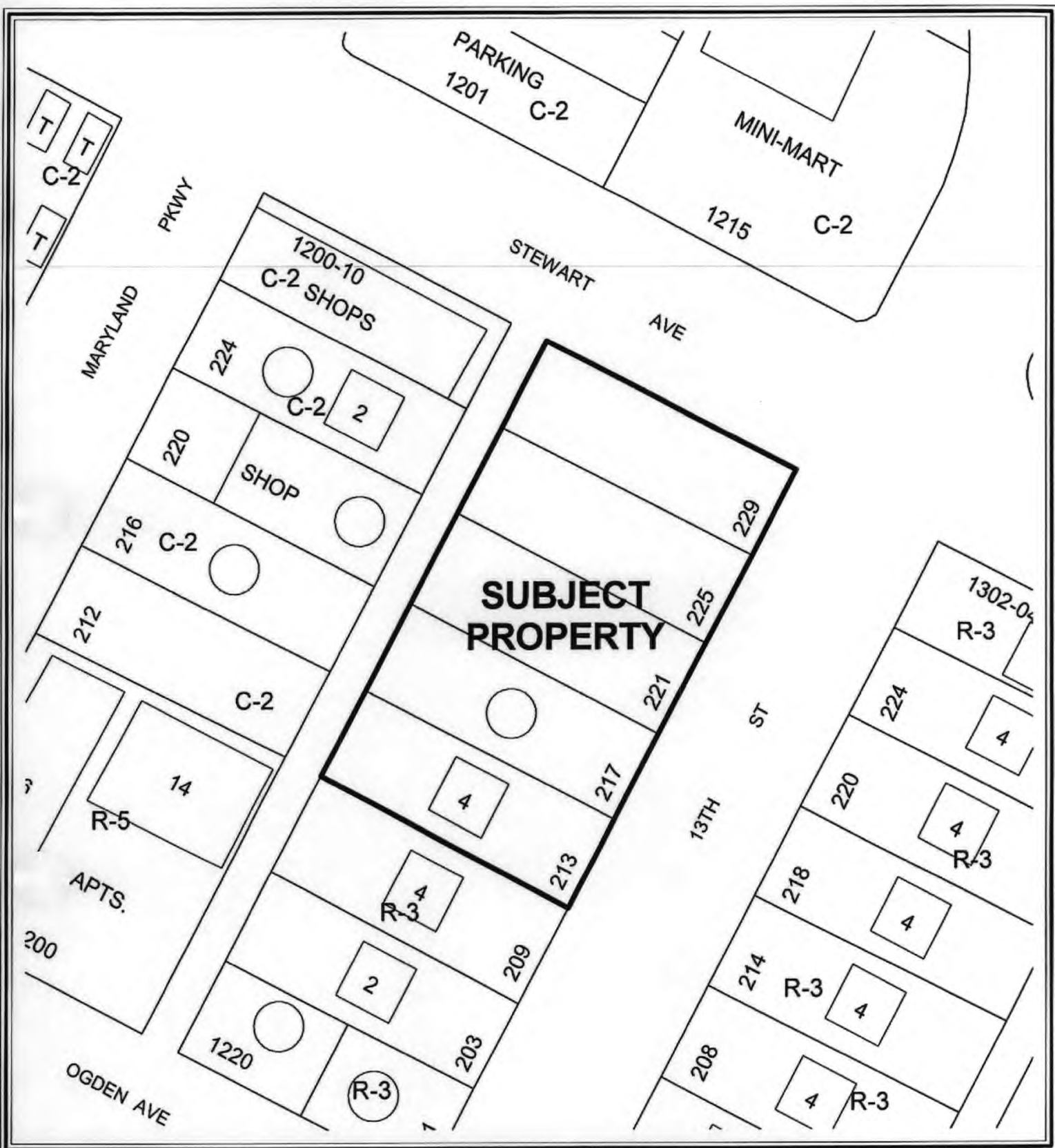
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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:

COUNCILMAN WEEKLY requested Item 100 be brought forward for discussion.





**CASE: EOT-18040**

**ZONING OF SUBJECT PROPERTY:**

R-3 (MEDIUM DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO  
R-5 (APARTMENT)





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18040 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.**

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**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on November 17, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-5176) 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&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/17/04                                                           | The City Council approved a Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) and Site Development Plan Review (SDR-5177) for a proposed 5-story, 60 unit, multi-family development on 0.80 acres. The Planning Commission and staff recommended approval on 10/21/04.                                                                                                                                                                                   |
| 12/20/06                                                           | The City Council will consider a related Extension of Time (EOT-18039) of an approved Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street. Staff is recommending approval of the related application.                                                                                                                                                                     |
| <i>Related Building Permits/Business Licenses</i>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/13/06                                                           | A Final Map (FMP-18139) was submitted on 11/13/06 for blue line technical review, so the Final Map has not yet been reviewed. Staff has thirty days to review and submit its comments, after which the Final Map Mylar may be submitted for review. Upon submission of the Final Map Mylar, the staff has 10 days to review the Map for compliance before it can be recorded. The Final Map could record at or around the end of December or the middle of January at the earliest. |

| <i>Details of Application Request</i> |      |
|---------------------------------------|------|
| <i>Site Area</i>                      |      |
| Gross Acres                           | 0.80 |

| Surrounding Property | Existing Land Use               | Planned Land Use | Existing Zoning                                                      |
|----------------------|---------------------------------|------------------|----------------------------------------------------------------------|
| Subject Property     | Undeveloped                     | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| North                | Retail Use                      | MXU (Mixed Use)  | C-2 (General Commercial)                                             |
| South                | Multi-Family Residential        | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| East                 | Multi-Family Residential        | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| West                 | Multi-Family Residential/Retail | MXU (Mixed Use)  | C-2 (General Commercial)                                             |

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

## PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street.

## ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-5176), which was approved by the City Council on 11/17/04. The City Council will consider a related Extension of Time (EOT-18039) of an approved Site Development Plan Review (SDR-5177) on the subject site. The applicant indicates that they have financing ready to begin construction of the proposed multi-family development. A Final Map (FMP-18139) was submitted on 11/13/06, but has not been reviewed. This demonstrates that the applicant is moving forward with the intent to develop the subject site. The Site Development Plan is exercised upon the issuance of a building permit for the principal structure on this site. Therefore, the Extension of Time can be supported to allow for additional time.

### Previous Conditions of Approval from Rezoning (ZON-5176)

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5177) and Variance (VAR-5178) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. Dedicate a 15-foot radius on the southwest corner of Stewart Avenue and Thirteenth Street prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on 13<sup>th</sup> Street, Stewart Avenue, and the full width of the alley adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. Landscape and maintain all unimproved rights-of-way on Stewart Avenue and 13<sup>th</sup> Street adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Stewart Avenue and 13<sup>th</sup> Street public rights-of-way adjacent to this site prior to occupancy of this site.
7. 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 drainageways as recommended.

## **FINDINGS**

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-18040 APN: 139-35-211-087, 088, 089, 090, and 091

Name of Property Owner: Nevada H.A.N.D., Inc.

Name of Applicant: Nevada H.A.N.D., Inc.

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

☐ Yes

☒ No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

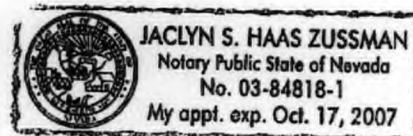
Signature of Property Owner: Michael Mullin

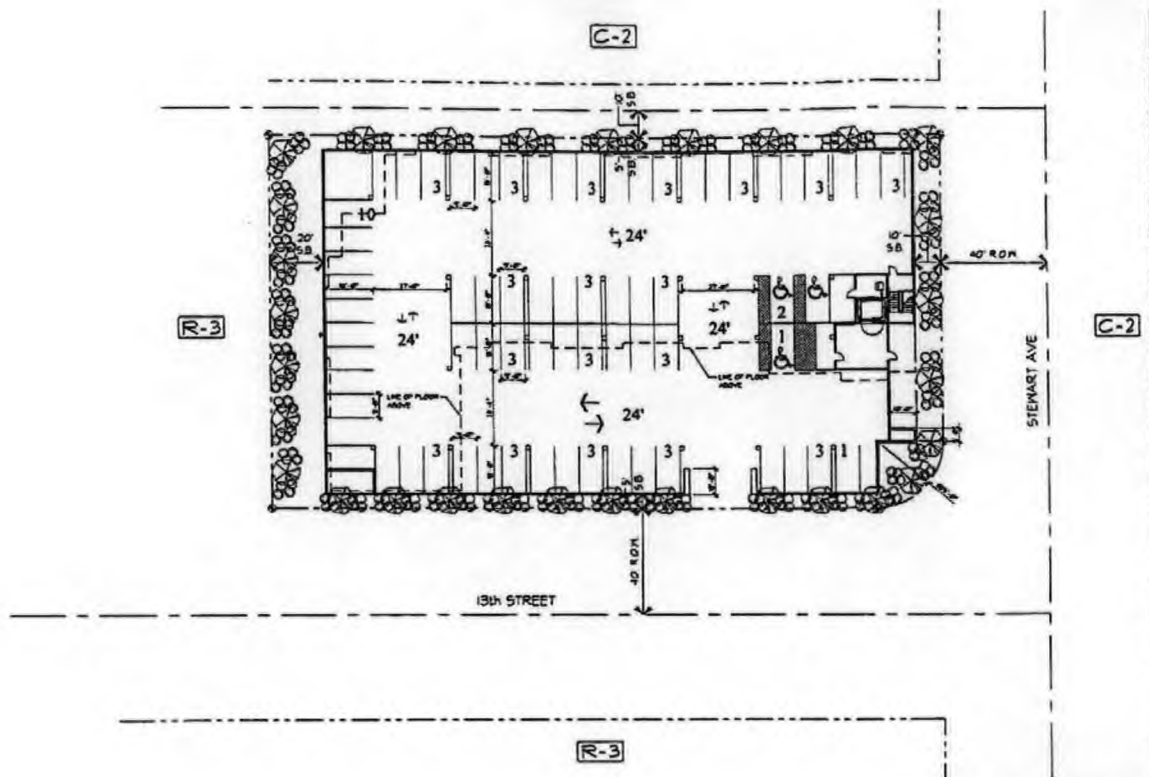
Print Name: Michael Mullin

Subscribed and sworn before me

This 7th day of November, 20 06

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





## SITE INFORMATION

ZONING - City of Las Vegas

Current Zoning - R3

Proposed Zoning - R5

(APN: 139-35-211-087), 088, 089, 090, 091)

AREA (Approximate, to be Verified)

Gross Area: = 240 x 140 = 33,600 Sq. Ft.

SETBACKS

Front 10' R  
Side 5' R  
Side Corner 5' R  
Rear 20' R

BUILDING AREA

1st Floor 15,910 Sq. Ft.  
2nd Floor 15,726 Sq. Ft.  
3rd Floor 14,127 Sq. Ft.  
4th Floor 12,474 Sq. Ft.  
Total 58,237 Sq. Ft.

HEIGHT

Maximum Allowed: 5 stories / 50 ft  
Provided: (whichever is less)  
4 stories / 35 ft

PARKING REQUIREMENTS

Parking Required:  
(60) 1 Bedroom Units 1.25x60 = 75  
Guest 60% = 10

Total Parking Required: 85  
Total Parking Provided: 66

(Applied for Variance)

H.C. Parking Required 2  
H.C. Parking Provided: 3

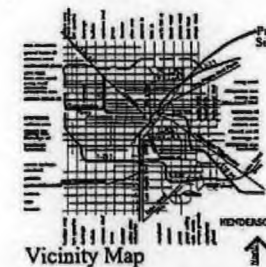
LANDSCAPING REQUIREMENTS

Residential: (1) 24" Box Tree, (4) 5 Gallon  
& (4) 1 Gallon @ 20' O.C.

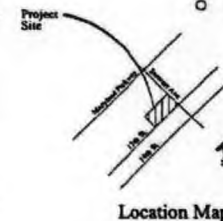
Commercial: (1) 24" Box Tree, (4) 5 Gallon  
& (4) 1 Gallon @ 30' O.C.

LANDSCAPING LEGEND

24" Box Tree  
5 Gallon  
1 Gallon



Vicinity Map



Location Map

Developed By: Nevada H.A.N.D.

Scale: 1" = 20'

Date: September 3, 2004  
Project Number: 104371



© COPYRIGHT 2004, PERLMAN ARCHITECTS, INC.

Stewart III

OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Building Site Plan

EOT-18040  
12-20-06 CC

**Nevada H.A.N.D., Inc.**  
**HOUSING AND NEIGHBORHOOD DEVELOPMENT**  
295 E. Warm Springs Road, Suite 101 • Las Vegas, NV 89119  
Office (702) 739-3345 Fax (702) 739-3305

---

November 7, 2006

The City of Las Vegas  
Planning and Development  
731 South Fourth Street  
Las Vegas, NV 89101

RE: Stewart Pines III Senior Apartments  
SDR-5177

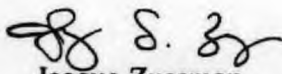
To Whom It May Concern:

Please accept this correspondence as our request to extend the Site Development Review on our project, Stewart Pines III Senior Apartments (APN: 139-35-211-087, 088, 089, 090, and 091). Zoning to R-5 (Apartment) was approved by City Council on November 17, 2004. The proposed Site Development Review for a 5 story, 60 unit, multifamily development was approved by City Council on November 18, 2004.

Our financing is now in place, and we are ready to move forward with developing our project. We intend to develop and construct Stewart Pines III Senior Apartments, which is a 57 unit, one and two bedroom apartment building targeted to serve low-income senior citizens.

If you need any further assistance, please feel free to contact me at (702) 739-3345 ext. 243. Thank you.

Sincerely,

  
Jacque Zussman

Real Estate Development Manager

**EOT-18040**  
**EOT-18039**  
**12-20-06 CC**

NOV 07 2006



November 19, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
WRENCE WEEKLY

MICHAEL MACK  
JANET MONCRIEF  
STEVE WOLFSON

DOUGLAS A. SELBY  
CITY MANAGER

Mr. Michael Mullin  
Nevada H.A.N.D., Inc.  
295 East Warm Springs Road, Suite #101  
Las Vegas, Nevada 89119

RE: ZON-5176 - REZONING  
CITY COUNCIL MEETING OF NOVEMBER 17, 2004  
Related to SDR-5177

Dear Mr. Mullin:

The City Council at a regular meeting held November 17, 2004 APPROVED the request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-5 (APARTMENT) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 139-35-211-087, 088, 089, 090 and 091). The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2004. This approval is subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5177) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate a 15-foot radius on the southwest corner of Stewart Avenue and Thirteenth Street prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on 13<sup>th</sup> Street, Stewart Avenue, and the full width of the alley adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Landscape and maintain all unimproved rights-of-way on Stewart Avenue and 13<sup>th</sup> Street adjacent to this site.
6. Submit an Encroachment Agreement for all landscaping and private improvements located in the Stewart Avenue and 13<sup>th</sup> Street public rights-of-way adjacent to this site prior to occupancy of this site.

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

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

EOT-18040  
12-20-06 CC



Mr. Michael Mullin  
ZON-5176 – Page Two  
November 19, 2004

7. 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 drainageways as recommended.

Sincerely,



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

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

Ms. Jacque Haas  
Nevada H.A.N.D., Inc.  
295 East Warm Springs Road, Suite #101  
Las Vegas, Nevada 89119

**EOT-18040**  
**12-20-06 CC**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ Consent ☐ Discussion

**SUBJECT:**

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-18039 - APPLICANT/OWNER: NEVADA H.A.N.D., INC. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-5177) THAT ALLOWED A 5 STORY, 60 UNIT, MULTI-FAMILY DEVELOPMENT on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 139-35-211-087, 088, 089, 090 and 091), R-3 (Medium Density Residential) under Resolution of Intent to R-5 (Apartment) Zone, Ward 5 (Weekly). 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.

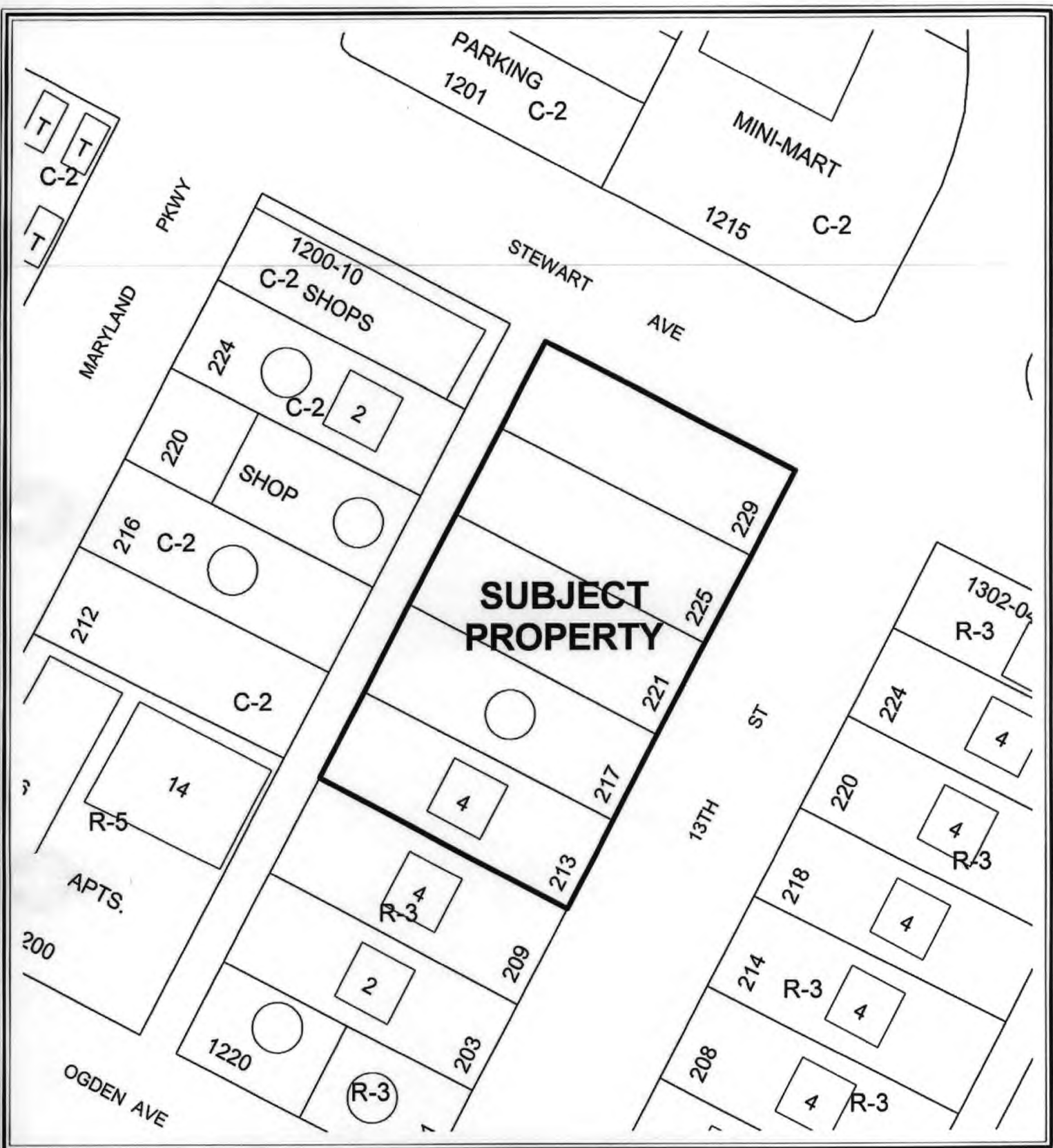
**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-5177

Motion made by GARY REESE to Approve subject to conditions Item 96 [EOT-18040], Item 97 [EOT-18039], Item 98 [EOT-17696], Item 99 [EOT-17977] and Item 101 [EOT-18053]

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: EOT-18039**

**ZONING OF SUBJECT PROPERTY:**

R-3 (MEDIUM DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO  
R-5 (APARTMENT)



0      30      60 Feet

**CASE: EOT-18039**

**ZONING OF SUBJECT PROPERTY:**

R-3 (MEDIUM DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO  
R-5 (APARTMENT)





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18039 - APPLICANT/OWNER: NEVADA H.A.N.D., INC.**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on November 17, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5177) 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&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/17/04                                                           | The City Council approved a Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) and a Site Development Plan Review (SDR-5177) for a proposed 5 story, 60 unit, multi-family development on 0.80 acres. The Planning Commission and staff recommended approval on 10/21/04.                                                                                                                                                                                 |
| 12/20/06                                                           | The City Council will consider a related Extension of Time (EOT-18040) of an approved Rezoning (ZON-5176) from R-3 (Medium Density Residential) to R-5 (Apartment) on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street. Staff is recommending approval of the related case.                                                                                                                                                                            |
| <i>Related Building Permits/Business Licenses</i>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/13/06                                                           | A Final Map (FMP-18139) was submitted on 11/13/06 for blue line technical review, so the Final Map has not yet been reviewed. Staff has thirty days to review and submit its comments, after which the Final Map Mylar may be submitted for review. Upon submission of the Final Map Mylar, the staff has 10 days to review the Map for compliance before it can be recorded. The Final Map could record at or around the end of December or the middle of January at the earliest. |

| <i>Details of Application Request</i> |      |
|---------------------------------------|------|
| <i>Site Area</i>                      |      |
| Gross Acres                           | 0.80 |

| Surrounding Property | Existing Land Use               | Planned Land Use | Existing Zoning                                                      |
|----------------------|---------------------------------|------------------|----------------------------------------------------------------------|
| Subject Property     | Undeveloped                     | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| North                | Retail Use                      | MXU (Mixed Use)  | C-2 (General Commercial)                                             |
| South                | Multi-Family Residential        | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| East                 | Multi-Family Residential        | MXU (Mixed Use)  | R-3 (Medium Density Residential) under Resolution to R-5 (Apartment) |
| West                 | Multi-Family Residential/Retail | MXU (Mixed Use)  | C-2 (General Commercial)                                             |

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

## PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-5177) that allowed a 5 Story, 60 Unit, Multi-Family Development on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street.

## ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5177), which was approved by the City Council on 11/17/04. The City Council will also consider a related Extension of Time (EOT-18040) of an approved Rezoning (ZON-5176) on the subject site. The applicant indicates that they have financing ready to begin construction of the proposed multi-family development. A Final Map (FMP-18139) was submitted on 11/13/06, but has not been reviewed. This demonstrates that the applicant is moving forward with the intent to develop the subject site. The Site Development Plan is exercised upon the issuance of a building permit for the principal structure on this site. Therefore, the Extension of Time can be supported to allow for additional time.

### Previous Conditions of Approval from Site Development Plan Review (SDR-5177)

1. A Rezoning (ZON-5176) to an R-5 Zoning District approved by the City Council.
2. The development shall be limited to a maximum of 57 units.
3. The development shall conform to the definition of Senior Citizen Apartment as listed in Title 19.20.
4. 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.
5. All development shall be in conformance with the site plan and building elevations, date stamped October 18, 2004, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

7. Turf shall be limited to 15% of the total landscape area. No turf shall be permitted in the non-recreational common areas.
8. A property line wall shall be constructed along the south property line in accordance with the requirements of Title 19.12. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall height shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
14. Driveways shall be designed, located and meet the intent of Standard Drawing #222A.
15. Site development to comply with all applicable conditions of approval for ZON-5176 and all other subsequent site-related actions.

## **FINDINGS**

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

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

## **ASSEMBLY DISTRICT**

N/A

## **SENATE DISTRICT**

N/A



|                              |     |
|------------------------------|-----|
| <b><u>NOTICES MAILED</u></b> | N/A |
|------------------------------|-----|

|                         |   |
|-------------------------|---|
| <b><u>APPROVALS</u></b> | 0 |
|-------------------------|---|

|                        |   |
|------------------------|---|
| <b><u>PROTESTS</u></b> | 0 |
|------------------------|---|



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-180391 APN: 139-35-211-087, 088, 089, 090, and 091

Name of Property Owner: Nevada H.A.N.D., Inc.

Name of Applicant: Nevada H.A.N.D., Inc.

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

☐ Yes

☒ No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

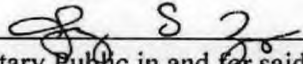
APN: \_\_\_\_\_

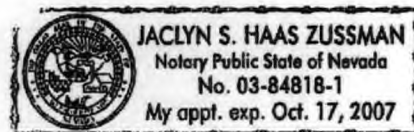
Signature of Property Owner: 

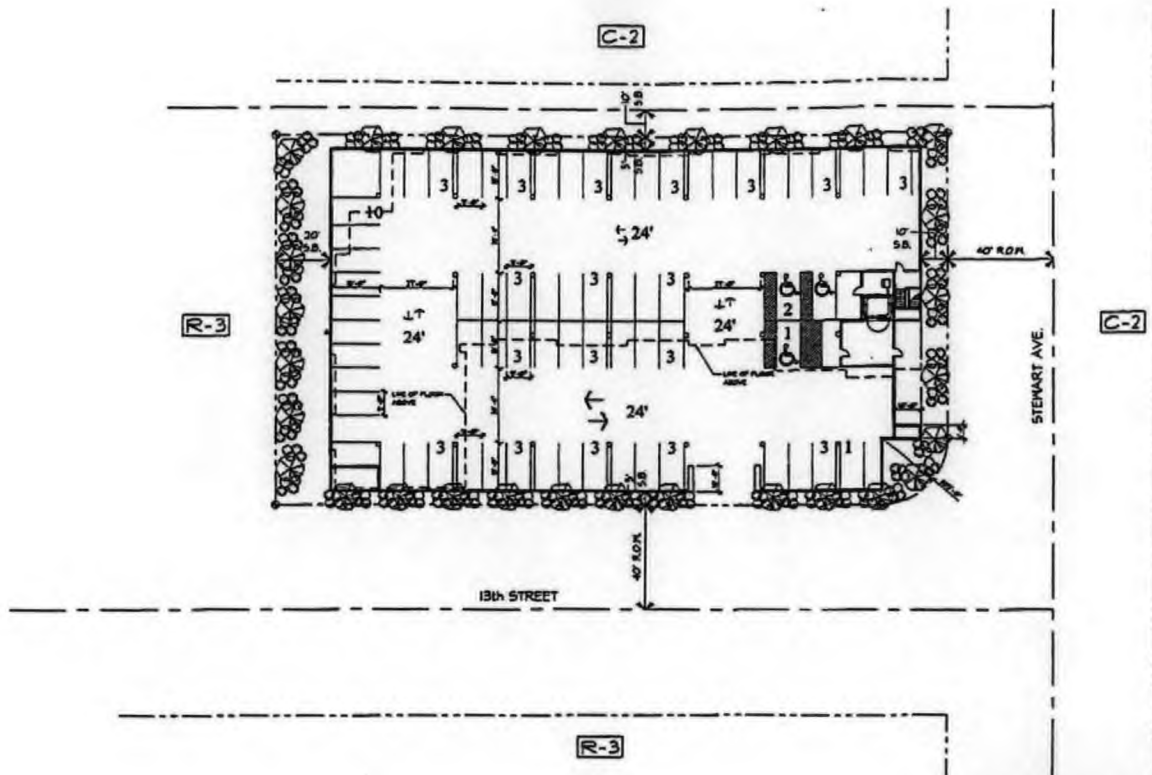
Print Name: Michael Mullin

Subscribed and sworn before me

This 7th day of November, 2006

  
Notary Public in and for said County and State





## SITE INFORMATION

**ZONING** - City of Las Vegas

Current Zoning - R3

Proposed Zoning - R3

(APN: 139-35-211-087), 088, 089, 090, 091)

**AREA** (Approximate, to be Verified)

Gross Area: = 240 x 140 = 33,600 Sq. Ft.

### SETBACKS

|             |       |
|-------------|-------|
| Front       | 10' R |
| Side        | 5' R  |
| Side Corner | 5' R  |
| Rear        | 20' R |

### BUILDING AREA

|              |                       |
|--------------|-----------------------|
| 1st Floor    | 15,910 Sq. Ft.        |
| 2nd Floor    | 15,726 Sq. Ft.        |
| 3rd Floor    | 14,127 Sq. Ft.        |
| 4th Floor    | 12,474 Sq. Ft.        |
| <b>Total</b> | <b>58,237 Sq. Ft.</b> |

### HEIGHT

|                  |                                          |
|------------------|------------------------------------------|
| Maximum Allowed: | 5 stories / 50 ft                        |
| Provided:        | (whichever is less)<br>4 stories / 55 ft |

### PARKING REQUIREMENTS

|                                |                        |           |
|--------------------------------|------------------------|-----------|
| <b>Parking Required:</b>       |                        |           |
| (60) 1 Bedroom Units           | 1.25x60 =              | 75        |
| Guest                          | 60% =                  | 10        |
| <b>Total Parking Required:</b> |                        | <b>85</b> |
| <b>Total Parking Provided:</b> |                        | <b>66</b> |
|                                | (Applied for Variance) |           |
| H.C. Parking Required          |                        | 2         |
| H.C. Parking Provided:         |                        | 3         |

### LANDSCAPING REQUIREMENTS

|                      |                                                             |
|----------------------|-------------------------------------------------------------|
| <b>Residential :</b> | (1) 24" Box Tree, (4) 5 Gallon<br>& (4) 1 Gallon @ 20' O.C. |
| <b>Commercial :</b>  | (1) 24" Box Tree, (4) 5 Gallon<br>& (4) 1 Gallon @ 30' O.C. |

### LANDSCAPING LEGEND

|  |              |
|--|--------------|
|  | 24" Box Tree |
|  | 5 Gallon     |
|  | 1 Gallon     |



Vicinity Map



Location Map

Developed By: Nevada H.A.N.D.

Building Site Plan

Date: September 3, 2004  
Project Number: 104371

Scale: 1" = 20'



**Perlman**  
ARCHITECTS

PERLMAN ARCHITECTS, INC.  
2230 CORPORATE CIRCLE, SUITE 200  
HENDERSON, NEVADA 89074  
702.990.9900 702.932.3222 fax

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EOT-18039

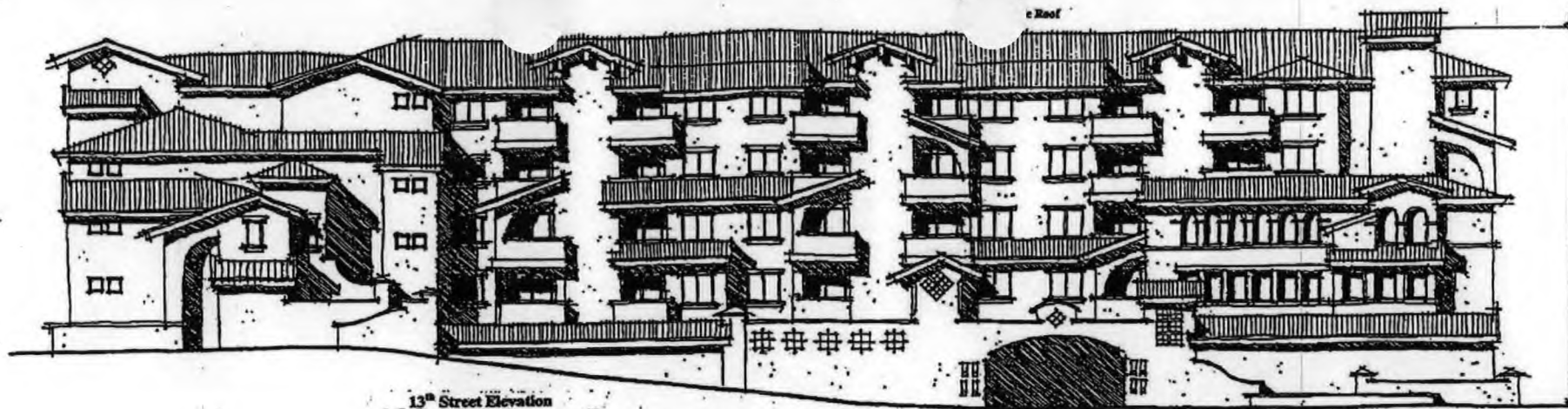
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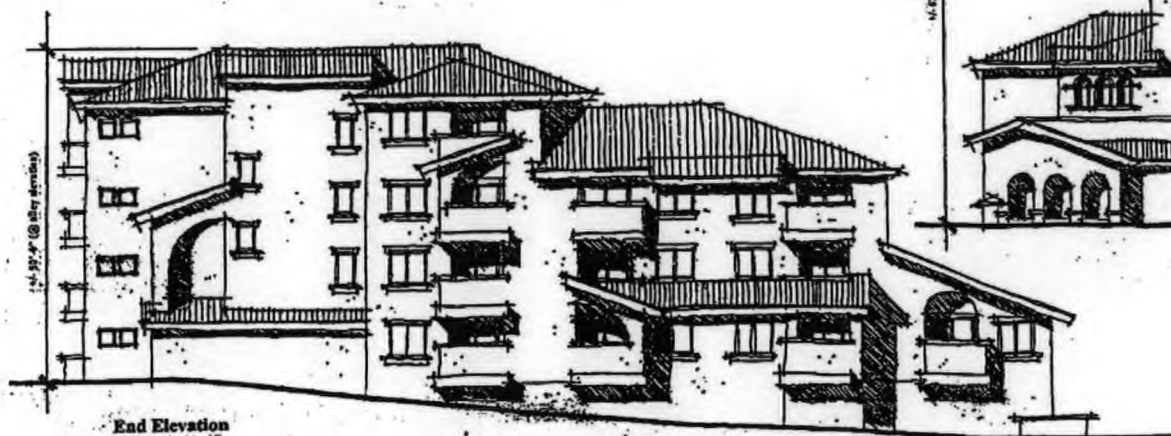
*Stewart, III*

**UGDEN PINES II APARTMENTS**

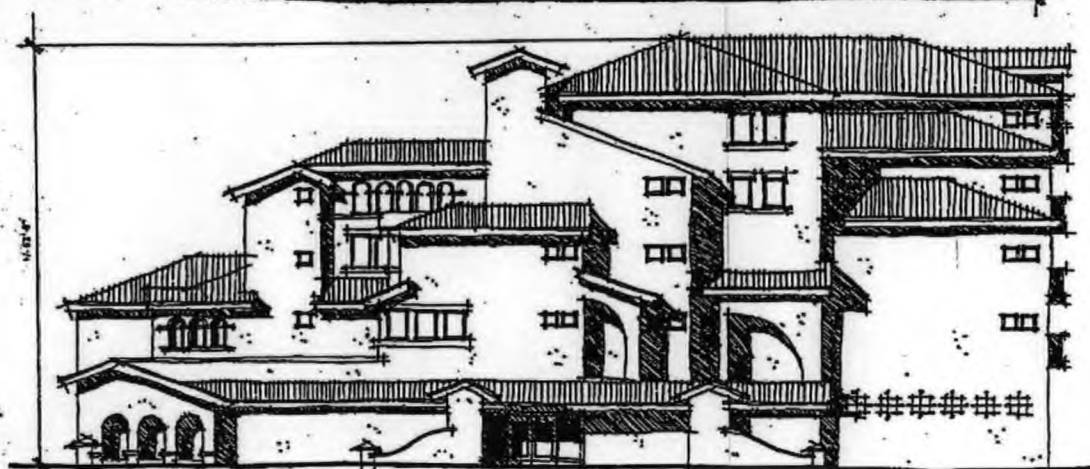
Las Vegas, Nevada



13th Street Elevation



End Elevation



Stewart Avenue Elevation

# OGDEN PINES APARTMENTS

Las Vegas, Nevada

Conceptual Exterior Elevations

Date: August 16, 2004  
Project Number: 000000

Scale: 1/8" = 1'-4"



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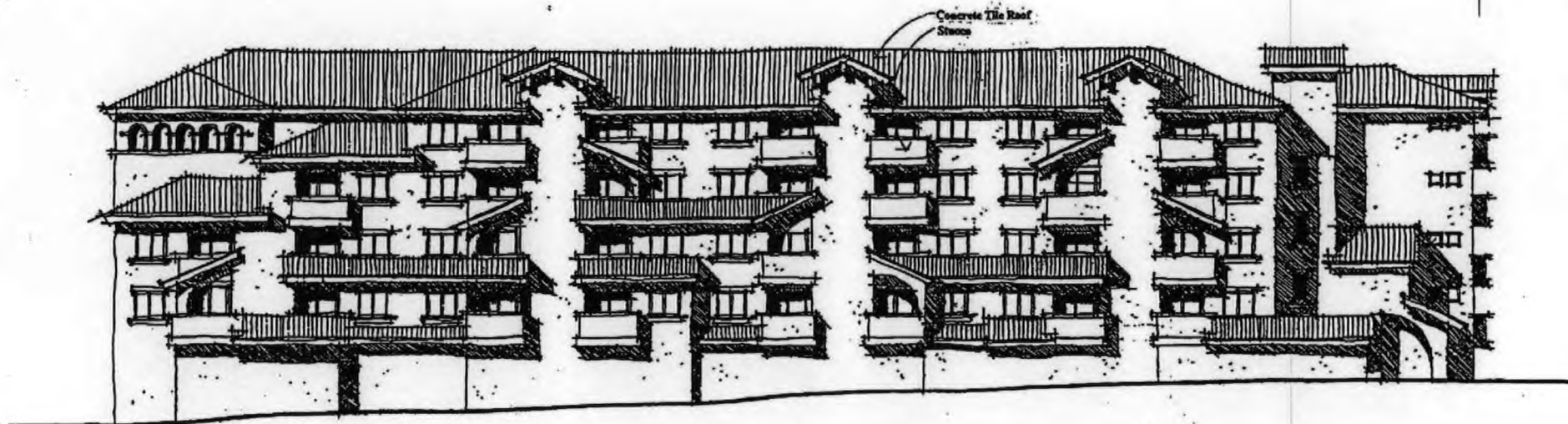
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Alley Exterior Elevation

*Stewart*

# OGDEN PINES II APARTMENTS

Las Vegas, Nevada

Developed By: Nevada H.A.N.D.

Elevations

Date: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'



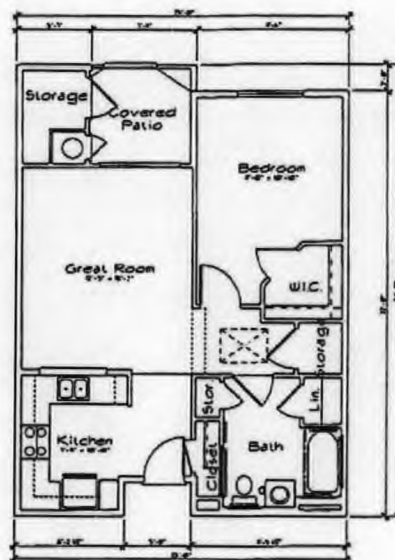
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REV 12-20-06



Unit Plan

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

AREA CALC's

|               |        |
|---------------|--------|
| Livable Total | 703 sf |
|---------------|--------|

# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Unit Plan

Date: September 3, 2004  
Project Number: 104371

Scale: 1/4" = 1'



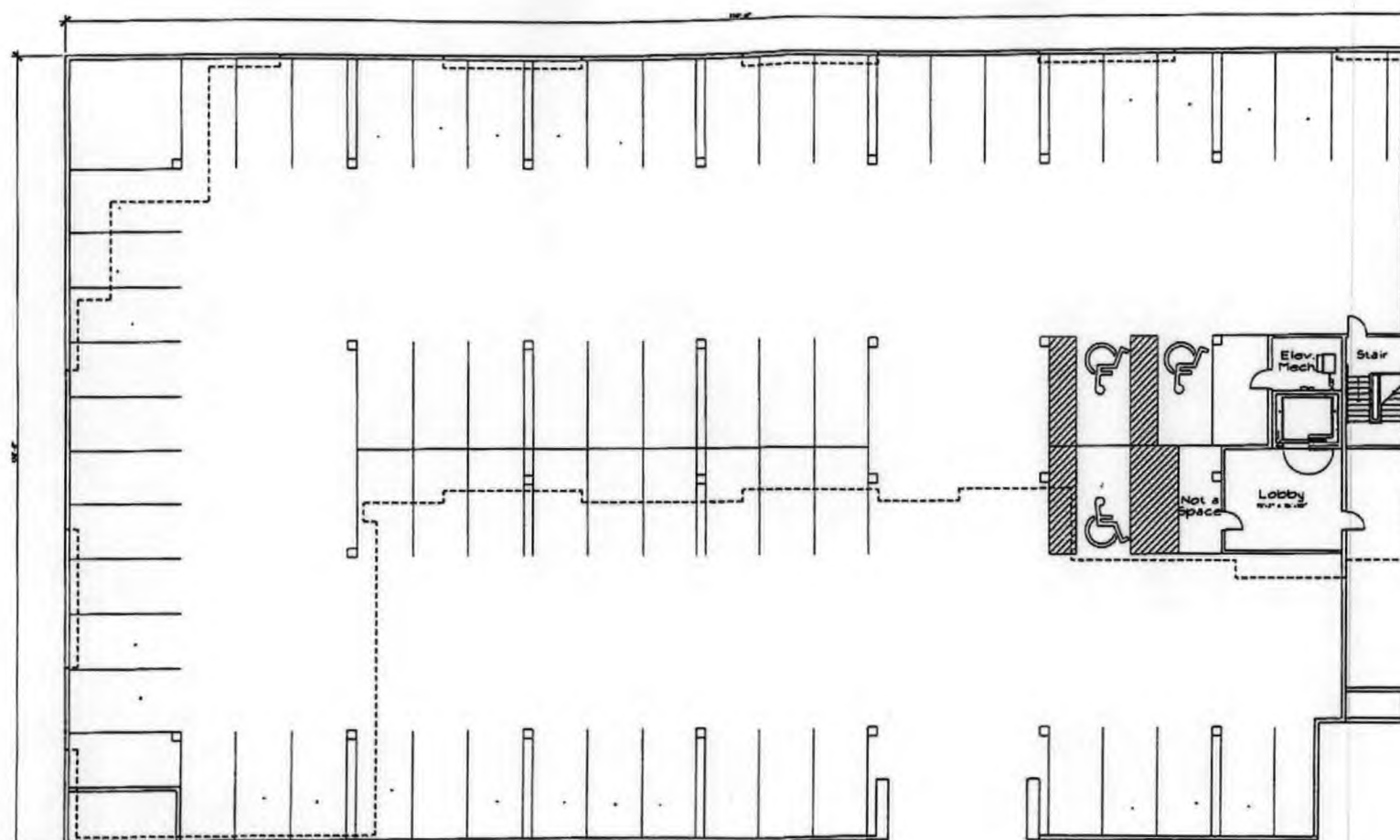
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**Garage Floor Level**

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

# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Garage Floor Level

Date: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'



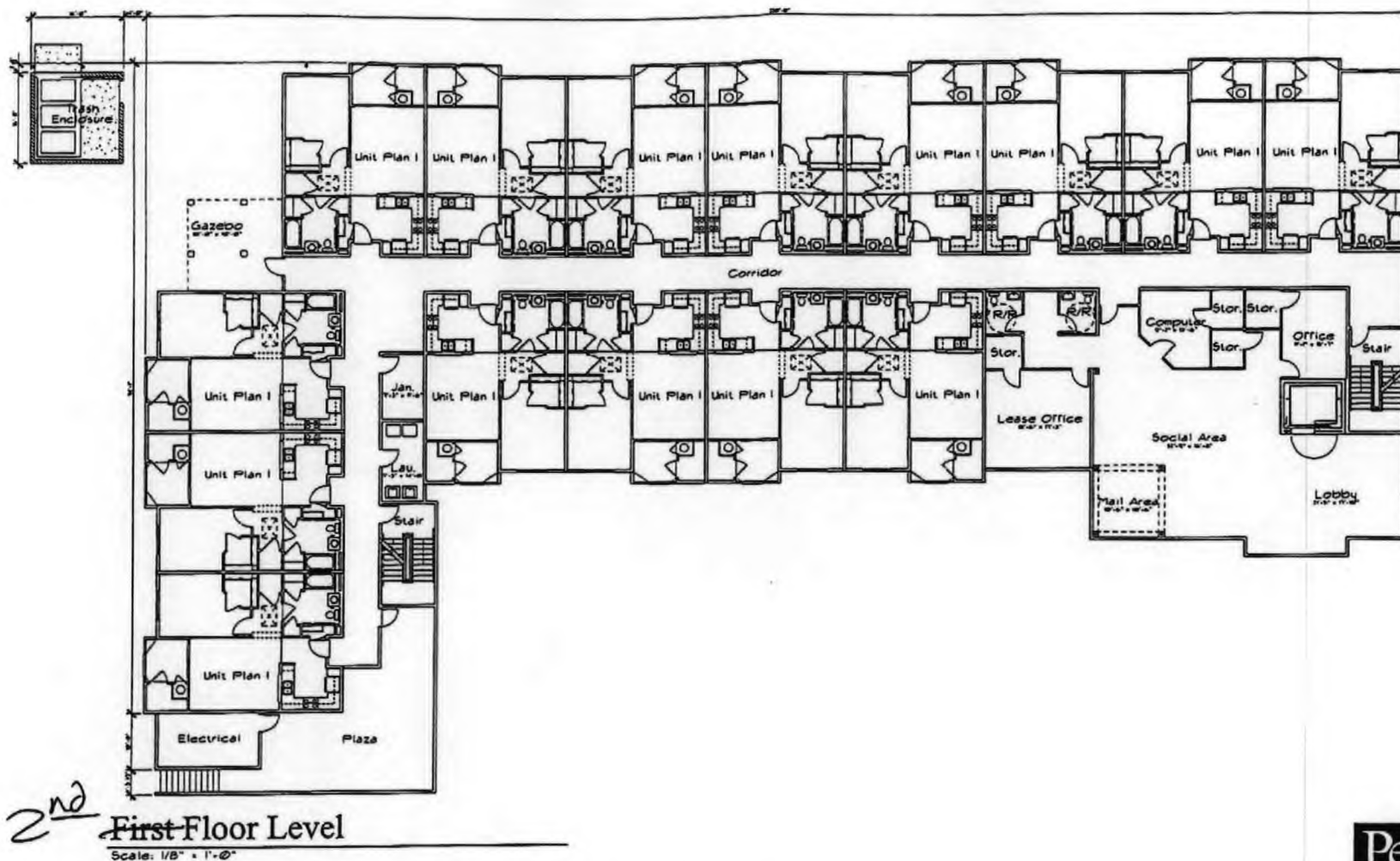
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**12-20-06 CC**

NO. 27 0006



# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

First Floor Level

Date: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'



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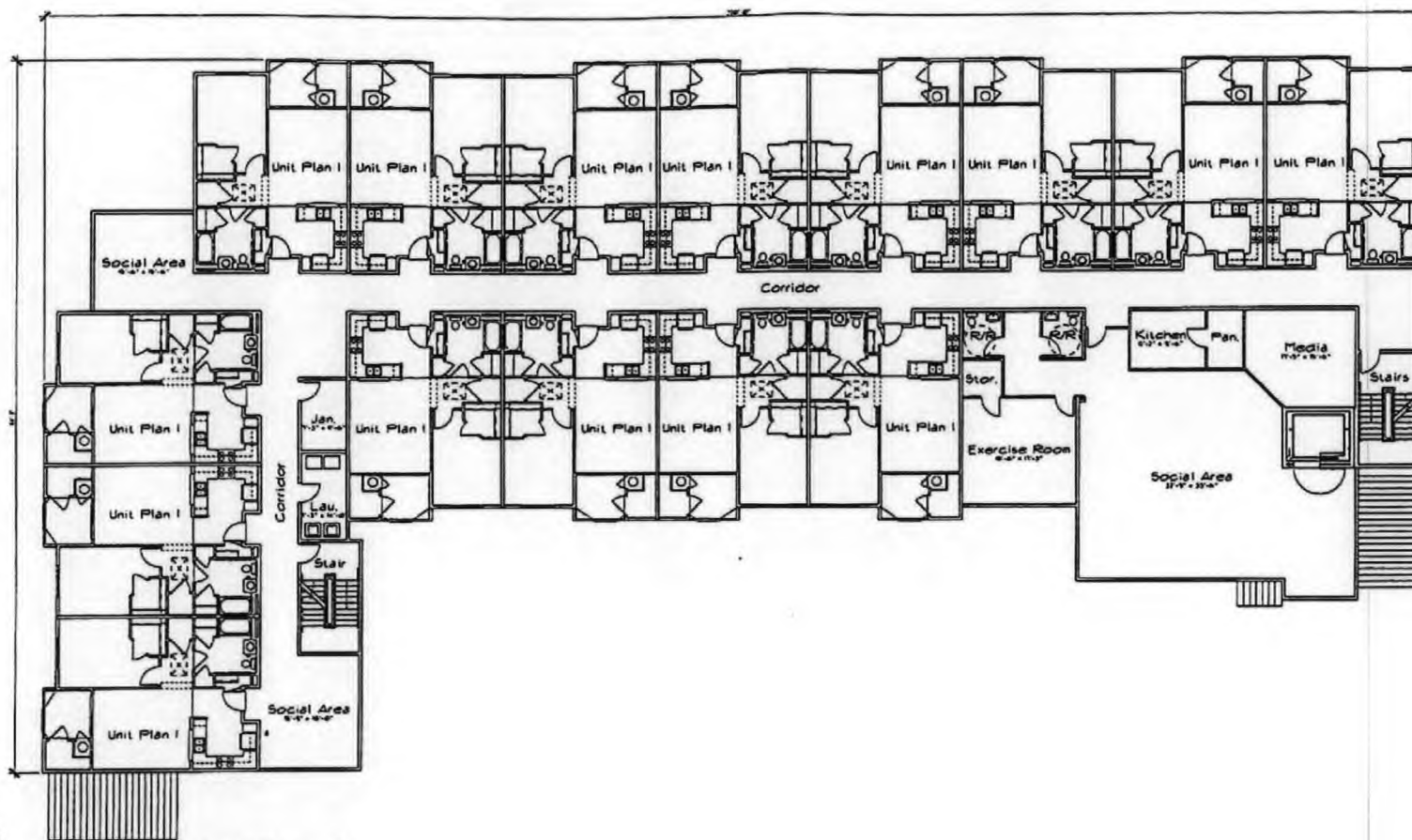
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10-11-2003





3<sup>rd</sup> Second Floor Level  
Scale: 1/8" = 1'-0"

# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Second Floor Level

Disc: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'

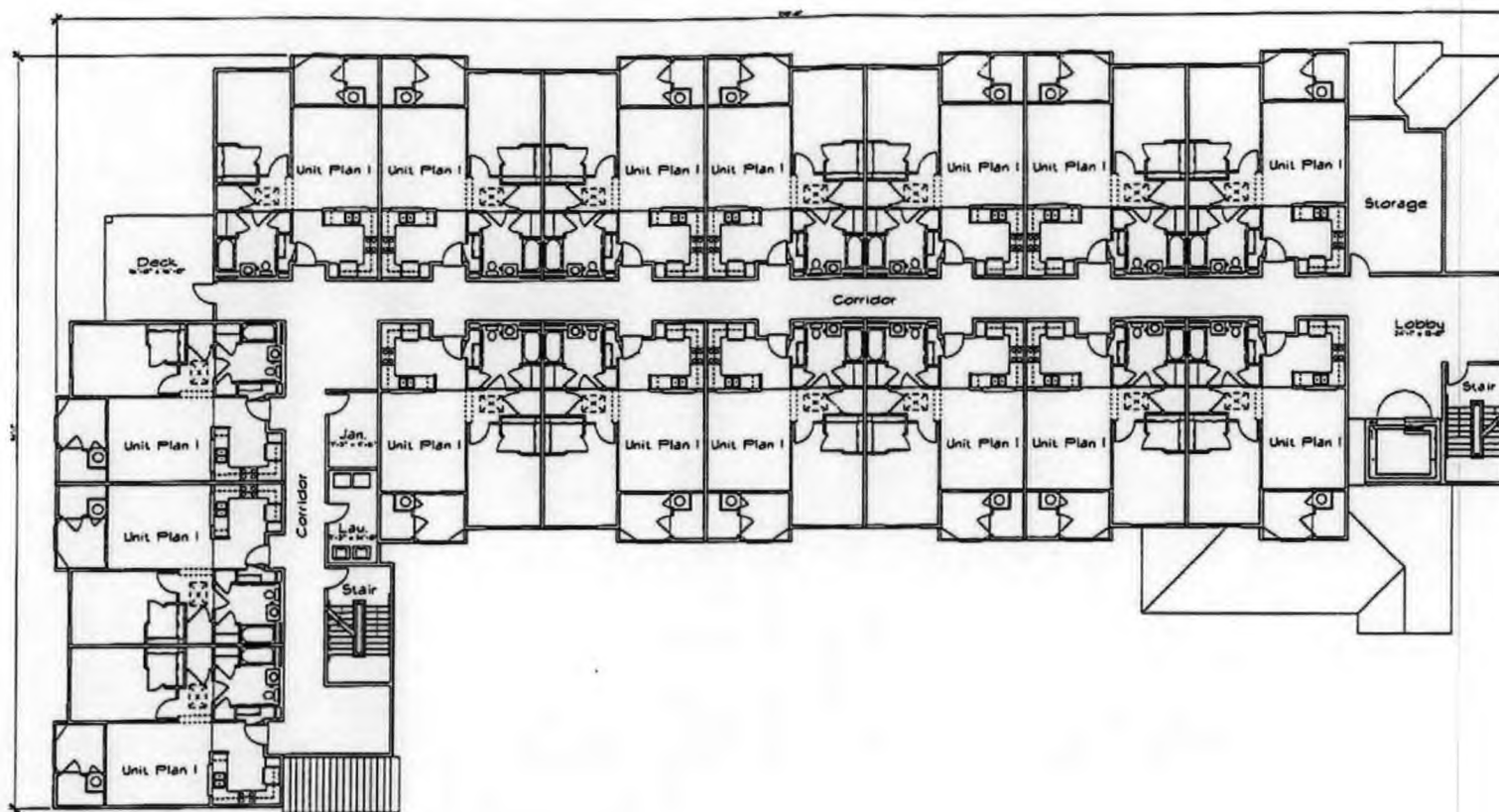


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4th Third Floor Level  
Scale: 1/8" = 1'-0"

# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Third Floor Level

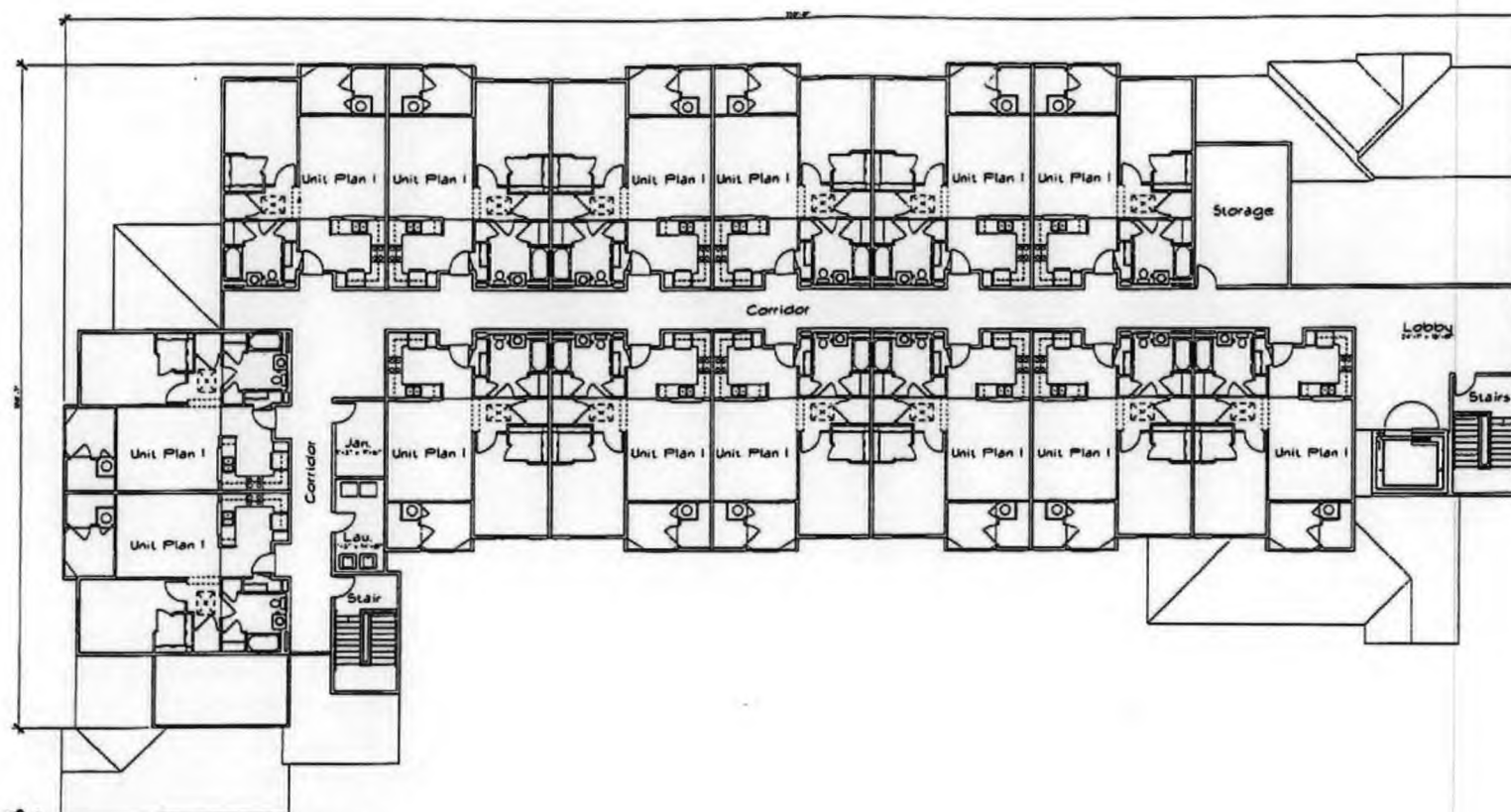
Date: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'

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*5th* Fourth Floor Level  
Scale: 1/8" = 1'-0"

# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

Fourth Floor Level

Date: September 3, 2004  
Project Number: 104371

Scale: 1/8" = 1'



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# OGDEN PINES II APARTMENTS

Developed By: Nevada H.A.N.D.

Las Vegas, Nevada

### Typical Trash Enclosure

Date: September 3, 2004  
Project Number: 104371

Scale: 1/4" = 1'

# Perlman

ARCHITECTS

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**Nevada H.A.N.D., Inc.**  
**HOUSING AND NEIGHBORHOOD DEVELOPMENT**  
295 E. Warm Springs Road, Suite 101 • Las Vegas, NV 89119  
Office (702) 739-3345 Fax (702) 739-3305

November 7, 2006

The City of Las Vegas  
Planning and Development  
731 South Fourth Street  
Las Vegas, NV 89101

RE: Stewart Pines III Senior Apartments  
SDR-5177

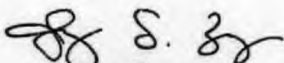
To Whom It May Concern:

Please accept this correspondence as our request to extend the Site Development Review on our project, Stewart Pines III Senior Apartments (APN: 139-35-211-087, 088, 089, 090, and 091). Zoning to R-5 (Apartment) was approved by City Council on November 17, 2004. The proposed Site Development Review for a 5 story, 60 unit, multifamily development was approved by City Council on November 18, 2004.

Our financing is now in place, and we are ready to move forward with developing our project. We intend to develop and construct Stewart Pines III Senior Apartments, which is a 57 unit, one and two bedroom apartment building targeted to serve low-income senior citizens.

If you need any further assistance, please feel free to contact me at (702) 739-3345 ext. 243. Thank you.

Sincerely,



Jacquie Zussman  
Real Estate Development Manager

**EOT-18039**  
**12-20-06 CC**

NOV 07 2006



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
WRENCE WEEKLY  
MICHAEL MACK  
JANET MONCRIEF  
STEVE WOLFSON

DOUGLAS A. SELBY  
CITY MANAGER

November 19, 2004

Mr. Michael Mullin  
Nevada H.A.N.D., Inc.  
295 East Warm Springs Road, Suite #101  
Las Vegas, Nevada 89119

RE: SDR-5177 - SITE DEVELOPMENT PLAN REVIEW  
CITY COUNCIL MEETING OF NOVEMBER 17, 2004  
Related to ZON-5176

Dear Mr. Mullin:

The City Council at a regular meeting held November 17, 2004 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 5 STORY, 60 UNIT, MULTI-FAMILY DEVELOPMENT on 0.80 acres adjacent to the southwest corner of Stewart Avenue and 13th Street (APN 135-35-211-087, 088, 089, 090 and 091), R-3 (Medium Density Residential) Zone [PROPOSED: R-5 (Apartment)]. The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2004. This approval is subject to:

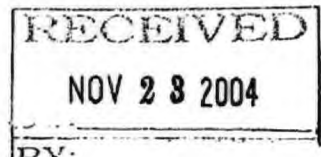
Planning and Development

1. A Rezoning (ZON-5176) to a R-5 Zoning District approved by the City Council.
2. The development shall be limited to a maximum of 57 units.
3. The development shall conform to the definition of Senior Citizen Apartment as listed in Title 19.20.
4. 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.
5. All development shall be in conformance with the revised site plan and building elevations, date stamped October 18, 2004, except as amended by conditions herein.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

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

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

EOT-18039  
12-20-06 CC



NOV 23 2004

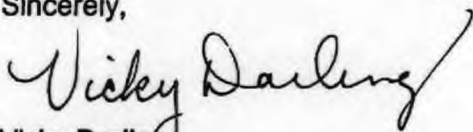
Mr. Michael Mullin  
SDR-5177 - Page Two  
November 19, 2004

7. Turf shall be limited to 15% of the total landscape area. No turf shall be permitted in the non-recreational common areas.
8. A property line wall shall be constructed along the south property line in accordance with the requirements of Title 19.12. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall height shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Coordinate with the City Surveyor to determine whether a Merger and Re-subdivision Map or other map is necessary. Comply with the recommendations of the City Surveyor.
14. Driveways shall be designed, located and meet the intent of Standard Drawing #222A.
15. Site development to comply with all applicable conditions of approval for ZON-5176 and all other subsequent site-related actions.

Sincerely,



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

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

Ms. Jacque Haas  
Nevada H.A.N.D., Inc.  
295 East Warm Springs Road, Suite #101  
Las Vegas, Nevada 89119

**EOT-18039**  
**12-20-06 CC**

REC-7 2006

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

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ Consent ☐ Discussion

**SUBJECT:**

EXTENSION OF TIME - REZONING

EOT-17696 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES HOMES OF NEVADA, INC - Request for an Extension of Time of an approved Rezoning (ZON-5174) FROM: U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road (APN 125-26-801-012 and 125-26-802-014), 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:**

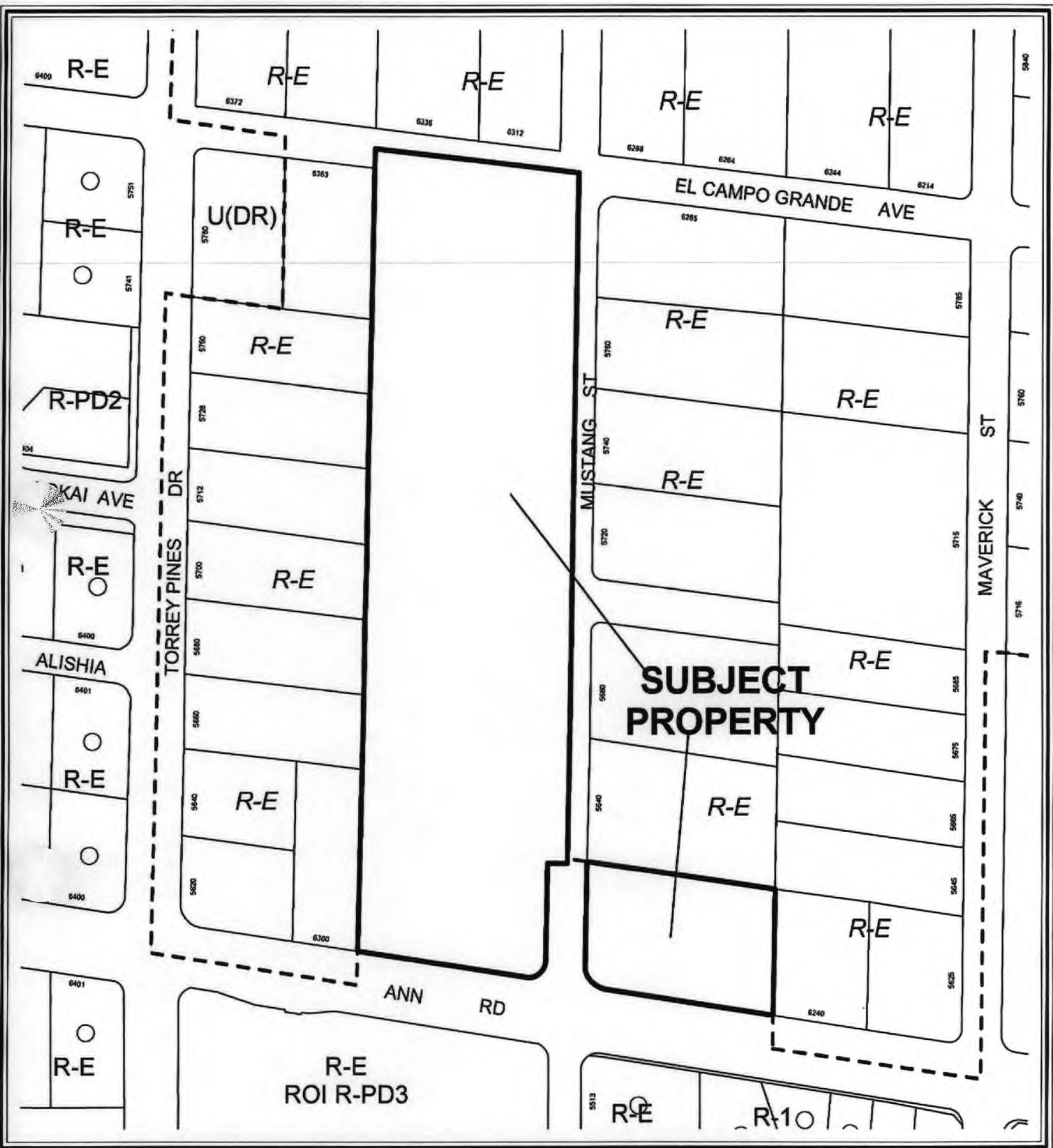
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-5174

Motion made by GARY REESE to Approve subject to conditions Item 96 [EOT-18040], Item 97 [EOT-18039], Item 98 [EOT-17696], Item 99 [EOT-17977] and Item 101 [EOT-18053]

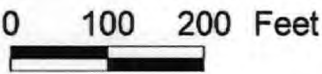
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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: EOT-17696**



**ZONING OF SUBJECT PROPERTY:**  
U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-17696 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on December 15, 2007 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-5174) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.



**\*\* STAFF REPORT \*\***

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/15/04                                                                  | The City Council approved a General Plan Amendment (GPA-5172) to Amend a portion of the Centennial Hills Interlocal Land Use Plan of the General Plan from RE (Rural Estates) to R (Rural Density Residential) on approximately 6.7 acres; Rezoning (ZON-5174) from U (Undeveloped) Zone [R (Rural Density Residential) and RE (Rural Estates) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres; and a Site Development Plan Review (SDR-5175) for a 32 lot residential subdivision on 10.65 acres. The Planning Commission recommended approval, but staff recommended denial on 11/18/04. |
| 04/14/05                                                                  | The Planning Commission approved a Tentative Map (TMP-6213) for a 32 lot single family residential subdivision on 10.65 acres. Staff recommended approval of the request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/07/06                                                                  | The Planning Commission will consider a Rezoning (ZON-17697) and a Site Development Plan Review (SDR-17698) for a proposed 32 lot residential subdivision on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street. Staff is recommending denial of the subject cases.                                                                                                                                                                                                                                                                                                                                       |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 08/31/06                                                                  | Civil Improvement Plans (CIVIL-16430) were submitted on the indicated date, but will need to be resubmitted since a new Site Development Plan Review (SDR-17698) has been submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 09/14/06                                                                  | A Final Map (FMP-16839) was submitted on the indicated date, but will need to be resubmitted since a new Site Development Plan Review (SDR-17698) has been submitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

| <b><i>Details of Application Request</i></b> |       |
|----------------------------------------------|-------|
| <b><i>Site Area</i></b>                      |       |
| Gross Acres                                  | 10.65 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b>       | <b>Existing Zoning</b>                                                                                                                      |
|-----------------------------|--------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped              | R (Rural Density Residential) | U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) |



|       |                                     |                                                                                     |                                                                                                                                                                           |
|-------|-------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| North | Single Family Dwellings             | RNP (Rural Neighborhood Preservation) (Clark County)                                | Clark County                                                                                                                                                              |
| South | Undeveloped/Single Family Dwellings | R (Rural)/ L (Low Density Residential)                                              | R-E (Residence Estates)/ R-E (Residence Estates) under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units per Acre)/R-1 (Single Family Residential) |
| East  | Single Family Dwellings             | R (Rural Density Residential)/ RNP (Rural Neighborhood Preservation) (Clark County) | Clark County                                                                                                                                                              |
| West  | Single Family Dwellings             | R (Rural Density Residential)/ RNP (Rural Neighborhood Preservation) (Clark County) | Clark County                                                                                                                                                              |

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

## PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-5174) from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development - 3 Units per Acre) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road.

## **ANALYSIS**

This is the first request for an Extension of Time for the subject Rezoning (ZON-5174), which was approved by the City Council on 12/15/04. The applicant has submitted a new Site Development Plan Review (SDR-17698), which will be heard by the Planning Commission on 12/07/06. The applicant has also submitted a new Rezoning (ZON-17697), which will also be heard by the Planning Commission on 12/07/06. A condition of approval has been added to the Rezoning (ZON-17697) and the Site Development Plan Review (SDR-17698), which will expunge Rezoning (ZON-5174) and Site Development Plan Review (SDR-5175), if approved. Staff has recommended denial of both the Site Development Plan Review and Rezoning applications. The applicant does not intend to change the current zoning designation on the subject property. The applicant has submitted the subject Extension of Time for the Rezoning (ZON-5174) as a precautionary measure if the new Rezoning (ZON-17697) is not approved. A rezoning is exercised by the recordation of a final map or by the commencement of actual construction. The Extension of Time can be supported as conditioned.

### **Previous Condition of Approval from Rezoning (ZON-5174)**

1. A General Plan Amendment (GPA-5172) to an R (Rural Density Residential) land use designation approved by the City Council.
2. A Site Development Plan Review (SDR-5175) and Title 18 Waiver (WVR-5331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.
4. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Road, where such does not exist, 30 feet for the south side of El Campo Grande Avenue and a 15-foot radius on the southwest corner of El Campo Grande Avenue and Mustang Road prior to the issuance of any permits.
5. Construct half-street improvements, including appropriate transitional paving, on Mustang Road, but deferring sidewalk improvements from the proposed entry drive northward to El Campo Grande Avenue; and construct rural improvements on El Campo Grande Avenue, adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of El Campo Grande Avenue; and 30-inch rolled curb on the development side of the street. On El Campo Grande Avenue, the exterior streetlighting will be stubbed out for later use but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Mustang Road and El Campo Grande Avenue. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior

to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
7. Extend public sewer in Mustang Road to the northern edge of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainage ways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

## **FINDINGS**

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. The Extension of Time will allow enough time for the applicant to obtain approvals for the revised Site Development Plan and Rezoning which were recently submitted. A condition of approval has been added which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

## **ASSEMBLY DISTRICT**

N/A

## **SENATE DISTRICT**

N/A

|                              |     |
|------------------------------|-----|
| <b><u>NOTICES MAILED</u></b> | N/A |
|------------------------------|-----|

|                         |   |
|-------------------------|---|
| <b><u>APPROVALS</u></b> | 0 |
|-------------------------|---|

|                        |   |
|------------------------|---|
| <b><u>PROTESTS</u></b> | 0 |
|------------------------|---|





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-1769LP APN: 125-26-801-012; 125-26-802-014

Name of Property Owner: Richmond American Homes

Name of Applicant: Richmond American Homes

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

☐ Yes

☒ No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

Signature of Property Owner: *Paulo E. Chavez*

Print Name: Paulo E. Chavez

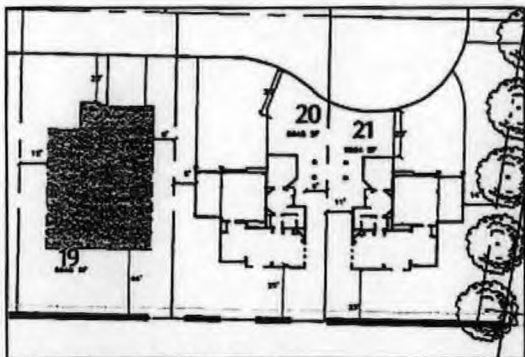
Subscribed and sworn before me

This 5 day of October, 2006

Sonia Macias

Notary Public in and for said County and State





TYPICAL SETBACK ENLARGEMENT

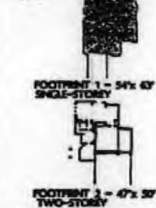


VICINITY MAP

PARCEL SUMMARY

PROPOSED ZONING: R-PD3  
 APNs: 125-26-001-012,  
 125-26-002-014  
 GENERAL DRAINAGE: NW TO SE  
 AREA: ±10.65 AC GROSS  
 NUMBER OF UNITS: 32  
 DENSITY: 3.00 UNITS/ACRE (GROSS)  
 OPEN SPACE CALCULATION:  
 3.00 DU/AC X 1.65 = 4.95 (X 0.5)  
 .0495 X 10.65 AC = 0.5272 AC  
 OR 22,994 SF  
 COMMON USEABLE OPEN SPACE  
 PROVIDED: 22,994 SF

KEY



PLANT SCHEDULE

| SYM | SPERMATOPHYTES  | COMMON NAME   | SIZE    | PLANT SPACING   | REMARKS |
|-----|-----------------|---------------|---------|-----------------|---------|
| 1   | Pinus ponderosa | Shagbark Pine | 24" Dia | 12' x 12' x 12' |         |
| 2   | Pinus ponderosa | Victory Pine  | 24" Dia | 12' x 12' x 12' |         |
| 3   | Pinus ponderosa | Shagbark Pine | 24" Dia | 12' x 12' x 12' |         |
| 4   | Pinus ponderosa | Pinus Lutzii  | 24" Dia | 12' x 12' x 12' |         |

1. Plant Spacing 24" DIA TREES IN ROW AT APPROXIMATELY 12' DIA. SEE FOR PLANT SCHEDULES AND FOR THE PLANT SCHEDULE.



GRAPHIC SCALE

1" = 50'

| DATE     | BY | REVISION |
|----------|----|----------|
| 12/20/06 | CC | 1        |

Stanley Consulting Inc.  
 4343 E. Charleston Blvd.  
 Las Vegas NV 89119  
 702.255.8115  
 Fax 702.255.4906  
 www.stanley.com



SINGLE FAMILY RESIDENTIAL R-PD3  
 ANN & MUSTANG  
 CONCEPTUAL LANDSCAPE PLAN

L101

EOT-17696  
 12-20-06 CC

NOV 17 2004

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

Blumatic Consulting Inc.  
8763 R. Chertown Blvd.  
Los Angeles, CA 90044  
Tel: 310/338-8115  
Fax: 310/338-4954  
www.blumatic.com

[illegible]

## PARCEL SUMMARY

PROPOSED ZONING: R-P03  
APN: 125-28-801-012  
125-28-802-014  
125-28-802-015  
GENERAL DRAINAGE: NW TO SE  
ELEVATION: ±10.65 AC GROSS  
NUMBER OF UNITS: 32  
DENSITY: 3.00 UNITS/ACRE (GROSS)  
OPEN SPACE CALCULATION  
0.00 AC DU/ACU1.85=4.95% (0.5)  
0.0495 X 10.65 AC = 0.5272 AC  
NW 22.944 AC  
COMMON USABLE OPEN SPACE

October 20, 2006

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

**Reference:**     **Stonewater – Ann mustang**  
                      **Extension of Time ZON-5174**  
                      **APN #125-26-801-012,125-26-802-014**

On behalf of Richmond American Homes, we respectfully request your consideration of the attached extension of time for ZON-5174.

**Location:** The proposed site is located on Ann Road and Mustang Road within Section 26, Township 19 South, Range 60 East.

The above-listed zone change was originally prepared and submitted by Stantec and is related to SDR-5175 GPA-5172 and WVR5331 which was approved by Planning Commission on December 16, 2004.

If you need additional information or have any questions, please feel free to call me either at the office 932-6125

Sincerely,



Sonia Macias  
Project Coordinator

**EOT-17696**  
**12-20-06 CC**





February 23, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

MARRY BROWN  
/RENCE WEEKLY  
MICHAEL MACK  
STEVE WOLFSON  
LOIS TARKANIAN

DOUGLAS A. SELBY  
CITY MANAGER

Mr. Randy Rutherford  
Matrix Development Corporation  
12755 Southwest 69<sup>th</sup> Avenue, Suite #100  
Portland, Oregon 97223

RE: ZON-5174 - REZONING  
CITY COUNCIL MEETING OF DECEMBER 15, 2004  
Related to GPA-5172, WVR-5331 and SDR-5175

Dear Mr. Rutherford:

The City Council at a regular meeting held December 15, 2004 APPROVED the request for a Rezoning FROM: U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) AND RE (RURAL ESTATES) GENERAL PLAN DESIGNATIONS] TO: R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 10.65 acres adjacent to the southwest corner of El Campo Grande Avenue and Mustang Road. The Notice of Final Action was filed with the Las Vegas City Clerk on December 16, 2004. This approval is subject to:

Planning and Development

1. The developer shall disclose to all prospective home purchasers, prior to the time the prospective purchaser signs a sales agreement or opens escrow, whichever occurs earlier, that they are purchasing a home in a rural area surrounded by parcels upon which the raising of farm animals such as horses, bovines, goats and other domesticated animals is allowed and that such rural properties, and the raising of said animals, may cause the emanation of smells, odors, insects and pests associated with the keeping and raising of such farm and domesticated animals, such that it may, in the future, interfere with the quiet enjoyment of the prospective home purchaser's property.
2. A General Plan Amendment (GPA-5172) to an R (Rural Density Residential) land use designation approved by the City Council.
3. A Site Development Plan Review (SDR-5175) and Title 18 Waiver (WVR-5331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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

VOICE 702.229.6011

TTY 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

18112-001-1-05  
CLV 7009

**EOT-17696**  
**12-20-06 CC**

4. A Resolution of Intent with a two-year time limit.

**Public Works**

5. Dedicate 30 feet of right-of-way adjacent to this site for Mustang Road, where such does not exist, 30 feet for the south side of El Campo Grande Avenue and a 15-foot radius on the southwest corner of El Campo Grande Avenue and Mustang Road prior to the issuance of any permits.
6. Construct rural improvements on El Campo Grande Avenue and on Mustang Road adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total street width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of El Campo Grande Avenue and Mustang Road; and 30-inch rolled curb on the development side of the street. On Mustang Road, from the proposed entry drive southward to tie into Ann Road, sidewalk improvements shall be constructed at the standard location separated from the rolled curb with decomposed granite. On both streets, the exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Mustang Road and El Campo Grande Avenue. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
8. Extend public sewer in Mustang Road to the northern edge of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

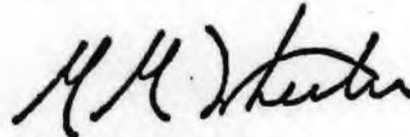
Mr. Randy Rutherford  
ZON-5174 – Page Three  
February 23, 2005

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

Sincerely,



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



M. Margo Wheeler, AICP  
Director  
Planning and Development Department

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

Mr. Randy Rutherford  
Star Living Trust  
2827 South Monte Cristo  
Las Vegas, Nevada 89117

Ms. Teri Livengood  
Stantec Consulting  
7251 West Charleston Boulevard  
Las Vegas, Nevada 89117

EOT-17696  
12-20-06 CC

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

EXTENSION OF TIME - REZONING

EOT-17977 - APPLICANT: VALENTE DEVELOPMENT, INC - OWNER: SLV INVESTMENTS, LLC - Request for an Extension of Time of an approved Rezoning (ZON-5203) FROM: R-E (RESIDENCE ESTATES) TO R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005), 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:**

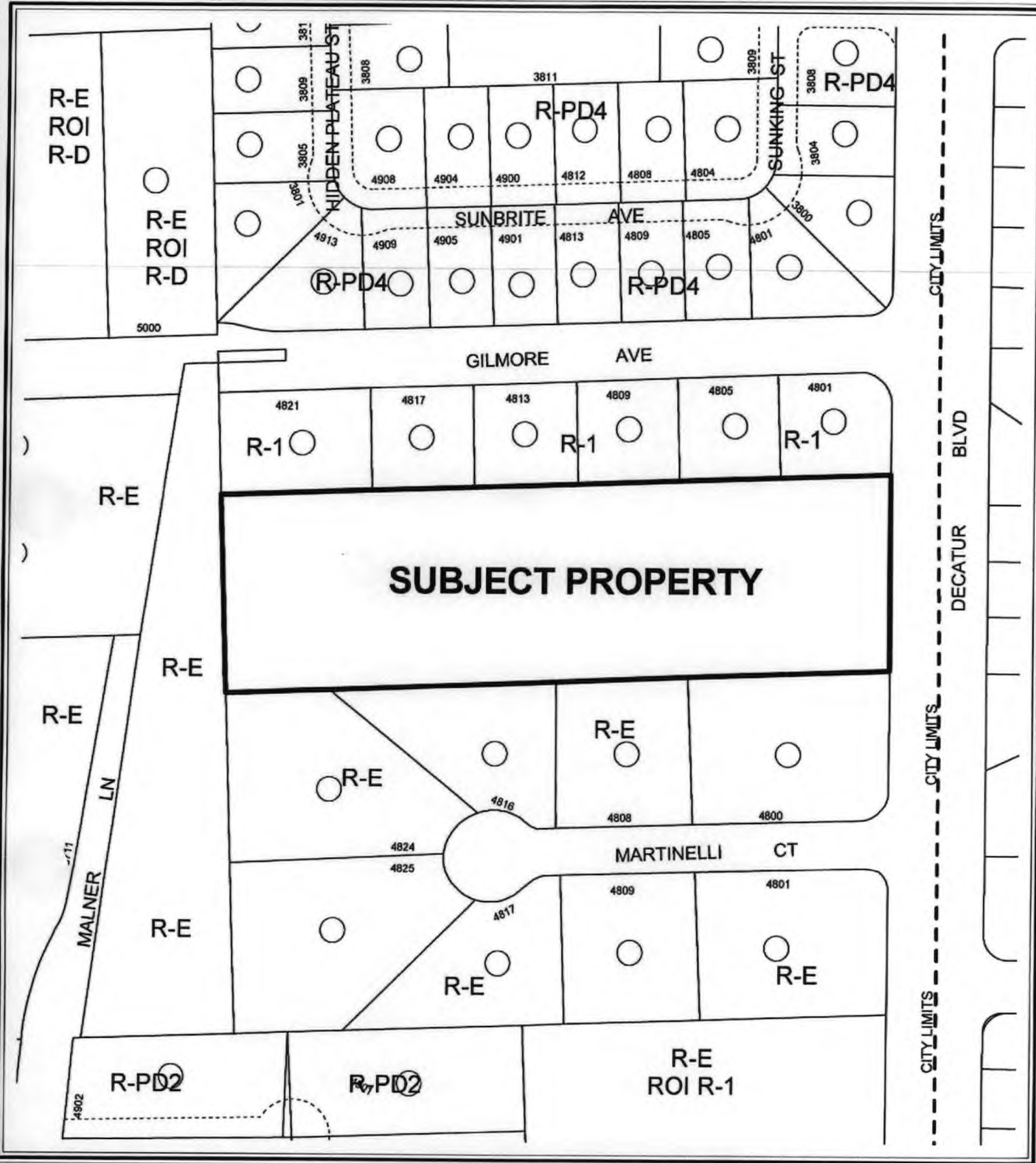
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-5023

Motion made by GARY REESE to Approve subject to conditions Item 96 [EOT-18040], Item 97 [EOT-18039], Item 98 [EOT-17696], Item 99 [EOT-17977] and Item 101 [EOT-18053]

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: EOT-17977

0 50 100 Feet

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

PROPOSED ZONING OF SUBJECT PROPERTY:  
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)





CASE: EOT-17977

0 50 100 Feet

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

PROPOSED ZONING OF SUBJECT PROPERTY:  
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-17977 - APPLICANT: VALENTE DEVELOPMENT, INC -  
OWNER: SLV INVESTMENTS, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on November 17, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-5203) 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&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/17/04                                                           | The City Council approved a Rezoning (ZON-5203) from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units per Acre); a Variance (VAR-5202) to allow a 2.94 acre development where a 5 acre development is required for a residential planned development; and a Site Development Plan Review (SDR-5204) for a proposed 7 lot single family residential development. The Planning Commission and staff recommended approval on 10/21/04. |
| 01/27/05                                                           | The Planning Commission approved a Tentative Map (TMP-5777) for a proposed 7-lot single family residential subdivision on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 200 feet south of Gilmore Avenue. Staff recommended approval of the request.                                                                                                                                                                                |
| <i>Related Building Permits/Business Licenses</i>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 01/06/06                                                           | A Final Map (FMP-11147) was submitted on the indicated date. The applicant has not submitted mylars. Therefore, the final map has not been approved.                                                                                                                                                                                                                                                                                                           |

| <i>Details of Application Request</i> |      |
|---------------------------------------|------|
| <i>Site Area</i>                      |      |
| Gross Acres                           | 2.94 |

| Surrounding Property | Existing Land Use                      | Planned Land Use  | Existing Zoning                                                                                                  |
|----------------------|----------------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------|
| Subject Property     | Undeveloped                            | DR (Desert Rural) | R-E (Residence Estates) under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre) |
| North                | Single Family Dwellings                | DR (Desert Rural) | R-1 (Single Family Residential)                                                                                  |
| South                | Single Family Dwellings                | DR (Desert Rural) | R-E (Residence Estates)                                                                                          |
| East                 | Single Family Dwellings (Clark County) | Clark County      | Clark County                                                                                                     |
| West                 | Undeveloped/Single Family Dwellings    | DR (Desert Rural) | R-E (Residence Estates)                                                                                          |



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

## PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-5203) from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units per Acre) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue.

## ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-5203), which was approved by the City Council on 11/17/04. A Final Map (FMP-11147) was submitted on 01/21/06, but was never approved due to a lack of funding for the project. The applicant indicates that additional time is needed to secure financing for development of the site. The zoning approval is exercised by means of the recordation of a final subdivision map. Therefore, the Extension of Time can be supported to allow for additional time to obtain proper funding.

## FINDINGS

As there have been no notable changes on the site since the approval of the original application, staff has no objection to this request for an Extension of Time. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

## ASSEMBLY DISTRICT N/A

## SENATE DISTRICT N/A

|                              |     |
|------------------------------|-----|
| <b><u>NOTICES MAILED</u></b> | N/A |
|------------------------------|-----|

|                         |   |
|-------------------------|---|
| <b><u>APPROVALS</u></b> | 0 |
|-------------------------|---|

|                        |   |
|------------------------|---|
| <b><u>PROTESTS</u></b> | 0 |
|------------------------|---|



## PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-17977 APN: 138-12-601-005

**Name of Property Owner:** SLV Investments, LLC

Name of Applicant: Valente Development, 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: \_\_\_\_\_

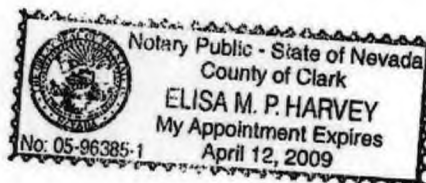
**Signature of Property Owner:**

Print Name: KEVIN R. SIPES

**Subscribed and sworn before me**

This 25<sup>TH</sup> day of OCTOBER, 2006

Notary Public in and for said County and State



Revised 12-03-04





**KUMMER  
KAEMPFER**

**KUMMER KAEMPFER BONNER  
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

TABITHA F. KEETCH

tkeetch@kkbrf.com  
702.792.7051

LAS VEGAS OFFICE  
3800 Howard Hughes Parkway  
Seventh Floor  
Las Vegas, NV 89169  
Tel: 702 792 7000  
Fax: 702 796 7181

RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775 852 3900  
Fax: 775 852 3982

SUMMERLIN OFFICE  
3425 Cliff Shadows Parkway  
Suite 150  
Las Vegas, NV 89129  
Tel: 702 693 4260  
Fax: 702 939 8457

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

November 1, 2006

*Via Hand Delivery*

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

**Re: Justification Letter – First Extension of Time  
SLV Investments, LLC**

To Whom It May Concern:

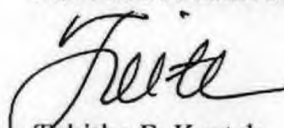
Please be advised this office represents the applicant in the above referenced matter. This application is a first extension of time request for a previously approved zone change (ZON-5203). ZON-5203 was approved at the November 17, 2004 City Council hearing.

The applicant needs additional time to finalize financing and to finalize the engineering required to file the final map.

Your kind consideration of this matter is appreciated. Please call me if you have any questions. Thank you very much.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO

  
Tabitha F. Keetch

TFK/kd

**EOT-17977  
12-20-06 CC**





050912

November 19, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN

LAWRENCE WEEKLY

MICHAEL MACK

JANET MONCRIEF

STEVE WOLFSON

DOUGLAS A. SELBY  
CITY MANAGER

Mr. and Mrs. Kevin Sipes  
4710 Trimwater Court  
Las Vegas, Nevada 89130

RE: ZON-5203 - REZONING  
CITY COUNCIL MEETING OF NOVEMBER 17, 2004  
Related to VAR-5202 and SDR-5204

Dear Mr. and Mrs. Sipes:

The City Council at a regular meeting held November 17, 2004 APPROVED the request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.94 acres adjacent to the west side of Decatur Boulevard, approximately 100 feet south of Gilmore Avenue (APN 138-12-601-005). The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2004. This approval is subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. Variance (VAR-5202) to allow a 2.94 acre R-PD development and Site Development Plan Review application (SDR-5204) for a seven lot single family subdivision approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
4. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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

VOICE 702.229.6011

TDD 702.386.9108

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

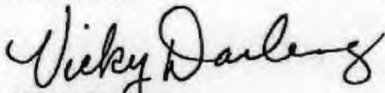
18112-001-6/04

EOT-17977  
12-20-06 CC

Mr. and Mrs. Kevin Sipes  
ZON-5203 – Page Two  
November 19, 2004

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

Sincerely,



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

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

Mr. Landon Christopherson  
1000 North Green Valley Parkway  
Henderson, Nevada 89074

EOT-17977  
12-20-06 CC

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

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ Consent ☐ Discussion

**SUBJECT:**

EXTENSION OF TIME - REZONING

EOT-18081 - APPLICANT/OWNER: MASONIC MEMORIAL TEMPLE - Request for an Extension of Time of an approved Rezoning (Z-0011-02) FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: O (Office) on 14.05 acres adjacent to the northeast corner of Rancho Drive and Mesquite Avenue (on a portion of APN 139-29-801-005), Ward 5 (Weekly). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for EOT-5451
6. City Council approval letter for Z-0011-02

Motion made by LAWRENCE WEEKLY to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

NOTE: MAYOR GOODMAN abstained out of an abundance of caution abstained, as he is a member of the subject temple, and there could be benefits relative to this application.

**Minutes:**

COUNCILMAN WEEKLY requested Item 100 be brought forward for discussion. He noted he and MARGO WHEELER, Director of Planning and Development, have discussed with MR. MOORE the concerns pertaining to this application.



**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

DANIEL DEEGAN, 1801 Granite Avenue, stated there has been poor communication by the developer as to what portion of the site would be developed. The residents believed that the existing temple would remain on the property and the eastern most portion of the site would not be developed. They support development but strongly oppose a multi-office project or highly intense development. Although it is unclear as to the reasons, an extension of time for rezoning could be supported.

OVID MOORE appeared on behalf of Masonic Temple and stated that a traffic study has been on hold for some time due to the changes in the 95-Rancho Drive Intersection. The desire is to wait until the project is more complete to determine if an office building on the west side of the subject property is desired.

COUNCILMAN WEEKLY supported the request for an extension of time.





CASE: EOT-18081

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

PROPOSED ZONING OF SUBJECT PROPERTY:  
O (OFFICE)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18081 - APPLICANT/OWNER: MASONIC MEMORIAL TEMPLE**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on April 17, 2008 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (Z-0011-02) and all other subsequent site 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&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/17/02                                                           | The City Council approved a General Plan Amendment (GPA-0045-00) to O (Office) and PF (Public Facility) and a Rezoning (Z-0011-02) to O (Office) and C-V (Civic) on this site. The Planning Commission and staff recommended denial on 03/14/02.                                                                                                                  |
| 12/18/02                                                           | The City Council approved a Special Use Permit (U-0010-02) for a 55-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign on the O (Office) portion of this site. The Planning Commission and staff recommended denial on 03/14/02.                                                                                                               |
| 09/06/06                                                           | The City Council approved a Required Two Year Review (RQR-13675) of an approved Special Use Permit (U-0010-02) for a 55-foot tall, 14-foot x 48-foot Off-Premise Advertising (Billboard) Sign. The Planning Commission and staff recommended approval on 07/13/06.                                                                                                |
| 09/29/06                                                           | Staff administratively approved a Director's Business Item (DIR-17195) for an Off-Premise Sign Modification to install light shield decking to comply with Condition Number 8 from Required Review (RQR-13675) that required the glare from the sign shall be mitigated subject to approval of the Planning and Development Department for an existing billboard. |
| <i>Related Building Permits/Business Licenses</i>                  |                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                    | There are no building permits or business licenses as they relate to this portion of the overall parcel.                                                                                                                                                                                                                                                          |

| <i>Details of Application Request</i> |       |
|---------------------------------------|-------|
| <i>Site Area</i>                      |       |
| Gross Acres                           | 10.55 |

| Surrounding Property | Existing Land Use         | Planned Land Use                  | Existing Zoning                                                                      |
|----------------------|---------------------------|-----------------------------------|--------------------------------------------------------------------------------------|
| Subject Property     | Masonic Lodge/Undeveloped | PF (Public Facilities)/O (Office) | C-V (Civic)/R-1 (Single Family Residential) under Resolution of Intent to O (Office) |
| North                | R.O.W. (US-95)            | R.O.W. (US-95)                    | R.O.W. (US-95)                                                                       |
| South                | Church/School             | L (Low Density Residential)       | R-1 (Single Family Residential)                                                      |
| East                 | Single Family Homes       | L (Low Density Residential)       | R-1 (Single Family Residential)                                                      |
| West                 | Undeveloped               | L (Low Density Residential)       | R-1 (Single Family Residential)                                                      |

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

## PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (Z-0011-02) from R-1 (Single Family Residential) to O (Office) on 14.05 acres adjacent to the northeast corner of Rancho Drive and Mesquite Avenue.

## ANALYSIS

This is the second Extension of Time for the subject Rezoning (Z-0011-02), which was approved by the City Council on 04/17/04. The applicant indicates that the Extension of Time is needed due to the widening of Highway 95, which has delayed development plans. A Site Development Plan Review has not been submitted on the subject site. The zoning approval is exercised by the commencement of the actual construction. Staff can support the subject Extension of Time application for the indicated reasons.

### Previous Condition from Rezoning (Z-0011-02)

1. The C-1 (Limited Commercial) portion of the request shall be amended to O (Office) with the remainder of the site being C-V (Civic) as depicted on the aerial photograph submitted as a part of this action.
2. Approval of a General Plan Amendment (GPA-0045-00) by the City Council from L (Low Density Residential) to O (Office) and PF (Public Facility) land use designation.
3. A Resolution of Intent with a two-year time limit.
4. Approval of a Special Use Permit and/or a Site Development Plan Review application by the Planning Commission and the City Council at a public hearing prior to issuance of any permits, any site grading, or other development activity on this site. Any such Site Development Plan Review shall include a minimum 30-foot wide bermed landscape planter along the east property line.

5. Dedicate a 25-foot radius of right-of-way at the north east corner of Rancho Drive and Mesquite Avenue prior to the issuance of any permits for this site. Also, grant a traffic signal chord easement at the back of radius prior to the issuance of any permits for this site.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this sit, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study may be required upon further development of this site.

## **FINDINGS**

The Extension of Time will allow additional for the applicant to submit plans for the subject site. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0

## STATEMENT OF FINANCIAL INTEREST

Name of Applicant: MASONIC MEMORIAL TEMPLE

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?

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.

APN: \_\_\_\_\_

Print Name: C. TERRY ROBERTSON

Marie Puskey  
Notary Public in and for said County and State

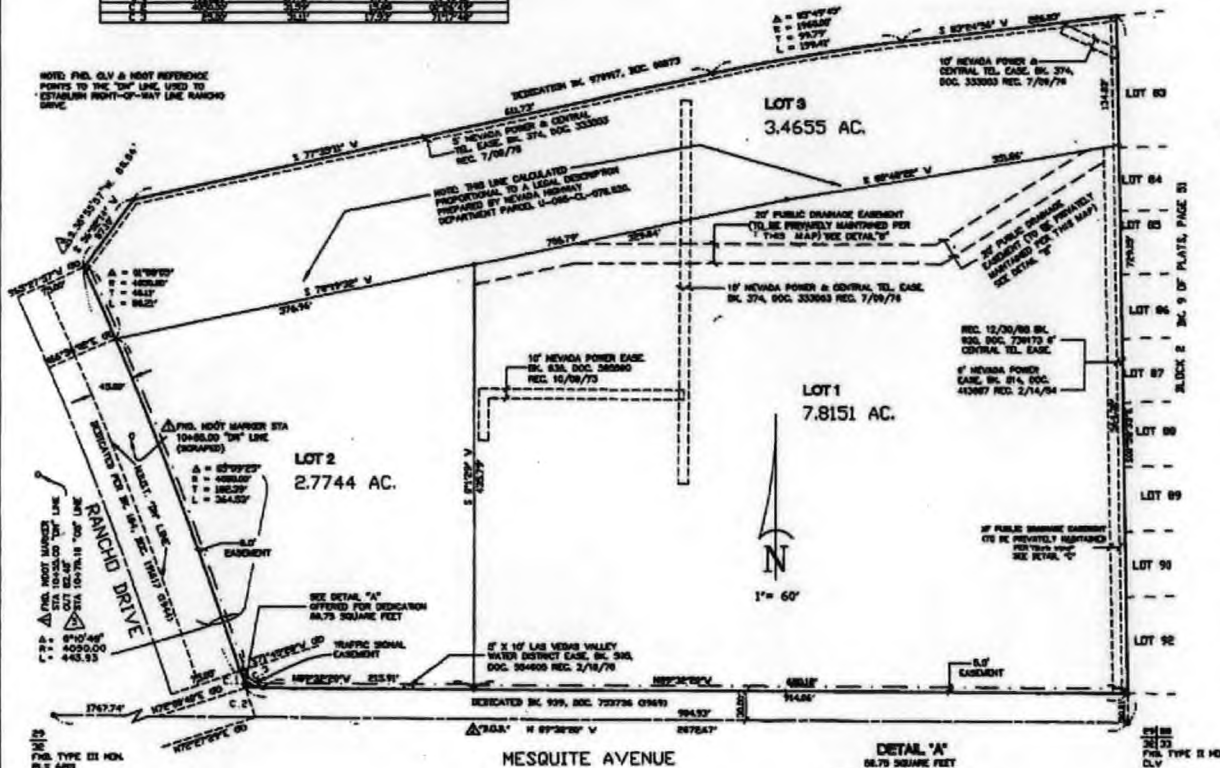


RECEIVED  
NOV 06 2006



| CURVE TABLE |        |       |        |         |
|-------------|--------|-------|--------|---------|
| CURVE       | CHORD  | ANGLE | LENGTH | AREA    |
| 1           | 100.00 | 90.00 | 157.08 | 7854.00 |
| 2           | 100.00 | 90.00 | 157.08 | 7854.00 |
| 3           | 100.00 | 90.00 | 157.08 | 7854.00 |

NOTE: PLS. CLV & MDT REFERENCE POINTS TO THE "TOP" LINE USED TO ESTABLISH RIGHT-OF-WAY LINE BOUNDARY



#### REFERENCE MAPS

- STATE OF NEVADA DEPARTMENT OF HIGHWAYS PROJECT F-008-1(17) STATE ROUTE 30 PLAN & PROFILE SHEETS 4 AND 5
- PLAN OF TRIN LAKES VILLAGE UNIT NO. 8 BOOK 8, PAGE 80

RECORD DATA PER BOOK 251, INSTRUMENT 210033 CLARK COUNTY, NEVADA, OFFICIAL RECORDS

#### LEGEND

- PLS. AS SHOWN
- SET 3/4" NEAR & 1-1/4" PL. CAP
- PLS. & TWO PLS. BORD.
- BOUNDARY
- ADJACENT PROPERTY BOUNDARY
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EASEMENT LINE

EOT-18081  
12-20-06 CC

#### RECORDS NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE CHANGED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDS' CLARIFICATION MAP BOOK NO. 278,000

#### SURVEYOR CERTIFICATE

- I, LLOYD D. BREEDEN, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, AS ADEPT FOR "INTEGRITY ENGINEERING" CERTIFY THAT:
- THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE DISTANCE OF THE MASONIC MEMORIAL TEMPLE.
- THE LANDS SURVEYED ARE WITHIN THE SEC. 29, T. 20S., R. 6E., N. 34E. AND THE SURVEY WAS COMPLETED ON 01/13/03.
- THIS PLAT COMPLIES WITH APPLICABLE STATE STATUTES AND LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
- THE INSTRUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

LLOYD D. BREEDEN II  
NEVADA PLS. 0018



12-21-06  
0018

#### CORRECTION CERTIFICATE

WE, THE MASONIC MEMORIAL TEMPLE, A NEVADA CORPORATION DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PARCELS OF LAND WHICH IS SHOWN ON THE PLAT AND DO HEREBY OFFER TO DEDICATE TO THE CITY OF LAS VEGAS ALL PUBLIC STREETS, AND GRANT EASEMENTS AND OTHER RIGHTS-OF-WAY AS INDICATED AND OUTLINED HEREIN FOR THE USE OF THE PUBLIC. FURTHER, THE UNDERSIGNED GRANT HEREBY GRANTS AND CONVEYS TO THE CITY OF LAS VEGAS AND ITS SUCCESSORS AND ASSIGNS, A FIVE-FOOT WIDE EASEMENT ADJACENT TO ALL PROPERTY LINES WHERE LOTS OF COMMON AREAS ABOUT PUBLIC STREETS FOR THE PURPOSE OF PLACING PUBLIC FIRE HYDRANTS, PUBLIC UTILITIES, CONCRETE, TRAFFIC SIGNALS AND APPURTENANCES, TRAILS, AND AN ADDITIONAL EASEMENT OF UP TO TWO FEET IN WIDTH FROM EACH FIRE HYDRANT, STREETLIGHT, CONCRETE, TRAFFIC SIGNAL, AND APPURTENANCE, TO EXTEND BEYOND THE FIVE-FOOT EASEMENT IF NECESSARY, TOGETHER WITH THE RIGHT OF POWER TO AND EGRESS FROM THESE EASEMENTS.

DAVID A. MOORE  
DATE

TRUSTEE THE MASONIC MEMORIAL TEMPLE, A NEVADA CORPORATION

#### ACKNOWLEDGEMENT

STATE OF NEVADA  
COUNTY OF CLARK

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME on October 21, 2006

BY: LLOYD D. BREEDEN II, AS ATTORNEY IN FACT OF THE MASONIC MEMORIAL TEMPLE, A NEVADA CORPORATION

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,  
MY COMMISSION EXPIRES: 12-31-08  
Dorothy Thornton

#### ATTORNEY

THIS IS TO CERTIFY THAT THE DEPARTMENT OF PLANNING AND DEVELOPMENT, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, ON THIS DAY, MAY OF 2006, HAS REVIEWED AND APPROVED FOR THE PURPOSE OF LAND DIVISION AND ACCEPTS IN BEHALF OF THE PUBLIC, THIS MAP AND ANY PARCELS OF LAND OFFERED FOR DEDICATION, FOR THE PUBLIC AND USE IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION FOR P.L.S. 278,000 THROUGH 278,030 INCLUSIVE.

ALAN S. BROWN, P.L.S.  
DIRECTOR OF PLANNING AND DEVELOPMENT  
CITY OF LAS VEGAS, NEVADA

MAP APPROVED FOR THE PURPOSE OF LAND DIVISION THIS DAY OF 300  
CITY OF LAS VEGAS SURVEYOR

ALAN S. BROWN, P.L.S.  
CITY OF LAS VEGAS SURVEYOR  
NEVADA CERTIFICATE NO. 12-008

#### BASE OF BEARING

NEVADA PLS. 0018, BEING THE 30/00 LINE OF THE SEC. 29, T. 20S., R. 6E., N. 34E. AS SHOWN ON BOOK 8 OF PLATS, PAGE 80, CLARK COUNTY, NEVADA OFFICIAL RECORDS.

SHEET 1 OF 1

PMP-5838

|                                                                                                                                                                            |  |                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PARCEL MAP</b><br>THE MASONIC MEMORIAL TEMPLE,<br>A NEVADA CORPORATION<br>A PORTION OF THE SEC. 29, T. 20S., R. 6E., N. 34E.<br>CITY OF LAS VEGAS, CLARK COUNTY, NEVADA |  | FILED AT THE REQUEST OF<br>INTEGRITY ENGINEERING<br>DATE: 12-21-06<br>FILE: PMP-5838<br>IF PARCEL MAPS<br>INSTRUMENT NO. 210033<br>BOOK NO. 251<br>PAGE NO. 80 |
| <b>INTEGRITY ENGINEERING</b><br>3004 EAST TROPICANA, SUITE 2<br>LAS VEGAS, NV. 89121                                                                                       |  | DATE: 12-21-06<br>FILE: PMP-5838<br>INSTRUMENT NO. 210033<br>BOOK NO. 251<br>PAGE NO. 80                                                                       |

NOV 03 2006

10/8/06

This Extension is needed due to Widening  
of Rancho / Ndat 95.

Study is still being done by Thomas  
and Mark developers.

Quid A Moore

EOT-18081  
12-20-06 CC

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NOV 08 2006



051192

December 2, 2004

**LAS VEGAS CITY COUNCIL**

**OSCAR B. GOODMAN**  
MAYOR

**GARY REESE**  
MAYOR PRO TEM

**LARRY BROWN**  
**LAWRENCE WEEKLY**  
**MICHAEL MACK**  
**JANET MONCRIEF**  
**STEVE WOLFSON**

**DOUGLAS A. SELBY**  
CITY MANAGER

Mr. Ovid Moore  
Masonic Memorial Temple  
2200 West Mesquite  
Las Vegas, Nevada 89106

**RE: EOT-5451 - EXTENTION OF TIME - REZONING**  
**CITY COUNCIL MEETING OF DECEMBER 1, 2004**

Dear Applicant:

The City Council at a regular meeting held December 1, 2004 APPROVED the request for an Extension of Time of an approved Rezoning (Z-0011-02) FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: O (OFFICE) AND C-V (CIVIC) on 13.70 acres adjacent to the northeast corner of Rancho Drive and Mesquite Avenue (APN 139-29-801-005). The Notice of Final Action was filed with the Las Vegas City Clerk on December 2, 2004. This approval is subject to:

**Planning and Development**

1. This Extension of Time for the O (Office) portion of the site (a portion of Assessor's Parcel Number 139-29-801-005) shall expire on December 1, 2006 unless another Extension of Time is approved by the City Council.
2. The C-V (Civic) zoning on the eastern portion of the site shall become permanent.
3. Conformance to the Conditions of Approval for Rezoning Z-0011-02 and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

Sincerely,

Ydoleena Yturralde  
Deputy City Clerk I for  
Barbara Jo Ronemus, City Clerk

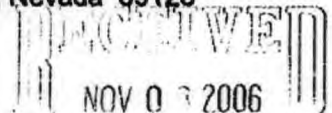
cc: Planning and Development Dept.  
Development Coordination-DPW  
Dept. Of Fire Services

Mr. Ovid Moore  
Tyre Corp  
P.O. Box 26627  
Las Vegas, Nevada 89126

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

VOICE 702.229.6011  
TDD 702.386.9108  
www.lasvegasnevada.gov  
18112-001-604

**EOT-18081**  
**12-20-06 CC**





May 24, 2002

MAYOR  
OSCAR B. GOODMAN

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

CITY MANAGER  
VIRGINIA VALENTINE

Mr. Ovid Moore  
Masonic Memorial Temple  
2200 West Mesquite Avenue  
Las Vegas, Nevada 89106

RE: Z-0011-02 - REZONING  
CITY COUNCIL MEETING OF APRIL 17, 2002  
Related to GPA-0045-00 & U-0010-02

Dear Mr. Moore:

The City Council at a regular meeting held April 17, 2002 APPROVED the request a Rezoning FROM: R-1 (Single Family Residential) TO: C-1 (Limited Commercial) and C-V (Civic) on 14.05 Acres located adjacent to the northeast corner of Rancho Drive and Mesquite Avenue (APN: 139-29-801-005). The Notice of Final Action was filed with the Las Vegas City Clerk on April 18, 2002. This approval is subject to:

Planning and Development

1. The C-1 (Limited Commercial) portion of the request shall be amended to O (Office) with the remainder of the site being C-V (Civic) as depicted on the aerial photograph submitted as part of this action.
2. Approval of a General Plan Amendment (GPA-0045-00) by the City Council from L (Low Density Residential) to O (Office) and PF (Public Facility) land use designations.
3. A Resolution of Intent with a two-year time limit.
4. Approval of a Special Use Permit and/or a Site Development Plan Review application by the Planning Commission and the City Council at a public hearing prior to issuance of any permits, any site grading, or other development activity on this site. Any such Site Development Plan Review shall include a minimum 30-foot wide bermed landscape planter along the east property line.-

Public Works

5. Dedicate a 25 foot radius of right-of-way at the north east corner of Rancho Drive and Mesquite Avenue prior to the issuance of any permits for this site. Also, grant a traffic signal chord easement at the back of radius prior to the issuance of any permits for this site.

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

8112-012-11/00

EOT-18081  
12-20-06 CC

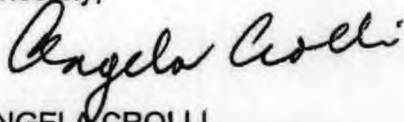
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Mr. Ovid Moore  
Z-0011-02 – Page Two  
May 24, 2002

6. 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.
7. A Drainage Plan and Technical Drainage Study may be required upon further development of this site.

Sincerely,

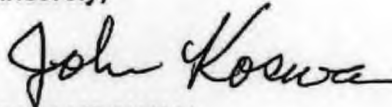


ANGELA CROLLI  
DEPUTY CITY CLERK II for  
BARBARA JO RONEMUS  
CITY CLERK

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

Mr. Gary Gray  
706 Bracken Avenue  
Las Vegas, Nevada 89104

Sincerely,



JOHN KOSWAN  
CURRENT PLANNING MANAGER  
PLANNING & DEVELOPMENT DEPT

Mr. John Bielinski  
Ad America  
2754 South Highland Drive, Suite B  
Las Vegas, Nevada 89109

**EOT-18081**  
**12-20-06 CC**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**

**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ Consent ☐ Discussion

**SUBJECT:**

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-18053 - APPLICANT: GORDON BIRSCH RESTAURANT - OWNER: BOCA FASHION VILLAGE, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-9430) THAT ALLOWED A SUPPER CLUB, approximately 900 feet south of Alta Drive (APN 138-32-312-005), PD (Planned Development) Zone, Ward 2 (Wolfson). 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.

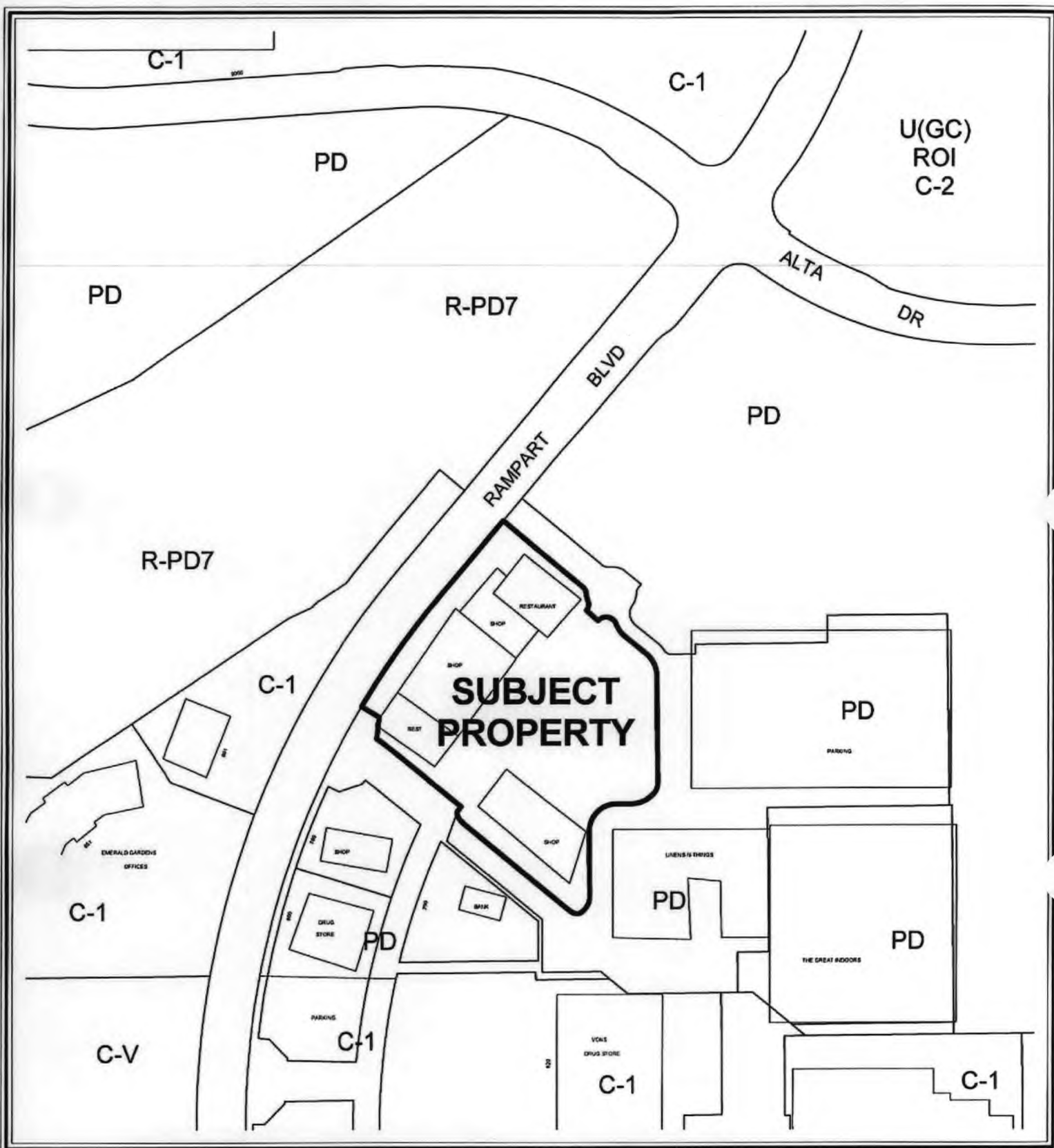
**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-9430

Motion made by GARY REESE to Approve subject to conditions Item 96 [EOT-18040], Item 97 [EOT-18039], Item 98 [EOT-17696], Item 99 [EOT-17977] and Item 101 [EOT-18053]

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: EOT-18053**

**ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)**



0 100 200 Feet

**CASE: EOT-18053**

**ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)**





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18053 - APPLICANT: GORDON BIRSCH  
RESTAURANT - OWNER: BOCA FASHION VILLAGE, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Extension of Time will expire on December 21, 2007 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-9430) 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&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/18/01                                                           | The City Council approved a request for a Master Sign Plan Review [Z-12-98(3)] for property located at the southeast corner of the intersection of Alta Drive and Rampart Boulevard (Boca Park, Phase III). The Planning Commission recommended approval.                                                           |
| 08/20/03                                                           | The City Council approved a request for a Special Use Permit (SUP-2571) for a Supper Club on the subject site. The Planning Commission and Staff recommended approval on 07/24/03. This approval was for Kona Grill Restaurant and Bar.                                                                             |
| 12/21/05                                                           | The City Council approved a Special Use Permit (SUP-9430) for a proposed Supper Club located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive. The Planning Commission and staff recommended approval on 11/17/05. This approval was for the subject Gordon Biersch restaurant. |
| <i>Related Building Permits/Business Licenses</i>                  |                                                                                                                                                                                                                                                                                                                     |
|                                                                    | A business license (L-21-97900) is pending completion of the final inspection of the tenant improvement.                                                                                                                                                                                                            |
| 10/17/06                                                           | A building permit (C-238-06) was issued on the indicated date. A final inspection has not been completed since the tenant improvements have not been completed.                                                                                                                                                     |

| <i>Details of Application Request</i> |      |
|---------------------------------------|------|
| <i>Site Area</i>                      |      |
| Gross Acres                           | 6.04 |

| Surrounding Property | Existing Land Use         | Planned Land Use                                               | Existing Zoning                                            |
|----------------------|---------------------------|----------------------------------------------------------------|------------------------------------------------------------|
| Subject Property     | Retail Center             | SC (Service Commercial)                                        | PD (Planned Development)                                   |
| North                | Golf Course               | PR-OS<br>(Parks/Recreation/Open Space)                         | R-PD7 (Residential Planned Development – 7 Units per Acre) |
| South                | Retail Center             | SC (Service Commercial)                                        | PD (Planned Development)                                   |
| East                 | Parking Garage            | SC (Service Commercial)                                        | PD (Planned Development)                                   |
| West                 | Retail Center/Golf Course | SC (Service Commercial)/PR-OS<br>(Parks/Recreation/Open Space) | C-1 (Limited Commercial)                                   |

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

## **PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (SUP-9430) that allowed a Supper Club.

## **ANALYSIS**

This is the first Extension of Time for the subject Special Use Permit (SUP-9430) for a Supper Club, which was approved by the City Council on 12/21/05. A site inspection indicates that tenant improvements are underway at the subject site. A business license is pending completion of the final inspection of the tenant improvement. A building permit was issued on 10/17/06. A final inspection has not been completed since the suite is currently under construction. The Special Use Permit is exercised upon the approval of a business license. The applicant has demonstrated that they are moving forward with the development of the subject site. Therefore, the Extension of Time can be supported to allow for additional time.

## **Previous Conditions of Approval from Special Use Permit (SUP-9430)**

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. The applicant shall submit a revised site plan to show ADA compliance with regard to parking and a trash enclosure that meets code requirements.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

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

## **FINDINGS**

The applicant has demonstrated that they are working towards the opening of the subject Supper Club. The Extension of Time will allow enough time for the applicant to continue with the current construction and permitting process on the subject suite. A condition of approval has been added, which recommends that the extension be allowed for one year or until such time as another Extension of Time application is approved.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: LD-18053 APN: 138-32-312-005

Name of Property Owner: Boca Fashion Village LLC

Name of Applicant: Gordon-Biersch

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: \_\_\_\_\_

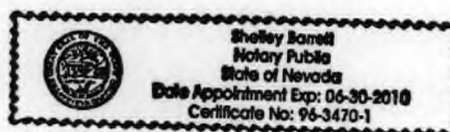
Signature of Property Owner: \_\_\_\_\_

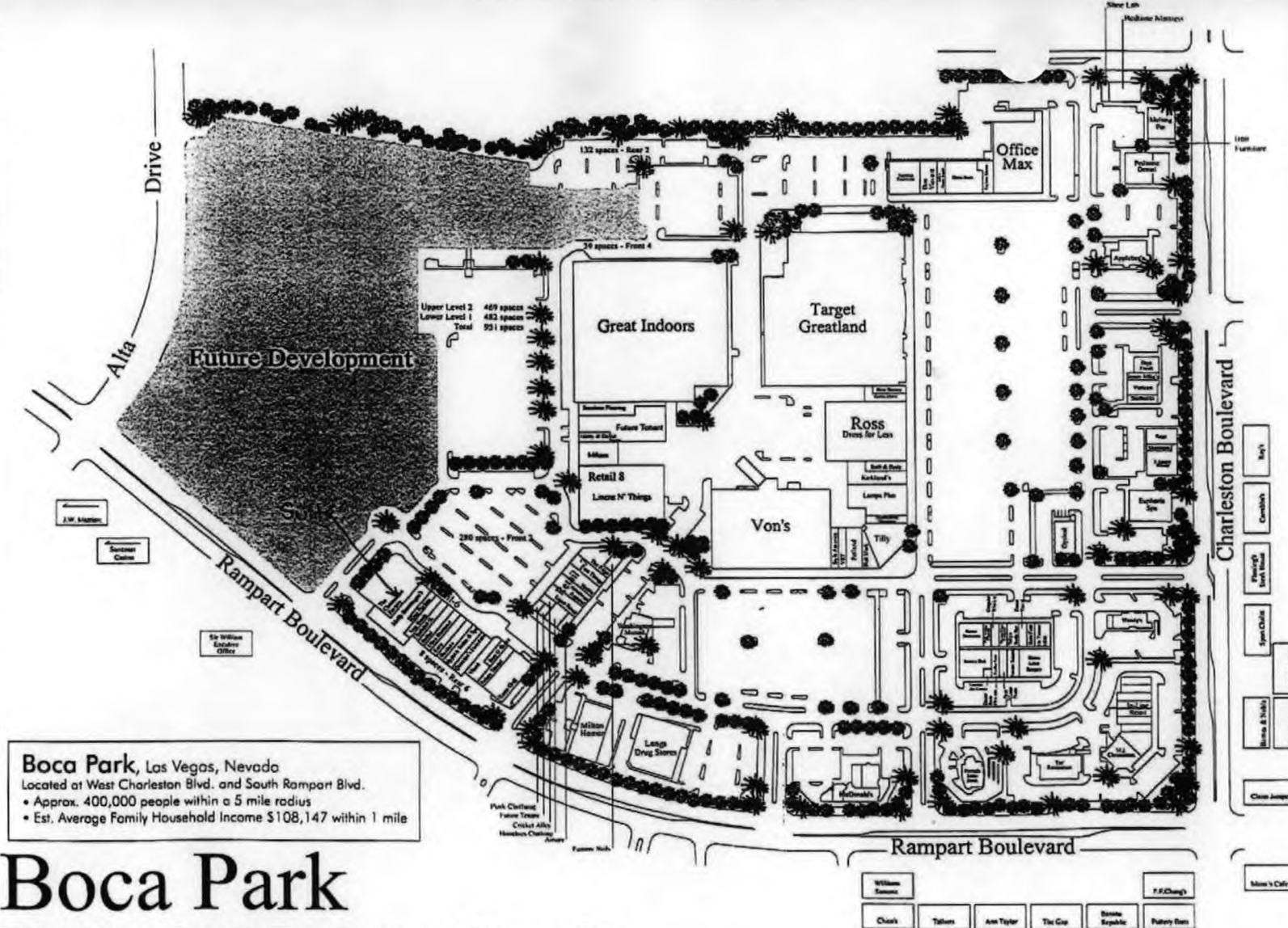
Print Name: Andy Rankin

Subscribed and sworn before me

This 7<sup>th</sup> day of Nov, 20 06

Shelley Barnett  
Notary Public in and for said County and State





**Boca Park, Las Vegas, Nevada**  
 Located at West Charleston Blvd. and South Rampart Blvd.  
 • Approx. 400,000 people within a 5 mile radius  
 • Est. Average Family Household Income \$108,147 within 1 mile

# Boca Park

Triple Five Nevada Development Corporation  
 9510 W. Sahara Ave., Suite 200, Las Vegas, NV 89117

Rampart Boulevard between Charleston Blvd and Alta Drive, Las Vegas, Nevada

Master Site Plan

Date: April 4, 2005  
 Project Number: 100053

## SITE INFORMATION

**ZONING:**  
 PD - Planned Development District

**AREA (Approximate):**

Net Area: 1,823,760 sq'

### BUILDING AREA

| Retail Area             | Retail Area | Common  | Total Area  |
|-------------------------|-------------|---------|-------------|
| Retail Area - 1 Common  | 10,355 sq'  | 80 sq'  | 10,435 sq'  |
| Retail Area - 2 Common  | 11,320 sq'  | 80 sq'  | 11,400 sq'  |
| Retail Area - 3 Common  | 10,330 sq'  | 100 sq' | 10,430 sq'  |
| Retail Area - 4 Common  | 28,495 sq'  | 105 sq' | 28,600 sq'  |
| Retail Area - 5 Common  | 54,838 sq'  | 150 sq' | 54,988 sq'  |
| Retail Area - 6 Common  | 36,127 sq'  | 402 sq' | 36,529 sq'  |
| Retail Area - 7 Common  | 22,785 sq'  | 232 sq' | 23,017 sq'  |
| Retail Area - 8 Common  | 50,250 sq'  | 172 sq' | 50,422 sq'  |
| Retail Area - 9 Common  | 12,400 sq'  | 120 sq' | 12,520 sq'  |
| Retail Area - 10 Common | 54,007 sq'  | 258 sq' | 54,265 sq'  |
| Retail Area - 11 Common | 65,990 sq'  | 680 sq' | 66,670 sq'  |
| Grease Inducers         | 139,320 sq' |         | 139,320 sq' |

**Total Retail Area 514,187 sq'**

**Total Common Area 2,399 sq'**

**Total Building Area 516,586 sq'**

**FAR (net 1,823,760 sq') 0.283**

**Office Area: Office 12 (3 stories) 108,000 sq'**

**Storage Area: Storage 17 (lower level) 7,350 sq'**

**Storage Building 8 9,828 sq'**

**Total Office/Storage Area 125,878 sq'**

**Total Building Area 641,664 sq'**

**FAR (net 1,823,760 sq') 0.352**

### PARKING REQUIREMENTS

**Anchor Required:** 1 per 100 of Retail 110,000/250 = 440

1 per 2500 of Office 25,250/1000 = 25

**Retail Required:** 1 per 200 of 352,344/200 = 1,762

**Restaurants Required:** 1 per 30 of 18,000/30 = 600

1 per 200 of 5,000/200 = 25

**Office Required:** 1 per 100 of 108,000/100 = 1,080

**Storage Required:** 1 per 1000 of 17,870/1000 = 18

**Total Parking Required: 2,605**

**Parking Provided:** Front of Center (1-4) 645

Upper Deck 469

Lower Deck 482

Parking Garage (3-story) 582

Parking Office Substructure 64

Rear of Center (1-4) 397

**Total Provided: 2,639**

**Parking Ratio: 4.1 per 1000 1 per 245 sq'**

**North**

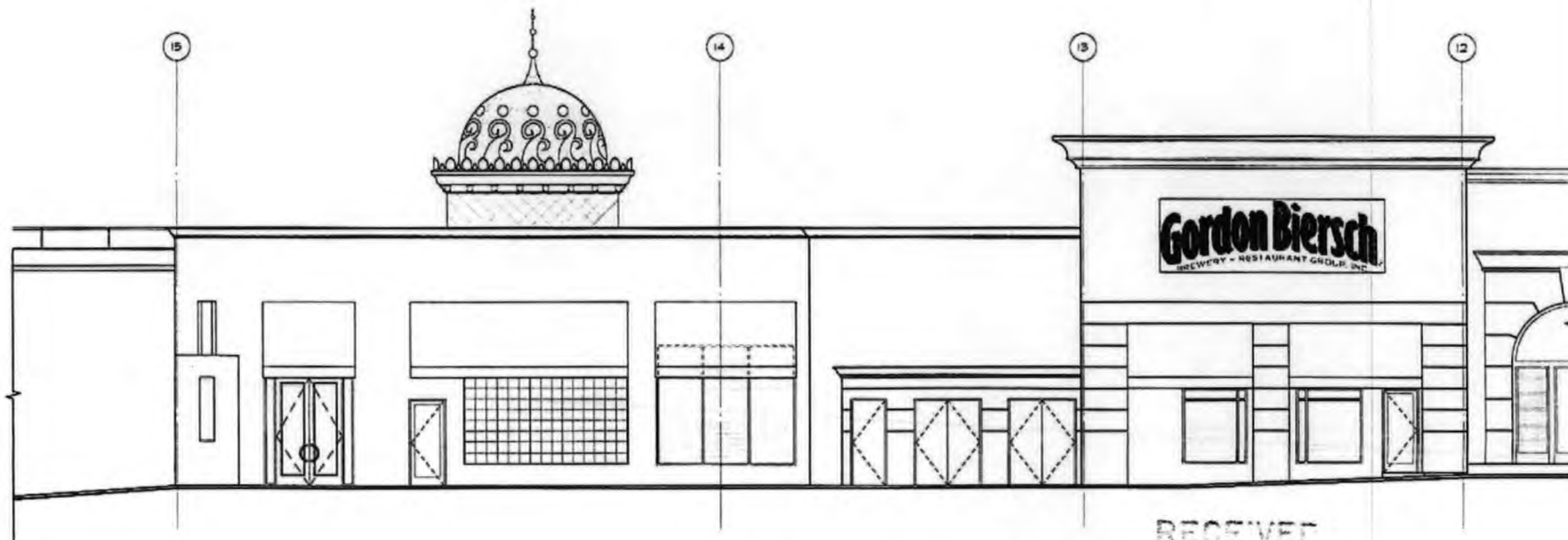
**Perlman**  
 ARCHITECTS, INC.

2200 CORPORATE CIRCLE, SUITE 202  
 HENDERSON, NEVADA 89014  
 702.280.9500 702.932.2202 fax

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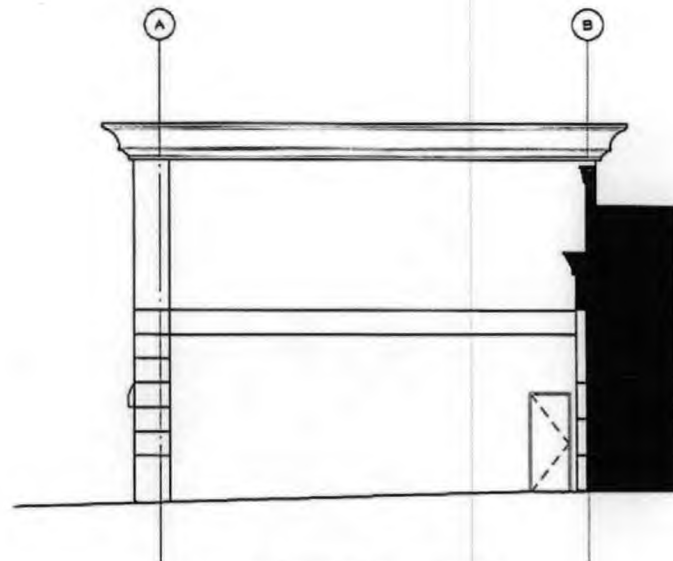


① NORTHWEST ELEVATION  
1/4" = 1'-0"

EOT-18053  
12-20-06 CC

RECEIVED

NOV 9 7 2006



② SOUTHWEST ELEVATION  
1/4" = 1'-0"

**BRAY**  
Architecture, Inc.  
1300C Valley Parkway  
Boulder, CO 80504

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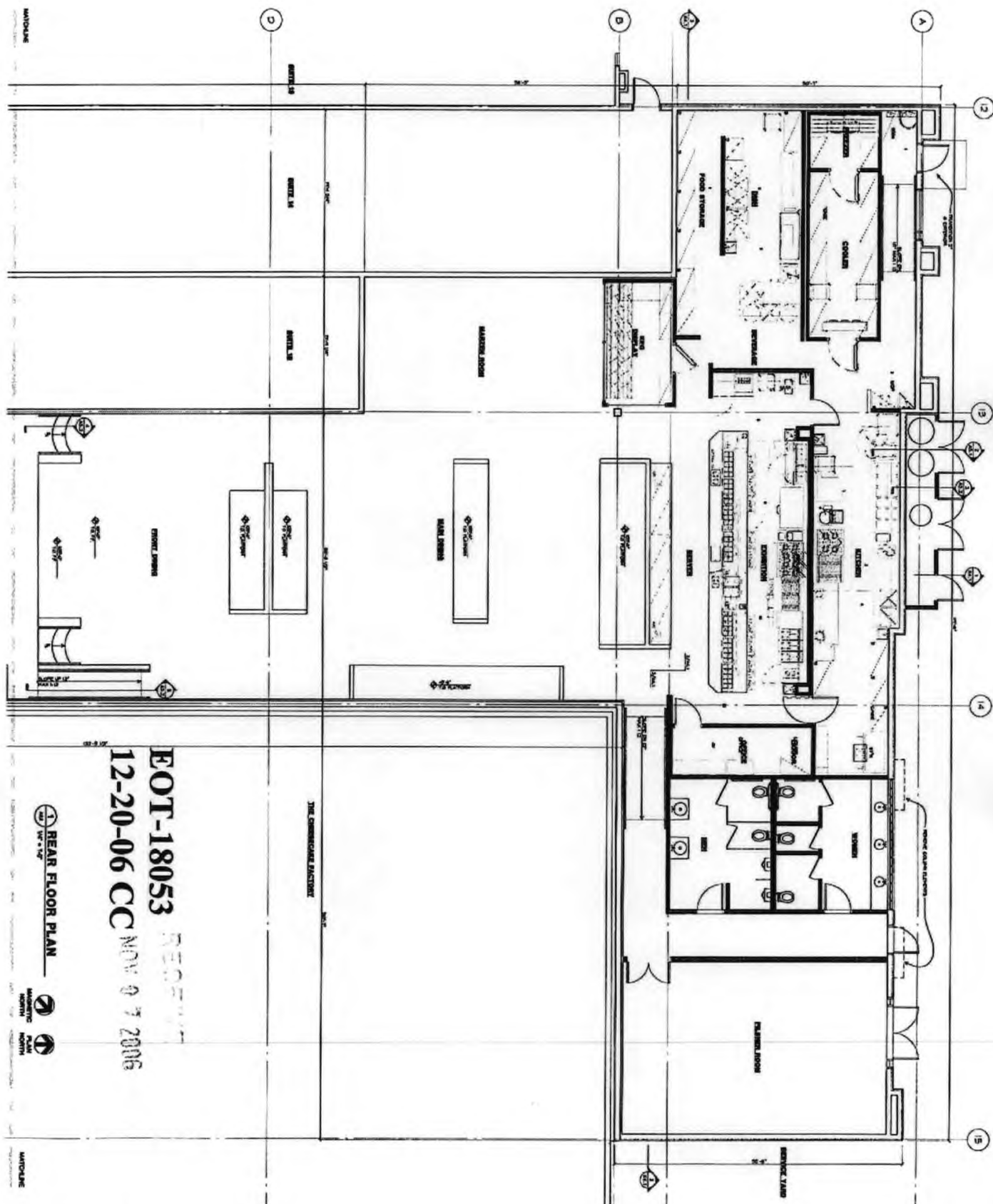
**BOCA PARK**  
LAS VEGAS, NEVADA

**Gordon Biersch**  
BREWERY • RESTAURANT GROUP, INC.

2006021.30  
08-01-05

BUILDING  
ELEVATIONS

A3.2



REAR FLOOR PLAN

EOT-18053  
12-20-06 CC NOV 7 2006

THE GORDON DIERSCH

PAINTER ROOM

REAR FLOOR PLAN

A2.2

FLOOR PLAN

12-20-06 CC NOV 7 2006

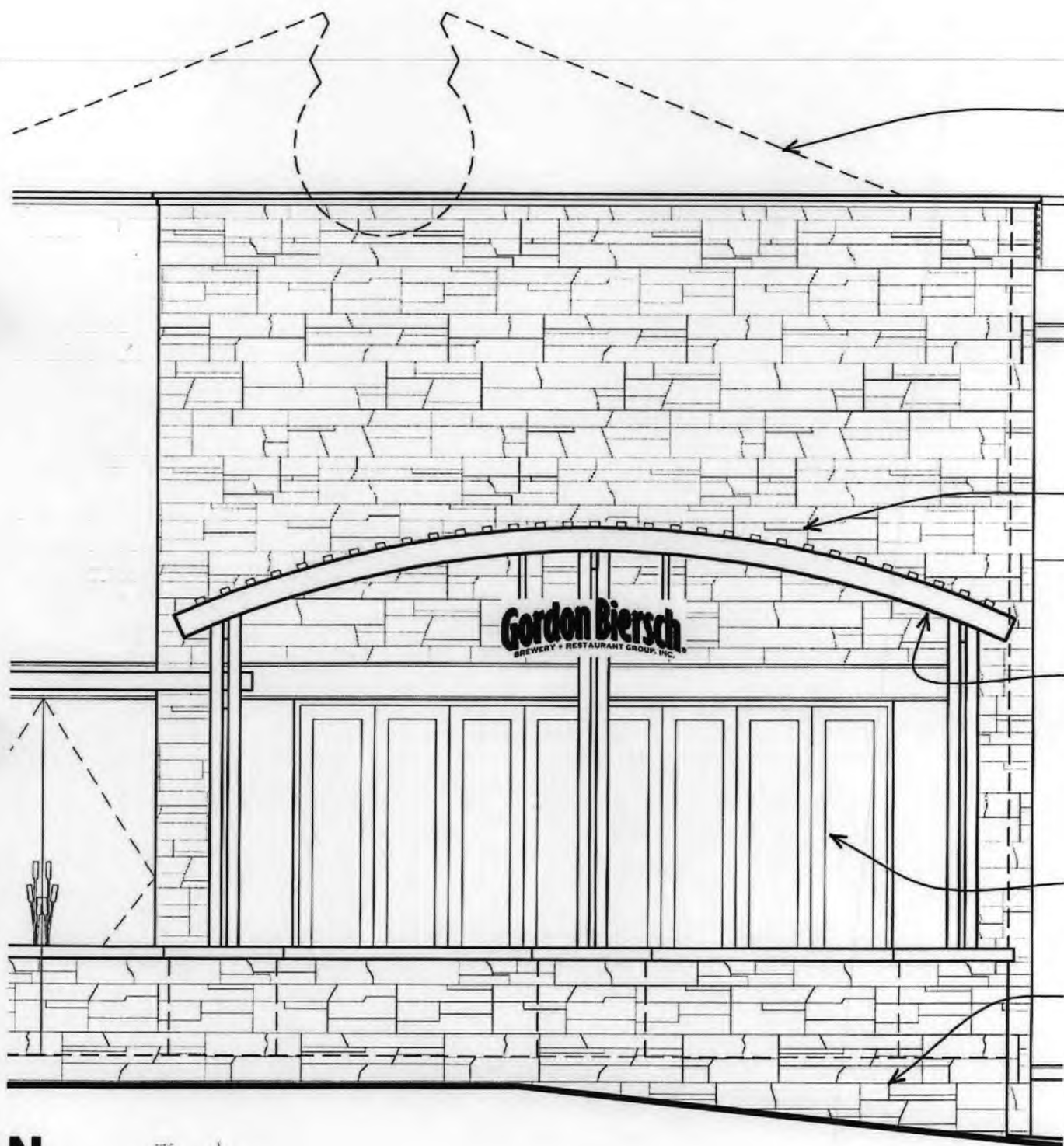
**Gordon Diersch**  
RESTAURANT & HOTEL GROUP, INC.

**BOCA PARK**  
LAS VEGAS, NEVADA

1" = 10'-0"

**BRAY**  
Architecture, Inc.





**N**

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**EOT-18053**  
**12-20-06 CC**



**1 ENTRY ELEVATION**  
A31 1/4" = 1'-0"

EOT-18053  
12-20-06 CC

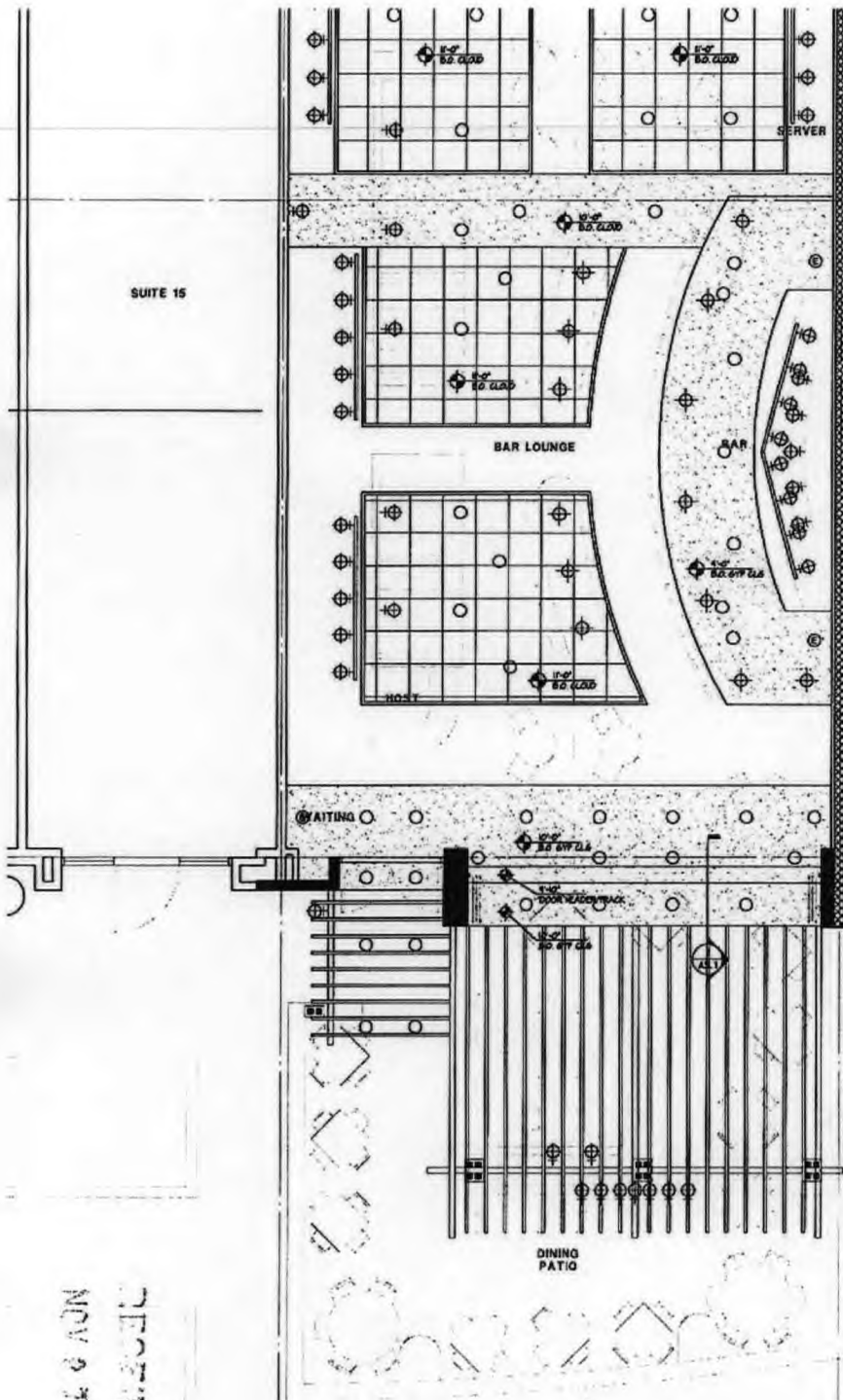
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**BRAY**  
Architecture, Inc.

**BOCA PARK**  
LAS VEGAS, NEVADA

**Gordon Biersch**  
RESTAURANT

2006001.30  
01-17-06



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NOV 9 1 2006

EOT-18053  
12-20-06 CC

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A33

14

1  
A33

FRONT REFLECTED CE  
1/4" = 1'-0"

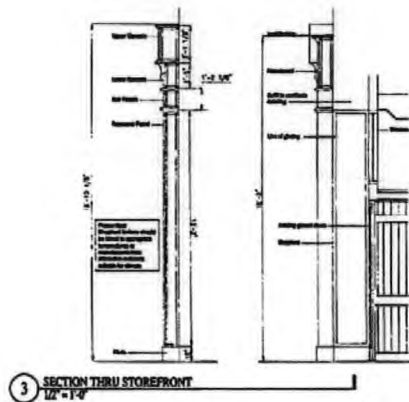
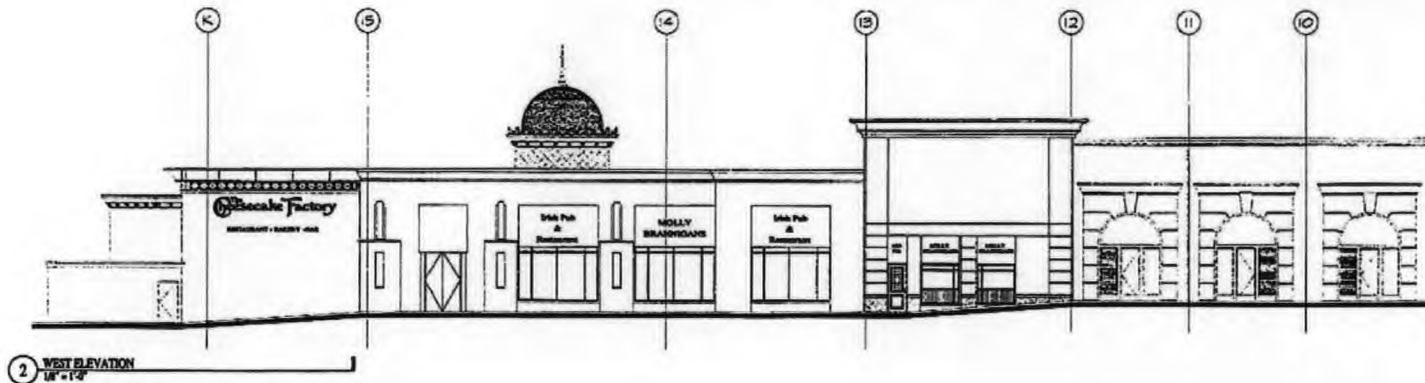
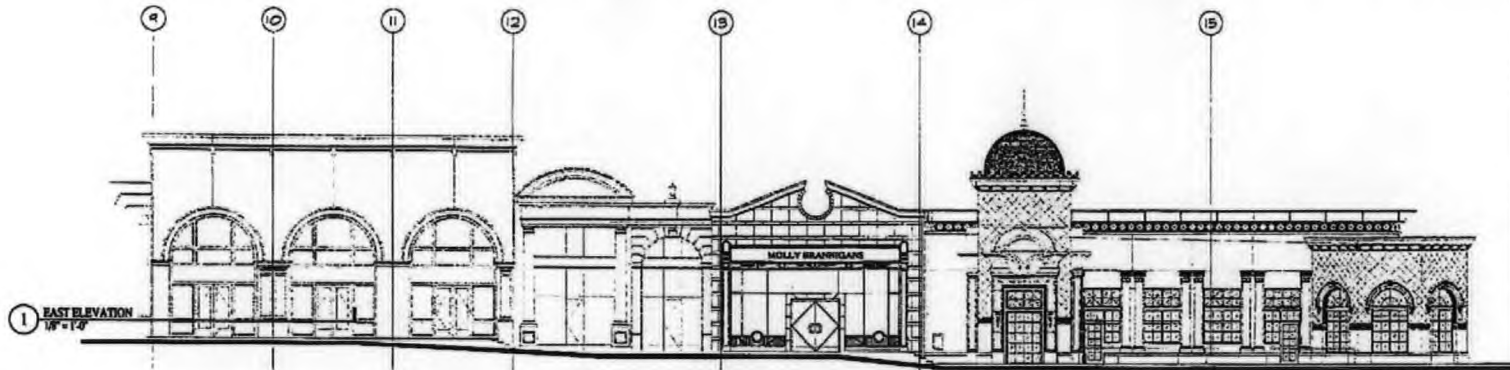


TAYLOR  
ASSOCIATES  
ARCHITECTS

200 NORTH BROADWAY  
SUITE 1000, LAS VEGAS, NV 89101

TEL: 702.391.1000  
FAX: 702.391.1000

PROJECT: TAYLOR ASSOCIATES  
ARCHITECTS, P.C.



1. BUILDING PHASE 1  
2. 642



BUILDING #6  
BOCA PARK PHASE 1  
RAMPART BLVD. AND ALTA DRIVE  
LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

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

JOB - 642

A-9  
MB - LAS VEGAS

EOT-18053  
12-20-06 CC



12-20-06 CC

NOV 2 2006

A-1

JOB - 6482

SCALE: 3/16" = 1'-0"

**FLOOR PLAN**

RAMPART BLVD. AND ALTA DRIVE  
LAS VEGAS, NEVADA

|           |          |   |
|-----------|----------|---|
| WALSHCO   | 2/91     | 1 |
| LA VERGNE | 02/13/92 | 1 |

**THE UNIVERSITY**  
OF CHICAGO

**DATE RECEIVED**

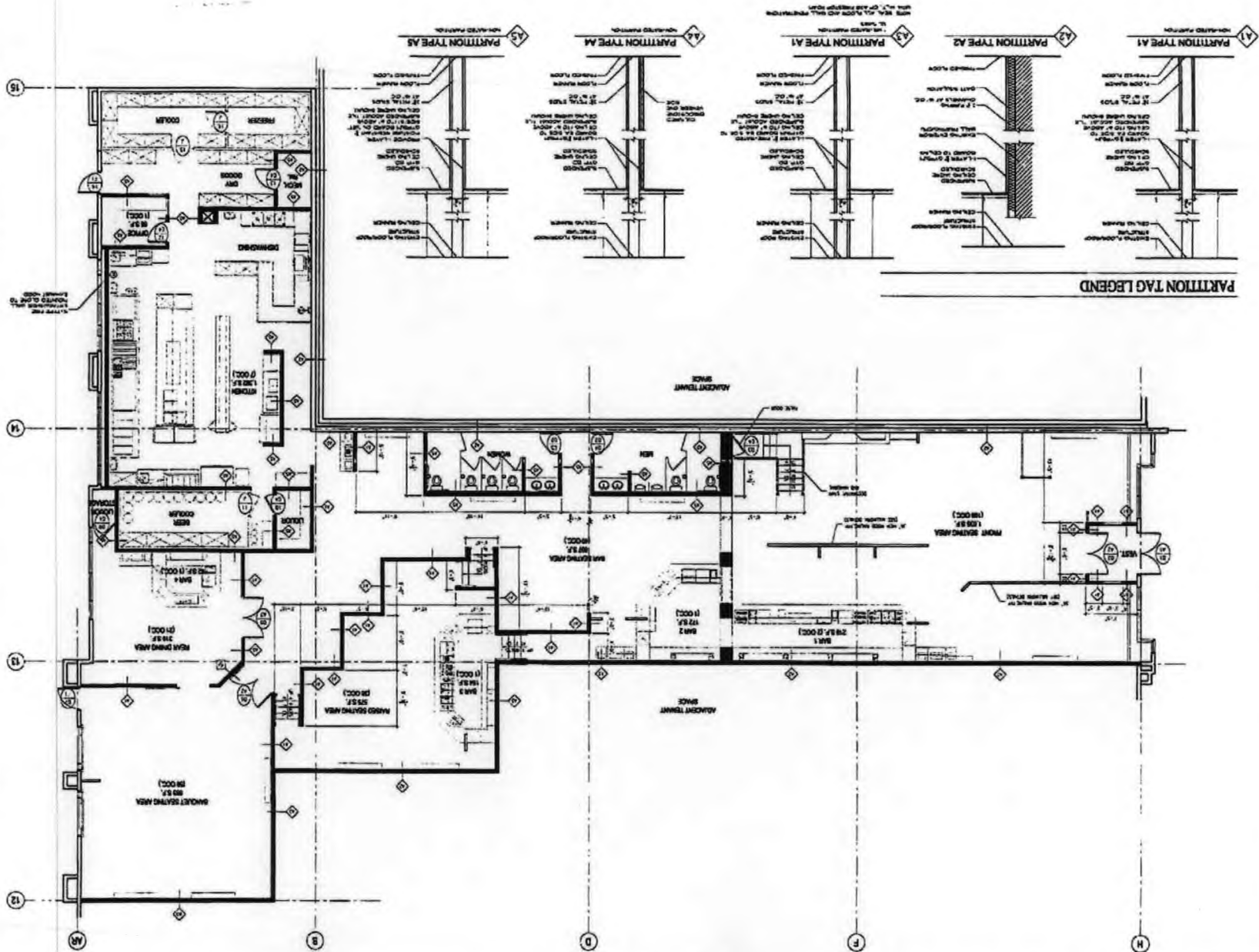
ONE YEAR AND DAY'S WORK  
A LITTLE MORE WORK A LITTLE

## ABSTRACTS

ASSOCIATES  
INCORPORATED

## ה

11





**TRIPLE FIVE NEVADA DEVELOPMENT CORPORATION**

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November 7, 2006

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

**RE: Gordon-Biersch Restaurant**

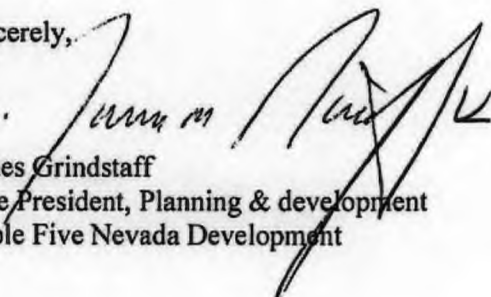
Please accept this application for an extension of time for SUP-9430 for the operation of a supper club at 740 S. Rampart Suite #16. This space was previously approved as a Molly Brannigan's, unfortunately they were unable to open and this space has been taken over by Gordon-Biersch.

Gordon-Biersch has a reputation in the Las Valley as a premier location for dining. We are excited to have the first Gordon-Biersch in the City of Las Vegas at the Boca Park Fashion Village. Unlike their restaurant location on Paradise Road this location will not have a brewery as part of the operation.

Gordon-Biersch's construction is well under way and we anticipate an opening in Late December or early January. However, the use permit expires on December 21, 2006. In anticipation of a Certificate of Occupancy after December 21, 2006, we respectfully request an extension of 1 year in order to complete the construction.

Do not hesitate to contact me if you have any questions.

Sincerely,



James Grindstaff  
Vice President, Planning & development  
Triple Five Nevada Development

**EOT-18053  
12-20-06 CC**



December 22, 2005

AS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
CONFERENCE WEEKLY

JE WOLFSON

LOIS TARKANIAN

STEVEN D. ROSS

DOUGLAS A. SELBY  
CITY MANAGER

Mr. James Grindstaff  
Boca Fashion Village, LLC  
9510 West Sahara Avenue, Suite #200  
Las Vegas, Nevada 89145

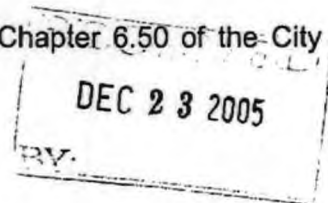
RE: SUP-9430 - SPECIAL USE PERMIT  
CITY COUNCIL MEETING OF DECEMBER 21, 2005

Dear Mr. Grindstaff:

The City Council at a regular meeting held December 21, 2005 APPROVED the request for a Special Use Permit FOR A PROPOSED SUPPER CLUB located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive (APN 138-32-312-005), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 22, 2005. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Supper Club use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. The applicant shall submit a revised site plan to show ADA compliance with regard to parking and a trash enclosure that meets code requirements.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



EOT-18053  
12-20-06 CC

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05  
CLV 7009

Mr. James Grindstaff  
SUP-9430 – Page Two  
December 22, 2005

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

Sincerely,



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

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

Mr. Colm McWilliams  
Molly Brannigan's  
3745 West Lake Road  
Erie, Pennsylvania 16505

Mr. Russell Rowe  
Kummer Kaempfer Bonner Renshaw  
3800 Howard Hughes Parkway, 7th Floor  
Las Vegas, Nevada 89109

**EOT-18053**  
**12-20-06 CC**



**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 GPA-16502 AND ZON-16504

RESCIND PREVIOUS ACTION - SDR-16503 - PUBLIC HEARING - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: MERHI GHASSAN AND GALTAR, LLC - Request by Planning and Development to Rescind the previous action for APPROVAL for a Site Development Plan Review FOR A PROPOSED 81,240 SQUARE FOOT COMMERCIAL DEVELOPMENT CONSISTING OF 10 PAD SITES WITH SINGLE-STORY BUILDINGS on 7.03 acres at 4600 North Rancho Drive (APN 138-02-102-005 through 009, and 011), R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

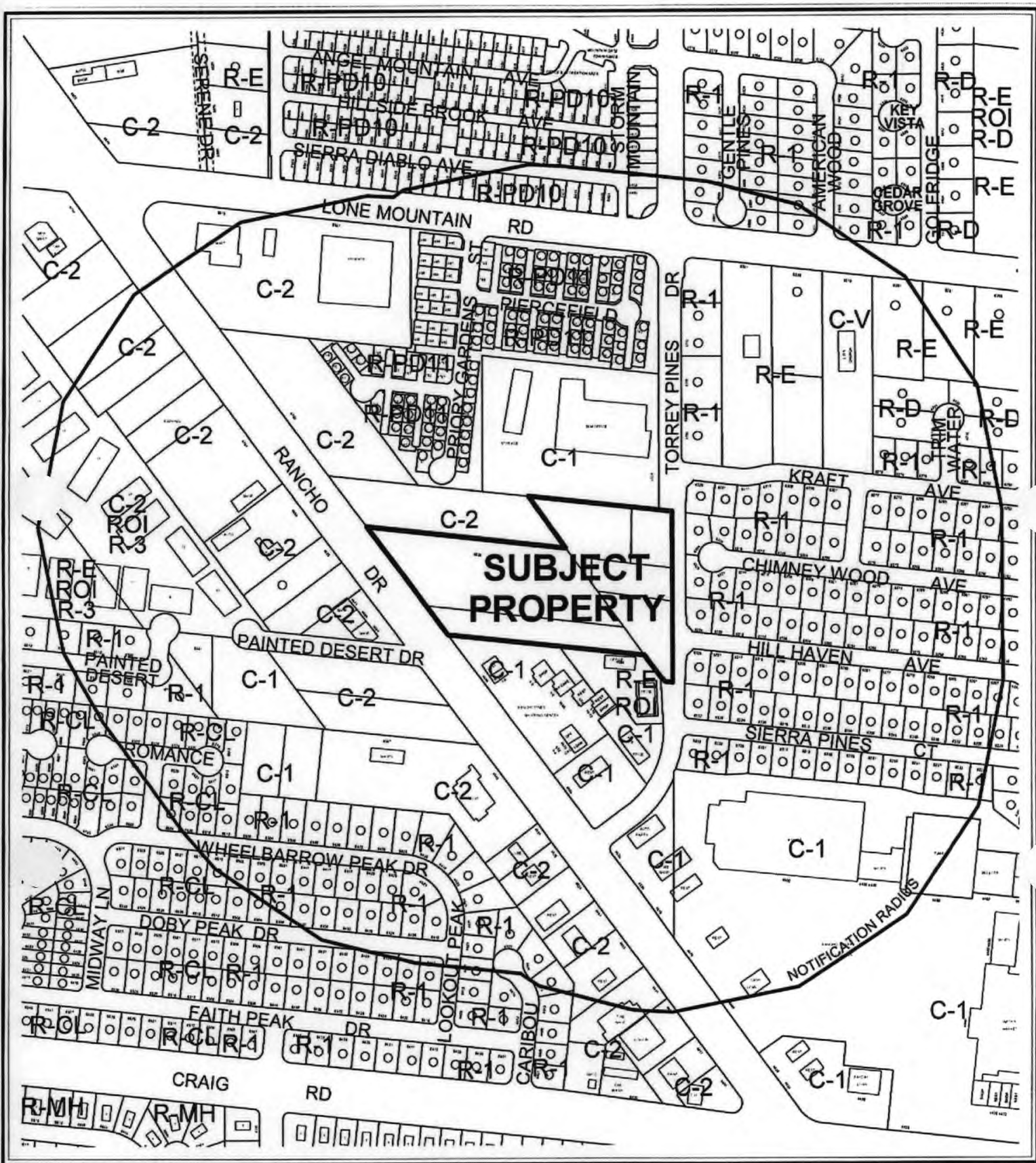
Motion made by STEVEN D. ROSS to Approve the rescission

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. There being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed.



CASE: **SDR-16503**

RADIUS: 1000 FT

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

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

0 200 400 Feet







CASE: **SDR-16503**

RADIUS: 1000 FT

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

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

0 200 400 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 15, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC -  
OWNER: GALTAR, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (ZON-16504) and General Plan Amendment (GPA-16502), 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 building elevations, date stamped 09/05/06, and landscape and site plan, date stamped 10/17/06 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. This property is listed on the Las Vegas Historic Property Register and is therefore subject.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. Coordinate with the City Surveyor to discuss mapping options for this site.
14. Dedicate 40 feet of right-of-way adjacent to this site for Torrey Pines Drive prior to the issuance of any permits or, alternatively, in conjunction with a subdivision map for this site.
15. Construct all incomplete half-street improvements on Torrey Pines Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall meet the approval of the Nevada Department of Transportation for all driveways accessing Rancho Drive.
19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Site development to comply with all applicable conditions of approval for ZON-16504 and all other site-related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 80,534 square-foot commercial development consisting of ten pad sites with single-story buildings on 7.03 acres with a companion General Plan Amendment (GPA-16502) and Rezoning (ZON-15604).

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/21/02                                                           | A request for a General Plan Amendment to GC (General Commercial), a Rezoning to C-2 (General Commercial), and a Special Use Permit for an automobile dealership on a portion of this site (GPA-24-02, Z-49-02, U-0076-02) was approved by the City Council. Staff and the Planning Commission recommended denial.                                                                                                                                             |
| 02/19/03                                                           | A request for a General Plan Amendment to GC (General Commercial), a Rezoning to C-2, and a Site Development Plan Review for an automobile dealership on a portion of this site (GPA-1410/ZON-1411/SDR-1413) was approved by the City Council. Staff and the Planning Commission recommended approval. The C-2 zoning for this project has since expired.                                                                                                      |
| 09/20/06                                                           | An Extension of Time (EOT-15595) for Z-0049-02 for was approved by the City Council.                                                                                                                                                                                                                                                                                                                                                                           |
| 10/19/06                                                           | The Planning Commission recommended approval of companion items GPA-16502 and ZON-16504 concurrently with this application.                                                                                                                                                                                                                                                                                                                                    |
|                                                                    | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/jk).                                                                                                                                                                                                                                                                                                                                                                               |
| <i>Pre-Application Meeting</i>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/23/06                                                           | At the pre-application meeting the applicant was informed that this development should have a one-lot commercial subdivision filed to remove parcel lines. A throat depth of 32 feet for the commercial driveways is required and a traffic impact analysis is also required. The applicant was informed that the development complies with residential adjacency standards. Additionally, the applicant was informed of the setback and parking requirements. |
| <i>Details of Application Request</i>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <i>Site Area</i>                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Gross Acres                                                        | 7.03                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| Surrounding Property | Existing Land Use          | Planned Land Use                                    | Existing Zoning                                                                       |
|----------------------|----------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------|
| Subject Property     | Undeveloped                | GC (General Commercial)                             | R-E (Residence Estates) (ROI C-1), C-1 (Limited Commercial), C-2 (General Commercial) |
| North                | Single-family & Commercial | MLA (Medium Low Attached) & GC (General Commercial) | C-2 & R-PD11                                                                          |

|       |                          |                         |                                 |
|-------|--------------------------|-------------------------|---------------------------------|
| South | Commercial               | SC (Service Commercial) | C-1 (Limited Commercial)        |
| East  | Single-family            | L (Low)                 | R-1 (Single Family Residential) |
| West  | Commercial & Undeveloped | SC (Service Commercial) | C-2 (General Commercial)        |

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

## 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 Size                                                                                                             | N/A                                  | 4.14                                 | N/A               |
| Min. Lot Width                                                                                                            | 100 Feet                             | 400 Feet                             | Y                 |
| Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul> | 20 Feet<br>10 Feet<br>N/A<br>20 Feet | 25 Feet<br>10 Feet<br>N/A<br>25 Feet | Y                 |
| Min. Distance Between Buildings                                                                                           | N/A                                  | 18 Feet                              | Y                 |
| Max. Lot Coverage                                                                                                         | 50%                                  | 20.8%                                | Y                 |
| Max. Building Height                                                                                                      | N/A                                  | 23 Feet                              | Y                 |
| Trash Enclosure                                                                                                           | 50 Feet                              | 300+ Feet                            | Y                 |
| Mech. Equipment                                                                                                           | Screened                             | Screened                             | Y                 |



Per Title 19.08.060 the following residential adjacency standards apply:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|----------------------------------------|-------------------------|-----------------|-------------------|
| 3:1 proximity slope                    | 69 Feet                 | 190+ Feet       | Y                 |
| Trash Enclosure                        | 50 Feet                 | 300+ Feet       | Y                 |

Per Title 19.10 & 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       | 55 Trees     | 55 Trees             | Y                 |
| Buffer:<br>Min. Trees                       | 1 Tree/30 Linear Feet | 59 Trees     | 74 Trees             | Y                 |
| <b>TOTAL</b>                                |                       | 114          | 129                  | Y                 |
| Min. Zone Width                             | 8 Feet & 15 Feet      |              | 10 Feet &<br>20 Feet | Y                 |
| Wall Height                                 | N/A                   |              | None                 | Y                 |

Per 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                     | 80,534 SF                           | 1:300         | 262     | 7            | 258      | 10           | No         |
|                            |                                     |               |         |              |          |              |            |
| SubTotal                   | 80,534 SF                           |               | 262     | 7            | 258      | 10           | No         |
| TOTAL (including handicap) | 80,534 SF                           |               | 262     | 7            | 258      | 10           | No         |
| Loading Spaces             | 4                                   |               |         |              | 4        |              | Yes        |

## ANALYSIS

This property is located within the Centennial Hills Sector Plan area. There have been several land-use applications filed on this property and the adjacent parcels that comprise the entirety of this Site Development Plan Review. The purpose of this request is to create an office development consisting of ten buildings and 80,534 square feet of lease space. An associated Rezoning (ZON-16504) is a companion item with this request. The Rezoning seeks to reclassify approximately 4.2 acres of this site from R-E (Residence Estates) and R-E (ROI to C-2) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning requested on the western portion of this site is consistent with the eastern portion of the proposed development, which is currently zoned C-1 (Limited Commercial).

A companion General Plan Amendment (GPA-16502) is also seeking to amend the Centennial Hills Sector Plan from GC (General Commercial) to SC (Service Commercial). This property is bounded by a pedestrian path (trail) along the Rancho Drive frontage. The site plan for the proposed development is showing an adequate landscape buffer and a five-foot sidewalk, thereby meeting the requirements of a pedestrian path.

The site is extensively landscaped. The proposed development will have Texas Honey Mesquite trees throughout the site. The Rancho Drive and Torrey Pines Drive street frontages have trees spaced approximately 20 feet on center where 30 feet on center is required, while the interior property lines have trees spaced 30 feet on center, as required by code. Shrubbery and ground cover for the site includes Shrubby Sienna, Bush Morning Glory, Desert Broom, and Red Yucca. The buildings have extensive foundational landscaping with shrubbery surrounding each building.

The site has an access point on Rancho Drive and a secondary access on Torrey Pines Drive. There are 269 parking spaces for the site, which is one stall less than required by code, to which the applicant has indicated that they will be incorporating covered parking, which will eliminate the need for landscape fingers within a portion of the parking lot, thereby allowing for additional parking spaces in order to meet code. The site will provide ten handicapped parking spaces, three more than required by code. The four loading spaces meet code requirements and the development incorporates three trash enclosures for the development. The applicant hasn't shown signs for this development and it should be noted that all signage for this project will have to meet the requirements for the C-1 (Limited Commercial) zoning district.

## **FINDINGS**

The following findings must be made for an SDR:

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

The proposed development will be less intense than the previously approved use on the western portion of the site. Moreover, the proposed use is compatible with the adjacent BLM office to the north, along Torrey Pines Drive and the adjacent shopping center to the south, along Rancho Drive.

- 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 will be a reduction in the intensity of what the General Plan permits for the western portion of the site. The design of the project meets or exceeds the landscape and buffer standards.

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

Access to the site will be attained via Rancho Drive, a 120-foot wide Primary Arterial and Torrey Pines Drive, an 80-foot wide Secondary Collector street, as designated by the Master Plan of Streets and Highways, which should not be negatively affected by this development.

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

The building and landscape materials for the proposed development will benefit the area by developing an infill site.

**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 design of the buildings is attractive and will utilize earth-tone colors in the brown and tan range. Additionally, a slate veneer will be applied as a wainscot in some areas of the building and will be applied to the entire façade or the entry of the buildings.

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

The health, safety, and general welfare of this area will not be jeopardized by this development. Development of this site will eliminate an undeveloped parcel that could attract vagrants.

**PLANNING COMMISSION ACTION**

The Planning Commission amended condition #3 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 319 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16503** APN: 138-02-102-006

Name of Property Owner: Merhi Ghassan

Name of Applicant: Sandstone Arches, 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: Ghassan Merhi

Subscribed and sworn before me

This 28<sup>th</sup> day of August, 2006

Notary Public in and for said County and State



SEP 05 2006





## PLANNING &amp; DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16503** APN: 138-02-102-005, -007, -008, -009 and -011Name of Property Owner: Galtar, LLCName of Applicant: Sandstone Arches, 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: Ghassan Merhi

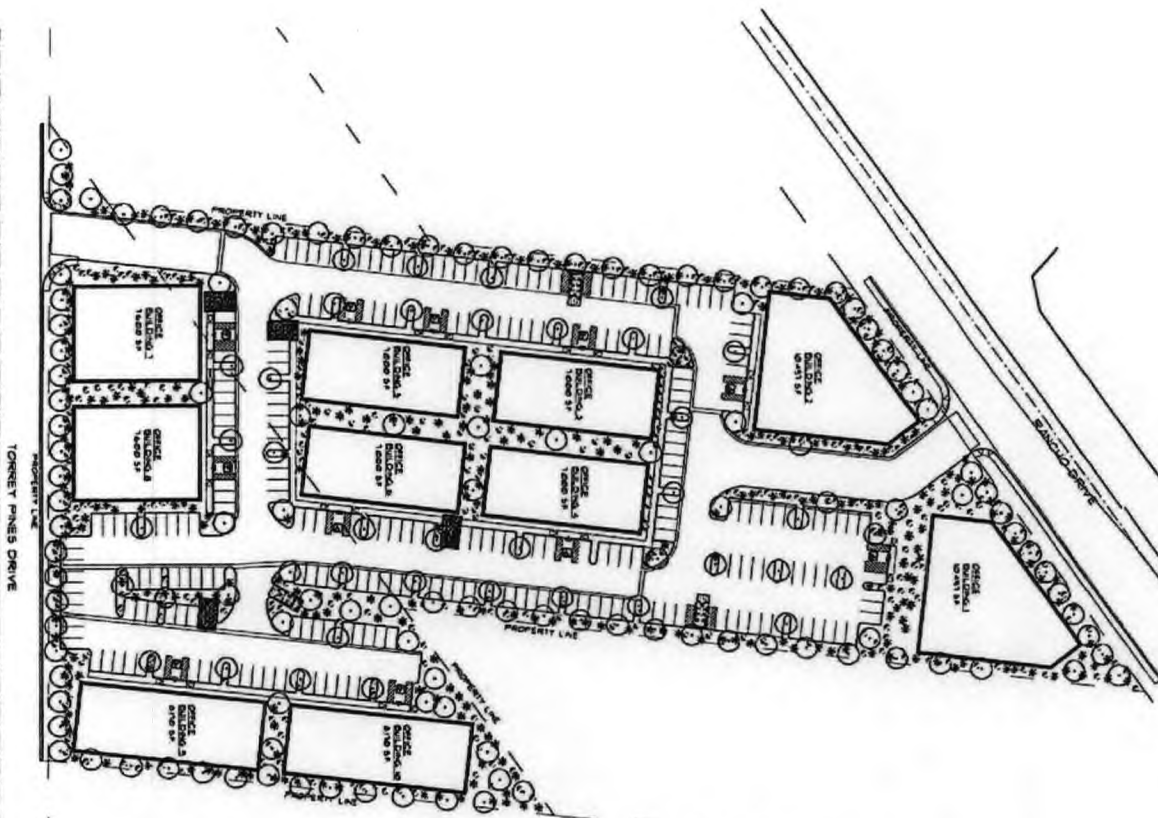
Subscribed and sworn before me

This 28<sup>th</sup> day of August, 2006

Notary Public in and for said County and State







## GENERAL NOTES

- [illegible]

## LANDSCAPE LEGEND

[illegible]

✱ 1998-1999

-  LARVA  
(BUTTERFLY BEETLE)  
 COVOID VALVE  
(BUSH HOPPING GLIDER)  
 BUCCULARIA SAADONOIDES  
(DESERT BRUSH)

GROUND COVER & ACCENT  
O RESERVALE PARVULO

- (RED TICCA)  
ALL AREAS NOT RECEIVING LIVE GROUNDER SHALL HAVE  
2" ROCK FILLING

THE BUILDING FOUNDATION SHALL BE PROTECTED WITH A WATERPROOF MEMBRANE & LANDSCAPING IS TO BE LOCATED NEARBY

REC  
OCT 1 2006

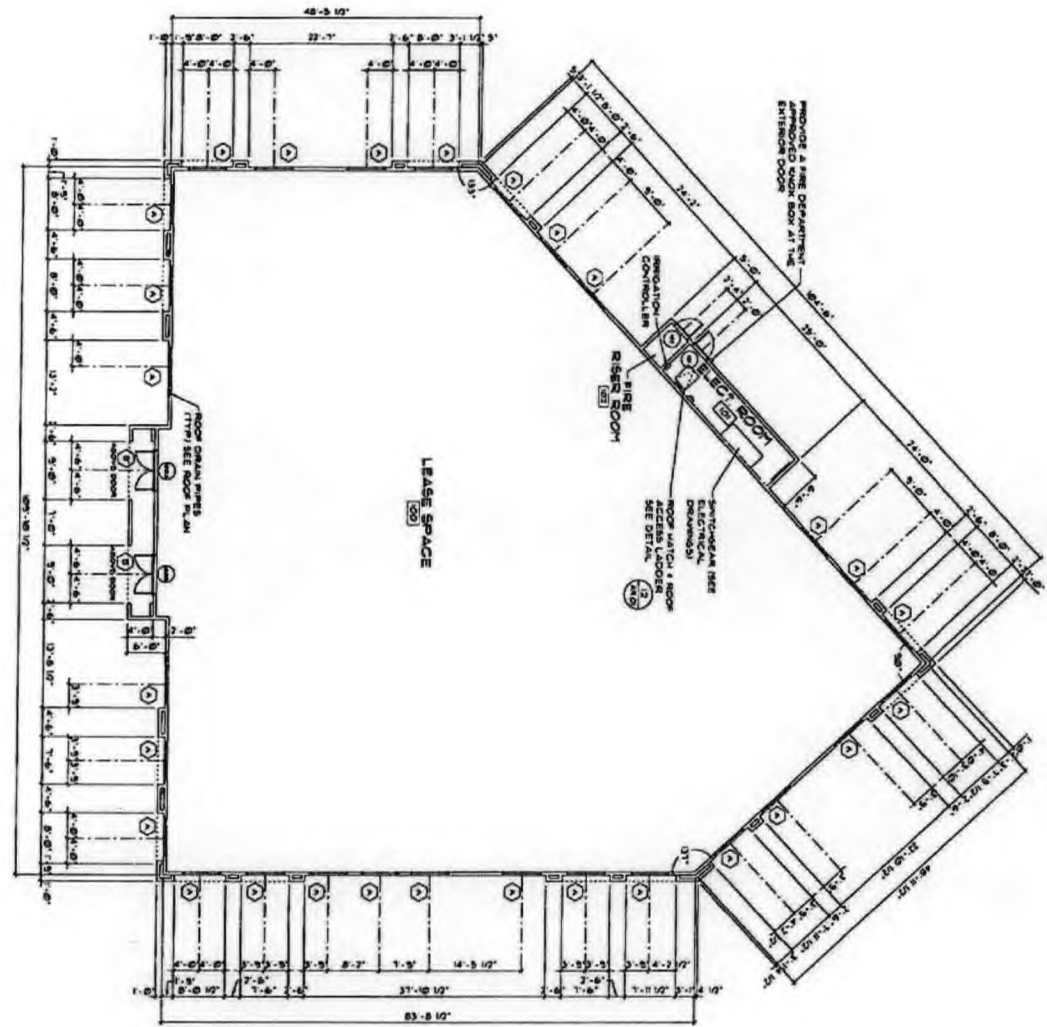
**SDR-16503  
REVISED  
10/19/06 PC**

LANDSCAPE PLAN  
LAND USE SUBMITTAL

**OFFICE AT  
RANCHO AND TORREY PINES**  
RANCHO AND TORREY PINES  
LAS VEGAS, NEVADA

3005 W. HORIZON RIDGE PARKWAY, SUITE 200  
HENDERSON, NEVADA 89052  
(702) 454-5842 FAX (702) 454-7842

**FLOOR PLAN / ONE STORY OFFICE BUILDING**



**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE OF STUD CENTER LINE OF GROS AND COLING.
2. FIELD VERIFY ALL DIMENSIONS AND CONDITIONS AT ALL VERTICAL AND HORIZONTAL INTERSECTIONS TO ALL INTERIOR AND EXTERIOR WALLS.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL MECHANICAL, ELECTRICAL, AND PLUMBING EQUIPMENT, WORK AREAS, UNITS AND OTHER EQUIPMENT BY OWNER.
4. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF BUILDING SHALL BE CONSTRUCTED WITH FIBERGLASS INSULATION 2" MIN.

**WALL LEGEND**

- EXTERIOR WALL CONSTRUCTION:
- 2" EXTERIOR INSULATION FIBERGLASS SYSTEM OVER 2" X 8" WOOD STUDS @ 16" O.C. WITH R-4 BATT INSULATION.
- 1" WOOD FINE PARTICULATE WALL CONSTRUCTION OVER 2" X 8" WOOD STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD OVER 1/2" GYPSUM BOARD.
- 1" WOOD FINE PARTICULATE WALL CONSTRUCTION OVER 2" X 8" WOOD STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD OVER 1/2" GYPSUM BOARD.

1" WOOD FINE PARTICULATE WALL CONSTRUCTION OVER 2" X 8" WOOD STUDS @ 16" O.C. WITH 1/2" GYPSUM BOARD OVER 1/2" GYPSUM BOARD.

**pacific design concepts, llc**  
 3005 W. HORIZON RIDGE PARKWAY, SUITE 200  
 HENDERSON, NEVADA 89052  
 (702) 454-5842 fax (702) 454-7842

**OFFICE AT**  
**RANCHO AND TORREY PINES**  
 RANCHO AND TORREY PINES  
 LAS VEGAS, NEVADA

**FLOOR PLAN BUILDING 1**  
**(BUILDING 2 SIM.)**

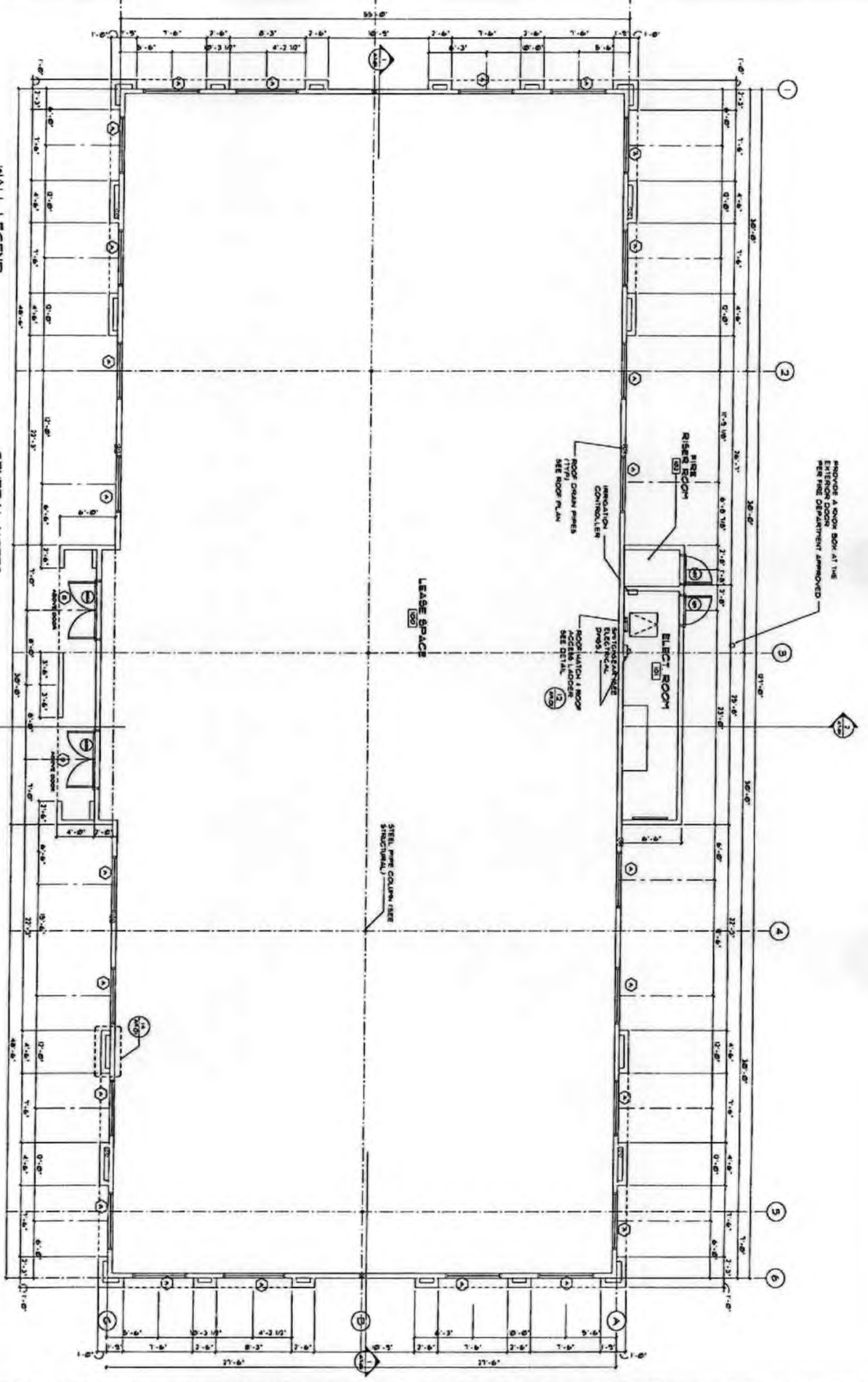
**RECEIVED**  
 SEP 05 2006

**SDR-16503**

**10/19/06 PC**

DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 PROJECT NO.: \_\_\_\_\_  
 SHEET NO.: \_\_\_\_\_  
 TOTAL NO. SHEETS: \_\_\_\_\_  
 A102





- MALL LEGEND**
- EXTERIOR WALL CONSTRUCTION:  
2" EXTERIOR INSULATION FIBER SYSTEM  
OVER 1/2" WOOD WALL BRACKETS OVER  
2" WOOD STUDS @ 16" O.C. WITH  
BUILT BATT INSULATION
  - 1/2" WOOD PARTITION WALL CONSTRUCTION:  
1 LAYER OF 5/8" TYPE X GWB ON EACH  
SIDE OF 2x4 WOOD STUDS @ 16" O.C.  
PER IRC/DO TABLE T&I (2) SEC. A4.3

- GENERAL NOTES**
- ALL DIMENSIONS ARE TO FACE OF STUD CENTER LINE OR DIMS AND CORNERS
  - FIELD VERIFY ALL DIMENSIONS AND CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
  - CONTRACTOR SHALL PROVIDE AND LOCATE ACCESS TO ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK.
  - ALL PARTITIONS ADJACENT TO OR LOCATED AT THE END OF TURNING HALLS SHALL BE CONNECTED TO STRUCTURAL MEMBERS AT THE CORNER OR END OF TURNING HALLS.

**FLOOR PLAN / ONE STORY OFFICE BUILDING**

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

**RECEIVED**

SEP 05 2006

SDR-16503

10/19/06 PC

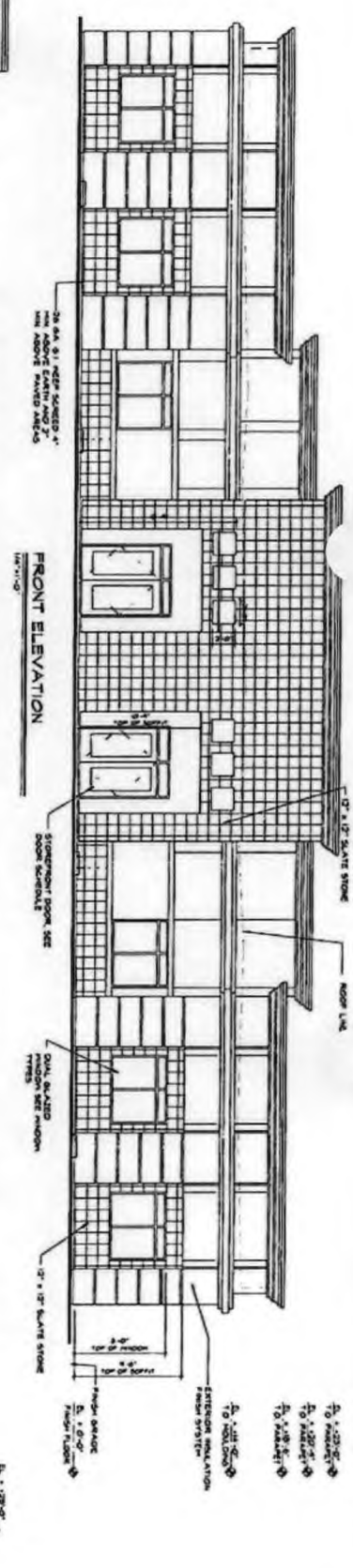
Project Title:  
**FLOOR PLAN 3,4,5,6,  
FOR BUILDING  
7, 8, 9, AND 10 (SIMILAR)**

Consultant:  
**pacific design concepts, llc**

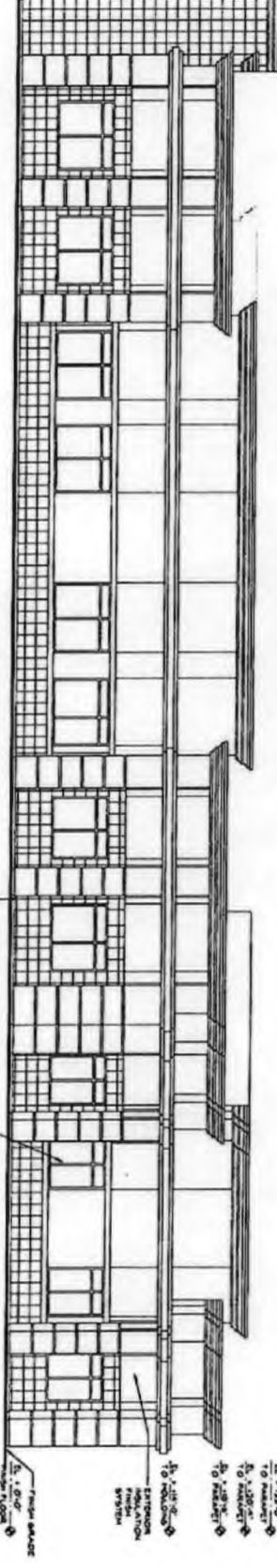
Project Title:  
**OFFICE AT  
RANCHO AND TORREY PINES**  
RANCHO AND TORREY PINES  
LAS VEGAS, NEVADA

**pacific design concepts, llc**  
3005 W. HORIZON RIDGE PARKWAY, SUITE 200  
HENDERSON, NEVADA 89052  
(702) 454 5842 FAX (702) 454 7842

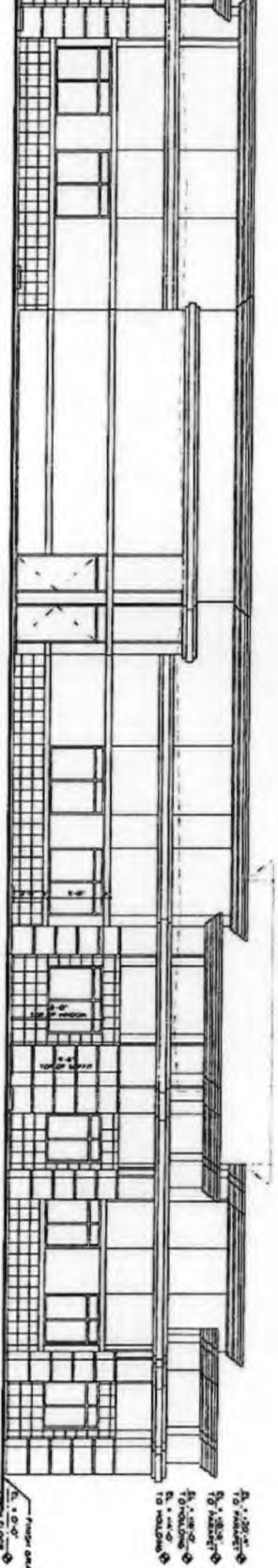
Checked by:  
Drawn by:  
Scale:  
Sheet No.:  
Project No.:  
Date:  
A101



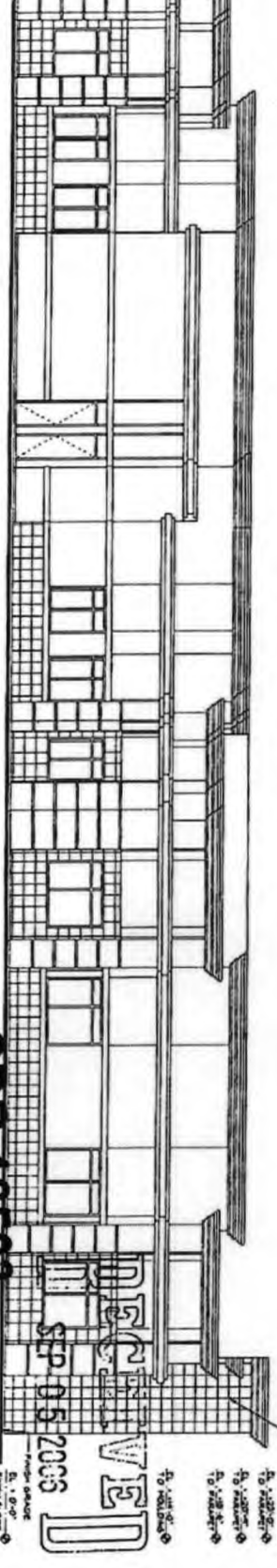
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

**RECEIVED**  
SEP 05 2006  
PROJECT NO. 119-06  
A6.01

**SDR-16503**  
**1/19/06 PC**

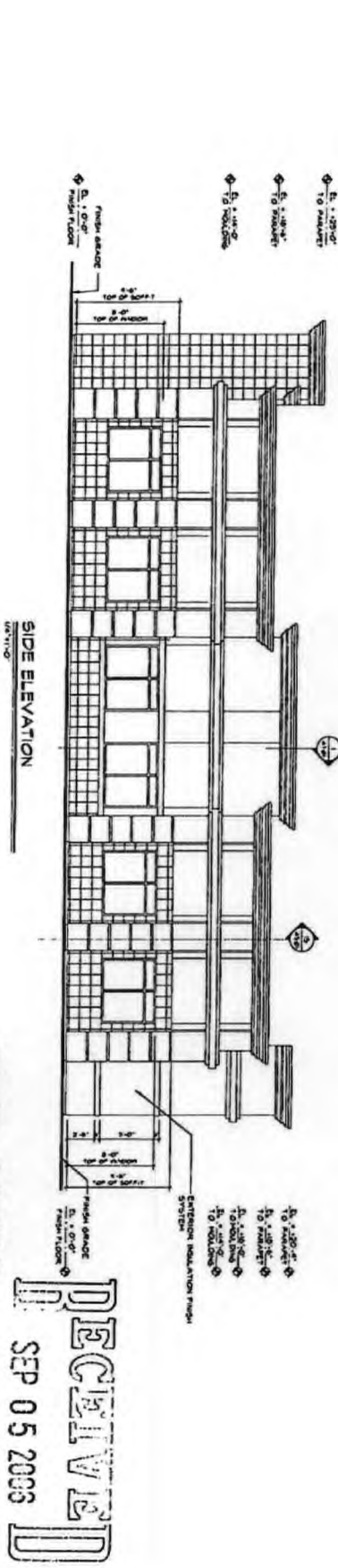
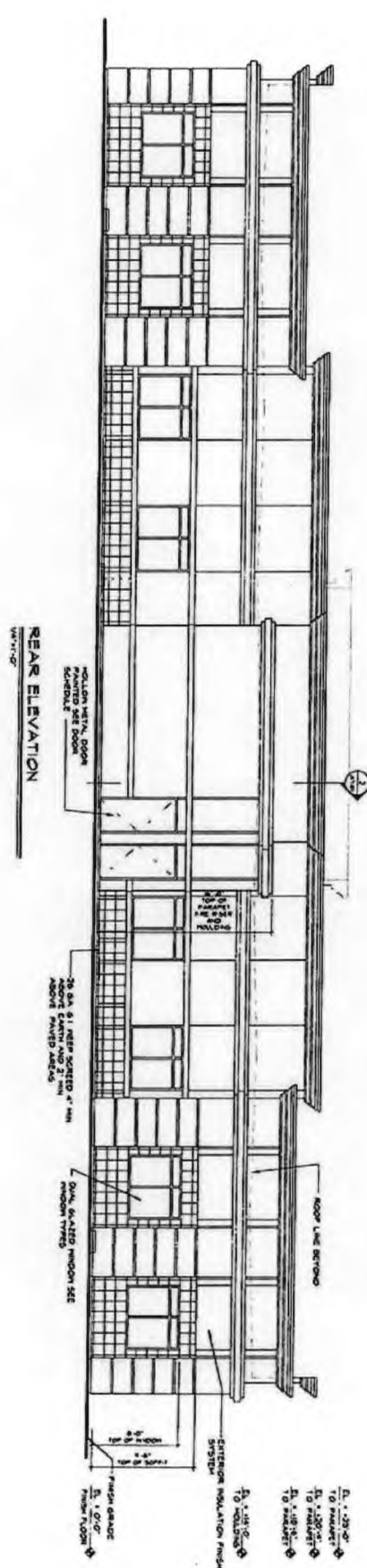
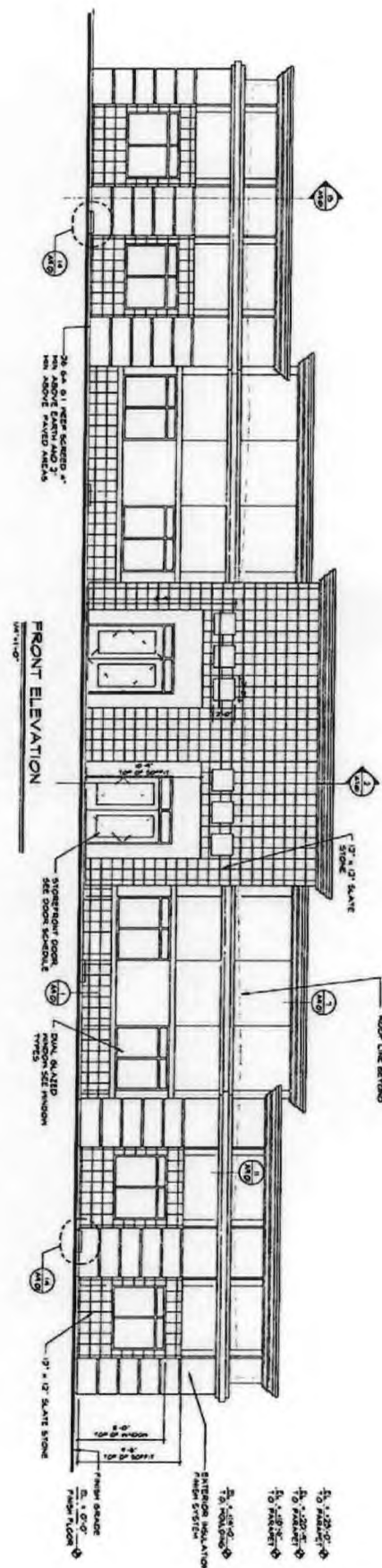
sheet title -  
**EXTERIOR ELEVATIONS  
FOR BUILDING  
1 AND 2 (SIMILAR)**

CONTRACTOR

PROJECT NO. 119-06  
**OFFICE AT  
RANCHO AND TORREY PINES**  
RANCHO AND TORREY PINES  
LAS VEGAS, NEVADA

**pacific design concepts, llc**  
3005 W. HORIZON RIDGE PARKWAY, SUITE 200  
HENDERSON, NEVADA 89052  
(702) 454-5842 fax (702) 454-7842

DATE  
A6.01  
REVISIONS



pacific design concepts, llc  
 3005 w. horizon ridge parkway, suite 200  
 henderson, nevada 89052  
 (702) 454 5842 fax (702) 454 7842

project file -  
 OFFICE AT  
 RANCHO AND TORREY PINES  
 RANCHO AND TORREY PINES  
 LAS VEGAS, NEVADA

consultant -

project file -  
 EXTERIOR ELEVATIONS  
 FOR BUILDING 3, 4, 5, 6  
 BLDG. 7, 8, 9, 10 (SIMILAR)

sheet title -  
 drawing no. -  
 revision no. -  
 date -  
 author -  
 checker -  
 approver -

SDR-16503

9/06 PC

RECEIVED  
 SEP 05 2006

A6.02



|                                                                                                                                                                                                                                                                                                |                                   |              |                        |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------|------------------------|--------------|
| <b>SDR 16503</b>                                                                                                                                                                                                                                                                               |                                   |              |                        |              |
| <b>Sandstone Arches, LLC</b>                                                                                                                                                                                                                                                                   |                                   |              |                        |              |
| <b>ES Rancho, S of Lone Mountain</b>                                                                                                                                                                                                                                                           |                                   |              |                        |              |
| Proposed 81.24 thousand square foot office development.                                                                                                                                                                                                                                        |                                   |              |                        |              |
| <b>Traffic produced by proposed development:</b>                                                                                                                                                                                                                                               |                                   |              |                        |              |
| <b>New Use</b>                                                                                                                                                                                                                                                                                 | <b>DESCRIPTION</b>                | <b>#UNIT</b> | <b>RATE/#<br/>UNIT</b> | <b>TOTAL</b> |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | GENERAL OFFICE BUILDING [1000 SF] | 81.24        | 11.01                  | <b>894</b>   |
| AM Peak Hour                                                                                                                                                                                                                                                                                   |                                   |              | 1.55                   | <b>126</b>   |
| PM Peak Hour                                                                                                                                                                                                                                                                                   |                                   |              | 1.49                   | <b>121</b>   |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                        |              |
| <b>Existing traffic on all nearby streets:</b>                                                                                                                                                                                                                                                 |                                   |              |                        |              |
| <b>Rancho Drive</b>                                                                                                                                                                                                                                                                            |                                   |              |                        |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 28,127                            |              |                        |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 2250                              |              |                        |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                        |              |
| <b>Lone Mountain Road</b>                                                                                                                                                                                                                                                                      |                                   |              |                        |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 15,268                            |              |                        |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 1221                              |              |                        |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                        |              |
| <b>Torrey Pines Drive</b>                                                                                                                                                                                                                                                                      |                                   |              |                        |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 2,560                             |              |                        |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 205                               |              |                        |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                        |              |
| <b>Traffic Capacity of adjacent streets:</b>                                                                                                                                                                                                                                                   |                                   |              |                        |              |
|                                                                                                                                                                                                                                                                                                | Adjacent street ADT               |              |                        |              |
|                                                                                                                                                                                                                                                                                                | Capacity                          |              |                        |              |
| Rancho Drive                                                                                                                                                                                                                                                                                   | 51700                             |              |                        |              |
| Lone Mountain Road                                                                                                                                                                                                                                                                             | 32585                             |              |                        |              |
| Torrey Pines Drive                                                                                                                                                                                                                                                                             | 32585                             |              |                        |              |
| This project will add approximately 894 trips per day on Rancho, Lone Mountain and Torrey Pines.                                                                                                                                                                                               |                                   |              |                        |              |
| This will increase expected volumes on Rancho by about 3 percent, on Lone Mountain by about 6 percent and on Torrey Pines by about 35 percent. Rancho is at about 54 percent of capacity. Lone Mountain is at about 47 percent of capacity and Torrey Pines is at about 8 percent of capacity. |                                   |              |                        |              |
| Based on Peak Hour use, this development will add roughly 121 additional                                                                                                                                                                                                                       |                                   |              |                        |              |



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



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC  
4600 NORTH RANCHO DRIVE  
OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06





GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06

# WRIGHT

client driven

August 29, 2006

City of Las Vegas  
Planning and Development Department  
731 South 4<sup>th</sup> Street  
Las Vegas, Nevada  
89101

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Sandstone Arches LLC, as the justification for related requests for a General Plan Amendment, a Rezoning and a Site Development Plan Review for development of property at 4600 Rancho Drive (APN#'s 138-02-102-005, 006, 007, 008, 009 and 011).

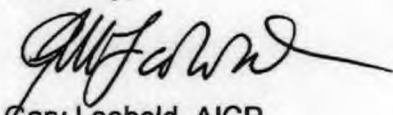
Our client intends to develop 10 one-story office pads containing a total of 81,240 square feet on the site. The site is currently split from a land use and zoning standpoint and the General Plan Amendment and Rezoning requests are intended to rectify this situation. The two parcels fronting on to Rancho Drive (APN#'s 138-02-102-007 and 009) are currently designated GC (General Commercial), and were zoned C-2 (General Commercial); however, the C-2 zoning on 138-02-102-009 (per ZON-1411) elapsed on February 19, 2005, leaving R-E (Residence Estates) zoning in its place, and the C-2 zoning on 138-02-102-007 (per Z-0049-02) is the subject of an Extension of Time request (EOT-15595) scheduled for the September 20, 2006 City Council agenda.

The intent is to seek a General Plan Amendment from GC (General Commercial) to SC (Service Commercial), and a conforming Rezoning from the R-E and C-2 districts to C-1 (Limited Commercial) on these two parcels, to match the existing land use and zoning on the other four parcels, which are currently designated as SC and are hard zoned as C-1. A Site Development Plan Review for the project is also being submitted. This site plan fully conforms to Title 19 regulations.

This site was the location of a previously approved used car sales lot (SDR-1413) which were approved by Las Vegas City Council on February 19, 2003. The current office project will not require general commercial land use and zoning, and will be more compatible with surrounding residential and office uses than the previous project. The current request is for an attractive, one-story office campus that will compliment the area.

Thank you for your consideration.

Sincerely,



Gary Leobold, AICP  
Director of Planning

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**SDR-16503**  
**10/19/06 PC**



October 16, 2006

CIVIL

STRUCTURAL

MECHANICAL

ELECTRICAL

PLUMBING

IRVEYING

LEED

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

Attention: Mr. Doug Rankin

Subject: SDR-16503 [Sandstone Arches LLC]

Dear Mr. Rankin

As we have discussed recently, minor revisions have been made to this project, to improve the quality of the site plan and to address concerns raised by staff. The minor changes on the enclosed plans are as follows:

- The two buildings directly facing Rancho Drive have been slightly reconfigured to be symmetrical with each other, instead of having a larger and a smaller building. This has resulted in a slight reduction of floor space for the overall project. This redesign has very slightly shifted the drive aisle entrance from Rancho. This entrance still meets 222A standards.
- The parking area at the east end of the site has been slightly reconfigured to pick up additional parking spaces. There are now more spaces than required by Code.
- We have added two more trash enclosure areas, for a total of three areas.
- The landscape plan has been modified to be based on the revised site plan.

These changes address comments made by staff and improve the overall quality of the development while not materially impacting the design. We ask that you include these revised plans in the packets for Thursday's Planning Commission meeting, and to make the appropriate condition change (condition #4) regarding the date stamp of these revised plans.

Thank you for your assistance.

Warm regards,

WRIGHT ENGINEERS



Gary Leibold, AICP

Revised Site and Landscaping Plans

c. Jim Davis

7425 Peak Drive  
Las Vegas, NV 89128  
(p) 702.933.7000  
(f) 702.933.7001  
800.933.7611  
wrightengineers.com

**SDR-16503  
REVISED  
10/19/06 PC**



**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 GPA-16502 AND ZON-16504

SDR-16503 - PUBLIC HEARING - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: MERHI GHASSAN AND GALTAR, LLC - Request for a Site Development Plan Review FOR A PROPOSED 81,240 SQUARE FOOT COMMERCIAL DEVELOPMENT CONSISTING OF 10 PAD SITES WITH SINGLE-STORY BUILDINGS on 7.03 acres at 4600 North Rancho Drive (APN 138-02-102-005 through 009, and 011), R-E (Residence Estates) Zone under Resolution of Intent to C-2 (General Commercial) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 6 (Ross). NOTE: THIS ITEM IS BEING REHEARD TO DELETE CONDITION NUMBER 11. 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

Motion made by STEVEN D. ROSS to Approve subject to conditions and deleting Condition 11

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.

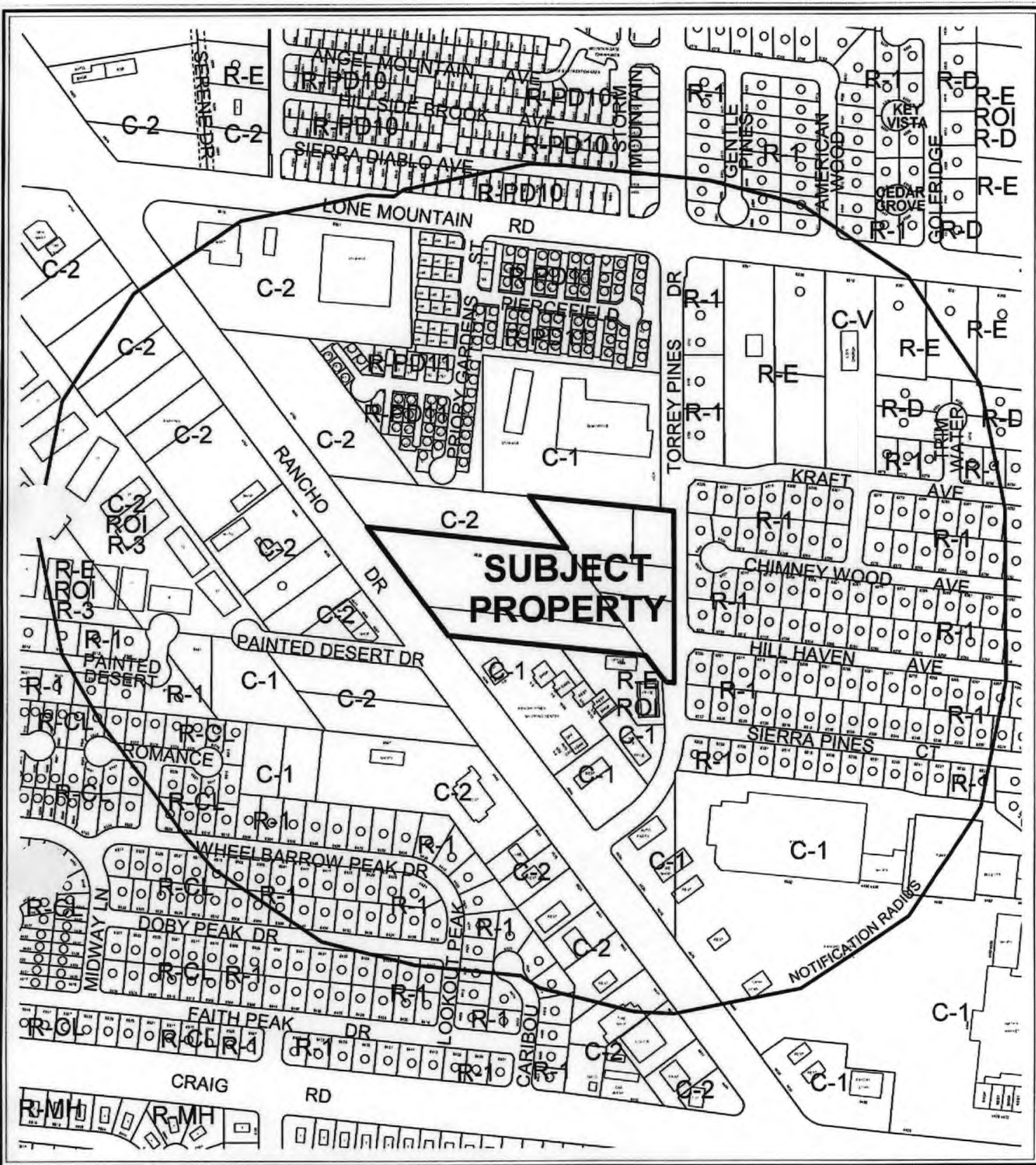
ASSISTANT CITY ATTORNEY BRYAN SCOTT confirmed with MARGO WHEELER, Director of Planning and Development, that this item was being reheard to delete Condition 11.



**CITY COUNCIL MEETING OF: DECEMBER 20, 2006**

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and clarified that the error was clerical. He then accepted all conditions. MR. MORENO informed TOM McGOWAN, Las Vegas resident, that the use will be for office buildings. MR. McGOWAN supported an approval.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **SDR-16503**

RADIUS: 1000 FT

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

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

0 200 400 Feet





CASE: **SDR-16503**

RADIUS: 1000 FT

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

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: SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC -  
OWNER: GALTAR, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Conformance to the Conditions of Approval for Rezoning (ZON-16504) and General Plan Amendment (GPA-16502), 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 building elevations, date stamped 09/05/06, and landscape and site plan, date stamped 10/17/06 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. This property is listed on the Las Vegas Historic Property Register and is therefore subject.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. Coordinate with the City Surveyor to discuss mapping options for this site.
14. Dedicate 40 feet of right-of-way adjacent to this site for Torrey Pines Drive prior to the issuance of any permits or, alternatively, in conjunction with a subdivision map for this site.
15. Construct all incomplete half-street improvements on Torrey Pines Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall meet the approval of the Nevada Department of Transportation for all driveways accessing Rancho Drive.
19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Site development to comply with all applicable conditions of approval for ZON-16504 and all other site-related actions.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 80,534 square-foot commercial development consisting of ten pad sites with single-story buildings on 7.03 acres with a companion General Plan Amendment (GPA-16502) and Rezoning (ZON-15604).

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/21/02                                                           | A request for a General Plan Amendment to GC (General Commercial), a Rezoning to C-2 (General Commercial), and a Special Use Permit for an automobile dealership on a portion of this site (GPA-24-02, Z-49-02, U-0076-02) was approved by the City Council. Staff and the Planning Commission recommended denial.                                                                                                                                             |
| 02/19/03                                                           | A request for a General Plan Amendment to GC (General Commercial), a Rezoning to C-2, and a Site Development Plan Review for an automobile dealership on a portion of this site (GPA-1410/ZON-1411/SDR-1413) was approved by the City Council. Staff and the Planning Commission recommended approval. The C-2 zoning for this project has since expired.                                                                                                      |
| 09/20/06                                                           | An Extension of Time (EOT-15595) for Z-0049-02 for was approved by the City Council.                                                                                                                                                                                                                                                                                                                                                                           |
| 10/19/06                                                           | The Planning Commission recommended approval of companion items GPA-16502 and ZON-16504 concurrently with this application.                                                                                                                                                                                                                                                                                                                                    |
|                                                                    | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/jk).                                                                                                                                                                                                                                                                                                                                                                               |
| <i>Pre-Application Meeting</i>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/23/06                                                           | At the pre-application meeting the applicant was informed that this development should have a one-lot commercial subdivision filed to remove parcel lines. A throat depth of 32 feet for the commercial driveways is required and a traffic impact analysis is also required. The applicant was informed that the development complies with residential adjacency standards. Additionally, the applicant was informed of the setback and parking requirements. |
| <i>Details of Application Request</i>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <i>Site Area</i>                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Gross Acres                                                        | 7.03                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| Surrounding Property | Existing Land Use          | Planned Land Use                                    | Existing Zoning                                                                       |
|----------------------|----------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------|
| Subject Property     | Undeveloped                | GC (General Commercial)                             | R-E (Residence Estates) (ROI C-1), C-1 (Limited Commercial), C-2 (General Commercial) |
| North                | Single-family & Commercial | MLA (Medium Low Attached) & GC (General Commercial) | C-2 & R-PD11                                                                          |

|       |                          |                         |                                 |
|-------|--------------------------|-------------------------|---------------------------------|
| South | Commercial               | SC (Service Commercial) | C-1 (Limited Commercial)        |
| East  | Single-family            | L (Low)                 | R-1 (Single Family Residential) |
| West  | Commercial & Undeveloped | SC (Service Commercial) | C-2 (General Commercial)        |

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

## 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 Size                                                                                                             | N/A                                  | 4.14                                 | N/A               |
| Min. Lot Width                                                                                                            | 100 Feet                             | 400 Feet                             | Y                 |
| Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul> | 20 Feet<br>10 Feet<br>N/A<br>20 Feet | 25 Feet<br>10 Feet<br>N/A<br>25 Feet | Y                 |
| Min. Distance Between Buildings                                                                                           | N/A                                  | 18 Feet                              | Y                 |
| Max. Lot Coverage                                                                                                         | 50%                                  | 20.8%                                | Y                 |
| Max. Building Height                                                                                                      | N/A                                  | 23 Feet                              | Y                 |
| Trash Enclosure                                                                                                           | 50 Feet                              | 300+ Feet                            | Y                 |
| Mech. Equipment                                                                                                           | Screened                             | Screened                             | Y                 |



Per Title 19.08.060 the following residential adjacency standards apply:

| <i>Residential Adjacency Standards</i> | <i>Required/Allowed</i> | <i>Provided</i> | <i>Compliance</i> |
|----------------------------------------|-------------------------|-----------------|-------------------|
| 3:1 proximity slope                    | 69 Feet                 | 190+ Feet       | Y                 |
| Trash Enclosure                        | 50 Feet                 | 300+ Feet       | Y                 |

Per Title 19.10 & 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       | 55 Trees     | 55 Trees             | Y                 |
| Buffer:<br>Min. Trees                       | 1 Tree/30 Linear Feet | 59 Trees     | 74 Trees             | Y                 |
| <b>TOTAL</b>                                |                       | 114          | 129                  | Y                 |
| Min. Zone Width                             | 8 Feet & 15 Feet      |              | 10 Feet &<br>20 Feet | Y                 |
| Wall Height                                 | N/A                   |              | None                 | Y                 |

Per Title 19.10, the following parking standards apply:

of Title 1910, and 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                     | 80,534 SF                           | 1:300         | 262     | 7            | 258      | 10           | No         |
|                            |                                     |               |         |              |          |              |            |
| SubTotal                   | 80,534 SF                           |               | 262     | 7            | 258      | 10           | No         |
| TOTAL (including handicap) | 80,534 SF                           |               | 262     | 7            | 258      | 10           | No         |
| Loading Spaces             | 4                                   |               |         |              | 4        |              | Yes        |

## ANALYSIS

This property is located within the Centennial Hills Sector Plan area. There have been several land-use applications filed on this property and the adjacent parcels that comprise the entirety of this Site Development Plan Review. The purpose of this request is to create an office development consisting of ten buildings and 80,534 square feet of lease space. An associated Rezoning (ZON-16504) is a companion item with this request. The Rezoning seeks to reclassify approximately 4.2 acres of this site from R-E (Residence Estates) and R-E (ROI to C-2) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning requested on the western portion of this site is consistent with the eastern portion of the proposed development, which is currently zoned C-1 (Limited Commercial).

A companion General Plan Amendment (GPA-16502) is also seeking to amend the Centennial Hills Sector Plan from GC (General Commercial) to SC (Service Commercial). This property is bounded by a pedestrian path (trail) along the Rancho Drive frontage. The site plan for the proposed development is showing an adequate landscape buffer and a five-foot sidewalk, thereby meeting the requirements of a pedestrian path.

The site is extensively landscaped. The proposed development will have Texas Honey Mesquite trees throughout the site. The Rancho Drive and Torrey Pines Drive street frontages have trees spaced approximately 20 feet on center where 30 feet on center is required, while the interior property lines have trees spaced 30 feet on center, as required by code. Shrubbery and ground cover for the site includes Shrubby Sienna, Bush Morning Glory, Desert Broom, and Red Yucca. The buildings have extensive foundational landscaping with shrubbery surrounding each building.

The site has an access point on Rancho Drive and a secondary access on Torrey Pines Drive. There are 269 parking spaces for the site, which is one stall less than required by code, to which the applicant has indicated that they will be incorporating covered parking, which will eliminate the need for landscape fingers within a portion of the parking lot, thereby allowing for additional parking spaces in order to meet code. The site will provide ten handicapped parking spaces, three more than required by code. The four loading spaces meet code requirements and the development incorporates three trash enclosures for the development. The applicant hasn't shown signs for this development and it should be noted that all signage for this project will have to meet the requirements for the C-1 (Limited Commercial) zoning district.

## **FINDINGS**

The following findings must be made for an SDR:

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

The proposed development will be less intense than the previously approved use on the western portion of the site. Moreover, the proposed use is compatible with the adjacent BLM office to the north, along Torrey Pines Drive and the adjacent shopping center to the south, along Rancho Drive.

- 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 will be a reduction in the intensity of what the General Plan permits for the western portion of the site. The design of the project meets or exceeds the landscape and buffer standards.

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

Access to the site will be attained via Rancho Drive, a 120-foot wide Primary Arterial and Torrey Pines Drive, an 80-foot wide Secondary Collector street, as designated by the Master Plan of Streets and Highways, which should not be negatively affected by this development.

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

The building and landscape materials for the proposed development will benefit the area by developing an infill site.

**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 design of the buildings is attractive and will utilize earth-tone colors in the brown and tan range. Additionally, a slate veneer will be applied as a wainscot in some areas of the building and will be applied to the entire façade or the entry of the buildings.

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

The health, safety, and general welfare of this area will not be jeopardized by this development. Development of this site will eliminate an undeveloped parcel that could attract vagrants.

**PLANNING COMMISSION ACTION**

The Planning Commission amended condition #3 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

9

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 319 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16503** APN: 138-02-102-006

Name of Property Owner: Merhi Ghassan

Name of Applicant: Sandstone Arches, 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 \_\_\_\_\_

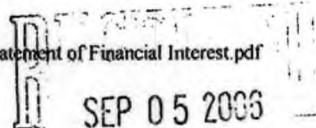
Signature of Property Owner: 

Print Name: Ghassan merhi

Subscribed and sworn before me

This 20<sup>th</sup> day of August, 20 06

Notary Public in and for said County and State







## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16503** APN: 138-02-102-005, -007, -008, -009 and -011

Name of Property Owner: Galtar, LLC

Name of Applicant: Sandstone Arches, 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: 

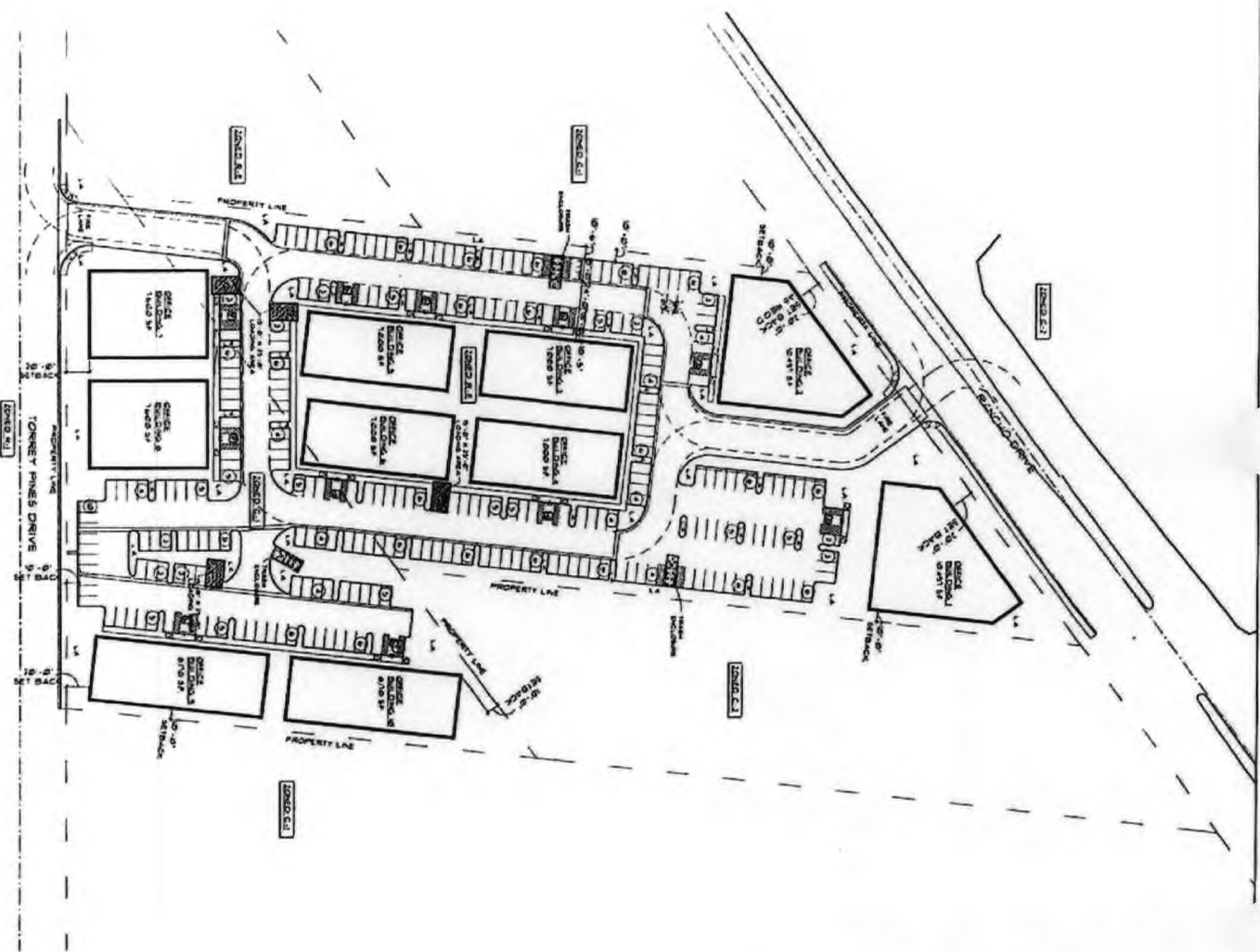
Print Name: Ghassan Merhi

Subscribed and sworn before me

This 28<sup>th</sup> day of August, 2006

Notary Public in and for said County and State

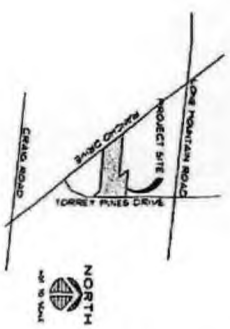




## GENERAL NOTES

- [illegible]

## PROJECT LOCATION



**PROJECT DATA**

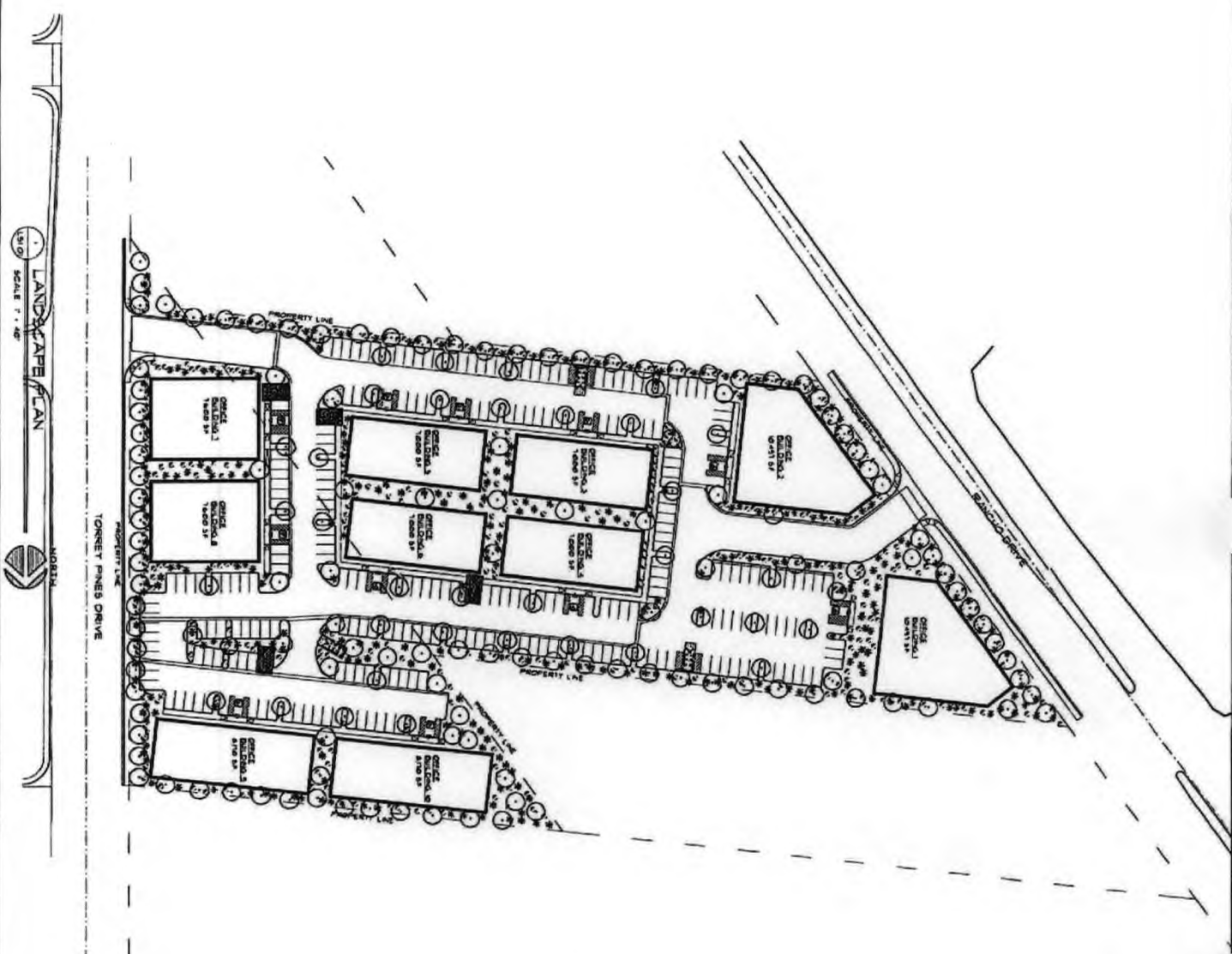
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SDR-16503

# REVISED

**10/19/06 PC**



# GENERAL NOTES

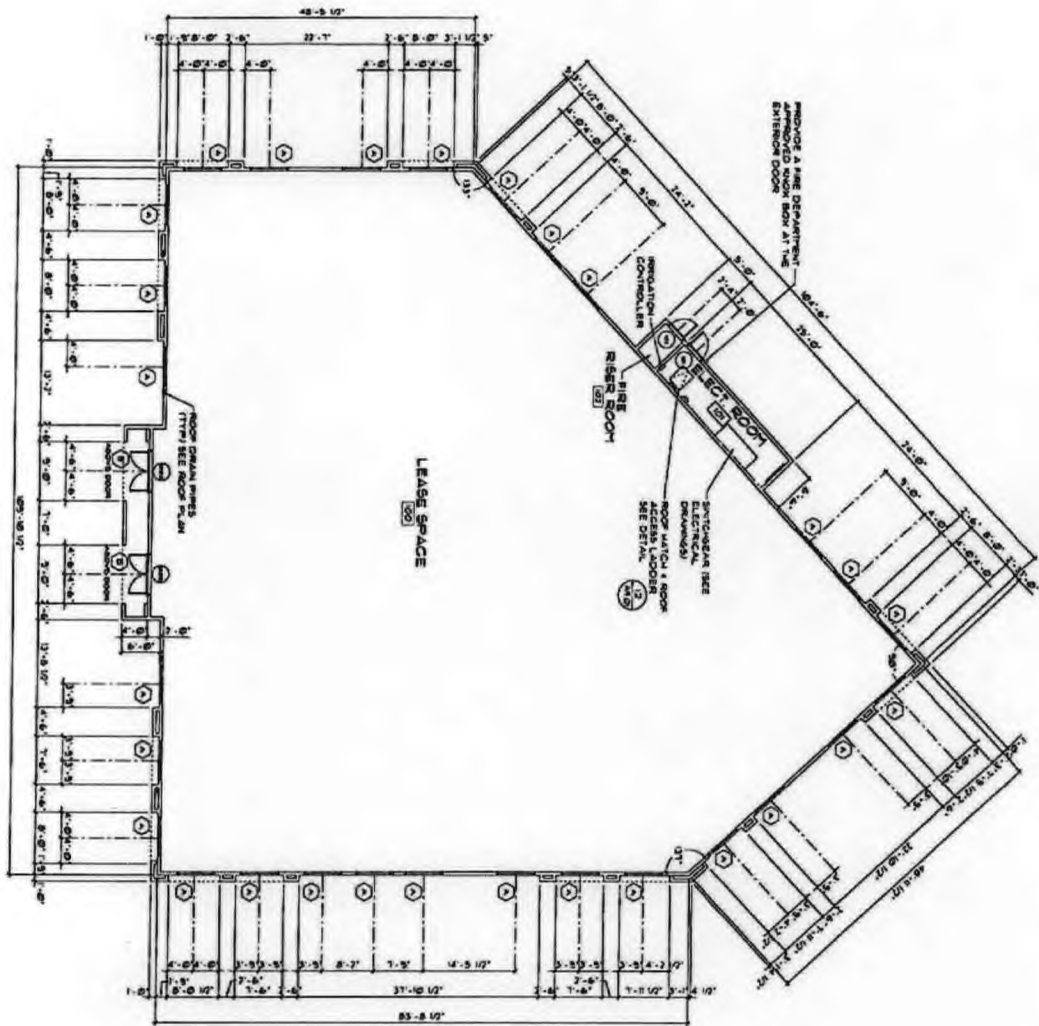
1. CONSULTATION & RESPONSIBILITY TO VERIFY ALL PLANT QUANTITIES. PLANT LIST IS INTENDED AS A REFERENCE ONLY.
2. LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL. PLANT TO BE USED SHALL BE SPECIFIED BY THE ARCHITECT OR LANDSCAPE ARCHITECT.
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## LANDSCAPE LEGEND

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10/19/06 PC



1 FLOOR PLAN / ONE STORY OFFICE BUILDING  
 SCALE 1/8" = 1'-0"  
 NORTH

**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE OF STUD CENTER LINE OF GIRDERS AND COLUMNS.
2. FIELD VENTILATION ALL OPENINGS AND CONDITIONS AT ROOF SHALL BE IN ACCORDANCE WITH THE FOLLOWING: PROVIDE PROTECTIVE FLASHING TO PREVENT LEAKAGE OF WATER INTO BUILDING.
3. CONTRACTOR SHALL PROVIDE AND INSTALL ACCESS PANELS AS REQUIRED AFTER INSTALLATION OF MECHANICAL, ELECTRICAL, PLUMBING & ELECTRICAL WORK.
4. ALL LUMINOUS AND OTHER EQUIPMENT BY OWNER.
5. ALL LUMINOUS EQUIPMENT TO BE LOCATED AT THE BACK OF PLUMBING ENCLOSURE, MECHANICAL GYM, AND CONTRACTOR SHALL PROVIDE RELEVANT GYM AND

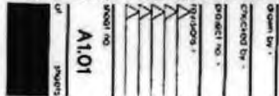
**WALL LEGEND**

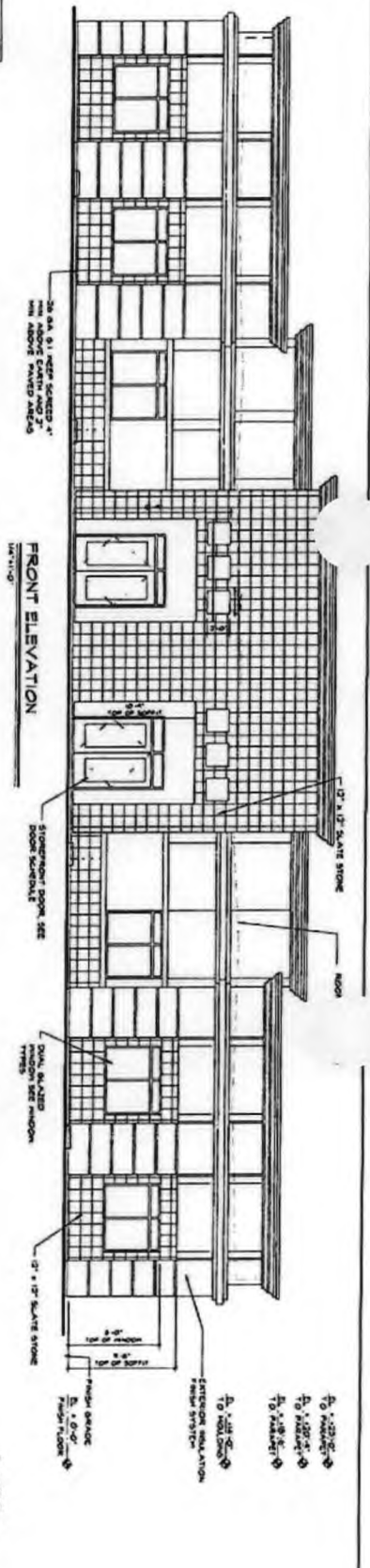
EXTERIOR WALL CONSTRUCTION:  
 2" MIN. INSULATION (R-10) WITH SYSTEM OVER 2" MIN. INSULATION (R-10) WITH R-10 BATT INSULATION.

1.000' FLOOR PARTITION WALL CONSTRUCTION:  
 1/2" GYPSUM BOARD ON EACH SIDE OF 2" MIN. INSULATION (R-10) WITH R-10 BATT INSULATION.  
 PER 805.00 TABLE 17A (2) SEE 17A(1)

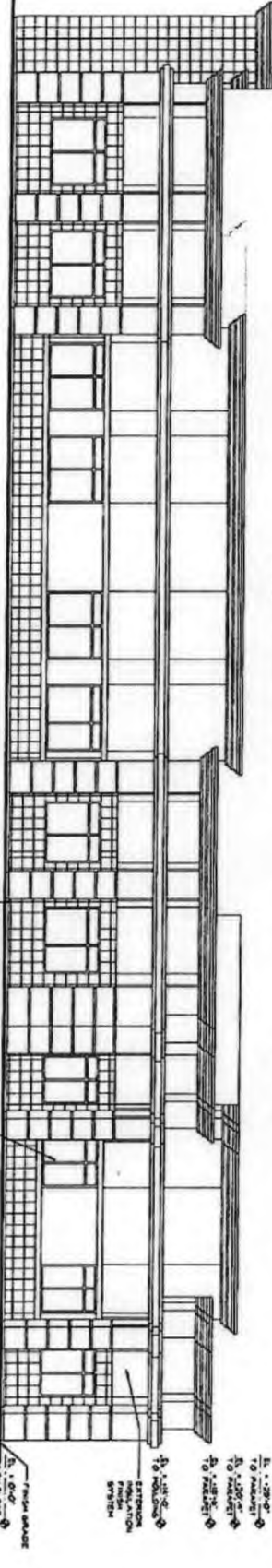
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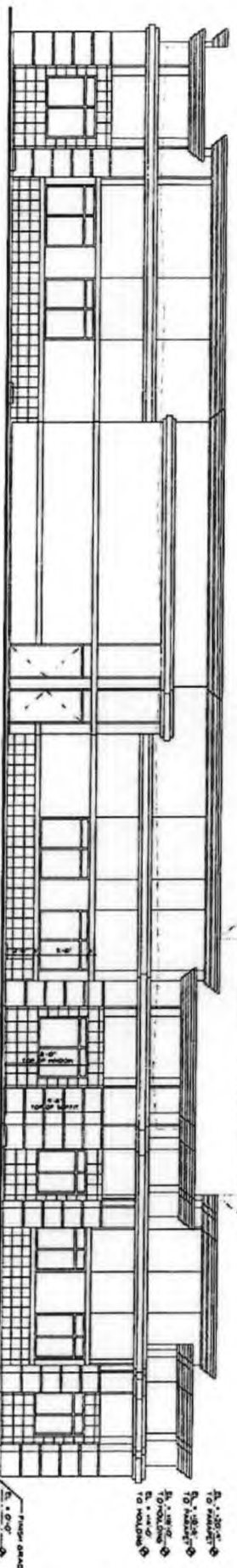




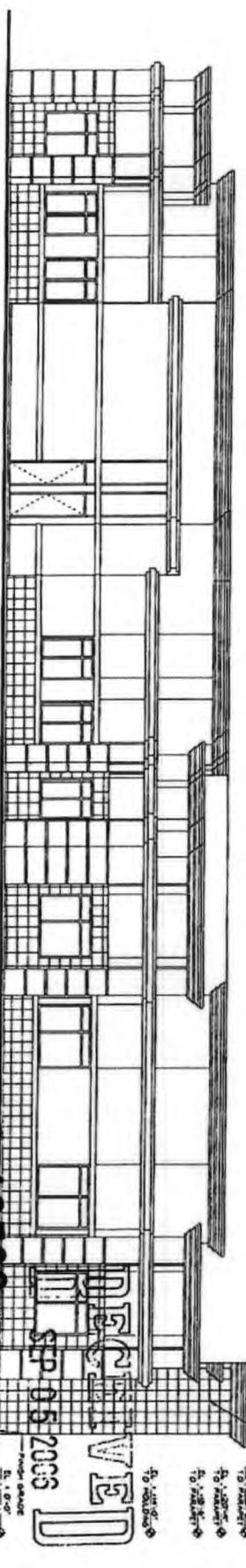
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

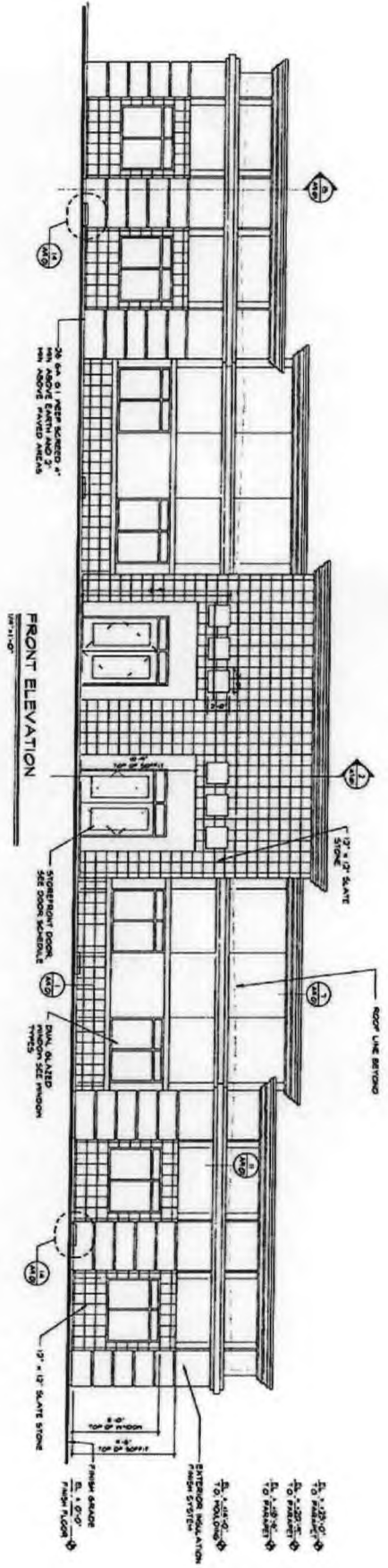
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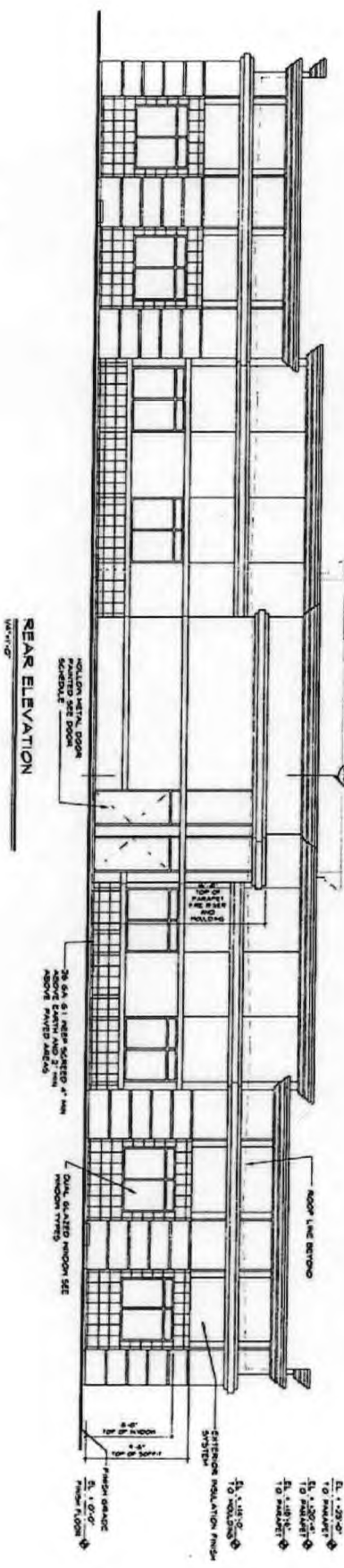
EXTERIOR ELEVATIONS  
FOR BUILDING  
1 AND 2 (SIMILAR)

OFFICE AT  
RANCHO AND TORREY PINES  
RANCHO AND TORREY PINES  
LAS VEGAS, NEVADA

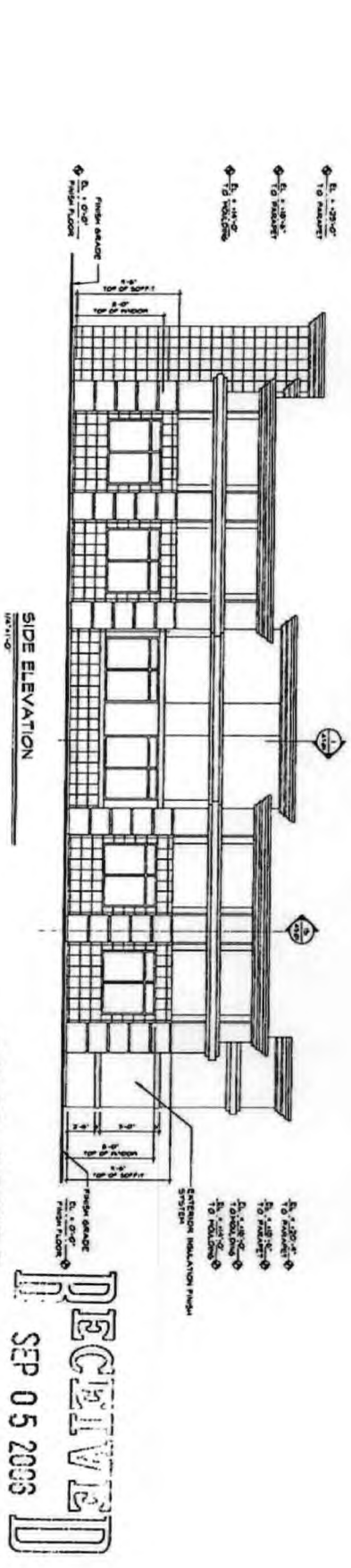
pacific design concepts, llc  
3005 W. HORIZON RIDGE PARKWAY, SUITE 200  
HENDERSON, NEVADA 89052  
(702) 454 5842 fax (702) 454 7842



FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION

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|                                                                                                                                                                                                                                                                                                |                                   |              |                    |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------|--------------------|--------------|
| <b>SDR 16503</b>                                                                                                                                                                                                                                                                               |                                   |              |                    |              |
| <b>Sandstone Arches, LLC</b>                                                                                                                                                                                                                                                                   |                                   |              |                    |              |
| <b>ES Rancho, S of Lone Mountain</b>                                                                                                                                                                                                                                                           |                                   |              |                    |              |
| Proposed 81.24 thousand square foot office development.                                                                                                                                                                                                                                        |                                   |              |                    |              |
| <b>Traffic produced by proposed development:</b>                                                                                                                                                                                                                                               |                                   |              |                    |              |
| <b>New Use</b>                                                                                                                                                                                                                                                                                 | <b>DESCRIPTION</b>                | <b>#UNIT</b> | <b>RATE/# UNIT</b> | <b>TOTAL</b> |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | GENERAL OFFICE BUILDING [1000 SF] | 81.24        | 11.01              | <b>894</b>   |
| AM Peak Hour                                                                                                                                                                                                                                                                                   |                                   |              | 1.55               | <b>126</b>   |
| PM Peak Hour                                                                                                                                                                                                                                                                                   |                                   |              | 1.49               | <b>121</b>   |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                    |              |
| <b>Existing traffic on all nearby streets:</b>                                                                                                                                                                                                                                                 |                                   |              |                    |              |
| <b>Rancho Drive</b>                                                                                                                                                                                                                                                                            |                                   |              |                    |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 28,127                            |              |                    |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 2250                              |              |                    |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                    |              |
| <b>Lone Mountain Road</b>                                                                                                                                                                                                                                                                      |                                   |              |                    |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 15,268                            |              |                    |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 1221                              |              |                    |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                    |              |
| <b>Torrey Pines Drive</b>                                                                                                                                                                                                                                                                      |                                   |              |                    |              |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                    | 2,560                             |              |                    |              |
| PM Peak Hour                                                                                                                                                                                                                                                                                   | 205                               |              |                    |              |
| <i>(heaviest 60 minutes)</i>                                                                                                                                                                                                                                                                   |                                   |              |                    |              |
| <b>Traffic Capacity of adjacent streets:</b>                                                                                                                                                                                                                                                   |                                   |              |                    |              |
|                                                                                                                                                                                                                                                                                                | Adjacent street ADT               |              |                    |              |
|                                                                                                                                                                                                                                                                                                | Capacity                          |              |                    |              |
| Rancho Drive                                                                                                                                                                                                                                                                                   | 51700                             |              |                    |              |
| Lone Mountain Road                                                                                                                                                                                                                                                                             | 32585                             |              |                    |              |
| Torrey Pines Drive                                                                                                                                                                                                                                                                             | 32585                             |              |                    |              |
| This project will add approximately 894 trips per day on Rancho, Lone Mountain and Torrey Pines.                                                                                                                                                                                               |                                   |              |                    |              |
| This will increase expected volumes on Rancho by about 3 percent, on Lone Mountain by about 6 percent and on Torrey Pines by about 35 percent. Rancho is at about 54 percent of capacity. Lone Mountain is at about 47 percent of capacity and Torrey Pines is at about 8 percent of capacity. |                                   |              |                    |              |
| Based on Peak Hour use, this development will add roughly 121 additional                                                                                                                                                                                                                       |                                   |              |                    |              |



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



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC  
4600 NORTH RANCHO DRIVE  
OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06



GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06





GPA-16502, ZON-16504 & SDR-16503 - APPLICANT: SANDSTONE ARCHES, LLC - OWNER: GALTAR, LLC

4600 NORTH RANCHO DRIVE

OCTOBER 19, 2006 PLANNING COMMISSION

09/15/06

# WRIGHT

client driven

August 29, 2006

City of Las Vegas  
Planning and Development Department  
731 South 4<sup>th</sup> Street  
Las Vegas, Nevada  
89101

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Sandstone Arches LLC, as the justification for related requests for a General Plan Amendment, a Rezoning and a Site Development Plan Review for development of property at 4600 Rancho Drive (APN#'s 138-02-102-005, 006, 007, 008, 009 and 011).

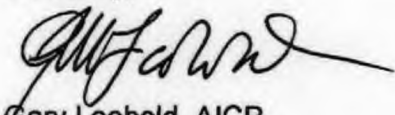
Our client intends to develop 10 one-story office pads containing a total of 81,240 square feet on the site. The site is currently split from a land use and zoning standpoint and the General Plan Amendment and Rezoning requests are intended to rectify this situation. The two parcels fronting on to Rancho Drive (APN#'s 138-02-102-007 and 009) are currently designated GC (General Commercial), and were zoned C-2 (General Commercial); however, the C-2 zoning on 138-02-102-009 (per ZON-1411) elapsed on February 19, 2005, leaving R-E (Residence Estates) zoning in its place, and the C-2 zoning on 138-02-102-007 (per Z-0049-02) is the subject of an Extension of Time request (EOT-15595) scheduled for the September 20, 2006 City Council agenda.

The intent is to seek a General Plan Amendment from GC (General Commercial) to SC (Service Commercial), and a conforming Rezoning from the R-E and C-2 districts to C-1 (Limited Commercial) on these two parcels, to match the existing land use and zoning on the other four parcels, which are currently designated as SC and are hard zoned as C-1. A Site Development Plan Review for the project is also being submitted. This site plan fully conforms to Title 19 regulations.

This site was the location of a previously approved used car sales lot (SDR-1413) which were approved by Las Vegas City Council on February 19, 2003. The current office project will not require general commercial land use and zoning, and will be more compatible with surrounding residential and office uses than the previous project. The current request is for an attractive, one-story office campus that will compliment the area.

Thank you for your consideration.

Sincerely,



Gary Leobold, AICP  
Director of Planning

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**SDR-16503**  
**10/19/06 PC**



October 16, 2006

CIVIL

STRUCTURAL

MECHANICAL

ELECTRICAL

PLUMBING

IRVEYING

LEED

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

Attention: Mr. Doug Rankin

Subject: SDR-16503 [Sandstone Arches LLC]

Dear Mr. Rankin

As we have discussed recently, minor revisions have been made to this project, to improve the quality of the site plan and to address concerns raised by staff. The minor changes on the enclosed plans are as follows:

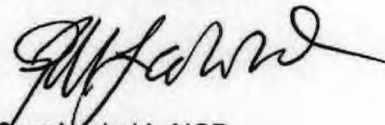
- The two buildings directly facing Rancho Drive have been slightly reconfigured to be symmetrical with each other, instead of having a larger and a smaller building. This has resulted in a slight reduction of floor space for the overall project. This redesign has very slightly shifted the drive aisle entrance from Rancho. This entrance still meets 222A standards.
- The parking area at the east end of the site has been slightly reconfigured to pick up additional parking spaces. There are now more spaces than required by Code.
- We have added two more trash enclosure areas, for a total of three areas.
- The landscape plan has been modified to be based on the revised site plan.

These changes address comments made by staff and improve the overall quality of the development while not materially impacting the design. We ask that you include these revised plans in the packets for Thursday's Planning Commission meeting, and to make the appropriate condition change (condition #4) regarding the date stamp of these revised plans.

Thank you for your assistance.

Warm regards,

WRIGHT ENGINEERS

  
Gary Leobold, AICP

Revised Site and Landscaping Plans

c. Jim Davis

7425 Peak Drive  
Las Vegas, NV 89128  
(p) 702.933.7000  
(f) 702.933.7001  
800.933.7611  
wrightengineers.com

**SDR-16503  
REVISED  
10/19/06 PC**

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

MAJOR MODIFICATION

MOD-12919 - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Major Modification to the Las Vegas Medical District Plan TO AMEND THE LAND USE DESIGNATION FROM: MD-2 (MAJOR MEDICAL) TO: MD-1 (MEDICAL SUPPORT) on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), Ward 5 (Weekly). NOTE: THIS ITEM WAS ORIGINALLY SCHEDULED FOR THE 12/06/06 CITY COUNCIL MEETING. The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

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

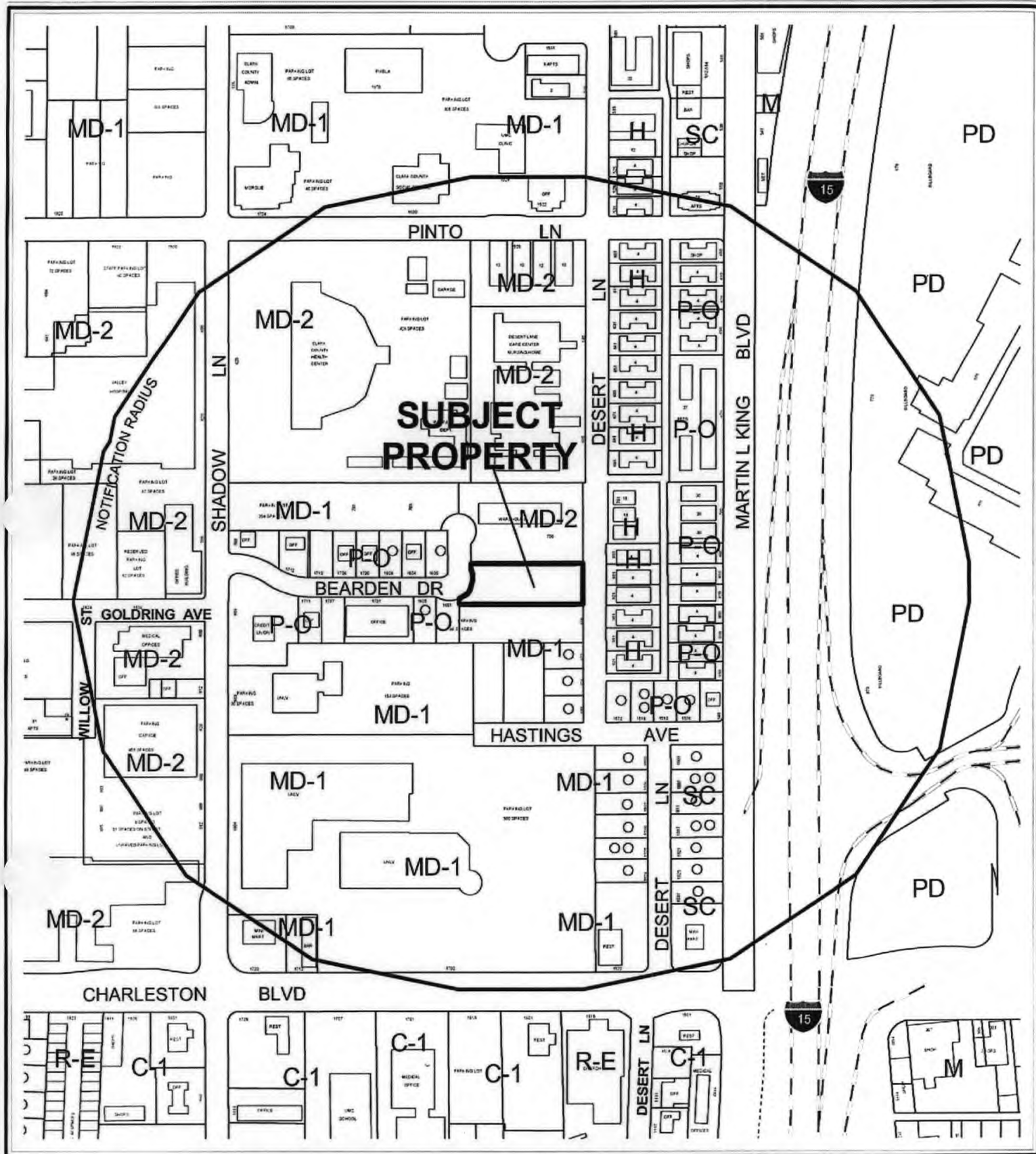
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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 GOODMAN declared the Public Hearing open for Item 104 [MOD-12919], Item 105 [SUP-16256] and Item 106 [SDR-12922]. The applicant not being present and there being no one present to speak, MAYOR GOODMAN declared the Public Hearing closed for Item 104 [MOD-12919], Item 105 [SUP-16256] and Item 106 [SDR-12922].





**CASE: MOD-12919**

**RADIUS: 1000 FT**

**SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

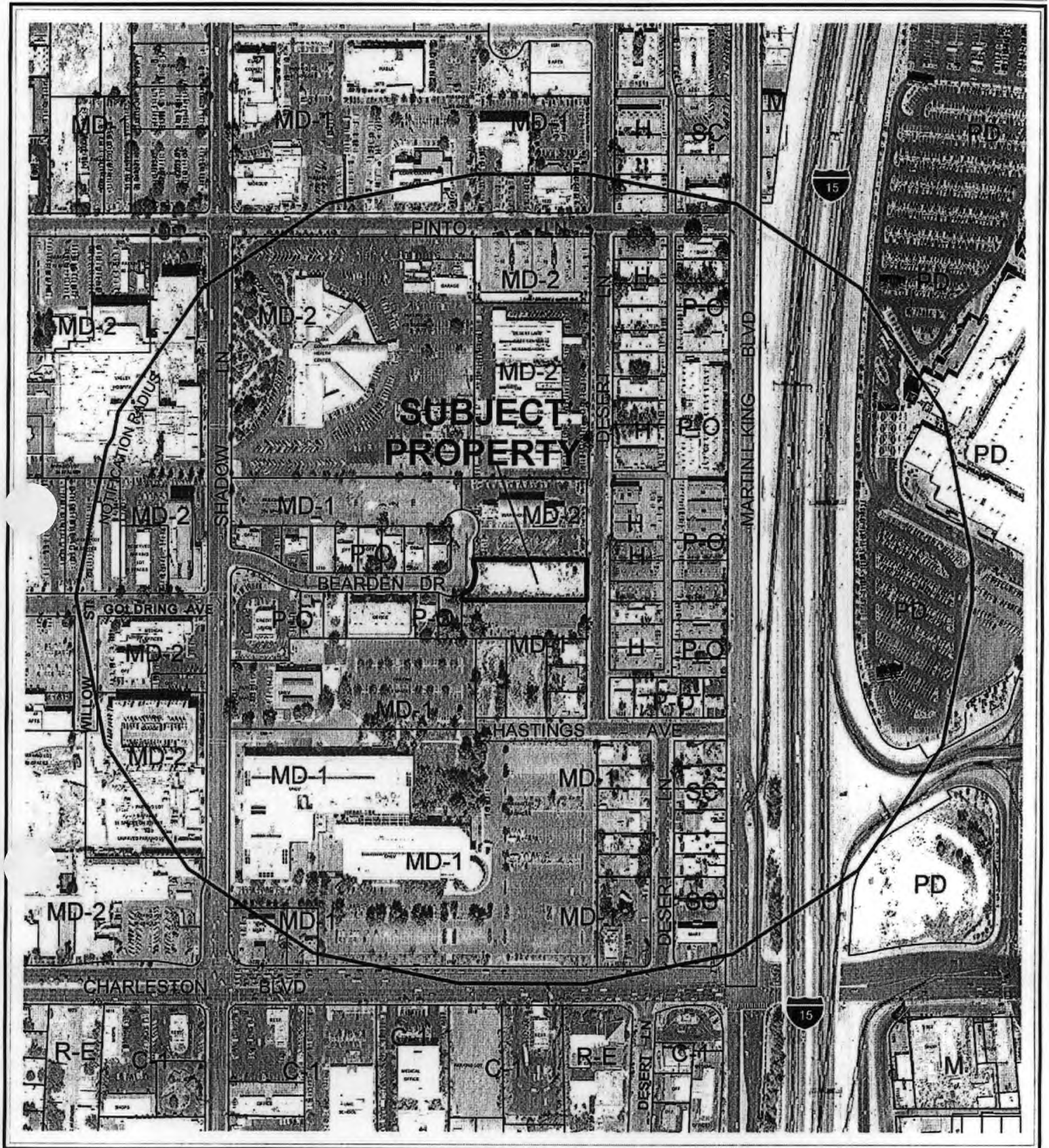
MD-2 (MAJOR MEDICAL)

**PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

MD-1 (MEDICAL SUPPORT)

0 400 800 Feet





CASE: **MOD-12919**

RADIUS: 1000 FT

SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

MD-2 (MAJOR MEDICAL)

PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

MD-1 (MEDICAL SUPPORT)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: MOD-12919 - APPLICANT: DORSAL DEVELOPMENT, LLC -**

**OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Site Development Plan Review (SDR-12922) approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.



## **\*\* STAFF REPORT \*\***

### **APPLICATION REQUEST**

This is a request for a Major Modification to the Las Vegas Medical District Plan to amend the land-use designation from MD-2 (Major Medical) to MD-1 (Medical Support) on 0.74 acres at 728 Desert Lane.

### **EXECUTIVE SUMMARY**

The applicant proposes a five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres. The subject request to change the MD-2 (Major Medical) sub-district classification of the Las Vegas Medical District to MD-1 (Medical Support) would be required to permit the development.

### **BACKGROUND DATA:**

#### ***A) Previous Actions***

- 05/27/97      The City Council approved a Request for Rezoning (Z-0020-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development) on 171 acres. The Planning Commission and staff recommended approval on April 2, 1997.
- 06/19/02      The City Council approved a Request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on April 11, 2002.
- 11/17/04      The City Council approved a Request for a Major Modification MOD-5267 to the Las Vegas Medical District Plan in order to reduce height and setback restrictions on mixed-use developments, list them as a specific use on the table of permitted uses, provide for the incorporation of the live/work ordinance, and clarify the table of permitted uses to update terminology. The Planning Commission and staff recommended approval on October 21, 2004



10/19/06      The Planning Commission recommended denial of companion items SUP-16246 and SDR-12922 concurrently with this application.

The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/ar).

***B) Pre-Application Meeting***

A pre-application meeting was held on March 21, 2006. Issues discussed included:

- The Department of Building and Safety indicated that a handicap accessible route would need to be shown to the right-of-way.
- A representative from the Traffic Division indicated that Project Neon could affect this site, and that a traffic study would be required.
- The Department of Public Works indicated that a Flood Study would be required because of the underground parking.
- The Planning Department informed the applicant of the Medical District Streetscape standards.

***C) Neighborhood Meetings***

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

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres:      0.74 acres

***B) Existing Land Use***

Subject Property: Undeveloped  
North:              Clark County Health District warehouse  
South:              Parking lot  
East:                Apartments  
West:                Offices

***C) Planned Land Use***

Subject Property: UMC [MD-2 (Major Medical)]  
North:              UMC [MD-2 (Major Medical)]  
South:              UMC [MD-1 (Medical Support)]  
East:                UMC [HD (High Density Residential)]  
West:                UMC [P-O (Professional Office)]

**D) Existing Zoning**

Subject Property: PD (Planned Development)  
North: PD (Planned Development)  
South: PD (Planned Development)  
East: PD (Planned Development)  
West: PD (Planned Development)

**E) General Plan Compliance**

The subject site is located within the Southeast Sector of the General Plan. More specifically, the site is located within the Las Vegas Medical District Neighborhood Plan (LVMD), which is itself an element of the General Plan. This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses.

In terms of zoning, the site is zoned PD (Planned Development). The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed use shown on companion site plan SDR-12922 is a permitted use within the PD (Planned Development) zoning district.

| <b>SPECIAL DISTRICTS/ZONES</b>                    | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b><i>Special Area Plan</i></b>                   | <b>X</b>   |           |
| Las Vegas Medical District                        | <b>X</b>   |           |
| <b>Special Overlay District</b>                   |            | <b>X</b>  |
| <b>Trails</b>                                     |            | <b>X</b>  |
| <b>Rural Preservation Neighborhood</b>            |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

***Las Vegas Medical District***

The intent of the Las Vegas Medical District is to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

**INTERAGENCY ISSUES**

There are no interagency issues involved with this request.

## **ANALYSIS**

### ***A) Zoning Code Compliance***

The applicant proposes a five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres. The subject request to change the MD-2 (Major Medical) sub-district classification of the Las Vegas Medical District to MD-1 (Medical Support) would be required to permit the development.

### ***B) General Analysis and Discussion***

The Las Vegas Medical District was created to provide for the transitional development of the area bounded by Charleston Boulevard, Rancho Drive, Alta Drive, and Martin Luther King Boulevard. Focusing on the two principal uses, University Medical Center and Valley Hospital, the PD (Planned Development) plan document encourages medically oriented uses as well as supporting commercial and residential uses, developed in a pedestrian oriented manner.

This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses. The minimum allowable site shall be one acre to encourage large-scale development. The applicant is requesting this Major Modification to amend the sub-district to MD-1 (Medical Support), which allows less intense development within the LVMD. It is designed to allow medical and related office and professional uses.

The proposed amendment to MD-1 (Medical Support) will provide for a mixed-use development that will serve as a transition between the MD-2 (Major Medical) uses to the north and the MD-1 (Medical Support) designated uses to the south of the project site and; therefore, is an appropriate amendment for this site.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

19

**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      3

**NOTICES MAILED**      70 by Planning Department

**APPROVALS**      0

**PROTESTS**      0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-12919** APN: 139-33-402-021

Name of Property Owner: The Fullstone 1993 Trust (50%) / Jeff Sellinger (50%)

Name of Applicant: Dorsal Development 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

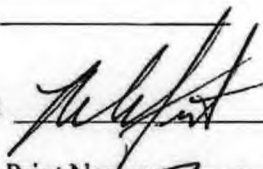
☒ No

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: N/A

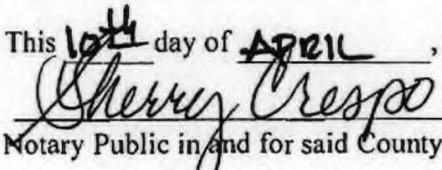
Partner(s): N/A

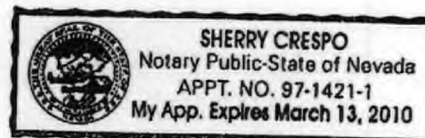
APN: N/A

Signature of Property Owner: 

Print Name: ROBERT FULLSTONE

Subscribed and sworn before me

This 10<sup>th</sup> day of APRIL, 2006  
  
Notary Public in and for said County and State







## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-12919** APN: 139-33-402-021

Name of Property Owner: The Fullstone 1993 Trust (50%) / Jeff Sellinger (50%)

Name of Applicant: Dorsal Development 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: N/A

Partner(s): N/A

APN: N/A

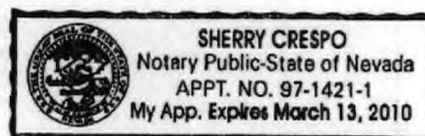
Signature of Property Owner: \_\_\_\_\_

Print Name: JEFF SELLINGER

Subscribed and sworn before me

This 10<sup>th</sup> day of April, 2006

Sherry Crespo  
Notary Public in and for said County and State



MOD-12919 SDR-12922  
VAR-12925 REVISED  
10/19/06 PC

**CHAD VELLINGA, P.E.**

**CIVIL ENGINEER**

3311 S. RAINBOW, STE. 129  
LAS VEGAS, NV 89146

(702) 949-2900  
FAX (702) 949-2901

April 10, 2006

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

RE: JUSTIFICATION LETTER  
MAJOR MODIFICATION (MD-2 to MD-1)  
DESERT LANE MEDICAL OFFICES & RESIDENTIAL CONDOMINIUMS

Dear Current Planning,

The owners and applicant of the property located at 728 Desert Lane also identified as APN: 139-33-402-021, have requested that we present and submit this application for a Major Modification to the "Las Vegas Medical District Plan".

The proposed development includes 24 residential condominiums in addition to the medical office space. Residential condominiums are not allowed in MD-2. The proposed MD-1 zoning will conform to the uses proposed for this project. The additional residential component of this project we feel will be beneficial to the medical professionals working in the Medical District.

If you have any questions please do not hesitate to call.

Sincerely,



Chad Vellinga, P.E.

**MOD-12919  
10/19/06 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 MOD-12919

SUP-16246 - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT at 728 Desert Lane (APN 139-33-402-021), [PROPOSED: MD-1 (MEDICAL SUPPORT) Las Vegas Medical District Plan Designation], Ward 5 (Weekly). NOTE: THIS ITEM WAS ORIGINALLY SCHEDULED FOR THE 12/06/06 CITY COUNCIL MEETING. 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 Hold in Abeyance to 1/3/2007

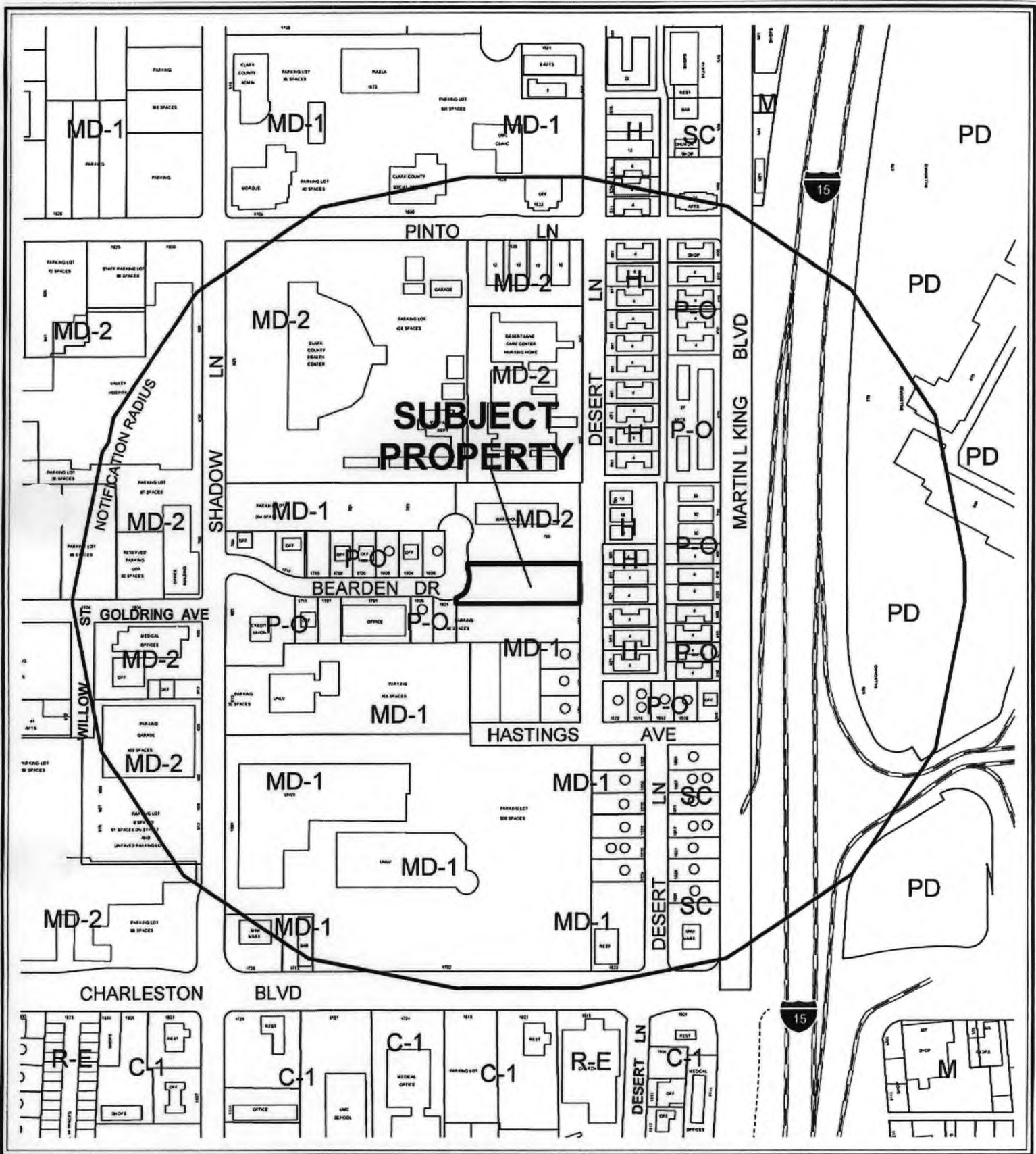
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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:

See Item 104 for related discussion.





**CASE: SUP-16246**

**RADIUS: 1000 FT**

**SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

**MD-2 (MAJOR MEDICAL)**

**PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

**MD-1 (MEDICAL SUPPORT)**

0 400 800 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-16246 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER**

---

**\*\* 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 Site Development Plan Review SDR-12922 shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit a proposed five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres at 728 Desert Lane.

**EXECUTIVE SUMMARY**

Because the floor plans depict parking spaces at ground level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 05/27/97      The City Council approved a Request for Rezoning (Z-0020-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development) on 171 acres. The Planning Commission and staff recommended approval on April 2, 1997.
- 06/19/02      The City Council approved a Request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on April 11, 2002.

- 11/17/04 The City Council approved a Request for a Major Modification MOD-5267 to the Las Vegas Medical District Plan in order to reduce height and setback restrictions on mixed-use developments, list them as a specific use on the table of permitted uses, provide for the incorporation of the live/work ordinance, and clarify the table of permitted uses to update terminology. The Planning Commission and staff recommended approval on October 21, 2004.
- 10/19/06 The Planning Commission recommended approval of companion items MOD-12919 and denial of SDR-12922 concurrently with this application.
- 10/19/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #15/ar).

**B) *Pre-Application Meeting***

A pre-application meeting was held on March 21, 2006. Issues discussed included:

- The Department of Building and Safety indicated that a handicap accessible route would need to be shown to the right-of-way.
- A representative from the Traffic Division indicated that Project Neon could affect this site, and that a traffic study would be required.
- The Department of Public Works indicated that a Flood Study would be required because of the underground parking.
- The Planning Department informed the applicant of the Medical District Streetscape standards.

**C) *Neighborhood Meetings***

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

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Gross Acres: 0.74 acres

**B) *Existing Land Use***

Subject Property: Undeveloped  
North: Clark County Health District warehouse  
South: Parking lot  
East: Apartments  
West: Offices



**C) *Planned Land Use***

Subject Property: UMC [MD-2 (Major Medical)]  
North: UMC [MD-2 (Major Medical)]  
South: UMC [MD-1 (Medical Support)]  
East: UMC [HD (High Density Residential)]  
West: UMC [P-O (Professional Office)]

**D) *Existing Zoning***

Subject Property: PD (Planned Development)  
North: PD (Planned Development)  
South: PD (Planned Development)  
East: PD (Planned Development)  
West: PD (Planned Development)

**E) *General Plan Compliance***

The subject site is located within the Southeast Sector of the General Plan. More specifically, the site is located within the Las Vegas Medical District Neighborhood Plan (LVMD), which is itself an element of the General Plan. This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses.

In terms of zoning, the site is zoned PD (Planned Development). The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed use shown on companion site plan SDR-12922 is a permitted use within the PD (Planned Development) zoning district.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Las Vegas Medical District                        | <b>X</b>   |           |
| <b>Special Overlay District</b>                   |            | <b>X</b>  |
| <b>Trails</b>                                     |            | <b>X</b>  |
| <b>Rural Preservation Neighborhood</b>            |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

**Las Vegas Medical District**

The intent of the Las Vegas Medical District is to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

## INTERAGENCY ISSUES

There are no interagency issues involved with this request.

## ANALYSIS

### A) Zoning Code Compliance

#### A1) Parking and Traffic Standards

Pursuant to the Las Vegas Medical District Plan, the following Parking Standards apply:

| Uses                 | GFA       | Ratio                                                                                      | Required<br>Parking |          | Provided<br>Parking |          |
|----------------------|-----------|--------------------------------------------------------------------------------------------|---------------------|----------|---------------------|----------|
|                      |           |                                                                                            | Regular             | Handicap | Regular             | Handicap |
| Medical Offices      | 9,350 SF. | One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf | 52                  |          |                     |          |
| 30 Condominium Units |           | 1 space per unit                                                                           | 30                  |          |                     |          |
| <b>TOTAL</b>         |           |                                                                                            | 82                  | 4        | 82                  | 4        |

The proposed development complies with the parking standards of the Las Vegas Medical District Plan.

The Medical District Standards also require two bicycle parking spaces to be provided in conjunction with a medical office. The submitted site plan depicts 14 such spaces and thus complies with this portion of the standards.

Pursuant to Title 19.08, the following Standards apply:

| Standards       | Code Requirement         | Provided                    |
|-----------------|--------------------------|-----------------------------|
| Trash Enclosure | 50 Feet from residential | 1,489 feet from residential |

The trash enclosure meets the separation requirement of the zoning code.

**B) General Analysis and Discussion**

- Zoning

The proposed office use is consistent with the PD (Planned Development) Zoning District and the MD-1 (Medical Support) Las Vegas Medical District land-use designation.

- Use

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.

**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."**

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12).

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

The site can accommodate the proposed mixed-use development.

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."**

Adequate access to Desert Lane and Bearden Drive is depicted on the site. These adjacent roadways will not be adversely affected by this development.

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

Approval of the use will not be inconsistent with the General Plan, nor will it compromise public health, safety, or welfare.

**PLANNING COMMISSION ACTION**

The Planning Commission concurred that the project is not designed to meet Medical District standards.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 72 by City Clerk

**APPROVALS** 0

**PROTESTS** 0





## PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-16246** APN: 19-33-402-02

Name of Property Owner: ATA AZALI

Name of Applicant: ATA AZALI

**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. 1

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: V. K. P.

Print Name: Ata. O. Azali

Subscribed and sworn before me

This 12<sup>th</sup> day of JUNE, 2006

Notary Public in and for said County and State





A.P.N. 139-33-402-001  
701 SHADOW LLC  
PD (MD-2)

A.P.N. 139-33-402-011  
JOHN C. WAKERHA  
PD (P-0)

A.P.N. 139-33-402-019  
JOHN C. WAKERHA  
PD (P-0)

A.P.N. 139-33-402-020  
UNIVERSITY BOARD OF REGENTS  
PD (MD-1)

A.P.N. 139-33-402-023  
UNIVERSITY BOARD OF REGENTS  
PD (MD-2)

A.P.N. 139-33-402-033  
CLARK COUNTY HEALTH DEPARTMENT  
PD (MD-2)

| EXISTING | PROPOSED |
|----------|----------|
| 1        | 1        |
| 2        | 2        |
| 3        | 3        |
| 4        | 4        |
| 5        | 5        |
| 6        | 6        |
| 7        | 7        |
| 8        | 8        |
| 9        | 9        |
| 10       | 10       |

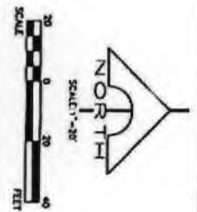
| EXISTING | PROPOSED |
|----------|----------|
| 1        | 1        |
| 2        | 2        |
| 3        | 3        |
| 4        | 4        |
| 5        | 5        |
| 6        | 6        |
| 7        | 7        |
| 8        | 8        |
| 9        | 9        |
| 10       | 10       |

A.P.N. 139-33-402-037  
THE FULLSTONE TRUST / JEFF SELLINGER  
PD (MD-2) PROPOSED (MD-1)

DESERT LANE (PUBLIC)

- PROPOSED CONSTRUCTION**
- 1. PROPOSED 100' x 100' MEDICAL OFFICE SPACE (100' x 100' x 10')
  - 2. PROPOSED 100' x 100' RESIDENTIAL CONDOMINIUMS (100' x 100' x 10')
  - 3. PROPOSED 100' x 100' MEDICAL OFFICE SPACE (100' x 100' x 10')
  - 4. PROPOSED 100' x 100' RESIDENTIAL CONDOMINIUMS (100' x 100' x 10')

**SUP-16246**  
**10/19/06 PC**



**VICINITY MAP**



**SITE INFORMATION**

**OWNER:** FULLSTONE TRUST / JEFF SELLINGER  
**DESIGNER:** CHAD VELLINGA, P.E. / CIVIL ENGINEER LLC  
**PROJECT:** DESERT LANE MEDICAL OFFICE SPACE & RESIDENTIAL CONDOMINIUMS  
**DATE:** 10/19/06  
**SCALE:** 1" = 20'

**PLANTING LEGEND**

1. 10' x 10' MEDICAL OFFICE SPACE (100' x 100' x 10')

**SYMBOL LEGEND**

1. 10' x 10' MEDICAL OFFICE SPACE (100' x 100' x 10')

**RECEIVED**

**AUG 23 2006**

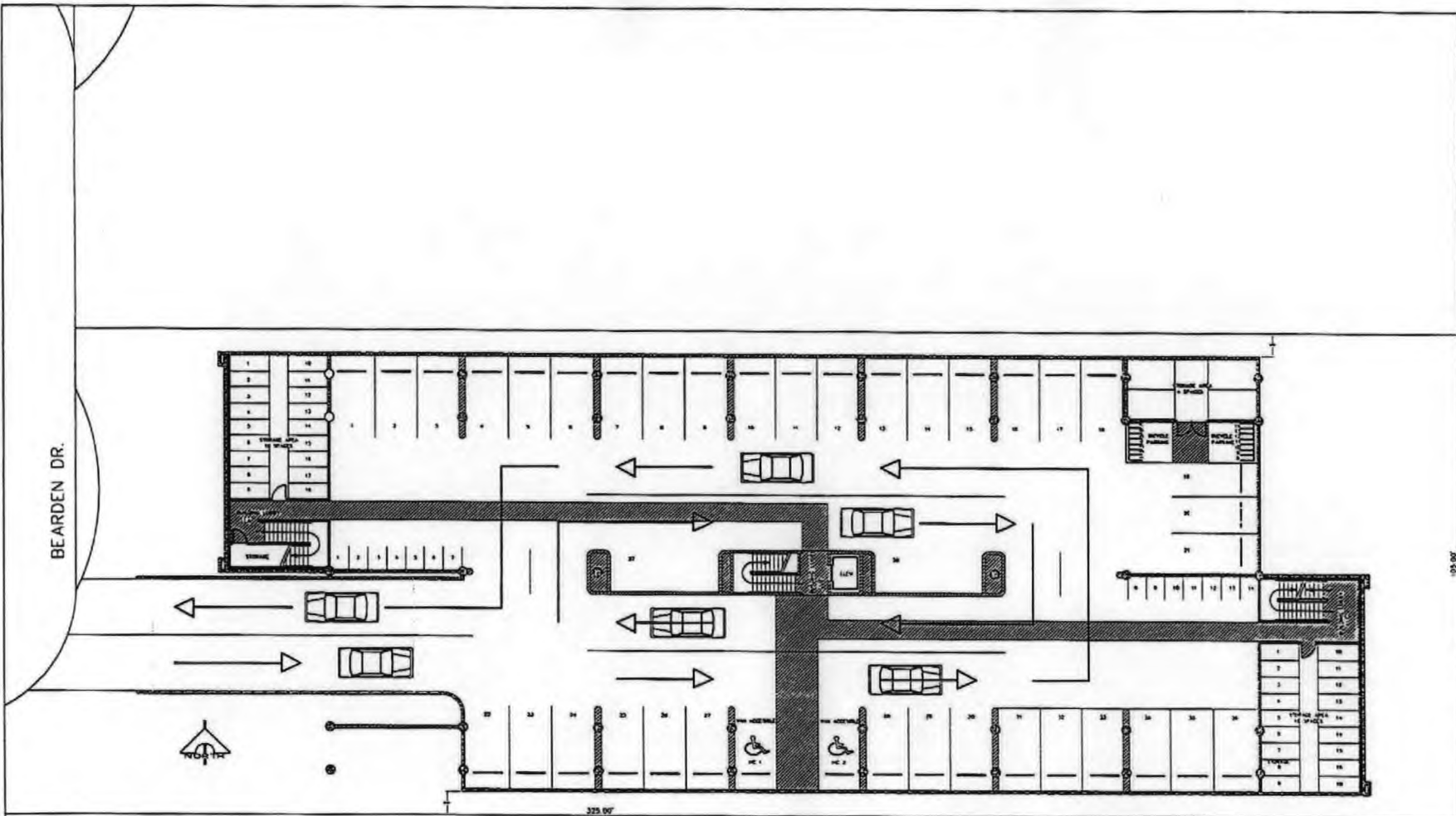
NO REPRESENTATION IS MADE BY THE ENGINEER FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

| NO. | DATE | DESCRIPTION | APPROVAL |
|-----|------|-------------|----------|
| 1   |      |             |          |
| 2   |      |             |          |
| 3   |      |             |          |
| 4   |      |             |          |
| 5   |      |             |          |
| 6   |      |             |          |
| 7   |      |             |          |
| 8   |      |             |          |
| 9   |      |             |          |
| 10  |      |             |          |

**OWNER:** FULLSTONE TRUST / JEFF SELLINGER  
**DESIGNER:** CHAD VELLINGA, P.E. / CIVIL ENGINEER LLC  
**PROJECT:** DESERT LANE MEDICAL OFFICE SPACE & RESIDENTIAL CONDOMINIUMS  
**DATE:** 10/19/06  
**SCALE:** 1" = 20'

**PROJECT:** DESERT LANE MEDICAL OFFICE SPACE & RESIDENTIAL CONDOMINIUMS  
**SHEET TITLE:** LANDSCAPE PLAN

**DATE:** 10/19/06  
**BY:** [Signature]  
**CHKD BY:** [Signature]



**REQUIRED PARKING**

**MEDICAL OFFICE AREA**  
 ONE SPACE FOR EVERY  
 200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
 175 SQ.FT. OVER 2,000 SQ.FT.  
 $\frac{7,350}{175} = 42$  SPACES  
**TOTAL = 52 SPACES**

**CONDOMINIUMS 30 TOTAL UNITS**  
 ONE SPACE PER UNIT = 30 SPACES  
**TOTAL REQUIRED FOR BUILDING = 82 SPACES**

**PROVIDED 82 SPACES**

SITE AREA 31,685 +/- SQ.FT.  
 BUILDING FOOTPRINT 18,273 SQ.FT.  
 PROPOSED LOT COVERAGE 57.72%

PROPOSED BUILDING HEIGHT 55'

8,350 SQ.FT. MEDICAL OFFICE AREA  
 30 CONDOMINIUM UNITS TOTAL

**STREET LEVEL - PARKING** SCALE 3/32" = 1'-0"

|                                          |           |
|------------------------------------------|-----------|
| STANDARD PARKING                         | 40        |
| HANDICAP PARKING                         | 2         |
| TOTAL PARKING LOWER LEVEL                | 42        |
| TOTAL STANDARD PARKING                   | 78        |
| TOTAL HANDICAP PARKING                   | 2         |
| TOTAL BUILDING PARKING                   | 80        |
| BIKE/PEDAL PARKING 14 TOTAL              |           |
| MOTOR CYCLE PARKING 26 TOTAL             |           |
| BUILDING STORAGE 40 LOWER PARKING LEVEL  |           |
| BUILDING STORAGE 36 STREET PARKING LEVEL |           |
| TOTAL BUILDING STORAGE                   | 76 SPACES |

**RECEIVED**

**AUG 23 2006**

**SUP-16246**

**10/19/06 PC**

**DATE**  
08/02/2006

**Drawing No.**  
A-1

**LOT Design Group**  
 Custom Design Service  
**LARRY O. THRONDSSEN**  
 10330 W. WILLOW AVE.  
 SUITE 100  
 LAS VEGAS, NV 89135-8737  
 PHONE 425 640 2254 FAX 425 678 4814

**Medical Office / Residence Building**  
 728 Desert Lane  
 Las Vegas, Nevada 8901

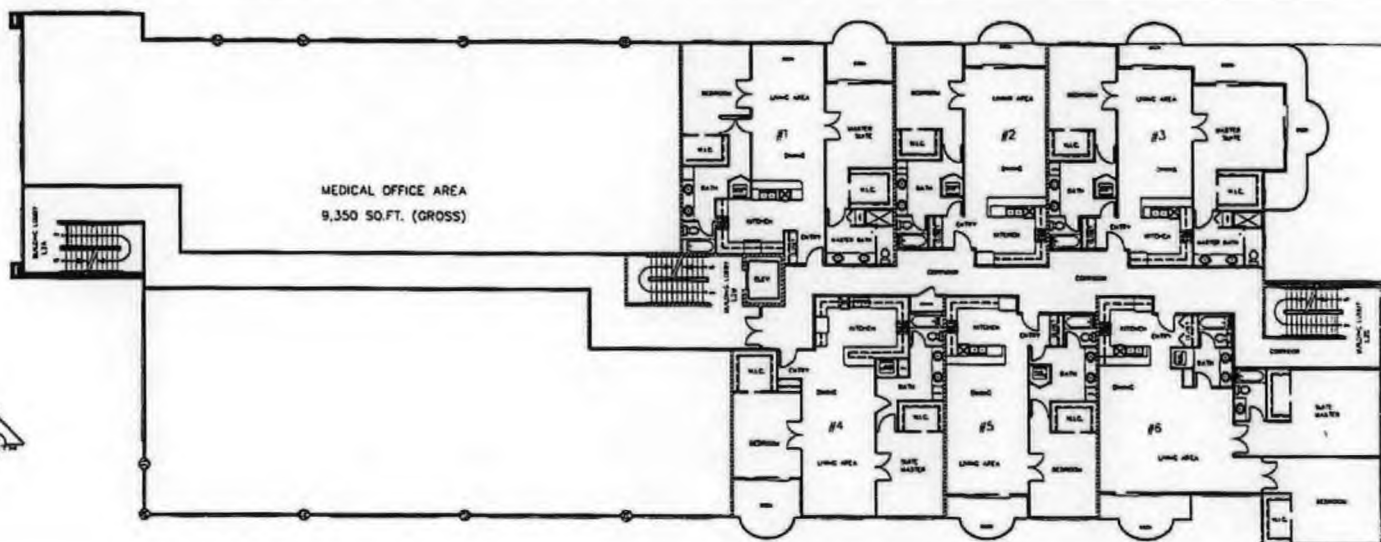
**PROPOSED NEW MEDICAL OFFICE / RESIDENCE BUILDING FOR:**  
 Alex Azoli  
 Dorsal Development LLC.  
 PO Box 8155  
 Corpus Christi, Texas 78468

**CONTENTS**  
 .....  
 1. SITE PLAN  
 2. FLOOR PLAN  
 3. SECTION  
 4. ELEVATION  
 5. PAVING PLAN  
 6. LANDSCAPE PLAN  
 7. UTILITY PLAN  
 8. SIGNAGE PLAN  
 9. FURNITURE PLAN  
 10. LIGHTING PLAN  
 11. IRRIGATION PLAN  
 12. DRAINAGE PLAN  
 13. EROSION CONTROL PLAN  
 14. TRAFFIC CIRCULATION PLAN  
 15. SECURITY PLAN  
 16. ACCESSIBILITY PLAN  
 17. ENVIRONMENTAL PLAN  
 18. HISTORIC PRESERVATION PLAN  
 19. OTHER





BEARDEN DR.



MEDICAL OFFICE AREA  
9,350 SQ.FT. (GROSS)

325.00'

100.00'

DESERT LN.

## SECOND LEVEL - MEDICAL OFFICES - CONDOMINIUMS

SCALE 3/32" = 1'-0"

REQUIRED PARKING

9,350 SQ.FT. MEDICAL OFFICE AREA

6 CONDOMINIUMS UNITS

MEDICAL OFFICE AREA:

ONE SPACE FOR EVERY  
200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ.FT. OVER 2,000 SQ.FT.

$7,350 / 175 = 42$  SPACES

TOTAL = 52 SPACES

CONDOMINIUMS 30 TOTAL UNITS:

ONE SPACE PER UNIT = 30 SPACES

TOTAL REQUIRED FOR BUILDING = 82 SPACES

PROVIDED 82 SPACES

RECEIVED

SUP-16246

10/19/06 PC

AUG 23 2006

**LOT Design Group**  
Custom Design Service  
**LARRY O. THRONSEN**  
22510-8th Avenue West  
Edmonds, WA 98026-4229  
Phone 425 440 8258 Cell 425 478 4814



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR:  
Alex Azali  
Dorsal Development LLC.  
PO Box 8155  
Corpus Christi, Texas 78468

### CONTENTS

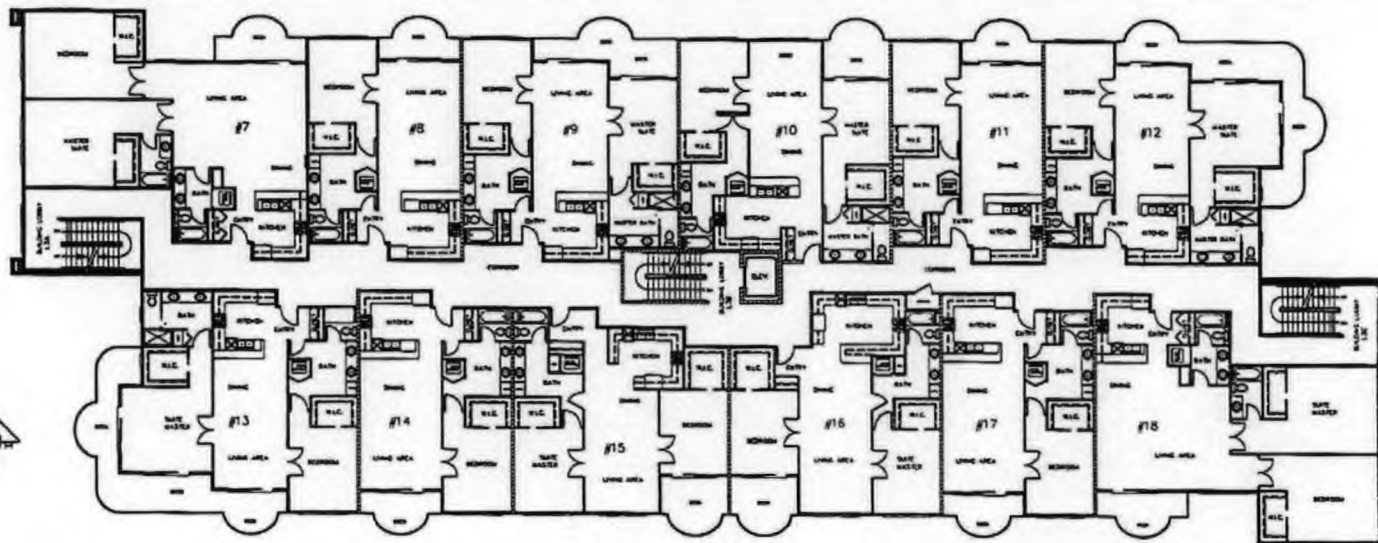
.....

DATE  
08/02/2006

Drawing No.

A-3

BEARDEN DR.



325.00'

DESERT LN.

### THIRD LEVEL - CONDOMINIUMS

SCALE 3/32" = 1'-0"

#### REQUIRED PARKING

12 CONDOMINIUMS UNITS

#### MEDICAL OFFICE AREA

ONE SPACE FOR EVERY  
200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ.FT. OVER 2,000 SQ.FT.  
 $7,350 / 175 = 42 \text{ SPACES}$   
TOTAL = 52 SPACES

#### CONDOMINIUMS 30 TOTAL UNITS

ONE SPACE PER UNIT = 30 SPACES  
TOTAL REQUIRED FOR BUILDING = 82 SPACES

PROVIDED 82 SPACES



RECEIVED

AUG 23 2006

SUP-16246  
10/19/06 PC

**OT Design Group**  
Custom Design Service  
**LARRY O. THRONDSSEN**  
2520 48th Avenue West  
Edmonds, WA 98148-4227  
Phone 425-840-8258 Cell 125-078-4814



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR  
Alex Azali  
Dorsal Development LLC  
PO Box 8155  
Corpus Christi, Texas 78468

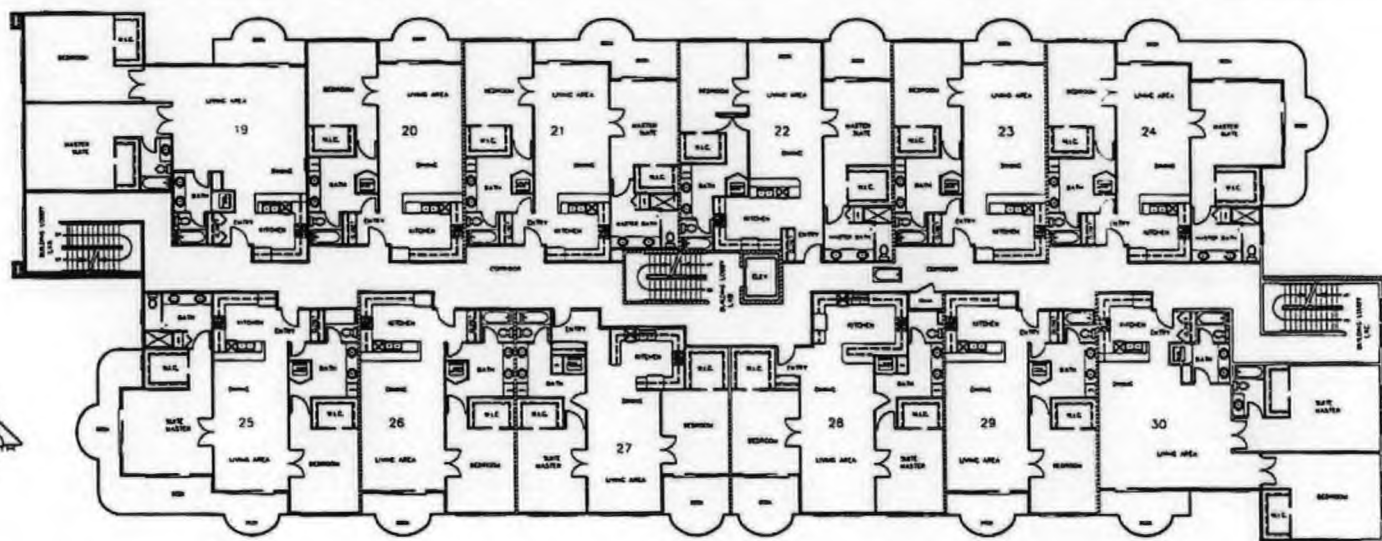
#### CONTENTS

.....

DATE  
08/02/2006

Drawing No.  
A-4

BEARDEN DR.



375.00'

100.00'

DESERT LN.

# FOURTH LEVEL - CONDOMINIUMS

SCALE 3/32" = 1'-0"

## REQUIRED PARKING

### MEDICAL OFFICE AREA:

ONE SPACE FOR EVERY  
200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ.FT. OVER 2,000 SQ.FT.  
 $7,350 / 175 = 42 \text{ SPACES}$   
TOTAL = 52 SPACES

### CONDOMINIUMS 30 TOTAL UNITS:

ONE SPACE PER UNIT = 30 SPACES  
TOTAL REQUIRED FOR BUILDING = 82 SPACES

PROVIDED 82 SPACES

12 CONDOMINIUMS UNITS

RECEIVED

SUP-16246

AUG 23 2006

10/19/06 PC

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR:

Alex Azoli  
Dorsal Development LLC.  
PO Box 8155  
Corpus Christi, Texas 78468

## CONTENTS

DATE  
08/02/2006

Drawing No.

A-5

LOT Design Group

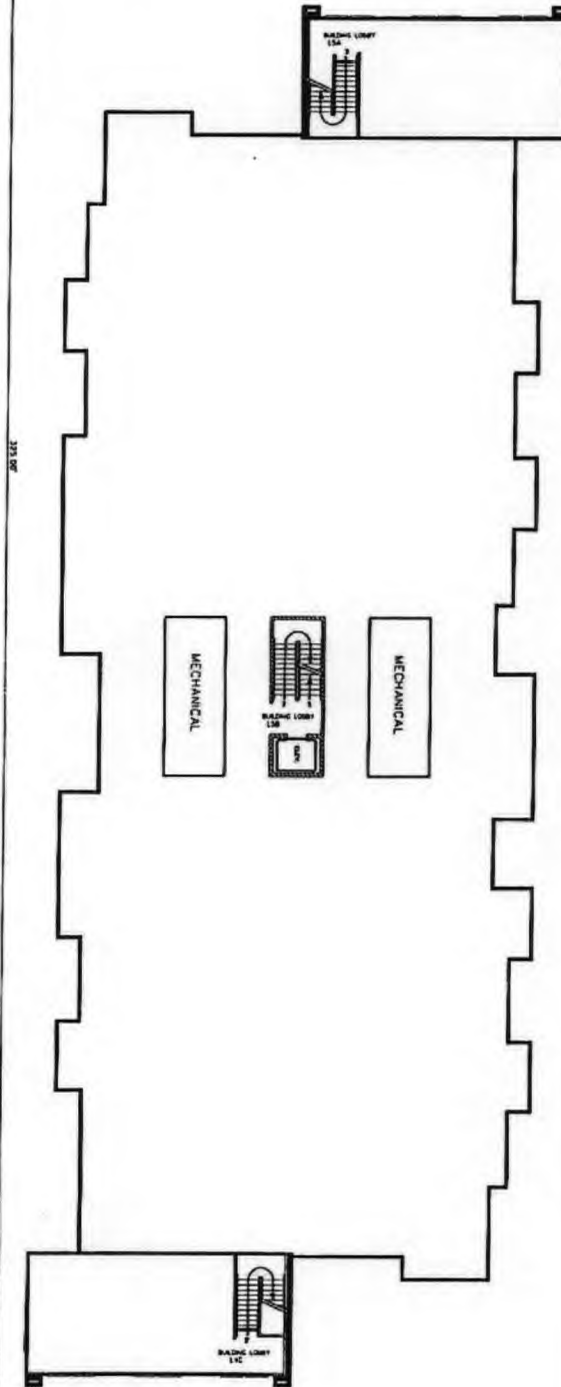
Custom Design Service  
LARRY O. THRONDSSEN  
23035 88th Avenue West  
Edmonds, WA 98026-8232  
Phone 425.640.8358 Cell 425.478.0014



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901



BEARDEN DR.



FIFTH LEVEL - ROOF DECK LEVEL  
 14,864 SQ.FT. ROOF DECK AREA  
 616 SQ.FT. MECHANICAL AREA  
 SCALE 3/32" = 1'-0"

DESERT LN.



RECEIVED

SUP-16246 AUG 23 2006

10/19/06 PC

|                            |                            |                 |                                                                                                                                                                                                                             |                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------|----------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Drawing No.<br/>A-6</p> | <p>DATE<br/>08/02/2006</p> | <p>CONTENTS</p> | <p>PROPOSED NEW MEDICAL OFFICE / RESIDENCE BUILDING FOR:<br/>                 Alex Azoli<br/>                 Dorsal Development LLC.<br/>                 PO Box 8155<br/>                 Corpus Christi, Texas 78468</p> | <p>Medical Office /<br/>                 Residence Building<br/>                 728 Desert Lane<br/>                 Las Vegas, Nevada 8901</p> | <p> <b>LOT Design Group</b><br/>                 Custom Design Service<br/> <b>LARRY O. THRONSEN</b><br/>                 22630-88th Avenue West<br/>                 Edmonds, WA 98026-9232<br/>                 Phone 425.640.9258 Cel. 425.478.4814</p> |
|----------------------------|----------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Chad Vellinga, PE**  
**Civil Engineer LLC**

3445 S Valley View Blvd  
Las Vegas, NV 89102

(702) 400-5560  
(702) 949-2901 fax  
cvcivil@yahoo.com

August 23, 2006

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

RE: JUSTIFICATION LETTER  
SPECIAL USE PERMIT  
DESERT LANE MEDICAL OFFICES & RESIDENTIAL CONDOMINIUMS

Dear Current Planning,

The owners and applicant of the property located at 728 Desert Lane also identified as APN: 139-33-402-021, have requested that we present and submit this application for a Special Use Permit to allow 30 single family residential condominium units. The proposed Mixed Use project will also include 9,350 sq-ft of Medical Office Space.

A Major Modification Application, MOD 12919, has previously been submitted requesting a zone change from MD-2 to MD-1. The proposed MD-1 zoning will allow for residential condominiums per the Las Vegas Medical District Plan provided they are part of a mixed use development and the units are located on a second or successive floor. The proposed development satisfies these criteria and is in conformance to the Las Vegas Medical District Plan.

Please note that building floor plans and elevations have been modified and are different than what was shown in the previous applications, (SDR 12922, & MOD 12919). We will be using these drawings at all public hearings, and we request that you update the drawings in the previous applications to be consistent with this application. These changes make better use of the site, and improve the parking. In fact, a parking waiver will no longer be required.

If you have any questions please do not hesitate to call.

Sincerely,



Chad Vellinga, P.E.

RECEIVED  
AUG 23 2006

**SUP-16246**  
**10/19/06 PC**

**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 MOD-12919 AND SUP-16246

SDR-12922 - PUBLIC HEARING - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 24 RESIDENTIAL CONDOMINIUM UNITS AND 13,465 SQUARE FEET OF MEDICAL OFFICE SPACE on 0.74 acres at 728 Desert Lane (APN 139-33-402-021), PD (Planned Development) Zone [MD-2 (Major Medical) Las Vegas Medical District Special Land Use Designation] [PROPOSED: MD-1 (Medical Support) Las Vegas Medical District Special Land Use Designation], Ward 5 (Weekly). NOTE: This application has been amended from 24 Residential Condominium Units to 30 Residential Condominium Units and from 13,465 square feet of Medical Office space to 9,350 square feet of Medical Office space. ADDITIONAL NOTE: THIS ITEM WAS ORIGINALLY SCHEDULED FOR THE 12/06/06 CITY COUNCIL MEETING. 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

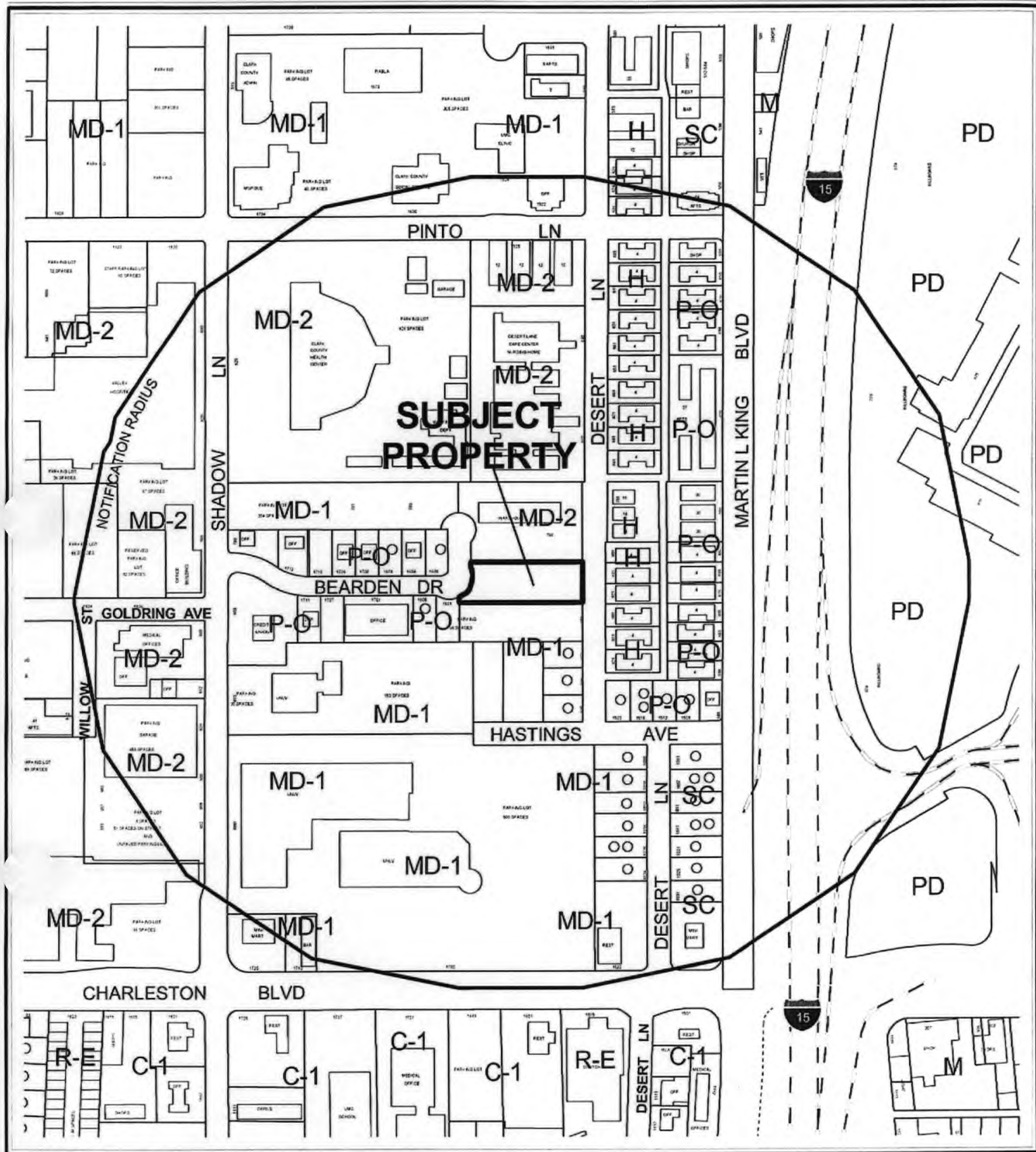
Motion made by LAWRENCE WEEKLY to Hold in Abeyance to 1/3/2007

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:

See Item 104 for related discussion.



**CASE: SDR-12922**

**RADIUS: 1000 FT**

**SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

MD-2 (MAJOR MEDICAL)

**PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:**

MD-1 (MEDICAL SUPPORT)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-12922 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER**

---

**\*\* 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 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 plans, date stamped 08/23/06, and building elevations, date stamped 05/08/06, 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. 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).
5. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
6. 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
7. 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.

8. 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.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

10. Prior to submittal of any construction drawings or Maps subdividing this site, or any further actions, coordinate with the City Engineer to discuss the potential extension of Bearden Drive through this site.
11. Construct all incomplete half-street improvements on Bearden Drive and Desert Lane adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
12. Remove all substandard public street improvements, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way along Bearden Drive.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
15. All landscaping and private improvements (including trash enclosures) installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Site development to comply with all applicable conditions of approval for Z-20-97 and all other applicable site-related actions.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a proposed five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres at 728 Desert Lane.

**EXECUTIVE SUMMARY**

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for the subject application is for denial.

**BACKGROUND INFORMATION**

**A) *Previous Actions***

- 05/27/97      The City Council approved a Request for Rezoning (Z-0020-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development) on 171 acres. The Planning Commission and staff recommended approval on April 2, 1997.
- 06/19/02      The City Council approved a Request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on April 11, 2002.

- 11/17/04 The City Council approved a Request for a Major Modification MOD-5267 to the Las Vegas Medical District Plan in order to reduce height and setback restrictions on mixed-use developments, list them as a specific use on the table of permitted uses, provide for the incorporation of the live/work ordinance, and clarify the table of permitted uses to update terminology. The Planning Commission and staff recommended approval on October 21, 2004.
- 10/19/06 The Planning Commission recommended approval of companion items MOD-12922 and denial of SUP-16246 concurrently with this application.
- 10/19/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #16/ar).

**B) *Pre-Application Meeting***

A pre-application meeting was held on March 21, 2006. Issues discussed included:

- The Department of Building and Safety indicated that a handicap accessible route would need to be shown to the right-of-way
- A representative of the Traffic Division indicated that Project Neon could affect this site, and that a traffic study would be required.
- The Department of Public Works indicated that a Flood Study would be required because of the underground parking.
- The Planning Department informed the applicant of the Medical District Streetscape standards.

**C) *Neighborhood Meetings***

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

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Gross Acres: 0.74 acres

**B) *Existing Land Use***

Subject Property: Undeveloped  
North: Clark County Health District warehouse  
South: Parking lot  
East: Apartments  
West: Offices

**C) *Planned Land Use***

Subject Property: UMC [MD-2 (Major Medical)]  
North: UMC [MD-2 (Major Medical)]  
South: UMC [MD-1 (Medical Support)]



East: UMC [HD (High Density Residential)]  
West: UMC [P-O (Professional Office)]

- D) Existing Zoning  
Subject Property: PD (Planned Development)  
North: PD (Planned Development)  
South: PD (Planned Development)  
East: PD (Planned Development)  
West: PD (Planned Development)

**E) General Plan Compliance**

The subject site is located within the Southeast Sector of the General Plan. More specifically, the site is located within the Las Vegas Medical District Neighborhood Plan (LVMD), which is itself an element of the General Plan. This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses.

In terms of zoning, the site is zoned PD (Planned Development). The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed use shown on companion site plan SDR-12922 is a permitted use within the PD (Planned Development) zoning district.

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

**Las Vegas Medical District**

The intent of the Las Vegas Medical District is to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

**INTERAGENCY ISSUES**

There are no interagency issues involved with this request.

## PROJECT DESCRIPTION

The applicant proposes a five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on the subject 0.74 acres. Access to the site is provided by driveways to Desert Lane and Bearden Drive. Parking is provided on a below-grade level and on a street-grade level. Landscaping with 24-inch box trees is shown at the vehicular entrances. The elevations drawings depict a 55-foot tall structure with a stucco exterior and stone veneer accents.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

Pursuant to the Las Vegas Medical District Plan, the following Development Standards apply:

| Standards            | Required                 | Provided                    | Compliance |
|----------------------|--------------------------|-----------------------------|------------|
| Min. Lot Size        | N/A                      | 0.75 Acres                  | Y          |
| Min. Lot Width       | N/A                      | 100 Feet                    | Y          |
| Min. Setbacks        |                          |                             |            |
| • Front              | N/A                      | 15 Feet                     | Y          |
| • Side               | N/A                      | 10 Feet                     | Y          |
| • Rear               | N/A                      | 15 Feet                     | Y          |
| Max. Lot Coverage    | N/A                      | 46 %                        | Y          |
| Max. Building Height | N/A                      | 5 Stories/55 Feet           | Y          |
| Trash Enclosure      | 50 Feet from residential | 1,489 feet from residential | Y          |
| Loading Zone         | N/A                      | No                          | Y          |
| Mech. Equipment      | Screened                 | Screened                    | Y          |

The proposed development meets the standards of the Medical District Plan.

#### A2) Residential Adjacency Standards

Pursuant to the Las Vegas Medical District Plan, mixed-use projects are exempt from the Residential Adjacency Standards.

A3) Parking and Traffic Standards

Pursuant to the Las Vegas Medical District Plan, the following Parking Standards apply:

| Uses                 | GFA       | Ratio                                                                                      | Required Parking |          | Provided Parking |          |
|----------------------|-----------|--------------------------------------------------------------------------------------------|------------------|----------|------------------|----------|
|                      |           |                                                                                            | Regular          | Handicap | Regular          | Handicap |
| Medical Offices      | 9,350 SF. | One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf | 52               |          |                  |          |
| 30 Condominium Units |           | 1 space per unit                                                                           | 30               |          |                  |          |
| <b>TOTAL</b>         |           |                                                                                            | 82               | 3        | 82               | 4        |

The proposed development complies with the parking standards of the Las Vegas Medical District Plan.

The Medical District Standards also require two bicycle parking spaces to be provided in conjunction with a medical office. The submitted site plan depicts 14 such spaces and thus complies with this portion of the standards.

A4) Landscape and Open Space Standards

Pursuant to the Las Vegas Medical District Plan, the following Landscape Standards apply:

| Standards           | Required            |         | Provided |
|---------------------|---------------------|---------|----------|
|                     | Ratio               | Trees   |          |
| Buffer:             |                     |         |          |
| • Min. Trees        | 1 Trees/Linear Feet | 7 Trees | 7 Trees  |
| • Min. Zone Width   |                     |         |          |
| Desert Lane         | 5 to 15 Feet        |         | 15 Feet  |
| Bearden Drive       | 5 to 15 Feet        |         | 15 Feet  |
| North property line | 5 Feet              |         | 5 Feet   |
| South property line | 5 Feet              |         | 5 Feet   |

The proposed site plan meets the landscaping standards of the Medical District plan.

The Medical District Plan requires Desert Lane and Bearden Drive to have streetscape treatments which consist of a five to 15-foot wide landscape planter, and ten-foot wide public sidewalk. The submitted site plan depicts compliance with this standard along both adjacent streets.

**B) *General Analysis and Discussion***

- Zoning

The proposed office use is consistent with the PD (Planned Development) zoning district and the MD-1 (Medical Support) Las Vegas Medical District land use designation.

- Site Plan

The site plan complies with the standards of the Las Vegas Medical District.

- Waivers

No waivers are required in conjunction with this application.

- Landscape Plan

The width of the planters and the size and locations of the trees comply with the landscape standards of the Medical District Plan.

- Elevation

The proposed materials and architectural articulation are in compliance with the standards of the Medical District Plan.

- Floor Plan

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.



## 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 proposed mixed-use development is compatible with adjacent development and the surrounding area.

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 setbacks and landscaping as proposed comply with the Medical District plan and Title 19.

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12).

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

Adequate access to Desert Lane and Bearden Drive is depicted on the site. These adjacent roadways will not be adversely impacted by this development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

Building and landscape materials are appropriate for the area.

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 design and architectural features will be harmonious and compatible with surrounding development.

The Las Vegas Medical District Plan standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street. The floor plans depict parking spaces at ground-level and do not comply with this standard.

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

The site will be subject to inspections and will not compromise public health and safety.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

19

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 70 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-12922** APN: 139-33-402-021

Name of Property Owner: The Fullstone 1993 Trust (50%) / Jeff Sellinger (50%)

Name of Applicant: Dorsal Development 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: N/A

Partner(s): N/A

APN: N/A

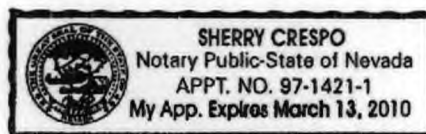
Signature of Property Owner: \_\_\_\_\_

Print Name: JEFF SELLINGER

Subscribed and sworn before me

This 10<sup>th</sup> day of APRIL, 2006

Sherry Crespo  
Notary Public in and for said County and State





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-12922** APN: 139-33-402-021  
Name of Property Owner: The Fullstone 1993 Trust (50%) / Jeff Sellinger (50%)  
Name of Applicant: Dorsal Development 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: N/A

Partner(s): N/A

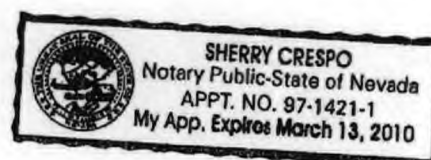
APN: N/A

Signature of Property Owner: *Robert Fulstone*

Print Name: ROBERT FULSTONE

Subscribed and sworn before me

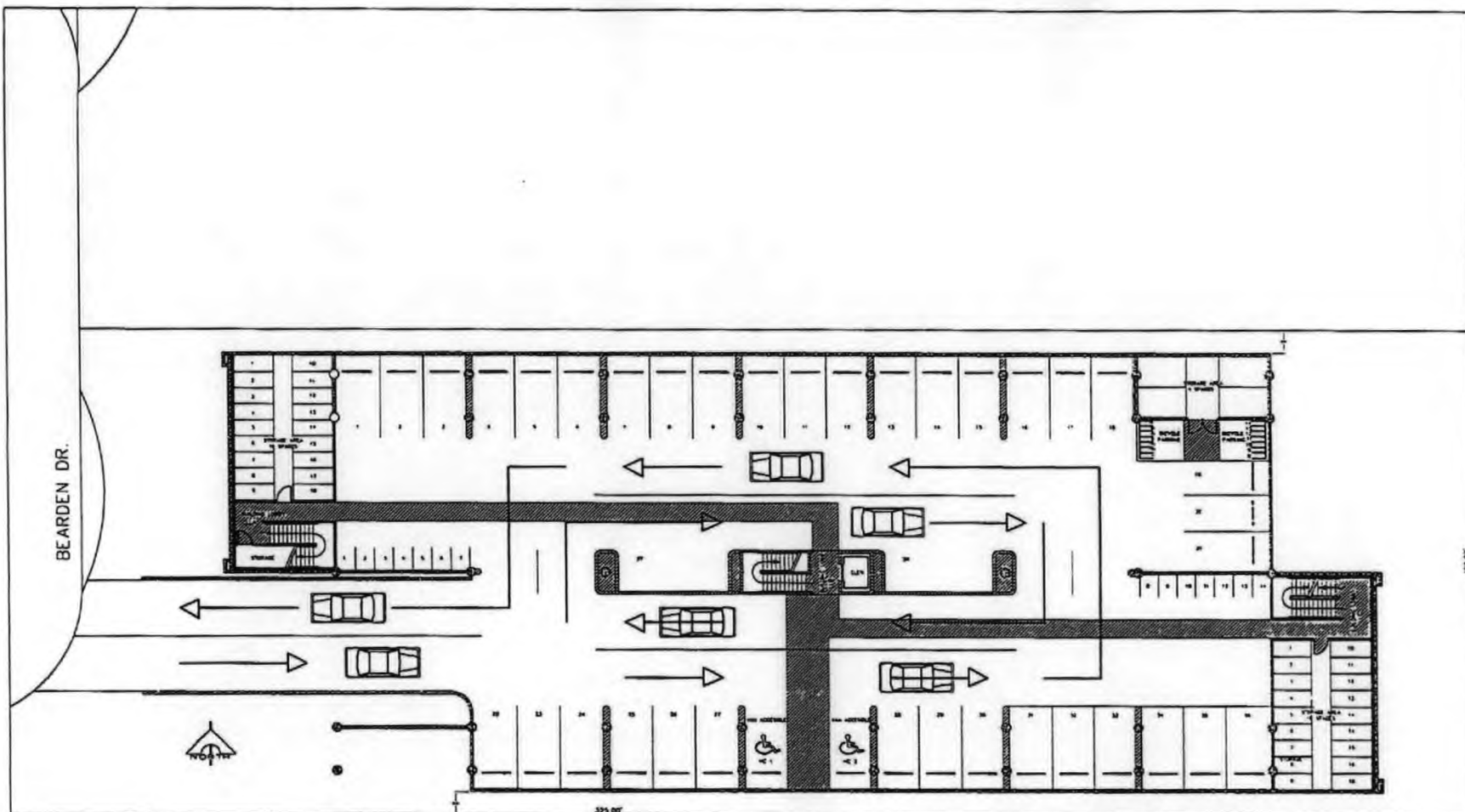
This 10th day of April, 2006  
Sherry Crespo  
Notary Public in and for said County and State





MOD-12919 SDR-12922  
VAR-12925 REVISED  
10/19/06 PC

Aug 23 2006 - 1



#### REQUIRED PARKING

MEDICAL OFFICE AREA  
 ONE SPACE FOR EVERY  
 200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES  
 ONE SPACE FOR FOR EVERY  
 175 SQ.FT. OVER 2,000 SQ.FT.  
 $\frac{7,350}{175} = 42$  SPACES  
 TOTAL = 52 SPACES

CONDOMINIUMS 30 TOTAL UNITS  
 ONE SPACE PER UNIT = 30 SPACES  
 TOTAL REQUIRED FOR BUILDING = 82 SPACES  
 PROVIDED 82 SPACES

SITE AREA 21,860 +/- SQ.FT.  
 BUILDING FOOTPRINT 18,273 SQ.FT.  
 PROPOSED LOT COVERAGE 57.70%  
 PROPOSED BUILDING HEIGHT 55'  
 9,350 SQ.FT. MEDICAL OFFICE AREA  
 30 CONDOMINIUMS UNITS TOTAL

#### STREET LEVEL - PARKING

SCALE 3/32" = 1'-0"

|                                          |           |
|------------------------------------------|-----------|
| STANDARD PARKING                         | 40        |
| HANDICAP PARKING                         | 2         |
| TOTAL PARKING (LOOKE LEVEL)              | 42        |
| TOTAL STANDARD PARKING                   | 38        |
| TOTAL HANDICAP PARKING                   | 4         |
| TOTAL BUILDING PARKING                   | 62        |
| BICYCLE PARKING 14 TOTAL                 |           |
| MOTOR CYCLE PARKING 28 TOTAL             |           |
| BUILDING STORAGE 40 LOWER PARKING LEVEL  |           |
| BUILDING STORAGE 28 STREET PARKING LEVEL |           |
| TOTAL BUILDING STORAGE                   | 68 SPACES |

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AUG 23 2006

MOD-12919 SDR-12922  
 VAR-12925 REVISED  
 10/19/06 PC

LOT Design Group  
 Carlos Judge Smith  
 LARRY O. THRONDSSEN  
 20530 28th Avenue West  
 Edmonds, WA 98149  
 PH: 206-835-8125 FAX: 206-835-8126



Medical Office /  
 Residence Building  
 728 Desert Lane  
 Los Vegas, Nevada 8901

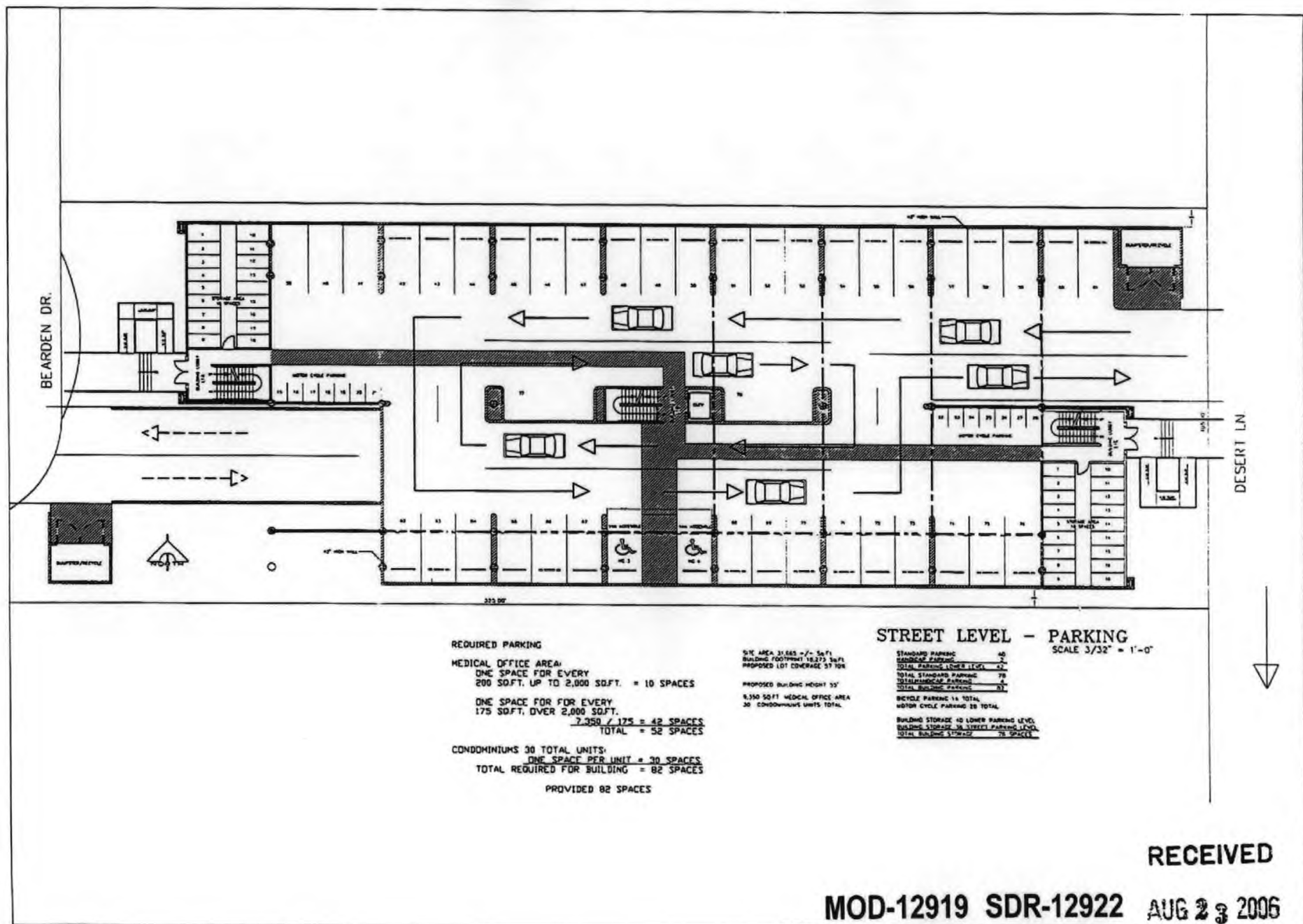
PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
 BUILDING FOR:  
 Alex Azali  
 Dorsal Development LLC  
 PO Box 8155  
 Corpus Christi, Texas 78468

#### CONTENTS

DATE  
 08/02/2006

Drawing No.

A-1



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 VAR-12925 REVISED  
 10/19/06 PC

AUG 23 2006

**LOT Design Group**  
 Custom Design Service  
**LARRY O. THRONDSSEN**  
 12000 W. 10th Ave.  
 Suite 100  
 Lakewood, CO 80226-3733  
 Phone 425 640 1258 FAX 425 475 4814



Medical Office /  
 Residence Building  
 728 Desert Lane  
 Las Vegas, Nevada 8901

PREPARED FOR: MEDICAL OFFICE / RESIDENCE  
 BUILDING PER

Alex Azodi  
 Dorso Development LLC  
 PO Box 8155  
 Corpus Christi, Texas 78468

**CONTENTS**

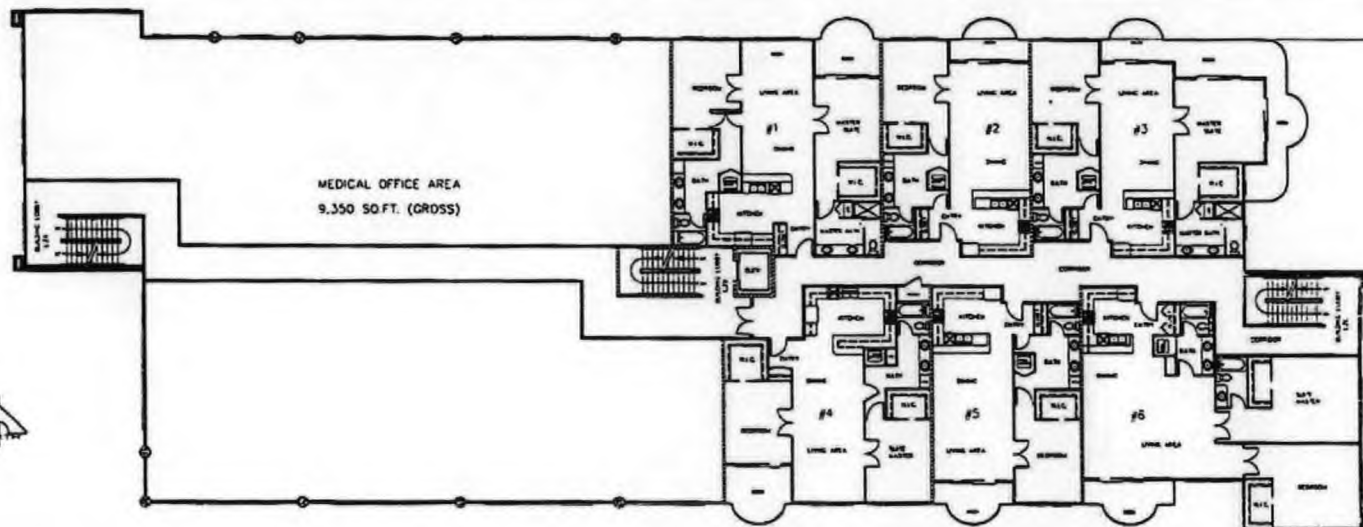
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DATE  
 08/02/2006

Drawing No.  
 A-2



BEARDEN DR.



MEDICAL OFFICE AREA  
9,350 SQ. FT. (GROSS)

# SECOND LEVEL - MEDICAL OFFICES - CONDOMINIUMS

SCALE 3/32" = 1'-0"

REQUIRED PARKING

9,350 SQ. FT. MEDICAL OFFICE AREA  
6 CONDOMINIUMS UNITS

MEDICAL OFFICE AREA:

ONE SPACE FOR EVERY  
200 SQ. FT. UP TO 2,000 SQ. FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ. FT. OVER 2,000 SQ. FT.  
 $\frac{7,350}{175} = 42 \text{ SPACES}$   
TOTAL = 52 SPACES

CONDOMINIUMS 30 TOTAL UNITS:

ONE SPACE PER UNIT = 30 SPACES  
TOTAL REQUIRED FOR BUILDING = 82 SPACES

PROVIDED 82 SPACES

DESERT LN.



**LOT Design Group**  
Custom Design Service  
**LARRY O. THRONSEN**  
28130 32nd Avenue West  
Edmonds, WA 98026-8232  
Phone 425 848 8758 Fax 425 875 4814



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR  
Alex Azoli  
Dorsal Development LLC  
PO Box 8155  
Corpus Christi, Texas 78468

## CONTENTS

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DATE  
08/02/2006

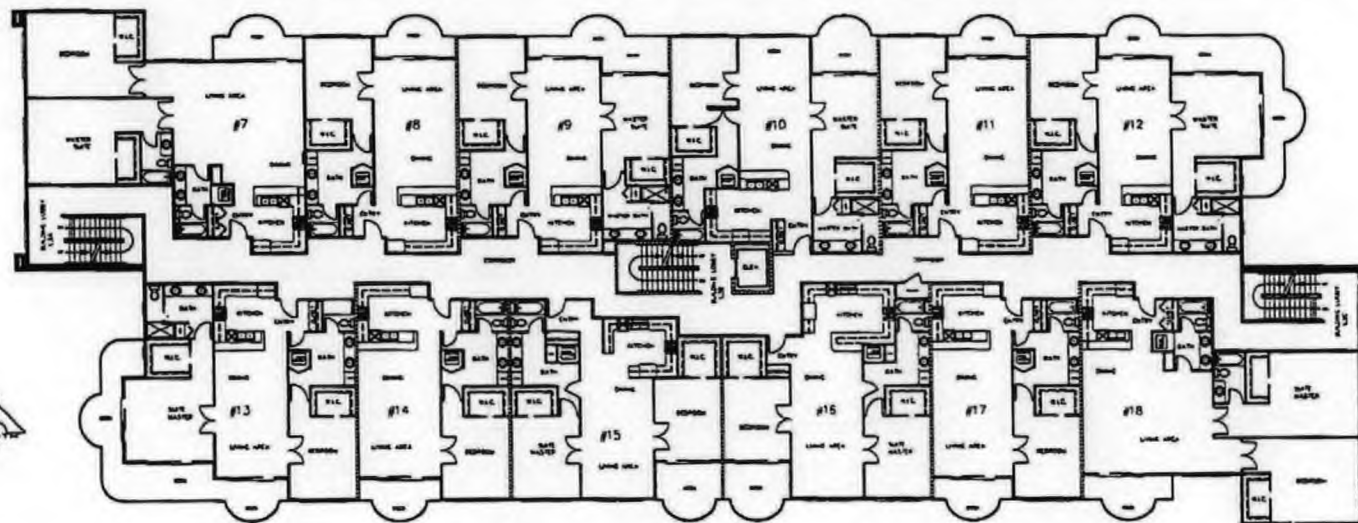
Drawing No.  
A-3

MOD-12919 SDR-12922 RECEIVED

VAR-12925 REVISED AUG 23 2006

10/19/06 PC

BEARDEN DR.



DESERT LN.

### THIRD LEVEL - CONDOMINIUMS

SCALE 3/32" = 1'-0"

#### REQUIRED PARKING

MEDICAL OFFICE AREA:  
ONE SPACE FOR EVERY  
200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ.FT. OVER 2,000 SQ.FT.  
 $\frac{7,350}{175} = 42 \text{ SPACES}$   
TOTAL = 52 SPACES

CONDOMINIUMS 30 TOTAL UNITS  
ONE SPACE PER UNIT = 30 SPACES  
TOTAL REQUIRED FOR BUILDING = 82 SPACES  
PROVIDED 82 SPACES

12 CONDOMINIUMS UNITS

MOD-12919 SDR-12922  
VAR-12925 REVISED

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10/19/06 PC

**GT Design Group**  
Custom Budget Services  
**LARRY O. THRONSEN**  
2420 4th Ave. #400  
Phoenix, AZ 85003-8732  
Phone 415-540-8728 Fax 415-578-8314



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR

Alex Azali  
Dorsal Development LLC  
PO Box 8155  
Corpus Christi, Texas 78468

#### CONTENTS

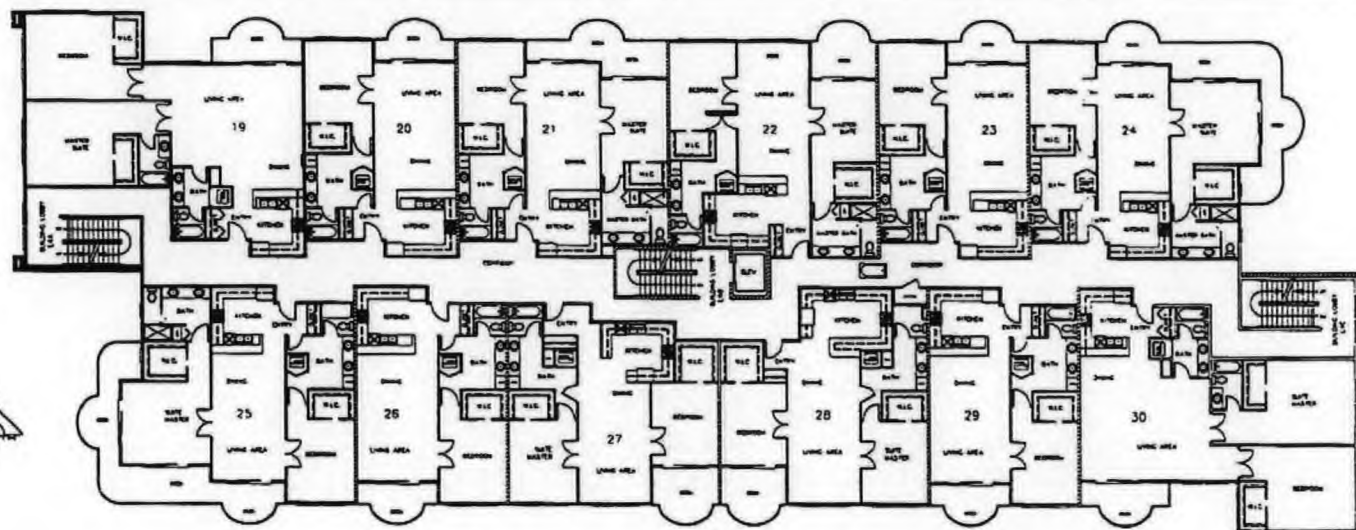


DATE  
08/02/2006

Drawing No.

A-4

BEARDEN DR.



DESERT LN.

# FOURTH LEVEL - CONDOMINIUMS

SCALE 3/32" = 1'-0"

## REQUIRED PARKING

MEDICAL OFFICE AREA:  
ONE SPACE FOR EVERY  
200 SQ.FT. UP TO 2,000 SQ.FT. = 10 SPACES

ONE SPACE FOR EVERY  
175 SQ.FT. OVER 2,000 SQ.FT.  
 $7,350 / 175 = 42$  SPACES  
TOTAL = 52 SPACES

CONDOMINIUMS 30 TOTAL UNITS:  
ONE SPACE PER UNIT = 30 SPACES  
TOTAL REQUIRED FOR BUILDING = 82 SPACES  
PROVIDED 82 SPACES

12 CONDOMINIUMS UNITS

MOD-12919 SDR-12922 RECEIVED  
VAR-12925 REVISED AUG 23 2006

10/19/06 PC

LOI Design Group  
Custom Design Service  
LARRY O. THRONDSSEN  
22010 88th Avenue West  
Edmonds, WA 98026-5278  
Phone 425-460-5258 Cell 425-428-8331



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR  
Alex Azuh  
Dorsal Development LLC  
PO Box 8155  
Corpus Christi, Texas 78468

## CONTENTS

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DATE  
08/02/2006

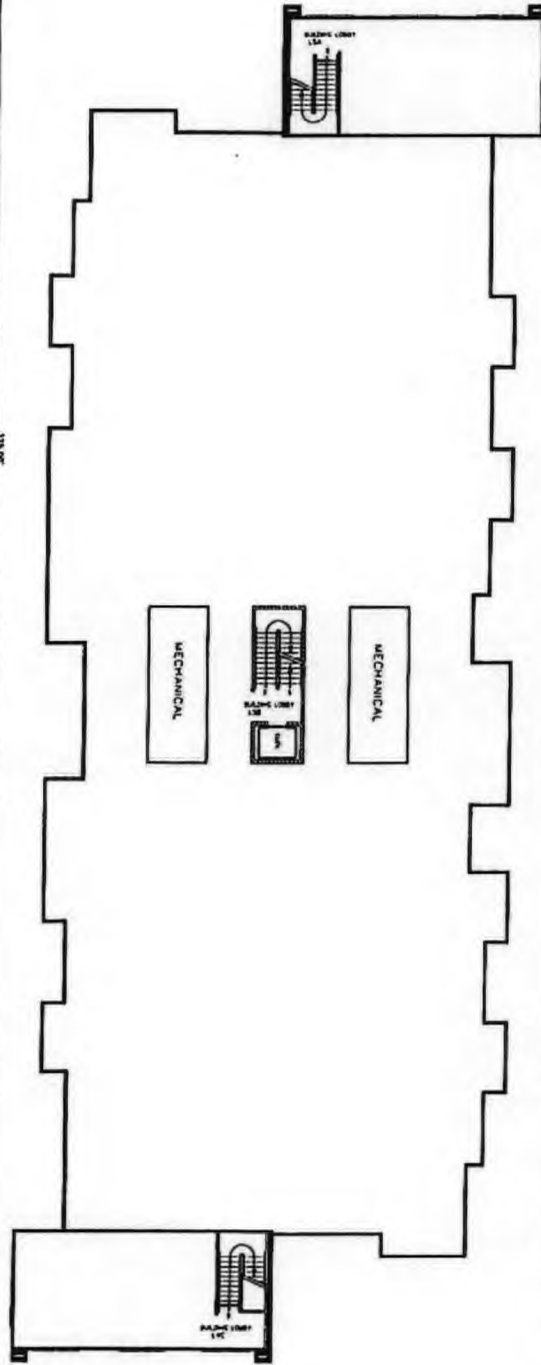
Drawing No.

A-5

BEARDEN DR.

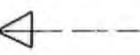


375.00'



105.00'

DESERT LN.



FIFTH LEVEL - ROOF DECK LEVEL  
14,864 SQ.FT. ROOF DECK AREA  
616 SQ.FT. MECHANICAL AREA  
SCALE 1/32" = 1'-0"

MOD-12919 SDR-12922 RECEIVED  
VAR-12925 REVISED AUG 23 2006  
10/19/06 PC



PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR:  
Alex Azuli  
Dorsal Development LLC.  
PO Box 8155  
Corpus Christi, Texas 78468

Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901



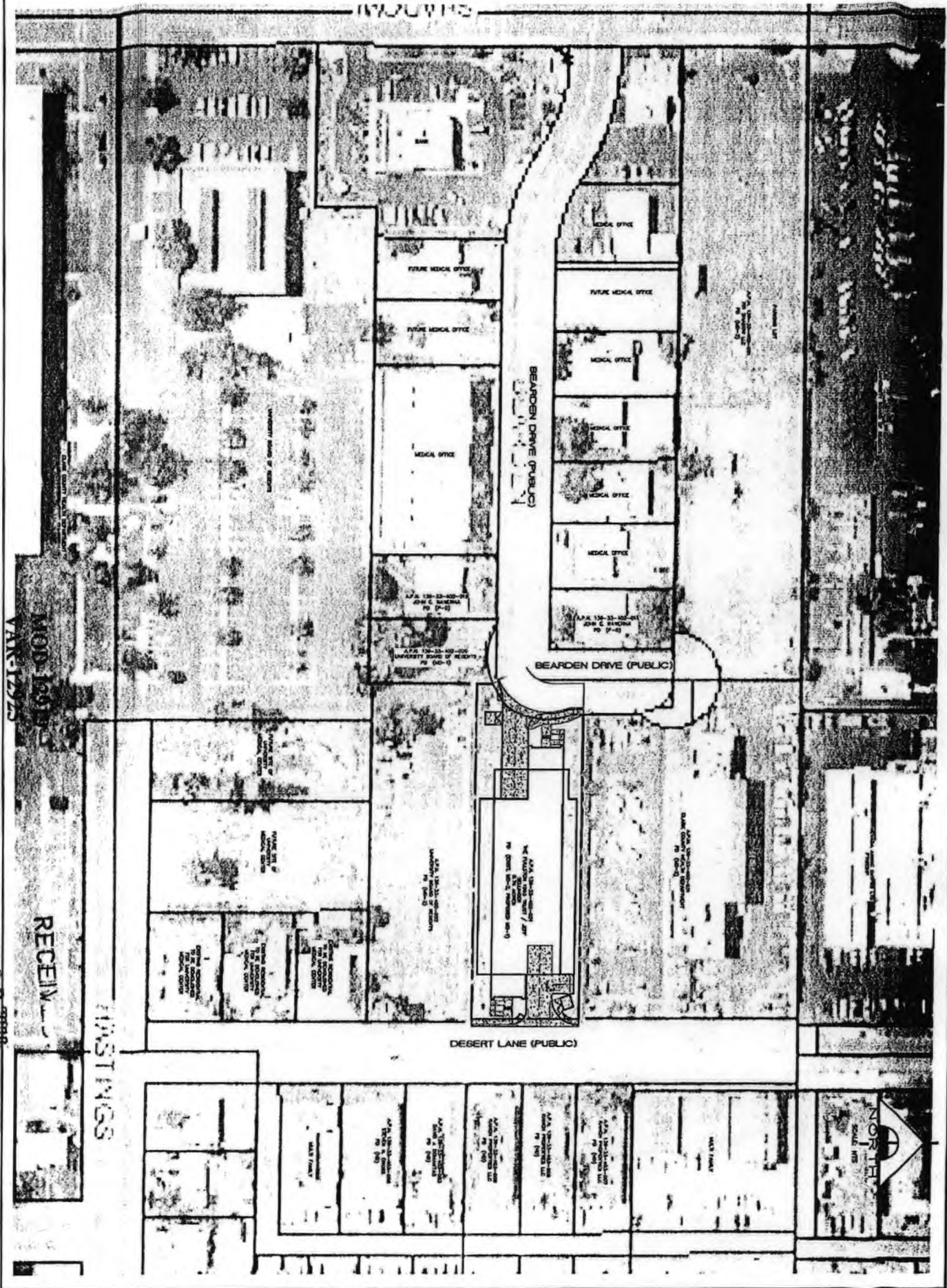
**L&T Design Group**  
Custom Design Service  
**LARRY O. THRONSEN**  
27030 88th Avenue West  
Edmonds, WA 98026-9232  
Phone 425 640 8258 Cell 425 478 4814

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08/02/2006

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SDR-12922

06-08-06 PC

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# 2025

DESSERT LANE (PUBLIC)

**DESERT LANE  
MEDICAL OFFICE SPACE  
& RESIDENTIAL CONDOMINIUMS**

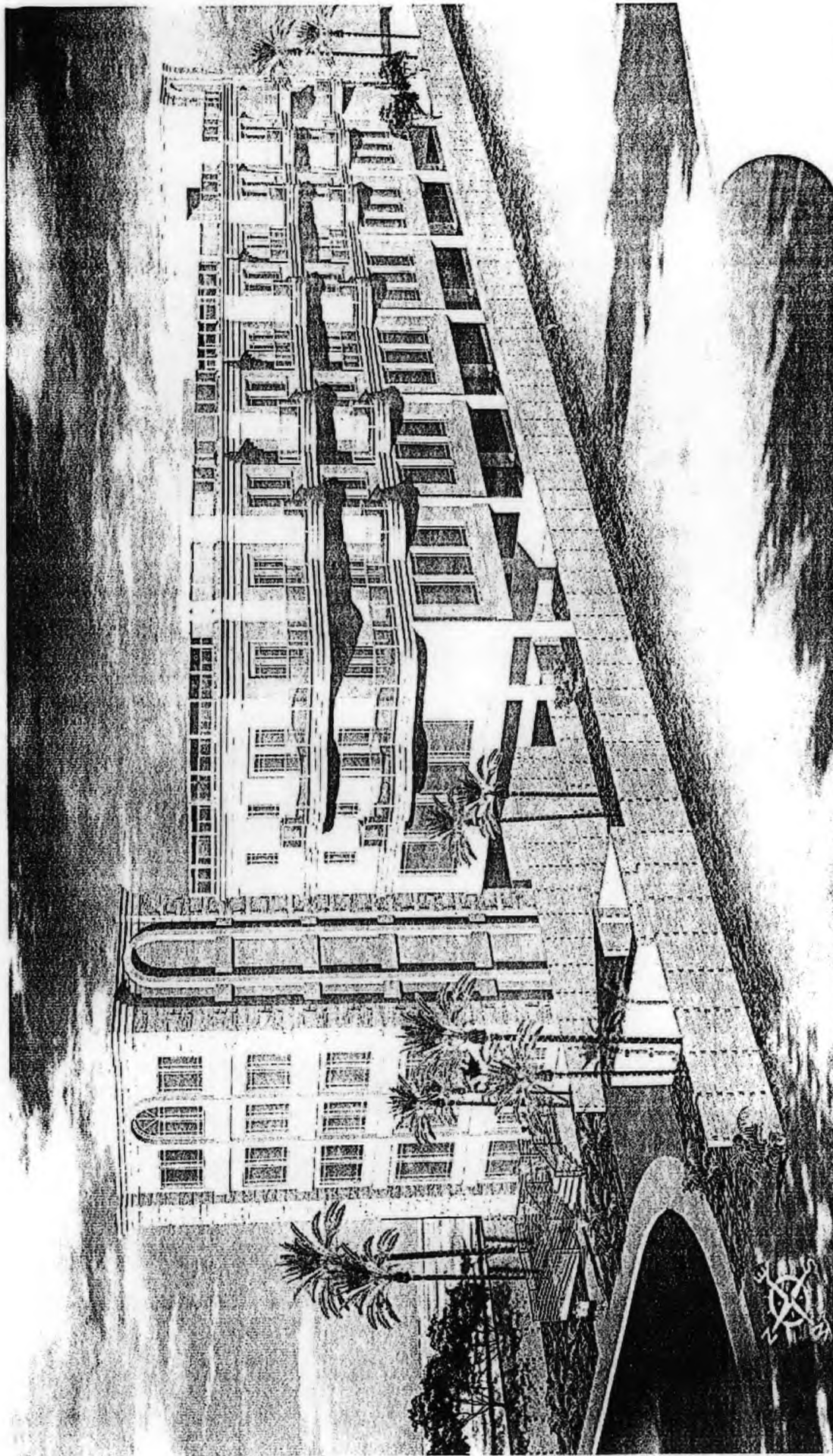
### VICINITY MAP

OWNER/DEVELOPER  
FULLSTONE TRUST  
JEFF DELLINGER  
DORRAL DEVELOPMENT LLC

CHAD VELLINGA, P.E.  
CIVIL ENGINEER LLC

2405 S. VALLEY VIEW BLVD  
LAS VEGAS, NEVADA 89102  
(702) 400-5550  
FAX: (702) 400-2011

[illegible]



DESERT LANE  
MEDICAL OFFICE & RESIDENTIAL CONDOMINIUMS  
LAS VEGAS, NEVADA

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MAY 08 2006

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VAR-12925  
SDR-12922  
06-08-06 PC  
REVISED 05-08-06





WEST ELEVATION-BEARDEN DR.  
EAST ELEVATION-DESERT LN. (SIMILAR)

## DESERT LANE - MEDICAL OFFICES & CONDOMINIUMS

13,465 SQ.FT. MEDICAL OFFICE AREA / 24 RESIDENTIAL CONDOMINIUMS



SOUTH ELEVATION  
NORTH ELEVATION (SIMILAR)

MOD-12919  
VAR-12925  
SDR-12922  
06-08-06 PC  
REVISED 05-08-06

RECEIVED

MAY 08 2006

**LOT Design Group**  
Custom Design Services  
**LARRY O. THRONSDEN**  
FARMINGTON, CT 06031-2022  
Phone 421.450.8218 Cell 421.428.4814



Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENCE  
BUILDING FOR  
Alex Azali  
Dorsal Development LLC.  
PO Box 8155  
Corpus Christi, Texas 78468

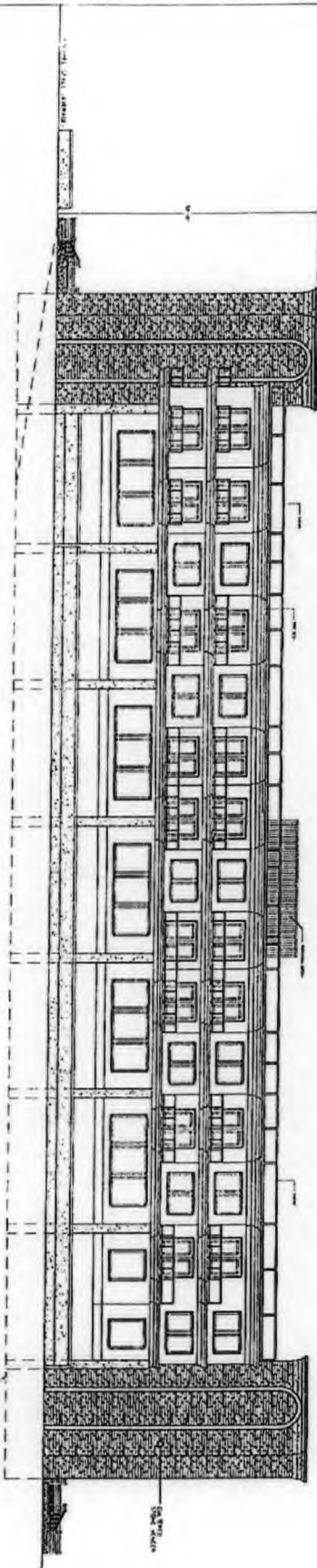
CONTENTS  
ELEVATIONS

DATE  
06/06/2006

Drawing No.  
CS







SOUTH ELEVATION  
NORTH ELEVATION (SIMILAR)

SCALE 3/32" = 1'-0" / 74.48  
SCALE 3/64" = 1'-0" / 124.8

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MAY 08 2006

MOD-12919  
VAR-12925

SDR-12922

06-08-06 PC

REVISED 05-08-06



**LOT Design Group**  
Custom Design Service  
**LARRY O. THRONSEN**  
22625-88th Avenue West  
Edmonds, WA 98025-8232  
Phone 425.840.8258 Cell 425.479.4814

Medical Office /  
Residence Building  
728 Desert Lane  
Las Vegas, Nevada 8901

PROPOSED NEW MEDICAL OFFICE / RESIDENTIAL  
BUILDING FOR  
Alex Azali  
Dorsal Development LLC.  
PO Box 8155  
Corpus Christi, Texas 78468

CONTENTS  
SOUTH ELEVATION

DATE  
04/10/2006

Drawing No.

A-8

|                                                                                        |                                          |        |             |       |
|----------------------------------------------------------------------------------------|------------------------------------------|--------|-------------|-------|
| SDR 12922                                                                              |                                          |        |             |       |
| Dorsal Development, LLC                                                                |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| 728 Desert Lane                                                                        |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Proposed 13.465 thousand square foot medical office development.                       |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Traffic produced by proposed development:                                              |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
|                                                                                        | DESCRIPTION                              | #UNIT  | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                                                            | RES. CONDO/TOWNHOUSE [DWELL]             | 24     | 5.86        | 141   |
| AM Peak Hour                                                                           |                                          |        | 0.44        | 11    |
| PM Peak Hour                                                                           |                                          |        | 0.52        | 12    |
| (heaviest 60 minutes)                                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
|                                                                                        | DESCRIPTION                              | #UNIT  | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                                                            | MEDICAL-DENTAL OFFICE BUILDING [1000 SF] | 13.465 | 36.13       | 486   |
| AM Peak Hour                                                                           |                                          |        | 2.48        | 33    |
| PM Peak Hour                                                                           |                                          |        | 3.72        | 50    |
| (heaviest 60 minutes)                                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Total                                                                                  | DESCRIPTION                              | #UNIT  | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                                                            | MEDICAL-DENTAL OFFICE BUILDING [1000 SF] | 13.465 |             | 627   |
| AM Peak Hour                                                                           |                                          |        |             | 44    |
| PM Peak Hour                                                                           |                                          |        |             | 63    |
| (heaviest 60 minutes)                                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Existing traffic on all nearby streets: No count data available for Bearden and Desert |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Charleston Boulevard                                                                   |                                          |        |             |       |
| Average Daily Traffic (ADT)                                                            | 49,880                                   |        |             |       |
| PM Peak Hour                                                                           | 3990                                     |        |             |       |
| (heaviest 60 minutes)                                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Shadow Lane                                                                            |                                          |        |             |       |
| Average Daily Traffic (ADT)                                                            | 7,350                                    |        |             |       |
| PM Peak Hour                                                                           | 588                                      |        |             |       |
| (heaviest 60 minutes)                                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
| Traffic Capacity of adjacent streets:                                                  |                                          |        |             |       |
|                                                                                        |                                          |        |             |       |
|                                                                                        | Adjacent street ADT                      |        |             |       |
|                                                                                        | Capacity                                 |        |             |       |
| Charleston Boulevard                                                                   | 49000                                    |        |             |       |

|                                                                                                                                                                                                                                                                                                                                                                       |       |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--|--|--|
| Shadow Lane                                                                                                                                                                                                                                                                                                                                                           | 24450 |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                       |       |  |  |  |
| This project will add approximately 627 trips per day on Charleston, Shadow, Desert and Bearden. This will increase expected volumes by about 1 percent on Charleston and 9 percent on Shadow. Charleston is over capacity and Shadow is at about 30 percent of capacity. Counts are not available for Desert or Bearden, but they are believed to be under capacity. |       |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                       |       |  |  |  |
| Based on Peak Hour use, this development will add roughly 63 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.                                                                                                                                                                                                                                                                               |       |  |  |  |



MOD-12919, VAR-12925 & SDR-12922 - APPLICANT: DORSAL DEVELOPMENT, LLC - OWNER:  
FULLSTONE 1993 TRUST AND JEFF SELLINGER  
728 DESERT LANE  
AUGUST 24, 2006 PLANNING COMMISSION

05/4/06





MOD-12919, VAR-12925, SUP-16246 & SDR-12922 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULLSTONE 1993 TRUST AND JEFF SELLINGER  
728 DESERT LANE  
OCTOBER 19, 2006 PLANNING COMMISSION

05/4/06



MOD-12919, VAR-12925, SUP-16246 & SDR-12922 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULLSTONE 1993 TRUST AND JEFF SELLINGER  
728 DESERT LANE  
OCTOBER 19, 2006 PLANNING COMMISSION

05/4/06



MOD-12919, VAR-12925, SUP-16246 & SDR-12922 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULLSTONE 1993 TRUST AND JEFF SELLINGER  
728 DESERT LANE  
OCTOBER 19, 2006 PLANNING COMMISSION

05/4/06



# CHAD VELLINGA, P.E.

CIVIL ENGINEER

3311 S. RAINBOW, STE. 129  
LAS VEGAS, NV 89146

April 10, 2006

(702) 949-2900  
FAX (702) 949-2901

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

RE: JUSTIFICATION LETTER  
VARIANCE ON-SITE PARKING  
DESERT LANE MEDICAL OFFICES & RESIDENTIAL CONDOMINIUMS

Dear Current Planning,

The owners and applicant of the property located at 728 Desert Lane also identified as APN: 139-33-402-021, have requested that we present and submit this application for a Variance for the required onsite parking for the mixed use develop of medical offices and residential condominiums.

This Development will provide a total of 85 on-site parking spaces where 99 spaces would typical be required if the respective uses were not mixed.

The medical offices require a total of 75 parking spaces and the residential condominiums require 24 parking spaces. The parking demand for the medical office space will occur between the hours of 8:00 a.m. and 5:00 p.m. The demand for the residential condominiums will occur between the hours of 5:15 p.m. to 7:15 a.m. and on weekends. The demand for each use occurs at different times of the day. The parking provided will provide adequate service for each type of use.

In addition this development is providing 6 motorcycle spaces where none are required, and providing 12 additional bicycle spaces. Thus the site will have a total of 108 mixed parking spaces.

If you have any questions please do not hesitate to call.

Sincerely,

  
Chad Vellinga, P.E.

**SDR-12922**  
**10/19/06 PC**



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

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

GENERAL PLAN AMENDMENT

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

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

3

City Council Meeting

0

**RECOMMENDATION:**

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

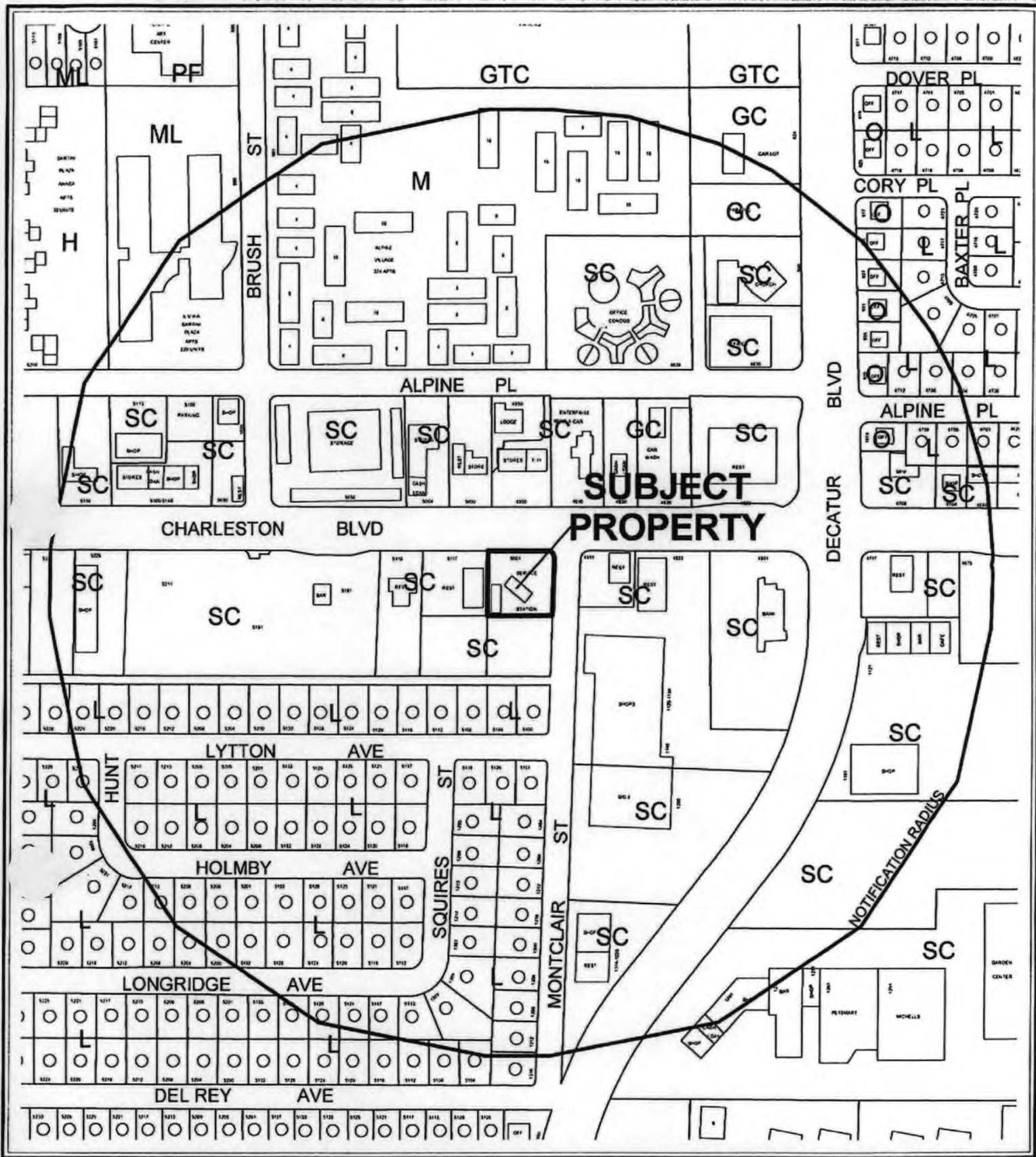
**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Table request by Attorney Bob Gronauer for Items 107-111
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 29

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: GPA-16201**

**RADIUS: 1000 FT**

**GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

SC (SERVICE COMMERCIAL)

**PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

GC (GENERAL COMMERCIAL)

0 200 400 Feet







CASE: **GPA-16201**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC (GENERAL COMMERCIAL)

0 200 400 Feet



*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

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

---

***THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMER 6, 2006 CITY COUNCIL  
MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

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



**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

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

**BACKGROUND INFORMATION**

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

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

| <b>Details of Application Request</b> |            |
|---------------------------------------|------------|
| <b>Site Area</b>                      |            |
| Gross Acres                           | 0.51 Acres |

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

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

## ANALYSIS

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

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

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

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

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

## **FINDINGS**

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

### **In regard to "1":**

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



**In regard to “2”:**

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

**In regard to “3”:**

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

**In regard to “4”:**

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 11

**NOTICES MAILED** 136 by Planning Department

**APPROVALS** 2

**PROTESTS** 1

## STATEMENT OF FINANCIAL INTEREST

Name of Applicant: JOHN VIVIER ARCHITECT

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

☒ Yes ☐ No

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

City Official: \_\_\_\_\_

**Partner(s):** \_\_\_\_\_

APN: \_\_\_\_\_

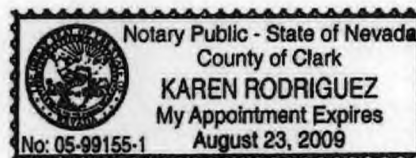
Signature of Property Owner: [Signature]

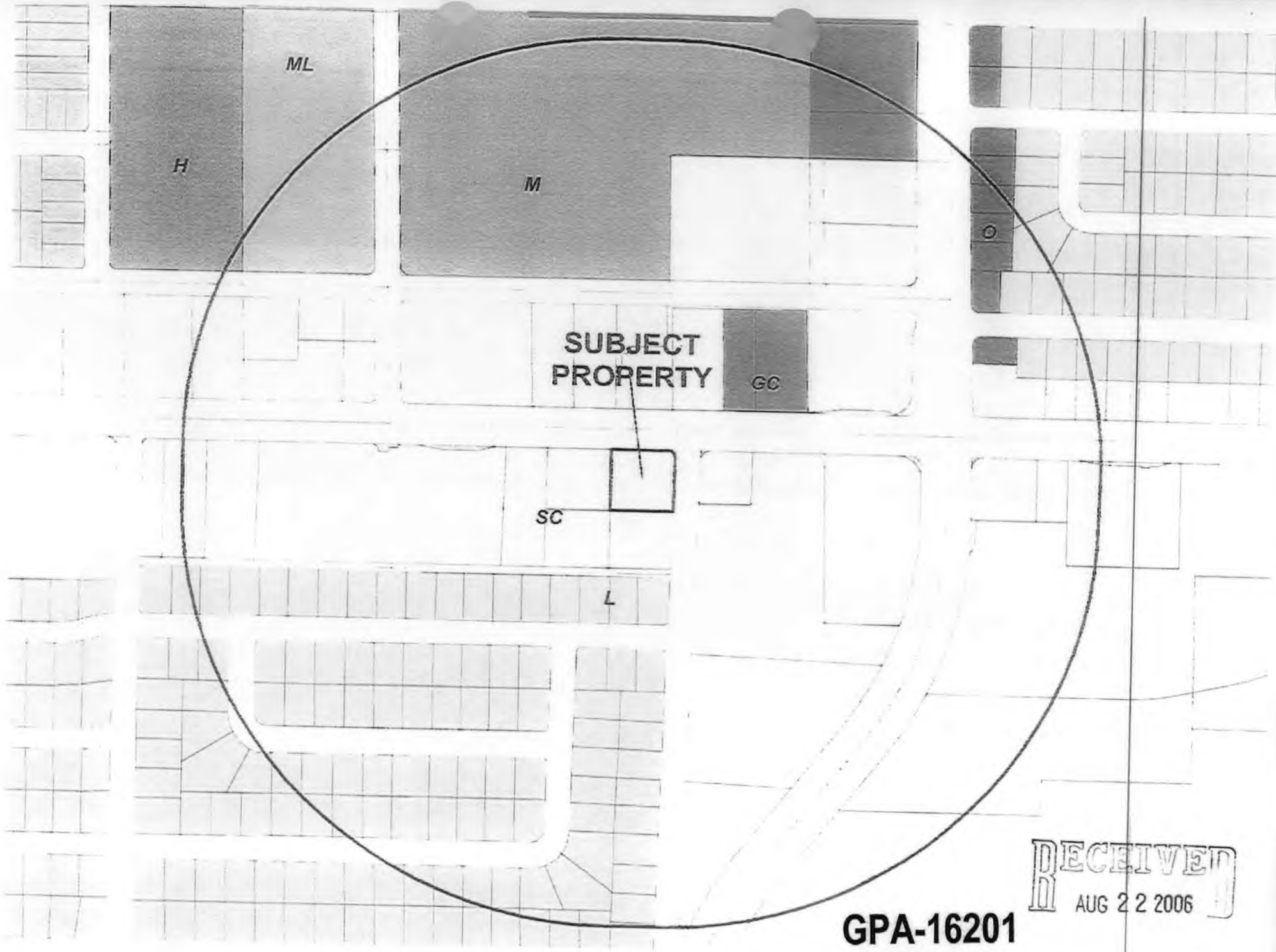
Print Name: FRED NAZARYAN

**Subscribed and sworn before me**

This 22 day of August, 2006

Karen Rodriguez  
Notary Public in and for said County and State





**SUBJECT  
PROPERTY**

GC

SC

L

**GPA-16201  
10/05/06 PC**

**RECEIVED**  
AUG 22 2006

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

---

To:

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

August 21, 2006

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

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

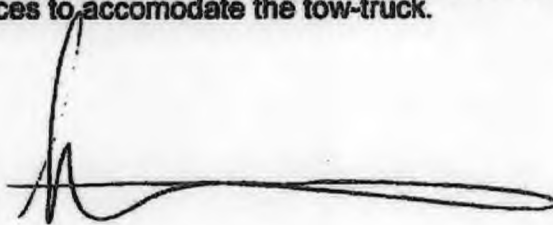
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

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

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

Sincerely,

**Fred Nazaryan**  
Business Owner

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

**GPA-16201**  
**10/05/06 PC**



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

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ROBERT J. GRONAUER

rgronauer@kkbrf.com  
702.792-7000
 LAS VEGAS OFFICE  
2800 Howard Hughes Parkway  
Seventh Floor  
Las Vegas, NV 89169  
Tel: 702.792.7000  
Fax: 702.796.7181

 RENO OFFICE  
5585 Kietzke Lane  
Reno, NV 89511  
Tel: 775.852.3900  
Fax: 775.852.3982

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

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

December 19, 2006

**VIA FACSIMILE**

382-4803

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

 Re: *Family Auto Care*  
*GPA-16201; ZON-16196; SUP-16198; SUP-16200; SDR-16197*

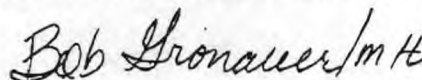
Dear Ms. Ronemus:

Our office represents the property owner/applicant in the above-referenced matters. We respectfully request that these items be held tabled from the presently scheduled City Council hearing of December 20, 2006.

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

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW &amp; FERRARIO



Robert J. Gronauer

RJG/mlt

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

2006 DEC 19 P 2:15

RECEIVED  
CITY CLERK

Submitted after final agency

Date 12/19/06 Item #107-111



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

Sept. 25-2006

Planning Commission

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

Thank You  
Lyle Fraucher  
5104 Lytton Ave.  
Las Vegas NV 89146

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

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

September 28, 2006

To Whom It May Concern,

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

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

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

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33  
← CASE # See List  
PC MTG 10-5-06

A



October 1, 2006

To Whom it May Concern,

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

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

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

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

Sincerely,

*Danielle Thorne* *3 Scott Thorne*  
Danielle Thorne and Scott Thorne

RECORDED  
OCT 02 2006

ITEM # 29.33  
CASE # \_\_\_\_\_  
PC MTG VC 504

A

October 3, 2006

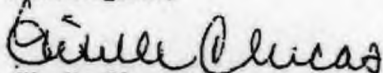
To Whom it May Concern:

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

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

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

Best Regards,



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

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

ITEM # 21-33

CASE # SEE LIST

PC MTG 10-03-06



## CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

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

Dear Planning Commission,

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

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

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

Thank you very much.

June Ingram  
259-3094

and

Pamela Stancliffe  
258-1517

**RECEIVED AFTER  
PC MEETING**

### MEMBERS

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





## CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures request.

APPROVAL of applicant Fred Nazaryan for GPA-16201

GENERAL COMMERCIAL so that he can repair car mat.

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

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

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

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

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

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER  
PC MEETING**

### MEMBERS

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

# RECEIVED AFTER PC MEETING

## PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-16200) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 16200-502-011 WARD ONE which will allow the repair of auto engines here.

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

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

| NAME             | ADDRESS                       | PHONE              |
|------------------|-------------------------------|--------------------|
| Harold Linder MD | 10425 Villa Ridge Dr          | 89134 360-3590     |
| Frank A. Jackson | 4550 W. Sahara Ave            | 88-4791            |
| Frank A. Jackson | 500 BUSH GARDEN LN SUITE 101  | 6563655            |
| Michelle Villa   | 1409 Patent Street            | 2-437-4988         |
| SOPHIA TENDO     | 500 SIERRA Vista Dr 231       | 336-1949           |
| Scott Peterson   | 3659 Marcrest Cir LV 89121    | 613-6910           |
| Jimmy Lagana     | 7634 Silver Wells Rd LV 89121 | 839-8726           |
| Rene Keli        | " "                           | 580-7632           |
| Frank Remington  | 8244 Bristol Way              | 2-8782942          |
| Laura Shingary   | 4433 Aberdeen Ln LV 89121     | 39107 501-550      |
| James Lopez      | " "                           | " "                |
| Robert Montano   | 5221 Holby Ave LV 89121       | 6067               |
| Robert Montano   | " "                           | " "                |
| Clara Puel       | 3659 Marcrest Cir             | 89121 360-6855 757 |
| Lisa Peterson    | " "                           | " "                |
| Justin Lopez     | 5001 W. Charleston Blvd       | " "                |
| Mike DePaul      | 4464 Roscommon St LV 89121    | 391-8110           |
| Joe Lopez        | 6200 Bonanza Way              | 702-878-3182       |
| Frank Young      | 905 Carpenter Dr              | 702-877-1164       |

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 160-01-502-011 WARD ONE which will allow the repair of auto engines here

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

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

| NAME                | ADDRESS                | PHONE    |
|---------------------|------------------------|----------|
| BARBARA VITRANO     | 217 BROXTON LN         | 258-2019 |
| Michael             | "                      | "        |
| Thelma E. Slaughter | 5913 Pebble Beach Pkwy | 638-8767 |
| Michael Slaughter   | 5913 Pebble Beach Pkwy | 638-8101 |
| Holly Christensen   | 6337 Dayton Ave        | 258-9002 |

RECEIVED AFTER  
PC MEETING



To Whom it May Concern,

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

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

RECEIVED AFTER  
PC MEETING



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

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

Sincerely,

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

RECEIVED AFTER  
PC MEETING

September 28, 2006

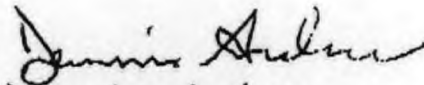
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

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

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

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

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

  
Dennis Ardine  
6160 Shawnee Ave.  
Las Vegas NV 89127

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

RECEIVED AFTER  
PC MEETING

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

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

REZONING RELATED TO GPA-16201

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

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

3

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

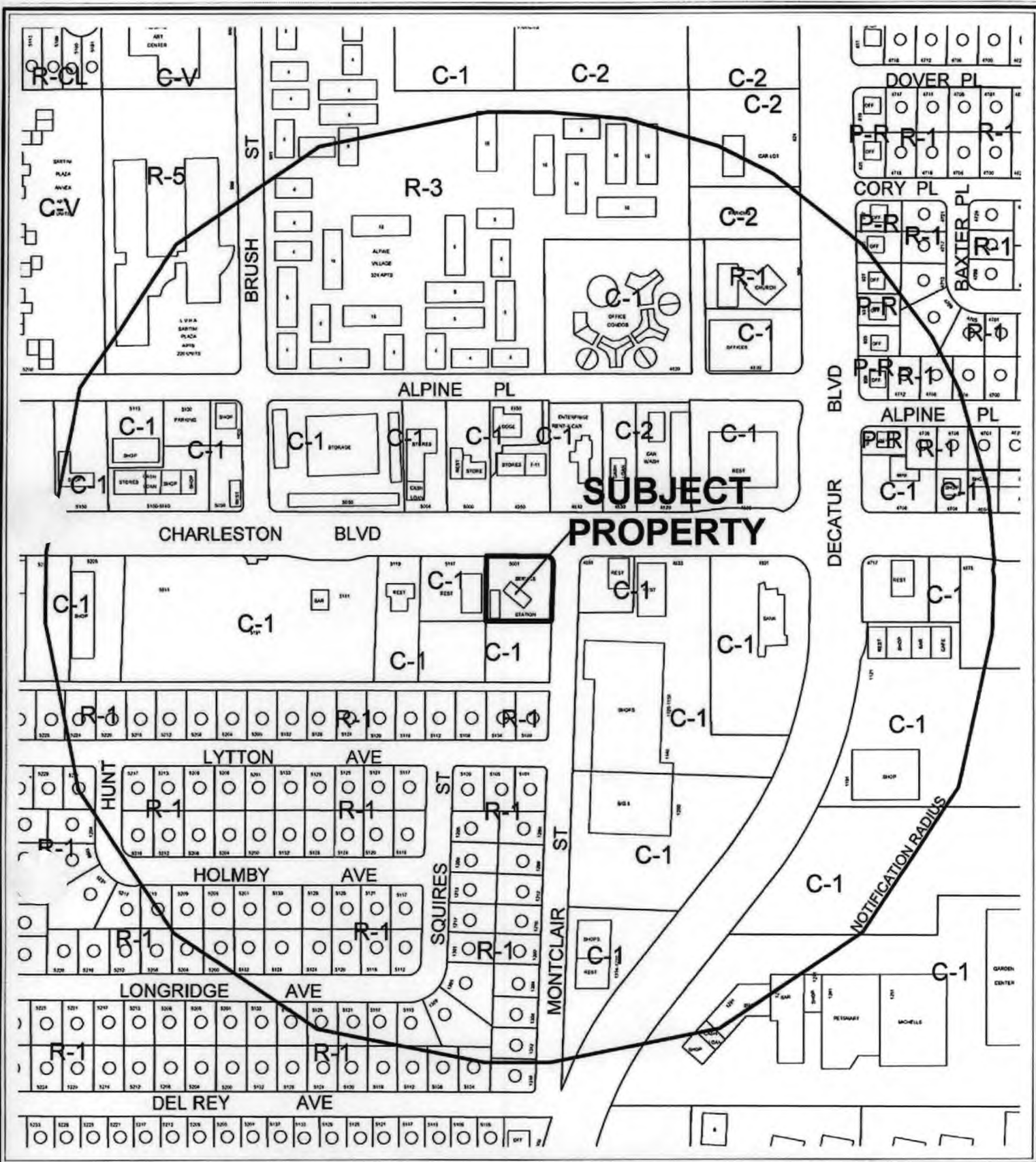
Motion made by GARY REESE to Table Item 107 [GPA-16202], Item 108 [ZON-16196], Item 109 [SUP-16198], Item 110 [SUP-16200] and Item 111 [SDR-16197]; HOLD IN ABEYANCE Item 116 [ZON-15031], Item 117 [SDR-15030], Item 132 [SDR-17298], Item 152 [RQR-17098] and Item 154 [SDR-17057] to 1/3/2007; Item 122 [VAR-16165], 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)

Minutes:

See Item 107 for related backup.



CASE: **ZON-16196**

RADIUS: 1000 FT

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

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







CASE: **ZON-16196**

RADIUS: 1000 FT

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

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

0 200 400 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

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

---

***THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. A General Plan Amendment (GPA-16201) to GC (General Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16197) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
4. Relocate the Trash Enclosure so as to avoid access through public right-of-way.
5. All signage will comply with the Standards as listed in Title 19.14 Sign Standards

**Public Works**

6. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of West Charleston Boulevard and Montclair Street prior to the issuance of any permits. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent structures located within the area being requested for dedication.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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



**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

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

**BACKGROUND INFORMATION**

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



| <b>Pre-Application Meeting</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/04/06                       | During the pre-application meeting with the representative, John Vivier, staff addressed concerns with previous actions and citations regarding this property. The representative was told that those previous actions would be addressed at the Planning Commission and that the property owner has been violating the existing Special Use Permit (SUP-5291) for Minor Automotive repair.                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Neighborhood Meeting</b>    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 9/14/06                        | <p>A neighborhood meeting was held at 5:44 pm at 5001 W. Charleston Blvd. In attendance were: three members of the development team; three members of the public; City Liaison Jeanne Maust; City Planner Doug Rankin; and the property owner.</p> <p>The following concerns were raised at the meeting:</p> <ul style="list-style-type: none"> <li>• Property needs to be cleaned up</li> <li>• Request for a 10-foot CMU block wall surrounding the property</li> <li>• Sales of used vehicles on site currently</li> <li>• Illegal signage on site currently</li> <li>• Request for a 3-foot block wall along Charleston</li> <li>• Will the driveways change?</li> <li>• Will vehicles be stored on site?</li> </ul> <p>The meeting was adjourned at 6:30 pm.</p> |

| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Gross Acres                           | 0.51 |

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

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

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08, the following parking standards apply:*

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

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

*Pursuant to Title 19.12, the following parking standards apply:*

| <i>Landscaping and Open Space Standards</i> |                                                           |              |                 |                   |
|---------------------------------------------|-----------------------------------------------------------|--------------|-----------------|-------------------|
| <i>Standards</i>                            | <i>Required</i>                                           |              | <i>Provided</i> | <i>Compliance</i> |
|                                             | <i>Ratio</i>                                              | <i>Trees</i> |                 |                   |
| Parking Area                                | 1 Tree: 6 uncovered spaces w/ 1 tree per landscape island | 3 Trees      | 0 Trees         | N                 |
| Buffer:                                     |                                                           |              |                 |                   |
| Min. Trees                                  | 1 Tree:30 Linear Feet                                     | 10 Trees     | 10 Trees        | Y                 |
| <b>TOTAL</b>                                |                                                           | 13 Trees     | 10 Trees        | N                 |
| Min. Zone Width                             | 15 Feet ROW buffer & 8' interior lot buffer               |              |                 | N                 |
| Wall Height                                 | 6 Feet                                                    |              |                 | Y or N            |

***Pursuant to Title 19.10, the following parking standards apply:***

| Parking Requirement        |                                     |                                                 |         |              |          |              |            |
|----------------------------|-------------------------------------|-------------------------------------------------|---------|--------------|----------|--------------|------------|
| Use                        | Gross Floor Area or Number of Units | Required                                        |         |              | Provided |              | Compliance |
|                            |                                     | Parking Ratio                                   | Parking |              | Parking  |              |            |
|                            |                                     |                                                 | Regular | Handi-capped | Regular  | Handi-capped |            |
| Auto Repair Garage (Major) | 3,169 SF.                           | 1 space per 200 SF GFA plus 5 additional spaces | 21      | 1            | 23       | 1            | Y          |
| Tow Service no storage     |                                     | 1 space per employee plus one space per truck   | 2       | 0            | 2        | 0            | Y          |
| TOTAL (including handicap) |                                     |                                                 | 23      | 1            | 23       | 1            | Y          |
| Loading Spaces             |                                     |                                                 | 1       |              | 1        |              | Y          |

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

## ANALYSIS

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

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

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

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

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

## FINDINGS

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

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

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



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

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

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

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

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

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 11

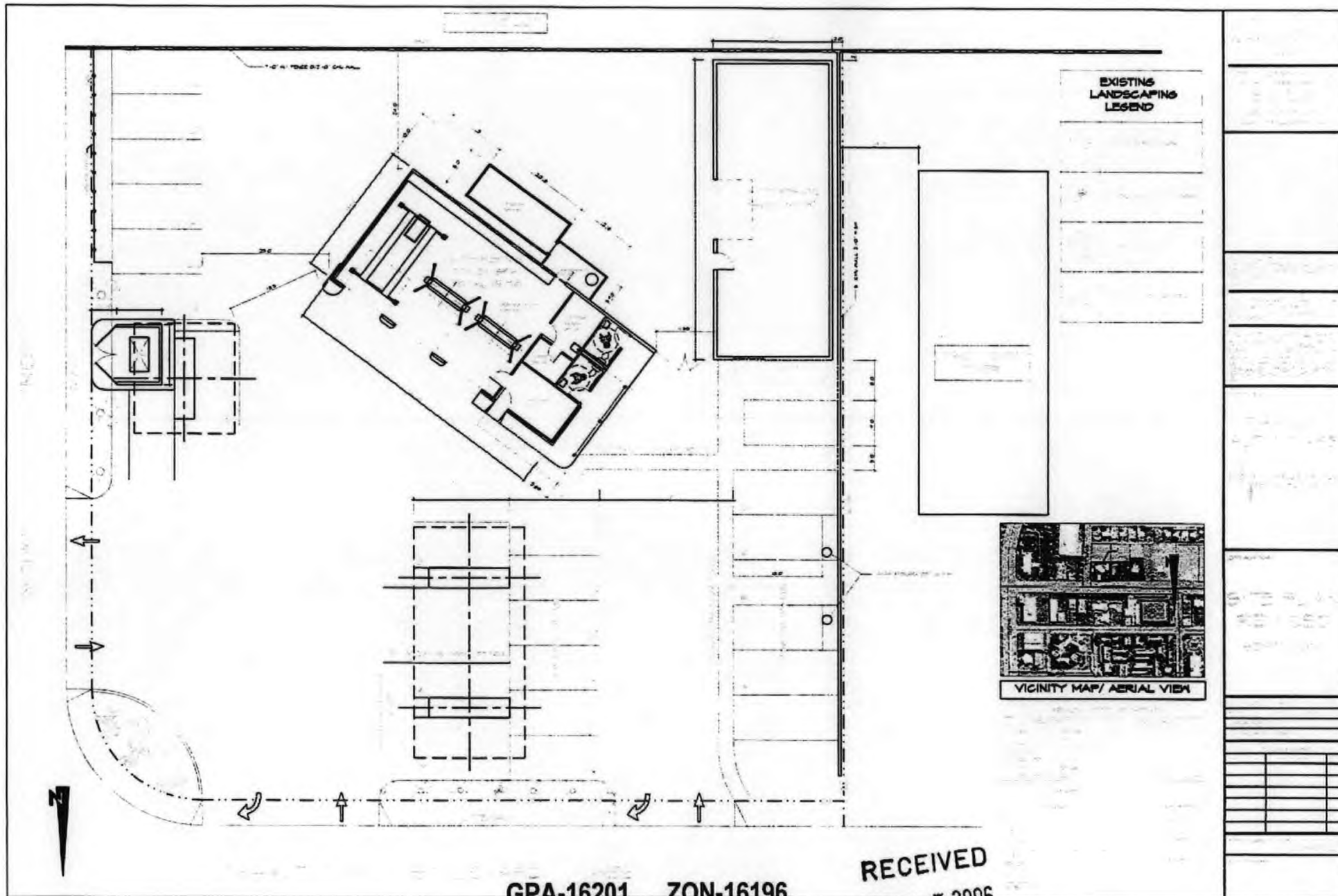
**NOTICES MAILED** 136 by Planning Department

**APPROVALS** 2

**PROTESTS** 1

## STATEMENT OF FINANCIAL INTEREST

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



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

To:

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

August 21, 2006

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

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

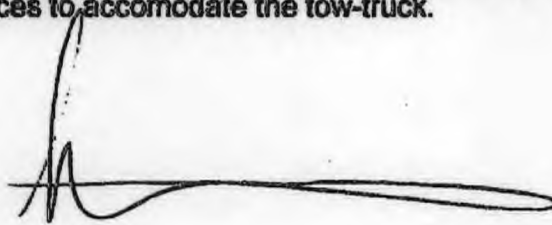
The limitation of business required by the C-1 zoning regulations is very restrictive, whence frustrating. Minor technical interventions often lead to more severe diagnostics for which necessary repairs are not allowed on location, therefore causing a considerable loss of business.

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

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

Sincerely,

**Fred Nazaryan**  
Business Owner

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

**ZON-16196**  
**10/05/06 PC**



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

Sept. 25-2006

Planning Commission

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

Thank you  
Lyle Frazer  
5104 Lytton Ave.  
Los Angeles CA 90046

GPA - 116201  
ZON - 1161916  
SUP - 116198  
SUP - 116200  
SDR - 1161917

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

September 28, 2006

To Whom It May Concern,

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

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

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

Sincerely,

Tori Jackson

ATTENTION: Planning Commission

FROM: Tori Jackson

332 South Crestline Dr.

Las Vegas, NV 89107

Ph. # 870-0237

RE: Permit Requests for Family Auto Care

5100 West Charleston Blvd.

PERMIT #'s: GPA 16201

ZON 16196

SUP 16198

SUP 16200

SDR 16197

OCT 02 2006

ITEM # 29-33  
← CASE # See List  
PC MTG 10-5-06

A

October 1, 2006

To Whom it May Concern,

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

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



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

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

Sincerely,

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

OCT 02 2006

ITEM # 29-33  
CASE # \_\_\_\_\_  
PC MTG X 504

A

October 3, 2006

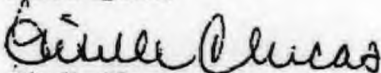
To Whom it May Concern:

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

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

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

Best Regards,



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

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

ITEM # 2133  
CASE # 200-116197  
PC MTG 11-03-06

17



## CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

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

October 5, 2006

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

Dear Planning Commission,

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

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

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

Thank you very much.

*June Ingram*

June Ingram  
259-3094

and

*Pamela Stancliffe*

Pamela Stancliffe  
258-1517

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PC MEETING

### MEMBERS

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



# CHARLESTON NEIGHBORHOOD PRESERVATION

"Doing things today that will improve tomorrow"

PHONE: (702) 877-2438

5 October 2006

Dear CLV PLANNING COMMISSIONERS:

Following are 2 letters and 2 pages of signatures requesting

APPROVAL of applicant Fred Nazaryan for GPA-16201 for a new

GENERAL COMMERCIAL so that he can repair car motor.

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

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

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

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

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

FOR GPA-16201 is all the information above.

Thank you.

Juanita Clark, assistant to President Ingram

**RECEIVED AFTER  
PC MEETING**

#### MEMBERS

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



# RECEIVED AFTER PC MEETING

## PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1620) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 1030-502-011 WARD ONE which will allow the repair of auto engines here.

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

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

| NAME              | ADDRESS                       | PHONE        |
|-------------------|-------------------------------|--------------|
| Harold Linder     | 10425 Villa Ridge Dr          | 360-3590     |
| Frank A. Jackson  | 4530 W. Sahara Ave            | 88-4790      |
| Frank A. Jackson  | 500 BUSH GARDEN LN            | 6563655      |
| Misael Villa      | 1409 Potent Street            | 437-4988     |
| Daphia Teado      | 300 Seneca Vista Dr 231       | 336-1949     |
| Scott Peterson    | 3659 Moncrest Cir LV 89121    | 813-6910     |
| Jimmy Lagoria     | 7634 Silver Wells Rd LV 89121 | 839-8726     |
| Ric Keli          | " "                           | 580-7632     |
| Fred Remington    | 6244 Bristol Way              | 2-8782992    |
| Laura Shingary    | 4433 Aberdeen Ln              | 39107-501550 |
| Jesus Lopez       | " "                           | " "          |
| Robert Montenegro | 5221 Helix Ave                | 87-6067      |
| Debra P. Lee      | 3659 Moncrest Cir             | 888-6585757  |
| Lisa Peterson     | " "                           | " "          |
| Justin L. Lee     | 5000 Montecello St            | " "          |
| Mike DeLeon       | 4464 Roscommon St             | 395-8110     |
| Mike DeLeon       | 6200 Bonanza Way              | 878-3182     |
| Mike DeLeon       | 905 Carpenter Dr              | 877-1164     |

PETITION:

OCTOBER 2006

We sign this petition to let everyone know that WE WANT FAMILY AUTO CARE CENTER, AT 5001 W. CHARLESTON BLVD. TO BE APPROVED BY YOU FOR THEIR APPLICATION (GPA-1629) WHICH WILL ALLOW GENERAL COMMERCIAL (GC), item APN 163-1-502-011 WARD ONE which will allow the repair of auto engines here

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

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

| NAME                | ADDRESS               | PHONE    |
|---------------------|-----------------------|----------|
| BARBARA WITMAN      | 217 BROXTON LN        | 258-8019 |
| M. [unclear]        | "                     | "        |
| Thelma E. Slaughter | 5913 Pebble Beach Fwy | 638-8767 |
| Michael Slaughter   | 5913 Pebble Beach Fwy | 638-8767 |
| Holly Christensen   | 6337 Dayton Ave       | 258-9002 |

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PC MEETING

To Whom it May Concern,

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

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

Sincerely,

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

RECEIVED AFTER  
PC MEETING



September 28, 2006

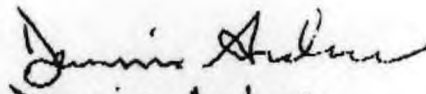
To whomever has the authority to allow the business of FAMILY AUTO CARE operated by Fred Nazaryan to do engine repair at 5100 W. Charleston Blvd.:

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

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

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

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

  
Dennis Ardine  
6160 Shawnee Ave.  
Las Vegas NV 89127

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

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PC MEETING